



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2019-2020 Supplementary Questions

Portfolio Committee No. 6 – Transport and Customer Service

BETTER REGULATION AND INNOVATION

Hearing: Monday, 16 March 2020

Answers due by: 5.00 pm Friday 10 April 2020

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BETTER REGULATION AND INNOVATION

Questions from the Hon Mark Pearson MLC

General questions

1. It is my understanding that the greyhound racing industry is building an ‘investor model’ where there is shared greyhound ownership.
 - (a) Are you concerned that promoting investment in the industry without direct responsibility to care for the dogs undermines the reforms to enhance animal welfare?
 - (b) Would you consider introducing regulations whereby anyone investigating in a greyhound syndicate of this nature, be required to have a plan in place for how the greyhound will be looked after when it retires?
2. I have been advised that there are large numbers of young greyhounds that are abandoned when they fail to perform or are injured whilst training. The owner leaves the failed dog with the trainer and then the trainer either kills the dog or abandons the animals at the local pound.
 - (a) Is your Department aware of these practices?
 - (b) Have any investigations of trainers or inspection of council pound or RSPCA records been undertaken?
 - (c) If so, what were the findings?

Breeding

3. The Government does not charge a fee for either a new greyhound breeding licence or a renewal of the licence. What is the policy reason behind this?
4. We know that excessive numbers of dogs are born into the industry, leading to wastage. Do you think that imposing a fee may act as some kind of disincentive to people obtaining a licence and adding to the numbers of greyhounds being bred?
5. The current fee for greyhound litter registrations is \$50. On 1 July 2019, this was reduced from \$150 due to the ‘recent introduction of online services. However, my staff have called up Greyhound Welfare and Integrity Commission and been told that it is not possible to register a litter online.
 - (a) Is there some kind of financial consequence or penalty if a breeder ends up breeding a high proportion of pups who are not used for racing, thereby contributing to ‘wastage’?

- (b) How many applications there have been to allow a female greyhound to breed over three litters since the establishment of the Commission on 1 July 2018?
- (c) How many applications have there been to allow a female greyhound over 8 years of age to breed?

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| Questions from the Hon Mark Buttigieg (on behalf of the NSW Labor Opposition) |
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Silica - Reduced Workplace Exposure Standards

- 6. Why haven't you protected workers and applied reduced workplace exposure standards to its own projects, given the clear understanding of the urgent need for the implementation of the stricter standard?
- 7. Why have you allowed elevated respirable silica levels to occur at Arncliffe as recently as August 2019?
- 8. Why has SafeWork failed to take action at Arncliffe with respect to work health and safety contraventions suspected contraventions concerning dust exposure?
- 9. Why has SafeWork failed to take action at Arncliffe with respect to work health and safety contraventions suspected contraventions concerning failure to conduct air monitoring?
- 10. Why has SafeWork failed to take action at Arncliffe with respect to work health and safety contraventions suspected contraventions concerning failure to provide personal protective equipment?
- 11. Why has SafeWork failed to take action at Arncliffe with respect to work health and safety contraventions suspected contraventions concerning failure to provide signage?

Work Safety Lost in Better Regulation Restructure

- 12. Why was there no stakeholder engagement with industry and unions over such significant changes to safety regulation?
- 13. How can the public, and building workers be certain that Better Regulation inspectors will not be checking \$2 shop choking hazards in the morning, dropping in on a building site to check scaffold safety at lunchtime, before heading off to the greyhound races to ensure races are being run safely for the afternoon?
- 14. Are inspectors working across different industry areas?

- (a) How does this ensure safety is maintained in technical and dangerous areas such as checking scaffolds have been erected safely?
15. How much was spent on new:
- (a) departmental names
 - (b) letterhead
 - (c) websites
 - (d) livery, uniforms
 - (e) business cards
 - (f) brochures
 - (g) signage
 - (h) any other items that needed to be changed to accommodate these changes?
16. How many inspectors were employed prior to the merger/changes?
17. How many inspectors are now employed after the merger/changes?
18. Can you confirm that no further inspectors will be cut in order to meet efficiency dividends and budget cuts imposed by the Treasurer and Premier?
19. What proportion of regulated worksites are scheduled to be physically inspected by a Better Regulation inspector?
20. Is this sufficient to prevent another young worker dying like Christopher Cassaniti?
21. Will you implement the changes that Christopher Cassaniti's mother has called for in order to protect other young workers from dying at work?
- (a) If not, why not?

