



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 54

TUESDAY 3 MAY 2016

(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. 42 (Including Question Nos 0783 to 0815)	29 March 2016
Q & A No. 43 (Including Question Nos 0816 to 0820)	30 March 2016
Q & A No. 44 (Including Question Nos 0821 to 0841)	31 March 2016
Q & A No. 45 (Including Question Nos 0842 to 0847)	12 April 2016
Q & A No. 46 (Including Question Nos 0848 to 0870)	13 April 2016
Q & A No. 47 (Including Question Nos 0871 to 0880)	14 April 2016
Q & A No. 48 (Including Question Nos 0881 to 0884)	19 April 2016
Q & A No. 49 (Including Question Nos 0885 to 0887)	20 April 2016
Q & A No. 50 (Including Question Nos 0888 to 0895)	21 April 2016
Q & A No. 51 (Including Question Nos 0896 to 0897)	25 April 2016
Q & A No. 52 (Including Question Nos 0898 to 0906)	26 April 2016
Q & A No. 53 (Including Question Nos 0907 to 0932)	27 April 2016
Q & A No. 54 (Questions—Nil)	-

23 FEBRUARY 2016

(Paper No. 42)

*783 TRANSPORT AND INFRASTRUCTURE—BUS TERMINATIONS—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) Why was Martin Place chosen as an appropriate site to terminate certain buses travelling into the city (e.g. the 423, 426, 428) as part of the October 2015 bus overhaul, which previously terminated at Circular Quay?
- (2) Why is it not possible for these buses to travel onwards to Circular Quay?
- (3) What alternatives to a Martin Place termination point were considered by the government?

Answer—

Bus services in the CBD were altered on 4 October when the new CBD Bus Plan was introduced. Almost all bus services in the CBD were altered, including changes to streets, stops and terminal locations. Some bus services still run to Circular Quay from Martin Place. Passengers at Martin Place are able to interchange to these services

*784 TRANSPORT AND INFRASTRUCTURE—TREES—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) How many trees will be cut down to facilitate the diversion of traffic on Anzac Parade while the CBD & South East Light Rail tunnel is built?
- (2) How long will traffic be diverted for?
- (3) What alternatives to diverting traffic into the parkland were considered?

Answer—

- (1) Three
- (2) The option of building a six lane diversion reduces the construction time to less than a year and simplifies a series of changing road diversions to a single diversion for the duration of the work.
- (3) This information is available in the Environmental Impact Statement and the Environmental Impact Statement Modifications Report.

*785 ROADS, MARITIME AND FREIGHT—TIBBY COTTER BRIDGE—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council—

- (1) What loading capacity is the Tibby Cotter Bridge designed and built for?
- (2) How many people crossed the Tibby Cotter Bridge in the following months? Please provide figures for both cyclists and pedestrians.
 - (a) November 2015
 - (b) December 2015
 - (c) January 2016
- (3) What was the final cost of building the Tibby Cotter Bridge?

Answer—

The Albert 'Tibby' Cotter Walkway was designed and built to cater for pedestrians and cyclists.

I am advised 15,871 pedestrians and 6,339 cyclists crossed the bridge in November 2015, between the hours of 5am and 11pm. In December 2015, 21,751 pedestrians and 6,341 cyclists crossed the bridge. In January 2016, 28,589 pedestrians and 6,831 cyclists crossed the bridge.

The final cost to build the Albert 'Tibby' Cotter walkway was \$38 million.

*786 ENVIRONMENT—HOUSEHOLDERS' ASBESTOS DISPOSAL SCHEME—Mr Shoebridge asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Has the Environment Protection Authority's (EPA) Householders' Asbestos Disposal Scheme been successful to date?
- (2) What tracking measures have been used to assess the effectiveness of the Householders' Asbestos Disposal Scheme?
 - (a) What have been the results of any assessment?
- (3) Why was the trial of the Householders' Asbestos Disposal Scheme only extended to six local councils?
- (4) Was the trial extended to the Wagga Wagga, Kogarah, Hurstville, Rockdale, Sutherland and Willoughby local government areas because of promising results in these areas?
- (5) Given Hawkesbury Council participated in the 12 month trial, why has there been a significant increase in contaminated illegal landfill being placed on residents' properties in that area in the past 12 months?
- (6) Why did Kogarah, Hurstville, Rockdale, Sutherland and Willoughby local government areas restrict the number of asbestos removal contractors to only five particular providers, given there are over 500 in Sydney?
- (7) What measures are in place to ensure that home renovators are able to employ skilled, licensed and reputable asbestos removal contractors of the highest standard?
- (8) Is the minister aware of reports of contractors using names different to those under which they are registered and choosing not to list their business and licence details on WorkCover's register?
- (9) Is there a register of how many homes contain asbestos and what condition they are in?
 - (a) If not, why not?
- (10) Is comprehensive insurance mandatory for asbestos removalists in NSW, as required under the Victorian scheme?

Answer—

- (1) Yes.
- (2) An independent expert evaluator was commissioned to design an evaluation framework and evaluate the scheme.
 - (a) The NSW Environment Protection Authority is reviewing the final evaluation report.
- (3) All councils in NSW were invited to submit expressions of interest to participate in the trial and it was councils' decision whether to apply. The successful councils were recommended by an independent technical review panel based on the merit of their applications. Twenty three councils participated.
- (4) The trial period was extended in these local government areas to ensure the trials ran for a full year.
- (5) The Householders' Asbestos Disposal Scheme trialled solutions for wrapped and bonded asbestos waste from residential renovation; it did not target illegal landfilling.
- (6) The councils running this trial decided to go to tender to select a panel of asbestos contractors available to householders.
- (7) This is a question for the Minister for Finance, Services and Property.
- (8) This is a question for the Minister for Finance, Services and Property.
- (9) No.
 - (a) It is not practicable. The only way to be sure that a building material contains asbestos is to subject it to laboratory testing.
- (10) This is a question for the Minister for Finance, Services and Property.

*787 PRIMARY INDUSTRIES—WOOD SUPPLY AGREEMENT WITH SOUTH EAST FIBRE EXPORTS—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) On what date was the Forestry Corporation advised that South East Fibre Exports (SEFE) was to be sold to the owners of the Eden woodchip mill by Allied Natural Wood Exports Pty Ltd?
- (2) Did either party to the pending Wood Supply Agreement seek to have any modifications made to the agreement?
- (3) Were any changes made to the Wood Supply Agreement?
- (4) Was approval of the Government or the Forestry Corporation required for the transfer of the Wood Supply Agreement to reflect the new ownership of SEFE?
 - (a) If so, by whom and on what date was that approval granted?

Answer—

- (1) The Forestry Corporation was contacted as part of a due diligence process by prospective purchasers of SEFE in June 2015. The Corporation was formally advised of the sale when the public announcement was made by the purchasers on 15 December 2015.
- (2) No.
- (3) No.
- (4) No.
 - (a) NA

*788 LANDS AND WATER, PRIMARY INDUSTRIES—AUSTRALIAN HONEY—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What efforts has the Department of Primary Industries taken to address the concerns raised in media statements (such as the Sydney Morning Herald, 20 January 2016) regarding potential low level toxins in Australian honey linked to cancer and organ damage?
- (2) Has the Department conducted research on honey sourced from the noxious weed Paterson's Curse for toxicity levels? If so, when was the research conducted and is it publicly available?
- (3) Has the Department met with industry representatives to discuss the media statements?
- (4) What is the accuracy of the media statements contained in the 20 January 2016 Sydney Morning Herald article?

Answer—

- (1) Based on the advice received from Food Standards Australia New Zealand (FSANZ), no illness has been reported in Australia or New Zealand. Australian honey is not considered to be a health risk. FSANZ has advised that industry already has methods in place to reduce the levels of naturally occurring pyrrolizidine alkaloids in honey, including the blending of different batches of honey to further dilute any small levels that may be present.
- (2) No
- (3) No
- (4) With regard to the accuracy of statements made in the article, those questions are best directed to the organisations that made those statements. FSANZ issued a statement in response to the article. Refer to the link below.

www.foodstandards.gov.au/consumer/chemicals/patersonscurse/Pages/default.aspx

*789 LANDS AND WATER, PRIMARY INDUSTRIES—RAW MILK IN NEW SOUTH WALES—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) With regard to the sale of raw milk in New South Wales for cosmetic purposes and human consumption, please list for each of the past four financial years:
 - (a) the number of premises inspected for the sale of raw milk?
 - (b) the number of premises found to be selling raw milk?
 - (c) the amount of raw milk seized at each premises where it was found? and,
 - (d) the number of prosecutions for selling raw milk?
- (2) What was the total expenditure by the NSW Food Authority in each of the past four financial years

on community awareness regarding the potential risks of raw milk consumption?

Answer—

(1) (a) see below:

- FY2012/13 = 2

- FY2013/14 = 4

- FY2014/15 = 148

- FY2015/16 = 17

(b) see below:

- FY2012/13 = 2

- FY2013/14 = 3

- FY2014/15 = 9

- FY2015/16 = 14

(c) see below:

- 19/11/2014; 2 litres

- 28/10/2015; 28 litres

- 28/10/2015; 12 litres

- 29/10/2015; 28 litres

- 17/11/2015; 20 litres

- 15/12/2016; 12 litres

- 19/01/2016; 8 litres

(d) Nil

2.FY2015/16 - \$28,556

FY2014/15 - \$42,127

FY2013/14 - \$1337

FY2012/13 - \$949

Note that the figures at (2) are based on estimated staff and services costs for community awareness work on raw cow's milk. This encompasses communications and media, engagement with industry, legal and policy responses at a NSW and national level, and compliance and enforcement activity.

*790 LANDS AND WATER, PRIMARY INDUSTRIES—HORSE DISEASE—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

(1) Have there been any cases of the contagious horse disease known as "strangles" in the past two years in New South Wales?

(a) If so, where did the outbreaks occur and how many horses and foals have been affected?

(2) Does the Department of Primary Industries conduct regular awareness campaigns regarding vaccination for "strangles"?

(a) If so, how does the Department engage the horse-owning community in the awareness campaign?

(3) Has the Department conducted a review of the community awareness and education campaign for "strangles" in the past four years?

(a) If so, when was the review conducted?

Answer—

(1) Yes

(a) Strangles is not a notifiable disease in NSW so the locations of outbreaks and the numbers of animals affected is unknown.

(2) Information about management of strangles is on the NSW DPI website and press and media articles

about strangles are released periodically.

- (a) NSW DPI engages with the horse industry through newsletters, biosecurity bulletins, press releases, radio interviews, public meetings, participation in horse industry groups, social media and via the DPI website.

(3) No.

- (a) N/A

*791 LANDS AND WATER, PRIMARY INDUSTRIES—MINISTER MEETING REQUESTS—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What are the procedures and timeframes in the Minister's office for responding to meeting requests to the Minister?
 (2) What is the average response time to meeting requests to the Minister?
 (3) Have any meeting requests gone unanswered by the Minister? If so, how many?
 (4) Are there any meeting requests the Minister has taken longer than 28 days to respond to? If so, how many?

Answer—

My office endeavours to respond to all meeting requests in a timely manner.

*792 LANDS AND WATER, PRIMARY INDUSTRIES—MINISTER CORRESPONDENCE—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What are the procedures and timeframes in the Minister's office for responding to correspondence to the Minister?
 (2) What is the average response time for correspondence written to the Minister?
 (3) Are there any current items of correspondence outstanding for more than 28 days? If so, how many?

Answer—

The ministerial correspondence policy for my office is available on the NSW Government website at:
<https://www.nsw.gov.au/ministercontactform/correspondence-policy>

*793 EDUCATION—RURAL AND REMOTE EDUCATION ADVISORY GROUP MEETINGS—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Education—

- (1) How many meetings of the Rural and Remote Education Advisory Group were held in:
 (a) 2014?
 (b) 2015?

Answer—

1. a. Four

b. Four

*794 LANDS AND WATER, PRIMARY INDUSTRIES—LAKE MACQUARIE SHARKS—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What research or population studies have been carried out on the number of sharks in Lake Macquarie?

Answer—

Lake Macquarie is the largest coastal saltwater lagoon in Australia. The Lake supports a flourishing population of fish and larger marine wildlife, including dolphins and sharks of various species.

Due to the size of the lake (approximately seven times the size of Sydney harbour), and the frequent movement of sharks and other marine species into and out of the Lake, estimates of the number of sharks at any one time would be extremely difficult and expensive to obtain, and of limited value.

There have been no Department of Primary Industries research projects specifically targeting the shark population in Lake Macquarie.

*795 ROADS, MARITIME AND FREIGHT—FREIGHT TRAINS—Mr Mookhey asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council—

- (1) Are there any penalties levelled on freight trains if they breakdown on the Sydney Trains network?
- (2) What are the penalties for freight train operators whose trains cause delays to other trains on the Sydney Trains Network?
- (3) If so what was the total amount of penalties issued in;
 - (a) 2015?
 - (b) 2014?
 - (c) 2013?
 - (d) 2012?
 - (e) 2011?
- (4) How many times did freight trains cause delays on the Sydney Trains Network in:
 - (a) 2015?
 - (b) 2014?
 - (c) 2013?
 - (d) 2012?
 - (e) 2011?
- (5) Has the Government received any advice regarding the introduction of penalties for delays caused by freight trains?

Answer—

- (1) No
- (2) Not applicable
- (3) Not applicable
- (4) Since data became available when Sydney Trains was formed on 1 July 2013, freight trains impacted peak services:
 - (a) 31 times in 2015
 - (b) 24 times in 2014
 - (c) 15 times in the six months from 1 July 2013
- (5) No. The NSW Government works with all parties to maximise on-time performance and minimise delays.

*796 LANDS AND WATER, PRIMARY INDUSTRIES—GLYPHOSATE—Mr Primrose asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Do local councils in New South Wales still use the weed killer glyphosate in sensitive areas like playgrounds?
- (2) Does the Minister support the continued use of glyphosate?
- (3) What advice has the Minister's Department given to local councils regarding the use of glyphosate?
- (4) What funding has the Government provided to local councils to develop alternative weed killing options?

Answer—

- (1) Local councils are independent entities that make their own decisions regarding the use of glyphosate in sensitive areas like playgrounds. While some may have decided not use glyphosate in playgrounds or public facilities others do.
- (2) Glyphosate is a product registered for use in Australia by the Australian Pesticides and Veterinary Medicines Authority (APVMA), a division of the Australian Department of Agriculture and Water Resources, and therefore allowed for use in Australia.
- (3) The Department of Primary Industries encourages best practice herbicide use by promoting herbicide rotation and Integrated Weed Management. Councils have considerable discretion about their weed management programs. Glyphosate is a registered product for which continuation of registration has been closely scrutinised by the APVMA in Australia and by international regulators.
- (4) The NSW Weed Action Program builds the capacity of regions to promote weed best practice in the community. This funding supports a range of projects including the use of herbicide alternatives. However, local councils through Regional Weed Committees are best placed to prioritise how Weeds Action Program funding is effectively applied at the local scale.

*797 LOCAL GOVERNMENT—GLYPHOSATE—Mr Primrose asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

- (1) Do local councils in New South Wales still use the weed killer glyphosate in sensitive areas like playgrounds?
- (2) Does the Minister support the continued use of glyphosate?
- (3) What advice has the Office of Local Government given to local councils regarding the use of glyphosate?
- (4) What funding has the Government provided to local councils to develop alternative weed killing options?

Answer—

The management of weeds by councils, including county councils, in New South Wales is covered by the Noxious Weeds Act 1993. The administration of this Act is the responsibility of the Minister for Primary Industries, the Hon Niall Blair MLC. It is anticipated that the Biosecurity Act 2015 will commence in early 2017 and will replace the Noxious Weeds Act and be supported by regulations, policies and procedures.

*798 HEALTH—HOUSING FOR HEALTH—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Health—

- (1) In relation to the Housing for Health program:
 - (a) What was the total amount of funding allocated in
 - (i) 2014/15?
 - (ii) 2015/16?
 - (b) What was the breakdown of Commonwealth and State Government funding in
 - (i) 2014/15?
 - (ii) 2015/16?
 - (c) What projects were funded by the program in
 - (i) 2014/15?
 - (ii) 2015/16?
- (2) Where were the 2014/15 Housing for Health projects located?
- (3) Where are the 2015/16 Housing for Health projects located?

Answer—

(1-3)

In the 2014-15 and 2015-16 financial years, the Housing for Health program received 100 per cent of its funding from the NSW Government.

NSW Health has been delivering the Housing for Health methodology in Aboriginal community housing for 19 years.

The Housing for Health methodology is a set of standard repeatable tests to:—

- assess the safety and function of housing –
- focus on repairs that will maximise health gains, particularly for children aged up to five years old—
- use evidence based safety and health priorities.

Further background information on Housing for Health is available at:

www.health.nsw.gov.au/environment/aboriginal/Pages/housing-for-health.aspx

*799 FAMILY AND COMMUNITY SERVICES—ABORIGINAL HOUSING OFFICE DWELLINGS—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Family and Community Services, and Minister for Social Housing—

- (1) In relation to new Aboriginal housing supply under the Aboriginal Housing Office in 2014/15:
 - (a) What was the breakdown of Commonwealth and State Government funding allocated to the Aboriginal Housing Office for new supply?
 - (b) What was the average building cost per square meter of dwellings constructed?
 - (c) What was the average cost of dwellings constructed?
 - (d) What was the average cost of dwellings bought?
 - (e) In which locations were these dwellings completed and/or acquired?
 - (f) In which locations did construction commence on dwellings?
 - (g) Were there variations in average cost of dwellings constructed by region? If so, please provide a breakdown of average cost by region.
- (2) In relation to new Aboriginal housing supply under the Aboriginal Housing Office in 2015/16:
 - (a) What was the breakdown of Commonwealth and State Government funding allocated to the Aboriginal Housing Office for new supply?
 - (b) How many dwellings have been completed and/or acquired?
 - (c) How many dwellings commenced construction?
 - (d) What has been the average cost of dwellings constructed?
 - (e) Where are these dwellings located?
 - (f) Were there variations in average cost by region of dwellings constructed? If so, please provide a breakdown.
- (3) Is the Aboriginal Housing Office on track to deliver 382 new dwellings in 2015/16 as forecast in last year's budget?
 - (a) If not, why not?
- (4) The Aboriginal Housing Office's Build and Grow Expenditure Summary shows significant underspends in 2010/11, 2011/12 and 2012/13. Could the Minister please provide:
 - (a) an explanation for why the program was underspent in
 - (i) 2010/11?
 - (ii) 2011/12?
 - (iii) 2012/13 ?
 - (b) an explanation of what happened to the unspent funds in
 - (i) 2010/11?
 - (ii) 2011/12?
 - (iii) 2012/13?
- (5) The Build and Grow summary also states that the 'program was underspent in these years due to a slow uptake of the program by providers'. Could the Minister please provide further detail on why there was a slow uptake of the program by providers?

Answer—

- (1) Information on the Aboriginal Housing Office is contained in the Family and Community Services (FACS) Annual Report which is available at www.facs.nsw.gov.au.
- (2) This information will be contained in the FACS 2015-16 Annual report.

- (3) This information will be contained in the FACS 2015-16 Annual report.
- (4) The Build and Grow program experienced delays by providers when it began under the former Labor Government in 2009/10. All unspent funds were made available the following years. No funds have been returned to consolidated revenue.
- (5) The Build and Grow program experienced delays by providers when it began under the former Labor Government in 2009/10. All unspent funds were made available the following years. No funds have been returned to consolidated revenue.

*800 FAMILY AND COMMUNITY SERVICES—PUBLIC HOUSING MAINTENANCE REQUESTS—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Family and Community Services, and Minister for Social Housing—

- (1) How many maintenance requests were lodged by public housing tenants in 2014/15 concerning mould caused by structural problems in the dwelling?
 - (a) How many of these maintenance requests were addressed by Housing NSW/Land and Housing Corporation in 2014/15?
- (2) How many public housing tenants had to be moved from their homes because of mould in 2014/15?
- (3) Is the Minister aware of the World Health Organisation's report 'Environmental burden of disease associated with inadequate housing' published in 2011, which documents the link between mould problems and asthma in childhood?
- (4) Is the Minister aware of research published in Environmental Health Perspectives titled 'Respiratory and Allergic Health Effects of Dampness, Mould, and Dampness-Related Agents: A Review of the Epidemiologic Evidence' that concludes "there is sufficient evidence of an association between indoor dampness-related factors and a wide range of respiratory or allergic health effects, including asthma development, asthma exacerbation, current asthma, ever asthma, dyspnoea, wheeze, cough, respiratory infections, bronchitis, allergic rhinitis, eczema, and upper respiratory tract symptoms"?
- (5) What is Housing NSW's/Land and Housing Corporation's policy for dealing with mould in public housing that occurs because of a structural fault?

Answer—

The Department of Family and Community Services does not have specific data about mould caused by structural problems in social housing dwellings or on relocations related to mould.

LAHC follows the advice of NSW Health and other relevant authorities to mitigate any issues related to mould. A fact sheet on treating mould is on the Housing NSW website www.housing.nsw.gov.au. Social Housing tenants can report any structural faults to the Housing Contact Centre.

*801 FAMILY AND COMMUNITY SERVICES—MILLERS POINT FORCED RELOCATIONS—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Family and Community Services, and Minister for Social Housing—

- (1) How many public housing tenants resided at Millers Point when the announcement to sell their homes was made in March 2014?
 - (a) How many of these tenants have been moved from Millers Point since then?
 - (b) How many of these tenants have requested to stay at Millers Point?
- (2) What counselling services have been offered to tenants who are being made to move?
 - (a) Are the counsellors made available to these tenants employee assistance counsellors within Family and Community Services?
 - (b) Are tenants able to select their own counsellor and have the cost covered by Family and Community Services?
- (3) What monitoring of Millers Point public housing tenants is Family and Community Services undertaking following their relocation to another dwelling?
 - (a) If monitoring is undertaken, what does this involve?
 - (b) What support is available to tenants after they move?

- (c) For how long will this support be available?
- (4) How many public housing tenants who have been moved from Millers Point have had to move again?
- (a) What were the reasons for the subsequent moves?
- (5) How many public housing tenants who have requested to move to new homes alongside fellow Millers Point tenants have had those requests fulfilled?
- (6) What experience and/or training have the Family and Community Services relocation teams had to enable them to deal with vulnerable tenants?
- (7) How many hospitalisations of Millers Point public housing tenants have occurred since the March 2014 announcement?
- (8) How many Millers Point public housing tenants have passed away since the March 2014 announcement?
- (9) How many Millers Point public housing tenants have suicided or attempted suicide since the March 2014 announcement?
- (10) Will Family and Community Services undertake an evaluation of the relocation process?
- (11) Does Family and Community Services have a protocol or policy for the relocation of public housing tenants and does it address issues relating to their health and wellbeing?
- (12) Has Land and Housing Corporation completed a strategy to deliver housing that meets client need, audited property disposal procedures and finalised a long-term strategy of managing public housing estates to reduce disadvantage, as recommended by the Auditor General in 2013?

