

BE SUPPLEMENTARY QUESTIONS MARCH 2024

Natural Resources:

MO engagement with report on mining inquiry

(1) In relation to the report of the inquiry into current and potential impacts of gold, silver and zinc mining on human health, land, air and water quality in NSW:

(a) Who in the minister's office or department saw any part of the draft report?

(b) Who in the minister's office or department had any role in providing feedback or directions on findings or recommendation/s in the draft report?

(c) With respect to which specific findings or recommendation/s were feedback or directions sought from the minister's office or department?

(d) Who requested this feedback or direction on findings and recommendation/s in the draft report?

ANSWER:

Deliberations about the contents, findings and recommendations of reports produced by Legislative Council inquiries are ultimately voted on and determined by committee members.

The NSW Government's response to the inquiry was tabled in Parliament on 19 March 2024.

Draft report of mining inquiry and the NSW Minerals council

(2) Did the NSW Minerals Council at any stage:

(a) View any part of the draft report?

(b) Provide feedback on any part of the draft report

ANSWER:

Deliberations about the contents, findings and recommendations of reports produced by Legislative Council inquiries are ultimately voted on and determined by committee members.

Matters relating to the NSW Minerals Council should be directed to the NSW Minerals Council.

Draft report of mining inquiry and the NSW Minerals council

(3) In specific relation to Mining, Exploration and Geoscience (MEG) and to the report of the inquiry into current and potential impacts of gold, silver and zinc mining on human health, land, air and water quality in NSW:

(a) Who in MEG saw any part of the draft report?

(b) Who in MEG had any role in providing feedback or directions on findings or recommendation/s in the draft report?

(c) With respect to which specific findings or recommendation/s were feedback or directions sought from MEG?

(d) Who directed these people at MEG to give feedback and directions on findings and recommendation/s in the draft report?

i. To whom were the above mentioned feedback and directions addressed?

ANSWER:

Deliberations about the contents, findings and recommendations of reports produced by Legislative Council inquiries are ultimately voted on and determined by committee members.

I refer to pages 43 - 46 of the transcript.

Cadia lung bus screening

(4) Is screening by the lung bus visiting Cadia mine compulsory for every Cadia employee?

(a) If not, why not? Under what circumstances, if any, is lung bus screening not required of an employee?

(b) How is Cadia's compliance with lung bus screening audited and how often?

ANSWER:

Schedule 14 of the Work Health and Safety Regulation 2017 requires a mine operator (PCBU) to provide health monitoring for workers that are exposed to crystalline silica in the workplace. Health monitoring must be provided to workers where there is a "significant risk" to workers health. Thus, the requirement is risk based.

Participation in the health screening by Cadia employees is determined by the mine under their Health and Safety Management System. The use of the icare lung bus has been used by Cadia as part of their site specific health and safety management system. The program requires each employee to undergo baseline medical health screening (lung function spirometry and x-rays) at the start of employment, with regular on-going follow up health screening conducted.

Every employee at Cadia is required to participate in health screening, including contractors.

The Regulator assesses the compliance of mine sites against their Health & Safety Management Systems through planned inspection programs which are comprised of both desktop assessments and site inspections. These activities assess the site's hygiene monitoring, health monitoring and ventilation programs for the control of airborne dust contaminants. Planned inspection programs occur at a minimum on a 6 monthly basis as part of the Regulators scheduled compliance priorities. These planned inspections programs assess various elements of the Health and Safety Management System at each mine site, including the control of airborne dust contaminants.

Lung bus visits for metal mines

(5) How many lung bus visits have been made to each of the metal mines in NSW since the start of 2016?

(a) In total for each site, for each visit occasion, how many workers were screened?

ANSWER:

The level and method of health screening of employees is determined by each mine under their Health and Safety Management System. The Lung Bus is operated by icare NSW. Further information regarding icare health monitoring at NSW mines should be directed to icare NSW.

Notification of respiratory crystalline silica for Resource Regulator

(6) How many notifications has the Resource Regulator received for exposure to respiratory crystalline silica in the last 3 years?

(a) What is the breakdown of these notifications by year and region?

(b) How many of these notifications received an on-site inspection by the Resource Regulator?

i. How soon after notification did these on-site inspections occur?

ANSWER:

I am advised that there have been 349 Incident notifications from 1 March 2021 to 29 February 2024.

