



LEGISLATIVE COUNCIL

2023

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

QUESTIONS AND ANSWERS

No. 70

TUESDAY 15 AUGUST 2023

(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. 23 (Including Question Nos 0300 to 0355) | 30 June 2023 |
| Q & A No. 55 (Including Question Nos 0961 to 0962) | 15 August 2023 |
| Q & A No. 56 (Including Question Nos 0963 to 0969) | 16 August 2023 |
| Q & A No. 57 (Including Question Nos 0970 to 0973) | 17 August 2023 |
| Q & A No. 58 (Questions—Nil) | - |
| Q & A No. 59 (Including Question Nos 0974 to 0979) | 21 August 2023 |
| Q & A No. 60 (Including Question Nos 0980 to 0984) | 22 August 2023 |
| Q & A No. 61 (Including Question Nos 0985 to 0989) | 23 August 2023 |
| Q & A No. 62 (Including Question Nos 0990 to 0990) | 24 August 2023 |
| Q & A No. 63 (Including Question Nos 0991 to 0998) | 25 August 2023 |
| Q & A No. 64 (Including Question Nos 0999 to 1004) | 28 August 2023 |
| Q & A No. 65 (Including Question Nos 1005 to 1021) | 29 August 2023 |
| Q & A No. 66 (Including Question Nos 1022 to 1030) | 30 August 2023 |
| Q & A No. 67 (Including Question Nos 1031 to 1031) | 31 August 2023 |
| Q & A No. 68 (Including Question Nos 1032 to 1036) | 1 September 2023 |
| Q & A No. 69 (Including Question Nos 1037 to 1096) | 4 September 2023 |
| Q & A No. 70 (Including Question Nos 1097 to 1100) | 5 September 2023 |

25 JULY 2023

(Paper No. 55)

* 0961 HEALTH—VOLUNTARY ASSISTED DYING AND PALLIATIVE CARE—The Hon. Damien Tudehope to ask the Minister for Finance, and Minister for Natural Resources representing the Minister for Health, Minister for Regional Health, and Minister for the Illawarra and the South Coast—

- (1) Noting that the *Voluntary Assisted Dying Act 2022* will commence on 28 November 2023, can the Minister advise, how much was expended in total in Financial Year 2022 - 2023 on preparation for the implementation of voluntary assisted dying?
 - (a) How much is expected to be expended on implementation in Financial Year 2023 - 2024?
 - (b) Has the Health Secretary identified a Schedule 4 poison for use under the Act for the purpose of causing a patient's death?
 - (i) Has the Health Secretary identified a Schedule 8 poison for use under the Act for the purpose of causing a patient's death?
 - (c) Has there been any correspondence or discussion with any Commonwealth body or person about the import of any such poison?
 - (d) How many expressions of interest have been received for the position of Chairperson of the Voluntary Assisted Dying Review Board?
 - (e) How many expressions of interest have been received for the position of Deputy Chairperson of the Voluntary Assisted Dying Review Board?
 - (f) How many expressions of interest have been received for the position of Board Member of the Voluntary Assisted Dying Review Board?
- (2) Noting that on 9 June 2022, the former Government announced an additional \$743 million over 5 years, 2022 - 2023 to 2026 - 2027 to enhance end of life and palliative care in New South Wales, can the Minister advise, will the current Government honour this commitment in full?
 - (a) Has any of this \$743 million been expended on planning for the implementation of voluntary assisted dying?
 - (b) Will the Minister guarantee that none of this \$743 million will be expended on the implementation of or the delivery of voluntary assisted dying?
 - (c) What measures will the Government take to ensure a clear separation between funding for palliative care, which according to the World Health Organisation, "*intends neither to hasten nor postpone death*" and voluntary assisted dying, which as defined in the *Voluntary Assisted Dying Act 2022*, involves the prescription, supply and administration of an approved poison "*for the purpose of causing a patient's death*"?

Answer—

I am advised:

- (1)(a-f) The Ministry of Health provided initial funding in 2022-23 to all local health districts to support implementation, including funding for Northern Sydney Local Health District to establish the Voluntary Assisted Dying Care Navigator and Pharmacy Service. The Ministry is working to identify ongoing local health district activity and resource requirements to comply with the Voluntary Assisted Dying Act 2022.

Appropriate medications have been identified for the NSW Health Secretary's approval as voluntary assisted dying substances under the Voluntary Assisted Dying Act 2022. This has been discussed with the Australian Government.

Following a public expression of interest, 83 applications to join the Board were received with 12 applications for the Chairperson and 16 applications for the Deputy Chairperson.

- (2)(a-c) The NSW Government will hand down the 2023-24 Budget on Tuesday 19 September 2023.

A person's decision to seek information about, or access to, voluntary assisted dying will have no impact on their access to high-quality palliative care.

