



LEGISLATIVE COUNCIL

2023-24-25

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

QUESTIONS AND ANSWERS

No. 567

FRIDAY 22 AUGUST 2025

(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. 552 (Including Question Nos 4296 to 4306)	22 August 2025
Q & A No. 553 (Including Question Nos 4307 to 4314)	25 August 2025
Q & A No. 554 (Including Question Nos 4315 to 4316)	26 August 2025
Q & A No. 555 (Including Question Nos 4317 to 4322)	27 August 2025
Q & A No. 556 (Questions—Nil)	-
Q & A No. 557 (Including Question Nos 4323 to 4324)	29 August 2025
Q & A No. 558 (Including Question Nos 4325 to 4328)	1 September 2025
Q & A No. 559 (Questions—Nil)	-
Q & A No. 560 (Including Question Nos 4329 to 4329)	3 September 2025
Q & A No. 561 (Including Question Nos 4330 to 4331)	4 September 2025
Q & A No. 562 (Questions—Nil)	-
Q & A No. 563 (Including Question Nos 4332 to 4334)	8 September 2025
Q & A No. 564 (Including Question Nos 4335 to 4336)	9 September 2025
Q & A No. 565 (Including Question Nos 4337 to 4343)	10 September 2025
Q & A No. 566 (Including Question Nos 4344 to 4354)	11 September 2025
Q & A No. 567 (Including Question Nos 4355 to 4355)	12 September 2025

1 AUGUST 2025

(Paper No. 552)

* 4296 MUSIC AND NIGHT TIME ECONOMY—MUSIC FESTIVALS—Ms Cate Faehrmann to ask the Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy—

- (1) Regarding any music festivals, which have been notified to the Secretary under s10AA of the Music Festivals Act 2019?
 - (a) Could you please provide a list of the name of each festival?
 - (b) Could you please provide a list of the festivals which have been determined by the Secretary to require an agreed health and medical plan?
 - (c) Could you please provide the names of all festivals which have been required to submit to the Secretary a schedule about matters relating to law enforcement and safety as requested by the Commissioner of Police?
 - (d) Were all the festivals listed at (c) above required by the Secretary to submit a law enforcement and safety schedule?
 - (i) If not, which ones were not required?
 - (ii) If so, could you please provide the names of all those festivals which had conditions imposed upon them by the Commissioner of Police?
 - (e) With regards to (d)(ii) above, could you please detail which music festivals had the proposed conditions approved with changes?
 - (i) Which had the proposed conditions approved without changes?
- (2) In relation to the Music Festivals Appeals Panel, has the panel met?
 - (a) If so, how many times?
 - (i) Who is on the panel?
 - (b) In relation to any applications considered by the panel under s19C, could you please provide:
 - (i) the name of each festival?
 - (ii) the government charges originally imposed on each festival broken down by department and agency?
 - (iii) the name of each festival for which the panel decided to waive or reduce the amount payable and by how much?
 - (iv) the name of each festival where the panel refused to waive or reduce the amount payable?

Answer—

- (1) From the commencement of the Amendment Act (27 September 2024) until 1 August 2025, a total of fifty-nine (59) festivals have provided notification to the Secretary.
 - (a) See [Annexure A](#).
 - (b) Twelve (12) festivals were required to have an agreed health and medical plan (HMP) (see [Annexure A](#)).
 - (c) NSW Police have requested that eight (8) festivals be required to have a law enforcement and safety schedule (see [Annexure A](#)).
 - (d) Eight (8) festivals were determined by the Secretary to be required to submit a Schedule (see [Annexure A](#)).
 - (i) N/A.
 - (ii) See [Annexure A](#).

