



## LEGISLATIVE COUNCIL

2023-24

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

# QUESTIONS AND ANSWERS

No. 281

WEDNESDAY 26 JUNE 2024

(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.

<b>Publication of Questions</b>	<b>Answer to be lodged by</b>
Q & A No. 266 (Including Question Nos 2353 to 2363)	26 June 2024
Q & A No. 267 (Questions—Nil)	-
Q & A No. 268 (Including Question Nos 2364 to 2382)	28 June 2024
Q & A No. 269 (Questions—Nil)	-
Q & A No. 270 (Including Question Nos 2383 to 2384)	2 July 2024
Q & A No. 271 (Including Question Nos 2385 to 2398)	3 July 2024
Q & A No. 272 (Including Question Nos 2399 to 2403)	4 July 2024
Q & A No. 273 (Including Question Nos 2404 to 2413)	5 July 2024
Q & A No. 274 (Including Question Nos 2414 to 2434)	8 July 2024
Q & A No. 275 (Including Question Nos 2435 to 2445)	9 July 2024
Q & A No. 276 (Including Question Nos 2446 to 2475)	10 July 2024
Q & A No. 277 (Including Question Nos 2476 to 2479)	11 July 2024
Q & A No. 278 (Including Question Nos 2480 to 2484)	12 July 2024
Q & A No. 279 (Including Question Nos 2485 to 2491)	15 July 2024
Q & A No. 280 (Including Question Nos 2492 to 2495)	16 July 2024
Q & A No. 281 (Including Question Nos 2496 to 2503)	17 July 2024

**4 JUNE 2024**

(Paper No. 266)

\* 2353 POLICE AND COUNTER-TERRORISM—ROADSIDE DRUG TESTING—The Hon. Jeremy Buckingham to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales representing the Minister for Police and Counter-terrorism, and Minister for the Hunter—

- (1) For each of the five most recent calendar years, could you please advise how many roadside drug tests have been conducted in New South Wales?
- (2) For each of the five most recent calendar years, could you please advise how many roadside drug tests have been conducted in New South Wales in each Police Area Command?
- (3) For each of the five most recent calendar years, and each legal or illegal drug type detected, could you please advise how many of the roadside drug test resulted in a positive result?
- (4) For each of the five most recent calendar years, could you please advise how many roadside drug tests resulted in false positives each year?
  - (a) Could you please provide further detail here and indicate how many false positives were specifically for THC?
  - (b) How many were for any other legal drug or illegal drug each calendar year?
- (5) For each of the five most recent calendar years, could you please advise how many individuals in New South Wales have lost their licence for roadside drug tests for a positive THC result?
- (6) Could you please advise what are the sensitivity and specificity rates of the devices used for THC detection in roadside drug tests?
- (7) Could you please advise how the New South Wales Random Drug Testing regime currently addresses the presence of residual THC in individuals who are legally using medical cannabis?

Answer—

I am advised:

- (1) 2019 - 169,079  
2020 - 128,884  
2021 - 106,288  
2022 - 114,521  
2023 - 158,722
- (2) The table below shows the number of roadside drug tests conducted in each Police Region and Highway Patrol Sector in the five most recent calendar years.

Sector/Region	Calendar Year				
	2019	2020	2021	2022	2023
Central Metropolitan Highway Patrol	16,796	-	-	-	-
North West Metropolitan Highway Patrol	19,962	19,606	19,410	19,914	39,106
Northern Highway Patrol	21,062	25,678	16,530	25,277	27,381
Southern Highway Patrol	13,806	17,489	10,537	22,294	28,616
South West Metropolitan Highway Patrol	21,001	17,662	17,038	14,542	31,246
Western Highway Patrol	11,170	-	-	-	-
THWP Command Groups	20,782	5,566	8,945	5,865	6,861

Central Metropolitan Region	7,015	7,245	9,539	7,191	6,239
North West Metropolitan Region	8,442	9,838	8,662	6,295	7,570
South West Metropolitan Region	9,653	7,608	6,088	5,813	3,873
Northern Region	8,957	8,304	4,334	3,860	1,443
Southern Region	6,121	5,894	3,594	1,708	4,482
Western Region	4,312	3,994	1,611	1,762	1,905
<b>Total</b>	<b>169,079</b>	<b>128,884</b>	<b>106,288</b>	<b>114,521</b>	<b>158,722</b>

Note: A number of Highway Patrol Sector and Region boundaries changed during the reporting period. Central Metropolitan Highway Patrol and Western Region Highway Patrol were subsumed into other Commands from 2020.