Of these 349 Incident notifications, a total of 490 individual exceedances of the exposure standard were reported.

(a) Of the 490 exceedances of the exposure standard for respirable crystalline silica reported since 1 March 2021, the following is noted:

Year	Exceedances reported
2021	175
2022	145
2023	155
2024	15 (to 29/02/2024)
Region	Exceedances reported
Hunter	149
Central West & Orana	138
New England North West	62
Far West	42
Illawarra Shoalhaven	30
Sydney & surrounds	23
North Coast	17
South East & Tablelands	14
Riverina Murray	13
Central Coast	2

(b) 82% (287) incidents were assessed during inspections.

- i. A Trigger Action Response Plan (TARP) is used to determine regulatory response to incident notifications of airborne contaminant exposure exceedances. The degree of response depends on the concentration of the exceedance, the number and location of previous exceedance notifications and evidence of poor management practices. Response is usually within 6 days to assess compliance with safety obligations and company responses.

Confirmed cases of silicosis from Cadia

(7) Since 2016, how many suspected and confirmed cases of silicosis have there been in workers who have worked at Cadia at some stage in their career?

ANSWER:

I am advised that there have been 3 adverse health monitoring reports submitted to the Resources Regulator from Cadia since 2016:

- Cadia Valley Operations – June 2019 – unconfirmed case
- Cadia East UG – June 2022 – simple silicosis
- Cadia Valley Shared Surface Infrastructure – August 2023 – simple silicosis

Demand projection for Strategic Statement on coal

(8) Demand projections displayed in the Strategic Statement on Coal cite IHS Markit 2020 as the source and show only a 25% decline in seaborne thermal coal trade in Asia out to 2050. Can you confirm the source of this demand projection

ANSWER:

The demand projections were sourced from IHS Markit, a global provider of information and analytics for industries and markets that drive economies worldwide. Based in London, the company merged with S&P Global in 2022.

Expected coal demand modelling

(9) Has expected coal demand modelling been updated since the Government took office in March 2023?

(a) If yes, does this modelling situate coal demand scenarios within climate change and net zero energy modelling such as those developed by the IPCC and the IEA?

ANSWER:

The Department of Regional NSW sources global coal demand modelling from external providers, including IHS Markit (S&P Global) and the International Energy Agency (IEA). These demand projections are generally updated annually.

Government expectation for coal demand accounting for Net Zero Future Act

(10) What is the NSW Government's expectation for thermal coal demand, consistent with achieving the purpose of the Net Zero Future Act, holding global average temperature increases to the goals set by the Paris Climate Agreement

ANSWER:

The Department of Regional NSW relies on global coal demand modelling from external providers, including the IEA. The IEA forecasts that by 2050, total world demand for thermal coal is expected to be about 30 per cent lower compared to 2022 levels. This is driven by lower expected demand from coal-fired power generation.

Strategic statement on coal Exploration and Mining in NSW policy review

(11) Minister Houssos stated that the 'Strategic Statement on Coal Exploration and Mining in NSW' may not be "fit for purpose" and therefore a review will be conducted of this policy in this term of government.

(a) Has any work on a review of the 'Strategic Statement on Coal Exploration and Mining in NSW' begun?

(b) Who has or will have responsibility within the Government for conducting this review?

(c) Will a review of this policy commence in 2024?

(d) In relation to Minister Houssos' statement 'we want to make sure that it's fit for purpose, that it's updated, that it's in line with our Government's aims and objectives,' what are these aims and objectives as they pertain to coal?

(e) Has the Government given any assurances to the NSW coal industry, NSW Minerals Council or proponents of coal-mine-expansions currently in the NSW planning system, that any review of the 'Strategic Statement on Coal Exploration and Mining in NSW' policy will not be completed until after large coal-mine expansion projects currently being assessed by the NSW Department of Planning, Housing and Infrastructure, have been determined?

ANSWER:

(a) Work on the review of the strategic statement will commence following completion of the update to the NSW Critical Minerals and High-Tech Metals Strategy.

(b) Mining, Exploration and Geoscience, within the Department of Regional NSW, will lead a whole-of-government review of the strategic statement.

(c) Yes

(d) This will be considered as part of the review.

(e) No.

Finance:**Schedule of meetings regarding GP payroll tax stakeholders**

(12) Since the *Daily Telegraph* article published on 7 February 2024 titled “We’re just sick of it”:

(a) how many meeting requests from General Practitioners and relevant stakeholders has your office received to meet to discuss your “GP Tax”?