- (iii) Eight (8) schedules were approved with changes. They were HTID 2025, MELTDOWN 2025, Dreamstate Australia, Midnight Mafia 2025, Gearbox Australia, Hyperdome Sydney 2025, AR GANG, and Altitude 2025 (see [Annexure A](#)).
 - (iv) Nil were approved without changes.
- (2) Yes.
- (a) As at 13 August 2025, the Panel has been convened and met three (3) times.
 - (i) Pursuant to section 19C(4) the Panel consists of the following members:
 - Deputy Secretary Delivery and Engagement, Premier's Department
 - Head of Sound NSW
 - Chief Executive Officer, Destination NSW.
 - (b) The Music Festivals Appeal Panel has received one application. The application is under consideration by the Panel.

* 4297 MENTAL HEALTH—OFFICIAL VISITORS IN MENTAL HEALTH RATES OF PAY—Dr Amanda Cohn to ask the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth—

- (1) In response to LC Question on Notice 3944, you advised that an independent assessment of the Principal Official Visitor role is being progressed to determine an appropriate remuneration based on their role description. Will this review also include remuneration for Official Visitors who are not the Principal Official Visitor?
 - (a) If not, why?

Answer—

I am advised:

This question should be referred to the Minister for Health.

* 4298 SPECIAL MINISTER OF STATE—REQUIRED DECLARATIONS BY THE MEMBER FOR CAMDEN—The Hon. Mark Latham to ask the Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy—

- (1) Further to the your answer to LC Question on Notice 4082, given that you have made no defence of the Member for Camden's undeclared conflict of interest, especially her undeclared secondary interest (a clear breach of the LSCA integrity process) and have advised me to report it myself to the New South Wales integrity agencies, why haven't you exercised your section 11 responsibility to report this matter to ICAC?

Answer—

I refer the Member to the answer to LC Question on Notice 4082.

As stated in the previous answer, if the Member has concerns about declarations, this should be raised by the Member directly with the appropriate agencies.

* 4299 PLANNING AND PUBLIC SPACES—HOUSING DELIVERY AUTHORITY SSD-229650 AT AVERILL AND LEEDS STREETS, RHODES—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Minister for Planning and Public Spaces—

- (1) I refer you to HDA-SSD-229650 at Averill and Leeds Streets, Rhodes, lodged with the Housing Delivery Authority by Billbergia and your subsequent SSD Declaration Order (no.11) 2025 on 23 July 2025, and ask: what was in the Billbergia application that allowed it to be approved on non-Billbergia land, such as 15 Leeds Street, without the consent of those landowners, contrary to the HDA rules?

- (a) How could the Panels and Housing Delivery unit in the Department of Planning advise the non-Billbergia landowners on 24 July that, "We have amended the Ministerial Order that declared the site SSD"?
- (b) Did you amend your own Order? What was the exact nature of the amendment?
- (c) How could you and your Department grant a retrospective approval such as this, where the process was faulty and against the rules, seemingly 'corrected' with the stroke of a pen?
- (d) Why wasn't the process re-commenced to follow the HDA rules from beginning to end?
- (e) Have you received legal advice as to the validity of the retrospective approval and what does it say?
- (f) Given the obvious integrity concern about this process, will you now ensure all applications to the HDA are published and subject to public scrutiny?
- (g) Consistent with (f) above, will you now release the initial Billbergia application to the disadvantaged non-Billbergia landowners in Rhodes?

Answer—

I am advised:

The purpose of the Housing Delivery Authority (HDA) and its expression of interest (EOI) process is to identify major housing projects eligible to be declared for State Significant Development (SSD) assessment.

The HDA receives EOI applications, evaluates proposals against the published HDA EOI criteria, and provides me, as the Minister for Planning and Public Spaces, with a recommendation as to whether a proposal should be declared SSD. Where I declare a proposal, it is then eligible to be submitted as an SSD application.

SSD applications undergo a full merit assessment undertaken by the Department of Planning, Housing and Infrastructure. This assessment includes confirmation of landowners' consent, assessment against planning controls, and public exhibition for council and community comment. Landowners' consent details are not required at the EOI stage. An EOI is a preliminary process to reveal potential projects that are typically conceptual.

