



LEGISLATIVE COUNCIL

2019-20-21

FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT

QUESTIONS AND ANSWERS

No. 581

THURSDAY 9 SEPTEMBER 2021

(The Questions and Answers Paper published on Monday to Friday of each week will contain, by number and title, all questions to which answers have been received the previous day and any new questions asked that 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. 566 (Including Question Nos 7197 to 7206)	9 September 2021
Q & A No. 567 (Including Question Nos 7207 to 7212)	10 September 2021
Q & A No. 568 (Including Question Nos 7213 to 7218)	13 September 2021
Q & A No. 569 (Including Question Nos 7219 to 7272)	14 September 2021
Q & A No. 570 (Including Question Nos 7273 to 7275)	15 September 2021
Q & A No. 571 (Including Question Nos 7276 to 7278)	16 September 2021
Q & A No. 572 (Including Question Nos 7279 to 7289)	17 September 2021
Q & A No. 573 (Including Question Nos 7290 to 7342)	20 September 2021
Q & A No. 574 (Including Question Nos 7343 to 7345)	21 September 2021
Q & A No. 575 (Including Question Nos 7346 to 7349)	22 September 2021
Q & A No. 576 (Including Question Nos 7350 to 7359)	23 September 2021
Q & A No. 577 (Including Question Nos 7360 to 7375)	24 September 2021
Q & A No. 578 (Including Question Nos 7376 to 7390)	27 September 2021
Q & A No. 579 (Including Question Nos 7391 to 7402)	28 September 2021
Q & A No. 580 (Including Question Nos 7403 to 7417)	29 September 2021
Q & A No. 581 (Including Question Nos 7418 to 7425)	30 September 2021

19 AUGUST 2021

(Paper No. 566)

* 7197 LOCAL GOVERNMENT—COUNCIL DISSATISFACTION—Reverend the Hon. Fred Nile to ask the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts representing the Minister for Local Government—

- (1) The Snowy Valley Council's Community Satisfaction Survey only had 14 per-cent of residents from all over the Snowy Valleys Council area who rated the performance of the council as "good" or "very good" whereas 62 per-cent responded 'highly dissatisfied' with management of the council:
 - (a) The Snowy Valley Council has rated below the New South Wales Regional Council average and is the lowest performing Council in the database:
 - (i) What actions does the Minister intend to take to address the dissatisfaction of the constituents in the Snowy Valley Council?
 - (ii) Will the Minister consider changing direction by following the Independent Boundaries Commission's findings and recommend that the Snowy Valleys Council be demerged?

Answer—

I am advised:

Under the *Local Government Act 1993* councils are largely independent and self-governing bodies with rights and powers conferred by law. Ultimately, councils are accountable to their communities for their performance and the decisions they make, with voters casting judgement at the local government elections on 4 December 2021.

The NSW Government remains committed to supporting councils across the state to deliver and improve infrastructure, services and facilities for local communities. Since 2010-11, the Government has provided over \$11 billion in funding to local councils. This significant contribution recognises the role councils play in providing vital services and infrastructure for their local communities.

The reports received from the Local Government Boundaries Commission on this proposal did not provide a clear consensus on the issue of demerging and did not provide me with the necessary confidence to make a recommendation to the Governor that the proposal be implemented.

I made the decision on this proposal after finalising my consideration of the reports, as required under the *Local Government Act 1993*. The decision provides both the council and its community with certainty and a plan for the future.

I have also announced an independent statutory review into the Local Government Boundaries Commission.

The review will examine the effectiveness of the membership composition, functions and processes of the Local Government Boundaries Commission.

The terms of reference for review are available at www.olg.nsw.gov.au/LGBC-Review. Further details will be made available shortly.

* 7198 LOCAL GOVERNMENT—REGIONAL COUNCIL MERGERS—Reverend the Hon. Fred Nile to ask the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts representing the Minister for Local Government—

- (1) The Independent Boundaries Commission recommended to demerge Snowy Valleys Council after a 3 year process involving three separate proposals, public hearings, a record number of public submissions, and overwhelming community support for the demerger: 88 per-cent in the former Tumbarumba Shire, and 51 per-cent in Tumut:
 - (a) Why has the Minister refused to accept the independent Boundaries Commission recommendations to demerge Snowy Valleys Council?

