



## LEGISLATIVE COUNCIL

2019-20-21-22

FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT

# QUESTIONS AND ANSWERS

No. 752

TUESDAY 31 MAY 2022

(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.

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<b>Publication of Questions</b>	<b>Answer to be lodged by</b>
Q & A No. 738 (Including Question Nos 8790 to 8798)	31 May 2022
Q & A No. 739 (Including Question Nos 8799 to 8800)	1 June 2022
Q & A No. 740 (Including Question Nos 8801 to 8802)	2 June 2022
Q & A No. 741 (Including Question Nos 8803 to 8822)	3 June 2022
Q & A No. 742 (Including Question Nos 8823 to 8824)	6 June 2022
Q & A No. 743 (Including Question Nos 8825 to 8829)	7 June 2022
Q & A No. 744 (Including Question Nos 8830 to 8832)	8 June 2022
Q & A No. 745 (Including Question Nos 8833 to 8840)	9 June 2022
Q & A No. 746 (Including Question Nos 8841 to 8855)	10 June 2022
Q & A No. 747 (Including Question Nos 8856 to 8856)	14 June 2022
Q & A No. 748 (Including Question Nos 8857 to 8860)	15 June 2022
Q & A No. 749 (Including Question Nos 8861 to 8861)	16 June 2022
Q & A No. 750 (Including Question Nos 8862 to 8865)	17 June 2022
Q & A No. 751 (Including Question Nos 8866 to 8878)	20 June 2022
Q & A No. 752 (Including Question Nos 8879 to 8881)	21 June 2022

**10 MAY 2022**

(Paper No. 738)

\* 8791 EDUCATION AND EARLY LEARNING—LITHGOW HIGH SCHOOL SCHOOL PRINCIPAL—The Hon. Mark Latham to ask the Minister for Education and Early Learning—

- (1) What action has been taken against the school principal who made the ‘better breeding’ comment in the Order for Papers document originally presented by the Department of Education as having come from Lithgow High School?

Answer—

The Department of Education’s Professional and Ethical Standards Directorate has completed its investigation into this matter. Appropriate action has been taken.

The investigation concluded that neither the Principal of Lithgow High School nor the Principal of Kandos High School made the comments. The use of the phrase has been attributed to another employee.

For privacy and confidentiality reasons, further comment cannot be provided.

\* 8792 ENERGY—MEGAWATTS LIDDELL UNITS—The Hon. Mark Latham to ask the Minister for Finance, and Minister for Employee Relations representing the Treasurer, and Minister for Energy—

- (1) What is the expected megawatt capacity of each of the three remaining Liddell units for the 2022/23 summer peak as identified by Australian Energy Market Operator (AEMO)?
  - (a) How does the data differ from the Liddell capacity figures publicly released by the Government?

Answer—

I am advised:

- (1) The expected capacity for each of the three remaining Liddell units for the 2022-23 summer peak as identified by AEMO is 420 megawatts.
  - (a) I am advised that for the purposes of calculating the Energy Security Target, the Office of Energy and Climate Change considers the firm capacity of Liddell’s remaining units to be 217.5 megawatts each, because of its availability in recent summer peak periods.

\* 8793 ENERGY—PROJECT ENERGY CONNECT—The Hon. Mark Latham to ask the Minister for Finance, and Minister for Employee Relations representing the Treasurer, and Minister for Energy—

- (1) When will the physical construction (as opposed to siting of workers’ camps) of the eastern alignment (Buronga to Wagga) of the Project Energy Connect commence?
  - (a) What has been the reason for the delay preventing commencement this year?
  - (b) What does this mean for the expected completion date?

Answer—

These questions are a matter for Transgrid as the responsible party for delivering the project.

\* 8794 AGRICULTURE—ABORIGINAL RANGER PROGRAM—The Hon. Mick Veitch to ask the Minister for Regional Transport and Roads representing the Minister for Agriculture, and Minister for Western New South Wales—

- (1) Can the Minister provide a breakdown of costs associated with the Local Land Services’ recently announced \$5.95 million Aboriginal Ranger Program?
- (2) What is the salary range for an Aboriginal Ranger Trainee?

Answer—

- (1) The NSW Government is investing \$5.95 million in the Local Land Services Aboriginal Ranger Program between March 2022 and December 2023.

- (i) Salary and other labour costs are expected to total \$2.5 million.
  - (ii) Staff support costs including training are expected to total \$476,430.
  - (iii) On-ground project delivery costs are expected to total \$2.9 million.
- (2) Trainees in the Aboriginal Ranger Program are employed under the Public Service Trainee Award (Skill Level Class C). The salary range is dependent on the Trainee's age and level of schooling completed, at a weekly rate of \$370.19 to \$598.11 (or \$19,249 to \$31,096 per annum) plus super.