- (3) The table below provides the data for the five most recent calendar years, the number of positive roadside drug tests for illegal drugs.

	Event Reported Calendar Year				
	2019	2020	2021	2022	2023
Number of positive roadside drug tests for illegal drugs	9,562	13,048	17,079	18,592	17,577

Note: The NSW Police Force does not test for legal drugs.

- (4) This question should be directed to NSW Health's Forensic and Analytical Science Service (FASS) who may be able to provide the information requested.
- (5) This is a matter for the Minister for Finance. Penalty notice offences for illicit drug offences re published by Revenue NSW.
- (6) The sensitivity and specificity of the devices used for roadside oral fluid screening are provided by the manufacturer to NSW Police and must be in compliance with the Australian/New Zealand Standards for oral fluid testing devices.
- (7) It is an offence for a person to have THC present in their oral fluid whilst driving. Legislation does not distinguish between illicitly used THC and THC derived from medical cannabis.

\* 2354 POLICE AND COUNTER-TERRORISM—PREVALENCE OF DRUGS IN MOTOR VEHICLE ACCIDENT FATALITIES—The Hon. Jeremy Buckingham to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales representing the Minister for Police and Counter-terrorism, and Minister for the Hunter—

- (1) For each of the five most recent calendar years, could you please advise how many fatal motor vehicle accidents occurred in New South Wales?
- (a) Can the minister also please provide data on the number of fatal motor vehicle accidents by Police Area Command?
- (2) For each of the five most recent calendar years, could you please provide the 'associated factors', such as speed, fatigue, road condition, alcohol, legal drugs, illegal drugs etc that were associated with the fatal motor vehicle accidents in New South Wales?
- (3) For each of the five most recent calendar years, could you please advise how many 'at fault' drivers died in a motor vehicle accident?
- (4) For each of the five most recent calendar years, could you please advise how many 'at fault' drivers and 'at fault' riders that died as a result of a fatal motor vehicle accident had toxicology results post-mortem that identified the presence of:
- (a) any alcohol, with or without any identified legal or proscribed illegal drug?
- (b) alcohol alone, without any identified legal or proscribed illegal drug?
- (c) any benzodiazepine, with or without alcohol, any proscribed illegal drug, or any opioid?
- (d) benzodiazepines, alone without alcohol any proscribed illegal drug, or any opioid?

- (e) any opioid, with or without alcohol, any proscribed illegal drug, or any benzodiazepine?
  - (f) opioids alone, without alcohol, any proscribed illegal drug, or any benzodiazepine?
  - (g) any cannabis, with or without alcohol or any identified legal drug or any other proscribed illegal drug?
    - (i) Could you please provide a table which expresses the actual measured THC concentrations for each of the 'at fault' drivers or riders who died as a result of a motor vehicle accidents identified?
  - (h) cannabis alone, without alcohol or any identified legal drug or any other proscribed illegal drug?
    - (i) Could you please provide a table which expresses the actual measured THC concentrations for each of the 'at fault' drivers or riders who died as a result of a motor vehicle accidents identified?
  - (i) any methamphetamine?
  - (j) methamphetamine alone?
  - (k) any ecstasy?
  - (l) ecstasy alone?
  - (m) any cocaine?
- (5) Can you please advise for each of the identified legal drugs and proscribed illegal drugs, the cut-off drug concentration that is used to define the presence of the drug in a sample of blood?

Answer—

I am advised:

- (1) 2019-329
- 2020 - 264
- 2021 - 260
- 2022-263
- 2023- 312

Note: The 2023 Road Toll has not yet been finalised and is subject to change.