EOI 229650 for Averill and Leeds Streets, Rhodes was declared on 17 February 2025. The declaration followed advice from the HDA that the project had state significance and was recommended for the HDA pathway subject to addressing the Rhodes dwelling cap.

The declaration order included all sites listed within the EOI. The EOI response to criteria relating to land tenure stated that tenure over the majority of lots was secure, and that ownership arrangements over the balance of lots would be resolved as the application preparation progressed.

Following the declaration of the EOI, the Department received correspondence from landowners included in the list of declared lots objecting to the declaration covering their land and confirming that they had not entered an arrangement with the proponent. Additionally, in discussions with the Department ahead of a request for Secretary's Environmental Assessment Requirements (SEARs), the applicant advised of a reduction in the number of lots to be included in the development application.

Accordingly, following this advice, I, as the Minister, have the power to amend, and did amend the declaration for EOI 229650 on 24 July 2025 limiting the declaration to only the sites to be included within the SEARs request. A request for SEARs is the step before lodging an SSD application. SEARs have been requested but are yet to be issued for this site.

EOI 229650 was considered at the first meeting of the HDA. It should be noted that the Department over the course of the HDA's six months of operation has made iterative improvements to the declaration process. This included seeking context from councils, updating HDA criteria to receive better quality EOI applications, and requesting additional information where there is ambiguity or gaps, including on land tenure arrangements.

All HDA meetings are attended by a probity advisor, who oversees how the meeting is run, provides probity advice to HDA members, and flags any issues or opportunities to improve the transparency and rigour of

the operation of the HDA. No issues of concern were raised by the probity advisor at the relevant HDA meeting.

However, I have, out of an abundance of caution, referred the concerns raised by the Hon Mark Latham MLC to external probity advisors for further review and advice on the matters raised.

- * 4300 GAMING AND RACING—MINISTERIAL OBLIGATIONS UNDER THE ICAC ACT—The Hon. Mark Latham to ask the Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy 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) Further to your answer to LC Question on Notice 4106, have you read the NSW ICAC Act?

(a) Why don't you understand that section 11(1), as written, applies to Ministers not MPs?

Answer—

I note the section 10(1) of the *Independent Commission Against Corruption Act 1988* provides:

"Any person may make a complaint to the Commission about a matter that concerns or may concern corrupt conduct."

- * 4301 PLANNING AND PUBLIC SPACES—BILLBERGIA'S EOI SUBMISSION TO THE HOUSING DELIVERY AUTHORITY—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Minister for Planning and Public Spaces—

(1) In light of your answer to LC Question on Notice 4107 confirming the Housing Delivery Authority accepted Billbergia's EOI 229650 even though the developer did not control all of the land, will you table, within seven days, the complete EOI submission (including the schedule that was to 'demonstrate ownership or option to purchase' for every lot) together with all departmental due-diligence notes and legal advice relied on to recommend State Significant Development Declaration Order (No 11) 2025?

(a) Will you explain the legislative or policy basis on which the Department deemed the mandatory land-control criterion 'satisfied' despite that deficiency?

(b) Will you refer the matter to the Independent Commission Against Corruption for investigation into whether false or misleading information was provided to obtain a statutory benefit?

(i) If not, why?

(c) Will you immediately suspend further assessment of EOI 229650 and its associated SEARs request until any such investigation is complete?

Answer—

I am advised:

The purpose of the Housing Delivery Authority (HDA) and its expression of interest (EOI) process is to identify major housing projects eligible to be declared for State Significant Development (SSD) assessment.

The HDA receives EOI applications, evaluates proposals against the published HDA EOI criteria and provides me, as the Minister for Planning and Public Spaces, with a recommendation as to whether a proposal should be declared SSD. Where I declare a proposal, it is then eligible to be submitted as an SSD application.