\* 8795 SKILLS AND TRAINING—TAFE EXPENSES—The Hon. Anthony D'Adam to ask the Minister for Education and Early Learning representing the Minister for Skills and Training, and Minister for Science, Innovation and Technology—

- (1) What was the cost of external providers engaged to provide legal advice or conduct staff investigations at TAFE NSW in the following years:
- (a) 2014?
  - (b) 2015?
  - (c) 2016?
  - (d) 2017?
  - (e) 2018?
  - (f) 2019?
  - (g) 2020?
  - (h) 2021?
  - (i) 2022 (to date)?

Answer—

I am advised:

Expenses regarding professional services can be found in the NSW TAFE Annual Report.

\* 8796 ATTORNEY GENERAL—NUCOAL COMPENSATION FOR INNOCENT SHAREHOLDERS—The Hon. Rod Roberts to ask the Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence representing the Attorney General—

- (1) In October 2019 the Law and Justice Committee in its report no. 72 into the Mining Amendment (Compensation for Cancellation of Exploration Licence) Bill 2019 made two recommendations. In particular Recommendation 2 said, "That the Government address the outstanding matters raised during this inquiry, where appropriate, including the issue of compensation for innocent shareholders". Further the Committee on the Independent Commission Against Corruption in report No. 4/57 dated November 2021 into "Reputational Impact on an Individual being adversely named in the ICAC's investigations" at 1.32 "urges the Government to respond to the Legislative Council report as a matter of urgency":
- (a) As the state budget is currently being drafted and a state election is to be held in March 2023, is this Government going to make a compensation payment to affected innocent shareholders of NuCoal?
    - (i) If so, when?

Answer—

I am advised:

I refer the Member to my response to LC QON 5978.

\* 8798 TREASURER—NUCOAL COMPENSATION FOR INNOCENT SHAREHOLDERS—The Hon. Rod Roberts to ask the Minister for Finance, and Minister for Employee Relations representing the Treasurer, and Minister for Energy—

- (1) In October 2019 the Law and Justice Committee in its report no. 72 into the Mining Amendment (Compensation for Cancellation of Exploration Licence) Bill 2019 made two recommendations. In particular Recommendation 2 said, “That the Government address the outstanding matters raised during this inquiry, where appropriate, including the issue of compensation for innocent shareholders”. Further the Committee on the Independent Commission Against Corruption in report No. 4/57 dated November 2021 into “Reputational Impact on an Individual being adversely named in the ICAC’s investigations” at 1.32 “urges the Government to respond to the Legislative Council report as a matter of urgency”:
- (a) As the state budget is currently being drafted and a state election is to be held in March 2023, is this Government going to make a compensation payment to affected innocent shareholders of NuCoal?
  - (i) If so, when?

Answer—

This question is best directed to the Attorney General.

**11 MAY 2022**

(Paper No. 739)

\* 8800 AGRICULTURE—2019 BIOSECURITY RISK MANAGEMENT AUDIT—The Hon. Mick Veitch to ask the Minister for Regional Transport and Roads representing the Minister for Agriculture, and Minister for Western New South Wales—

- (1) Department of Primary Industries (DPI) committed to implementing all 5 recommendations of the 2019 Biosecurity Risk Management Audit by June 2020. Can the Minister confirm if all recommendations have been implemented?
  - (a) Recommendation one - implement formal agreements with partner agencies that DPI relies on to deliver effective biosecurity compliance activities and emergency responses been implemented:
    - (i) What agencies does DPI have these agreements with?
    - (ii) On what date were they formalised?
    - (iii) Have they been reviewed?
  - (b) Recommendation two - analyse and report cost, resource and activity data at a project level, incorporating data from partner agencies:
    - (i) Was a new system implemented by June 2020 to capture granular data of projects?
    - (ii) If not, when is this system expected to be introduced?
    - (iii) What was the budget for this system?
  - (c) Recommendation three - apply the full suite of its emergency response practices, particularly cost benefit analyses and after-action reviews. How many cost benefit analyses of emergency responses have been undertaken for the following financial years:
    - (i) 2019-20?
    - (ii) 2020-21?
    - (iii) 2021-22 (to date)?
  - (d) Recommendation four - establish a data collection and reporting system that enables data sharing with Local Land Services (LLS) and Life Cycle Assessments (LCA) that allows them to better target their biosecurity compliance activities:

- (i) Is the Biosecurity Case Management System (BCM) operational?
- (ii) Has there been a review of the effectiveness of the BCM?
- (iii) How much did the development and roll out of BCM cost?
- (e) Recommendation five - publish annual data on performance targets and outcomes for its biosecurity compliance and emergency response activities:
  - (i) Has the annual data been published in 2020?
  - (ii) Has the annual data been published in 2021?
  - (iii) When will the annual data be published for 2022?
  - (iv) If the annual data for 2022 has been published, where can it be found?