Answer—

1-11. As at February 2016, 317 households have been successfully relocated from Millers Point.

The Department of Family and Community Services (FACS) has established a specialist relocations team to support tenants. The team comprises experienced Relocations Officers who work sensitively and individually with each tenant and their families. Team members support tenants throughout the relocation process, including helping them move and linking them to services in their new communities. Relocation Officers also provide ongoing support to their tenants post relocation.

FACS has also coordinated several government agencies and non-government organisations to assist Millers Point tenants, including arranging an outreach service at the local community centre. Counselling services have also been commissioned to provide assistance to tenants where required.

The NSW Government decided to retain 28 modern infill properties at Millers Point which are being refurbished for tenants. All public housing tenants who applied to be relocated to these properties have been approved in accordance with FACS relocations policy.

12. Yes. Information on Future Directions for Social Housing in NSW and the Communities Plus initiative is available at www.facs.nsw.gov.au/reforms/socialhousing and www.communitiesplus.com.au.

*802 FAMILY AND COMMUNITY SERVICES—MILLERS POINT PROPERTY OFFERS—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Family and Community Services, and Minister for Social Housing—

- (1) In relation to the 28 properties in Millers Point that have been offered to Millers Point public housing tenants:
- (a) How many of the properties are being refurbished?
- (b) What is the budget for the refurbishments?
- (2) The Social Impact Assessment for the sale found that some of the Millers Point properties were unsafe for older people. Land and Housing Corporation engaged occupational therapy consultants to assess four typical properties at Millers Point, who found that they were unsuitable for an older person because of stairs or they had bathrooms that posed a falls risk. Were the 28 properties made available to Millers Point tenants assessed by occupational therapists for their suitability for older people and people with a disability?
- (a) If not, why not?
- (3) Will the refurbishments make the properties wheelchair accessible?

- (a) If not, why not?
- (4) How many of the 28 properties offered do not have stairs?
- (a) Of the properties that do not have stairs, how many of these properties have two or more bedrooms?
- (5) How many Land and Housing Corporation properties in Millers Point were vacant at the time of the March 2014 announcement?
- (a) For how long had each property been vacant?
- (6) How many Land and Housing Corporation properties in Millers Point are vacant now?
- (a) For how long has each property been vacant?
- (7) How many public housing tenants still reside at Millers Point?
- (8) Will more properties be offered to the remaining public housing tenants who still reside in Millers Point?

Answer—

The NSW Government has decided to retain 28 modern infill properties which are all being refurbished for tenants according to their identified needs.

The NSW Government will sell all remaining social housing properties in Millers Point and the Rocks.

*803 FAMILY AND COMMUNITY SERVICES, SOCIAL HOUSING—NEW SOUTH WALES CIVIL AND ADMINISTRATIVE TRIBUNAL ACTION REGARDING PRIVACY BREACH—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Family and Community Services, and Minister for Social Housing—

In relation to the NSW Civil and Administrative Tribunal decision in APV and APW v Department of Family and Community Services which found that the Department breached the Privacy and Personal Information Protection Act 1998 by collecting the applicants' personal information through a search of a Roads and Maritime Services database:

- (1) Does the Minister consider that the conduct of the case by Family and Community Services (FACS) and the Crown Solicitor's Office (CSO) was consistent with the Model Litigant Guidelines set out in FACS' "Policy Directive for Management of Legal Matters"?
- (a) If not, what action will the Minister take to ensure any future action is consistent with the guidelines?
- (2) How many FACS and CSO staff were involved in the conduct of the case?
- (3) What costs were incurred by FACS internally and for external advisors such as the CSO in the conduct of the case?
- (4) Who made the decision to defend the case given that a document tabled by FACS for the NCAT hearing indicated that the then Chief Executive of Housing NSW took the view the acts of the individual who collected the information "would seem to require disciplinary action", the Department found that there was no fraud by the leasehold owners against FACS, and the matter involved 99-year leasehold owners rather than a social housing tenant?
- (5) What controls has the Minister put in place to prevent these sorts of unlawful, unauthorised and unnecessary searches from occurring in future?

Answer—

1. 4. The "Policy Directive for Management of Legal Matters" was approved by the Secretary of the Department of Family and Community Services (FACS) on 3 November 2014. This occurred after the applicants brought their case forward. In this particular case, the NSW Civil and Administrative Tribunal determined a breach had occurred and ordered FACS to issue an apology to the applicant. However, the Tribunal dismissed the applicant's application for damages and for legal costs, finding FACS had not unreasonably prolonged the litigation.

5. Since the applicant's original complaint, FACS has revised its processes and the individual has undertaken further training in privacy principles.

*804 ENVIRONMENT—CLARENCE COAL FINES SPILL INTO THE WOLLANGAMBE RIVER—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

Given the Wollangambe River lies within a World Heritage Area, why didn't the Environment Protection Authority require the managers of the Clarence Mine to commit more resources to the clean-up of coal fines in addition to the six to eight persons cleaning the river by hand during the last six months?

Answer—

I am advised as follows:

As the Wollangambe River lies within a World Heritage Area it was important that the clean-up did not disperse coal fines further downstream or damage the environment. Advice from the Office of Environment and Heritage, and trialling of clean-up methods, confirmed that a professional crew using primarily manual techniques was the only practical approach.

As at Monday 7 March 2016, 192 tonnes of coal fines were removed from the river without damaging the environment. Due to the remote terrain, these coal fines were safely removed in more than 600 bulka bags using a helicopter.

This has been a considered and successful clean-up process based on scientific advice and the practical realities of the remote and difficult terrain.

*805 ENVIRONMENT—CLARENCE COAL FINES SPILL INTO THE WOLLANGAMBE RIVER—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Has the Environment Protection Authority commenced legal proceedings regarding the spill of coal fines into the Wollangambe River within the Greater Blue Mountains World Heritage Area from Clarence Mine?
- (2) If not, when does the statute of limitations for prosecution in relation to this incident come into effect?

Answer—

I am advised as follows:

- (1) No. The EPA is completing its investigation of the spill of coal fines from Clarence Colliery into the Wollangambe River.
- (2) For a tier one offence under the Protection of the Environment Operations Act 1997 the statute bar date for this incident is 1 July 2018.

For a tier two offence under the Protection of the Environment Operations Act 1997 the statute bar date for this incident is 1 July 2016.

*806 ENVIRONMENT—CLARENCE COAL FINES SPILL INTO THE WOLLANGAMBE RIVER—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Did the Clarence Mine have a Pollution Incident Response Management Plan in place during July 2015 that identified and minimised the risks of a coal fines spill into the World Heritage Area and that ensured planned response actions would immediately be implemented by trained staff?
- (2) Why did clean up actions not commence until 8 August 2015 given that the coal fines spill occurred at the Clarence Mine on 2 July 2015?

Answer—

I am advised as follows:

- (1) Yes.
- (2) The clean-up actions for the spill were not delayed. The clean-up commenced on the day of the spill with a verbal direction given to Clarence Colliery to undertake immediate actions, and this was confirmed by a written clean-up notice on 3 July 2015.

The Environment Protection Authority (EPA) required the company to install sediment control fences by 4 July 2015 along the drainage line down which the spill travelled to enter the Wollangambe River. These fences prevented further coal fines and any reject coal causing further pollution of the Wollangambe River. The EPA inspected the fences on 4 July 2015 and verified 22 sediment control fences were installed.

Clarence Colliery was required to prepare a draft remediation plan by 15 July 2015 to remove the coal reject and fines from the impacted drainage line. The EPA, in consultation with the National Parks and Wildlife Service (NPWS), approved this plan on 31 July 2015. The company obtained consent from NPWS, in relation to the National Parks and Wildlife Act 1974, and the clean-up commenced immediately afterwards. All the coal reject and fines were removed from the drainage line by 1 September 2015.

During 2015 the EPA received scientific advice from the Office of Environment and Heritage about cleaning up accumulated deposits of coal fines from within the Wollangambe River. These deposits had to be removed with considerable care to ensure that the clean-up did not cause further damage to the environment.

On 8 August 2015 Clarence Colliery commenced cleaning the coal fines from the river by trialling manual methods and the use of suction pumps. These methods of clean-up were approved by the EPA. The EPA served a second clean-up notice on the company on 18 August 2015, with the approval of NPWS, for the trial to proceed to the full scale clean-up. By 29 February 2016 the company had removed 192 tonnes of coal fines from the Wollangambe River. The clean-up will remain ongoing until the EPA informs Clarence Colliery in writing it can cease the operation.

*807 ENVIRONMENT—CLARENCE COAL FINES SPILL INTO THE WOLLANGAMBE RIVER—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

When the Clarence Mine Pollution Incident Response Management Plan was revised in August 2015, did the Environment Protection Authority ensure that Clarence Mine had an updated Pollution Incident Response Management Plan for coal fines spills that would identify and minimise the risks of such spills and ensure that a planned response could be immediately implemented by trained staff?

Answer—

I am advised as follows:

The purpose of the requirement to develop and implement a pollution incident response management plan is to ensure that all holders of environment protection licences have considered the risks to the environment that their operation presents, and that they have a plan in place to respond to any incidents.

The Protection of the Environment Operations Act 1997, associated regulations and the EPA guidelines provide advice on what the plans are required to cover.

The contents of the plan and the issues considered are a matter for the licence holder. The EPA monitors that the plans are in place and that the licence holder has tested the plan and implemented it as necessary.

The EPA has also undertaken a formal compliance audit program of environment protection licence holders' plans to assess the level of compliance with the requirements of the Protection of the Environment Operations Act 1997 and regulations, and that plans were prepared and implemented in accordance with those provisions. The audit report is publicly available on the EPA website.

Under the Protection of the Environment Operations Act not having a plan in place is an offence. The maximum penalty for a corporation is \$1 million dollars.

The EPA also has the capacity to issue licensees with notices and pollution reduction programs to take action to mitigate on-site issues that have potential to impact on the environment. In this case, the EPA dealt with any further risk associated with the spill by directing Clarence Colliery to cease the transfer of coal fines to the stockpile.

*808 ENVIRONMENT—CLARENCE COAL FINES SPILL INTO THE WOLLANGAMBE RIVER—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

Can the Environment Protection Authority outline a timetable for the establishment of a Pollution Reduction Program for Clarence Mine under Environment Protection Licence 726 to remove salinity, nickel and temperature pollution, as well as zinc and pH pollution from the Wollangambe River?

Answer—

I am advised as follows:

The Environment Protection Authority is aiming to complete its formal licence review for the Clarence Colliery and add the pollution reduction program to the Clarence Colliery environment protection licence by 30 June 2016.

*809 ENVIRONMENT—CLARENCE COAL FINES SPILL INTO THE WOLLANGAMBE RIVER—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

What steps will the Environment Protection Authority take to remove all mine water pollution discharged from the Clarence Mine to the Wollangambe River, given that these discharges flow into the river and the Greater Blue Mountains World Heritage Area?

Answer—

I am advised as follows:

The Environment Protection Authority (EPA) is doing a comprehensive review of the Environment Protection Licence held by Clarence Colliery which is aimed at reducing the concentration of pollutants in the mine water being discharged into the Wollangambe River.

The licence review is taking into account the scientific research by the University of Western Sydney and the Office of Environment and Heritage on the impacts of the Clarence Colliery mine water discharge on the Wollangambe River, and the application of environmental protection levels specified by the Australian and New Zealand Environment Conservation Council (ANZECC 2000).

A joint expert panel of scientists will be advising the EPA on the relevant environment protection levels for the Wollangambe River. The EPA intends to vary Clarence Colliery's licence to add pollution reduction programs for specific pollutants based on these outcomes.

- *810 ENVIRONMENT—CLARENCE COAL FINES SPILL INTO THE WOLLANGAMBE RIVER—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

What action will the Environment Protection Authority take to ensure that tailings dams are properly engineered structures, so as to address the current spate of tailing dam collapses at New South Wales coal mines?

Answer—

I am advised as follows:

The Environment Protection Authority is continuing to participate in the planning assessment process for coal mine proposals, along with other agencies, including the Department of Resources and Energy.

The planning assessment process identifies and assesses risks associated with tailings dams, and addresses these in the conditions of consent, if a proposal is approved.

- *811 ENVIRONMENT—CLARENCE COAL FINES SPILL INTO THE WOLLANGAMBE RIVER—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

What action will the Environment Protection Authority take to ensure that the development consent for the Airly Mine extension requires a properly engineered tailing dam to contain the thirty-eight hectare waste heap that is proposed to sit on a hillside above the Greater Blue Mountains World Heritage Area?

Answer—

I am advised as follows:

The Environment Protection Authority participated in the planning assessment process, providing advice on appropriate discharge limits and monitoring for the Airly Mine Extension Project.

If the project is approved the Environment Protection Authority will revise its environment protection licence in accordance with any development consent.

- *812 ENVIRONMENT—GREY HEADED FLYING FOX—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

What action is the Government taking to conserve the grey headed flying fox?

Answer—

I am advised as follows:

Under the NSW Government's Saving our Species program a range of conservation actions for the grey-headed flying-fox have been proposed, including creating and restoring habitat for the species.

The NSW Government's Flying-fox Camp Management Policy 2015 aims to provide a balance between conserving flying-foxes and managing their impacts on human settlements. Office of Environment and Heritage (OEH) staff work with local councils and other land managers to manage flying-fox camps.

Since 2011 the NSW Government has allocated \$7.1 million to subsidise netting for orchardists to protect crops, as an alternative to shooting flying-foxes. A netting subsidy makes the orchardist ineligible for a

licence to shoot flying-foxes, and since 1 July 2015, licences to shoot flying-foxes are only issued in special circumstances.

To improve the understanding of flying-foxes, OEH has partnered with the Commonwealth Government and other state jurisdictions to undertake a national monitoring program for the grey-headed flying-fox. This program will provide more data on the species' population variability and seasonal movements, and will enable the NSW Scientific Committee to consider the conservation status of the species.

- *813 ENVIRONMENT—CROWN LAND—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

According to the Report on State Finances 2014-15 by Treasury, New South Wales has identified at least five high risk sites for contamination on Crown Land. Where are these sites?

Answer—

I am advised as follows:

These sites are part of the portfolio of identified contaminated sites on Crown Land, and are managed and remediated under programs run by the Department of Industry. The EPA has involvement in these programs through participation in the whole-of-government approach to managing contamination on Crown property. The question should be referred to the Minister for Industry, Resources and Energy, or the Minister for Lands and Water for further information.

- *815 SKILLS—TAFE ENROLMENTS—Ms Sharpe asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Regional Development, Minister for Skills, and Minister for Small Business—

- (1) How many students were enrolled this year at the Cooma campus of TAFE?
- (2) How many students were enrolled this year at the Bega campus of TAFE?
- (3) How many students were enrolled this year at the Goulburn campus of TAFE?
- (4) How many students were enrolled this year at the Nowra campus of TAFE?
- (5) How many students were enrolled this year at the Queanbeyan campus of TAFE?
- (6) How many students were enrolled this year at the Wollongong campus of TAFE?
- (7) How many students were enrolled this year at campuses of the Illawarra institute of TAFE?

Answer—

(1-7) TAFE NSW operates in a competitive environment. Data is not provided by location. TAFE NSW does provide enrolment data as part of its annual reporting, which can be found at <https://www.tafensw.edu.au/about-tafensw/annual-report> and at <http://www.dec.nsw.gov.au/about-us/how-we-operate/annual-reports>.

24 FEBRUARY 2016

(Paper No. 43)

- *816 LOCAL GOVERNMENT—OBERON GENERAL MANAGER—Mr Primrose asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

- (1) What were the reasons that the draft report of the investigation into the former General Manager of Oberon Council, whose contract was terminated in October 2015, was referred to the Minister's Office?
- (2) What are the reasons that staff at the council who have been adversely affected by the matters that were the subject of the investigation, have not been advised of the findings of the investigation?

- (3) When will these staff be advised of the findings?
 (4) When will the finalised report be released?

Answer—

Under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (the Procedures) which are prescribed under the Local Government (General) Regulation 2005, information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed.

*817 LOCAL GOVERNMENT—APPOINTMENT OF ADMINISTRATOR OF MURRAY SHIRE COUNCIL—Mr Primrose asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

- (1) What selection process was used to appoint the administrator of Murray Shire Council?
 (2) What was your role as Minister in the appointment?
 (3) Does the administrator have your full confidence?

Answer—

Interim administrators are appointed in accordance with the requirements of section 438Y of the Local Government Act 1993.

*818 LANDS AND WATER, PRIMARY INDUSTRIES—NOTICE OF INTENTION TO GRANT CROWN LAND LEASE—Ms Barham asked the Minister for Primary Industries, and Minister for Lands and Water—

Can the Minister please provide a list of the newspapers in which the notice of intention to lease Crown Land (Folio 1/1092051) for a term of up to 35 years with an option to renew for up to 49 years to Gold Coast Airport Proprietary Limited (Lease No. RE 455699) was published, as required by section 34A(3) of the Crown Lands Act 1989, and for each newspaper please indicate the dates on which the notice of intention was published?

Answer—

Section 34(3) of the Crown Lands Act 1989 requires that a Crown lease may not be granted unless a notice of intention to lease has been published in a newspaper circulating in the locality in which the land is situated or in a newspaper circulating generally in the State.

There is no requirement to advertise when a lease is granted under section 34A.

The Crown land leased to Gold Coast Airport Pty Limited in October 2013 was granted lawfully under section 34A of the Crown Lands Act.

*819 ENVIRONMENT, HERITAGE, PLANNING—IRON GATES—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Can the Minister please advise of the outcome of the investigation that was referred to in answer to question 0266 of Session 55-2, which was being undertaken by the Office of Environment and Heritage into the alleged illegal clearing of native vegetation on the Iron Gates site in 2014?
 (2) Can the Minister please advise about any further action the Government has taken in relation to the protection and remediation of the Iron Gates site, which was the subject of a Land and Environment Court decision in 1997 that determined the road be removed and the environment remediated?

Answer—

I am advised as follows:

1. The Office of Environment and Heritage is investigating the alleged illegal clearing of native

vegetation on the Iron Gates site.

2. The Office of Environment and Heritage is not responsible for enforcing the Land and Environment Court order.

*820 FAMILY AND COMMUNITY SERVICES—EMPLOYMENT OF PUBLIC HOUSING TENANTS—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Family and Community Services, and Minister for Social Housing—

The Future Directions for Social Housing in NSW includes several initiatives to increase employment of young adults and jobseekers in public housing, including, creating employment opportunities through maintenance contracts; trialling placing young people and families in dwellings close to education and employment opportunities and implementing Personal Support Plans designed to support tenants to build their capacity to work.

- (1) What types of services and supports will be included in Personal Support Plans to help people get into employment?
- (2) How will the Government define areas that are close to education and employment?
- (3) How will the Government remove disincentives to work for public housing tenants, particularly those created by the Reshaping Public Housing reforms which increased the proportion of rent paid by tenants who reach certain income thresholds?
- (4) How many people became ineligible and exited social housing after a lease review in
 - (a) 2013/14?
 - (b) 2014/15?
- (5) Is the Minister aware of the Productivity Commission's 'Housing Assistance and Employment in Australia' report that shows that 74 per cent of jobseekers living in public housing have an illness, disability or some form of other disadvantage that acts as a barrier to employment?
- (6) What measures will the Government take to support employers to employ people with a disability, who comprise more than a third of public housing tenants?
- (7) What measures will the Government take to increase employment of people with a disability in the New South Wales public sector, which has decreased from 4.8 per cent in 2009 to 2.9 per cent in 2015?
- (8) The Future Directions for Social Housing policy plans to transition an extra five per cent of people out of social housing over three years. Given that, research from the Australian Housing and Urban Research Institute shows that one third of tenants who exited social housing experienced significant financial disadvantage within eight years of exiting social housing, with about half of this number re-entering the social housing system, how will the Government ensure that tenants who move out of social housing do not experience financial disadvantage that could see them re-enter the social housing system?
- (9) How will the Government ensure that social housing tenants moving into private housing are not placed in housing stress?

Answer—

1-3. The services and supports available under Personal Support Plans will include regular case management with a support provider, who will assist in facilitating access to education, training and employment opportunities and support to overcome some of the barriers to employment and housing independence.

Family and Community Services (FACS) is working collaboratively with the Department of Education and the Department of Industry to determine how best to identify areas of priority from an educational and employment perspective.

4. A small number.

5 – 6

The NSW Government policy Future Directions for Social Housing in NSW includes measures to promote independence and to support participation. It also includes an initiative to engage with social housing tenants disconnected from the workforce, including tenants with disability. Information about Future Directions is available on the FACS website at <http://www.facs.nsw.gov.au/reforms/social-housing>

7. This question should be directed to Minister Ajaka.

8 and 9. FACS supports educational and employment opportunities for social housing tenants which leads to increased housing independence. The provision of affordable housing also provides an avenue of progression out of social housing.

25 FEBRUARY 2016

(Paper No. 44)

*821 PRIMARY INDUSTRIES—BLUE RIDGE HARDWOODS WOOD SUPPLY—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What quantity of logs, according to log classification has been supplied to Blue Ridge Hardwoods Pty Ltd, Eden sourced from regions other than the Eden Regional Forest Agreement (RFA) region in each of the following financial years:
 - (a) 2011/12?
 - (b) 2012/13?
 - (c) 2013/14?
 - (d) 2014/15?
 - (e) 2015/16 (to date)?
- (2) Noting that the Wood Supply Agreement between the Forestry Corporation and Blue Ridge Hardwoods is a public document:
 - (a) From what regions was the wood supplied?
 - (b) What was the total amount of wood supplied from each region?
- (3) What costs were incurred by the Forestry Corporation for additional haulage in order to supply this wood?

Answer—

1, 2 and 3)

Year	Management Area	Large Sawlog m3	Salvage Grade 1 m3	Small Sawlog m3	Additional Delivery Costs
F12	-	0	0	0	\$ -
F13	SCMA*	1994	374	224	\$ 7,586
F13	Tumbarumba		77	-	\$ -
F14	SCMA	3030	79	171	\$ 18,613
F15	SCMA	7936	15	606	\$ 179,346
F16	SCMA	2537	4	261	\$ 97,461

*South Coast Management Area

Note that logs from the Eden Management Area are sold under as stumpage where the customer engages harvest and haulage contractors themselves and Forestry Corporation does not pay for haulage. Logs delivered from the South Coast Management Area are sold as a delivered sale where Forestry Corporation is responsible for the harvest and haulage and the customer is charged an additional delivery charge for this service. The figures in the table show the harvest and haulage costs paid by Forestry Corporation that have not been recovered by the delivery charge.

*822 ENVIRONMENT—EDEN WOODCHIP MILL—Mr Shoebridge asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Has the Office of Environment and Heritage made any assessment or required any assessment to be made of the cost of remediating the site of the Eden woodchip mill in the event that the site were to be used for a purpose other than woodchipping or other forms of wood processing?
 - (a) If so, what was the cost estimate; on what basis was that estimate made; and when was the estimate made?
 - (b) If no assessment has been made, why not?
- (2) Whose responsibility will it be to undertake and pay for remediation of the site in the event that the site is used for another purpose?

