



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 26

TUESDAY 14 NOVEMBER 2006

(The Questions and Answers Paper published for the first sitting day in each week will contain, by number and title, all unanswered questions, together with questions to which answers have been received on the previous sitting and any new questions. On subsequent days, new questions are printed, as are questions to which answers were received the previous 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. 17 (Including Question Nos 0176 to 0187)	31 October 2006
Q & A No. 18 (Including Question Nos 0188 to 0189)	01 November 2006
Q & A No. 19 (Including Question Nos 0190 to 0206)	02 November 2006
Q & A No. 20 (Including Question Nos 0207 to 0235)	21 November 2006
Q & A No. 21 (Including Question Nos 0236 to 0243)	22 November 2006
Q & A No. 22 (Including Question Nos 0244 to 0252)	23 November 2006
Q & A No. 23 (Including Question Nos 0253 to 0355)	28 November 2006
Q & A No. 24 (Including Question Nos 0356 to 0357)	29 November 2006
Q & A No. 25 (Including Question Nos 0358 to 0371)	30 November 2006
Q & A No. 26 (Including Question Nos 0372 to 0378)	19 December 2006

26 SEPTEMBER 2006

(Paper No. 17)

*176 PLANNING—BOWRAVILLE BUS DEPOT—Ms Hale asked the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

- (1) Has the Department of Planning investigated claims of a bus depot operating from 53 Borefield Road, Bowraville?
 - (a) If so, when?
 - (b) What was the outcome of this investigation?
- (2)
 - (a) Does the operation of a bus depot from the Bowraville site comply with Nambucca Shire Council's local environmental plan?
 - (b) Did the Council give consent to this site under the 'home activity' classification for a bus depot operating up to ten buses?
 - (c) If so, why?
 - (d) Will the Department investigate this matter?

Answer—

I refer the honourable member to my response to question 0122 which advises that the activity is operating under a consent granted by Nambucca Shire Council. Issues relating to this consent should be raised with the council.

*177 MINERAL RESOURCES, NATURAL RESOURCES, PRIMARY INDUSTRIES—STAFF EMPLOYED IN DEPARTMENTAL OFFICES—Mr Gay asked the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

- (1) How many staff are currently employed by the Department of Primary Industries at 161 Kite Street, Orange?
- (2) How many staff are currently employed by the Department of Primary Industries at 516 High Street, Maitland?
- (3) How many staff are currently employed by the Department of Primary Industries at 202 Nicholson Parade, Cronulla?
- (4) How many staff are currently employed by the Department of Primary Industries at Building 2/423 Pennant Hills Road, Pennant Hills?
- (5) How many staff are currently employed by the NSW Food Authority at 6 Avenue of the Americas, Newington?
- (6) How many staff are currently employed by the Department of Natural Resources at 22-23 Bridge Street, Sydney?

Answer—

According to the NSW Department of Primary Industries, NSW Food Authority and Department of Natural Resources payrolls, the number of staff employed as at 28 September 2006 are as follows:

- (1) 392.
- (2) 156.
- (3) 112.
- (4) 49.
- (5) 94.
- (6) 88.

*178 COMMERCE—EXCESSIVE INSURER PROFIT FOR MOTOR ACCIDENT CLAIMS—Dr Chesterfield-Evans asked the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—

- (1) With regard to the finding in the Seventh Report of the Standing Committee Law and Justice into the operation of the Motor Accidents Scheme, tabled last week, that "estimates of profits likely to be realised on premiums written in accident years to date significantly exceed the profit margins approved by the Motor Accidents Authority prior to those premiums being written", is the Government prepared to protect excessive insurance profit for insurer's at the expense of fair compensation for people injured in motor accidents?
- (2) If so, why?

Answer—

- (1) No. The Seventh Report of the Standing Committee on Law and Justice examined this issue in detail and concluded that the "Committee is satisfied that the primary reason for the discrepancy between profit margins contained in CTP filings and the MAA's estimate of the profit likely to be realised on those premiums is the fall in the risk premium between 1999 and the present". Further, the Committee indicates in its report that "no reasonable participant in the CTP industry could have predicted the fall in claim frequency". Importantly, the Committee also concluded that as "the MAA is required to ensure that the motor accidents scheme is fully funded from year to year, the MAA acted reasonably in ensuring that premium prices 'chased' the fall in claim frequency downwards, rather than racing ahead of the fall in claims frequency." The Government has also recently implemented the first stage of an historic expansion of scheme benefits to assist children, the catastrophically injured and their families. Since 1 October 2006 the scheme now covers children aged up to 16 injured in a motor vehicle accident, regardless of who was at fault, for their necessary medical treatment, rehabilitation and care expenses, including lifetime care for those very seriously injured. This major improvement to scheme benefits will culminate next year with complete coverage for the lifetime care of everyone catastrophically injured in motor vehicle accidents.
- (2) Refer answer to question (1) above.

*179 PLANNING—PARRAMATTA ROAD STRUCTURE PLAN—Ms Hale asked the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

- (1)
 - (a) Has the Department of Planning permitted both Marrickville and Leichhardt Councils to exhibit sector 1 of the Parramatta Road structure plan?
 - (b) Are the structure plans for sectors 2, 3 and 4 to be made publicly available and exhibited?
 - (c) If not, why not?
- (2) If these sectors are to be made available, when will this occur?
- (3)
 - (a) Has any council been told that Parramatta Road structure plans are not to be publicly released?
 - (b) If so,
 - (i) Which councils were told?
 - (ii) When were they told?
 - (iii) What was the reason for this instruction?

Answer—

- (1)
 - (a) I understand Marrickville and Leichhardt Councils exhibited Sector 1 of the Parramatta Road draft structure in July 2005. It was on exhibition for two months.
 - (b) and (c) I am advised that sub-regional plans are currently being developed as part of the implementation of the Metropolitan Strategy.
- (2) When the development of sub-regional plans is completed they will be exhibited.

- (3)
- (a) I am advised that the Department of Planning indicated to councils that further sub-regional planning work was required to be completed before the issue can be progressed.
 - (b)
 - (i) Sector 2, 3 or 4 councils.
 - (ii) August 2006.
 - (iii) To allow for sub-regional planning to be completed.

*181 PLANNING—LEPPINGTON RAIL EXTENSION—Ms Hale asked the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

- (1)
- (a) Have all valuations for private land earmarked for possible compulsory acquisition for the Leppington rail extension been completed?
 - (b) If not, what acquisitions are still outstanding?
 - (c) If so, when were they completed?
- (2)
- (a) Are the land values confidential?
 - (b) If so, why can't landholders be informed of the land values made?
- (3) When will the remaining landholders be informed of the land values?
- (4) Which agency will acquire the land?
- (5) Are there any plans to transfer ownership of acquired land between agencies?
- (6)
- (a) Are there plans to sell any compulsorily acquired land back onto the free market?
 - (b) If so, when?
- (7) Is the Transport Infrastructure Development Corporation (TIDC) expected to make a financial profit from the acquisition and sale of land at Leppington?
- (8)
- (a) Has your agency been lobbied by residents of Denham Court to have the rail extension diverted around Denham Court?
 - (b) If so, which residents?
- (9)
- (a) Will the northern line cost an additional \$50,000 per year to run?
 - (b) If so, why?
- (10)
- (a) Has a land swap been considered between land owned by TIDC and Leppington Memorial Gardens, to minimise any impact the southern line route may have on the cemetery?
 - (b) If not, why not?
- (11) With regard to the northern alignment option:
- (a) How many properties need to be acquired?
 - (b) What is the total projected value of these acquisitions?
 - (c) What is the projected total land area of all acquisitions?
 - (d) What is the total projected value of any land sold by any government department including TIDC associated with this option?
 - (e) What is the net projected cost to government of this option after all land purchases and sales?
 - (f) Will this option cost more or less than the southern line option, and if so by how much?
 - (g) Have any owners been advised that their land will be acquired?
 - (i) If so, when?

- (h) Have any owners been advised that their land will not be acquired?
 (i) If so, when?
- (12) With regard to the southern alignment option:
- (a) How many properties need to be acquired?
 (b) What is the total projected value of these acquisitions?
 (c) What is the projected total land area of all acquisitions?
 (d) What is the total projected value of any land sold by any government department including TIDC associated with this option?
 (e) What is the net projected cost to government of this option after all land purchases and sales?
 (f) Will this option cost more or less than the northern line option, and if so by how much?
 (g) Have any owners been advised that their land will be acquired?
 (i) If so, when?
 (h) Have any owners been advised that their land will not be acquired?
 (i) If so, when?

Answer—

- (1)
- (a) No.
 (b) Valuations have been completed for land acquired by agreement at Glenfield (the former James Meehan Estate) and for a site owned by Monarch Investments which is covered by a reservation for 'public purpose corridor' in the Campbelltown Local Environment Plan. Valuations for other future acquisitions have not been undertaken.
 (c) Not applicable.
- (2)
- (a) and (b) Valuations for the two sites referred to in question 1b are commercial-in-confidence.
- (3) Valuations for other sites will be undertaken prior to acquisition.
- (4) The NSW Department of Planning.
- (5) Land will ultimately be transferred to relevant transport agencies for rail construction and operation purposes.
- (6)
- (a) and (b) Following construction of the rail line, any land deemed surplus to operational requirements may be sold. Proceeds of these sales would assist in recouping acquisition costs.
- (7) This question should be directed to the Minister for Transport.
- (8)
- (a) and (b) Representations have been made by various residents regarding proposed alignments for the Southwest Rail extension.
- (9) This question should be directed to the Minister for Transport.
- (10) This question should be directed to the Minister for Transport.
- (11)
- (a) 26 privately-owned properties would require whole or partial acquisition.
 (b) Specific valuations have not been undertaken for these properties.
 (c) Approximately 53 hectares.
 (d) to (f) Specific figures cannot be provided at this time. See answers to questions (6)(a) and (b) and (11)(b).
 (g) and (h) No.
- (12)
- (a) 36 privately-owned properties would require whole or partial acquisition.
 (b) Specific valuations have not been undertaken for these properties.
 (c) Approximately 67 hectares.

- (d) to (f) Specific figures cannot be provided at this time. See answers to questions (6)(a) and (b) and (12)(b).
 (g) and (h) No.

*182 HOUSING—TASKERS RESIDENTIAL VILLAGE, PORT MACQUARIE—Ms Hale asked the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—

(1)

- (a) Was Taskers Residential Village sold to developers Vertigow Pty Limited two years ago?
 (b) Will a development application be lodged within three months?
 (c) What will the Minister do to prevent the loss of more private rental affordable housing stock, with the ongoing closure of residential parks such as Taskers Residential Village, throughout New South Wales?

(2)

- (a) Will a new SEPP be drafted to protect residential parks as a vital source of affordable housing for retirees and others?
 (b) If so, will the Minister of Planning be requested to do so?

Answer—

- (1) and (2) The sale of the Taskers Residential Village relates to a private transaction, the details of which are on the public record. The lodging of a development application is a matter for the owner of the site.

Consent Authorities are required to assess development applications in accordance with section 79C of the Environment Planning and Assessment Act 1979.

The NSW Government recognises the importance of the residential park industry and is committed to supporting residential park residents. Following a review of the Residential Parks Act 1998 in 2005, the Government introduced amendments to the Act to strengthen the rights of people who make parks their homes, particularly in the event of a park being sold and redeveloped.

Several key state agencies have also worked together to establish the Closure Protocol on Residential Parks. The protocol provides a framework for cooperation between agencies in providing assistance for residential park residents displaced by a park closure, in order to assist them to access the services and support they require.