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EOI 229650 was considered at the first meeting of the HDA. It should be noted the Department over the course of the HDA's six months of operation has made iterative improvements to the declaration process. This included seeking context from councils, updating HDA criteria to receive better quality EOI applications and requesting additional information where there is ambiguity or gaps including on land tenure arrangements.

All HDA meetings are attended by a probity advisor, who oversees how the meeting is run, provides probity advice to HDA members, and flags any issues or opportunities to improve the transparency and rigour of the operation of the HDA. No issues of concern were raised by the Probity Advisor at the relevant HDA meeting.

However, I have, out of an abundance of caution, referred the concerns raised by the Hon Mark Latham MLC to external probity advisors for further review and advice on the matters raised.

As background, the Department in December 2020 referred to the NSW Independent Commission Against Corruption (ICAC) land dealings in the Rhodes peninsula specifically involving Billbergia. In March 2021, it was confirmed that ICAC had determined not to investigate the matters referred to it. I do not consider that there is a need to refer this EOI process to ICAC at this stage.

* 4302 **WORK HEALTH AND SAFETY—TERMINATION OF DXC CONTRACTS**—The Hon. Mark Latham to ask the Treasurer representing the Minister for Industrial Relations, and Minister for Work Health and Safety—

- (1) Why were the DXC contracts with icare and the Treasury Managed Fund (TMF) terminated on 17 June 2025, the day of the Public Accountability and Works Committee (PAWC) inquiry into workers compensation?
- (2) What changed between the date the DXC contracts were entered into in early 2025 and the date of termination, to justify this decision?
- (3) How was the inadequacy of the icare management and Information Technology (IT) systems not known when the DXC contracts were entered into?
- (4) When was it first known that the icare claims management system would not be ready before 2028?
- (5) What discussions did senior icare management have about the termination of DXC with EML, QBE and Allianz, prior to the termination decision being publicly announced?
 - (a) What are the details?
- (6) Did the Chief Executive Officer (CEO) of icare, Ms Aplin, contact a Woolworths executive prior to the DXC termination announcement to inform them of the decision?
 - (a) If so, why, given that icare has no relationship with self-insurers?
 - (b) When was this contact made?
- (7) When she was the CEO of EML, did Ms Aplin lose the lucrative Woolworths contract to DXC?

- (8) In the conversation in (6) above, did Ms Aplin tell Woolworths they made a mistake in moving from EML to DXC?
- (9) Has the DXC termination decision helped to consolidate the market share of EML in this oligopoly market for claims management, as the best EML staff would now be reluctant to join a rival company like DXC?
- (10) Given that 300 DXC staff are now adversely affected by the termination decision, having been recruited by DXC to handle its new contracted responsibilities and yet within a few months now face retrenchment, what action will the Government take to assist them?
- (11) What has been the impact of the DXC contract terminations on the future development of the industry, particularly in discouraging future new entrants?
- (12) Are you satisfied that Ms Aplin's conduct in this matter has been ethical and in good faith?
- (13) Given her past close and immediate senior role at EML, what declaration of interest did Ms Aplin make regarding the icare decision to terminate DXC?
 - (a) What are the details?

Answer—

I'm advised:

Matters related to these issues have been addressed in the hearings of the Public Accountability and Works Committee inquiry into the Workers Compensation Amendment Bill on 29 July 2025.

* 4303 PLANNING AND PUBLIC SPACES—PLANNING RULES REQUIRED UNDER THE RHODES PLACE STRATEGY—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Minister for Planning and Public Spaces—

- (1) I refer you to the Rhodes Place Strategy, finalised by your Department in September 2021 and locked into law on 30 October 2021, which set out Planning Rules that require the Leeds Street Foreshore and Cavell Avenue character areas to be planned and assessed separately under their own height, density and public-benefit tests, and ask: by what statutory or policy authority did the Housing Delivery Authority (HDA), at its 7 February 2025 meeting, merge these two precincts into a single 2,020-dwelling State-Significant Development (EOI 229650), export most of the tower mass into the mid-rise Cavell Avenue zone and then, after Declaration Order No 11 of 24 July 2025, cut out three privately-owned Leeds Street lots, still keeping the full 2,020-dwelling yield?
 - (a) Will you table the briefing, legal advice and precinct-variation approval that authorised this departure from the Rhodes Place Strategy and explain how it complies with the HDA's own land-control criterion?
 - (b) How could the HDA be so incompetent?
 - (i) Do you still have confidence in this new planning authority?