Answer—

I am advised as follows:

- (1) No
 - (a) Not applicable.
 - (b) This is not a matter for the Office of Environment and Heritage.
- (2) Generally the responsibility for remediation that may be required at the premises in the event of change of use rests with the owner of the premises.

*823 JUSTICE AND POLICE—BICYCLE PURSUITS—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

Does the NSW Police have a policy regarding the pursuit of people on bicycles suspected of breaking the law?

Answer—

The NSW Police Force has advised:

All moving vehicles are included within the NSW Police Force Safe Driving Policy.

*824 PRIMARY INDUSTRIES—SOW STALL—Dr Faruqi asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) How does the Government plan to enforce clause 19 of the 'Animal welfare code of practice - commercial pig production', relating to confinement of pregnant pigs after 1 July 2017?
 - (a) What will the penalties be for breaching the clause?

Answer—

- (1) The 'Animal Welfare Code of Practice Commercial Pig Production' is a prescribed animal trade code under the Prevention of Cruelty to Animals Regulation 2012. Enforcement is by RSPCA NSW, Animal Welfare League NSW and the NSW Police.
 - (a) The maximum penalty for breaching this clause is \$22,000 for a corporation and \$5,500 for an individual.

*824 PRIMARY INDUSTRIES—SOW STALL—Dr Faruqi asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) How does the Government plan to enforce clause 19 of the 'Animal welfare code of practice - commercial pig production', relating to confinement of pregnant pigs after 1 July 2017?
 (a) What will the penalties be for breaching the clause?

Answer—

- (1) The 'Animal Welfare Code of Practice – Commercial Pig Production' is a prescribed animal trade code under the Prevention of Cruelty to Animals Regulation 2012. Enforcement is by RSPCA NSW, Animal Welfare League NSW and the NSW Police.
 (a) The maximum penalty for breaching this clause is \$22,000 for a corporation and \$5,500 for an individual.

*825 ENVIRONMENT—PADDOCK TREES—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the Central Tablelands Local Land Services Region between 20 November 2014 and 1 February 2016?
 (a) How many of these were monitored to ensure compliance with the self-assessment tool?
 (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the Central Tablelands Local Land Services Region?
- (2) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the Western Local Land Services Region between 20 November 2014 and 1 February 2016?
 (a) How many of these were monitored to ensure compliance with the self-assessment tool?
 (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the Western Local Land Services Region?
- (3) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the Murray Local Land Services Region between 20 November 2014 and 1 February 2016?
 (a) How many of these were monitored to ensure compliance with the self-assessment tool?
 (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the Murray Local Land Services Region?
- (4) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the Riverina Local Land Services Region between 20 November 2014 and 1 February 2016?
 (a) How many of these were monitored to ensure compliance with the self-assessment tool?
 (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the Riverina Local Land Services Region?
- (5) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the South East Local Land Services Region between 20 November 2014 and 1 February 2016?
 (a) How many of these were monitored to ensure compliance with the self-assessment tool?
 (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the South East Local Land Services Region?
- (6) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the Greater Sydney Local Land Services Region between 20 November 2014 and 1 February 2016?
 (a) How many of these were monitored to ensure compliance with the self-assessment tool?
 (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the Greater Sydney Local Land Services Region?

- (7) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the Central West Local Land Services Region between 20 November 2014 and 1 February 2016?
- (a) How many of these were monitored to ensure compliance with the self-assessment tool?
- (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the Central West Local Land Services Region?
- (8) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the North West Local Land Services Region between 20 November 2014 and 1 February 2016?
- (a) How many of these were monitored to ensure compliance with the self-assessment tool?
- (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the North West Local Land Services Region?
- (9) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the Northern Tablelands Local Land Services Region between 20 November 2014 and 1 February 2016?
- (a) How many of these were monitored to ensure compliance with the self-assessment tool?
- (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the Northern Tablelands Local Land Services Region?
- (10) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the North Coast Local Land Services Region between 20 November 2014 and 1 February 2016?
- (a) How many of these were monitored to ensure compliance with the self-assessment tool?
- (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the North Coast Local Land Services Region?
- (11) How many notices of intention to clear in accordance with the 'Clearing of paddock trees in a cultivation area' self-assessable code were lodged in the Hunter Local Land Services Region between 20 November 2014 and 1 February 2016?
- (a) How many of these were monitored to ensure compliance with the self-assessment tool?
- (b) How many paddock trees have been removed under this process between 20 November 2015 and 1 June 2015 in the Hunter Local Land Services Region?

Answer—

Based on data reports from 2–3 March 2016:

- (1) None.
- (a) The Office of Environment and Heritage (OEH) actively promotes compliance by assisting landholders and others in the community to understand and meet their legislative obligations, and by focusing regulatory action on those who choose not to comply. OEH assesses risks using information about potential illegal clearing from OEH's state wide satellite monitoring program, public reports and on-ground surveillance.
- (b) The question refers to a non-existent date range.
- (2) Five notifications.
- (a) Refer to the response at 1a.
- (b) The question refers to a non-existent date range.
- (3) 39 notifications.
- (a) Refer to the response at 1a.
- (b) The question refers to a non-existent date range.
- (4) 29 notifications.
- (a) Refer to the response at 1a.
- (b) The question refers to a non-existent date range.
- (5) None.

- (a) Refer to the response at 1a.
- (b) The question refers to a non-existent date range.
- (6) None.
 - (a) Refer to the response at 1a.
 - (b) The question refers to a non-existent date range.
- (7) 77 notifications.
 - (a) Refer to the response at 1a.
 - (b) The question refers to a non-existent date range.
- (8) 12 notifications.
 - (a) Refer to the response at 1a.
 - (b) The question refers to a non-existent date range.
- (9) None.
 - (a) Refer to the response at 1a.
 - (b) The question refers to a non-existent date range.
- (10) Four notifications.
 - (a) Refer to the response at 1a.
 - (b) The question refers to a non-existent date range.
- (11) One notification.
 - (a) Refer to the response at 1a.
 - (b) The question refers to a non-existent date range.

*826 PRIMARY INDUSTRIES—DOG WATERING—Dr Faruqi asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Given the RSPCA advise owners to provide pets with 'plenty of clean fresh water' to avoid heatstroke, is the minimum requirement in the Prevention of Cruelty to Animals Act 1974 to provide water only once in 24 hours adequate?
- (2) Does the Government have any plans to align New South Wales watering requirements with that of Victoria, which requires that dogs must have access to clean drinking water at all times?
 - (a) If not, why not?

Answer—

(1) The minimum requirement for the provision of water specified in the Prevention of Cruelty to Animals Act 1979 (POCTA) is just that, a minimum requirement. It is underpinned by the general provisions in Sections 5 and 6 regarding cruelty and aggravated cruelty.

If an animal was found in distress caused by lack of water and was dehydrated, the person could be prosecuted for an offence under Section 5. Higher provisions requiring continuous access to water do apply where cats and dogs are in breeding establishments, boarding kennels and pet shops.

(2) and 2 (a)

Current provisions in POCTA already address all species of animals having access to water and no representations have been received from enforcement agencies about this issue.

*827 TRANSPORT AND INFRASTRUCTURE—TRANSPORT ACCESS PROGRAM—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) How much has been budgeted for and/or expended on the Transport Access Program in:
 - (a) 2013/2014

- (b) 2014/2015
- (c) 2015/2016
- (d) 2016/2017
- (e) 2017/2018
- (f) 2018/2019.

Answer—

I am advised:

In 2012, the NSW Government announced the Transport Access Program to deliver accessible, modern, secure and integrated transport infrastructure where it is needed most. It included more than \$770 million over four years.

In June 2015, the government announced a significant boost to the Transport Access Program with \$890 million to be invested over the next four years.

*828 ENVIRONMENT—MACLEAY RIVER FLOOD GATES—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Does the Government have any plans to remove the flood mitigation gates on the Macleay River at Kempsey?
- (2) Is the Government investigating alternatives to the flood mitigation gates to improve river and estuary health?
- (3) What is the Government doing to improve the health of the Macleay River and Estuary?

Answer—

- (1) No.
- (2) The Office of Environment and Heritage is working with Kempsey Shire Council and other stakeholders to develop a program for review of the lower Macleay Floodplain Management Plan, which will include assessing the role and function of flood mitigation structures where river health issues are a concern.
- (3) The Office of Environment and Heritage provided technical and financial support to the Kempsey Shire Council to prepare the Macleay River Estuary Management Plan, which was completed in 2012. A copy of the plan is available on council's website at www.kempsey.nsw.gov.au/environment/estuary-management/macleay-river-estuary.html.

The Macleay River Estuary Management Plan sets out 30 strategies to improve river health. Kempsey Shire Council is working with stakeholders to progressively implement the plan. As part of this process, the NSW Government provided a \$100,000 grant to council under the 2014 15 Estuary Management Program for the Macleay River Ecohealth project.

*829 PRIMARY INDUSTRIES—MACLEAY RIVER FLOOD GATES - FISHERIES—Dr Faruqi asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Does the Government have any plans to remove the flood mitigation gates on the Macleay River at Kempsey?
- (2) Is the Government investigating alternatives to the flood mitigation gates to improve fish habitat and population?
 - (a) What are these alternatives?

Answer—

- (1) No.
- (2) The NSW Government works with scientists, floodgate managers and landholders to minimise the impact of floodgates on aquatic ecosystems while maximising the benefits they provide in terms of

flood mitigation. Site specific management approaches are required to address the specific environmental conditions and needs of existing landholders and the broader community, including downstream users such as fishers and oyster farmers.

Measures that are pursued by the Department of Primary Industries with Kempsey Shire Council include managed tidal flushing through re-engineering of existing floodgates and wet pasture and acid sulfate soil management by retaining freshwater within wetlands via the use of shallow drains and dropboards.

*830 TRANSPORT AND INFRASTRUCTURE—WESTERN SYDNEY RAIL UPGRADE PROGRAM—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) How much has been budgeted for and/or expended on the Western Sydney Rail Upgrade Program in:
 - (a) 2013/2014
 - (b) 2014/2015
 - (c) 2015/2016
 - (d) 2016/2017
 - (e) 2017/2018
 - (f) 2018/2019.

Answer—

I am advised:

Refer to the 2015-16 NSW Budget Papers.

*831 ENVIRONMENT—ILLEGAL WASTE OFFENDERS—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) How many penalties have been issued under the provisions of the Protection of the Environment Operations Amendment (Illegal Waste Disposal) Bill 2013 to date?
- (2) How many penalties have been issued under the provisions of the Protection of the Environment Operations Amendment (Illegal Waste Disposal) Bill 2013 for knowingly supplying false or misleading information about waste to date?
- (3) How many penalties have been issued under the provisions of the Protection of the Environment Operations Amendment (Illegal Waste Disposal) Bill 2013 for repeat waste offenders to date?
- (4) How many motor vehicles or vessels have been seized by the Environment Protection Authority under provisions of the Protection of the Environment Operations Amendment (Illegal Waste Disposal) Bill 2013 to date?

Answer—

I am advised as follows:

1-4 Nil, because a Bill has no operative effect.

*832 ENVIRONMENT—SHANES PARK—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) When is the National Parks and Wildlife Service expected to take ownership of the former International Radio Transmitting Station site in Shane's Park?
 - (a) Is the area expected to be gazetted as a regional park or a national park?

- (2) Has the Minister received a request from any entity not principally engaged in flora and fauna management to occupy the building and compound of the former International Radio Transmitting Station site in Shane's Park?
- (a) If yes, please provide a list of these entities.
- (3) Would the occupation of the building, compound or any part of the former International Radio Transmitting Station site in Shane's Park by an entity not principally engaged in flora and fauna management be inconsistent with the provisions of the National Parks & Wildlife Act, 1974, once the land is under the management of National Parks and Wildlife?
- (4) Would the occupation of the building, compound or any part of the former International Radio Transmitting Station site in Shane's Park by an entity not principally engaged in flora and fauna management be inconsistent with the conditions of handover of the site to the NSW National Parks & Wildlife Service under the agreement with the Commonwealth?
- (5) Will the government ensure the building, compound and any other part of the former International Radio Transmitting Station site in Shane's Park is occupied by an entity principally engaged in flora and fauna management?

Answer—

I am advised as follows:

- (1) The timing for transfer of the Shane's Park site is a matter for the Commonwealth Government.
a. If the land is transferred to NSW it will be gazetted under the National Parks and Wildlife Act 1974. The reserve category will need to be consistent with the conservation and recreational values of the land.

2.No.

a. Not applicable.

3. No.

4. An agreement between the Commonwealth and state governments is not finalised.

5. Appropriate adaptive re-uses for heritage buildings and structures in reserves gazetted under the National Parks and Wildlife Act 1974 will be considered.

*833 ENVIRONMENT—MAXIMUM PENALTIES—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Regarding the Protection of the Environment Legislation Amendment Bill 2014 which saw an increase in the maximum penalties for many environmental offences, have any increased maximum penalties been issued to any cases?
- (a) Please provide a list of who an increased maximum penalty has been issued to and for what offence, from the time the legislation came into effect to date.

Answer—

I am advised as follows:

1. Yes

1a. This information is publicly available on the NSW EPA's website.

*834 LANDS AND WATER, PRIMARY INDUSTRIES—WILD DOG TRACKING PROJECT—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) With regard to the Wild Dog Tracking Project being trialled in southern NSW:

- (a) Which Government agencies are involved in the trial?
- (b) How many employees are involved with the trial from each agency?
- (c) Will the trial evaluation be made public?
- (d) Who will conduct the trial evaluation?
- (e) Is the Minister or his office receiving briefings regarding the trial?

Answer—

(1)

(a) The project is a collaborative effort, involving landholders and the following agencies:

- Local Land Services (LLS) – Riverina and Murray
- Department of Primary Industries (DPI) Lands
- DPI Biosecurity
- Forestry Corporation of NSW
- Office of Environment and Heritage

(b) The employee time commitment for each organisation involved in the project is more than 1000 hours.

(c) Yes.

(d) The Vertebrate Pest Research Unit within DPI Biosecurity.

(e) Yes.

*835 LANDS AND WATER, PRIMARY INDUSTRIES—FARM TRESPASS—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Has the Minister, his office or any agencies reporting to the Minister held any meetings with NSW Police to discuss farm trespass?
- (2) If so, when were these meetings held?

Answer—

(1) Yes.

(2) August 2015 and February 2016.

*836 LANDS AND WATER, PRIMARY INDUSTRIES—OPERATION HIGH GROUND—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

Have any agencies reporting to the Minister been involved in assisting police with Operation High Ground? If so, please provide details.

Answer—

Agencies within my portfolio have no direct involvement with Operation High Ground. I am advised however, that NSW Police have, on occasion, contacted staff of the Department of Primary Industries to ascertain tenure information for specific properties.

*837 LANDS AND WATER, PRIMARY INDUSTRIES—ANIMAL TETHERING POLICY—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

When will the Minister release an animal tethering policy?

Answer—

An animal tethering policy is currently being developed.

*838 LANDS AND WATER, PRIMARY INDUSTRIES—SHARK MITIGATION AND BEACH SAFETY—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

(1) What was the Government's expenditure on shark mitigation and beach safety initiatives for each year of the past four financial years?

(a) Please list expenditure per initiative for each financial year.

Answer—

Shark mitigation and beach safety initiatives summary

Initiative	2015/16 (YTD)	14/15	13/14	12/13
Shark Meshing	\$1,170,230	\$1,244,040	\$1,436,570	\$1,241,760
Observation Towers Grants	\$23,724	\$44,967	\$13,905	\$41,000
Shark Management Strategy	\$1,426,528			
TOTAL	\$2,260,482	\$1,289,007	\$1,450,475	\$1,282,760

*839 LANDS AND WATER, PRIMARY INDUSTRIES—ANNUAL REPORT—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

(1) For each Department, Agency, Statutory Body and State Owned Corporation within the portfolio responsibilities of the Minister for Primary Industries and Minister for Lands and Water:

(a) What was the cost of the production of hard copies, and any version other than electronic 'soft' copies, of the most recent Annual Report?

(b) What was the cost of the design of the most recent Annual Report?

(c) What was the process for tendering or contracting service providers for the design and physical production of the most recent Annual Report?

(d) How many hard copies were produced of the most recent Annual Report?

Answer—

The most recent annual reports for the Department, agencies, statutory bodies and State Owned Corporations within my portfolio responsibilities were prepared and presented in accordance with the provisions of the Annual Reports (Departments) Act 1985, the Annual Reports (Statutory Bodies) Act 1984 and NSW Treasury requirements.

*840 LOCAL GOVERNMENT—CHAIR OF THE FAR WEST INITIATIVE ADVISORY COMMITTEE—Mr Veitch asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

(1) What is the annual remuneration of the Chair of the Far West Initiative Advisory Committee?

(2) When did the current Chair's remuneration commence?

(3) What is the total remuneration paid to the Chair to date?

(4) What are the total other costs of the Chair that have been paid by the Government to date? Please break down costs into categories, for each type of cost.

Answer—

Costs are published in the Annual Report.

*841 AGEING, DISABILITY SERVICES—HOME CARE TRANSPORT COSTS—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism—

- (1) What will the Government do to ensure Aboriginal Home Care package clients living in rural and remote areas are not disadvantaged by the Consumer Directed Care reforms because they need to pay for transport costs from their overall allocated budget?
- (2) Has the Minister or Ageing, Disability and Home Care received concerns from care recipients and/or the community about this issue?
- (3) What is the formula for determining Home Care package funding for people living in rural and remote areas?
- (4) Does the Government apply a tiered funding model for any state-funded programs that recognises the additional costs of providing services in rural and remote areas?
 - (a) If so, could the Minister provide an example?

Answer—

- (1) The contract for the management of transport in rural and remote areas was transferred to Australian Unity in February 2016. Issues related to Consumer Directed Care are a matter for the Commonwealth Government, which is driving the reforms.
- (2) No.
- (3) This is a matter for the Commonwealth Government.
- (4) I am advised there are no NSW disability programs that apply a standardised tiered funding model.

8 MARCH 2016

(Paper No. 45)

*842 CORRECTIONS—CANNABIS—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs—

- (1) What was the full cost to Corrective Services NSW for managing offenders who were convicted under laws related to the use, growing, import or selling of cannabis in 2014/2015? If this figure is unavailable, an estimate is acceptable.

Answer—

The drug class is generally not identified in an offender's criminal record, but is referred to as a 'prohibited drug'. It is therefore not possible for Corrective Services NSW to provide even an estimate of the cost of managing offenders convicted of crimes involving cannabis.

*843 JUSTICE AND POLICE—CANNABIS—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) What was the full cost to the NSW Police Force of enforcing laws related to the use, growing, import or selling of cannabis in 2014/2015? If this figure is unavailable, an estimate is acceptable.

Answer—

I am advised:

Drug offences are enforced by specialised commands such as the State Crime Command's Drug Squad in addition to work carried out by all NSW Police Force officers in the course of their daily duties.

*844 TRANSPORT AND INFRASTRUCTURE—SEATBELTS ON BUSES—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) How many school buses have had seat belts installed across New South Wales as part of the rollout announced in July 2013?
- (2) How much has been spent on the rollout so far?

- (3) What is the current estimated cost of the total rollout?
- (4) In what year will the rollout be completed?
- (5) How many school buses will have seatbelts installed by the end of the rollout?
 - (a) What percentage is this of the total number of school buses in New South Wales?

Answer—

- (1) More than 300.
- (2) to 3. The former Minister for Transport announced a budget of \$208 million over ten years.
 4. 2023
 5. 1,600
- (a) In rural and regional New South Wales, the total fleet is approximately 3,200 buses. These buses are operated under two different types of contracts. 'A' Contracts specifically provide dedicated school bus services and are included in the Seatbelt Rollout Program, and 'B' Contracts provide both regular and school services, sometimes using the same bus to perform both tasks for efficiency.

*845 PREMIER—LOCAL ELECTIONS—Mr Primrose asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Premier, and Minister for Western Sydney—

- (1) Is the NSW Electoral Commission hiring staff and looking for premises for the local government elections?
 - (a) If not, why were general managers from Northern Rivers Regional Organisation of Councils (NOROC) advised by a representative of the NSW Electoral Commission on 7 March 2016 that they were?
 - (b) If so:
 - (i) When will the elections take place?
 - (ii) If the elections are delayed, who will bear the cost of staff and premises in the interim period?
 - (iii) What is the estimated cost to the state, and to local government?

Answer—

The NSW local government elections are scheduled to occur on 10 September 2016 under the existing provisions in the Local Government Act 1993.

I am advised:

That the NSW Electoral Commission has commenced seeking premises for Returning Officers and Senior Election Officials to entertain elections held on this date.

As several proposals to merge local government areas are currently under consideration, it may not be possible to hold all elections in September 2016.

Councils which are not the subject of a merger proposal should continue to plan for local government elections as currently scheduled.

The Local Government Act 1993 requires that the Electoral Commissioner administer the first election of a local government area after its constitution.

*846 HEALTH—NSW AMBULANCE—Mr Mookhey asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Health—

- (1) For the 2015-16 financial year:
 - (a) What is the total amount of money allocated to run the Ambulance service of New South Wales (NSW Ambulance)?
 - (b) How much is planned to be spent on wages/salaries?
 - (c) How much is planned to be spent on capital works?
- (2) For the 2014-15 financial year:

- (a) Was NSW Ambulance in technical or actual deficit last financial year, and if so, what were the reasons including which part of the budget was in deficit?
- (b) What was the total amount of money allocated to run NSW Ambulance?
- (c) What was the actual amount of money to run NSW Ambulance?
 - (i) How much was planned to be spent on wages/salaries?
 - (ii) How much was actually spent on wages/salaries?
- (3) How much of the wages/salaries bill was spent on operational paramedics and control centre staff?
 - (a) How much was planned to be spent on wages/salaries?
 - (b) How much was actually spent on wages/salaries?

Answer—

The 2015-2016 initial expenditure budget for NSW Ambulance is \$784 million, an increase of \$25 million, or 3.3 per cent on the 2014-2015 annualised expenditure budget. The 2015-2016 initial expenditure budget for employee related expenses is \$559 million. The 2015-2016 initial capital budget for NSW Ambulance is \$75 million.