- (a) The table below provides the number of fatal motor vehicle accidents by Police Area Command (PAC) and Police District (PD) for the five most recent calendar years.

Investigative Unit	Calendar Year					Total
	2019	2020	2021	2022	2023	
Auburn PAC	3	1	2	2	2	10
Bankstown PAC	3	2	5	5	6	21
Barrier PD	5	4	4	4	5	22
Blacktown PAC	4	2	2	5	2	15
Blue Mountains PAC	1	3	2	3	1	10
Brisbane Water PD	4	4	6	4	5	23
Burwood PAC	3	0	1	4	0	8
Camden PAC	3	4	9	5	6	27
Campbelltown City PAC	5	2	5	2	3	17
Campsie PAC	4	2	1	4	2	13
Central North PD	6	1	3	4	1	15
Central West PD	7	8	4	5	7	31

Chifley PD	9	6	7	8	11	<b>41</b>
Coffs-Clarence PD	21	10	6	9	8	<b>54</b>
Cumberland PAC	6	6	4	3	4	<b>23</b>
Eastern Beaches PAC	3	3	1	0	5	<b>12</b>
Eastern Suburbs PAC	2	2	0	3	1	<b>8</b>
Fairfield City PAC	6	4	4	4	4	<b>22</b>
Hawkesbury PAC	6	1	1	2	3	<b>13</b>
Hunter Valley PD	9	10	13	8	10	<b>50</b>
Inner West PAC	2	1	1	4	2	<b>10</b>
Kings Cross PAC	1	0	0	0	1	<b>2</b>
Ku-ring-gai PAC	2	3	2	1	6	<b>14</b>
Lake Illawarra PD	6	5	2	1	2	<b>16</b>
Lake Macquarie PD	8	6	6	5	6	<b>31</b>
Leichhardt PAC	1	1	2	0	1	<b>5</b>
Liverpool City PAC	3	10	5	3	5	<b>26</b>
Manning-Great Lakes PD	9	2	6	5	3	<b>25</b>
Mid North Coast PD	12	3	12	2	13	<b>42</b>
Monaro PD	10	4	8	6	6	<b>34</b>
Mt Druitt PAC	0	2	2	2	2	<b>8</b>
Murray River PD	7	5	5	13	9	<b>39</b>
Murrumbidgee PD	5	8	6	5	10	<b>34</b>
Nepean PAC	3	6	5	10	4	<b>28</b>
New England PD	5	7	7	10	12	<b>41</b>
Newcastle City PD	7	3	1	2	1	<b>14</b>
North Shore PAC	4	2	3	4	1	<b>14</b>
Northern Beaches PAC	4	4	4	2	4	<b>18</b>
Orana-Mid Western PD	15	11	13	7	15	<b>61</b>
Oxley PD	8	10	9	10	10	<b>47</b>
Parramatta PAC	0	2	1	0	2	<b>5</b>
Port Stephens-Hunter PD	11	7	7	10	6	<b>41</b>
Richmond PD	11	8	14	7	13	<b>53</b>
Riverina PD	9	12	18	5	12	<b>56</b>
Riverstone PAC	4	1	2	1	1	<b>9</b>
Ryde PAC	5	4	4	2	8	<b>23</b>
South Coast PD	16	16	8	10	15	<b>65</b>
South Sydney PAC	0	3	1	3	2	<b>9</b>
St George PAC	7	4	5	2	5	<b>23</b>
Surry Hills PAC	1	1	0	0	1	<b>3</b>
Sutherland Shire PAC	5	2	2	4	5	<b>18</b>
Sydney City PAC	1	5	1	2	1	<b>10</b>
The Hills PAC	3	4	3	3	5	<b>18</b>
The Hume PD	14	13	10	20	22	<b>79</b>
Tuggerah Lakes PD	5	3	3	4	7	<b>22</b>
Tweed-Byron PD	11	4	1	8	5	<b>29</b>
Wollongong PD	4	7	1	6	3	<b>21</b>
<b>Total</b>	<b>329</b>	<b>264</b>	<b>260</b>	<b>263</b>	<b>312</b>	<b>1,428</b>

Note: Data derived from the Traffic & Highway Patrol Command Fatal Database effective 7 June 2024

- (2) The table below provides the associated factors for fatal crashes for the five most recent calendar years.