Answer—

I am advised:

The NSW Government remains committed to supporting councils across the state to deliver and improve infrastructure, services and facilities for local communities.

The reports received from the Local Government Boundaries Commission on this proposal did not provide a clear consensus on the issue of demerging and did not provide me with the necessary confidence to make a recommendation to the Governor that the proposal be implemented.

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* 7199 HEALTH AND MEDICAL RESEARCH—NSW HEALTH FUNDING ADVICE ON SEX TOYS AND ANAL SEX—Reverend the Hon. Fred Nile to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Health and Medical Research—

- (1) I refer the Minister to the NSW Health Website entitled 'Play Safe'- playsafe.health.nsw.gov.au. This website provides advice on Covid-19 safe sex, mutual masturbation and sex toy cleaning advice. Additionally, there is a public forum with such topics as 'what is your favourite sex toy' and 'flavoured condoms yay or nay'. A government moderator on this forum also provides advice on how to perform anal sex:
 - (a) Is the Minister aware of this website?
 - (b) How much has this website cost the New South Wales taxpayer?
 - (c) Who approved this website?
 - (d) What provisions has NSW Health taken to prevent minors from accessing this material?
 - (e) Will the Minister remove this website as a matter of urgency?
 - (f) What safety provisions are in place to prevent paedophiles from accessing this forum designed for young Australians?

Answer—

- (1)
 - (a-f) I am aware of the Play Safe website, which was approved and funded by NSW Health. The forum requires a date of birth on registration and is targeted at young people aged 15-29. This section of the community has the highest rates of notifiable sexually transmissible infections, including Chlamydia. Moderators adhere to a detailed risk management strategy, which includes specific strategies to ensure the safety and well-being of young people.

* 7200 AGRICULTURE AND WESTERN NEW SOUTH WALES—SHOALHAVEN ZOO—The Hon. Emma Hurst to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Agriculture and Western New South Wales—

- (1) In answers to questions on notice published on 9 August 2021, the Minister indicated that, at a recent audit of Shoalhaven Zoo, corrective action was raised in respect to the 'nutrition, hygiene and health' and 'records and procedures':
 - (a) When did the audit of Shoalhaven Zoo take place?
 - (b) Did Shoalhaven Zoo have advance notice that the audit was taking place?

- (c) With respect to the corrective action raised relating to ‘nutrition, hygiene and health’, please provide details of:
- (i) The specific non-conformances that the Department of Primary Industries (DPI) found at the audit, including which animals the non-conformances related to?
 - (ii) Whether the corrective action request was classified as ‘minor’, ‘major’ or ‘critical’?
 - (iii) The specific corrective action that Shoalhaven Zoo was required to undertake?
- (d) With respect to the corrective action raised relating to ‘records and procedures’, please provide details of:
- (i) the specific non-conformances that the DPI found at the audit?
 - (ii) whether the corrective action request was classified as ‘minor’, ‘major’ or ‘critical’?
 - (iii) the specific corrective action that Shoalhaven Zoo was required to undertake?
- (e) How long have Shoalhaven Zoo been given to undertake the corrective action?
- (f) When is the next inspection of Shoalhaven Zoo expected to take place?

Answer—

(1)

- (a) 16/02/2021.
- (b) Yes.
- (c)
 - (i) Procedures for managing infectious diseases required corrective action. No specific animal.
 - (ii) Major.
 - (iii) Add infectious disease procedure to quarantine procedure.
- (d)
 - (i) Establishment does not have up-to-date animal record sheets. Establishment does not have sufficient identification records on individual animals.
Post-mortems not carried out for the death of a prescribed species.
The authority has not updated animal records within a reasonable time.
 - (ii) Major.
 - (iii) Ensure animal records are up to date.
Ensure animal identification records are up to date.
Ensure post-mortem examinations are undertaken on prescribed species.
- (e) Three months for each corrective action (excluding post-mortem reports).
- (f) Exhibited animal establishments are audited on an annual frequency.

* 7205 TRANSPORT AND ROADS—HEAVY VEHICLE SPEEDING CAMERA OFFENCES—The Hon. John Graham to ask the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts representing the Minister for Transport and Roads—

- (1) For each month from January 2016 to June 2021 inclusive:
- (a) How many speeding infringement notices were issued through the mobile speed camera program for offences in heavy vehicles?

