



## LEGISLATIVE COUNCIL

2023-24

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

# QUESTIONS AND ANSWERS

No. 312

THURSDAY 8 AUGUST 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. 297 (Including Question Nos 2581 to 2586)	8 August 2024
Q & A No. 298 (Questions—Nil)	-
Q & A No. 299 (Questions—Nil)	-
Q & A No. 300 (Questions—Nil)	-
Q & A No. 301 (Questions—Nil)	-
Q & A No. 302 (Including Question Nos 2587 to 2588)	15 August 2024
Q & A No. 303 (Including Question Nos 2589 to 2597)	16 August 2024
Q & A No. 304 (Questions—Nil)	-
Q & A No. 305 (Including Question Nos 2598 to 2600)	20 August 2024
Q & A No. 306 (Including Question Nos 2601 to 2615)	21 August 2024
Q & A No. 307 (Including Question Nos 2616 to 2619)	22 August 2024
Q & A No. 308 (Including Question Nos 2620 to 2624)	23 August 2024
Q & A No. 309 (Including Question Nos 2625 to 2634)	26 August 2024
Q & A No. 310 (Including Question Nos 2635 to 2646)	27 August 2024
Q & A No. 311 (Questions—Nil)	-
Q & A No. 312 (Including Question Nos 2647 to 2648)	29 August 2024

**18 JULY 2024**

(Paper No. 297)

\* 2581 PREMIER—CFMEU AND A NSW SECURE LOCAL JOBS CODE—The Hon. Damien Tudehope to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Premier—

- (1) Noting that the CFMEU Construction Division has, in a submission to the Social Issues Committee of the Legislative Council, called for the establishment of a New South Wales Secure Local Jobs Code stating that "As a pre-condition of tender, tendering entities should have an enterprise agreement with the relevant union", will you categorically rule out adopting this proposal by establishing a New South Wales Secure Local Jobs Code?

Answer—

This question should be directed to the Minister for Domestic Manufacturing and Government Procurement.

\* 2582 JOBS AND TOURISM—VIVID ATTENDEES—The Hon. Susan Carter 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) How many people attended Vivid 2024?
  - (a) How many people on average per day?
- (2) Do you have data on the areas from which visitors to Vivid came?
  - (a) If so, could you please provide it, broken down by postcode or region?
- (3) How many visitors to Vivid 2024 were from:
  - (a) Sydney?
  - (b) New South Wales but not from Sydney?
  - (c) interstate?
  - (d) overseas?
- (4) What was the total cost of Vivid 2024?
- (5) What is the estimated economic benefit to Sydney of Vivid 2024?
- (6) Is there a supplier policy for Vivid?
  - (a) If so, could you please provide it?
- (7) How many businesses participated in Vivid 2024?
  - (a) How many of these were from Sydney?
  - (b) How many from regional New South Wales?
  - (c) How many from other states in Australia?
  - (d) How many from other countries?
- (8) How many artists participated in Vivid 2024?
  - (a) How many of these were from Sydney?
  - (b) How many from regional New South Wales?
  - (c) How many from other states in Australia?
  - (d) How many from other countries?
- (9) How many suppliers were engaged for Vivid 2024?
  - (a) How many of these were from Sydney?

- (b) How many from regional New South Wales?
- (c) How many from other states in Australia?
- (d) How many from other countries?
- (10) How many ticketed events were there as part of Vivid 2024?
  - (a) What was the total revenue from tickets sold as part of Vivid 2024?
- (11) What were the attendance numbers for Vivid for the following years:
  - (a) 2023?
  - (b) 2022?
  - (c) 2021?
  - (d) 2019?
  - (e) 2018?
- (12) How many ticketed events are planned at the Art Gallery of New South Wales in 2024-2025?
  - (a) What is the average expected price of each ticket?

Answer—

- (1) 2.42 million people attended Vivid Sydney in 2024.
  - (a) 109,916
- (2) A post event assessment of Vivid Sydney 2024 is underway through Destination NSW but is not yet completed. As a result, data at this level is not available.
  - (a) As above
- (3) A post event assessment of Vivid Sydney 2024 is underway through Destination NSW but is not yet completed. As a result, data at this level is not available.
  - (a) As above
  - (b) As above
  - (c) As above
  - (d) As above
- (4) The NSW Government's investment in Vivid Sydney is commercial-in-confidence.
- (5) The final figure is not yet available.
- (6) Destination NSW engages suppliers in accordance with the NSW Government Procurement Policy Framework.
  - (a) The NSW Government Procurement Policy Framework is publicly available from NSW Treasury.
- (7) The Vivid Sydney Local Business Program assists businesses located on or adjacent to the event footprint to leverage and capitalise on the festival program. In 2024, the Vivid Sydney Local Business Program supported 201 businesses located on or adjacent to the Vivid Sydney footprint.
- (8) Destination NSW directly procured a total of 58 artists for Vivid Sydney 2024. A further 101 artists were procured indirectly by independent producers, contracted to Vivid Sydney, totalling 159 artists. Of the artists procured directly via Vivid Sydney:
  - (a) 40 were Sydney based
  - (b) One was from regional NSW
  - (c) Five were from interstate
  - (d) 12 were internationally based.