Fatal Crash Associated Factors	Event Reported Calendar Year					Total
	2019	2020	2021	2022	2023	
Alcohol Related	55	43	46	40	34	<b>218</b>
Controller Experience	0	9	4	9	12	<b>34</b>
Deliberate Act/Self Harm	1	2	1	2	8	<b>14</b>
Driver Inattention	6	1	12	36	70	<b>125</b>
Drug Related	3	7	4	3	9	<b>26</b>
Equipment Failure	27	8	14	8	3	<b>60</b>
Fatigue Related	6	3	9	8	9	<b>35</b>
Heavy Vehicle Related	0	0	0	3	16	<b>19</b>
Helmets	5	5	12	1	14	<b>37</b>
Medical Condition	1	5	5	11	20	<b>42</b>
Mobile Phones	4	6	1	2	3	<b>16</b>
Negligent Driving	10	10	14	43	193	<b>270</b>
No Associated Factor	115	49	98	49	20	<b>331</b>
Pedestrian Factors	6	3	6	21	29	<b>65</b>
Possible Alcohol Involved	17	19	13	7	12	<b>68</b>
Possible Drugs Found	36	52	31	35	26	<b>180</b>
Restraint/Belt	32	37	32	44	71	<b>216</b>
Road Conditions Related	0	2	5	21	30	<b>58</b>
Speed Related	62	70	60	63	98	<b>353</b>
Weather Conditions Related	3	6	13	21	18	<b>61</b>

Note:

- There may be more than one recorded Associated Factor per fatal crash.
  - In 2022, a review of recording practices for Associate Factors was conducted leading to changes which allow interrogation to a higher standard to better describe factors which contribute to the fatality. As a result, there will be a significant difference between the number of recorded incidents with No Associated Factor, Driver Inattention and Negligent Driving over the years.
  - Data derived from the Traffic & Highway Patrol Command Fatal Database effective 7 June 2024
  - Associated factors in fatal crashes may change after a full investigation. Factors provided are initially determined based on the information received at the time of entering into the database.
- (3) The table below provides the number of 'at fault' drivers who died in a motor vehicle accident for the five most recent calendar years.

Fatal Crash 'At Fault' Controller Deceased					
	2019	2020	2021	2022	2023
Driver	140	114	113	96	147
Pedal Cyclist	7	7	7	6	8
Pedestrian	22	21	14	29	18
Rider	49	33	51	43	38

<b>Total controller at fault</b>	<b>218</b>	<b>175</b>	<b>185</b>	<b>174</b>	<b>211</b>
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Note: Data derived from the Traffic & Highway Patrol Command Fatal Database effective 7 June 2024.

- (4)(a)-(b) The table below provides the number of 'at fault' drivers and 'at fault' riders that died as a result of a fatal motor vehicle accident who had toxicology results post-mortem that identified the presence of alcohol.

Fatal Crash 'At Fault' with Alcohol Involvement					
	2019	2020	2021	2022	2023
Total At Fault Controller Deceased	218	175	185	174	211
Total At Fault Controller Deceased with Alcohol Involvement	44	41	35	29	12

Note:

Data derived from the Traffic & Highway Patrol Command Fatal Database effective 7 June 2024

The above At Fault Controller Deceased with Alcohol Involvement results have been obtained from available to date Post Mortem Toxicology results. Reports provided by NSW Health's Forensic & Analytical Science Service (FASS) do not include any drug information therefore it cannot be stipulated whether these results identify alcohol alone, or in combination with any identified illegal drug or proscription medication.

- (4)(c)-(m) The NSW Police Force does not hold data specific to the drugs mentioned. These questions should be directed to NSW Health's Forensic and Analytical Science Service (FASS) who may be able to provide the information requested.
- (5) This question should be directed to NSW Health's Forensic and Analytical Science Service (FASS).