The Department of Housing is a major provider of assistance for people on low incomes who need to rent accommodation, including financial assistance to enable eligible households to access and maintain a tenancy in the private rental market through the Rentstart program.

*186 LOCAL GOVERNMENT—MEETING OF BURWOOD COUNCIL—Ms Hale asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs representing the Minister for Local Government—

- (1) Did a meeting of Burwood Council held on 23 May 2006 resolve to accept a declaration of interest by the Mayor in relation to item 51/06 (Draft LEP, Draft DCP, Draft s94 Plan for Burwood Town Centre) despite the Mayor not disclosing the nature of that interest?
 (2) Is the failure to declare the nature of a pecuniary interest in contravention of section 451(1) of the Local Government Act?
 (3) Is it appropriate conduct for a Councillor who has a pecuniary interest in a matter such as a draft local environmental plan (LEP) to attend meetings with council officers and other parties when that LEP is being discussed and formulated?
 (4) Was a council meeting scheduled for 11 September 2006 but lapsed for want of a quorum?
 (5)
 (a) Have the minutes for the meeting held on 11 September 2006 been provided and indicate who was present, who was absent, and who had apologised for non-attendance?
 (b) If not, why not?

- (c) If not, when will the minutes be provided?
- (6) Is the failure to provide minutes relating to reasons for absence or the names of those councillors who were present in contravention of Regulation 233(3) of the Local Government (General) Regulation 2005?
- (7) Was a further meeting scheduled for 25 September 2006 but the decision to hold this meeting on that date has not been complied with?
- (8) Is this a further failure to comply with the Local Government Act and Regulations?
- (9)
- (a) Is the Minister aware of an email to Burwood Councillors from the council's Senior Manager Governance, Michelle McIlvenny, which reads:
- "Afternoon Councillors, Earlier today I advised of an extraordinary meeting of Council on Monday 25 September 2006. While at the meeting on Monday night the time and date for the adjourned meeting was given as Monday 25 September there were also provisions to have it on another date pending advice from the Minister and after discussions with the Deputy Mayor."
- "It would make more sense to have the adjourned meeting following the ordinary meeting on 26 September."
- "Please see attached document that outlines the dates for the next meetings of Burwood Council."?
- (b) Is the Minister for Local Government the Minister referred to in this email?
- (i) If so, has the Minister contravened the provisions of the Local Government Act?
- (ii) If not, to which Minister does the email refer?

Answer—

- (1) It is advisable that you contact council direct in relation to any specific matters considered by council, or review the minutes of the meeting referred to, which are available online.
- (2) Section 451 of the Local Government Act provides that a councillor who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- (3) The pecuniary interest provisions of the Act impose obligations on councillors in respect of their conduct at meetings of council and of council committees. They do not apply to other kinds of meetings.
- Whether the conduct of a councillor is appropriate or not is a matter for council to consider in the first instance under its code of conduct.
- (4) See answer to question (1).
- (5) See answer to question (1).
- (6) This is a matter on which council may wish to seek legal advice if it considers it necessary.
- (7) See answer to question (1).
- (8) This is a primarily a matter for council.
- (9)
- (a) No.
- (b) This is a question best directed to the author of the email in question.

*187 PLANNING—MEETING OF BURWOOD COUNCIL—Ms Hale asked the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

- (1) Did a meeting of Burwood Council held on 23 May 2006 resolve to accept a declaration of interest by the Mayor in relation to item 51/06 (Draft LEP, Draft DCP, Draft s94 Plan for Burwood Town Centre) despite the Mayor not disclosing the nature of that interest?
- (2) Is the failure to declare the nature of a pecuniary interest in contravention of section 451(1) of the

Local Government Act?

- (3) Is it appropriate conduct for a Councillor who has a pecuniary interest in a matter such as a draft local environmental plan (LEP) to attend meetings with council officers and other parties when that LEP is being discussed and formulated?
- (4) Was a council meeting scheduled for 11 September 2006 but lapsed for want of a quorum?
- (5)
- (a) Is the Minister aware of an email to Burwood Councillors from the Council's Senior Manager Governance, Michelle McIlvenny, which reads:
- "Afternoon Councillors, Earlier today I advised of an Extraordinary meeting of Council on Monday 25 September 2006. While at the meeting on Monday night the time and date for the adjourned meeting was given as Monday 25 September there were also provisions to have it on another date pending advice from the Minister and after discussions with the Deputy Mayor."
- "It would make more sense to have the adjourned meeting following the ordinary meeting on 26 September."
- "Please see attached document that outlines the dates for the next meetings of Burwood Council."?
- (b) Is the Minister for Planning the Minister referred to in this email?
- (i) If so, has the Minister contravened the provisions of the Local Government Act?
- (ii) If so, what advice did the Minister provide to the council?
- (iii) If not, to which Minister does the email refer?
- (6) Is the failure to hold the extraordinary meeting on the date determined (25 September) by the inquorate meeting of 11 September a contravention of the Regulation 233 of the Local Government (General) Regulation 2005?
- (7) Has Burwood Council provided to the Department of Planning the information requested in a letter from the Director General of Planning to the Council, dated 24 April 2006, namely:
- (a) The potential need for an infrastructure plan?
- (b) Details of the total floor space potential created by the draft LEP?
- (c) The expected increase in demand for regional infrastructure?
- (d) Background detail to 'Schedule A - Infrastructure Scope and Costs' for example, scope of works for each of the infrastructure items provided?
- (e) Traffic and transport arrangements, including parking provision, and the impact of traffic congestion on bus services?
- (8)
- (a) Does a letter from the Director General of Planning to the Council dated 30 June 2006 in response to Burwood Council's letter of 2 June inquire as to whether the views expressed in the 2 June 2006 letter are the position of the officer's or of the Council?
- (b) Is the Minister aware that the elected Council has never discussed the issues stated in the letter in relation to alternatives in promoting commercial development?
- (9) Is the Minister aware of a letter from the Director General of Planning of 11 August 2006 that refers to meetings with the General Manager, Mayor and department officials on 25 July 2006?
- (10) If the Mayor had a pecuniary interest in the Burwood Town Centre, is it appropriate that the Mayor should have participated in such meetings?
- (11)
- (a) Does the proposed LEP differ significantly from that which was presented to the community, especially the provisions relating to the perimeter area that faces heritage homes and conservation areas?
- (b) If so, why?

Answer—

- (1) This question should be directed to the Minister for Local Government.
- (2) This question should be directed to the Minister for Local Government.
- (3) This question should be directed to the Minister for Local Government.

- (4) This question should be directed to the Minister for Local Government.
- (5)
- (a) No.
 - (b) Not applicable.
- (6) This question should be directed to the Minister for Local Government.
- (7) to (9) I am advised that the council submitted a draft LEP that the Department deemed unsatisfactory. The department is in consultation with the council in relation to these matters.
- (10) This question should be directed to the Minister for Local Government.
- (11) I refer to my answer to questions (7) to (9).

27 SEPTEMBER 2006

(Paper No. 18)

*188 JUSTICE—INCARCERATION OF PHUONG NGO—Mr Breen asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—

- (1)
- (a) Has a credible reason been given by the Commissioner for Corrective Services for the transfer of Phuong Ngo to Goulburn prison's HRMU on 15 June 2003?
 - (b) If not, why not?
- (2)
- (a) Has Phuong Ngo now been incarcerated in solitary confinement for more than three years?
 - (b) If so, why?
- (3) Was the reason for the transfer a result of Phuong Ngo arranging for approximately 15 inmates to receive amounts between \$20 and \$50 to assist them with their material needs?
- (4) Did Phuong Ngo arrange for three inmates to receive amounts in excess of \$50 as follows:
- (a) \$60 for an inmate who was mentally retarded?
 - (b) \$60 for an inmate who was dying of AIDS?
 - (c) \$100 for an inmate to enable him to buy a doona?
- (5) In each of the above cases, did Phuong Ngo arrange for two of his friends to pay the money to the credit of the prisoner's accounts, which they did with implicit approval of the Commissioner for Corrective Services?
- (6) Did Phuong Ngo arrange financial assistance for prisoners without receiving a personal favour, advantage or reward from those that he assisted?
- (7) Are decisions by the Commissioner for Corrective Services to place inmates in Goulburn prison's HRMU subject to judicial review?
- (a) If not, why not?
 - (b) If not, will the Government consider making the decisions subject to such a review?

Answer—

- (1) The Commissioner is not required to give reasons under the Crimes (Administration of Sentences) Act 1999 for decisions relating to the placement of inmates.
- (2)
- (a) The term and practice of "solitary confinement" is not used within the NSW correctional system. Clause 153 of the Crimes (Administration of Sentences) Regulation 2001 details prohibited punishments which include such things as: solitary confinement, corporal punishment, torture and cruel, inhuman or degrading treatment.
 - (b) Not applicable.
- (3) No. He was moved to the HRMU for security reasons following information received from an

external law enforcement agency.

- (4) and (5) The connection between Phuong Ngo, his associates outside the correctional system and payments to inmates' correctional centre accounts can be inferred. There is no basis to any claim that the Commissioner approved any such arrangements.
- (6) I am in no position to know the details of any alleged private arrangements entered into by inmates.
- (7) There is no legislative provision for judicial review of inmate placement decisions of the Commissioner of Corrective Services.
 - (a) As a general rule, operational decisions are not subject to such review.
 - (b) The Government has no plan to legislate to change this situation.

*189 MINERAL RESOURCES—HUNTER VALLEY MINE BREACH OF CONDITIONS OF CONSENT—Ms Rhiannon asked the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

- (1) When was the last time that a coal mining company operating in the Hunter Valley was fined for breaching its conditions of consent?
- (2) What company was involved in this breach?
- (3) What was the nature of the breach of the conditions of consent?
- (4)
 - (a) Was the company involved in this breach of conditions of consent fined?
 - (b) If so, how much was the company fined?

Answer—

- (1) This is a matter for the Minister for Planning.
- (2) See (1) above.
- (3) See (1) above.
- (4)
 - (a) and (b) See (1) above.

28 SEPTEMBER 2006

(Paper No. 19)

*190 WATER UTILITIES—BRAIDWOOD SEWERAGE TREATMENT WORKS—Mrs Pavey asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs representing the Minister for Water Utilities, Minister for Small Business, Minister for Regional Development, and Minister for the Illawarra—

- (1) What level of priority has been given to replacing Braidwood's sewerage treatment works given the Sydney Catchment Management Authority critical report highlighting the concerns about the level of treatment and the dangers?
- (2) What funds have been allocated and what financial contribution will the Government commit given the urgent nature of the works required?
- (3)
 - (a) Have the Palerang ratepayers been forced to pay \$400 to \$1500 over the next three years to fund the works?
 - (b) If so, why?
- (4) Will special funding for this project be considered given its urgent nature and the cost imposed on the local community?

Answer—

I am advised:

- (1) There are a number of sewerage treatment plants within Sydney's water catchment area, operated by local water utilities other than Sydney Water, that have been assessed in terms of their potential risk to the catchment.
- (2) The NSW Government has allocated approximately \$45 million to upgrade sewerage treatment plants within Sydney's water catchment area operated by local water utilities other than Sydney Water.
- (3)
 - (a) and (b) This is a matter for Palerang Council.
- (4) See (2).