Fatal baby gassing charges dropped against Bankstown-Lidcombe Hospital

22. Why did SafeWork drop the prosecution of South Western Sydney Local Health District over the 2016 gassing incidents?
23. Is this because you think these incidents didn't warrant legal proceedings?
24. Minister do you believe that this was an appropriate course of action?
25. Did you instruct SafeWork to drop the legal proceedings? Why?

26. What confidence does the Minister have that after his proposed changes to the WHS Act, workplace accidents that result in the deaths of workers or other people will be prosecuted properly and not dealt with by enforceable undertakings?
27. Do you think John Ghanem and Amelia Khan deserved better than this?

NorthConnex Mould

28. How many complaints have been received by SafeWork NSW with regard to the NorthConnex toll road construction site?
 - (a) How many resulted in inspections?
 - (b) How many were not inspected?
29. The Australian newspaper reported that "Safework NSW inspectors have conducted several audits of the 9km road project amid concerns raised about unlicensed tradesmen and high-risk activities along various sections of the roadway's construction," Can the Minister explain what the results of that audit were?
30. We have been told that requests were made to SafeWork to provide independent hygienists to monitor dangerous air quality and mould in these tunnels.
 - (a) Were these requests refused?
 - (b) Why were they refused?
 - (c) Was it due to a lack of resources?
31. Are you aware that Lendlease and Bouygues, the billion-dollar multinational companies engaged in building NorthConnex have contracted just four people to monitor and remove mould from the 9 km tunnel? is this adequate?
32. Can you confirm that all 9 km of the tunnel are now mould free? If not, then are you 100% confident that 4 Hygienists are sufficient to remove mould completely from the 9km tunnel?
33. How many times has SafeWork NSW inspected NSW government sites in the last financial year?
34. How many prosecutions have resulted from incidents which have taken place on NSW Government sites in the last financial year?

Hazardous Air and SafeWork (Post Bushfire Season)

35. SafeWork NSW maintains a Code of Practice called "Managing the Work Environment and Facilities" which was updated in August 2019. Why does it contain no mention of outdoor air quality and no advice for businesses and workers?

36. Does SafeWork NSW have any plans to rectify this in light of this season's fires?
37. How many times have SafeWork NSW inspections taken place investigating poor or hazardous air quality in NSW workplaces in the current financial year?
38. How many reports have been made to SafeWork NSW of unsafe air quality at workplaces in the current financial year?
39. How many resulted in SafeWork NSW inspecting the workplace?
40. How many of these resulted in penalty notices, enforceable undertakings or prosecutions?
41. We know some unionised workforces could stop work, but many others could not or did not have the knowledge to tell their employers that they should not be outside on days like we saw. I'm talking about migrant workers, casualised labour – those working on smaller-scale sites. Besides common sense, what is SafeWork doing to help these people?
42. What is SafeWork NSW doing to assist in Heat safety given NSW is experiencing one of the hottest and driest summers on record and climate change will result in this trend continuing and given we know extreme heat kills?

Workplace Inspectors

43. What is the expertise or special training required for inspectors in recognising unsafe worksites?
44. What is the difference in risk between a site that needs to be shut down immediately and one that should be served with an improvement notice?
45. On what basis do senior staff overturn prohibition notices and replace with improvement notices?
 - (a) Does this require any expertise or special training?
46. As a rule do they inspect the sites themselves?
47. How many SafeWork NSW inspections took place between 1 November 2019 and 3 March 2020?
 - (a) Where did these take place?
48. How many staff working at SafeWork NSW (as at 3 March 2020) are:
 - (a) Full-time;
 - (b) Part-time?
49. How many staff are on contracts (as at 3 March 2020)?

50. What is the total number of staff for SafeWork NSW (as at 3 March 2020)?
- (a) How many of these are inspectors?
 - i. How do these numbers compare to staff numbers at the same time 12 months ago (from 3 March 2020)?

Follow up from older workers:

51. In the previous estimates Mr Gravielatos acknowledged that SafeWork NSW "has not done a lot of work with older people" and protecting their safety despite "recognising that it is an issue". He gave the panel a commitment to take the advice on board - Given older workers still have the largest number of workplace fatalities in Australia:
- (a) What has been done since the last estimates?
 - (b) Has the rate of injury to older workers reduced since the last estimates when you committed to addressing this issue?
 - (c) What are you doing to reduce incidents of death and injury for older people in the workplace?
 - (d) Do you think you are doing enough?
 - (e) How many prosecutions have taken place in the last 12 months in relation to older workers?