*847 LANDS AND WATER, PRIMARY INDUSTRIES—GOLD COAST AIRPORT CROWN LAND LEASE—Ms Barham asked the Minister for Primary Industries, and Minister for Lands and Water—

In relation to the lease of Crown Land (Folio 1/1092051) entered into on 18 October 2013 with Gold Coast Airport Pty Ltd (Lease No. RE 455699):

- (1) What analysis or assessment was undertaken by the Government to advise the Minister in determining that granting the lease was in the public interest as required by section 34A(2)(c)(i) of the Crown Lands Act 1989?
- (2) What analysis or assessment was undertaken by the Government to advise the Minister in having regard to the principles of Crown land management as required by section 34A(2)(c)(ii) of the Crown Lands Act 1989? In particular, what analysis or assessment was undertaken to assess the potential impact of granting the lease on:
 - (a) environmental protection principles in relation to this Crown land?
 - (b) the conservation of the natural resources (including water, soil, flora, fauna and scenic quality) of this Crown land?
 - (c) public use and enjoyment of the Crown land?
 - (d) multiple use of the Crown land?
 - (e) management of the Crown land in such a way that both the land and its resources are sustained in perpetuity?
 - (f) dealing with the Crown land in the best interests of the State consistent with the principles in section 11(a)-(e)?
- (3) When conducting any analyses or assessments referred to in questions 1 or 2, what assumptions were made or possible scenarios were considered regarding the potential runway extension and/or enhancement that are permitted within the lease's definition of airport infrastructure works?

Answer—

I refer the Member to previous answers in the Legislative Council on this matter.

9 MARCH 2016

(Paper No. 46)

*848 SKILLS—TAFE INSTITUTE MANAGERS—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Regional Development, Minister for Skills, and Minister for Small Business—

New England TAFE has created two Institute Manager positions, paid \$161,000 per annum, at the same time they are proposing significant cuts to frontline literacy and numeracy teachers. Was the minister aware of this staffing change, and can he provide a rationale?

Answer—

- (1) Institute Management is the responsibility of the Institute Director. TAFE New England has not created two additional Institute Manager positions.

TAFE New England has undertaken a review and made changes to align its services. In 2015, TAFE New England decreased its executive team from seven directors to four.

These changes ensure that TAFE New England is operating efficiently and remains competitive into the future.

- *849 SKILLS—NEW ENGLAND TAFE LITERACY AND NUMERACY—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Regional Development, Minister for Skills, and Minister for Small Business—

Given that New England often has the lowest Literacy and Numeracy NAPLAN results in NSW, what is the justification for the proposed removal of Literacy and Numeracy teachers from New England TAFE campuses at Tamworth, Armidale, Inverell and Glen Innes, despite these sites currently having full teaching programs for Literacy and Numeracy?

Answer—

- (1) NAPLAN is the responsibility of the Department of Education. Teaching literacy, learning and numeracy are part of the Foundation Education and Business Industries faculty at TAFE New England. Feedback provided to TAFE New England during the change management process is:

- There was unallocated teaching capacity on Armidale campus and as a result one teaching position has been removed.
- The level of teaching positions and programming at Inverell was adequate and remains unchanged.
- A Head Teacher position will be appointed in Glen Innes to be responsible for business, literacy and numeracy.

TAFE New England staff and unions have consulted. TAFE New England believes the number of Literacy and Numeracy teachers proposed in the thematic response matches current student demand.

- *850 SKILLS—STUDENTS WITH DISABILITIES IN NEW ENGLAND—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Regional Development, Minister for Skills, and Minister for Small Business—

- (1) Is New England TAFE anticipating an increase in enrolments of students with disabilities due to the increase in exemptions and the rollout of the National Disability Insurance Scheme (NDIS)?
- (2) If so, why is New England TAFE proposing to delete 4.5 of their 6 specialist teacher consultants for students with disabilities and replace them with less qualified para-professionals?

Answer—

The NDIS will become available in the Hunter New England district from June 2016.

TAFE New England is working with local stakeholders to identify the impact of the NDIS on training demand and any changes to the way in which support services are provided by TAFE New England.

- (2) TAFE New England is currently undertaking a change implementation process into the provision of student support services. Student support services include; counsellors, disability consultants, careers support and the Aboriginal Learning Circle.

As part of this process, demand for these student support services is being reviewed. The review includes an analysis of students who have been supported by student services over the past three years.

- *851 SKILLS—NEW ENGLAND TAFE COUNSELLING—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Regional Development, Minister for Skills, and Minister for Small Business—

As New England has been identified in the 2015 Dropping Off the Edge report as an area with communities experiencing persistent disadvantage, particularly the town of Delungra which is identified

as the postcode with the nation's lowest average income, what is the justification for the proposed removal of three out of four professional TAFE counsellors at New England TAFE?

Answer—

- (1) Counselling is a necessary and valued function offered to students by TAFE New England. TAFE New England has traditionally employed specialist psychologists as counsellors. The numbers of students seeking specialist student support services has decreased. TAFE New England is moving to provide students with access to more generalist and multi-disciplined support. The number of specialist counsellors required by TAFE New England is still under consideration.

*852 PRIMARY INDUSTRIES—MURRAH FLORA RESERVES—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) How much additional funding has been allocated to manage the parts of the new Murrah flora reserve in the Murrah State Forest?
- (2) How much additional funding has been allocated to manage the parts of the new Murrah flora reserve in the Tanja State Forest?
- (3) How much additional funding has been allocated to manage the parts of the new Murrah flora reserve in the Mumbulla State Forest?
- (4) How much additional funding has been allocated to manage the parts of the new Murrah flora reserve in the Bermagui State Forest?
- (5) How is the \$2.5 million environmental trust announced for the timber industry going to be allocated?

Answer—

- (1) to 4. The total additional funding allocated to the new Flora Reserves is \$110,000 per annum (\$2015-16).
5. The \$2.5 million grant is to be allocated for additional costs associated with providing the timber from alternative locations.

*853 PRIMARY INDUSTRIES—FLORA RESERVES IN BERMAGUI, MURRAH, MUMBULLA AND TANJA STATE FORESTS—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water—

With respect to the declaration of Flora Reserves in Bermagui, Murrah, Mumbulla and Tanja State Forests announced on 1 March 2016 to support sourcing timber from further afield:

- (1) On what basis was the amount of \$2.5 million for the Environmental Trust grant included in the announcement calculated?
 - (a) What period will it cover?
- (2) What estimated yield of pulpwood will be foregone by not logging each compartment of Bermagui, Murrah, Mumbulla and Tanja State Forests as a result of the declaration of the Flora Reserves?
- (3) What estimated yield of sawlogs will be foregone by not logging each compartment of Bermagui, Murrah, Mumbulla and Tanja State Forests as a result of the declaration of the Flora Reserves?
- (4) How will the logging industry notionally displaced from the coastal forests (where it would have paid a \$18.19 per cubic metre royalty for pulplogs) be compensated for moving to Southern (South Coast) forests where it will pay a \$4.60 per cubic metre royalty for pulp logs?
- (5) Will the standard Southern Regional Forest Agreement (RFA) Region royalty be paid on replacement:
 - (a) Sawlogs sourced from more northerly forests?
 - (b) Pulp logs sourced from more northerly forests?
 - (c) Firewood sourced from more northerly forests?
 - (d) If so, will the lower royalty payment be factored into any haulage subsidy paid?
- (6) Will both pulplogs and sawlogs be eligible to benefit from the \$2.5 million grant?

- (7) Is it anticipated that the \$2.5 million subsidy will make any net difference to the mill gate price for logs at:
- Blueridge Hardwoods?
 - The Eden woodchip mill?
- (8) Did the Government undertake any investigations into the feasibility of buying back timber allocations from Bermagui (south of the river), Murrah, Mumbulla and Tanja State Forests?
- If so, what would the cost have been?
- (9) What was the average yield (in terms of cubic metres per net harvested hectare) for the Eden Region and Southern Region in the following financial years:
- 2012/13
 - 2013/14
 - 2014/15
 - 2015 to date?
- (10) What is the average yield expected to be (in terms of cubic metres per net harvested hectare) for the Eden Regional and Southern Region in the following financial years:
- 2016/17?
 - 2017/18?
 - 2018/19?
- (11) Will hunting be permitted in the Bermagui, Murrah, Mumbulla or Tanja Flora Reserves?

Answer—

- The \$2.5 million Environmental Trust grant is payable from 2015-16 to 2018-19 and was calculated to offset additional harvest and haulage costs incurred by Forestry Corporation in sourcing timber to meet the Eden Wood Supply Agreements from forests further afield.
- and 3. The four forests contain around 40,000m³ HQ sawlog and 40,000t of pulpwood which would have been harvested up to the end of 2018 to meet wood supply commitments.
- and 5. The timber industry will pay the equivalent of their current full cost in Eden (royalty + harvest + haulage) for logs delivered to their mill gates from forests further afield. (
- Yes.
- a. and b. No.
- No.
- a. Not applicable
- a. South Coast: 69m³/ha; Eden: 130m³/ha
b. South Coast: 56m³/ha; Eden: 119m³/ha
c. South Coast: 47m³/ha; Eden: 90m³/ha
d. South Coast: 61m³/ha; Eden: 118m³/ha
- a. South Coast: 45m³/ha; Eden: 108m³/ha
b. South Coast: 45m³/ha; Eden: 106m³/ha
c. South Coast: 45m³/ha; Eden: 93m³/ha
- The four forests are declared as available for recreational hunting but are currently closed to this activity. This matter will be dealt with during the development of the long-term Plan of Management.

*854 EDUCATION—MANLY VALE PUBLIC SCHOOL—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Education—

- The Species Impact Statement for the Manly Vale Public School redevelopment lists three options redevelopment of the school, a new school for Manly Village or a new site entirely for 800 students.
 - Why is Option 2 listed as feasible when it directly conflicts with comments regarding heritage listed buildings?
 - Why is Option 3 considered an equivalent alternative when the option proposes a site for 800

students, while the base case option is for 625?

Answer—

A species impact statement was included in the development application to Warringah Council for the Manly Vale Public School redevelopment project. It includes the field survey results, impact evaluation, assessments of significance and ameliorative measures in relation to potential threatened species. It does not list the three options identified in Question On Notice 0854.

*855 EDUCATION—BROOKVALE PUBLIC SCHOOL—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Education—

- (1) Does the Department currently have any plans to close Brookvale Public School?
- (2) If not, why is surplus capacity at Brookvale not being considered for the enrolment issues currently being experienced by public schools in North Manly?

Answer—

- (1) No.
- (2) Brookvale Public School has limited spare capacity which is expected to be utilised over the following years to meet enrolment demands within its school catchment. The Department of Education is considering all available options to meet enrolment needs at schools in the Manly area.

*856 JUSTICE AND POLICE—POLICE DRUG DETECTION DOGS AND PROSECTUTION—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) How many people were searched by police officers as a result of a police sniffer dog indicating the presence of an illegal drug in each of the following calendar years:
 - (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (2) Of the people searched by police officers in Question (1), how many were not found to be in possession of any illegal drug in each of the following calendar years:
 - (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (3) Of the people searched by the police officers in Question (1), how many were found to be in possession of any illegal drug in each of the following calendar years:
 - (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?

- (4) Of the people in Question (2), how many people were then charged with offences relating to their interaction with police officers during the search including for resist arrest, offensive language and assault police in each of the following calendar years:
- (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (5) Of the people in Question (3), how many were successfully prosecuted for only a summary offence under Part 2, Division 1 of the Drug Misuse and Trafficking Act 1985 in each of the following calendar years:
- (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (6) Of the people in Question (3), how many were unsuccessfully prosecuted for a summary offence under Part 2, Division 1 of the Drug Misuse and Trafficking Act 1985 in each of the following calendar years:
- (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (7) Of the people in Question (3), how many were successfully prosecuted for an indictable offence under Part 2, Division 2 of the Drug Misuse and Trafficking Act 1985 in each of the following calendar years:
- (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (8) Of the people in Question (3), how many were unsuccessfully prosecuted for an indictable offence under Part 2, Division 2 of the Drug Misuse and Trafficking Act 1985 in each of the following calendar years:
- (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?

Answer—

The NSW Police Force has advised me records are kept within the Computerised Operational Policing System. There are over approximately 32 million entries

*857 JUSTICE AND POLICE—DRUG DETECTION DOG SEARCHES BY POLICE TRANSPORT COMMAND—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) During general drug detection operations by Police Transport Command what was the number of searches undertaken following a drug detection dog indication in the following calendar years:
 - (a) 2014?
 - (b) 2015?
 - (c) 2016 to date?
- (2) During general drug detection operations by Police Transport Command what was the number of searches undertaken following a drug detection dog indication where no illicit drugs were found in the following calendar years:
 - (a) 2011?
 - (b) 2012?
 - (c) 2013?
 - (d) 2014?
 - (e) 2015?
 - (f) 2016 to date?
- (3) During general drug detection operations by Police Transport Command what was the number of searches undertaken following a drug detection dog indication where illicit drugs were found in the following calendar years:
 - (a) 2014?
 - (b) 2015?
 - (c) 2016 to date?

Answer—

The NSW Police Force has advised me:

The Police Transport Command records are kept within the Computerised Operational Policing System. There are over approximately 32 million entries.

*858 JUSTICE AND POLICE—DRUG DETECTION DOG SEARCHES BY LOCAL AREA COMMAND—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) For each NSW Police Force Local Area Command, during general drug detection operations what was the number of searches undertaken following a drug detection dog indication in the following calendar years:
 - (a) 2014?
 - (b) 2015?
 - (c) 2016 to date?
- (2) For each NSW Police Force Local Area Command, during general drug detection operations what was the number of searches undertaken following a drug detection dog indication where no illicit drugs were found in the following calendar years:
 - (a) 2011?
 - (b) 2012?
 - (c) 2013?
 - (d) 2014?

- (e) 2015?
 - (f) 2016 to date?
- (3) For each NSW Police Force Local Area Command, during general drug detection operations what was the number of searches undertaken following a drug detection dog indication where illicit drugs were found in the following calendar years:
- (a) 2014?
 - (b) 2015?
 - (c) 2016 to date?

Answer—

The NSW Police Force has advised me:

Records are kept within the Computerised Operational Policing System. There are approximately 32 million entries.

*859 JUSTICE AND POLICE—GENERAL DRUG DETECTION DOG OPERATIONS—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) During general drug detection operations how many searches involving a police sniffer dog found indictable quantities of illicit drug in the following calendar years:
- (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (2) During general drug detection operations in 2015, what was the number of searches undertaken following a sniffer dog indication in each of the following location types:
- (a) Public transport, including trains, buses and train stations?
 - (b) Licensed premises?
 - (c) Roads, streets or malls?
 - (d) Dance parties or music festivals?
- (3) During general drug detection operations in 2015, what was the number of searches undertaken following a sniffer dog indication where illicit drugs were found, in each of the following location types:
- (a) Public transport, including trains, buses and train stations?
 - (b) Licensed premises?
 - (c) Roads, streets or malls?
 - (d) Dance parties or music festivals?
- (4) During general drug detection operations in 2014, what was the number of searches undertaken following a sniffer dog indication in each of the following location types:
- (a) Public transport, including trains, buses and train stations?
 - (b) Licensed premises?
 - (c) Roads, streets or malls?
 - (d) Dance parties or music festivals?
- (5) During general drug detection operations in 2014, what was the number of searches undertaken following a sniffer dog indication where illicit drugs were found, in each of the following location types:
- (a) Public transport, including trains, buses and train stations?
 - (b) Licensed premises?

- (c) Roads, streets or malls?
- (d) Dance parties or music festivals?
- (6) During general drug detection operations in 2013, what was the number of searches undertaken following a sniffer dog indication in each of the following location types:
 - (a) Public transport, including trains, buses and train stations?
 - (b) Licensed premises?
 - (c) Roads, streets or malls?
 - (d) Dance parties or music festivals?
- (7) During general drug detection operations in 2013, what was the number of searches undertaken following a sniffer dog indication where illicit drugs were found, in each of the following location types:
 - (a) Public transport, including trains, buses and train stations?
 - (b) Licensed premises?
 - (c) Roads, streets or malls?
 - (d) Dance parties or music festivals?
- (8) During general drug detection operations how many searches involving a police sniffer dog resulted in a supply charge that was not withdrawn at court in the following periods:
 - (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (9) During general drug detection operations how many searches involving a police sniffer dog resulted in a successful prosecution for supply in the following calendar years:
 - (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?
 - (f) 2015?
 - (g) 2016 to date?
- (10) Have performance statistics of individual dogs been made available to police officers involved in drug detection dog operations?
 - (a) If not, why not?

Answer—

The NSW Police Force has advised me records are kept within the computerised operational policing system. There are approximately 32 million entries.

*860 JUSTICE AND POLICE—POLICE DRUG DETECTION DOG SEARCHES FOLLOWING INDICATION—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) What was the number of searches undertaken in New South Wales following a positive drug detection dog indication during general drug detection operations in the following calendar years:
 - (a) 2014?
 - (b) 2015?
 - (c) 2016 to date?

- (2) What was the number of searches undertaken in New South Wales following a drug detection dog indication where no illicit drugs were found during general drug detection operations in the following calendar years:
 - (a) 2014?
 - (b) 2015?
 - (c) 2016 to date?
- (3) What was the number of searches undertaken in New South Wales following a drug detection dog indication where illicit drugs were found during general drug detection operations in the following calendar years:
 - (a) 2014?
 - (b) 2015?
 - (c) 2016 to date?

Answer—

I refer the Member to my response to his Written Question number 856 on this subject.

*861 JUSTICE AND POLICE—POLICE DRUG DETECTION DOG COMPLAINTS AND COSTS—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) How many complaints about police drug detection dogs were received by the NSW Police Force in the following calendar years:
 - (a) 2012?
 - (b) 2013?
 - (c) 2014?
 - (d) 2015?
 - (e) 2016 to date?
- (2) How much money has been paid out by or on behalf of the NSW Police Force or the state of New South Wales in response to legal proceedings relating to police drug detection dogs in the following calendar years:
 - (a) 2012?
 - (b) 2013?
 - (c) 2014?
 - (d) 2015?
 - (e) 2016 to date?
- (3) What expenses have been incurred by or on behalf of the NSW Police Force or the state of New South Wales defending legal proceedings relating to police drug detection dogs in the following calendar years:
 - (a) 2012?
 - (b) 2013?
 - (c) 2014?
 - (d) 2015?
 - (e) 2016 to date?
- (4) What records are kept of each search by a police drug detection dog?
- (5) What was the cost of maintaining the Police Detection Dog unit(s), including upkeep, training and operational costs in each of the following calendar years:
 - (a) 2010?
 - (b) 2011?
 - (c) 2012?
 - (d) 2013?
 - (e) 2014?

- (f) 2015?
 (g) 2016 to date?

Answer—

The NSW Police Force has advised me:

- (1) The average of the years requested is one.
- (2) The average of the years requested is \$56,875.
- (3) The average of the years requested is \$16,361.94.
- (4) Information is entered in the Computerised Operational Policing System.
- (5) The average of the years requested is \$9,420,416.57.

*862 PRIMARY INDUSTRIES—COMMUNITY SERVICE OBLIGATIONS—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What are the details of all locations and amounts spent on recreation and tourism projects undertaken by the Forestry Corporation in the Eden and Southern Regional Forest Agreement as funded under the Community Service Obligation in:
 - (a) 2011/12?
 - (b) 2012/13?
 - (c) 2013/14?
 - (d) 2014/15?
 - (e) 2015 to date?
- (2) What are the details of location and amounts spent on each road construction and maintenance project undertaken by the Forestry Corporation in the Bega Valley, Bombala and Eurobodalla Shires as funded under the Community Service Obligation in:
 - (a) 2011/12?
 - (b) 2012/13?
 - (c) 2013/14?
 - (d) 2014/15?
 - (e) 2015 to date?
- (3) As per Question 3 what are the details funded under the Community Service Obligation and within each of those Shires, but outside State Forests?

Answer—

- (1) Community Service Obligation (CSO) expenditure on Recreation & Tourism covers provision of access to State forests for recreation and tourism including construction and maintenance of facilities. The Hardwood Forests Division underwent a restructure during the time period requested and expenditure on these functions is now collated at a state-wide level only.

CSO expenditure Recreation and Tourism	FY12	FY13	FY14	FY15	FY16 to end Feb 16
Hardwood Forests Southern Region	124,218.31	90,467.82	105,105.63	-	-
Hardwood Forests Stewardship - statewide	-	-	.	1,994,444.60	1,645,176.99

- (2) Community Service Obligation (CSO) expenditure on Road Construction & Maintenance for Community covers construction and maintenance of roads primarily used to access dedicated camping, picnic and lookout areas; roads and trails maintained to protect communities from fire; and roads used by the general public to obtain passage across Forestry Corporation land to and from urban/rural centres and/or community property.

The Hardwood Forests Division underwent a restructure during the time period requested and

expenditure on these functions is now collated at a state-wide level only.

CSO expenditure	FY12	FY13	FY14	FY15	FY16 to end Feb16
Road Construction & Maintenance for Community					
Hardwood Forests Southern Region	426,222.98	601,293.17	1,082,110.21	-	-
Hardwood Forests Stewardship and non-commercial forest management-statewide	-	-	-	3,231,370.38	1,7409,868

(3) Nil.

*863 ENVIRONMENT—BELL MINER ASSOCIATED DIEBACK—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

(1) What steps is the Environment Protection Authority taking to ensure that the principles of Ecologically Sustainable Forest management are implemented in accordance with the Integrated Forestry Operating Approval, to redress Bell Miner Associated Dieback?

Answer—

I am advised as follows:

(1) Bell Miner Associated Dieback (BMAD) is a complex forest health issue which occurs across public and private land tenures in NSW. The government is committed to addressing BMAD in a collaborative and strategic manner across all forest tenures.

The Environment Protection Authority (EPA) continues to consider BMAD occurrence as part of its 2013–16 Crown Forestry Compliance Strategy. The strategy seeks to improve understanding of the relationship between forestry practices and BMAD occurrence.

As part of the remake of the Coastal Integrated Forestry Operations Approvals, the EPA is considering specific provisions to ensure the Forestry Corporation of NSW considers BMAD risks and implements effective measures to reduce these risks.

*864 LANDS AND WATER—BELL MINER ASSOCIATED DIEBACK—Ms Sharpe asked the Minister for Primary Industries, and Minister for Lands and Water—

(1) What steps is the Minister taking to ensure that the principles of Ecologically Sustainable Forest management are implemented in accordance with the Integrated Forestry Operating Approval, to redress Bell Miner Associated Dieback?

(2) What actions have been taken to identify and map all affected and susceptible areas?

(a) What is the timeframe in which this will happen?

(3) Will the Government place affected and susceptible areas under a logging moratorium until appropriate management responses that restore ecosystem health and functioning are identified?

(4) What rehabilitation work will be undertaken in affected areas?

(5) What monitoring and testing of methods will be undertaken?

Answer—

(1) Bell Miner Associated Dieback occurs across public and private land and affects all land tenures. The NSW Scientific Committee has noted that expert opinion varies considerably as to the cause of Bell Miner Associated Dieback (BMAD) and that research and adaptive management are required to understand how to best manage it. Accordingly, Forestry Corporation of NSW is actively engaged with the community and other agencies in collaborative efforts to better understand the causes and

management of BMAD. Forestry Corporation of NSW has also consulted with Department of Primary Industries (DPI) Forest Health scientists with expertise in BMAD to guide their management of BMAD.