*191 ABORIGINAL AFFAIRS—ASSETS OF DLALC FROM LAND SALE—Mr Cohen asked the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources representing the Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship—

- (1) Did the Administrator of the NSW Aboriginal Land Council (ALC) tell the Koori Mail (27 September 2006) that, in relation to the proposed amendments to the Aboriginal Land Rights Act:

"There's no problem with a land council going into commercial enterprise, but we also want to make sure that the assets of the land council are protected in the event of a failure. That can be done by setting up subsidiaries so that the assets of the land council will be quarantined from risks."?
- (2) Are the Administrator's comments an accurate description of what Darkinjung Local Aboriginal Land Council (DLALC) did with the proceeds of its land sale to Mirvac, by setting up a Trust and separate subsidiary companies to operate separate enterprises?
- (3) Will the Minister correct his earlier allegations to the effect that money is "missing" from Darkinjung and inform the House that all DLALC funds have been properly accounted for, that his investigator found no evidence of fraud or misappropriation and that all DLALC accounts (including those of its subsidiary entities) have been properly audited, with the exception of DLALC's 2004-05 accounts, the audit of which the NSWALC-appointed auditor failed to complete on technical grounds only?

Answer—

The Supreme Court found that the transfer of money was made for an improper purpose and was unlawful. The transfer relinquished both ownership of the money and the power to control its application from the members of the Land Council.

*192 ABORIGINAL AFFAIRS—EXPOSURE DRAFT OF AMENDMENT TO ABORIGINAL LAND RIGHTS ACT—Mr Cohen asked the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources representing the Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship—

- (1) Does the Minister agree with the reported comments of the Government-appointed Administrator of the NSW Aboriginal Land Council, Mr Chapman, in the Koori Mail of 27 September 2006 that the Government should provide an exposure draft of the proposed bill amending the Aboriginal Land Rights Act?
 - (a) If so, when will such a draft be provided for public comment?
 - (b) If not, why not?

Answer—

There has been over two and half years of extensive consultation and the Aboriginal Land Rights Amendment Bill is the result of that consultation.

*193 PRIMARY INDUSTRIES—WILD FISH STOCKS AND LABELLING OF SHARK MEAT—Mr Cohen asked the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

- (1) How many fish deaths were recorded in New South Wales in the past year in the course of interstate transportation of wild fish stocks?
- (2)

- (a) Is shark able to be sold erroneously labelled as 'flake'?
- (b) If so, why?

Answer—

- (1) The NSW Department of Primary Industries has no statutory obligation to record fish mortalities in New South Wales in the course of interstate transportation of wild fish stocks.
- (2)
 - (a) 'Flake' is a term commonly used to describe shark flesh. The Macquarie Dictionary provides a definition of 'flake' as the flesh of various sharks and rays.
 - (b) This question is not applicable given the answer to question (1)(a).

*194 HEALTH—EMPLOYEES OF GREATER SOUTHERN AREA HEALTH SERVICE—Mrs Pavey asked the Minister for Health—

- (1) How many staff does the Greater Southern Area Health Service employ as at 28 September 2006?
 - (a) Where are these staff located?
 - (b) What are the job titles for each of these positions?
 - (c) How many are SES positions?
- (2)
 - (a) What is the cost to NSW Health of locum doctors practicing in Greater Southern Area Health Service Hospitals?
 - (b) What were the travel and accommodation costs of these locums last financial year?
- (3) What is the cost of sending patients from New South Wales to be treated at Australian Capital Territory hospitals?
- (4) What is the number of babies born in New South Wales hospitals who need special care and treatment due to the effects of illicit drug use during their gestation?

Answer—

I am advised that:

- (1) All health services report staffing figures in their annual reports. Data is not currently routinely reported at the level requested in the honourable member's question and to extract that data would involve an unjustifiable diversion of resources. Within the Greater Southern Area Health Service there are 48 hospitals, including two affiliated health services being Mercy Care Young and Mercy Care Albury, 62 community health centres and 33 community outreach centres.
- (2) Locum doctors are utilised by health services on a needs basis to ensure continuity of service provision during periods of staff absences or pending recruitment action to fill vacancies and where appropriate staff are unavailable.
The cost of employing locums depends on the type of locum, the type of work undertaken, and can include components of overtime, casual loadings and other part time allowances. These costs are distributed as part of overall employment costs.
- (3) The member's question is ambiguous and any interpretation would be subjective. This matter is in any event, governed by the Australian Health Care Agreement.
- (4) There is no information on the number of babies admitted to special care or neonatal intensive care as a direct result of the illicit drug use during their gestation.

*195 POLICE—DRINK DRIVING AND RANDOM BREATH TEST UNITS—Mrs Pavey asked the Minister for Roads representing the Minister for Police—

- (1) How many people were tested at Random Breath Test (RBT) units in country New South Wales in (please provide figures):
 - (a) 2004?
 - (b) 2003?
 - (c) 2002?
 - (d) 2001?

- (e) 2000?
 - (f) 1999?
 - (g) 1998?
 - (h) 1997?
 - (i) 1996?
 - (j) 1995?
- (2) How many people were tested at RBT units in metropolitan areas in New South Wales in (please provide figures):
- (a) 2004?
 - (b) 2003?
 - (c) 2002?
 - (d) 2001?
 - (e) 2000?
 - (f) 1999?
 - (g) 1998?
 - (h) 1997?
 - (i) 1996?
 - (j) 1995?
- (3) How many people tested positive to low to mid range Prescribed Concentration of Alcohol (PCA) in country New South Wales in (please provide figures):
- (a) 2004?
 - (b) 2003?
 - (c) 2002?
 - (d) 2001?
 - (e) 2000?
 - (f) 1999?
 - (g) 1998?
 - (h) 1997?
 - (i) 1996?
 - (j) 1995?
- (4) How many people tested positive to low to mid range PCA in metropolitan areas in New South Wales in (please provide figures):
- (a) 2004?
 - (b) 2003?
 - (c) 2002?
 - (d) 2001?
 - (e) 2000?
 - (f) 1999?
 - (g) 1998?
 - (h) 1997?
 - (i) 1996?
 - (j) 1995?
- (5) How many people tested positive high range PCA in country New South Wales in (please provide figures):
- (a) 2004?
 - (b) 2003?
 - (c) 2002?
 - (d) 2001?
 - (e) 2000?
 - (f) 1999?

- (g) 1998?
 (h) 1997?
 (i) 1996?
 (j) 1995?
- (6) How many people tested positive high range PCA in metropolitan areas in New South Wales in (please provide figures):
 (a) 2004?
 (b) 2003?
 (c) 2002?
 (d) 2001?
 (e) 2000?
 (f) 1999?
 (g) 1998?
 (h) 1997?
 (i) 1996?
 (j) 1995?
- (7) How much money has been spent in this financial year on drink driving advertising in metropolitan areas of New South Wales in (please provide figures):
 (a) 2004?
 (b) 2003?
 (c) 2002?
 (d) 2001?
 (e) 2000?
 (f) 1999?
 (g) 1998?
 (h) 1997?
 (i) 1996?
 (j) 1995?

Answer—

NSW Police has advised me:

Random Breath Test (RBT) data is only available from police information systems for the years 1997 onwards and PCA charge data is only available from 1998 onwards.

The figures quoted in answers (1) and (2) below represent numbers of RBT tests conducted. The figures quoted in answers (3) to (6) below represent numbers of PCA charges laid.

- (1)
 (a) to (h) 10,906,699.
 (i) and (j) Not available.
- (2)
 (a) to (h) 9,117,050.
 (i) and (j) Not available.
- (3)
 (a) to (g) 62,116.
 (h) to (j) Not available.
- (4)
 (a) to (g) 61,266.
 (h) and (j) Not available.
- (5)

- (a) to (g) 21,565.
(h) to (j) Not available.
- (6)
(a) to (g) 17,163.
(h) to (j) Not available.
- (7) As the Roads and Traffic Authority has responsibility for drink driving advertising, this question should be addressed to the Minister for Roads.
- *196 ROADS—PACIFIC HIGHWAY UPGRADE AT BANORA POINT—Mrs Pavey asked the Minister for Roads—
- (1) Have the independent re-assessments and costings of options 'A', 'B' and 'C' of the Pacific Highway upgrade at Banora point been completed?
(a) If so, when were the re-assessments and costings completed?
(b) If so, is this information publicly available?
(i) If not, will the Roads and Traffic Authority (RTA) make this information publicly available?
(ii) If not, when will the RTA make this information publicly available?
- (2) Has the Community Liaison Group, appointed by the RTA, only met once in 13 months and did this meeting occur late in December 2005?
(a) Why did this group not meet more often?
(b) Was this group updated and informed of the progress and status of the independent re-assessments and costings for options 'A', 'B', and 'C'?

Answer—

I am advised:

Over the last 10 years the NSW Labor Government has contributed \$1.66 billion to the Pacific Highway upgrade, more than double the Federal Government's contribution of \$660 million.

The New South Wales and Federal Government have jointly committed a further \$1.3 billion to the Pacific Highway upgrade over the next three years.

The Minister for Roads announced the preferred concept design for the Pacific Highway upgrade at Banora Point on 25 September 2006, which is on public display.

The Banora Point upgrade will provide a high standard 2.5 kilometre dual carriageway, and will connect the completed Chinderah Bypass with the Tweed Heads bypass. It will significantly improve safety and relieve traffic congestion on this section of the Pacific Highway, provide uninterrupted flow for highway traffic, and continue to provide effective highway access for local traffic.

Features of the preferred design include:

- a new highway alignment east of the existing route with 2.5 kilometres of dual carriageway from Barney's Point Bridge to the Tweed Head Bypass,
- noise and amenity benefits for residents near the existing highway,
- a new connection to East Banora at Laura Street,
- a lane bridge at the western end of Oyster Point Road, and
- northbound and southbound ramps at Minjungbal Drive for direct access to Tweed city.

Information regarding the Pacific Highway upgrade is available at www.rta.nsw.gov.au.

- *197 ROADS—FUNDS ALLOCATED TO LOCAL GOVERNMENT COUNCILS FOR ROADS—Mrs Pavey asked the Minister for Roads—

In relation to funds allocated to Local Government Councils from the total Roads program budget:

- (1) How much funding was provided to Port Macquarie Hastings Council in (please provide figures):
(a) 2005-06?
(b) 2004-05?

- (c) 2003-04?
 - (d) 2002-03?
 - (e) 2001-02?
- (2) How much funding was provided to Kempsey Council in (please provide figures):
- (a) 2005-06?
 - (b) 2004-05?
 - (c) 2003-04?
 - (d) 2002-03?
 - (e) 2001-02?
- (3) How much funding was provided to Nambucca Council in (please provide figures):
- (a) 2005-06?
 - (b) 2004-05?
 - (c) 2003-04?
 - (d) 2002-03?
 - (e) 2001-02?

Answer—

I am advised:

Information regarding the NSW Government's regional road funding assistance to local government is published annually on the Roads and Traffic Authority's website www.rta.nsw.gov.au.

*198 PLANNING—TRANSFER OF PRIMARY SCHOOL TO HIGH RISE BUILDING—Ms Hale asked the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

- (1)
- (a) Has the Canterbury City Council approved a development application by the Greek Orthodox Parish and Community of Belmore and District All Saints Limited for the re-location of a primary school from Lakemba to a high-rise building at Belmore?
 - (b) If so, why?
- (2) Does the development entail three separate buildings on three separate sites, only one of which complies with Canterbury Council's Local Environment Plan (LEP 178)?
- (3)
- (a) Does the floor space ratio for the two-storey kindergarten (60 children) of 0.64:1 comply with LEP 178?
 - (b) Does it actually exceed it by 28 per cent?
 - (c) If so, why was it approved?
- (4)
- (a) Does the floor space ratio for 4.5 storey primary school (360 children) of 1.34: 1 comply with LEP 178?
 - (b) Does it actually exceed the allowable FSR by 168 per cent?
 - (c) If so, why was it approved?
- (5) Does the primary school have only 370m² of 'outdoor playground' to provide an open-air playground space for 360 children?
- (6) What action will the department take in relation to the over-development of the Belmore site and the deviation from Canterbury City Council's own standards as established in its LEP?
- (7)
- (a) Will the Canterbury City Council's decision to approve a development that fails to comply with the guideline of 10 per cent variation prescribed in the State Environmental Planning Policy (Application of Development Standards) 2004 (draft SEPP1) be investigated?