Work Safety Lost in Better Regulation Restructure

52. Why was there no stakeholder engagement with industry and unions over such significant changes to safety regulation?

Industrial Manslaughter

53. How many deaths have occurred on NSW work sites since January 2019?
- (a) How many of these have resulted in prosecutions?
54. Why doesn't SafeWork NSW report fatality statistics for the public similar to SafeWork Australia and other State and Territory- based bodies?
55. What measures are you taking to improve the number of fatalities?

Work Safety Lost in Better Regulation Restructure

56. What is the Government doing to ensure that workplaces like aged care facilities, Hospitals, transport providers, hospitality and other industries exposed to the risk of Coronavirus are taking preventative measures to protect their workers?

Fines replacing prosecutions – lack of general or specific deterrent – Soft of safety

57. What are the current statistics on prosecutions for the last five years under the Work Health and Safety Act 2017?
58. In the absence of prosecutions, how can it be said that SafeWork has not "gone soft" on safety breaches?
59. In the absence of prosecutions, how can SafeWork be said to have any specific, or general deterrence in place to protect workers from safety breaches in New South Wales?

Regulatory capture

60. Under the model legislation there were provisions in Schedule 2 for tripartite consultation as per our obligations under ILO Convention 144 Tripartite Consultation. This was not implemented in NSW - What formal forums exist for tripartite consultation with SafeWork at present?
61. How many formal arrangements exist where you regularly meet with larger employers to consult?
62. How many formal arrangements exist where you regularly meet with workers and their representatives?
63. How many work health and safety prosecutions have SafeWork launched since January 1 2019?
64. How many Improvement Notices has SafeWork launched since January 1 2019?
65. How many prohibition Notices has SafeWork launched since January 1 2019?
66. How many of these improvement and prohibition notices have been applied to the Governance and Appeals Unit for a review under Section 224 of the Work Health and Safety Act 2011?
67. How many notices have been overturned at the Governance and Appeals Unit?
68. How many Provisional Improvement Notices (PIN) been issued by Health and Safety Representatives (they won't know this answer as they do not record this)?
69. How many of these PINs have been referred to the Governance and Appeals Units for internal review under Section 224 of the Work Health and Safety Act?
70. How many Improvement Notices s191, and Provisional Improvement Notices that have gone past compliance, have been prosecuted for going overtime since January 1 2019.

71. Where is the power under the WHS Act to have an inspector remove another inspector's notice?

Number of inspectors

72. In the period 2019 – 2020 has the number of inspectors at SafeWork NSW gone up?

73. How many inspections took place in the financial year 18/19? How does that compare to the previous year?

74. How many inspections have taken place this financial year to date?

75. How many prosecutions took place in the financial year 18/19? How does that compare to the previous year?

76. How many prosecutions have taken place this financial year to date?

(a) Has any of these resulted in a prison sentence?

77. Is this a number that you think is high enough to ensure the safety of workers in NSW?

78. Did the Minister commit to the parents of Christopher Cassaniti to take any action in regards to their calls for the introduction of Industrial Manslaughter Laws in NSW?

(a) If yes – How then does the Minister intend to fulfil this promise?

(b) If no – Why not?

79. Minister, Unions NSW wrote to the Premier in December after information showing that almost 1 in 10 jobs at SafeWork NSW remained vacant; can the Minister confirm whether this is still the case? And if so, what action is being done to rectify this?

80. What reasons does the Minister think are the reason for this decline? Is it understaffing, or related to the fact that 1 in 10 jobs sit vacant in SafeWork?

People Matter Employee Survey – Bullying at SafeWork

81. Is there ongoing problems with workplace bullying at SafeWork?

82. How many reports of workplace bullying have been made:

(a) This financial year

(b) Last financial year

(c) In the last 5 years

83. What is the process for investigating bullying at SafeWork NSW?

84. The People Matter Employee Survey is conducted now every year. Can you provide the data for the responses comparing by Directorate to Directorate for Question 13a and 13b?
- (a) Q13a. In the last 12 months I have witnessed bullying at work
 - (b) Q13b. In the last 12 months I have been subjected to bullying at work
85. As the regulator required to regulate workplace bullying do you think that your organisation is performing well in relation to this work health and safety risk of workplace bullying?
86. Is it true that SafeWork hired a workplace investigator who was asked to identify (amongst other things) who had responded to this question in a positive way?
87. How many workplace external investigations into conduct/misconduct of inspectors have occurred since January 1 2019?
88. How much money was spent on external investigations into inspector conduct?
89. How many of these matters were found to have been proven?
90. How many matters were referred to ICAC since January 1 2019?
91. How many matters did ICAC investigate and find to be proven since January 2019?