Answer—

This is a matter for the Minister for Finance and Small Business.

* 7206 TRANSPORT AND ROADS—SOUTH EAST SYDNEY BUS CHANGES—The Hon. Mark Buttigieg to ask the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts representing the Minister for Transport and Roads—

- (1) What are the results of the Government community consultation survey that was conducted for the South East Sydney Bus Changes?
- (2) Can you please provide all results of the Government community consultation survey that was conducted for the South East Sydney Bus Changes?
 - (a) If not, why not?

Answer—

I am advised:

Community consultation on the South East bus changes started on 6 May 2021 and concluded 30 June 2021. Feedback from the community consultation is currently being considered and will inform the development of final timetables.

The final network plan and a summary of the community feedback received during the eight-week consultation period will be released in late 2021.

20 AUGUST 2021

(Paper No. 567)

* 7210 CUSTOMER SERVICE—EAPA VOUCHERS—The Hon. Courtney Houssos to ask the Minister for Finance and Small Business representing the Minister for Customer Service, and Minister for Digital—

- (1) Please provide the total number of Energy Accounts Payment Assistance (EAPA) vouchers claimed in the last two months, or the most similar and most recent period of time available?
 - (a) Broken down by local government area?
 - (b) Broken down by state electorate?
- (2) Please provide the total value of EAPA vouchers claimed in the last two months, or the most similar and most recent period of time available?
 - (a) Broken down by local government area?
 - (b) Broken down by state electorate?

Answer—

Please see response to LC QON 7212.

9 SEPTEMBER 2021

(Paper No. 581)

7418 AGRICULTURE AND WESTERN NEW SOUTH WALES—MURRAY CRAYFISH—The Hon. Mark Banasiak to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Agriculture and Western New South Wales—

- (1) In Budget Estimates last year in response to questions on Murray Crayfish moratorium, the Minister stated the following:

“The existing moratorium on the taking of Murray crayfish was implemented following the 2016 hypoxic blackwater events. The NSW Fisheries Scientific Committee (FSC) will be undertaking a review of the status of Murray crayfish populations in 2021 in conjunction with DPI Fisheries. The current management settings for Murray crayfish will be reconsidered in light of the FSC review”:

 - (a) When will this review be completed?

- (b) When will the review findings including all data pertaining to review be published on the departments website?

7419 EDUCATION AND EARLY CHILDHOOD LEARNING—NARRABRI HIGH SCHOOL—The Hon. Mark Banasiak to ask the Minister for Education and Early Childhood Learning—

- (1) On 31 August a Department of Education response to concerns around teacher shortages at Narrabri High School was published in the Narrabri Courier. In response to these concerns it stated:
- “teachers in rural and remote locations can access a suite of financial and non-financial incentives, including:
- A rural teacher incentive of up to \$30,000.
 - Up to 90 per cent rental subsidy.
 - Locality and cost of living allowances.
 - An annual ‘retention benefit’ of \$5000 for up to 10 years.
 - An annual ‘experienced teacher’ bonus of \$10,000 for up to five years · Recruitment bonus of \$10,000 (if applicable).
 - A 10-week trial placement before permanent appointment.
 - Up to four additional professional. development days and five additional personal leave days.
 - Sponsorship for professional development.
 - Scholarships.
 - Priority transfer after two to five years”:
- (a) Given that none of these incentives are available to teachers at Narrabri:
- (i) Why did the Department include this misleading information in its response?
- (b) Why was the request for Narrabri High School to be added to the incentive schools program rejected in 2019?
- (i) In light of these concerns, will this request be re-evaluated?
- (2) How many positions across New South Wales that are available to be made permanent are currently filled by the following positions:
- (a) Long term casual positions?
- (b) Temporary contract positions?
- (3) What advice has been given in the last three years to Principals formerly or informally on the utilisation of casual/temporary contracts as opposed to filling positions permanently?