- (b) If not, why not?
- (8) Did the Land and Environment Court uphold an appeal by the Belmore Residents' Action Group Incorporated against council approval of the development on the grounds that the council failed to take into consideration draft SEPP 1?
- (9) Did the Canterbury City Council approve a development application on 14 September 2006 that was essentially identical to that rejected by the Court?
- (a) Will the Canterbury City Council's decision be investigated?
- (b) If not, why not?
- (10)
- (a) Will draft SEPP 1 be gazetted?
- (b) If so, when?
- (c) If not, why not?

Answer—

- (1) I have been informed that a development application for All Saints Primary School at Belmore has been approved. I understand the development consent is currently subject to an appeal before the Land and Environment Court and as such it would be inappropriate for me to make any further comments.
- (2) to (5) I am not familiar with the details of the development application.
- (6) I am advised that Council is able to consider variations to development standards through State Environmental Planning Policy No. 1 Development Standards (SEPP 1).
- (7)
- (a) No.
- (b) I am advised that the 10 per cent variation quoted in your question only applies to the use of SEPP 1 for subdivision in rural and environmental zones.
- (8) I understand this matter is currently before the Land and Environment Court. As such it would be inappropriate for me to make any comments.
- (9) I am not familiar with the detail of the development application.
- (a) No.
- (b) It is appropriate for Canterbury Council to assess local development within the Canterbury local government area.
- (10)
- (a) to (c) SEPP 1 was gazetted on 17 October 1980.
- *199 LOCAL GOVERNMENT—TRANSFER OF PRIMARY SCHOOL TO HIGH RISE BUILDING—Ms Hale asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs representing the Minister for Local Government—
- (1)
- (a) Has the Canterbury City Council approved a development application by the Greek Orthodox Parish and Community of Belmore and District All Saints Limited for the re-location of a primary school from Lakemba to a high-rise building at Belmore?
- (b) If so, why?
- (2) Does the development entail three separate buildings on three separate sites, only one of which complies with Canterbury Council's Local Environment Plan (LEP 178)?
- (3)
- (a) Does the floor space ratio for the two-storey kindergarten (60 children) of 0.64:1 comply with LEP 178?
- (b) Does it actually exceed it by 28 per cent?
- (c) If so, why was it approved?
- (4)

- (a) Does the floor space ratio for 4.5 storey primary school (360 children) of 1.34: 1 comply with LEP 178?
 - (b) Does it actually exceed the allowable FSR by 168 per cent?
 - (c) If so, why was it approved?
- (5) Did the Canterbury City Council approve a development application on 14 September 2006 that was essentially identical to that rejected by the Land and Environment Court on 25 August 2006? Will the Canterbury City Council's decision be investigated?

Answer—

I provide the following details in response to your questions:

- (1) to (5) While planning and development is a local government function, it is not a function of councils controlled by the Local Government Act 1993, and therefore does not fall within my portfolio area of responsibility.

Council is the consent authority for planning and development matters within its boundaries.

I therefore suggest that you raise your questions with council's General Manager.

*200 ROADS—TRANSFER OF PRIMARY SCHOOL TO HIGH RISE BUILDING—Ms Hale asked the Minister for Roads—

(1)

- (a) Has Canterbury City Council approved a development application from the Greek Orthodox Parish and Community of Belmore and District All Saints Limited for the re-location of a primary school from Lakemba to a high-rise building at Belmore?
 - (b) If so, why was it approved?
- (2) Is the Minister aware that the new primary school has a designated 'outdoor playground' no larger than 370m² to cater for 360 children and that to provide additional space a part-closure of a local road may be requested?
- (3) Given that a petition in November 2003 indicated that 79.5 per cent of local residents were opposed to the development and to any road closure, will the Minister disallow any closure of what is a well-used public road and a safety corridor for emergency vehicles?

Answer—

I am advised:

This matter concerns local roads, Isabel Street, Etela Street and Cecilia Street, Belmore which are all under the responsibility of Canterbury City Council.

*201 EDUCATION AND TRAINING—TRANSFER OF PRIMARY SCHOOL TO HIGH RISE BUILDING—Ms Hale asked the Minister for Health representing the Minister for Education and Training—

(1)

- (a) Has the Canterbury City Council approved a development application by the Greek Orthodox Parish and Community of Belmore and District All Saints Limited for the re-location of a primary school from Lakemba to a high-rise building at Belmore?
 - (b) If so, why was it approved?
- (2) Will the school have only 370m² of courtyard to provide an open-air playground space for 360 children?
- (3) Will the use of this building as a school be approved given that it has inadequate playground space and that primary children will be required to climb many stairs to reach their classrooms?

Answer—

(1) and (2) Questions about development applications to Canterbury City Council should be addressed to the Council itself.

(3) The requirements of the Board of Studies for registration do not preclude schools from having multi-levels. Nor do they prescribe minimum guidelines for playground space.

When a non-government school intends to relocate to a new site, it is required to notify the Board of Studies three months prior to relocating. At that time, officers of the Board undertake a visit to the new site to determine whether it is satisfactory for its intended educational purpose. Council approval of the site is essential in making this determination. Should the new site be considered satisfactory, the school's current registration is transferred to the new site.

The Board of Studies will inspect the new site prior to the school's relocation to confirm that the school is meeting the requirements for registration, particularly in relation to having satisfactory premises, adequate facilities and providing a safe and supportive environment.

*202 HEALTH—TRANSFER OF PRIMARY SCHOOL TO HIGH RISE BUILDING—Ms Hale asked the Minister for Health—

(1)

(a) Has Canterbury City Council approved a development application by the Greek Orthodox Parish and Community of Belmore and District All Saints Limited for the re-location of a Primary school from Lakemba to a high-rise building at Belmore?

(b) If so, why was it approved?

(2) Is the Minister aware that the new primary school has a designated 'outdoor playground' no larger than 370m² to cater for 360 children and that this deficiency will have an adverse effect upon the children's health?

(3) Have local residents strongly opposed any road closure to remedy the lack of playground space because the relevant road is a critical safety corridor for emergency vehicles such as ambulances?

(4)

(a) Will the closure of part of Cecilia Street, Belmore be opposed because of the effect it would have on delaying emergency vehicles?

(b) If not, why not?

Answer—

I am advised:

(1) and (2) Planning decisions are either a matter for local government authorities or the Minister for Planning.

(3) and (4) The NSW Ambulance Service has not received correspondence regarding a proposed part closure of Cecilia Street, Belmore.

*203 EMERGENCY SERVICES—TRANSFER OF PRIMARY SCHOOL TO HIGH RISE BUILDING—Ms Hale asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—

(1)

(a) Has Canterbury City Council approved a development application by the Greek Orthodox Parish and Community of Belmore and District All Saints Limited for the re-location of a primary school from Lakemba to a high-rise building at Belmore?

(b) If so, why was it approved?

(2) Is the Minister aware that the new primary school has a designated 'outdoor playground' no larger than 370m² to cater for 360 children and that to provide additional space a part-closure of a local road may be requested?

(3) Are local residents strongly opposed to any such closure because the relevant road is a critical safety corridor for emergency vehicles such as ambulances and fire engines?

(4)

(a) Will the closure of part of Cecilia Street, Belmore be opposed because of the effect it would have on delaying emergency vehicles?

(b) If not, why not?

Answer—

I am advised that the proposed closure of Cecilia Street was raised at the local traffic committee. NSWFB advised that the proposed closure would not adversely impact on its emergency response.

- *204 LOCAL GOVERNMENT—MINUTES OF MEETING OF BURWOOD COUNCIL—Ms Hale asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs representing the Minister for Local Government—
- (1) Do the Minutes of a meeting of Burwood Council held on 23 May 2006 state: "Councillor Faker declared a Conflict of Interest in Item 51/06 Draft Local Environmental Plan, Draft Development Control Plan, and Draft Section 94 Plan for Burwood Town Centre as he believes a previous partner of his father has adjoining property in the area concerned."?
 - (2)
 - (a) Does this disclosure satisfy the requirements of the section 451(1) of the Local Government Act, which requires a councillor to disclose the nature of a pecuniary interest, and paragraph 6.6 of the Model Code of Conduct, which states that councillors "must disclose an interest promptly, fully and in writing" (section 6.6)?
 - (b) If not, why not?
 - (3) Was the first occasion on which Mayor Faker disclosed a "conflict of interest" despite the Draft Local Environmental Plan (LEP), Draft Development Control Plan, and Draft Section 94 Plan for Burwood Town Centre being discussed at earlier council meetings?
 - (4) Is it appropriate conduct for a Councillor who has a pecuniary interest in a matter such as a draft LEP to attend meetings with council officers and other parties when that LEP is being discussed and formulated?
 - (5) Did a council meeting, which was adjourned from 5 September for want of a quorum, get scheduled for 11 September 2006 but again lapsed for want of a quorum?
 - (6)
 - (a) Did Councillors Sanders (chair), West, Wong, and Weiley attend the meeting on 5 September?
 - (b) When discussion of item 90/06 (Update on the Burwood Town Centre LEP) was underway, did Councillor Weiley leave the meeting?
 - (c) As a result, was the meeting left without a quorum and end after 30 minutes had elapsed?
 - (d) Did Councillor West remain at the meeting until it concluded and is now adamant that no decision was made by any councillor or the General Manager at the meeting to adjourn the meeting till 6.00 pm, Monday 11 September 2006, at the council chambers?
 - (7) Do the Minutes of the meeting held on 5 September state that "When all attempts to obtain a quorum failed, the General Manager in conjunction with the Chairperson adjourned the meeting at 7.40 pm, until Monday 11 September 6.00 pm at the Council Chambers"?
 - (8) Will the Minister obtain audio tapes of the meeting to confirm the accuracy of the Minutes?
 - (a) If not, why not?
 - (b) If the Minutes are shown to be false, what disciplinary action will the Minister take against the General Manager or whomever is responsible for the compilation of the minutes?
 - (9) Do the first set of Minutes of an Extraordinary Meeting of Burwood Council on 11 September 2006, which were provided to Councillors on 21 September 2006, indicate that the Mayor, Councillor Faker, was present at the meeting but that the Minutes record in relation to Declarations of Interest that "There were no declarations of interests by Councillors"?
 - (10) Do a second set of the Minutes of the meeting, held on 11 September 2006 and distributed to councillors on 26 September, state in relation to Declarations of Interest that "a declaration of interest was made by Councillor Faker, the Mayor for item 90/06 as his father has had business relationships in property which is owned in joint names, the joint partner also owns property which is affected by this LEP"?
 - (11)
 - (a) Was a further meeting scheduled for 25 September but the decision to hold this meeting on that date was not complied with?
 - (b) Does this comply with the Local Government Act and Regulations?