\* 2355 ROADS—PRESCRIPTION DRUGS AND ROAD FATALITIES—The Hon. Jeremy Buckingham 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—

- (1) Of the road users who were killed or involved in crashes for each of the financial years from 2018-19 until the most recent financial year for which data is available, could you please advise how many at fault drivers had cannabis in their blood stream?
- (a) What other drugs, whether illicit or prescription, were in their system?
- (b) How much cannabis was found in the system of those at fault drivers?

Answer—

I am advised

- (1) The total number of Motor Vehicle Controllers with the presence of Cannabis, involved in fatal crashes:
- July 2018 - June 2019: 48.
  - July 2019 - June 2020: 49.
  - July 2020 - June 2021: 55.
  - July 2021 - June 2022: 44.
  - July 2022 - June 2023: 38.

Data for 2023 is preliminary and subject to change.

- (a) Of the Motor Vehicle Controllers with the presence of Cannabis involved in fatal crashes from July 2018 to June 2023;
- 57 also had the presence of Methylamphetamine.

- 8 also had the presence of Cocaine.
- 5 also had the presence of MOMA (Ecstasy).

The above statistics are not mutually exclusive and cannot be summed. Data for 2023 is preliminary and subject to change.

- (b) The number of Motor Vehicle Controllers, involved in fatal crashes from July 2018 to June, listed by Cannabis level is:
- < .002: 51.
  - .002 - .004: 48.
  - .005 - .009: 53.
  - .01 or more: 82.

There is variation in when post-crash blood samples can be taken based on factors such as the injuries the person sustains (noting patient care is the priority) and when the person is conveyed to a sampling location. In some instances, blood samples are taken soon after a crash, but in other cases hours can elapse before a sample can be taken. Blood samples taken some time after a crash may show lower levels of THC than would have been present at the time of the crash. Data for 2023 is preliminary and subject to change.

\* 2356 ROADS—ROADSIDE DRUG TESTING—The Hon. Jeremy Buckingham 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—

- (1) For each of the five most recent calendar years, could you please advise how many roadside drug tests have been conducted in New South Wales?
- (2) For each of the five most recent calendar years, could you please advise how many roadside drug tests have been conducted in New South Wales in each Police Area Command?
- (3) For each of the five most recent calendar years, and each legal or illegal drug type detected, could you please advise how many of the roadside drug test resulted in a positive result?
- (4) For each of the five most recent calendar years, could you please advise how many roadside drug tests resulted in false positives each year?
  - (a) Could you please provide further detail here and indicate how many false positives were specifically for THC?
  - (b) How many were for any other legal drug or illegal drug each calendar year?
- (5) For each of the five most recent calendar years, could you please advise how many individuals in New South Wales have lost their licence for roadside drug tests for a positive THC result?
- (6) Could you please advise what are the sensitivity and specificity rates of the devices used for THC detection in roadside drug tests?
- (7) Could you please advise how the New South Wales Random Drug Testing regime currently addresses the presence of residual THC in individuals who are legally using medical cannabis?

Answer—

I am advised

- (1)-(3) This is a matter for the Minister for Police.
- (4) Transport for NSW does not hold this data. The data on the number of oral fluid samples submitted to Forensic & Analytical Science Service for analysis where no drugs are detected is available from NSW Health Pathology.
  - (5) This is a matter for the Minister for Finance. Penalty notice offences for illicit drug presence are published by Revenue NSW.

- (6) An approved oral fluid testing device must be capable of indicating the presence of a prescribed illicit drug in oral fluid being tested where the concentration of the drug in the fluid is 150 nanograms per millilitre or greater. Approved oral fluid testing devices used in roadside testing are approved by the Governor by order published in the Gazette.
- (7) Roadside drug testing uses oral fluid testing which tests for THC in saliva. It detects recent use of THC (typically within hours) and does not detect minute traces of THC. This is because THC levels spike quickly after consumption and then are rapidly eliminated in saliva, which is indicative of recent consumption, that is likely to be associated with a level of impairment.