* 0962 SPORT—VENUES NSW—The Hon. Damien Tudehope to ask the Treasurer representing the Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport—

- (1) Noting that, on 21 July 2023, the Minister announced the appointment of Mr Morris Iemma to the position of Chairperson of Venues NSW, can the Minister advise when was this position advertised?
 - (a) Where was the position advertised?
 - (b) If an external agency was involved in the recruitment process, which agency and how much in total was the agency paid for this involvement?
 - (c) How many applications in total were received as part of the selection process?
 - (d) In reference to (1)(c) how many of these applicants were shortlisted?
 - (i) How many of these applicants were interviewed?
 - (e) How many candidates were “identified through networks including existing board members and professional associations”, as per the media release dated 19 June 2023?
 - (i) How many of these applicants were shortlisted?
 - (ii) How many were interviewed?
 - (f) Did Mr Iemma submit a written application for the position of Chairperson?
 - (i) If not, who identified Mr Iemma to the Assessment Panel or Selection Panel for consideration?
 - (g) Did any member of the Minister’s Office or the Premier’s Office, including the Minister and the Premier, invite Mr Iemma to submit an application for the position?
 - (i) If so, who invited Mr Iemma to submit an application?
 - (h) What involvement did the Minister play in the appointment process?
 - (i) Was Mr Iemma interviewed as part of the selection process?
 - (j) Was the Premier or his Office consulted on Mr Iemma’s candidacy at any time before Mr Iemma’s proposed appointment was considered by Cabinet?
 - (k) Was Mr Iemma the only candidate recommended for appointment by the Selection Panel?
 - (i) If not, how many other candidates were recommended to the Minister for his consideration?
 - (l) How many applicants were found to be suitable for appointment by the Assessment Panel?
 - (i) How many applicants were found to be suitable for appointment by the Selection Panel?

Answer—

I am advised that:

The appointment was made in accordance with *Sporting Venues Authorities Act 2008* and Premier's Memorandum M2021-07 - *Appointments to NSW Government boards and committees*.

15 AUGUST 2023

(Paper No. 70)

1097 TRANSPORT—THE NEW ENGLAND RAIL TRAIL—The Hon. Aileen MacDonald to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Transport—

- (1) Given the *Transport Administration Amendment (Rail Trails) Bill 2022* was assented in Parliament on 19 August 2022, when can the communities expect construction to commence on The New England Rail Trail?
- (2) When will the Minister provide approval to instruct the Parliamentary Counsels office to:
 - (a) Come to an agreement on the proposed lease boundary?
 - (b) Undertake s99E consultation?
 - (c) Draft authorising regulations by Parliamentary Counsels Office (once consultation is complete and outcomes known)?
 - (d) Make the Regulation
- (3) Could the Minister please confirm that funding already received for this project will not be in jeopardy due to delays in making regulations and preparation of Construction Lease and Operational Lease documents?

1098 REGIONAL TRANSPORT AND ROADS—THE NEW ENGLAND RAIL TRAIL—The Hon. Aileen MacDonald to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Regional Transport and Roads—

- (1) Given the *Transport Administration Amendment (Rail Trails) Bill 2022* was assented in Parliament on 19 August 2022, when can the communities expect construction to commence on The New England Rail Trail?
- (2) When will the Minister provide approval to instruct the Parliamentary Counsels office to:
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- (3) Could the Minister please confirm that funding already received for this project will not be in jeopardy due to delays in making regulations and preparation of Construction Lease and Operational Lease documents?

1099 EDUCATION AND EARLY LEARNING—WIRREANDA PUBLIC SCHOOL—The Hon. Mark Latham to ask the Minister for Finance, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, Minister for Western Sydney, and Minister for Skills, TAFE and Tertiary Education—

- (1) Can the Minister confirm that on Monday 7 August 2023, a special parent and student assembly was held at Wirreanda Public School in Medowie (Port Stephens) during which:
 - (a) An acknowledgement to country was made, twice?
 - (b) The Australian National Anthem was not sung?
- (2) In reference to (1), was the Australian national flag displayed at the school during the assembly?
 - (a) If not, why not?
 - (b) If so, how was it displayed?
- (3) What is the current Government policy concerning the singing of the National Anthem in New South Wales public schools?
- (4) Is the Minister aware of any other schools that omits the singing of the anthem during assemblies?
 - (a) If so, what action, if any, has been taken?
- (5) What message does the Minister believe is being sent to the community by an omission of our National Anthem from student assemblies in public schools?

- (6) What lesson does an omission of our National Anthem teach students enrolled in New South Wales public schools?

1100 AGRICULTURE—CATTLE UNDERPASS PROGRAM - ROUND 2—The Hon. Sam Faraway to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales—

- (1) Are the applications for the Cattle Underpass Program Round 2 (hereafter, the program) still open?
- (2) How many applications have been received as of 14th August 202 for the program?
 - (a) How many successful applications have been approved as of 14th August 2023?
 - (b) How many applications were unsuccessful as of 14th August 2023?
- (3) How much of the \$2 million allocated in the program's fund has been spent as of 14th August 2023?
- (4) How many sets of flashing lights have been funded under this program as of 14th August 2023?
- (5) How many cattle underpasses have been funded under this program as of 14th August 2023?
- (6) What advertising has the Department of Primary Industries (DPI) undertaken promoting this program?
- (7) Has the Minister been briefed on the program?
- (8) Is any underspend from this program going back to Transport for NSW?
- (9) What is the administration fee or costs associated with this program?
- (10) Has the Minister met with NSW Farmers on the scheme?
- (11) Will the Minister commit to funding a round 3 of this program?
- (12) Does DPI provide assistance to farmers during the application process?
- (13) Is this program under any government review?
- (14) What interaction has DPI undertaken with local councils to insure approval of these projects within local government areas?

David Blunt AM
Clerk of the Parliaments