- (12)
- (a) Was there an email to Burwood Councillors from the Council's Senior Manager Governance, Michelle McIlvenny, which reads: "Afternoon Councillors, Earlier today I advised of an Extraordinary meeting of Council on Monday 25 September 2006. While at the meeting on Monday night the time and date for the adjourned meeting was given as Monday 25 September there were also provisions to have it on another date pending advice from the Minister and after discussions with the Deputy Mayor."
- "It would make more sense to have the adjourned meeting following the ordinary meeting on 26 September."
- "Please see attached document that outlines the dates for the next meetings of Burwood Council."?
- (b) Is the Minister for Local Government the Minister referred to in this email?
- (i) If so, has the Minister contravened the provisions of the Local Government Act in relation to altering the date of the council meeting?
- (ii) If not, does the Minister know to which Minister the email refers?
- (13) Has the Minister considered Recommendation 4 of the Independent Commission Against Corruption (ICAC) Report into the conduct of two Burwood councillors?
- (a) If not, why not?
- (b) If so, will the Minister implement Recommendation 4?
- (c) If so, when?
- (14)
- (a) Will the failure of Councillor Faker and Councillor Weiley to declare the loan of \$150,000 between their respective spouses be referred to the Pecuniary Interest and Disciplinary Tribunal?
- (b) If not, why not?
- (15) Has the Minister considered Recommendation 5 of the ICAC Report into the conduct of two Burwood Councillors?
- (a) If not, why not?
- (b) If so, will the Minister implement Recommendation 5?
- (c) If so, when?
- (16)
- (a) Will Burwood Council's consideration of 10-12 Grantham Street, Burwood by its Building and Development Committee meeting of 10 August 2004 and Cr Faker's interest in the matter be referred to the Pecuniary Interest & Disciplinary Tribunal?
- (b) If not, why not?
- (17) Has the Minister considered the other recommendations of the ICAC Report?
- (a) If not, why not?
- (b) If so, will the Minister implement those recommendations?
- (c) If so, when?

Answer—

I provide the following details in response to your questions:

- (1) I have no detailed knowledge of this matter. You should contact council yourself or review the minutes of the meeting referred to, which are also available online.
- (2)
- (a) This is a matter for the Local Government and Pecuniary Interest and Disciplinary Tribunal, which is the body that determines complaints about breaches of section 451, and for council, which determines complaints about breaches of the code of conduct.
- (b) Not applicable.
- (3) See response to question (1).
- (4) Refer to my response to question (3) of Question on Notice 0186 Meeting of Burwood Council.

- (5) See response to question (1).
- (6)
(a) to (d) See response to question (1).
- (7) See response to question (1).
- (8)
(a) No. However, I have referred the matter to the Department of Local Government to assess whether preliminary enquiries are appropriate. If you have any material to support allegations that minutes have been falsified please provide it directly to the department.
(b) See my response to question 8 a., above. I am not prepared to comment on any action that may or may not result in the event that the department decides to conduct preliminary enquiries.
- (9) See response to question (1).
- (10) See response to question (1).
- (11)
(a) See response to question (1).
(b) See response to question (1). I am unable to provide the advice requested.
- (12)
(a) and (b) Refer to my response to question (9)(a) and (9)(b) of Question on Notice 0186 Meeting of Burwood Council.
- (13) I referred the ICAC Report to the Department of Local Government. I am advised that the department is making preliminary enquiries into the matter in order to determine whether the Director General of the department should make a complaint and commence an investigation into the matter.
(a) to (c) See above.
- (14)
(a) That is a matter for assessment and determination by the Director General.
(b) Not applicable.
- (15) I referred the ICAC Report to the Department of Local Government. I am advised that the department is making preliminary enquiries into the matter in order to determine whether the Director General should make a complaint and commence an investigation into the matter.
(a) to (c) See above.
- (16)
(a) That is a matter for assessment and determination by the Director General of the Department of Local Government.
(b) Not applicable.
- (17) Recommendations 1 and 2 of the report were directed to Burwood Council. Recommendation 3 concerns possible amendments to the disclosure requirements to require disclosure of significant pecuniary interests on the part of spouses, de facto partners and relatives. This is still being considered in conjunction with the current preliminary enquiries being conducted by the Department of Local Government and the current audit of written returns of interests being conducted by the department.
(a) Not applicable, see above.
(b) See above.
(c) See above.

*205 PLANNING—MINUTES OF MEETING OF BURWOOD COUNCIL—Ms Hale asked the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

- (1) Do the Minutes of a meeting of Burwood Council on held 23 May 2006 state: "Councillor Faker declared a Conflict of Interest in Item 51/06 Draft Local Environmental Plan, Draft Development

Control Plan, and Draft Section 94 Plan for Burwood Town Centre as he believes a previous partner of his father has adjoining property in the area concerned."?

- (2) Is the failure to declare the nature of a pecuniary interest in contravention of section 451(1) of the Local Government Act?
- (3) Is it appropriate for a Councillor who has a pecuniary interest in the preparation of a draft Local Environmental Plan (LEP), draft Development Control Plan (DCP) and draft section 94 plan to participate in meetings with council officers and other parties when those matters are being discussed and formulated?
- (4) Did a Council meeting scheduled for 11 September 2006 lapse for want of a quorum?
- (5) Was there an email sent to Burwood Councillors from the Council's Senior Manager Governance, Michelle McIlvenny, which reads:

"Afternoon Councillors, Earlier today I advised of an Extraordinary meeting of Council on Monday 25 September 2006. While at the meeting on Monday night the time and date for the adjourned meeting was given as Monday 25 September there were also provisions to have it on another date pending advice from the Minister and after discussions with the Deputy Mayor."

"It would make more sense to have the adjourned meeting following the ordinary meeting on 26 September."

"Please see attached document that outlines the dates for the next meetings of Burwood Council."?

 - (a) Is the Minister for Planning the Minister referred to in this email?
 - (b) If so, what advice did the Minister provide to the Council?
 - (c) If the Minister for Planning is not the Minister referred to in the email, does the Minister know to which Minister the email refers?
- (6) Is the failure to hold the extraordinary meeting on the date determined (25 September) by the inquorate meeting of 11 September a contravention of the Regulation 233 of the Local Government (General) Regulation 2005?
- (7) Has Burwood Council provided to the Department of Planning the information requested in a letter from the Director General of Planning to the Council, dated 24 April 2006, namely:
 - (a) The potential need for an Infrastructure Plan?
 - (b) Details of the total floor space potential created by the draft LEP?
 - (c) The expected increase in demand for regional infrastructure?
 - (d) Background detail to 'Schedule A - Infrastructure Scope and Costs' (eg, scope of works for each of the infrastructure items provided)?
 - (e) Traffic and transport arrangements, including parking provision, and the impact of traffic congestion on bus services?
- (8)
 - (a) Was there a letter from the Director General of Planning to the council dated 30 June 2006 sent in response to Burwood Council's letter of 2 June inquiring as to whether the views expressed in the 2 June 2006 letter are the position of the officers or of the council?
 - (b) Does the letter go on to state that "It is also unclear if the Council has been advised of the alternatives to promote commercial development in the Burwood Town Centre and the benefits of those alternatives"?
 - (i) Has the elected council discussed these issues?
 - (ii) If not, why not?
- (9) Was there a letter sent from the Director General of Planning of 11 August 2006 that refers to meetings with the General Manager, Mayor and department officials on 25 July 2006?
- (10)
 - (a) Does the Mayor have a pecuniary interest in the Burwood Town Centre?
 - (b) If so, is it appropriate that the Mayor should have participated in such meetings?
- (11)
 - (a) Does the proposed LEP differ significantly from that which was presented to the community, especially the provisions relating to the perimeter area which faces heritage homes and conservation areas?

- (b) If so, why?
- (12) Was there a report written entitled "Report to the Minister for Local Government under section 14 (2) of the Independent Commission Against Corruption Act 1988 into the conduct of two Burwood councillors"?
- (13)
- (a) Will the Minister suspend further consideration of Burwood's draft Town Centre LEP, draft DCP, draft section 94 plan, and amending section 94 plan until doubts about the validity of the Council processes have been resolved?
- (b) If not, why not?

Answer—

- (1) to (11) I refer the member to my answer to question 0187.
- (12) Question to be directed to the Minister for Local Government.
- (13) I refer the member to my answer to question 0187.

*206 ATTORNEY-GENERAL—BUDGET FOR CRIMINAL LAW FUNCTIONS OF THE ATTORNEY GENERAL'S DEPARTMENT—Dr Wong asked the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—

What is the annual budgetary expense for the Attorney General's Department for costs associated with the Department's responsibilities to its criminal law functions, including but not limited to:

- (a) crime prevention,
 (b) criminal law review,
 (c) policy and legislation,
 (d) criminal courts and associated appeal courts,
 (e) maintenance of the judiciary involved in criminal matters,
 (f) maintenance of courts and security,
 (g) prosecutions,
 (h) parole,
 (i) diversion programs,
 (j) serious offenders review,
 (k) legal aid,
 (l) research and statistics, and
 (m) victims services?

Answer—

I have been advised by the Attorney General that the answer to the honourable member's question is:

The Attorney General's Department does not record budgetary information in the format requested.

Questions relating to parole and the Serious Offenders Review Council fall within the jurisdiction of the Minister for Justice.

17 OCTOBER 2006

(Paper No. 20)

- 207 HEALTH—NSW HEALTH STUDIES INTO HOSPITAL RESOURCES—Mrs Pavey to ask the Minister for Health—
- 208 HOUSING—CONSULTANTS' REPORTS LISTED IN ANNUAL REPORT—Ms Hale to ask the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—

- 209 HOUSING—BILLING FOR WATER USAGE—Ms Hale to ask the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—
- 210 HOUSING—CHECKS FOR UNAUTHORISED OCCUPANTS BY POLICE—Ms Hale to ask the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—
- 211 HOUSING—ELECTORAL DONATIONS FROM FORMER HOUSING MINISTER—Ms Hale to ask the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—
- 212 TREASURER—NSW BUDGET COMMENTARY ON HOUSING POLICY—Ms Hale to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter—
- 213 HEALTH—HOUSING DEVELOPMENT AT WOODVILLE ROAD, PARRAMATTA—Ms Hale to ask the Minister for Health—
- 214 PLANNING—HOUSING DEVELOPMENT AT WOODVILLE ROAD, PARRAMATTA—Ms Hale to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—
- 215 ENVIRONMENT—AIR MONITORING STATION FOR WOODVILLE RD HOUSING DEVELOPMENT—Ms Hale to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 216 HEALTH—NORTH COAST AREA HEALTH SERVICE CREDITORS—Ms Parker to ask the Minister for Health—
- 217 HEALTH—HUNTER NEW ENGLAND AREA HEALTH SERVICE CREDITORS—Ms Parker to ask the Minister for Health—
- 218 COMMERCE—WORKCOVER INVESTIGATIONS OF NSW CORRECTIONAL FACILITIES—Mr Lynn to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 219 JUSTICE—WORKCOVER INVESTIGATIONS OF NSW CORRECTIONAL FACILITIES—Mr Lynn to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 220 COMMERCE—WORKCOVER INVESTIGATIONS OF NSW JUVENILE JUSTICE FACILITIES—Mr Lynn to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 221 JUSTICE, JUVENILE JUSTICE—WORKCOVER INVESTIGATIONS OF NSW JUVENILE JUSTICE FACILITIES—Mr Lynn to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—

- *222 JUSTICE, JUVENILE JUSTICE—EXPENSE OF PAY TV IN NSW CORRECTIONAL FACILITIES—Mr Lynn asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- (1) As at 1 October 2006 how many televisions in New South Wales correctional facilities are connected to pay TV?
 - (2) As at 1 October 2006 how many televisions in New South Wales juvenile justice facilities are connected to pay TV?
 - (3) What was the total cost of providing pay TV in New South Wales correctional facilities for the following financial years:
 - (a) 2005-06?
 - (b) 2004-05?
 - (c) 2003-04?
 - (4) What was the total cost of providing pay TV in New South Wales juvenile justice facilities for the following financial years:
 - (a) 2005-06?
 - (b) 2004-05?
 - (c) 2003-04?