(b) of those requests, how many meetings have you taken?

(c) of those requests, how many have you declined?

ANSWER:

Please refer to my diary disclosures.

Average tax bill for medical practices

(13) What is the average tax bill that is going to be issued to a medical practice in New South Wales?

ANSWER:

I am advised that Revenue NSW paused audits on medical centres following assent of the *Revenue, Fines and Other Legislation Amendment Act 2023* on 4 September 2023.

Average tax bill for medical practices prior to audit pause

(14) What is the average tax bill that has been issued to medical practices in New South Wales, as a result of audits undertaken before the pause on audits?

ANSWER:

I am advised that Since 1 July 2018 to 3 September 2023, the average assessment issued as a result of a payroll tax audit was \$56,000. These assessments included multiple years and grouped entities.

Highest tax bill for medical practices

(15) What is the highest tax bill that will be issued to a medical practice?

ANSWER:

I am advised that Revenue NSW paused audits on medical centres following assent of the *Revenue, Fines and Other Legislation Amendment Act 2023* on 4 September 2023.

Highest tax bill for medical practices prior to audit pause

(16) What was the highest tax bill that was issued to a medical practice, as a result of audits undertaken before the pause on audits?

ANSWER:

Pursuant to the secrecy provisions of the *Taxation Administration Act 1996* we do not disclose the confidential information of taxpayers.

Please refer to the answer to Supplementary Question 14, which provides the average tax bill for medical practices.

Number of GPs facing insolvency

(17) How many GPs do you expect to take to court if they face insolvency?

ANSWER:

I am advised that Revenue NSW will consider individual circumstances on a case-by-case basis.

Expected number of audits in the coming financial year

(18) In response to supplementary question 45 as a part of last year's Budget Estimates you stated that "43,012 businesses are required to lodge an annual reconciliation of their payroll tax in NSW". How many businesses do you expect to undergo an audit in the coming financial year?

ANSWER:

I am advised that Revenue NSW's compliance program, it is expected that approximately 9,900 payroll tax businesses will be audited in 2023/24. Information for 2024/25 is not available.

Consultation with Queensland government surrounding money owed from COVID 19 quarantines

(19) Have you had contact with any members of the Queensland Government or officials regarding the \$105 million owed to NSW taxpayers from hotel quarantines during the Covid-19 Pandemic?

ANSWER:

I am advised that the Treasurer wrote to the Queensland Treasurer on 11 February 2024 asking for the Queensland Government to resolve outstanding hotel quarantine debts.

Interjurisdictional debt owed to NSW

(20) In total, what is total interjurisdictional debt owed to NSW?

NSW successfully negotiated recovery of \$205.3 million (including GST) from Victoria, South Australia, Tasmania and the ACT for NSW's costs of quarantining interstate residents.

\$139.1 million (including GST) in costs were not able to be recovered from Queensland, Western Australia and the Northern Territory, with \$105 million owed by the Queensland Government.

Timeline of interjurisdictional debt owed

(21) When do you expect the interjurisdictional debts owed to New South Wales to be recovered?

The Government will continue to advocate for the people of NSW to recover these fees, including through the GST distribution process.

Domestic Manufacturing and Government Procurement:

ICAC's submission relating to 30% local content
(22) Have you or your office read the Independent Commission Against Corruption's submission as it relates to your 30% local content election?
<p>ANSWER:</p> <p>I am aware that various stakeholders (including the Independent Commission Against Corruption) have made submissions to the Standing Committee on Social Issues inquiry into Procurement Practices of Government Agencies in New South Wales and its Impact on the Social Development of the People of New South Wales.</p>

Steps taken to avoid lobbying/conflict of interest following ICAC submission
(23) What steps have been you and your office taken to avoid the risk of "unnecessary" lobbying and conflicts of interests as a result of your 30% local content commitment in light of the Independent Commission Against Corruption's concerns?
<p>ANSWER:</p> <p>Victoria and Queensland have implemented local content requirements. The New South Wales Government will be informed by the findings from the NSW Procurement inquiry into Procurement Practices of Government Agencies in New South Wales and its Impact on the Social Development of the People of New South Wales.</p>

Definition of 'Domestic'
(24) Could you please define the term "domestic" as it relates to the Domestic Manufacturing and Government Procurement portfolio?
(a) Does this definition solely refer to New South Wales or does it refer to other states and territories?
(b) Is New Zealand considered as a domestic location under this definition?
ANSWER:

I am advised that the industry standard definition of 'domestic' in the context of local content requirements is 'Australia and New Zealand'.