Junior Staff Working dangerous hours

92. Can you advise me if Safe Work NSW is taking any action about unsafe working hours for junior staff in white-collar jobs?
93. Does Safe Work NSW have a program monitoring this?

GIPA – SafeWork

94. Since September 1 2019, how many formal GIPAs has your Department received?
- (a) How many of those have you determined to:
 - i. Grant full access to the information?
 - ii. Grant partial access to the information?
 - iii. Not grant access to the information?
 - (b) Out of those GIPAs where partial information or no information was granted, how many have decided to appeal?
 - i. Out of those who have decided to appeal, how many have decided to use:
 - The agency's internal appeals' mechanism?

- Review by the Information Commissioner?
 - Review by NCAT?
- ii. How many of those GIPAs have been overturned on appeal?
- Internal appeals' mechanism?
 - Review of the Information Commissioner?
 - Review by NCAT?
95. Since September 1, in regard to GIPAs that have been granted full or partial access, how many appear on the agency's disclosure log?
96. Aside from GIPAs asking for personal information, what is the rationale for not putting GIPAs on the agency's disclosure log?
97. Have any GIPAs that appeared on the agency's disclosure log been taken down?
- (a) Why ?

NSW Fair Trading - Residential tenancies

98. How much has the Department budgeted for implementation of amendments to the Residential Tenancies Act beginning on 23rd March 2020. Specifically, how much has been budgeted for the following activities:
- (a) Community education,
 - (b) Training of tenant advocates
 - (c) Increased demand for tenants' advice and advocacy services,
 - (d) Implementation of the 'rectification orders' system
99. Given the growth in the number of tenants across New South Wales, how is the Department ensuring the Tenants' Advice and Advocacy Services have sufficient resources to meet community needs?
100. What are the reasons for the closure Parramatta NCAT?
- (a) How much consultation has taken place?
 - (b) How it can be justified when the area between Parramatta Road, Granville and Victoria Road Parramatta has the highest concentration of tenants in Australia, at over 70%?

NSW Fair Trading

101. How many staff working at NSW Fair Trading (as at 3 March 2020) are:
 - (a) Full-time;
 - (b) Part-time?
102. How many staff are on contracts (as at 3 March 2020)?
103. What is the total number of staff for NSW Fair Trading (as at 3 March 2020)?
 - (a) How many of these are inspectors or frontline workers?
 - (b) How do these numbers compare to staff numbers at the same time 12 months ago (from 3 March 2020)?

NSW Fair Trading/Real Estate - REI NSW/RERG

104. What is the purpose of the Real Estate Reference Group (RERG)?
105. Who sits on the RERG currently?
106. Would you say that the RERG has confidence in Fair-trading's ability to regulate their industry?
107. Why does the Real Estate Institute of NSW no longer sits on the Real Estate Reference Group?
108. Is the Minister aware that the Owners Corporation Network, The Australian Livestock and Property Agents Association, The Real Estate Institute of New South Wales, The Property owners Association of NSW, Strata Community Australia (NSW), Estate Agents Co-operative, Australian Institute of Conveyancers, Property Owners Association and the Real Estate Buyers Agents Association have all written on multiple occasions to the Premier asking to be removed from the regulatory control of the Department of Fair Trading?
109. How can Fair Trading adequately protect consumers and support the property industry, when the entire industry has confidence in Fair Trading's ability to do so?
110. Has the Minister had any discussions with the Industry Bodies in relation to the creation of a dedicated commissioner for property services?
111. Does the Minister know how long it takes to gain the required education to enter the Industry today (pre 23 March)?
112. After receiving the one weeks training and entering the industry, does the Minister know how many people leave the industry in the first 12 months?
113. Does the Minister know who sets this standard?

114. When the industry reforms were announced, the Government it was quick to take credit. Does the Minister know that the Reforms were driven by industry and took five years with active resistance from Fair Trading?