\* 2358 EDUCATION AND EARLY LEARNING—BONNYRIGG PUBLIC SCHOOL LANGUAGE LEARNING—The Hon. Mark Latham to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to the recent social media post by the Department of Education promoting the way in which "students at Bonnyrigg Public School have spent a year immersed in a literary project to revitalise the local Darug language", what evidence do you or the Department have that the Indigenous Darug language is local to Bonnyrigg?
  - (a) What evidence do you or the Department have that the Indigenous Darug language is actually a valid language or dialect?
- (2) Are you aware of the report in 1994 by Sydney University's Prof. Jakelin Troy, a linguist expert in Indigenous languages, finding in regard to Darug or Dharug that: "No provenance has ever been given to the word nor is a meaning ever attributed to 'Dharug' beyond it being a (modern Western) name for the language. There is also no evidence for either name having been used by the language's speakers as the label for their language."?
- (3) Why have the students at Bonnyrigg Public been made to spend a year on learning a "Darug" language that in fact is fictional?

Answer—

Schools work in partnership with their local Aboriginal communities. Community consultation has occurred with local Elders, groups and Fairfield Local AECG. Teachers have participated in workshops, accessed resources, and participated in Language learning through courses delivered by Western Sydney University. In NSW Public Schools, decisions regarding teaching an Aboriginal Language to students are part of a collaborative process with local Aboriginal communities and broader school community.

\* 2359 GAMING AND RACING—MINISTERIAL COMMUNICATIONS—The Hon. Mark Latham 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 Aboriginal Affairs and Treaty, Minister for Gaming and Racing, Minister for Veterans, Minister for Medical Research, and Minister for the Central Coast—

- (1) Does you recall texting Mr. Brett Partelle on 4 April 2023 to say you had been appointed as the new Minister for Gaming and Racing?
  - (a) Did you tell Mr Partelle that in a few weeks time you would "work out how to tackle your issue" and that this was "high on my agenda"?
  - (b) Since then, what action have you taken concerning Mr Partelle's claim of impropriety against the Chief Executive of Racing NSW concerning coercion and financial inducements at a meeting with Mr Partelle in January 2015?
  - (c) Since then, what action have you taken concerning Mr Partelle's claim of further financial compensation from Racing NSW for physical injuries suffered at Wyong Racecourse in 2010, and mental stress and damages to Mr Partelle in the years since?

Answer—

I am advised:

- (1) Yes.

- (a) Yes.
- (b) The Thoroughbred Racing Act 1996 establishes Racing NSW as the independent body tasked with controlling, supervising and regulating the thoroughbred industry in this State. Racing NSW does not represent the Crown and is not subject to direction or control by the Government. Under the Act, the CEO is employed by Racing NSW. The conduct of the CEO is a matter for Racing NSW.

Mr Partelle has received a meeting with the Minister's office and the Office of Racing within the Department of Enterprise, Investment and Trade to discuss this claim. The Deputy Secretary of Hospitality and Racing within the Department of Enterprise, Investment and Trade has subsequently referred this claim, on behalf of the Minister, to the Chair of Racing NSW for consideration.

- (c) See answer to (b).

\* 2360 TRANSPORT—RIDESHARE OPERATIONS—The Hon. Natalie Ward 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) Have any fines or sanctions been placed on rideshare companies or drivers that cause harm or injury to passengers?
  - (a) If so, what is the number of fines in:
    - (i) 2018-19?
    - (ii) 2019-20?
    - (iii) 2020-21?
    - (iv) 2021-22?
    - (v) 2022-23?
    - (vi) 2023-24?

Answer—

I am advised

The NSW Police Force investigates incidents such as traffic crashes or assaults resulting in harm or injury to passengers. The Point to Point Transport Commissioner assists police in their investigations, including breaches of the NSW Road Rules 2014.

\* 2361 TRANSPORT—RIDESHARE WORK HOURS—The Hon. Natalie Ward 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) Are there any regulations permitting rideshare drivers to only work a certain number of consecutive hours without having a break?
  - (a) If so, how is this regulation monitored?

Answer—

I am advised

Booking service providers have obligations under Work Health and Safety law as well as under the Point to Point Transport (Taxis and Hire Vehicles) Act 2016 and the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017.