This definition is being considered as part of the procurement policy development.

Timeline of domestic definition

(25) If a definition for domestic has not been agreed upon, when can we expect a definition as it relates to the Domestic Manufacturing portfolio?

ANSWER:

See answer to question 24.

Revenue NSW:

Disabled employees at Revenue NSW

(26) How many people with disability are employed in Revenue NSW?

(a) Does Revenue NSW have disaggregated data in relation to disability employment?

ANSWER:

I am advised that according to SAP data 93 staff in Revenue NSW (RNSW) identify as having Disability as at 29 February 2024.

Note: Declaration of disability status is voluntary and there are employees who choose not to provide this data. As such we believe Workforce Diversity numbers are underreported, when looking at other reporting (such as PMES).

(a) Yes, Revenue NSW has this information available by: Age, Grade of Role and Business unit. To maintain employee privacy, this data is only available where the population size is greater than 25.

Details of Revenue NSW Revenue hiring process

(27) Can Revenue NSW share details of how its hiring process has successfully recruited people with disability?

(a) Are there particular initiatives that could be shared with other government departments to improve their hiring and retention of people with disability?

ANSWER:

I am advised that:

The Everyone at Work Program is a pathway to employment program focused on transitioning people with Intellectual Disability (PWID) into ongoing, supported NSW government roles. The model includes a Tailored Talent approach to recruitment through the application of Government Sector Employment (GSE) Rule 26 along with partnerships with Disability Service Providers (DES). It builds in dedicated disability confident working environments and a reimagined business wide work assignment approach – all designed to ensure a supported connected allocation of tasks, meeting the capabilities and strengths of PWID.

In February 2024, Revenue NSW rolled out the Public Service Commission (PSC) developed training, Removing the Barriers. This seeks to create a network of passionate employees from across RNSW who will take an active role in the Everyone at Work program, designed to increase representation of employees with intellectual disability. To date, we have placed one position with an employee with intellectual disability, with another four positions identified. New workflows have been designed to allow a variety of activities to be undertaken by these employees which adds value to Revenue NSW processes and maintains engagement for these employees.

Between May to November 2023, Revenue NSW successfully trialled new engagement channels to attract candidates with disability. Advertising specifically called out our inclusion principles in relation to disability, provided additional opportunities for adjustments and dedicated support for applicants in the recruitment process, and created inclusive recruitment principles training for panel members. This saw a significant increase in candidates identifying as having a disability and a greater number being placed into talent pools. Representation increased by 2.7% in the 3/4 recruitment and 18% in the 5/6 recruitment, with 57 candidates with disability being placed on the talent pools.

(a) The Department of Customer Service (DCS) and PSC are co-leading the development of a sector wide Workplace Adjustment Passport (WPAP) and policy which has a vision to deliver a simple, consistent and equitable WPAP process for all employees across NSW Government. By empowering passport holders with the ability to share what data they want, when and with whom and using “tell us once” principles, it will allow for a more safe, trusting and inclusive environment for employees with a disability to get the workplace adjustments they require to perform their role.

(b) Revenue NSW are piloting the Everyone at Work and Removing the Barriers programs with the intention of expanding them to regional areas and other government agencies. An evaluation will be conducted to assess the success of the program and opportunities for improvement.

(c) AbilityDCS is an Employee Resource Group (ERG) representing staff with disability, promoting workplace adjustments, disability awareness and connection within DCS and disability networks in government and the private and not-for-profit sectors.

(d) DCS is implementing the actions of the Disability Inclusion Action Plan (DIAP) 2020-2025 and Care and Belonging Strategy 2022-2025 to foster a safe environment, increase the representation of employees with disability, and provide employees with disability equal access to career progression.

Details of employee retention at Revenue NSW

(28) Can you provide some detail on employee retention at Revenue NSW?

(a) Do you have retention rates, for all employees?

(b) Do you have retention rates, for employees with disability?

ANSWER:

I am advised that:

(a) The 12-month retention rate for all employees in Revenue NSW is 90.6%.

(b) The 12-month retention rate for employees with disability is 87.9%.