Real Estate - Continuing Professional Development (CPD):

115. Given that real estate agents are required to do 4 hours continuous professional development and some of the approved courses run by some RTOs can be completed in as little as 3.5 minutes, what additional professional development do you require them to undertake for the remaining 3 hours 56.5 minutes to meet the required 4 hours?

116. What is the standard for Real Estate CPD in NSW? How is this determined, and what is required?

117. Who checks the quality and how do you verify this quality to renew licenses?

Underquoting for Auctions

118. With house prices reaching high levels again, is underquoting of expected property sale prices by real estate agents increasing?

119. If underquoting is increasing or expected to increase, is the Department allocating more officers to ensure that the changes introduced by the Parliament in 2016 are complied with?

(a) Are these undercover officers as "mystery shoppers" or attending auctions?

i. If not, why aren't undercover officers being sent out to stop home buyers being misled by real estate agents like they do in Victoria?

Coronavirus – Fair Trading

120. Can the Minister advise what Fair Trading is doing to protect consumers from the run of essential medical equipment and supplies and price gouging as a result of the Coronavirus outbreak?

121. Is there a plan to police the sale of counterfeit or inadequate masks, particularly online, being passed off as suitable products to prevent infections?

122. Given this is a very serious issue that many people are anxious about and we know irrational stockpiling can also lead to price gouging, shouldn't Fair Trading should be stepping in to protect consumers like they did when there were shortages and runs on Infant Milk Formula?

123. If events are postponed not cancelled, what is the timeframe under which consumers can consider it a permanent postponement and seek a refund?

Fake Fur

124. Minister, are you considering the Mayor of Sydney's request to set up a fake fur taskforce?
- (a) If not, Why not?
125. Does the department have a plan to police instances where real animal fur is incorrectly labelled as fake fur?

Strata Issues

126. How much is currently in the rental bond trust?
127. How much interest is expected to be earned on renters' bond money held in trust?
- (a) How much is this interest expected to increase over the next 3 budget years?
- (b) Is the interest accruing being used by the Government to fund other programs?
- (c) What does happen to all of the interest accrued prior to funds held in trust being returned to tenants?
- (d) Are there any plans for this to change over the next 3 budget years?
128. What process do tenants need to go through to access their bond money held in the trust at the end of the lease period?
- (a) Has this process changed over the last 3 years?
- (b) Are there any plans to change this process?
- (c) Have you considered any plans to make the process easier for tenants?

Resourcing, Delays and problems post natural disasters

129. Given that it is well known that Fair Trading's caseload increases after natural disasters, and given we have been experiencing unprecedented spate of fires, droughts and floods – why hasn't there been an increase in funding and/or staffing to accommodate this? And if there has been, how come there are still delays?
130. Has Fair Trading experienced a pick up in the amount of work it is receiving following the bushfires?
131. Is the Minister aware of any delays to the work of the Department of Fair Trading over the last several months in light of both the bushfires and now Covid 19?
- (a) Is there a strategy to communicate any delays to the public?

132. Has there been any increase in funding or resources to fair trading following the bushfires? Please outline where these are directed?

Retirement Villages

133. The Vasey Case (NCAT decision) highlights the problems under the Retirement Villages Act 1999 for residents when an operator has not secured all planning approvals before they seek to terminate the contracts of residents and relocate them. In this case, two elderly gentlemen were forced to move to another village, even though the operator had only obtained a demolition order for the existing village under a proposed multistorey development. How is the Government planning to address this under the Act to make clear that all planning approvals must be achieved before an operator can seek to evict residents?

134. NCAT is unable to enforce its own orders when residents are successful with awards for compensation and work orders for maintenance and replacement. Where an operator refuses to undertake the work, they must file a renewal application and have the case heard again, and if an operator will not pay the compensation, they must enforce the NCAT order before the Local Court. Is the Government going to address this issue?

135. Resident Committees often struggle at budget time dealing with the village accounts and interpreting these. These are important annual exercises as they determine the monthly recurrent charges for the ensuing year. What assistance does the Government intend to provide to Residents Committees to assist in this regard?

136. NCAT has ruled (that village operators may, in the administration of a village budget, transfer funds from monies intended to be allocated to a Capital Works Fund to other line items to meet shortfalls in those line items. This could result in the CWF not accumulating sufficient funds as would enable adequate funding for capital item maintenance to be available. In turn, this offers an operator the opportunity to unfairly avoid liability to make good a budget deficit which would otherwise emerge. What does the Government intend to do to address what is clearly an unfair situation emerging in the future?