- (9) Destination engaged a total of 154 suppliers for Vivid Sydney 2024, comprising:
- (a) 146 Sydney suppliers
  - (b) Two regional NSW suppliers
  - (c) Three interstate suppliers
  - (d) Three overseas suppliers.
- (10) In 2024, more than 60 per cent of the program was free.
- (a) The majority of content elements, which make up Vivid Sydney, are operated and funded by commercial and Government entities other than Destination NSW. These include Ideas, Music, Light and Food events and precincts. For this reason, the total revenue generated from Vivid Sydney events is commercial-in-confidence.
- (11) Attendance figures for Vivid Sydney 2018-2023 are as follows:
- (a) 2023 - 3.28 million
  - (b) 2022 - 2.58 million
  - (c) 2021 - Vivid Sydney was cancelled due to the COVID-19 pandemic.
  - (d) 2019 - 2.4 million
  - (e) 2018 - 2.25 million
- (12) The Art Gallery of NSW's full forward program for 2024-2025 is not yet finalised.
- (a) See answer to question 12.

\* 2583 HEALTH—HOSPITAL BEDS FOR NDIS FUNDED PATIENTS—The Hon. Susan Carter 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) On what dates did you discuss hospital beds being occupied by NDIS funded patients with the Federal Health Minister?
- (2) On what dates did you discuss hospital beds being occupied by NDIS funded patients with the Minister for the NDIS?
- (3) On what dates did you discuss hospital beds being occupied by NDIS funded patients with the Prime Minister?
- (4) On what dates did you discuss hospital beds being occupied by NDIS funded patients with the Federal Health Minister?

Answer—

I am advised:

The NSW Minister for Health continues to work with federal colleagues through appropriate forums on a range of matters.

\* 2584 ATTORNEY GENERAL—INDUSTRIAL COURT—The Hon. Susan Carter to ask the Treasurer representing the Attorney General—

- (1) How much money has been allocated for the new Industrial Court?
- (2) What is the expected yearly operating cost of the Industrial Court?

Answer—

I am advised:

The Industrial Court of NSW commenced on 1 July 2024.

The Budget Papers include detailed information on budgeted expenses, revenue, and capital expenditure. This includes detailed financial statements for individual agencies as well as for government as a whole. The Budget Papers also outline the financial impact of measures in the budget on individual portfolios as well as for government as a whole.

\* 2585 ENVIRONMENT—BIOBANKING CALCULATOR—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage—

- (1) Why was the Biobanking Calculator not functioning at the time of the Land and Environment Court proceedings involving Gunlake Quarries?
  - (a) For what period of time was it not functioning?
- (2) On what other occasions has the Biobanking Calculator not been functioning?
- (3) Why has the Senior Team Leader in the South East Branch, Biodiversity, Conservation and Science been allowed to appear against Gunlake in the Land and Environment Court case, and also be part of the assessment of Planning applications by Gunlake, thereby creating a conflict of interest?

Answer—

- (1) The Department of Climate Change, Energy, the Environment and Water believes that Biobanking Calculator experienced an outage most likely as a result of a server issue as several other departmental applications were also down at that time.
  - (a) The exact dates of the outage are not known, but is believed to be sometime between 17 and 25 February 2021 .
- (2) The Department does not know whether the Biobanking Calculator experienced other outages as System Administrators within the Digital Information Office do not retain the historical server logs as far back as 2021.
- (3) The Senior Team Leader Planning in the South East Branch, Biodiversity Conservation and Science was retained in the Land and Environment Court as an expert witness because of her expertise. As for all expert witnesses, she complied with the Expert Witness Code of Conduct.

The Senior Team Leader Planning in the South East Branch, Biodiversity Conservation and Science plays no decision making role in relation to Gunlake. The consent authority – the Minister for Planning or his delegate – is the decision maker on the project or any modifications.

All staff are required to comply with the Department's Code of Ethics and Conduct. This includes a requirement for staff to make annual declarations of real and perceived conflicts of interest.