All service providers, including rideshare companies, are required to develop and maintain safety management systems that identify, record and manage risks associated with their services.

The Point-to-Point Transport Commissioner requires that all booking service providers implement a fatigue management policy and program that ensures drivers are fit to drive when providing passenger

transport services. Considerations include, for example, scheduling, shift duration, night driving and rest breaks.

Drivers must comply, so far as is reasonably practicable, with any reasonable instruction, safety policy or procedure of their service provider.

The Point-to-Point Transport Commissioner audits booking service providers' safety management systems. Further information is publicly available on the Point-to-Point Transport Commissioner website.

- \* 2362 TRANSPORT—RIDESHARE DRIVERS WITH OFFENCES—The Hon. Natalie Ward 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) Are rideshare drivers allowed to operate if they have been fined or charged with previous traffic offences?

Answer—

I am advised

Drivers of a taxi or hire vehicle (including rideshare) must not be found guilty of any disqualifying offences, as set out in the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017 (the Regulation).

Disqualifying offences - including serious driving, safety and criminal offences – automatically prohibit a person from driving a taxi or hire vehicle (including rideshare).

Some offences will disqualify an individual from driving a taxi or hire vehicle for life, while others will disqualify them from driving a taxi or hire vehicle for a certain period. In NSW, this period is generally ten years, provided there have been no further offences.

- \* 2363 TRANSPORT—RIDESHARE SAFETY STANDARDS—The Hon. Natalie Ward 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) How are rideshare operators monitored to meet New South Wales' standards for road safety?

Answer—

I am advised

All service providers are required to develop a Safety Management System to identify, assess and control any safety risks. To ensure service providers are meeting their safety obligations, the Point-to-Point Transport Commissioner regularly undertakes safety audits, which include checks on drivers, oversight of vehicle maintenance, notification of incidents and consistent follow up on the safety reports service providers receive from drivers and passengers.

Information about the Safety Management System is publicly available on the Point-to-Point Transport Commissioner website.

## 26 JUNE 2024

(Paper No. 281)

- 2496 AGRICULTURE—CHICKEN CULLING AT HAWKESBURY FARM—Ms Abigail Boyd to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales—

- (1) Media reports indicate two egg farms in the Hawkesbury region have now been infected with avian influenza. Has avian influenza H7N8 been confirmed at both facilities?
- (2) How many chickens have been killed or will be killed at each facility?
- (3) Has all killing been undertaken or scheduled to be undertaken at the two facilities?
- (4) How many biosecurity officers will be present during the killing?

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- (a) How many animal welfare officers will be present?
  - (5) What method will be used for the infected hens at the two Hawkesbury facilities?
    - (a) What animal welfare oversight will be in place and documented?
  - (6) Your media release on 20 June stated that "8,000 birds died from the flu over the last 48 hours" and that "this process will take up to 5-7 days to depopulate 240,000 birds." What is the revised number of birds who have died, prior to being killed?
    - (a) Why was the immediate humane euthanasia not arranged?
  - (7) For each facility, what was the process in which the chickens are being disposed of and where?
- 2497 EDUCATION AND EARLY LEARNING—DEPARTMENT OF EDUCATION POLICIES—Ms Abigail Boyd to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—
- (1) In relation to the Department of Education's 2023 guidance to school leaders, teachers and other staff "Supporting the school community during the current conflict in the Middle East", what legal advice did the Department seek and receive with regards to the policy?
    - (a) Did the Department receive any legal advice regarding the policy with particular regard to its interaction with protections under the Anti-Discrimination Act 1977?
    - (b) Did the Department receive any legal advice regarding the policy with particular regard to its interaction with the Department's own anti-racism policy?
    - (c) Who was consulted in the formation of this policy?
    - (d) What form of consultation was undertaken?
    - (e) How many teachers or school staff have been disciplined or cautioned as a result of breaches of this policy?
    - (f) How many students have been disciplined or cautioned as a result of breaches of this policy?
    - (g) How many times has the Director, Educational Leadership, been consulted with by school leaders with regards to the application of this policy?
- 2498 EDUCATION AND EARLY LEARNING—PALESTINIAN STUDENTS IN NEW SOUTH WALES SCHOOLS—Ms Abigail Boyd to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—
- (1) Are Palestinian students able to nominate their nationality as Palestinian on the NSW Department of Education student enrolment forms at all schools?
  - (2) How many disciplinary actions have been taken against students for wearing a Palestinian flag insignia as part of their uniform?
  - (3) Are students permitted to wear a Keffiyeh or other Palestinian cultural items with their school uniform?
    - (a) Are Palestinian students permitted to wear a keffiyeh or other Palestinian cultural items on days which other students are permitted to wear cultural items representing their cultural background, such as on "Harmony Day"?
- 2499 REGIONAL TRANSPORT AND ROADS—OXLEY HIGHWAY—Ms Cate Faehrmann 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) What is the current status of the Stage two Oxley Highway and Wrights Road intersection upgrades?
    - (a) When are the upgrade works expected to commence?