- (2) Department of Primary Industries Forest Health scientists commenced a two-year project to detect and map BMAD in October 2015, collating data from the National Parks and Wildlife Service and Forestry Corporation of NSW about known BMAD locations and completing aerial surveys to accurately map the extent and severity of BMAD irrespective of land tenure. The spatial modelling component of this project will commence later this year using satellite imagery and LiDAR data.
- (3) No.
- (4) to 5. A multi-department project with a key aim of identifying the most effective management interventions to manage BMAD is underway, funded by the Environmental Trust. Experts from the Office of Environment and Heritage, National Parks and Wildlife Service, Environment Protection Authority, Department of Primary Industries and Forestry Corporation of NSW are collaborating in this project. Forestry Corporation of NSW has also implemented two large-scale adaptive management trials and has been completing systematic monitoring of these trials since 2006. Other adaptive management trials are envisaged to be undertaken over the coming years.

*865 ENVIRONMENT—PROTECTING THE WORLD'S HERITAGE—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) What action is being taken by the Government to work with the Queensland and Commonwealth Governments to prepare a re-nomination of the Gondwana Rainforests as an Australia World Heritage area?
 - (a) If action is being taken, will this be based upon the tentative list submitted to the World Heritage Centre in 2010?
 - (b) If action is being taken, will the Government ensure the re-nomination includes assessment of the eucalypt theme, and identify any additional reserves qualifying for listing on that value, with particular emphasis on the inclusion of large natural areas of eucalypt forests?
 - (c) If action is being taken, will the Government ensure the re-nomination includes assessment of the supporting values of passive marginal swells and Aboriginal ceremonial sites?

Answer—

I am advised as follows:

- (1) The NSW Government worked with the Queensland and Commonwealth governments to retain the Gondwana Rainforests of Australia World Heritage Area (Extensions to existing property) on Australia's Tentative List.

Under the 2009 Australian World Heritage Intergovernmental Agreement, agreed by the former Environment Protection and Heritage Council, the Commonwealth Government coordinates the preparation of World Heritage nominations that cross state boundaries.

Questions a, b and c are not applicable.

*866 LANDS AND WATER—PROTECTING CORE KOALA HABITAT AT ROYAL CAMP STATE FOREST—Ms Sharpe asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Is the Forestry Corporation of NSW taking any action to ensure that the occupied Koala habitat in the Royal Camp State Forest is being maintained?
- (2) Is the Government removing the need to protect core Koala habitat with the new Integrated Forestry Operations Approval and reverting to the retention of minimal numbers of browse trees based on forest types regardless of the active presence of Koalas?
- (3) Is the Minister undertaking any action to ensure adequate monitoring of Koala habitats to ensure protection?
- (4) Has the Forestry Corporation of NSW undertaken logging in Koala high use areas? If so, why is the Forestry Corporation of NSW undertaking surveys identifying koala habitat in Koala high use areas instead of an independent agent?
- (5) Will the Minister prohibit logging in potential Koala habitat until the required assessments are

undertaken?

Answer—

- (1) Forestry Corporation of NSW follows the conditions outlined in the Integrated Forestry Operations Approval in all its operations.
- (2) These matters should be directed to the Office of Environment and Heritage.
- (3) This matter should be directed to the Office of Environment and Heritage.
- (4) A Penalty Infringement Notice was issued to Forestry Corporation in 2013 in relation to harvesting in one area of potential koala high use. However, the area in question was not identified prior to harvesting as being a koala high use area. Forestry Corporation undertakes surveys as required under the Threatened Species Licence and has identified and protected numerous koala high use areas.
- (5) Forestry Corporation completes appropriate assessments before all timber harvesting, as required under the Threatened Species Licence.

*867 ENVIRONMENT—CHERRY TREE STATE FOREST—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) What action has been taken by the Environmental Protection Authority to adequately map the Cherry Tree State Forest before approving the Forestry Corporation of NSW road construction?
 - (a) Did the requirement that "an adequately trained person must conduct a thorough search" for the vulnerable Onion Cedar occur?
 - (b) Was the required 20 metres exclusion zone around any Onion Cedar trees put in place? If not why not?
 - (c) Did the Environmental Protection Authority take all necessary action to adequately map the Cherry Tree State Forest?
- (2) What action is being taken to ensure the retention of hollow-bearing trees and the recruitment trees needed to replace them when they die?

Answer—

I am advised as follows:

- (1) Preparing harvesting plan maps is the role of the Forestry Corporation of NSW (FCNSW), not the Environment Protection Authority (EPA).
 - (a) The EPA considers that a thorough search should have identified the onion cedars. The EPA concluded that this constituted a breach of the Upper North East Region Integrated Forestry Operations Approval Threatened Species Licence, leading to damage of plants by the lack of exclusion zones. As a result the EPA issued FCNSW with two penalty notices and an official caution on 14 January 2016.
 - (b) See response to 1a.
 - (c) See response to 1.
- (2) The EPA has an active compliance and enforcement program for native forests. The retention of hollow-bearing and recruitment trees are compliance priorities under this program and the EPA inspects forestry operations to determine compliance with licence requirements. When non-compliances are identified the EPA takes appropriate regulatory action.

*868 LANDS AND WATER—CHERRY TREE STATE FOREST—Ms Sharpe asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Did the Forestry Corporation of NSW undertake the requirement of having an adequately trained person conduct a thorough search for threatened fauna species and features such as Koala high use trees and Yellow bellied Glider sap-feed trees ahead of building roads and logging in Cherry Tree State Forest?
- (2) What steps did the Forestry Corporation of NSW take to maintain the soil structure, specifically in relation to constructing adequate cross drains to stop overland flow developing channels and transporting silt and pollutants into streams? Are further actions required or planned?

Answer—

- (1) Yes.
- (2) Forestry Corporation followed all the steps outlined in the Integrated Forestry Operations Approval. The installation of cross bank drainage on extraction tracks is a routine operational matter dealt with by the Forestry Corporation and its contractors on a daily basis. Forestry Corporation undertakes compliance monitoring in all timber harvesting operations to ensure that this procedure is applied in a satisfactory manner. Where any issues are detected they are remedied immediately on that site.

*869 LANDS AND WATER—SOUTH COAST KOALAS AND THE LOCAL TIMBER INDUSTRY—Ms Sharpe asked the Minister for Primary Industries, and Minister for Lands and Water—

In relation to the establishment of four new Flora Reserves on the New South Wales Far South Coast:

- (1) What are the alternative South East New South Wales State Forests where the Government proposes logging will be diverted to?
- (2) Has mapping and identification of koala habitat and other threatened species been undertaken in these areas?
 - (a) If No
 - (i) When will this occur?
 - (ii) Who will be responsible for undertaking this mapping?
 - (iii) What measures will be used to determine areas requiring protection?
- (3) What principles will the Government base its offsetting requirements of these logging proposals upon?
 - (a) Will it require like for like offset?
 - (b) Will it be based on a maintain or improve principle?
 - (c) Will there be red flags for high conservation areas?
- (4) Will the establishment of flora reserves guarantee that they will not be reopened for logging?

Answer—

- (1) The timber to meet the Wood Supply Agreements will be sourced from forests in the South Coast Management Area (SCMA), which were all made available for timber harvesting as part of the Regional Forest Agreements.
- (2) and 2. a. In accordance with the Integrated Forestry Operations Approval (IFOA), identification of habitat for koalas and threatened species will be undertaken by Forestry Corporation during the harvest planning process and the protection required by the Threatened Species Licence applied.
- (3) The forests in the SCMA are available for timber harvesting in line with the Regional Forest Agreements.
- (4) Commercial timber harvesting is not permitted in flora reserves.

*870 ENVIRONMENT—NORTH COAST FORESTS AND IFOAS—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Is the Minister aware that the independent mapping of the proposed changes to the Integrated Forestry Operations Approval in the Clarence and Richmond River catchments shows that these changes could reduce buffers around headwater streams from 10 metres to 5 metres?
- (2) Is the Minister aware that this is likely to result in a 13 per cent reduction in logging exclusion areas on State Forests and a 35 per cent reduction in riparian protection?
- (3) Has the Government directed the Environmental Protection Authority to ensure that there will be no erosion of environmental values with the new logging rules?
- (4) Does the Minister for Environment have final say over the Integrated Forestry Operations Approval and is it consistent with their promise that there will be no erosion of environmental values?

Answer—

I am advised as follows:

- (1) The NSW Government is improving how streams are identified and protected during logging operations as part of the remake of the coastal Integrated Forestry Operations Approvals (IFOA). The conditions for stream protection are being developed by the Environment Protection Authority and the Department of Primary Industries – Fisheries. The full suite of coastal IFOA conditions is under development, and therefore it is not possible, at this stage, to quantify any changes in the level of protection for streams.
- (2) See response to question one.
- (3) The government has committed to achieving no erosion of environmental values and maintaining access to existing supply.
- (4) The IFOAs are jointly granted by the Minister for Environment and the Minister for Primary Industries. The NSW Government is committed to delivering the new coastal IFOA while maintaining access to existing wood supply and not eroding environmental values.

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*871 ENVIRONMENT, HERITAGE—BURRA ROAD GUNDAGAI LANDFILL SITE—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

In relation to potential groundwater contamination from the landfill site at 303 Burra Road Gundagai:

- (1) Is leachate from the site leaking into ground water?
- (2) What action has been undertaken by the Environment Protection Agency (EPA) as a result of reports of this leakage?
- (3) What action has been taken with the licence holder in relation to this reported leakage?
- (4) What action has been taken as a result of reports from the Department of Primary Industries and an independently commissioned hydrologist that there are elevated salt levels in Spillbury Creek?
- (5) Has leachate been used as a tool for dust control at the site? If so,
 - (a) What action has been taken by the EPA as a result of leachate being used in this manner?
- (6) Is it the case that grits dreg, green liquor, flyash and boiler sand are not classified as waste within the licence?
 - (a) If not why not?
 - (b) What tonnage of grits dreg, green liquor, flyash and boiler sand have been dumped at the site?
- (7) Where is the waste from this site being sourced from?
- (8) What analysis has been undertaken by the EPA in relation to the suitability of this site given concerns regarding the porous geology of the site?
- (9) What monitoring or action has been taken in relation to alleged breaches regarding operation of trucks and earthmoving equipment prior to the 7am start time?

Answer—

I am advised as follows:

- (1) The EPA is undertaking an investigation into elevated levels of water quality parameters in monitoring bore P1. This includes seeking independent scientific advice from the Office of Environment and Heritage. To date, it is not substantiated that the leachate liner is leaking.
- (2) See answer to question one. In addition, the EPA has reviewed the ground water monitoring results submitted by the licence holder, and on Friday 26 February 2016 the EPA collected its own samples from the site for independent analysis. These samples have been tested for a comprehensive suite of water quality parameters. The EPA also required the licence holder to prepare and submit a groundwater impact assessment report. This report was submitted to the EPA on 8 March 2016 and is being reviewed. As part of the investigation the EPA is also reviewing information provided by the community. The EPA has included all of this information in its reference to the Office of Environment and Heritage for independent scientific advice.

- (3) See answers to questions 1 and 2. The investigation is ongoing.
- (4) The EPA is investigating these reports and as part of that investigation on Friday 11 March collected water samples from Sprilbry Creek at various locations. These water samples are being tested for a comprehensive suite of water quality parameters.
- (5) Yes.
 - (a) The licence holder is permitted to use leachate for dust suppression within the active landfill cell. As a result of reports to the EPA from the community expressing concern about leachate being sprayed outside of the active landfill cell the EPA issued the licence holder with a formal warning on 15 March 2016.
- (6) Grits, dregs and flyash including boiler sand are classified as wastes in the licence.
 - (a) Not applicable.
 - (b) 64 895 tonnes of grits, dregs, flyash and boiler sand have been received at the site. The EPA is not aware of any green liquor being received at the site.
- (7) The waste is from the Visy Pulp and Paper Mill at Tumut.
- (8) As part of the planning approval process for this development an environmental impact statement was lodged with Gundagai Shire Council. The EPA was consulted as part of the planning process. The EPA assessed the project against the EPA Environmental Guidelines for Solid Waste Landfills. As a result, and in accordance with the Guidelines, the EPA when issuing its General Terms of Approval and the Environment Protection Licence for the landfill required the installation of a clay liner with a minimum thickness of 0.9 metres and a maximum permeability of 1×10^{-9} metres per second as a leachate barrier system.
- (9) Following a complaint received by the EPA on 7 April 2014 about the operation of trucks and earthmoving equipment on site before 7.00 am, the EPA wrote to the licensee on the same day directing him not to operate trucks on the premises prior to 7.00 am.

*872 PRIMARY INDUSTRIES—BURRA ROAD GUNDAGAI LANDFILL SITE—Ms Sharpe asked the Minister for Primary Industries, and Minister for Lands and Water—

In relation to potential groundwater contamination from the landfill site at 303 Burra Road Gundagai:

What action has been taken as a result of reports from the Department of Primary Industries and an independently commissioned hydrologist that there are elevated salt levels in Spillbury Creek?

Answer—

This matter is currently being assessed by the NSW EPA.

*873 AGEING, DISABILITY SERVICES, MULTICULTURALISM—DISABILITY HOUSING—Ms Cotsis asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism—

- (1) Has the Government undertaken any analysis of the demand for affordable disability housing from people who will be covered by the National Disability Insurance Scheme (NDIS)?
- (2) How many additional supported accommodation places are required to meet the demand for affordable disability housing from people who will be covered by the NDIS?
- (3) How many additional non-supported disability appropriate accommodation places are required to meet increased demand for affordable disability housing from people who will be covered by the NDIS?
- (4) What measures are being taken by the Government to increase the supply of affordable disability appropriate housing to meet new and existing unmet demand?

Answer—

- (1) The NSW Government has a comprehensive strategy to increase the supply of affordable housing, including housing for people with disability. Information about Future Directions and the Social and Affordable Housing Fund is available at www.facs.nsw.gov.au/reforms/social-housing.

The Department of Family and Community Services is also monitoring experiences from the NDIS trial in the Hunter region to inform the development of a national NDIS housing policy as well as planning for full scheme transition from 1 July 2016.

- (2) The National Disability Insurance Agency (NDIA) is currently developing benchmark prices in accordance with the Pricing and Payments Framework for Specialist Disability Accommodation in the NDIS endorsed by the Disability Reform Council (DRC) in November 2015. As part of this work, the NDIA is considering the likely supply and demand for specialist accommodation once a full scheme NDIS is in place. The NSW Government has contributed a range of data to support this work.
- (3) to 4. The NSW Government has initiated strategies to increase the supply of social housing and affordable housing, including for people with disability. Information about Future Directions and the Social and Affordable Housing Fund is available at www.facs.nsw.gov.au/reforms/social-housing.
The DRC will continue to work with State and Commonwealth Ministers responsible for housing to consider broader disability housing issues associated with the roll-out of the NDIS.

*874 INDUSTRY, RESOURCES AND ENERGY—ESSENTIAL WATER—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Industry, Resources and Energy—

In light of Essential Water's public apology for failing to publish Broken Hill's water quality reports throughout 2014 and 2015, will you now require Essential Water to publish these water quality reports quarterly, just as Sydney Water does for its customers?

Answer—

I can advise that Essential Energy has previously published results of its rigorous independent water sampling program- which includes microbiological, chemical and physical analysis- annually on its website.

However, in response to community concerns, I have asked Essential Water to provide this on a quarterly basis going forward.

Water quality results are also shared with the local community through Essential Water's Customer Consultative Committee.

*875 ARTS, JUSTICE AND POLICE, RACING—MENINDEE LAKES ANIMAL SANCTUARY—Mr Veitch asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

(1) Can you confirm that a police officer was in attendance during the delivery of an eviction notice given to Menindee Lakes Animal Sanctuary on 8 February 2016?

(a) If so:

- (i) Why
- (ii) Who requested that a police officer be present?
- (iii) What police powers or responsibilities relate to attending the delivery of an eviction notice?
- (iv) Will this incident be investigated?

Answer—

The NSW Police Force has advised me that police were not involved in the delivery of the eviction notice and were not in attendance.

*876 LANDS AND WATER, PRIMARY INDUSTRIES—STINGRAYS—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

(1) Has the Department of Primary Industries - Fisheries investigated the recent media reports of a number of dead stingrays on the shore of Googley's Lagoon?

(a) If so:

- (i) Has a cause of death for the stingrays been determined? If so, what was the cause of death?
- (ii) If the cause of death has been determined as being caused by human foul play, will charges be laid against an individual or individuals? If so, when?

(iii) When were the corpses removed?

Answer—

(1) Yes.

(a)

- (i) Yes. The DPI officer determined from the investigation that the seven dead stingrays were most likely recreational fishing by-catch. No other fish species were observed dead or dying on the foreshore. The dead stingrays did not have injuries typical of spear fishing or marks indicating they were hauled with commercial fishing gear. The area is part of a Recreational Fishing Haven. Discussions with oyster farmers who have leases in the lagoon revealed there had been no water quality problems.
- (ii) No compliance action will be undertaken as no offence has been committed. There is no current bag and size limit for stingrays and they are not listed as protected or threatened species in NSW waters.
- (iii) The removal of dead fish that may present a human health issue is generally the responsibility of local councils. DPI has not been advised of any action by Council or others to remove the subject stingrays.

*877 JUSTICE AND POLICE—CONSORTING LAWS—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) How many warnings have been given to those "associating" under the consorting laws in:
 - (a) 2012?
 - (b) 2013?
 - (c) 2014?
 - (d) 2015?
 - (e) 2016 to date?
- (2) How many people were the subject of warnings under the Crimes (Criminal Organisations Control) Act 2012 in:
 - (a) 2012?
 - (b) 2013?
 - (c) 2014?
 - (d) 2015?
 - (e) 2016 to date?
- (3) How many people were charged under the Crimes (Criminal Organisations Control) Act 2012 in:
 - (a) 2012?
 - (b) 2013?
 - (c) 2014?
 - (d) 2015?
 - (e) 2016 to date?
- (4) How many people were convicted per month under the Crimes (Criminal Organisations Control) Act 2012 in:
 - (a) 2012
 - (b) 2013?
 - (c) 2014?
 - (d) 2015?
 - (e) 2016 to date?
- (5) What percentage of those subject to warnings or charges had been convicted of 'strictly indictable' offences
- (6) Which Local Area Commands (LACs) or specialist squads issued the warnings in Question 1?
- (7) Which LACs or specialist squads issued the warnings in Question 2?

- (8) Which LACs or specialist squads instituted the charges in Question 3?
- (9) On average, how long after a warning are charges laid?
- (10) Of those in Question 2 what was the age, gender and racial demographics?
- (11) Of those in Question 3 what was the age, gender and racial demographics?
- (12) Have there been any instances of electronic consorting?
 - (a) If so, how many people have been warned?
 - (b) If so, how many people have been charged?
 - (c) What are the demographics for those warned or charged regarding electronic consorting?
- (13) For Question 3 and 12, what is the range of penalties handed down by the courts following conviction?
- (14) How many individuals who were (a) warned or (b) charged under these consorting provisions were at the time subject to:
 - (a) AVO?
 - (b) Bail?
 - (c) Non-custodial sentence?
 - (d) Parole?
 - (e) An order under the Child Protection (Offenders Prohibition Orders) Act?
 - (f) An order under the Children (Criminal Proceedings) Act?
 - (g) An order under the Crimes (Criminal Organisations Control) Act?
 - (h) An order under the Crimes Legislation Amendment (Serious and Organised Crime) Act?
 - (i) An order under Part 2.4 of the Commonwealth Criminal Code regarding attempt, complicity, joint commission of crimes and conspiracy?
 - (j) An order under any legislation relating to vagrancy or any form of 'disorderly conduct' or similar legislation?

Answer—

I refer the Member to my response to his previous Written Question Number 0531 on this subject.

*878 JUSTICE AND POLICE—FLORA RESERVE STATUS—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

- (1) How many Flora Reserves have been created within State Forests in New South Wales?
- (2) How many have had their status as Flora Reserves revoked?
- (3) How many former Flora Reserves have been logged? Please provide details of names, locations and dates logged, where applicable.

Answer—

This question should be addressed to the Minister for Primary Industries, Lands and Water.

*879 JUSTICE AND POLICE—UNDERCOVER POLICE—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

Does the NSW Police Force use undercover police to form intimate personal and sexual relationships with unwitting members of the community in order to obtain police intelligence?

Answer—

I am advised:

No.

*880 PLANNING—NORTH BYRON PARKLANDS—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Planning—

Regarding the North Byron Parklands - Cultural Events Site - Tweed Valley Way and Jones Road, Yelgun (09_0028):

- (1) Will the Minister provide a list and details of all breaches of consent conditions since the commencement of the approved five year trial period at the North Byron Parklands site Yelgun NSW, plus a list and details of any changes to the consent conditions by either the Director General of Planning or delegate.
- (2) Is it the case that the Department of Planning and Environment has repeatedly told North Byron Parklands to provide noise attenuation to the homes of sensitive receivers R12 & R13 in accordance with consent conditions because these residents are getting the brunt of the noise during events, yet Parklands have held three festivals and still have not complied with this requirement?
- (3) Is it the case that the Department of Planning and Environment sent an independent noise engineer to investigate attenuation for these sensitive receivers, and the Department's consultant issued clear guidelines as to what needs to be done, yet no noise attenuation has occurred at these properties?
- (4) What action is the Minister or Department of Planning and Environment taking to ensure that the required ecological monitoring at the Parklands 'trial' festival site for determining the impacts of festivals on flora and fauna is adequate and effective?
- (5) Is it the case that the Department of Planning and Environment attended the 2014 Splendour in the Grass festival and found serious breaches of the noise levels, but did nothing at the time to reduce the levels?
 - (a) Is it the case that after the event the department imposed a very small fine for breaching the noise consent conditions at Splendour in July, and yet this allowed an increase in attendance numbers for the New Year's Eve Falls Festival?
- (6) Did the Minister advise whether the Department of Planning and Environment attended the Falls Festivals in 2014/15 or 2015/16 and the Splendour in the Grass festival in 2015 to monitor noise levels? If so, were any breaches found and if so, what action was taken?
- (7) Can the Minister advise of any changes to consent conditions for festivals at the North Byron Parklands and, if there have been changes, provide details of the assessments undertaken to inform each of those changes?

Answer—

I am advised:

- (1) Information in regards to compliance is set out in the annual Performance Report for the Parklands, this report is publicly available on the North Byron Parklands website. The Department has conducted a compliance review following the 2014 Splendour in the Grass event, details of this report and modifications to the approval are publicly available on the Department's major project website.
- (2) I understand that North Byron Parklands have come to an agreement with R13 and are in discussions with R12.
- (3) Yes the Department did engage an independent noise expert, to investigate the noise attenuation at R12 and R13. This investigation was finalised in December 2014. All parties were advised of the decision. See answer to question 2.
- (4) The Office of Environment and Heritage provided input into the monitoring program undertaken by North Byron Parklands and will also review the results of the monitoring.
- (5) The Department attended the 2014 Splendour in the Grass event. Following the event a penalty infringement notice was issued for non-compliance in relation to noise. a. I understand an increase in patron numbers was granted by the Department for the Falls Festival 2014/15 as there was no evidence that the increase in patron numbers would significantly increase noise levels at the event. Metrological conditions, topography and amplified music are the main factors that contribute to noise levels at the event.
- (6) The Department did attend the Falls Festivals in 2014 and 2015 and the 2015 Splendour in the Grass to inspect and monitor the operations of the event. Following the 2015 Splendour in the Grass event a penalty infringement notice in relation to noise was issued.
- (7) As advised in Question 1, information in regards to the modification of approval is publicly available on the Department's major project website.