Answer—

- (1) Only Brewarrina (Yetta Dhinnakkal) Centre, Glen Innes Correctional Centre and Oberon Correctional Centre receive pay TV, since these three remote correctional centres receive no free-to-air TV or very poor free-to-air TV reception. There are two television sets in common areas at Brewarrina (Yetta Dhinnakkal) Centre, 17 sets in common areas at Glen Innes Correctional Centre, and 12 sets in common areas at Oberon Correctional Centre connected to pay TV. Additionally, inmates with their own TVs in their cells in these correctional centres can receive pay TV, but the total number of such inmates fluctuates with changes in the inmate population.
 - (2) Nil.
 - (3) Provision of pay TV is cost-neutral to the Department of Corrective Services. All inmates at Brewarrina, Glen Innes and Oberon pay a weekly amount to cover the costs of receiving pay TV. The current yearly contract amount with Austar for provision of pay TV is \$2,460 at Brewarrina, \$4,583 at Glen Innes and \$6,521 at Oberon – all recuperated from inmates. Contract amounts for previous years are unavailable.
 - (4) The total cost of providing pay TV in New South Wales juvenile justice centres are as follows:
 - (a) For the financial year 2005-06: \$10,362-58.
 - (b) For the financial year 2004-05: \$7,163-26.
 - (c) For the financial year 2003-04: \$4,201-09.
- 223 POLICE—NSW POLICE RIOT GEAR—Mr Lynn to ask the Minister for Roads representing the Minister for Police—
- 224 POLICE—POLICE CADETS AT GOULBURN POLICE COLLEGE—Mr Lynn to ask the Minister for Roads representing the Minister for Police—
- 225 JUSTICE, JUVENILE JUSTICE—SEXUAL ASSAULTS OF FEMALE INMATES IN PRISONS—Mr Lynn to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 226 JUSTICE—OCCURRENCE OF HIV IN NSW CORRECTIONAL FACILITIES—Mr Lynn to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—

- 227 HEALTH—COUNSELLING AND MEDICAL SUPPORT FOR MADDISON HALL—Mr Lynn to ask the Minister for Health—
- 228 HEALTH—COLLECTION OF SEMEN FROM INMATES—Mr Lynn to ask the Minister for Health—
- 229 HEALTH—METHADONE DISPENSED TO INMATES—Mr Lynn to ask the Minister for Health—
- 230 HEALTH—GENDER REASSIGNMENT SURGERY FOR PRISONERS—Mr Lynn to ask the Minister for Health—
- 231 HEALTH—BREAST AUGMENTATION SURGERY FOR PRISONERS—Mr Lynn to ask the Minister for Health—
- 232 HEALTH—LIPOSUCTION UNDERTAKEN ON PRISONERS—Mr Lynn to ask the Minister for Health—
- 233 HEALTH—ERECTILE DYSFUNCTION SURGERY FOR PRISONERS—Mr Lynn to ask the Minister for Health—
- 234 HEALTH—SEXUAL ASSAULTS OF PATIENTS IN HOSPITALS—Mr Lynn to ask the Minister for Health—
- 235 POLICE—SEXUAL ASSAULTS OF PATIENTS IN HOSPITALS—Mr Lynn to ask the Minister for Roads representing the Minister for Police—

18 OCTOBER 2006

(Paper No. 21)

- *236 LOCAL GOVERNMENT—SUSTAINABLE DEVELOPMENT PROJECTS UNDERTAKEN BY LOCAL COUNCILS—Mr Cohen asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs representing the Minister for Local Government—
- (1)
- (a) Does the Local Government Act and Environmental Planning and Assessment Act make local councils 'gamekeepers and poachers' by creating a conflict of interest situation in which councils are empowered to require developers to pay to them financial contributions for building council owned car parks which councils operate for profit and which are major contributors to climate change?
- (b) If not, why not?
- (2) Will these Acts be amended to make clear that as part of their charter to achieve sustainable development in their areas, councils should wind down their existing unsustainable developments and businesses, such as car parks, and give priority to public transport options, including car share facilities, and that such facilities should be given the use of existing council-owned car parks wherever possible and feasible?
- (3)
- (a) Will the Minister exercise his powers under section 94EAA of the Environmental Planning and Assessment Act 1979 to amend the Woollahra section 94 Contributions Plan 2002 to ensure the owner of No. 376-382 New South Head Rd, Double Bay, is not financially penalised for a lack of on-site parking?
- (b) If not, why not?

- (4)
- (a) Will the Minister compel Woollahra Council to significantly reduce its section 94 contributions plan so that the council cannot impose a development tax in excess of 5 per cent of the construction costs of any proposed sustainable project in the Double Bay area, so as to ensure a financial incentive is created for future sustainable development?
 - (b) If not, why not?

Answer—

I provide the following details in response to your questions:

As Minister for Local Government, I am responsible for administering the Local Government Act 1993. While planning and development is a local government function, it is not a function of councils controlled by the Local Government Act and therefore does not fall within my portfolio area of responsibility.

Section 8 of the Local Government Act sets out a council's charter. That charter, in part, requires a council to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development. Otherwise see answer to question (1).

- 237 PLANNING—BARRIER TO ACHIEVING SUSTAINABLE DEVELOPMENT—Mr Cohen to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—
- 238 ENERGY—SUSTAINABLE OFFICE BUILDING IN DOUBLE BAY—Mr Cohen to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Energy, Minister for Ports and Waterways, and Minister Assisting the Treasurer on Business and Economic Regulatory Reform—
- 239 PRIMARY INDUSTRIES—BROADWATER POWER PLANT AND MILL—Mr Cohen to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- 240 ENVIRONMENT—MOUNT HYLAND CONSERVATION AREA—Mr Cohen to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- *241 EMERGENCY SERVICES—MEDICAL CONSEQUENCES OF BOEING HIT AT NUCLEAR REACTOR SITE—Dr Chesterfield-Evans asked the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- (1)
 - (a) Have any studies on the medical consequences of a direct hit by a Boeing 747 on either the old HIFAR or the OPAL reactor been conducted?
 - (b) If so, what were the outcomes?
 - (2)
 - (a) Have any studies on the medical consequences of a direct hit by a Boeing 747 on the spent fuel storage facility at Lucas Heights been conducted?
 - (b) If so, what were the outcomes?
 - (3) Has any study been conducted which provides any information on the medical consequences of a direct hit by an A380 airbus on a nuclear site following the decision to allow the aircrafts to use Kingsford Smith Airport as of 2008?
 - (4) Will the Australian Radiation Protection and Nuclear Safety Authority be requested to undertake such a study?
 - (a) If so, will the study be made publicly available?

(b) If not, why not?

Answer—

This is a matter which falls within the portfolio responsibility of my colleague the Honourable John Hatzistergos, Minister for Health.

- 242 ROADS—EXPENDITURE OF FUNDING FOR PACIFIC HIGHWAY—Mrs Pavey to ask the Minister for Roads—
- 243 PLANNING, REDFERN WATERLOO—REDFERN WATERLOO STATE ENVIRONMENTAL PLANNING POLICY—Revd Mr Nile to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

19 OCTOBER 2006

(Paper No. 22)

- 244 HEALTH—CONDITIONAL RELEASE OF KYLIE FITTER—Dr Chesterfield-Evans to ask the Minister for Health—
- 245 PRIMARY INDUSTRIES—CONTROLS FOR THE COLLECTION OF ABALONE—Mr Cohen to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- 246 ATTORNEY-GENERAL—ABORIGINAL PLACE AT SANDON POINT—Mr Cohen to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 247 PLANNING—DEATH OF FAUNA AT LAKE COWAL—Ms Rhiannon to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—
- 248 ENVIRONMENT—DEATH OF FAUNA AT LAKE COWAL—Ms Rhiannon to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 249 POLICE—UNREGISTERED TRAIL BIKES USING BRISBANE WATERS NATIONAL PARK—Ms Rhiannon to ask the Minister for Roads representing the Minister for Police—
- 250 ENVIRONMENT—UNREGISTERED TRAIL BIKES USING BRISBANE WATERS NATIONAL PARK—Ms Rhiannon to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 251 POLICE—USE AND POSSESSION OF TASER GUNS—Ms Rhiannon to ask the Minister for Roads representing the Minister for Police—

- 252 HEALTH—SUPPORT AND DIAGNOSTIC SERVICES FOR AUTISTIC SPECTRUM DISORDER—Ms Hale to ask the Minister for Health—

24 OCTOBER 2006

(Paper No. 23)

- 253 MINERAL RESOURCES—WATER USAGE AT LAKE COWAL GOLD MINE—Ms Rhiannon to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- 254 ENVIRONMENT—DAMAGE TO ABORIGINAL SITES ON WALKER CORPORATION LAND—Ms Rhiannon to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 255 EMERGENCY SERVICES—DAMAGE TO ABORIGINAL SITE ON WALKER CORPORATION LAND—Ms Rhiannon to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 256 POLICE—POLICE MEDIA STATEMENT REGARDING GOULBURN MAN—Mr Gallacher to ask the Minister for Roads representing the Minister for Police—
- 257 PREMIER—MINISTERIAL OFFICE COSTS 2005-06—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 258 PREMIER—MINISTERIAL OFFICE BUDGET 2006-07—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 259 ROADS—RTA MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Roads—
- 260 ROADS—RTA MEDIA UNIT—Mr Mason-Cox to ask the Minister for Roads—
- 261 ROADS—RTA MEDIA UNIT BUDGET 2006-07—Mr Mason-Cox to ask the Minister for Roads—
- 262 POLICE—POLICE MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Minister for Police—
- 263 POLICE—POLICE MEDIA UNIT BUDGET 2006-07—Mr Mason-Cox to ask the Minister for Roads representing the Minister for Police—
- 264 POLICE—POLICE MEDIA UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Minister for Police—
- 265 TREASURER—NSW TREASURY MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter—

- 266 COMMERCE—DEPARTMENT OF COMMERCE MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 267 COMMERCE—DEPARTMENT OF COMMERCE MEDIA UNIT—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 268 JUSTICE—DEPARTMENT OF CORRECTIVE SERVICES MEDIA UNIT—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 269 JUSTICE—DEPARTMENT OF CORRECTIVE SERVICES MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 270 POLICE—DET MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Minister for Police—
- 271 POLICE—DET MEDIA UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Minister for Police—
- 272 EMERGENCY SERVICES—NSW RURAL FIRE SERVICE MEDIA UNIT—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 273 TOURISM AND SPORT AND RECREATION—DEPARTMENT OF TOURISM, SPORT AND RECREATION MEDIA UNIT—Mr Mason-Cox to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources representing the Minister for Tourism and Sport and Recreation, Minister for Women, and Minister Assisting the Minister for State Development—
- 274 TOURISM AND SPORT AND RECREATION—DEPARTMENT OF TOURISM, SPORT AND RECREATION MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources representing the Minister for Tourism and Sport and Recreation, Minister for Women, and Minister Assisting the Minister for State Development—
- 275 ATTORNEY-GENERAL—ATTORNEY GENERAL'S DEPARTMENT MEDIA UNIT—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 276 ATTORNEY-GENERAL—ATTORNEY GENERAL'S DEPARTMENT MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 277 HEALTH—NSW HEALTH'S MEDIA UNIT—Mr Mason-Cox to ask the Minister for Health—
- 278 HEALTH—NSW HEALTH MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Health—