Answer—

- (1) Yes, as outlined in the Public Accounts Committee Report – March 2021, the Auditor-General is satisfied that the information provided by the Department of Primary Industries has satisfied the intent of the Audit recommendations.
  - (a) Recommendation one - implement formal agreements with partner agencies that DPI relies on to deliver effective biosecurity compliance activities and emergency responses been implemented.
    - (i) The NSW Department of Primary Industries has formalised partnerships with Local Land Services, Agriculture Victoria, NSW Department of Planning and Environment (Environment, Energy and Science), and NSW Environment Protection Authority. These arrangements are in addition to the State Emergency Management Plan and its sub and supporting plans that outline emergency management arrangements between NSW DPI and other combat agencies and functional areas.
    - (ii) July 2019, August 2019, May 2021, and June 2021.
    - (iii) The arrangement with Agriculture Victoria is currently under review, as the initial 3-year term will lapse on 1 July 2022.
  - (b) Recommendation two is complete - analyse and report cost, resource and activity data at a project level, incorporating data from partner agencies
    - (i) Yes.
    - (ii) N/A
    - (iii) \$1.5 million.
  - (c) Recommendation three - apply the full suite of its emergency response practices, particularly cost-benefit analyses and after-action reviews. How many cost-benefit analyses of emergency responses have been undertaken for the following financial years.
    - (i) In 2019-20, 1 – Salmonella Enteritidis.
    - (ii) In 2020-21, 1 – Khapra Beetle.
    - (iii) In 2021-22 (to date), nil.
  - (d) Recommendation four - establish a data collection and reporting system that enables data sharing with Local Land Services (LLS) and Life Cycle Assessments (LCA) that allows them to better target their biosecurity compliance activities.
    - (i) Yes - July 2021.
    - (ii) The effectiveness of the system follows a continual improvement approach, with necessary refinements being made after each response, where relevant.
    - (iii) \$1.895 million.
  - (e) Recommendation five - publish annual data on performance targets and outcomes for its biosecurity compliance and emergency response activities.

- (i) Yes, the Biosecurity Hazard Incident Responses 2019/2020 Snapshot was published in 2021.
- (ii) Yes, the Biosecurity Hazard Incident Responses – 2020/2021 Snapshot was published in 2021.
- (iii) The Biosecurity Hazard Incident Responses 2021-2022 Snapshot is expected to be published by December 2022.
- (iv) See (iii) above.

**31 MAY 2022**

(Paper No. 752)

8879 CORRECTIONS—TRANSGENDER WOMEN IN CORRECTIONAL CENTRES—The Hon. Mark Latham to ask the Minister for Families and Communities, and Minister for Disability Services representing the Minister for Corrections—

- (1) How many biological men are held as transgender women in women's correctional centres in New South Wales?
- (2) What precautions are taken to separate these men from women traumatised by male crimes of violence and sexual assault?

8880 EDUCATION AND EARLY LEARNING—YEAR 1 PHONICS SCREENING TEST—The Hon. Mark Latham to ask the Minister for Education and Early Learning—

- (1) In late 2021, did 43 per cent of students fail to achieve the threshold score in the Year 1 Phonics Screening Test?
  - (a) If so, what does this say about:
    - (i) The deployment of phonics in school literacy programs?
    - (ii) The effective use of phonics in school literacy programs?
- (2) What action has the Minister taken to lower the 43 per cent figure?

8881 REGIONAL NEW SOUTH WALES—SNOWY LEGACY FUND EXPENDITURE—The Hon. Mick Veitch to ask the Minister for Education and Early Learning representing the Deputy Premier, Minister for Regional New South Wales, and Minister for Police—

- (1) How much of the Snowy Legacy Fund has been spent on the proposal for a new Dungowan Dam and pipeline?
- (2) How much of the Snowy Legacy Fund has been spent on the proposal for the Wyangala Dam wall raising?
- (3) How much of the Snowy Legacy Fund has been spent on investigating construction of the Mole River Dam?

David Blunt  
Clerk of the Parliament