15 MARCH 2016

(Paper No. 48)

*881 VETERANS AFFAIRS—SENIOR CARDS—Ms Voltz asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs—

- (1) How many Seniors Cards have been issued in each of the following financial years:
- (a) 2010-2011?
 - (b) 2011- 2012?
 - (c) 2012-2013?
 - (d) 2013-2014?
 - (e) 2014- 2015?

Answer—

This question should be addressed to the Minister for Family and Community Services.

*882 TRANSPORT AND INFRASTRUCTURE—TAXI TRANSPORT SUBSIDY SCHEME—Ms Barham asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) When will the subsidy under the Taxi Transport Subsidy Scheme increase to \$60 per trip?
- (2) What aspects of the Point-to-Point Transport reforms have already been implemented?
- (3) How have users of the Taxi Transport Subsidy Scheme been told of the increase to the subsidy?
- (4) How many calls has the Minister's office received regarding the increase to the subsidy cap under the Taxi Transport Subsidy Scheme?

Answer—

The NSW Government is aiming to have the increased TTSS subsidy implemented later in 2016.

Many elements of the point to point transport reforms were implemented through regulation following the NSW Government's announcement in late 2015. The remaining elements of the reforms will be addressed in legislation to be introduced soon.

Customer and stakeholder communication will be implemented shortly as the project moves into the delivery phase.

*883 ENVIRONMENT, HERITAGE—FESTIVALS AT NORTH BYRON PARKLANDS—Ms Sharpe asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) What action is the Office of Environment and Heritage taking in relation to concerns about damage to Billinudgel Nature Reserve wildlife caused by the festivals being held at North Byron Parklands?
- (2) Will scientists from the Office of Environment and Heritage undertake an independent audit of the Parklands' ecological monitoring program in relation to these festivals?

Answer—

I am advised as follows:

- (1) The Department of Planning and Environment is the approval authority for these festivals. The Office of Environment and Heritage (OEH) reviewed the Development Application for the festival, which was approved in 2012 to allow the music festivals to occur for a period of five years. This is the third year the festival will be held on the North Byron Parklands. The National Parks and Wildlife Service, part of OEH, is satisfied there has been no damage to wildlife caused by the festivals at that location. A Regulatory Working Group was established under the approval and OEH is a member of this group.
- (2) OEH has reviewed all annual ecological monitoring reports prepared to date as required by the approval. OEH will continue to participate in the Regulatory Working Group and review future ecological monitoring reports.

*884 HEALTH—FOETAL PARTS—Mr Donnelly asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Health—

- (1) In the period 1 January 2015 to 31 December 2015 were any foetal parts including cells, blood, marrow, tissue, bones or organs obtained from pregnancy termination procedures in New South Wales public hospitals utilised in any research or experimentation? If so please provide details?
- (2) In the period 1 January 2015 to 31 December 2015 were any foetal parts including cells, blood, marrow, tissue, bones or organs obtained from pregnancy termination procedures in New South Wales public hospitals utilised in any transplantation procedures? If so please provide details?

Answer—

I am advised by the Office of the Chief Health Officer

- (1) No
- (2) No

16 MARCH 2016

(Paper No. 49)

*885 ENVIRONMENT—CLEARING AT THE QUARANTINE STATION AT MANLY—Mr Shoebridge asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) What investigation, if any, has occurred regarding reports of illegal clearing of bushland around the Quarantine Station at Manly?
- (2) What sanction, if any, has been imposed following illegal clearing at the Quarantine Station?
- (3) Has there been any authorisation sought or granted for clearing of trees or scrub at the Quarantine Station?
- (4) Has any removal of trees or scrub happened at the Quarantine Station under the 10/50 laws?
- (5) What historical incidences in the last 10 years are there of illegal clearing at the Quarantine Station?
- (6) What is the estimated impact of recent clearing on the local little penguin population?
- (7) What steps are being taken to protect this population from the impact of clearing, including any remediation of land at this site?

Answer—

I am advised as follows:

- (1) The alleged illegal clearing of bushland around the Quarantine Station at Manly is currently being investigated by the Office of Environment and Heritage. It is inappropriate to comment on the investigation while it is underway.
- (2) Refer to the answer to question 1.
- (3) Refer to the answer to question 1.
- (4) Refer to the answer to question 1.
- (5) There were minor instances at the Quarantine Station in 2014 and 2015 involving removal and thinning of vegetation.
- (6) There is no known direct impact on the little penguin population.
- (7) The Office of Environment and Heritage has put in place temporary cover and is undertaking replanting near the little penguin nests.

*886 ENVIRONMENT—QUARANTINE STATION AT MANLY—Mr Shoebridge asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) What is the current length of the lease of the Quarantine station at Manly?

- (2) Who is the current lessee of the Quarantine station?
- (3) What is the current weekly rent for the property?
- (4) What, if any, rental arrears or other payments did the lessee owe under this lease as at 16 March 2016?
- (5) Where are monies for the lease of this property currently received and held?
- (6) What reporting is there on the status of this lease and payments by the lessee?

Answer—

I am advised as follows:

- (1) The lease expires on 25 October 2027 with options to renew.
- (2) Mawland Quarantine Station Pty Limited.
- (3) The current annual base rent due under the lease for 2015-16 is approximately \$479,000 plus an additional 10 per cent of turnover beyond income of \$12.7million.
- (4) Matters about payment of rent are commercial-in-confidence.
- (5) Lease monies received are paid to the National Parks and Wildlife Service fund to manage all aspects of land held under the National Parks and Wildlife Act 1974.
- (6) There is no public reporting required on the status of the lease and payments by the lessee.

*887 ENVIRONMENT, HERITAGE—GOLD COAST AIRPORT SOIL CONTAMINATION—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Did the Government receive notification that the soil at an area associated with the Airservices Australia fire training area is contaminated with perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) (which are the same persistent toxic compounds previously used in firefighting foam involved in the contamination issues at the Williamtown RAAF Base) as indicated in the final version of the Gold Coast Airport Instrument Landing System Major Development Plan?
 - (a) If so, on what date was the Government first notified of this soil contamination?
- (2) What action did the Government take following the Williamtown contamination to identify other sites that may have been contaminated with PFOS and PFOA?
- (3) Will the Minister seek an immediate investigation of the extent of the contamination at Gold Coast Airport and any potential risks it poses to the environment and to animal or human health, including the nearby Cobaki Broadwater's Class-1 fish-breeding habitat and the Tweed region?

Answer—

I am advised as follows:

- (1) The NSW Environment Protection Authority (EPA) was not notified by Gold Coast Airport Pty Ltd but did receive notification that the report contains this information on Friday 11 March 2016.
- (2) The EPA is undertaking a state wide investigation program to gain a better understanding of the extent of contamination, and how to address any contamination found. The EPA website contains further information at www.epa.nsw.gov.au/MediaInformation/pfcinvestigation.htm.
- (3) Although the Gold Coast airport terminal is in Queensland and is operated by Queensland Airports Limited, the runway crosses the border into NSW and the fire training ground is located in NSW. This land is owned by the Commonwealth of Australia.

As the EPA is a state authority, it is limited in its ability to regulate Commonwealth land and agencies such as Airservices Australia.

However, the EPA is committed to working collaboratively with Airservices Australia as it carries out its own investigations for PFC contamination and is in discussions with the organisation about the Gold Coast airport.

The EPA will work with Queensland Airports Limited and Queensland Department of Environment and Heritage Protection as the investigation develops.

17 MARCH 2016

(Paper No. 50)

*888 LOCAL GOVERNMENT—GUNDAGAI YOUTH COUNCIL—Mr Primrose asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

- (1) Gundagai Youth Council is concerned that a forced merger of their local council will result in many adverse consequences for young people in that community. What is the Minister's response to each of the following specific concerns?
- (a) Job opportunities lost
 - (b) Smaller percentage of youth funding
 - (c) Lack of community of interest and geographic cohesion
 - (d) Negative impact on the future of local youth participation
 - (e) Reduced level of youth participation
 - (f) Lower level of support for Gundagai youth.

Answer—

Under the current council boundary review process, merger proposals are considered by independent delegates and provided to the Boundaries Commission for comment. Delegates are required to consider a range of factors including attitudes of residents and ratepayers, impact on rural communities and geographic cohesion. The process has provided the community with an opportunity to have their say. No decision has been made on any merger proposal.

I would invite the Gundagai Youth Council to liaise with my office directly on any concerns they may have.

*889 ENVIRONMENT—WASTE COLLECTION—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Are there any noise based standards, rules or regulations that govern how and when local councils can conduct industrial and/or residential waste collection?
- (a) If yes, what are they?

Answer—

I am advised as follows:

The Environment Protection Authority provides guidance to councils on ways to minimise the impact of noise from garbage collection in the Noise Guide for Local Government, such as including conditions in contracts with garbage contractors that promote best practice. The Protection of the Environment Operations (Noise Control) Regulation 2008 requires the labelling of new mobile garbage compactors with their maximum noise level. This assists councils to purchase quieter equipment.

*890 LOCAL GOVERNMENT—WASTE COLLECTION—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

- (1) Are there any State based rules or regulations governing the time of day which local councils can collect residential and/or industrial waste?
- (a) If yes, what are these rules or regulations?

Answer—

No

*891 ENVIRONMENT—PET PORPOISE POOL—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) How many animals has Pet Porpoise Pool Pty Ltd. rehabilitated under its licence for fauna rehabilitation?
- (a) Please provide a list of rehabilitated animals under this licence for the following financial years:
- (i) 2010/2011
 - (ii) 2011/2012
 - (iii) 2012/2013
 - (iv) 2013/2014
 - (v) 2014/2015
 - (vi) 2015/2016 (to date)

Answer—

I am advised as follows:

Table 1 provides a list of animals rehabilitated by Pet Porpoise Pool Pty Ltd under its fauna rehabilitation licence between 2010 11 and 2014 15. The number of animals rehabilitated for 2015 16 will not be reported until after 30 June 2016.

Please contact the Legislative Council Procedure Office for a copy of Table 1.

*892 PRIMARY INDUSTRIES—KOI HERPES VIRUS—Dr Faruqi asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Is the Government currently preparing to introduce the Koi Herpes Virus (KHV) into New South Wales waterways for the control of European Carp populations? If yes
- (a) What is the timeframe for the introduction of this virus?
 - (b) Into what waterways is the Government planning to introduce the virus?
- (2) Has the Government undertaken studies to determine the impacts of introducing the KHV into New South Wales waterways?
- (a) If yes, what was the result of those studies?
- (3) Does the Government have a plan to deal with the impacts of the amount of dead fish that would remain in the river systems as a result from the release of the virus, including the impact on water quality and consequent effects on river and native fish health?
- (a) If yes, what is that plan?
- (4) Does the Government have a contingency plan should KHV be found to have an effect on native species?
- (a) If yes, what is that plan?

Answer—

- (1) The Department of Primary Industries (DPI) is currently leading a project funded under the Invasive Animals Cooperative Research Centre to progress the biological control of Common carp (*Cyprinus carpio*) in Australia. A strategy outlining the best times and places for release of the virus is currently under development and will be informed by epidemiological modelling being undertaken by the CSIRO.
- (2) CSIRO researchers have completed studies funded through the Invasive Animals Cooperative Research Centre to confirm the species specificity of the carp herpesvirus. Representative species from all orders of fish that co-occur with carp within fresh or estuarine habitats in NSW have been tested. Example bird, mammal, reptile, amphibian and crustacea have also been tested. Results demonstrate that the virus will only replicate and cause disease in Common carp. These findings are further supported by the international published literature. Research completed by the CSIRO confirms that carp in Australia are highly susceptible to the Carp herpesvirus, indicating that the virus is a promising candidate for the biological control of this species in Australia.
- (3) NSW DPI is developing a clean-up strategy to manage impacts to water quality and native species through removal of deceased carp from treated waterways. The strategy is being informed by

international case studies in North America, Japan, and Israel where significant carp kill events resulting from Carp herpesvirus outbreaks have been effectively managed. The primary mechanisms through which a viral biological control agent might impact on Australian native species would be through infection of non-target species, trophic impacts, or water quality impacts. Research undertaken by the CSIRO under the Invasive Animals Cooperative Research Centres demonstrated that the Carp herpesvirus is specific to carp. There is a low likelihood of trophic impacts resulting from biocontrol of carp, as research has shown that reduction of carp numbers will allow fast proliferation of native prey items.

*893 JUSTICE AND POLICE—MINING INCIDENT—Mr Buckingham asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing—

(1) Does the NSW Police Force have any evidence to substantiate the claim by NSW Minerals Council CEO Stephen Galilee, in the Daily Telegraph article on 17/03/16 entitled 'Some protesters need to be punished', that protestors were responsible for tampering with explosives rigged for detonation at a mine site?

(a) If so, is there an ongoing investigation into this incident and have any charges been laid?

Answer—

I am advised by the NSW Police Force that a number of incidents took place during 2014 in which blasting operations were affected by protest activity.

*894 AGEING, DISABILITY SERVICES, MULTICULTURALISM—COMPLEX NEEDS—Ms Cotsis asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism—

(1) What is the Minister's response to community concerns that following the transition of disability services to the non-government sector, it will be possible for a non-government service provider to refuse services to a person with disability who is currently a client of ADHC (Ageing Disability and Home Care NSW) - on the basis that their needs are too high or too complex?

(2) Will the Minister guarantee that ADHC will not withdraw from disability service delivery until there is concrete evidence that the quality and safeguard system is working and the non-government sector is meeting the needs of all people with disability, especially those with high and complex needs?

Answer—

(1) I refer to my response to the Hon Adam Searle's question on this matter in the Legislative Council on 17 March 2016, as recorded in Hansard.

(2) In NSW, the National Disability Insurance Scheme (NDIS) will be rolled out by 30 June 2018. From July 2018 the NSW Government will not provide any residual specialist disability supports or basic community care services.

In selecting new service providers, a key focus will be a provider's ability to ensure continuity of service to clients.

Current NSW quality assurance and safeguarding arrangements will apply during transfer. The NSW Ombudsman will have continued responsibility including investigating complaints about disability services. All providers are subject to oversight from the Australian Competition and Consumer Commission and NSW Fair Trading.

In addition to participating in formal governance arrangements established by the Council for Australian Governments, NSW is working with the Commonwealth and other jurisdictions to develop a national approach to quality assurance and safeguards in the scheme. A national quality and safeguarding system will be in place once the rollout is complete.

*895 AGEING, DISABILITY SERVICES, MULTICULTURALISM—NDIS SAFEGUARDS—Ms Cotsis asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism—

(1) When will planned safeguards against the abuse or neglect of people receiving National Disability Insurance Scheme (NDIS) payments be operational?

- (2) Given that NSW Ombudsman's disability reportable incident scheme only applies to providers funded under the Disability Inclusion Act 2014, how will the Government prevent an accountability gap emerging as the NDIS transition takes place?
- (3) Will the NDIS safeguards include provider reporting requirements at least as strong as the requirements under Part 3C of the Ombudsman Act 1974?
- (4) Will the NDIS safeguards require incident notifications to a body with independence, responsibilities and powers equivalent to the NSW Ombudsman?
- (5) Given that NSW Ombudsman's disability reportable incidents scheme received around 550 notifications in the first 10 months of its operation, what is the Government doing to ensure any successor scheme under the NDIS is appropriately resourced?
- (6) What is the Government doing in response to the notifications received by the NSW Ombudsman under the disability reportable incidents scheme?
- (7) Will the Government continue to fund Official Community Visitors as part of the safeguards under the NDIS?

Answer—

- (1) -5. Commonwealth, State and Territory officials are developing a national framework for NDIS quality and safeguards and a COAG Regulatory Impact Statement for consideration by the COAG Disability Reform Council. This includes quality assurance and complaints management. Once the framework is agreed, the NSW Government will work with the Commonwealth, other jurisdictions and the National Disability Insurance Agency (NDIA) to ensure that a national quality and safeguards system is in place for the full scheme NDIS. This process will determine roles and responsibilities for administering key functions, including arrangements for managing reportable incidents. The NSW Bilateral Agreement for full scheme transition stipulates that NSW and the Commonwealth will continue to operate existing quality assurance and safeguarding arrangements during transition pending the development of the NDIS quality and safeguards system for the NDIS. All existing ADHC funded providers and new providers of NDIS supports are subject to the NSW Ombudsman's Disability Reportable Incident Scheme. The NSW Government is currently working with the Commonwealth and the NDIA to finalise quality and safeguards working arrangements for full scheme transition that build on the arrangements already in place in the Hunter NDIS trial and Nepean Blue Mountains early transition sites.

6. The purpose of the NSW Disability Reportable Incident Scheme is to ensure, wherever possible, people with disability living in supported group accommodation can live free from abuse and neglect. I am advised the Department of Family and Community Services (FACS) has strategies in place to ensure the organisation meets its statutory reporting requirements and conducts an appropriate standard of review of incidents. This includes establishing a dedicated disability reportable incidents team and using the Professional Conduct Ethics and Performance Unit to review and respond to employees on client matters.

7. The role of Community Visitors in the NDIS is being considered as part of the development of a national quality and safeguard framework to be considered by the COAG Disability Reform Council in May 2016.

21 MARCH 2016

(Paper No. 51)

- *896 FAMILY AND COMMUNITY SERVICES—UNIVERSAL DESIGN IN SOCIAL HOUSING—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Family and Community Services, and Minister for Social Housing—

In relation to the 6,500 new social and affordable housing dwellings and the 17,000 redeveloped social housing dwellings under the Future Directions of Social Housing program, could the Minister advise how

many of these homes will be designed according to the Silver or Gold Standard of universal design principles?

Answer—

All new homes built under the Communities Plus program will have a minimum requirement of silver level design in accordance with Liveable Housing Australia Design Guidelines.

*897 AGEING, DISABILITY SERVICES—ELDER ABUSE HELPLINE—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism—

- (1) Were calls to the Elder Abuse Helpline made on 16 and 19 February 2016 outside of business hours left unanswered?
 - (a) If so, why?
 - (b) If so, why were these calls not put through to an answering machine?
- (2) Has the Minister made any representations to the Australian Government seeking federal funding for 24 hour operation of the Elder Abuse Helpline?
 - (a) If not, why not?

Answer—

- (1) I am advised that on 16 and 19 February 2016 after-hours calls to the NSW Elder Abuse Helpline were not diverted to the after hours call back service due to technical problems. I am further advised the technical problem was resolved on 19 February 2016.
- (2) No.
 - (a) The helpline provides advice and referrals for callers experiencing, or concerned about, elder abuse. It does not operate as a crisis line and in an emergency police assistance should be sought by calling 000.

22 MARCH 2016

(Paper No. 52)

*898 LANDS AND WATER—CRANKY ROCK DAM PHASE 2 INVESTIGATIONS—Ms Sharpe asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What are the selection criteria for the companies tendering for the second stage of investigations into a potential new dam at Cranky Rock?
- (2) What budget has been allocated for the investigations?
- (3) What timetable has been set for the completion of the investigations?
- (4) Will the results of the investigations be publicly available?
- (5) What stakeholder engagement will be undertaken and who will undertake it?
- (6) What geological expertise will be sought in determining the cost impact of any geological impediments to construction and safe water storage?
- (7) Will the cost benefit analysis:
 - (a) include the cost of environmental impacts?
 - (b) examine the impacts of the current water sharing arrangements in the Lachlan Valley, including the loss of flows to water users downstream in the Lachlan River?
 - (c) examine the cost impact of geological impediments to dam construction?
 - (d) assess the financing of dam construction, operation and maintenance and how this will be funded, including private, public or private public partnership (PPP)?

Answer—

- (1) Preferred parties shortlisted from the EOI process will be invited to tender for the Phase 2 investigations, at which time selection criteria will be finalised.
- (2) Up to \$5 million.

- (3) Approximately two years.
- (4) Yes, where appropriate.
- (5) Details will be finalised after the tender process.
- (6) On-site and desktop geological investigation works will be undertaken by specialist geotechnical engineering firms.
- (7) Yes.

*899 ROADS, MARITIME AND FREIGHT—ELECTRIC SKATEBOARDS—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council—

- (1) How many people in New South Wales use motorised skateboards?
- (2) Does the Government currently have a policy on the use of motorised skateboards?
- (3) Are there any restrictions on the use of motorised skateboards in New South Wales?
- (4) What safety assessments have been completed by the Government on motorised skateboards?

Answer—

I am advised:

For information about motorised skateboards please refer to the RMS website.

*900 TRANSPORT AND INFRASTRUCTURE—TRANSPORT MANAGEMENT CENTRE—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) What is the budget for the Sydney Trains Rail Operations Centre at Green Square for the following financial years:
 - (a) 2014-15
 - (b) 2015-16
 - (c) 2016-17
 - (d) 2017-18
 - (e) 2018-19
- (2) What is the current completion month and year of the Sydney Trains Rail Operations Centre at Green Square?
- (3) Will the Sydney Trains Rail Operations Centre control the Sydney Metro Northwest once services commence in 2019?
 - (a) If no, where will these services be controlled from?
 - (b) Will the Sydney Metro Northwest operator control these services from the Sydney Trains Rail Operations Centre?

Answer—

- (1) The Sydney Trains Rail Operations Centre to be built at Green Square is a \$276 million investment. The new Centre will use new technology to deliver improved train reliability and faster customer communication.
- (2) 2018
- (3) The Sydney Metro Northwest Operator, Northwest Rapid Transit, is designing and building a centralised operations control centre for the overall management, centralised control and monitoring of Sydney Metro Northwest operations at the Sydney Metro Train Facility at Tallawong Road, Rouse Hill.

*901 ENVIRONMENT—SOMERSBY MINTBUSH—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) What is the present estimated population count of the Somersby Mint Bush in New South Wales?
- (2) Is there any funding allocated to resurvey the Somersby Mintbush?

- (a) If not, why not?
- (b) If yes, when is the study expected to be released and will it be available publicly?
- (3) Is the estimated 70 per cent decline from the last survey report in 2009 being acknowledged in the Priorities Action Statement Amendments for the Somersby Mint Bush to be classified as critically endangered?
- (4) Why was the Somersby Mintbush not included in the Priority Action Statement Amendments exhibited in December 2015?
- (5) In relation to Question on Notice 0096, Answer 5b, what monitoring occurred and what was the result?
 - (a) Specifically, what monitoring occurred as a result of the Belmont North Hazard Reduction Burn in 2015?
- (6) What action is the Government currently undertaking to protect the Somersby Mintbush?
- (7) Does the Office of Environment and Heritage have any plans to undertake an independent study of the numbers of the Somersby Mint Bush?