\* 2586 MEDICAL RESEARCH—NON-ANIMAL TECHNOLOGIES NETWORK—The Hon. Susan Carter 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) What is the source of the cells which will be used by the Non-Animal Technologies Network?
- (2) Will existing stem cell lines be used?
  - (a) If so, what is the source of these stem cell lines?
  - (b) Are any of them from aborted foetuses?
- (3) Will new cell lines be used?
  - (a) If so, what is the source of these cell lines?
- (4) Will discarded embryos from IVF procedures be used a source of cells at any point in the process?
  - (a) If so, what is the consent process necessary for the use of these discarded embryos?
- (5) Will tissue from aborted foetuses be used in obtaining cell lines for the Non-Animal Technologies Network at any point?

- (a) If so, what is the consent process necessary for the use of the tissue from these aborted foetuses?

Answer—

I'm advised:

Although the NAT-Net research projects have not yet commenced, it is expected that NAT-Net will use both induced pluripotent stem cells and stem cell lines sourced from human cells such as blood and tissue.

The NAT-Net partner institutions are required under the terms of the funding agreement that research will also comply with the applicable standards, codes and guidelines adopted for that purpose by the National Health and Medical Research Council (NHMRC). Human Research Ethics Committee (HREC) approval will be sought as required under the relevant legislation and research guidelines, prior to the collection of any specimens.

## 8 AUGUST 2024

(Paper No. 312)

2647 ENERGY—SOUTH PACIFIC OFFSHORE WIND PROJECT—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage—

- (1) In relation to South Pacific Offshore Wind Project, application No. 01569 under the Environment Protection and Biodiversity Conservation Act, when was the application originally lodged under the Environment Protection and Biodiversity Conservation Act?
  - (a) Who made the decision to refer the application under the Environment Protection and Biodiversity Conservation Act, and when did they do so?
  - (b) Was any public consultation initiated on this proposal?
  - (c) If so when and where was this made known to the public?
- (2) Did the Department or Energy Corporation of NSW advise the applicant, BlueFloat Energy, to refer the application under the Environment Protection and Biodiversity Conservation Act?
  - (a) What other advice was provided?
  - (b) Did the Department discuss this referral with the Commonwealth Department?
    - (i) Who was involved in these meetings or discussions?
    - (ii) When did they take place?
    - (iii) What was discussed?
- (3) Did any meetings or discussions take place between Minister Kean or Minister Sharpe with Minister Bowen about the South Pacific Offshore Wind Project proposal?
  - (a) When did they take place?
  - (b) What was discussed?
- (4) Did any meetings or discussions take place between Minister Kean and Minister Sharpe or their Departments with the lobbyists TG Public Affairs about the South Pacific Offshore Wind Project proposal?
  - (a) When did they take place?
  - (b) What was discussed?
- (5) Has the Energy Corporation of NSW met with lobbyists TG Public Affairs in relation to the South Pacific Offshore Wind Project proposal?
  - (a) Who was involved in these meetings or discussions?
  - (b) When did they take place?

- (c) What was discussed?
- (6) Have any Ministers or their offices met with BlueFloat Energy or their lobbyists TG Public Affairs?
  - (a) Who was involved in these meetings or discussions?
  - (b) When did they take place?
  - (c) What was discussed?
- (7) What was the purpose of the meeting between the Energy Corporation of NSW and BlueFloat Energy in July 2022?

2648 ATTORNEY GENERAL—NSW TRUSTEE AND GUARDIAN—The Hon. Jeremy Buckingham to ask the Treasurer representing the Attorney General—

- (1) In relation to NSW Trustee and Guardian financial management services to clients under a guardianship order or whose estate is under financial management, for whom the Public Guardian or the NSW Trustee is appointed to act or responsible to oversee their private financial manager, does the Public Guardian or the NSW Trustee require that the financial manager have professional indemnity insurance?
  - (a) If so, how does the Public Guardian or the NSW Trustee verify that the financial advisor has professional indemnity insurance?
- (2) The NSW Trustee and Guardian made one referral in 2022 to the NSW Ageing and Disability Commission and the NSW Police Force for a matter related to misappropriation of funds for a person under private financial management. How many individuals' funds, for whom the Public Guardian or the NSW Trustee is appointed to act or responsible to oversee their private financial manager, were being managed by the referred person in the 12 months prior to their referral for misappropriation of one person's funds?
  - (a) What was the outcome of the referral to the NSW Ageing and Disability Commission?
    - (i) If the referred person was found to have misappropriated funds by the NSW Ageing and Disability Commission, what is the name of the referred person and what penalty was imposed?
  - (b) What was the outcome of the referral to the NSW Police Force?
    - (i) If proceedings were brought against the referred person and they were found to have misappropriated funds, what is the name of the referred person and what penalty was imposed?

David Blunt AM  
Clerk of the Parliaments