- 279 TRANSPORT—RAIL CORPORATION NEW SOUTH WALES MEDIA UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 280 TRANSPORT—SYDNEY FERRIES CORPORATION MEDIA UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 281 TRANSPORT—STATE TRANSIT AUTHORITY OF NSW MEDIA UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 282 TRANSPORT—RAIL CORPORATION NEW SOUTH WALES MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 283 TRANSPORT—SYDNEY FERRIES CORPORATION MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 284 TRANSPORT—STATE TRANSIT AUTHORITY OF NSW MINISTERIAL LIAISON UNIT—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 285 EMERGENCY SERVICES—NSW FIRE BRIGADE MEDIA UNIT—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 286 ABORIGINAL AFFAIRS—ABORIGINAL AFFAIRS DISPLACED LIST—Mr Mason-Cox to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources representing the Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship—
- 287 AGEING—AGEING DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 288 ATTORNEY-GENERAL—ANTI-DISCRIMINATION BOARD DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 289 ATTORNEY-GENERAL—ADMINISTRATIVE DECISIONS TRIBUNAL DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 290 ATTORNEY-GENERAL—ATTORNEY GENERAL'S DEPARTMENT DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 291 ATTORNEY-GENERAL—OFFICE OF THE DIRECTOR PUBLIC PROSECUTIONS DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—

- 292 ATTORNEY-GENERAL—NSW REGISTRY OF BIRTHS, DEATHS AND MARRIAGES DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 293 ATTORNEY-GENERAL—OFFICE OF THE PROTECTIVE COMMISSIONER DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 294 ATTORNEY-GENERAL—SOLICITOR GENERAL AND CROWN ADVOCATE DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 295 COMMERCE—DEPARTMENT OF COMMERCE DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 296 COMMERCE—MOTOR ACCIDENTS AUTHORITY DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 297 COMMERCE—WORKCOVER AUTHORITY DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 298 ENVIRONMENT—DEPARTMENT OF ENVIRONMENT AND CONSERVATION DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 299 ENVIRONMENT—SYDNEY CATCHMENT AUTHORITY DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 300 TREASURER—NSW TREASURY DISPLACED LIST—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter—
- 301 TOURISM AND SPORT AND RECREATION—DEPARTMENT OF TOURISM, SPORT AND RECREATION DISPLACED LIST—Mr Mason-Cox to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources representing the Minister for Tourism and Sport and Recreation, Minister for Women, and Minister Assisting the Minister for State Development—
- 302 TRANSPORT—RAIL INFRASTRUCTURE CORPORATION DISPLACED LIST—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 303 TRANSPORT—SYDNEY FERRIES CORPORATION DISPLACED LIST—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—

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- 304 TRANSPORT—STATE TRANSIT AUTHORITY OF NSW DISPLACED LIST—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 305 COMMUNITY SERVICES, YOUTH—COMMUNITY SERVICES DISPLACED LIST—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs representing the Minister for Community Services, and Minister for Youth—
- 306 EDUCATION AND TRAINING—DET DISPLACED LIST—Mr Mason-Cox to ask the Minister for Health representing the Minister for Education and Training—
- 307 HEALTH—HEALTH DISPLACED LIST—Mr Mason-Cox to ask the Minister for Health—
- 308 JUSTICE—DEPARTMENT OF CORRECTIVE SERVICES DISPLACED LIST—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 309 EMERGENCY SERVICES—NSW FIRE BRIGADE DISPLACED LIST—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 310 JUVENILE JUSTICE—DEPARTMENT OF JUVENILE JUSTICE DISPLACED LIST—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 311 LANDS—DEPARTMENT OF LANDS DISPLACED LIST—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 312 PREMIER—PREMIER'S DEPARTMENT DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 313 NATURAL RESOURCES—NATURAL RESOURCES DISPLACED EMPLOYEES LIST—Mr Mason-Cox to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- 314 PRIMARY INDUSTRIES—DEPARTMENT OF PRIMARY INDUSTRIES DISPLACED EMPLOYEES LIST—Mr Mason-Cox to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- 315 POLICE—NSW POLICE DISPLACED EMPLOYEES LIST—Mr Mason-Cox to ask the Minister for Roads representing the Minister for Police—
- 316 ROADS—RTA DISPLACED EMPLOYEES LIST—Mr Mason-Cox to ask the Minister for Roads—
- 317 PLANNING—DEPARTMENT OF PLANNING DISPLACED LIST—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

- 318 WATER UTILITIES—SYDNEY WATER DISPLACED EMPLOYEES LIST—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs representing the Minister for Water Utilities, Minister for Small Business, Minister for Regional Development, and Minister for the Illawarra—
- 319 HOUSING—DEPARTMENT OF HOUSING DISPLACED LIST—Mr Mason-Cox to ask the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—
- 320 PREMIER—PUBLIC EMPLOYMENT OFFICE DISPLACED LIST—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 321 HOUSING—DEPARTMENT OF HOUSING PROPERTIES—Mr Mason-Cox to ask the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—
- 322 HEALTH—SAC INCIDENTS—Mr Mason-Cox to ask the Minister for Health—
- 323 PREMIER—STAFF SECONDMENT—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 324 PREMIER—RIGHT OF RETURN—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 325 PREMIER—MINISTERIAL STAFF LEAVING—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 326 PREMIER, STATE DEVELOPMENT—PUBLIC EMPLOYMENT OFFICE—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 327 PREMIER—MINISTERIAL AND PARLIAMENTARY SERVICES—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 328 PREMIER—SES POSITIONS—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 329 TREASURER—LAND TAX—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter—

- 330 PREMIER—SES CONTRACTS—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 331 TREASURER—NSW TREASURY STAFF TRAVEL—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter—
- 332 PREMIER—PREMIER'S DEPARTMENT STAFF TRAVEL—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 333 PREMIER—PREMIER'S DEPARTMENT EXTERNAL LEGAL ADVICE—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 334 ROADS—RTA TRAVEL—Mr Mason-Cox to ask the Minister for Roads—
- 335 ROADS—RTA EXTERNAL LEGAL ADVICE—Mr Mason-Cox to ask the Minister for Roads—
- 336 PLANNING—DOMESTIC TRAVEL—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—
- 337 PLANNING—EXTERNAL LEGAL ADVICE—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—
- 338 POLICE—EXTERNAL LEGAL ADVICE—Mr Mason-Cox to ask the Minister for Roads representing the Minister for Police—
- 339 ROADS—RTA BRIDGE CLOSURES—Mr Mason-Cox to ask the Minister for Roads—
- 340 ROADS—RTA BRIDGES REQUIRING URGENT MAINTENANCE WORK—Mr Mason-Cox to ask the Minister for Roads—
- 341 JUVENILE JUSTICE—EMPLOYEES AT RODEN CUTLER HOUSE—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 342 PORTS AND WATERWAYS—WHITE BAY—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Energy, Minister for Ports and Waterways, and Minister Assisting the Treasurer on Business and Economic Regulatory Reform—
- 343 TRANSPORT—TRANSPORT OFFICE BUILDING STAFF LEVELS—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—

- 344 COMMERCE—COMMERCE OFFICE BUILDING STAFF LEVELS—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—
- 345 ENVIRONMENT—ENVIRONMENT OFFICE BUILDING STAFF LEVELS—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- 346 TRANSPORT—RAILCORP ADVERTISING—Mr Mason-Cox to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—
- 347 TOURISM AND SPORT AND RECREATION—SYDNEY OLYMPIC PARK AUTHORITY—Mr Mason-Cox to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources representing the Minister for Tourism and Sport and Recreation, Minister for Women, and Minister Assisting the Minister for State Development—
- 348 PLANNING—STATE SIGNIFICANT DEVELOPMENTS—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—
- 349 PLANNING—SYDNEY HARBOUR FORESHORE AUTHORITY—Mr Mason-Cox to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—
- 350 PREMIER—PREMIER'S SERVICE DELIVERY UNIT—Mr Mason-Cox to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Premier, Minister for State Development, and Minister for Citizenship—
- 351 HOUSING—HOME FUND—Mr Mason-Cox to ask the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—
- 352 HOUSING—HOME PURCHASE ASSISTANCE FUND (HPAF)—Mr Mason-Cox to ask the Minister for Health representing the Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)—
- 353 LANDS—LAND AND PROPERTY INFORMATION OFFICE—Mr Mason-Cox to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—
- 354 HEALTH—GREATER SOUTHERN AREA HEALTH SERVICE—Mr Mason-Cox to ask the Minister for Health—
- 355 HEALTH—GREATER WESTERN AREA HEALTH SERVICE—Mr Mason-Cox to ask the Minister for Health—

25 OCTOBER 2006

(Paper No. 24)

356 WATER UTILITIES—WATER USAGE AT LAKE COWAL GOLD MINE—Ms Rhiannon to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs representing the Minister for Water Utilities, Minister for Small Business, Minister for Regional Development, and Minister for the Illawarra—

357 TRANSPORT—CASINO TO MURWILLUMBAH RAIL LINE WORKING PARTY—Ms Rhiannon to ask the Minister for Roads representing the Deputy Premier, and Minister for Transport—

26 OCTOBER 2006

(Paper No. 25)

358 COMMERCE—OPEN SOURCE SOFTWARE EVALUATION PROJECT—Dr Chesterfield-Evans to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council—

359 ENVIRONMENT—FOX STUDIOS CONSENT CONDITIONS—Dr Chesterfield-Evans to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—

360 PRIMARY INDUSTRIES—RURAL LANDS PROTECTION BOARD RATES—Mr Gay to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

361 PRIMARY INDUSTRIES—ELLENBOROUGH RURAL LANDS PROTECTION BOARD RATES—Mr Gay to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

362 PRIMARY INDUSTRIES—RLPB RATE FOR WINE PRODUCERS IN RIVERINA REGION—Mr Gay to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

363 NATURAL RESOURCES, PRIMARY INDUSTRIES—YARANBAH BORE PIPE AND CAP SCHEME—Mr Colless to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

364 MINERAL RESOURCES, PRIMARY INDUSTRIES—FORESTRY INDUSTRY STRUCTURAL ADJUSTMENT PACKAGE—Mr Colless to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

365 MINERAL RESOURCES, NATURAL RESOURCES, PRIMARY INDUSTRIES—CUTS TO CARRY OVER WATER, WATER PURCHASES AND HIGH SECURITY WATER—Mr Colless to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—

366 LANDS—PIPELINE THROUGH CROWN LAND—Mr Colless to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—

367 LANDS—CONVERTING ENCLOSED ROAD PERMITS—Mr Colless to ask the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs—

- 368 MINERAL RESOURCES, NATURAL RESOURCES, PRIMARY INDUSTRIES—RESTRUCTURE OF BUSINESSES FOLLOWING BRIGALOW BELT SOUTH DECISION—Mr Colless to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- 369 MINERAL RESOURCES—DEPARTMENTAL EMPLOYEES WORKING FOR MINING COMPANIES—Ms Rhiannon to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- 370 HEALTH—LONG BAY PRISON AND FORENSIC HOSPITAL PROJECT—PPP SOLUTIONS CONSORTIUM—Ms Rhiannon to ask the Minister for Health—
- 371 PLANNING—DEPARTMENTAL EMPLOYEES WORKING FOR MINING COMPANIES—Ms Rhiannon to ask the Treasurer, Minister for Infrastructure, and Minister for the Hunter representing the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)—

14 NOVEMBER 2006

(Paper No. 26)