Answer—

I am advised as follows:

- (1) Approximately 1,400 plants.
- (2) No funding is allocated to resurvey the Somersby Mintbush. Surveys were undertaken in February 2016 on a population within Brisbane Water National Park using recurrent funding. Surveys were also undertaken by consultant ecologists for a manufacturing company as part of an environmental assessment process in 2014 and November and December 2015. Future surveys on public land will be undertaken using recurrent funding. These surveys are not part of a study but are used to inform on-park management actions.
- (3) The NSW Scientific Committee is responsible for assessing the threat status of species. OEH is preparing a review of the status of the Somersby Mintbush that will be referred to the NSW Scientific Committee for its consideration. The 70 per cent decline in one of the Somersby Mintbush populations has been noted in this report.
- (4) Priority Action Statement Amendments for the Somersby Mintbush were publicly exhibited in December 2013.
- (5) The National Parks and Wildlife Service (NPWS) monitors the extent and abundance of the species, and condition of the site in Brisbane Water National Park. The monitoring found that there was significant germination of Somersby Mintbush following the hazard reduction burn conducted in October 2015.
- (6) The Somersby Mintbush is a key species covered by Gosford City Council's Plan of Management for the Somersby Plateau. The species is also covered by a site management strategy under the NSW Government's Saving our Species program. NPWS manages Somersby Mintbush where it occurs in national parks.
- (7) The 2014 and 2015 surveys were carried out by environmental consultants employed by private landowners. NPWS conducted surveys in Brisbane Water National Park in 2016 using NPWS staff and experienced volunteers. OEH has not undertaken any further surveys but is preparing a review of the status of the Somersby Mintbush for the NSW Scientific Committee using existing data.

*902 LOCAL GOVERNMENT—TENDER PROCESS FOR A DEVELOPMENT IN WHISTLER STREET TOWN CENTRE SITE—Mr Primrose asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

- (1) What specific categories of information must be made available to councillors prior to voting on whether or not to accept a tender for a development such the Whistler Street Town Centre site at Manly?
- (2) In such circumstances, what specific categories of information must be made available to members of the public?

Answer—

I provide the following details in response to your questions:

- (1) Guidance on the content of reports to councils on tenders is provided in the Tendering Guidelines for NSW Local Government issued by the Office of Local Government.
- (2) Under clause 179 of the Local Government (General) Regulation 2005, councils must make information on the outcome of the tendering process publicly available by displaying the name and amount of the successful tenderer. Councils are also required to publicly disclose decisions made at council meetings and to make the business papers of meetings publicly available (but not information contained in them relating to matters discussed in a part of the meeting that has been closed to the public).

*903 ENVIRONMENT, HERITAGE—MANLY PARKING—Mr Primrose asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Has the Office of Environment and Heritage been consulted in relation to the proposal to build a commercial car parking station at the site of Manly Oval?
- (2) Has the Office identified any issues in relation to the proposal, including in relation to its potential impacts on the environment and heritage in Manly?

Answer—

I am advised as follows:

- (1) No. The Office of Environment and Heritage (OEH) would only be consulted by the relevant planning authority if that authority determines that the proposed development:
 - may significantly affect threatened species, ecological communities or their habitat
 - may require an Aboriginal Heritage Impact Permit
 - may impact an item listed on the State Heritage Register, in which case approval under the Heritage Act 1977 is required.
- (2) Not applicable.

*904 ROADS, MARITIME AND FREIGHT—MANLY PARKING—Mr Primrose asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council—

- (1) Has Roads and Maritime Services (RMS) been consulted in relation to the proposal to build a commercial car parking station at the site of Manly Oval?
- (2) Has the RMS identified any issues in relation to the proposal, including its potential road safety and traffic impacts in Manly?
- (3) Has RMS been consulted in relation to the proposal to lease and redevelop the site of the public parking station at Whistler Street, Manly?
- (4) Has the RMS identified any issues in relation to the proposal, including in relation to potential road safety and traffic impacts in Manly?

Answer—

I am advised:

- (1) to 4. Roads and Maritime Services provides ongoing advice to all councils regarding land use proposals, development applications and any resulting road safety or traffic management issues. Roads and Maritime Services has consulted with Manly Council regarding its Manly2015 Masterplan and will continue to do so.

*905 AGEING, DISABILITY SERVICES—SUPPORTED-DECISION MAKING—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism—

- (1) Given that the evaluation of the 2013 Supported Decision Making pilot project concluded that supported decision making should be expanded, will the NSW Government make supported decision making standard practice for people with disability in New South Wales?
 - (a) If not, why not?
- (2) For how long will the following supported decision making projects be funded:
 - (a) Advancing Supported Decision Making Project?

- (b) Financial Decision Making and Financial Literacy Skills Development?
- (c) Disability Rights Project?
- (d) Supported Decision Making Workshops for 14-18 year olds with disability, their families and/or carers project?
- (e) Supporting Transition and Independence in the Leaving Care Program?
- (f) Developing and Piloting a Continuum Approach to Decision Making, at the Kanangra Centre (Morisset)?
- (g) Boarding House Resident Capacity Building Project?

Answer—

- (1) Supported decision making aligns with the principles of the National Disability Insurance Scheme, in that people with disability should have choice and control over their own supports. Supported decision making is a key component being considered under the NDIS Quality and Safeguards national framework.
- (2) These projects will be funded until sustainable options for how supported decision making can be embedded within the policy and practice of organisations in the longer term under the NDIS.

*906 EDUCATION—WHEELCHAIR ACCESSIBLE SCHOOLS—Ms Barham asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Education—

- (1) How many public schools in New South Wales are completely wheelchair accessible?
- (2) How many public schools in New South Wales do not have complete wheelchair access?
 - (a) What is the Government doing to make these schools completely wheelchair accessible?

Answer—

The Department meets the specific needs of students and school staff while also increasing the number of fully accessible schools each year.

23 MARCH 2016

(Paper No. 53)

*907 HERITAGE—FUNDING FOR PARRAMATTA FEMALE FACTORY MEMORY PROJECT—Mr Shoebridge asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) What funding is currently allocated to support the emotional, psychological and physical needs of Parragirls involved in the Parramatta Female Factory Precinct Memory Project?
- (2) What additional funding will be allocated in future terms to support the emotional, psychological and physical needs of Parragirls involved in the Parramatta Female Factory Precinct Memory Project?
- (3) What plans are there to provide a place of recognition at the Parramatta Female Factory precinct for the experience of those who went through the place and the institutional abuse that happened there?

Answer—

I am advised as follows:

This is a matter for the Minister for the Arts.

*908 ENVIRONMENT—NATIONAL PARKS AND WILDLIFE SPENDING—Mr Shoebridge asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) What is the current departmental underspend in the National Parks and Wildlife Service?
- (2) What are the expected savings from currently proposed changes to wages and conditions of rangers and field officers?

Answer—

I am advised as follows:

- (1) The NPWS budget forecast at the end of February 2016 has a variance of four per cent, which is attributable to timing variations in the delivery of NPWS programs. Consistent with past years NPWS expects to fully expend its budget in 2015–16.
- (2) The amount saved will depend on the outcome of the award negotiations.

*909 ENVIRONMENT—ALBERT (TIBBY) COTTER WALKWAY—Dr Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Did the Minister endorse the terms and conditions of the consent-development deed for the Albert (Tibby) Cotter Walkway?
- (2) What are these terms and conditions?

Answer—

I am advised as follows:

The Development Deed for the Albert (Tibby) Cotter Walkway was signed on 11 June 2014.

Access to the Deed can be sought upon written request to either Centennial Park and Moore Park Trust or Roads and Maritime Services.

*910 TRANSPORT AND INFRASTRUCTURE—CARRIAGES—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) Were the number of carriages on NSW TrainLink services reduced in the 2015 Christmas period?
 - (a) If so, why?
- (2) What NSW TrainLink services will the Government provide for the 2016 Christmas period?

Answer—

I am advised:

During this period additional carriages are added based on customer demand. On this basis one additional car was added to the Melbourne service in the 2015 Christmas period.

*911 TRANSPORT AND INFRASTRUCTURE—XPT UPDATE—Dr Faruqi asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) What is the current timeline for the replacement of XPT trains?
- (2) What is the budget for the XPT replacement in the following financial years:
 - (a) 2015-16
 - (b) 2016-17
 - (c) 2017-18
 - (d) 2018-19
 - (e) 2019-20
 - (f) 2020-21

Answer—

I am advised:

The NSW Government committed \$7.5 million in 2015-16 to start planning for a new fleet to replace the ageing XPTs. An additional \$35 million has been committed to ensure procurement of XPT commences in this term of government.

- *912 FINANCE, SERVICES AND PROPERTY—ILLEGAL DUMPING OF ASBESTOS BY CLARENCE VALLEY COUNCIL—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water representing the Minister for Finance, Services and Property—

SafeWork NSW has recently investigated, and confirmed the occurrence of possibly illegally dumped asbestos waste by Clarence Valley Council, immediately adjacent to a residential area and next door to the South Grafton High School. Council is proposing to excavate that site to construct a works depot.

- (1) What actions will the Minister take to ensure that Clarence Valley Council is responding adequately to repeated requests from concerned citizens for information relating to the asbestos dumping and potential health implications?
- (2) Given this asbestos pollution has been brought to the Minister's attention, what steps has the Minister taken to address the potential health risks that students, teachers and workers may have been exposed to?
- (3) Given that this asbestos dumping has been confirmed by SafeWork NSW, and that neighbours have never been informed, what regulatory action will be taken against those responsible?

Answer—

This matter is the responsibility of the Minister for Innovation and Better Regulation.

- *913 LOCAL GOVERNMENT—ILLEGAL DUMPING OF ASBESTOS BY CLARENCE VALLEY COUNCIL—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

SafeWork NSW has recently investigated, and confirmed the occurrence of possibly illegally dumped asbestos waste by Clarence Valley Council, immediately adjacent to a residential area and next door to the South Grafton High School. Council is proposing to excavate that site to construct a works depot.

- (1) What actions will the Minister take to ensure that Clarence Valley Council is responding adequately to repeated requests from concerned citizens for information relating to the asbestos dumping and potential health implications?
- (2) Given this asbestos pollution has been brought to the Minister's attention, what steps has the Minister taken to address the potential health risks that students, teachers and workers may have been exposed to?
- (3) Given that this asbestos dumping has been confirmed by SafeWork NSW, and that neighbours have never been informed, what regulatory action will be taken against those responsible?

Answer—

This matter is the responsibility of the Minister for Innovation and Better Regulation.

- *914 AGEING, DISABILITY SERVICES, MULTICULTURALISM—NEW SOUTH WALES NATIONAL DISABILITY INSURANCE SCHEME TRANSITION PLAN—Ms Cotsis asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism—

- (1) When will the Government release the New South Wales National Disability Insurance Scheme transition plan?
- (2) In regard to recommendation 9 of the NSW Ombudsman's Report of Reviewable Deaths in 2012 and 2013, Volume 2: Deaths of people with disability in residential care (the Report):
 - (a) Have the Department of Premier and Cabinet (DPC), Family and Community Services (FACS) and NSW Health held discussions with the National Disability Insurance Agency and the Commonwealth Government regarding future arrangements for the provision of FACS-funded health-related supports?
 - (b) Have DPC, FACS and NSW Health reported to the Ombudsman on the outcomes of such discussions and intended actions?
- (3) In regard to recommendation 10 of the Report, have NSW Health and FACS established joint disability/health committees in each district to promote and oversee capacity building in relation to mainstream health services?

Answer—

- (1) The Operational Plan between the National Disability Insurance Agency (NDIA), New South Wales Government and Commonwealth Government for Transition to Full Implementation of the National Disability Insurance Scheme (NDIS) and the Bilateral Agreement between the Commonwealth and New South Wales – Transition to a National Disability Insurance Scheme are available on the NSW NDIS website www.ndis.nsw.gov.au.
- (2) I am advised:
 - (a) Yes
 - (b) Yes
- (3) I am advised local interagency working groups including NSW Health and the NDIA are already operating in the Hunter trial site and the Nepean Blue Mountains early roll out site. For the transition, Regional Operational Working Groups will be established in each of the NDIA regions in NSW and will have representation across NSW agencies and the Commonwealth.

*915 INNOVATION AND BETTER REGULATION—ETHANOL INDUSTRY—Mr Buckingham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Innovation and Better Regulation—

Can the Minister please provide details of the independent review of the ethanol industry which found that nationwide ethanol production delivers 3,000 direct jobs and a further 20,000 indirect jobs?

Answer—

In my second reading speech I relied upon various media reports stating the number of direct and indirect jobs generated by the production of ethanol in Australia.

I incorrectly attributed these figures to an independent review.

*916 LANDS AND WATER—CRANKY ROCK DAM PHASE 2 INVESTIGATIONS—Mr Buckingham asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What are the terms of reference for the phase 2 investigations into the Cranky Rock Dam?
- (2) Will the investigations include an analysis of what percentage of any water storage will be for industrial usage, particularly mining? If not, why not?
- (3) Will the investigations consider the cost benefit of alternatives to a new dam? If not, why not?
- (4) Will there be a public exhibition phase of the report and its recommendations? If not, why not?
- (5) Will the environmental assessments involve in situ investigations or a desktop analysis?

Answer—

(1) to 3. The terms of reference are available on the WaterNSW website.

4. Once completed and considered by the NSW Government, a summary report will be made publicly available.

5. The assessments will involve both desktop analysis and in situ investigations.

*917 ENVIRONMENT, HERITAGE, PLANNING—RADIATION CONTAMINATION—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Has the NSW Environmental Protection Authority (EPA) taken over the responsibility for assessing and remediating contaminated soils in residential and public lands, where contamination is associated with isotope radiation?
 - (a) If so, when did this transfer from NSW Health take place?
- (2) Do any roles and responsibilities for radiation contaminated lands or matters relating to them, still reside with the State or the local health authorities?
 - (a) If so, which ones?
- (3) When did the Mooball contaminated sites issue become the responsibility of the EPA?
- (4) What precisely is the NSW EPA's role in monitoring sites where it has been brought to its attention

- that radioactive soil remediation may have been incomplete?
- (5) Do the EPA officers carry out contaminated soil radiation level testing or do they subcontract this to private contractors or others?
 - (6) Do EPA officers carry out radiation contaminated soil remediation or do they subcontract this to private contractors or others?
 - (7) What is the current unit of measurement for all kinds of radiation in contaminated soils?
 - (8) What was the 'safe' level for exposure to all kinds of radiation (including gamma and alpha radiation) for residential areas in 1983 in New South Wales?
 - (a) What was the level for all kinds of radiation (including gamma and alpha radiation) that required remedial action in 1983?
 - (9) What is the current 'safe' level for exposure to all kinds of radiation (including gamma and alpha radiation) for residential areas in New South Wales?
 - (10) What is the current safe level for exposure to radiation in residential areas from:
 - (a) Waste deposits containing Thorium tailings from extraction from heavy sand deposits?
 - (b) Waste deposits containing Monazite tailings from extraction from heavy sand deposits?
 - (c) Have these levels changed since 1983?
 - (11) What is the remedial action level for radiation in residential areas from:
 - (a) Waste deposits containing Thorium tailings from extraction from heavy sand deposits?
 - (b) Waste deposits containing Monazite tailings from extraction from heavy sand deposits?
 - (c) Have these levels changed since 1983?
 - (12) Who determines the safe and unsafe levels of exposure to radiation?
 - (a) Are these national standards?
 - (13) Were there different levels of safe exposure to radiation in 1983 for:
 - (a) A child ?
 - (b) An adult?
 - If so, what were they for
 - (i) Residential areas?
 - (ii) Public spaces?
 - (iii) Schools?
 - (14) Are there different levels of safe exposure to radiation under current standards for:
 - (a) A child?
 - (b) An adult?
 - If so, what are they for:
 - (i) Residential areas?
 - (ii) Public spaces?
 - (iii) Schools?
 - (15) For the purpose of comparing historical data from the 1980s, what is the formula for converting radioactive measurements per gram or per cubic or square metre?
 - (a) What are the formulae for converting radiation disintegration rates per minute per cubic or square meter to current units?
 - (16) Why is it that despite in 1983 the North Coast Region of the NSW Health Commission finding in 1983 that the Children's Playground in Mooball Road Mooball was 'affected' in terms of levels of radiation, did subsequent communication from the North Coast Health Region not show the children's playground on their plan of 'affected' areas 'as its location is not known'?
 - (a) Was the 'affected' children's playground location found?
 - (b) Did any remediation of this site take place?
 - (17) What are the triggers for local government to require assessment of radiation risk under the Contaminated Lands Management Act 1997 when considering development applications related to previously contaminated land?

- (a) What is the role of the Department of Planning in this regard?
- (18) How many sites have been deemed contaminated and required remedial action in NSW since 1980?
- (a) What are the addresses of these sites?
- (b) When was remedial action completed for these sites?

Answer—

- (1) Land contamination, where it represents a significant risk of harm, has been regulated by the EPA and its predecessor organisations following progressive handover from the Department of Health of various responsibilities related to contaminated soils between the mid 1970s and early 1990s. Since the introduction of the Contaminated Land Management Act in 1997 the EPA has been responsible for regulation of significantly contaminated land, regardless of the contaminant. Since 1997 responsibilities for contaminated land not regulated by the EPA have been the responsibility of the relevant planning authority.
- (2) The Resources and Energy portfolio has a number of former sand mining sites similar to Mooball that have or are been remediated under its Derelict Mines program. NSW Health, where required, provides advice on whether there is a public health risk which requires intervention. Land that is not significantly contaminated (as per the meaning of this term under the CLM Act) is regulated in accordance with the Environmental Planning and Assessment Act and State Environmental Planning Policy 55 (SEPP55) by the planning consent authority, usually Council. Significantly contaminated land is regulated by the EPA under the CLM Act whereby the persons principally responsible for the contamination of the land or land owner can be ordered to remediate the contaminated land.
- (3) See above. The EPA has not had any direct role at Mooball.
- (4) The EPA considers credible information that it receives of actual or possible contamination of land, including where remediation may be incomplete. The EPA would make inquiries and in the case of concerns about public health, liaise with NSW Health. The EPA understands that contemporary advice from NSW Health is that, based on its review of previous studies, there is not a public health concern at Mooball and therefore the EPA continues to have no direct role.
- (5) The EPA would normally require an independent accredited specialist to undertake such surveys and provide advice on the adequacy of the survey.
- (6) The remediation activities are the responsibility of the polluter, or in lieu of this, the current landowner.
- (7) The Becquerel (Bq) is the relevant unit of measure to describe the amount of radioactivity in material. The unit of Sieverts (Sv) is the contemporary unit of radiation dose. In environmental or public health usage this dose is usually expressed over a period of time, usually in hours or years, to give a dose rate or indication of radiation exposure, the more relevant measure of risk. The Sievert is a large unit and most measurements are reported in thousandths of a Sievert (milliSievert – mSv).
- (8) The dose limit for members of the public in 1983 was 5 mSv per year prescribed in the NSW Radioactive Substances Regulation.
- (9) In line with contemporary national standards, the Radiation Control Regulation 2013 prescribes the current dose for members of the public at 1 mSv per year but this can be higher as long as the average over five years does not exceed 1 mSv.
- (10)
- (a) and b. In line with contemporary national standards, the Radiation Control Regulation 2013 prescribes the current dose for members of the public at 1 mSv per year but this can be higher as long as the average over five years does not exceed 1 mSv.
- c. Yes
- (11) There are no predefined remedial action level for residential areas from such practices, as these are developed at the time a practice develops its Radiation Management Plan and Radioactive Waste Management Plan unique to that practice. The requirements of the Code of Practice and Safety Guide for Radiation Protection and Radioactive Waste Management in Mining and Mineral processing (2005) published by the Australian Radiation Protection and Nuclear Safety Agency are useful.
- c) See 8 above

- (12) Dose limits are adopted from international guidance developed by the International Commission for Radiation Protection (ICRP) and the International Atomic Energy Agency (IAEA) and are incorporated in the National Directory for Radiation Protection published by the Australian Radiation Protection and Nuclear Safety Agency.
- (a) Yes
- (13)
- (a) No
(b) No
- (14)
- (a) No
(b) No
- (15)
- (a) The amount of energy absorbed per unit weight of the organ or tissue is called the absorbed dose and is expressed in units of Gray (Gy). For electromagnetic gamma radiation, Grays and Sieverts are an equivalent measure. To convert Rads (the old unit for absorbed dose) to Gray the following applies 100 micro-Rad equals 1 micro-Gray.
- (16) As this matter is currently being addressed by NSW Health (see question #4) this should be referred to the Minister for Health.
- (17) The Environmental Planning and Assessment Act 1979 sets the statutory framework for land use planning and development assessment in NSW. Under this legislation the primary instrument for dealing with remediation of land is State Environmental Planning Policy No. 55 – Remediation of Land (SEPP55) and associated guidelines. Among other things SEPP55 includes "triggers" based upon historical land use.
- (18) The EPA estimates that thousands of potential sites would have been assessed and where necessary remediated under the Environmental Planning and Assessment Act, Contaminated Land Management Act, or Protection of the Environment Operations Act. Information for the majority of sites assessed resides with individual Councils. Sites that are "significantly contaminated" can be found on the EPA's public register: <http://www.epa.nsw.gov.au/prclmapp/searchregister.aspx>.
- *918 AGEING, DISABILITY SERVICES—ABORIGINAL RESOURCES AND PATHWAYS PROGRAM—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism—
- (1) Is funding for the Aboriginal Resources and Pathways program ceasing on 30 June 2016?
- (a) If so, why?
- (2) What are the Government's commitments to supporting Aboriginal community development in disability support and the National Disability Insurance Scheme beyond 30 June 2016?
- (3) How will the Government ensure that Aboriginal people with a disability get information about, and access to, the National Disability Insurance Scheme after 30 June 2016?
- (4) Has the Government evaluated the Aboriginal Resources Pathways program?
- (a) If so, what was the outcome of that evaluation?
- (5) How will the Government support employment opportunities for Aboriginal people in the disability sector if these the Aboriginal Resources and Pathways program ceases on 30 June 2016?
- (6) How many Aboriginal people have completed traineeships through the Aboriginal Resources and Pathways program?
- (7) How many non-government organisations are members of the program's networks?
- (a) How many Aboriginal Elders are members of the program's networks?
(b) How many community members are members of the program's networks?
(c) How many government stakeholders are members of the program's networks?
(d) How many business stakeholders are members of the program's networks?
- (8) How much Government funding did the Aboriginal Resources and Pathways program receive in the

following financial years:

- (a) 2011/12
 - (b) 2012/13
 - (c) 2013/14
 - (d) 2014/15
 - (e) 2015/16?
- (9) How much Commonwealth Government funding did the Aboriginal Resources and Pathways program receive in the following financial years:
- (a) 2011/12
 - (b) 2012/13
 - (c) 2013/14
 - (d) 2014/15
 - (e) 2015/16?
- (10) Does the Government have any alternative program that delivers sustained and respectful engagement with Aboriginal communities?
- (a) If so, what is it?