Answer—

I am advised:

The purpose of the Housing Delivery Authority (HDA) and its expression of interest (EOI) process is to identify major housing projects eligible to be declared for State Significant Development (SSD) assessment.

The HDA receives EOI applications, evaluates proposals against the published HDA EOI criteria and provides me, as the Minister for Planning and Public Spaces, with a recommendation as to whether a proposal should be declared SSD. Where I declare a proposal, it is then eligible to be submitted as an SSD application.

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EOI 229650 for Averill and Leeds Streets, Rhodes was declared on 17 February 2025. The declaration followed advice from the HDA that the project had state significance and was recommended for the HDA pathway subject to addressing the Rhodes dwelling cap.

However, I have, out of an abundance of caution, referred the concerns raised by the Hon Mark Latham MLC to external probity advisors for further review and advice on the matters raised.

- * 4304 PREMIER—STRAW DONATIONS FOR THE 2015 CAMPAIGN—The Hon. Mark Latham to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Premier—

- (1) I refer you to your repeated promise of paying back or donating somewhere the more than \$10,000 in straw donations (in units of \$900) for your 2015 Kogarah campaign as organised by Jonathan Yee and uncovered by ICAC in 2019, and ask: where is the money today?

Answer—

I am advised:

Please refer to my public comments.

The Member is able to contact the Electoral Commission.

<https://elections.nsw.gov.au/>.

- * 4305 PLANNING AND PUBLIC SPACES—JETTY FORESHORE PRECINCT—Ms Sue Higginson to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Minister for Planning and Public Spaces—

- (1) The State Significant Rezoning Evaluation Panel evaluated the Jetty Precinct development for rezoning on 23 September 2024 with a score of 6.4. A document sent to the Evaluation Panel by 'Foreshore For All' on 9 December 2024 and again on 14 January 2025, identified significant errors and omissions in the proposal provided to the Evaluation Panel by the Department of Planning NSW. Was the State Significant Rezoning Evaluation Panel and Probity Advisor made aware of this information by the Department of Planning?
- (a) If so, when did this occur?
- (b) If any, what was the Evaluation Panel's response?
- (2) What Governance and Probity processes were employed for handling any errors and omissions identified in the Assessment and Review Process?
- (3) Were the State Significant Rezoning Evaluation Panel members and Probity Advisor offered the opportunity to review the Evaluation given that the Jetty Precinct Evaluation had the lowest score of the applications considered?
- (4) Does the Evaluation currently meet all the requirements of the State Significant Rezoning Policy and Probity Controls with the Probity Advisor that was engaged confirming "...that processes undertaken are accountable, defensible, fair and transparent and conducted in accordance with the probity fundamentals"?
- (5) If any information was changed on the application, or subject to review or independent assessment, would any scores have changed in the Evaluation?
- (6) Are you certain that there has not been maladministration in the current assessment processes for the rezoning applications under the State Significant Rezoning process?
- (7) What is the actual area of the land that is currently zoned RE1 proposed to be rezoned to MU1?
- (8) What is the area of land currently zoned SP2 proposed to be rezoned to MU1?

Answer—

I am advised:

- (1)-(8) The State Significant Rezoning Evaluation Panel and the Probity Advisor were made aware of concerns raised by Foreshore For All regarding the Coffs Harbour Jetty Foreshore scoping proposal provided to the Department of Planning, Housing and Infrastructure in December 2024.