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- (b) When are the upgrade works expected to be completed?
- (2) What interim solutions have been considered in the meantime to address safety and congestion concerns?
- (a) What is the outcome of any interim options considered?
- 2500 REGIONAL TRANSPORT AND ROADS—INTEGRATED TRANSPORT PLANS—Ms Cate Faehrmann 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) Could you please provide a breakdown of each Local Government Area that has completed and adopted a Regional Integrated Transport Strategy in partnership with the Government?
- (2) Could you please provide a breakdown of each Local Government Area that has completed and adopted a Regional Integrated Transport Network Plan in partnership with the Government?
- 2501 WATER—WILCANNIA WEIR PROJECT STATUS—Ms Cate Faehrmann to ask the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast—
- (1) The Project Status of the Wilcannia Weir Replacement Project says that the "design of the new weir and fishway has changed". Could you please provide the reasoning behind the change of design?
- (a) Could you please provide the full list of stakeholders consulted with about the new design?
- (b) Could you please advise how the new design has considered cultural heritage and the wishes and needs of First Nations members of the community?
- (c) Could you please advise the expected cost of the old upgrade design?
- (d) Could you please advise the expected cost of the new upgrade design?
- (e) What is the capacity of the current weir?
- (i) What is the capacity of the old upgrade design?
- (ii) What is the capacity of the new upgrade design?
- (f) Why is the fish passage in the new design on the North bank, when previously it was on the South bank?
- (g) Why does the fish passage in the new design use a vertical slot fishway?
- (h) Why does the new design not have gates?
- (i) What is the cost for biodiversity offsets and how this is broken down?
- (2) How will the new design deliver on the following reported benefits:
- (a) improved water security and quality for Wilcannia?
- (b) additional sources of potable water in times of drought?
- (c) enhanced cultural connection to the river?
- (d) improved water management of the weir pool?
- (e) increased tourism and investment opportunities?
- (f) better recreational amenity to walk, swim, picnic and fish?
- (g) improved native fish migration?
- 2502 FAMILIES AND COMMUNITIES—MINISTERIAL INTERVENTIONS—The Hon. Natasha Maclaren-Jones to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Minister for Families and Communities, and Minister for Disability Inclusion—
- (1) How many times have you intervened to assist families with adoption since becoming Minister?

- (a) Were the families case managed by the Department of Communities and Justice, non-Aboriginal Community-Controlled Organisation Non-Governmental Organisation or an Aboriginal Community-Controlled Organisation?
  - (b) Which districts?
  - (2) How many times have you intervened to assist families with guardianship since becoming Minister?
    - (a) Were the families case managed by the Department of Communities and Justice, non-Aboriginal Community-Controlled Organisation Non-Governmental Organisation or an Aboriginal Community-Controlled Organisation?
    - (b) Which districts?
- 2503 HEALTH—DRUG SUMMIT—The Hon. Chris Rath to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Minister for Health, Minister for Regional Health, and Minister for the Illawarra and the South Coast—
- (1) Has a date been set for the Drug Summit?

Steven Reynolds  
Deputy Clerk