- 372 PRIMARY INDUSTRIES—NANOTECHNOLOGIES—Ms Rhiannon to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- (1) Did the report on nanotechnology, produced in 2004 entitled "Nanotechnologies: Opportunities and Uncertainties", by the United Kingdom's Royal Society and Royal Academy of Engineering raise serious concerns about the toxicity of nanoparticles and nanomaterials and the risks they pose to human health and the environment?
 - (2) Did the Royal Society and Royal Academy of Engineering state, "Until more is known about environmental impacts of nanoparticles and nanotubes, we recommend that the release of manufactured nanoparticles and nanotubes into the environment be avoided as far as possible" (Section 5.7: paragraph 63)?
 - (3) Did the Royal Society and Royal Academy of Engineering make the specific recommendation that: "in relation to two main sources of current and potential releases of free nanoparticles and nanotubes to the environment, we recommend:
 - (a) that factories and research laboratories treat manufactured nanoparticles and nanotubes as if they were hazardous, and seek to reduce or remove them from waste streams. (Section 5.4: paragraph 41)
 - (b) that the use of free (that is, not fixed in a matrix) manufactured nanoparticles in environmental applications such as remediation be prohibited until appropriate research has been undertaken and it can be demonstrated that the potential benefits outweigh the potential risks. (Section 5.4: paragraph 44)"?
 - (4) What steps has the Minister taken to review the State's existing environmental regulations to assess whether or not they are adequate to protect the environment from the hazards posed by nanoparticles and nanomaterials?
 - (5)
 - (a) Do existing regulations require factories and research laboratories to treat manufactured nanoparticles and nanotubes as if they were hazardous, and seek to reduce or remove them from waste streams?
 - (b) If not, why not?
 - (6) If not, what steps will be taken to ensure that manufactured nanoparticles and nanotubes will be reduced or removed from both factory and research laboratory waste streams?
 - (7)
 - (a) Do existing regulations prohibit the use of free manufactured nanoparticles in environmental applications such as remediation and waste treatment?

- (b) If not, what steps will be taken to ensure that nanoparticle or nanomaterial-based environmental applications are prohibited in New South Wales, until such time as appropriate research has been undertaken and it can be demonstrated that the potential benefits outweigh the potential risks?
- (8)
- (a) Is there any existing use, or intended use, of nanoparticle or nanomaterial-based environmental applications such as for remediation and waste treatment in New South Wales?
- (b) If so, what applications are planned and where will these applications be manufactured?
- (9)
- (a) Are there any plans in place for the use of nanoparticle or nanomaterial-based environmental applications at the Woodlawn Bioreactor?
- (b) If so, what are the details of this plan?
- 373 ENVIRONMENT—NANOTECHNOLOGIES—Ms Rhiannon to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—
- (1) Did the report on nanotechnology, produced in 2004 entitled "Nanotechnologies: Opportunities and Uncertainties", by the United Kingdom's Royal Society and Royal Academy of Engineering raise serious concerns about the toxicity of nanoparticles and nanomaterials and the risks they pose to human health and the environment?
- (2) Did the Royal Society and Royal Academy of Engineering state, "Until more is known about environmental impacts of nanoparticles and nanotubes, we recommend that the release of manufactured nanoparticles and nanotubes into the environment be avoided as far as possible" (Section 5.7: paragraph 63)?
- (3) Did the Royal Society and Royal Academy of Engineering make the specific recommendation that: "in relation to two main sources of current and potential releases of free nanoparticles and nanotubes to the environment, we recommend:
- (a) that factories and research laboratories treat manufactured nanoparticles and nanotubes as if they were hazardous, and seek to reduce or remove them from waste streams. (Section 5.4: paragraph 41)
- (b) that the use of free (that is, not fixed in a matrix) manufactured nanoparticles in environmental applications such as remediation be prohibited until appropriate research has been undertaken and it can be demonstrated that the potential benefits outweigh the potential risks. (Section 5.4: paragraph 44)"?
- (4) What steps has the Minister taken to review the State's existing environmental regulations to assess whether or not they are adequate to protect the environment from the hazards posed by nanoparticles and nanomaterials?
- (5)
- (a) Do existing regulations require factories and research laboratories to treat manufactured nanoparticles and nanotubes as if they were hazardous, and seek to reduce or remove them from waste streams?
- (b) If not, why not?
- (6) If not, what steps will be taken to ensure that manufactured nanoparticles and nanotubes will be reduced or removed from both factory and research laboratory waste streams?
- (7)
- (a) Do existing regulations prohibit the use of free manufactured nanoparticles in environmental applications such as remediation and waste treatment?
- (b) If not, what steps will be taken to ensure that nanoparticle or nanomaterial-based environmental applications are prohibited in New South Wales, until such time as appropriate research has been undertaken and it can be demonstrated that the potential benefits outweigh the potential risks?
- (8)

- (a) Is there any existing use, or intended use, of nanoparticle or nanomaterial-based environmental applications such as for remediation and waste treatment in New South Wales?
- (b) If so, what applications are planned and where will these applications be manufactured?
- (9)
- (a) Are there any plans in place for the use of nanoparticle or nanomaterial-based environmental applications at the Woodlawn Bioreactor?
- (b) If so, what are the details of this plan?
- 374 EDUCATION AND TRAINING—SUPPORT FOR CHILDREN WITH SPECIAL NEEDS—Ms Rhiannon to ask the Minister for Health representing the Minister for Education and Training—
- (1)
- (a) Will resource based funding for children with special needs cease to operate at the end of 2006?
- (b) If so, why?
- (2) What impacts would reverting to the previous funding model have on the ability of SSPs and support units to deliver quality educational services for children with special needs?
- (3) Will the Government implement the findings of the Comino Review in respect of staffing and resources for children with special needs?
- (a) If not, why not?
- (b) If so, when?
- (4) What steps will be taken to ensure that children with multiple disabilities receive the resources according to their support needs?
- 375 EDUCATION AND TRAINING—REDEVELOPMENTS OF HOLROYD SCHOOL—Ms Rhiannon to ask the Minister for Health representing the Minister for Education and Training—
- (1) Where are the proposed redevelopments of Holroyd School in the priority list?
- (2) For each stage of the redevelopment that has not yet been undertaken, when is it estimated that these redevelopments will commence and when are they expected to be completed?
- 376 MINERAL RESOURCES—MONEY RAISED FROM LEVY ON MINING COMPANIES—Ms Rhiannon to ask the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources—
- (1) How much money will the Department of Mineral Resources raise via a levy placed on mining companies under recommendation three of the New South Wales Mine Safety Review Report?
- (2) How does the Department of Mineral Resources plan to spend this money?
- 377 HEALTH—INCARCERATION OF KYLIE FITTER—Ms Rhiannon to ask the Minister for Health—
- (1)
- (a) Were the majority of recommendations from the Mental Health Review Tribunal for the conditional release of Kylie Fitter approved by the Minister for Health under the power of "executive discretion" following thorough investigation and risk assessment of each case by the Tribunal?
- (b) Are very few of the recommendations for conditional release now coming from the Mental Health Review Tribunal being approved by the Minister for Health under the power of "executive discretion"?
- (i) If so, why?
- (c) What is the reason for this change?
- (2) Has Kylie Fitter, a juvenile forensic mental health detainee, been assessed by multiple forensic psychiatrists for over three years and, during that time, been found on six separate occasions to be free of psychiatric symptoms, to be in no need of any medication, and to be of low to minimal risk of future psychotic episodes?

- (3) Has Kylie Fitter been recommended for conditional release on four separate occasions?
- (4) If so, why is Kylie Fitter still incarcerated at Juniperina Juvenile Justice Centre?
- (5)
 - (a) Is Kylie Fitter being punished now that treatment is no longer required?
 - (b) If so, why?
- (6) Did the program "60 Minutes" televise a piece on Kylie Fitter, in which Ms Fitter's maternal aunt was shown acknowledging that her opposition to Kylie's release was like "a game of chess" and that she "liked winning"?
 - (a) Did Ms Fitter's aunt successfully claim \$50,000 in victim's compensation?
 - (b) Has Ms Fitter's aunt successfully lobbied the Government to have the Forfeiture Law changed to enable her to successfully cross claim for her late sister's estate?
 - (c) Has Ms Fitter's aunt settled out of court for undisclosed damages arising from purported negligence by Pialla Psychiatric Unit for releasing her late sister's husband when he was dangerously unstable?
 - (d) Is Ms Fitter's aunt currently pursuing a claim on her late sister's superannuation to bring her financial gain from her late sister's death to more than \$250,000?

378 ENVIRONMENT—KANGAROO POPULATIONS—Mr Breen to ask the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council representing the Attorney General, Minister for the Environment, and Minister for the Arts—

- (1) Has the Department of Environment and Conservation undertaken modelling to determine the effects of global warming and continuing drought on kangaroo populations?
 - (a) If not, why not?
 - (b) If so, when?
 - (c) If so, what does this modelling indicate about future trends and movements in populations?
- (2) Is the current drought the worst on record?
- (3) Do aerial surveys this year show a decrease in the populations of:
 - (a) Red kangaroos?
 - (b) Western Grey kangaroos?
 - (c) Eastern Grey kangaroos?
- (4)
 - (a) Are populations in some areas below two animals per square kilometre?
 - (b) If so, which areas?
 - (c) What are the populations of Red, Western Grey and Eastern Grey kangaroos per square kilometre in these areas?
- (5) Do some scientists regard two kangaroos per square kilometre as "quasi extinction" levels?
- (6) Are commercial quotas intended to be approved in areas where kangaroo populations have dropped to two per square kilometre or less?
 - (a) If not, why not?
 - (b) If so, when?
- (7) On what basis is the commercial killing of kangaroos at these levels justified?
- (8)
 - (a) Is there any level to which populations would drop before the approval of commercial killing is blocked?
 - (b) If not, why not?
- (9)
 - (a) Would commercial quotas be approved in areas where the population has dropped to one per square kilometre or less?

- (b) If so, why?
- (10) Does evidence show that 74 percent of kangaroos being shot earlier this year were females?
- (11)
- (a) Has the Department of Environment and Conservation been instructed to investigate these allegations of a high female/male ratio of killing?
- (b) If not, why not?
- (12) What are the biological and population implications of such a high rate of killing of female kangaroos?
- (13) What does the Code of Practice for the Humane Shooting of Kangaroos say about the killing of young at foot?
- (14) Does evidence show that almost all the young at foot die when their mothers are killed?
- (15)
- (a) Are the majority of young at foot left to die by shooters?
- (b) Is this acceptable under the Code of Practice for the Humane Shooting of Kangaroos?
- (16) To prevent cruelty to young kangaroos, why is the killing of pregnant female kangaroos allowed?
- (17)
- (a) Has permission been given to issue tags to shooters for 2007?
- (b) If not, why not?
- (18) Are shooters currently able to buy these tags?
- (19)
- (a) Has a commercial killing program for kangaroos in 2007 been approved to continue regardless of the impact of the drought on populations and in particular female kangaroos and their young?
- (b) If so, why?
- (20)
- (a) Has the Federal Minister for the Environment already approved a quota for 2007?
- (b) If so, when?
- (21) What are the quotas proposed for kangaroos in New South Wales in 2007?
- (22) If the drought worsens, how will kangaroo populations under pressure from lack of water and feed, plus the commercial industry, be prevented from dropping from two or less per square kilometre to zero per square kilometre?
- (23) Do you regard the kangaroo industry as having a higher priority than the survival of kangaroos? What is the Government's stance on the kangaroo industry?

John Evans
Clerk of the Parliaments