The Chair of the Panel wrote on 23 April 2025 to Foreshore For All advising the proposal had been evaluated in line with the Rezoning Pathways Program in place at the time. Foreshore for All was also advised it would have the opportunity to provide feedback on the proposal once it had been lodged with the Department.

The Rezoning Pathway Program governance and probity processes were followed. The Chair of the Panel considered the matters raised alongside the evaluation material. The evaluation remained consistent with program requirements.

The Chair of the Panel considered re-evaluation was not required as the evaluation remained consistent with program requirements.

The evaluation met the requirements of the Rezoning Pathways Program in place at the time.

The information provided by Foreshore for All on the proposal would not have impacted on the score or the Panel's recommendation. The recommendation of the Panel is used to determine an appropriate planning pathway for the proposal and does not provide a decision on the outcome of the proposal.

The Evaluation Panel Outcome Report dated 21 November 2024 contained a minor administrative error which was corrected on 1 April 2025. The Report incorrectly stated that Procure Group attended the meeting as the independent probity advisor. While there was no probity advisor in attendance, the Rezoning Pathways Program policy was developed with independent probity advice.

The proposed change from RE1 to MU1 totals 17,373 square metres (or 1.7 hectares). However, there is a proposed change of SP2 to RE1 of 12,535 square metres (or 1.25 hectares).

Across the entire site, the proposed decrease of RE1 totals 3,851 square metres (or less than one acre). This represents 0.6 percent of the Precinct's total land area (which is 62 hectares in total).

The proposed change of SP2 to MU1 is 1.59 hectares. In addition, there is a proposed change of SP2 to RE1 of 1.25 hectares.

- * 4306 AGRICULTURE—NETTED BEACHES—The Hon. Emma Hurst to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales—

- (1) There are 51 'netted beaches' across New South Wales. What size or area of water does the Department considered humans to be "protected" by a shark net?
 - (a) Is the "protected" area of water defined by straight lines or by a radius from the net?
 - (b) Could you please provide details as to the size or dimensions of the protected area?
- (2) How is the area of a netted beach defined for reporting?
 - (a) For example, when determining whether a shark-human interaction has occurred at a netted beach or not?
- (3) Does the Department hold the position that shark nets deter or stop sharks from establishing 'territories' near netted beaches?
 - (a) If so, could you please provide details of any scientific literature, research or other evidence relied upon to support this position?

Answer—

I am advised:

- (1) Shark mitigation measures, including shark nets, are not measured in terms of the size or area of protection. The NSW Shark Management Program uses a mix of traditional and modern technologies to reduce the chances of an interaction between target sharks and humans at beaches where the controls are deployed.
- (2) If there is net at a beach, it is defined as a netted beach.

- (3) The Shark Management Program is designed to target white, tiger and bull sharks. These species have been shown to be highly migratory and even though they may revisit regions on their annual migrations, they do not appear to establish territories.
- (a) This has been demonstrated by results from our world-leading tagging and tracking program within our Shark Management Program.

22 AUGUST 2025

(Paper No. 567)

4355 ENVIRONMENT—PHASING OUT SINGLE-USE PLASTIC SOY SAUCE CONTAINERS—The Hon. Natalie Ward to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage—

- (1) Can you advise whether the Government intends to phase out the supply of single-use plastic soy sauce squeeze containers, in line with the recent decision by the South Australian Government?
- (2) Since March 2023, what progress has the Government made in accelerating the implementation of the phase-out of single-use plastic soy sauce squeeze containers?
- (3) What timeframe is the Government working towards for the implementation of a phase-out of single-use plastic soy sauce squeeze containers in New South Wales?
- (4) Will the phase-out of single-serve plastic condiment packages less than 50ml, including single-use plastic soy squeeze sauce containers, be included in the next stage of single-use plastics legislation or regulatory reform?
- (5) In the interim, what measures is the Government undertaking to reduce the use of single-use plastic soy sauce containers and to encourage businesses to adopt more sustainable alternatives?

Steven Reynolds
Clerk of the Parliaments