7420 AGRICULTURE AND WESTERN NEW SOUTH WALES—COMMRCIAL FISHING CHARGES—The Hon. Mark Banasiak to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Agriculture and Western New South Wales—

- (1) The first instalment of fees for commercial fishermen for 2021 is due in 20 days:
- (a) Why have commercial fishermen not received their notice?
- (2) The allocation of Quota shares to the share classes have historically been allocated on 1 July as per schedule of fees document no: NT21/118800:
- (a) Why has this date changed to 13August?
- (b) How were commercial fishermen notified of this change?
- (c) With regards to the proposed change to management fees, department documentation states the following:

“The current commercial fisheries management charges of \$1,184 per class of shares held by a business in the Estuary General, Estuary Prawn Trawl, Ocean Hauling, Ocean Trap & Line, and Ocean Trawl fisheries (excluding quota share classes, and with a 40% accumulative discount after the first two)”:

- (i) Why does this document contradict legislation and the fisheries management plan, that state the accumulative discount will be 60 per cent?
- (3) Given that Commfish has recommended that the “new system of management charges be implemented as proposed”:
 - (a) When will this new system be fully implemented?

7421 EDUCATION AND EARLY CHILDHOOD LEARNING—MARCHING AT THE IMITATION OLYMPICS—The Hon. Mark Latham to ask the Minister for Education and Early Childhood Learning—

- (1) Further to the Minister’s answer to Question on Notice 7179:
 - (a) Has the Minister seen the Facebook video of countries marching at the imitation Olympics opening ceremony posted by the Milton Public School?
 - (b) Why were the students marching as the ‘Aboriginal’ nation carrying the same type of signage that denoted the nations of France, Italy, Germany, Mexico, South Africa, Australia and New Zealand?
 - (c) Does the Minister support segregating Australian students according to race so that they march as separate ‘Aboriginal’ and ‘Australia’ nations?

7422 PLANNING AND PUBLIC SPACES—DEVELOPER CHARGES FOR COAL MINE BIODIVERSITY OFFSETS—Mr Justin Field to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Planning and Public Spaces—

- (1) Have any biodiversity obligations for coal mine projects in New South Wales been delivered through developer charges paid to the Biodiversity Conservation Trust (BCT)?
 - (a) If so, please provide the:
 - (i) Name of the project?
 - (ii) Date of approval?
 - (iv) Value of the developer contribution?
 - (b) For each of the biodiversity offset obligations identified, does the Department of Planning, Industry and Environment (DPIE) monitor the delivery of these obligations by the Biodiversity Conservation Trust?
 - (i) If so, have all of the obligations been fulfilled?
 - (ii) If not, what unfulfilled obligations does it hold and which mine approvals do they relate to?

7423 PLANNING AND PUBLIC SPACES—UNDELIVERED BIODIVERSITY OFFSET REQUIREMENTS FOR COAL MINES IN NSW—Mr Justin Field to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Planning and Public Spaces—

- (1) Which coal mining projects in New South Wales have biodiversity offset requirements as part of their conditions of consent which have not yet been delivered?
 - (a) For each undelivered offset requirement please provide:
 - (i) The name of the project?
 - (ii) The date the offset condition was set?
 - (iii) The original delivery date?
 - (iv) The act under which the offset condition was established?
 - (v) The nature of the offset condition?

- (vi) The date of any extensions granted to the delivery of the offset condition?
- (vii) The reason for each extension?
- (x) The current due date for delivery of the offset condition?

7424 COUNTER TERRORISM AND CORRECTIONS—PORT MACQUARIE RIGHT WING ACTIVITY—The Hon. Walt Secord to ask the Minister for Sport, Multiculturalism, Seniors and Veterans representing the Minister for Counter Terrorism and Corrections—

- (1) Given the appearance of antisemitic COVID-19 conspiracy theory graffiti at Port Macquarie's Lighthouse Beach in July 2020; a Port Macquarie anti-lockdown protest in August 2021; the arrest of Port Macquarie-based anti-lockdown, anti-mask self-described 'freedom' leader Brady Gunn arrest in Sydney; and the recent debate on fluoride in Port Macquarie-Hasting drinking water:
 - (a) Has NSW Police's Counter Terrorism reported an increase in far right activity in the region?
 - (i) If so, what has been the response from the Government?

7425 POLICE AND EMERGENCY SERVICES—QR CODES—The Hon. Walt Secord to ask the Minister for Sport, Multiculturalism, Seniors and Veterans representing the Minister for Police and Emergency Services—

- (1) Are there protocols in place between the linking of QR Codes and privacy?
 - (a) If so, what are those protocols?

David Blunt
Clerk of the Parliament