Answer—

- (1) The Aboriginal Resources and Pathways program (ARP) was established on the basis that after an initial funding period, the National Disability Services (NDS) would work in partnership with the not-for-profit and private sectors to ensure the ARP networks can operate independently into the future. I am advised the NDS is currently identifying options for these partnerships.
- (2) to 3. Information on supporting Aboriginal community development and the provision of information to Aboriginal communities on the transition to the NDIS is available on the NDIS website at: <http://ndis.nsw.gov.au/ndis-resources/aboriginal-people/>
- 4 & 7. A review of the Industry Development Fund (IDF), which reports on the ARP networks is available on the Department of Family and Community Services' website at: www.facs.nsw.gov.au
5. The National Disability Insurance Agency (NDIA) has committed to designing, developing and implementing an Aboriginal and Torres Strait Islander employment strategy for the NDIS, which will include a target that three per cent of the NDIA workforce is Aboriginal and Torres Strait Islander. The NSW Government will work with the NDIA to support Aboriginal employment.
6. Across NSW, 110 Aboriginal people were placed in traineeships and cadetships through the Aboriginal Jobs Together project, which was overseen by the regional coordinators from the ARP project. Aboriginal Jobs Together was a joint project between the NSW and Australian Governments, AbSec, and non-government organisations. Aboriginal Jobs Together closed to new entrants in 2014.
8. The NSW Government provided funding to the NDS with a lump sum of \$22 million to deliver the IDF. NDS allocated \$1.9 million of this funding to the ARP from 2009-2016. Aboriginal Jobs Together was separately funded by the NSW Government in 2011 with \$4.8 million and this was extended with \$322,500 from the Department of Family and Community Services in November 2013.
9. No Commonwealth funding was provided for ARP.
10. Ensuring that Aboriginal people and their communities are engaged throughout the transition to the NDIS is a priority for the NSW Government. The Aboriginal Disability Network NSW has been engaged to work with Aboriginal communities on their readiness for the NDIS, including delivering community yarning sessions across NSW to provide information and skill development opportunities for Aboriginal families.

*919 LANDS AND WATER, PRIMARY INDUSTRIES—ABORIGINAL LAND CLAIMS AND AGREEMENTS—Ms Barham asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Could the Minister please advise of any progress in making use of the provisions of the Aboriginal Land Rights Agreement Act 2014 to negotiate Aboriginal Land Agreements as a way of resolving Aboriginal land claims?

- (2) Noting that at 30 June 2015 there were more than 28,000 unprocessed claims, what additional actions and resources have the Government dedicated to reducing the number of claims, whether through processing individual claims or negotiating Aboriginal Land Agreements?

Answer—

- (1) to 2. The Government introduced amendments to the Aboriginal Land Rights Act 1983 (ALRA), which commenced 1 July 2015.

Extensive progress has been made to develop a Negotiation Framework to guide the use of ALAs. Various Government departments, and NSWALC, led by Department of Premier and Cabinet, have been meeting since the second half of 2015 to explore issues relating to the principles, processes and protocols for the negotiation of ALAs.

As part of this work, NSWALC has been holding regional forums across NSW during 2016 to consult Local Aboriginal Land Councils (LALCs) about ALAs and the Crown Land Reforms. NSWALC will on completion of these meetings submit to Government further information to assist the completion of the framework.

The Government is also proposing to utilise the ALA framework in negotiations with LALCs as part of the Crown Land Reforms.

*920 HEALTH—CANCER CLUSTER—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Health—

- (1) Given that the Australian Institute of Health and Welfare gives the latest figures for the incidence of cancer in New South Wales as being 491 per 100,000 or one in every 200 people, can you explain how an incidence of cancer of 28 in a population of 377, or one in every 14 people, is not cause for further investigation, especially when most of these cases have occurred in the one street where the plots were remediated because of the 'affected' levels of radiation?
- (2) Can you explain how the Chief Executive of Northern NSW Local Health District in his response to the concerned local GP Dr Paul Malouf could conclude that 'the situation in Mooball fails to meet all four of the criteria commonly used to indicate proceeding to a cluster investigation'?
- (3) What constitutes a cancer cluster in New South Wales?
- What rate of cancer incidence triggers an investigation?
 - What environmental factors qualify as triggers?
- (4) Has NSW Health failed to recognise cancer clusters before? If so
- How many have failed to be picked up?
 - Where were these clusters?
 - Why did NSW Health fail to recognise them?
- (5) Did the North Coast Public Health Unit:
- Pursue documents that may contain information about potential land contamination in the Mooball area?
 - Undertake a literature search to determine if there is any evidence linking increased cancer risks in communities where there are naturally occurring mineral sands? If so,
 - When will it be made publicly available?
 - Why did the North Coast Public Health Unit restrict its literature search to 'cancer risks in communities where there are naturally occurring mineral sands'?
 - Why did it not include areas where tailings and other waste from sand mining was deposited?
 - Why did it not include areas where sand mining had taken place?

Answer—

I am advised by the Minister for Health:-

According to the Cancer Institute of NSW's report "Cancer in NSW: Incidence and Mortality 2010", the lifetime risk of being diagnosed with cancer by age 85 is one in two males and one in three females. The incidence of cancer for NSW quoted in the question is the number of new cancer cases per 100,000 population per year.

People develop cancer frequently and so clusters of people with cancer occur by chance. Health Protection NSW advises that standard criteria are used to assess whether cancer clusters are real, occur by chance or require investigation consistent with published NHMRC criteria. Northern NSW Local Health District has assessed the situation and concluded that the rate of cancer in the community is no higher than expected and there is no evidence of a cluster of specific cancer types.

*921 LANDS AND WATER, PRIMARY INDUSTRIES—GADEN TROUT HATCHERY ADVERTISEMENTS—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

Regarding the advertisement found on page 26 of the Port Stephens Examiner on Thursday 10 March 2016, regarding the Gaden Trout Hatchery:

- (1) In how many publications was this advertisement or a related advertisement printed? Please list any publications and the dates published.
- (2) What was the total cost to the NSW Department of Primary Industries and/or Recreational Fishing Trusts for placing these advertisements?
- (3) Who initiated the placing of these advertisements?
- (4) Was the committee or advisory body distributing funding for the Recreational Fishing Trusts consulted regarding these advertisements?
 - (a) If so, please provide the minutes that incorporate their decision.
- (5) Does the hatchery or the Government collect information showing how many extra visitors these advertisements generated?
 - (a) If so, please provide figures showing the number of extra visitors.

Answer—

- (1) Promotional advertisements for the Gaden Trout Hatchery have appeared in up to 12 regional newspapers or tourism journals during 2015/16 including the Snowy River Echo, Seniors Magazine, Monaro Media Group, Snowy Times, Bowls Plus, Tourism Snowy Mountains, Destination NSW, Canberra Region 2015 Visitors Guide, Lakelight Sculpture, Cartoscope Maps, Cooma/Jindabyne Tourist Centres, Nuggets Crossing and Trip Advisor.
- (2) Total expenditure for the year to date on promotion, including newspaper advertisements is \$15,892.
- (3) NSW Department of Primary Industries, through consultation with the Gaden Hatchery Management Committee.
- (4) The former Advisory Council on Recreational Fishing (ACoRF) was the statutory body with responsibility for providing advice to Government on expenditure from the recreational fishing trusts. ACoRF receives verbal advice and updates on matters relating to the operation of Gaden Hatchery from the Chair and members of the Recreational Fishing Freshwater Trust Expenditure Committee and the Gaden Hatchery Management Committee.
- (5) No formal survey has been undertaken.

*922 LANDS AND WATER, PRIMARY INDUSTRIES—NEW SOUTH WALES RECREATIONAL FISHING TRUSTS FUNDING—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

Regarding the New South Wales Recreational Fishing Trusts funding for projects:

- (1) How many applications were received for funding, and how many applications were approved for funding, for each year for the past four financial years?
- (2) For projects approved for the Department of Primary Industries itself to carry out, is the Department required to follow the same application process as external applicants?
- (3) Were unsuccessful applicants advised of the reasons why they were unsuccessful?
- (4) Have unsuccessful applicants been offered assistance in preparing successful applications in future?

Answer—

- (1) 2015/16: 124 new applications were received and 73 of these were approved for funding

2014/15: 61 new applications were received and 27 of these were approved for funding

2013/14: 76 new applications were received and 34 of these were approved for funding

2012/13: 83 new applications were received and 40 were approved for funding.

(2) Yes.

*923 LANDS AND WATER, PRIMARY INDUSTRIES—NEW SOUTH WALES SHARK MANAGEMENT STRATEGY—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

Regarding each of the four components of the Government's New South Wales Shark Management Strategy:

- (1) What is the budget allocation for each component for 2015-16?
- (2) What is the expenditure for each component to date? Please break down expenditure to each type of initiative within each of the four components.
- (3) Which initiatives within each component have been begun to date, and when were they begun? Please include location details, if applicable.
- (4) Which initiatives within each component have been implemented or completed to date, and when were they implemented or completed? Please include location details, if applicable.
- (5) When will each component be evaluated or reviewed?
- (6) Will any evaluations or reviews be made public?
- (7) Are there other initiatives for shark management currently being undertaken that are not listed as part of the components of the Strategy? If so, please provide details.

Answer—

- (1) The programs within the five-year Shark Management Strategy and their 2015/16 budget allocations are below:

Program 1 Surveillance, detection and deterrents program \$2,060,000

Program 2 Science and Research \$700,000

Program 3 Education and Community Awareness \$395,000

Additionally, there is an amount of \$820,000 budgeted for 2015/16 to cover resourcing and operational costs that are spread across all programs.

- (2) Program 1: \$1,415,000, Program 2: \$115,000, Program 3: \$80,000.
- (3) Information relating to the rollout of the Shark Management Strategy is available at <http://www.dpi.nsw.gov.au/content/fisheries/info/sharks/nsw-shark-management-strategy>.
- (4) Information relating to the rollout of the Shark Management Strategy is available at <http://www.dpi.nsw.gov.au/content/fisheries/info/sharks/nsw-shark-management-strategy>.
- (5) Annually.
- (6) Yes.
- (7) In addition to the Shark Management Strategy, the NSW Government continues to invest in world-leading research and development, and continues to work with local councils and surf lifesaving organisations to deliver initiatives to reduce risks to bathers.

*924 LANDS AND WATER, PRIMARY INDUSTRIES—DREDGING—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Does the Government own a dredge or equipment to undertake dredging in waterways?
 - (a) If not, has the Government previously owned a dredge or such equipment and has the Government considered procuring any?
- (2) What was the Government's expenditure on dredging activities for each of the past four financial years?
- (3) How much funding is allocated for dredging activities in 2015-16?
- (4) What is the process for dredging works to be funded and carried out by the Government?

- (5) Who is responsible for deciding whether to approve and initiate dredging works in NSW?
- (6) What is the average timeframe from the lodging of a request for dredging works, to a decision regarding the request and, if approved, the dredging works being carried out?

Answer—

- (1) No.
 - (a) Yes.
- (2) to 3. Information on dredging expenditure can be found in the budget papers.
 4. The NSW Government undertakes dredging to maintain boating navigation access to state owned maritime infrastructure, such as coastal harbours, port facilities and river entrances, where breakwaters and training walls have been constructed to assist in providing stable entrance conditions. The need for dredging is identified through stakeholder consultation and by bed level surveys to confirm the extent of shoaling within marked navigational channels that may be affecting safe boating access.
 5. Responsibility for deciding whether to approve and initiate dredging rests with State or Local Government.
 6. The average time from the lodging of a request for dredging works, to a decision regarding the request varies for each proposal.

*925 LANDS AND WATER, PRIMARY INDUSTRIES—BEEHIVE BORDER INSPECTIONS—Mr Veitch asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) What action does the Government take to carry out border inspections for beehives transported across state borders, particularly in relation to associated biosecurity risks?
- (2) How often are inspections of beehives transported from Queensland to Northern New South Wales carried out?
- (3) What funding is allocated to ensure beehive inspections are carried out at borders?
- (4) How many instances of diseased beehives being transported across borders into New South Wales have there been in each year for the past four years?

Answer—

- (1) The NSW Department of Primary Industries (DPI) regulates interstate transfers of bees in accordance with the Operational Procedure – Health Certification for Honeybee's and Apiary Products. Information regarding inspections is available at www.dpi.nsw.gov.au.
- (2) Inspections of beehives transported from Queensland to Northern New South Wales are conducted according to the biosecurity risk. Risk is determined by notification from interstate authorities of unlawful entry, previously known non-compliant behaviour, or previous notification of pests and diseases. All complaints of this nature are investigated.
- (3) Regulatory activities for the bee industry are funded through general compliance operations budgeted within DPI.
- (4) Nil.

*926 PLANNING—WEST WALLSEND BUTTERFLY CAVE—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for Planning—

- (1) Was the Joint Regional Planning Panel (JRRP) fully informed of the Aboriginal significance of the Butterfly Cave at West Wallsend in relation to the Roche Group residential development?
- (2) Was the JRPP advised that the Awabakal women who are custodians of the Butterfly Cave sacred Aboriginal Women's site supported the 20 metre protection buffer around the cave?
- (3) Did the Awabakal women who are custodians of the Butterfly Cave support the 20 metre protection buffer around the cave, and what evidence (if any) there is to suggest that this is the case?

- (4) Will the Minister take action to seek a stop work order or a deferral of works by the Roche Group to allow further discussions and negotiations for the protection of the Butterfly Cave, which was declared an Aboriginal Place under the National Parks and Wildlife Act 1974 in June 2013?
- (5) Does the area (20 metre) defined for protection under the Roche Group voluntary protection buffer, adequately protect the significance of the site?

Answer—

I am advised:

- (1) Yes.
- (2) The JRPP was advised that the Awabakal Local Aboriginal Land Council attended a site visit where there appeared to be in-principle agreement to the 20 metre buffer, and a subsequent letter from Awabakal Local Aboriginal Land Council that they did not agree to the 20 metre buffer.
- (3) I am not aware that the Awabakal women have supported the 20 metre buffer to the Butterfly Cave.
- (4) An order to cease subdivision work can only be made if there is work being carried out in contravention of the Environmental Planning and Assessment Act 1979.
- (5) The JRPP made this decision with the advice of the Office of Environment and Heritage who assessed that the proposed development did not directly impact the Butterfly Cave and that an Aboriginal Heritage Impact Permit (AHIP) was not required. The Office of Environment and Heritage issued General Terms of Approval for a 20 metre buffer.

*927 ENVIRONMENT, HERITAGE—WEST WALLSEND BUTTERFLY CAVE—Ms Barham asked the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

- (1) Was the Joint Regional Planning Panel (JRRP) fully informed of the Aboriginal significance of the Butterfly Cave at West Wallsend in relation to the Roche Group residential development?
- (2) Was the JRPP advised that the Awabakal women who are custodians of the Butterfly Cave sacred Aboriginal Women's site supported the 20 metre protection buffer around the cave?
- (3) Did the Awabakal women who are custodians of the Butterfly Cave support the 20 metre protection buffer around the cave, and what evidence (if any) there is to suggest that this is the case?
- (4) Will the Minister take action to seek a stop work order or a deferral of works by the Roche Group to allow further discussions and negotiations for the protection of the Butterfly Cave, which was declared an Aboriginal Place under the National Parks and Wildlife Act 1974 in June 2013?
- (5) Does the area (20 metre) defined for protection under the Roche Group voluntary protection buffer, adequately protect the significance of the site?

Answer—

I am advised as follows

- (1) This is a matter for the Minister for Planning.
- (2) This is a matter for the Minister for Planning.
- (3) The curtilage of the Aboriginal Place was determined in 2013 after consultation with the Awabakal Local Aboriginal Land Council and with other members of the local Aboriginal community.
- (4) The Office of Environment and Heritage (OEH) continues to engage with the Aboriginal community, council and the landowner to ensure the Aboriginal Place is not harmed.
- (5) The Butterfly Cave was declared to be an Aboriginal Place in 2013 under the National Parks and Wildlife Act 1974. Its declaration as an Aboriginal Place recognises the significance of this site. Under the National Parks and Wildlife Act 1974 it is an offence to harm or desecrate an Aboriginal Place. This includes action taken outside the statutory boundary of an Aboriginal Place which harms the Aboriginal Place. The development consent contains conditions to ensure that the development does not impact on the Butterfly Cave during construction. The conditions include a requirement to prepare a construction management plan which details what construction methods will be used to protect the integrity of the Butterfly Cave. OEH is offering assistance to council and the developer to avoid harm to the Cave. This includes any support needed to review the construction management plan.

*928 PRIMARY INDUSTRIES—REVIEW OF CROWN LANDS—Mr Shoebridge asked the Minister for Primary Industries, and Minister for Lands and Water—

- (1) Please provide an update as to where the review of Crown Lands Management is up to and when a report is expected to be published?
- (2) When will the more than 600 submissions considered by the review be made public?
- (3) What consultation has been undertaken since 20 June 2014?
- (4) Has a draft bill been produced?
 - (a) If so, who have draft copies been provided to?
 - (b) If so, when will copies be available for comment?

Answer—

- (1) In October 2015, the NSW Government published the Response to Crown Lands Legislation White Paper – Summary of Issues and Government Response. This report outlines the NSW Government's approach to ensure that the use and management of Crown land continues to meet community expectations across NSW through the development of a single, modern legislative framework.
- (2) In October 2015 the Government published a summary of submissions in the Response to Crown Lands Legislation White Paper – Summary of Issues and Government Response.
- (3) Consultation has been ongoing with a range of stakeholders.
- (4) A bill is currently being drafted.

*929 TREASURER—EXPERT PANEL TO AUDIT GOVERNMENT STRUCTURES—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Treasurer, and Minister for Industrial Relations—

- (1) Please provide details of the expert panel commissioned by the Government to audit government structures, including but not limited to:
 - (a) Members of the panel?
 - (b) The date the audit was requested?
 - (c) The wording of the request?
 - (d) Completion date?
- (2) Will the details of the audit, including the recommendations, be made public?
 - (a) If so, when?
- (3) Which agencies and/or departments have been called before the expert panel? Please list.

Answer—

The Government made an election commitment to eliminate unnecessary duplication across government, including consolidation of government agencies, bodies, boards and committees and streamlining administration and governance arrangements.

Since the election, the Government has sort advice from an expert panel and is currently considering recommendations. No decisions have been made.

The panel members included Peter Boxall, Jan Harris and Akiko Jackson.

*930 LANDS AND WATER, PRIMARY INDUSTRIES—PIG GASSING—Mr Pearson asked the Minister for Primary Industries, and Minister for Lands and Water—

A response from the Minister's office dated 11 November 2015, confirmed that the Minister had viewed video footage of the gas stunning of pigs using carbon dioxide gas at Rivalea abattoir:

- (1) Can the Minister confirm that two workers were sacked from the abattoir as a result of the actions in the video footage?
 - (a) If so, was their sacking related to the gassing procedure undertaken at the facility or their responsibilities in regards to the concentration of the gas mixture?
 - (b) Was their sacking as a result of excessive use of electric prodders and handling of the pigs prior to slaughter?

- (c) Have one or any of the sacked workers been re-employed by the company either directly or indirectly?
- (2) Can the Minister confirm the practices at Rivalea have been reviewed by both the RSPCA and the Australian Government?
- (a) If so, was the entire stunning process until the death of the pigs monitored and reviewed?
- (b) Was the concentration of the gas mixture measured and recorded?
- (i) If so, for what length of time and for which depths of the gas stunning chamber?
- (3) Did the RSPCA review the reaction of the pigs as they were lowered into the gas mixture?
- (a) If so, how was this monitored or witnessed and were pig welfare experts engaged?
- (4) Emeritus Professor Donald Broom of the University of Cambridge stated in his report of the video footage dated 14 March 2014 that "The extreme reactions of [all the] pigs described here is typical for pigs lowered into a high concentration of carbon dioxide. For all of these animals, their welfare was very poor for 20-40 seconds." Given this how could inspectors ensure the stunning process is using the correct gas mixture?
- (5) The letter of 11 November 2015 from the Minister's office makes reference to an RSPCA inspection and compliance under the Animal Welfare Code of Practice-Commercial Pig Production, as this code is silent on the slaughtering process; please advise the relevance and the terms under which the inspection was carried out?

Answer—

- (1) This is a matter for the company.
- (2) This question should be directed to the RSPCA and the Australian Government.
- (3) This question should be directed to RSPCA.
- (4) Inspectors can only monitor the conditions at the time of inspection.
- (5) RSPCA Inspectors monitored that the welfare conditions of the pigs were in accord with the Prevention of Cruelty of Animals Act 1979 (POCTA) and the Animal Welfare Code of Practice-Commercial Pig Production. The provisions of POCTA apply to handling of animals within slaughtering establishments.

*931 TRANSPORT AND INFRASTRUCTURE—NEWCASTLE URBAN RENEWAL BUSINESS CASE—Mr Shoebridge asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) When will the Government publish the Newcastle Urban Renewal and Transport Program Stage 2 Final Business Case Urban Renewal and Light Rail Assurance Review Report of September 2014?
- (2) Was the report prepared by Angus Dawson, Danny Graham and James McIntosh?
- (a) If not, who prepared the report?
- (3) Is it true that of nine separate criteria, the business case received only two green flags?
- (4) Did the business case receive a red flag for the criteria of funding and value for money?
- (5) Did the business case receive yellow flags on six of the nine criteria considered?

Answer—

I am advised:

This matter is Cabinet-in-Confidence.

*932 LOCAL GOVERNMENT—CITY OF SYDNEY—Mr Primrose asked the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council representing the Minister for Local Government—

- (1) Is there any prohibition against any form of communication to being sent to an elector on the non-residential roll by a City of Sydney Councillor or the City of Sydney Lord Mayor?

- (2) Is there any prohibition against any form of communication being sent to an elector on the non-residential roll that includes a message from, a photograph of, or a signature of a City of Sydney Councillor or the City of Sydney Lord Mayor?
- (3) Is there any prohibition against any form of communication by a Councillor or the Lord Mayor to an elector on the non-residential roll who has provided their contact details in the registration process which includes a message from, a photograph of, or a signature of a City of Sydney Councillor or the City of Sydney Lord Mayor?
- (4) Is there any prohibition against the collection of data to populate the non-residential roll to use for sending mail, email, telephone, or any other forms of communication to an elector from a City of Sydney Councillor or the City of Sydney Lord Mayor?
- (5) Will the reforms to the Local Government Act 1993 prohibit a City of Sydney Councillor or the City of Sydney Lord Mayor to communicate with electors on the non-residential roll who have provided their contact details in the registration process?

Answer—

Information contained in the City of Sydney's non-residential roll of electoral information must be managed in accordance with the Privacy and Personal Information Act 1998.

The Model Code of Conduct for Local Councils in NSW includes measures for the appropriate use of council resources.

3 MAY 2016

(Paper No. 54)

Nil Questions submitted.

David Blunt
Clerk of the Parliaments