137. With a rapidly ageing population, has resourcing for the regulation of retirement villages increased?

Horse Racing

138. What is the Minister doing to support drought affected horse trainers and owners in NSW?

139. How much is the government spending on drought programs specifically to help those doing it tough in the racing industry?

140. What is the process or mechanism to record injuries and incidents to riders and trainers working on NSW race tracks?
141. Given the danger involved in the thoroughbred industry, please outline SafeWork NSW's Strategy to monitor safety on regional and remote race tracks?
142. Does the Minister support a National Traceability Register for all thoroughbred horses? What is being done to progress this?
143. Minister - what discussions have you had with the Australian Turf Club about the ban on mass gatherings and its huge impact on the Autumn Racing Carnival?
144. How many people have been injured at racetracks across New South Wales in the each of following financial years:
 - (a) 2016-17;
 - (b) 2017-18;
 - (c) 2018-19;
 - (d) 2019-20 (as at 26 February 2020)?
145. Are there any departmental projects that are helping to reduce these numbers?

Legislative Admin

146. What, if any, planned reviews are being done over the next 2 years for any of the acts and/or their regulations administered by the Minister for Better Regulation and Innovation?
147. Which regulations that fall under these acts are due to cease as at 1 March 2020, and 1 March 2021?
148. Given that various regulations, as set out under the Subordinate Legislation Act, cease five years after being published, what mechanisms have you set up to ensure that regulations which are required to be maintained after this 5 year period remain in force?
149. Which acts in this portfolio are yet to commence?
150. Are there any acts that have commenced but have provisions that are yet to commence?
 - (a) What are they?
151. In terms of each of the acts, are there any provisions that need clarifying for the department/agency/office to be able to better support the Minister?
 - (a) What amendments have been proposed?

152. In terms of the jointly administered acts, how is the responsibility shared between the Ministers and their departments/agencies/offices?
- (a) With the Minister for Customer Service?
 - (b) With the Minister for Families, Communities and Disability Services?
 - (c) With the Attorney General and Minister for the Prevention of Domestic Violence?
 - (d) With the Minister for Police and Emergency Services?
 - (e) With the Treasurer?
 - (f) With the Minister for Water, Property and Housing?
 - (g) With the Minister for Energy and the Environment?
 - (h) With the Minister for Planning and Public Spaces?
153. How are these jointly administered acts operationalised between the Ministers and their departments/ agencies/offices?
154. What happens when there is a conflict in the administration of these acts between the Ministers and their departments/agencies/offices?
- (a) Other than matters that are referred to Cabinet, what is the mechanism to solve conflicts between the Ministers who share responsibility?

Questions from Mr David Shoebridge MLC

SafeWork NSW

155. How many Inspectors are there in the SafeWork NSW Inspectorate today?
156. How many Inspector positions are vacant in the SafeWork NSW Inspectorate today?
157. How many other positions are vacant in SafeWork NSW today? How many of these other vacancies are project officers, for example?
158. The other workplace safety regulator in NSW is the Resources Regulator. On their website the Resources Regulator publishes detailed information about their projects and enforcement actions in the following areas:
- Weekly incident summary
 - Safety alerts
 - Investigation reports

Compliance activities and reports

Enforceable undertakings

The Resources Regulator website states:

"We produce and share reports on our activities in order to:

ensure a consistent and responsive regulatory approach provide increased transparency and confidence in our compliance and enforcement activities promote voluntary compliance by industry"

Why doesn't SafeWork do the same?

159. Why doesn't SafeWork publish its investigation reports or Improvement Notices, for example?
160. SafeWork NSW applies a triaging system to safety incident reports. What percentage of responses to incident notifications that involve actual harm to a person receive an Inspector response?
 - (a) How does this response rate vary across different industry sectors?
161. Do all incidents that are required to be notified under [section 35 of the WHS Act](#) result in an Inspector visiting the workplace?
 - (a) If not, why not?
 - (b) If not, then what is the response provided? (Answer is that a letter gets sent to the employer).
 - (c) If not, what percentage of Notifiable Incidents receive an Inspector response?
 - (d) If not, does SafeWork need more Inspectors?

Silicosis

162. What are you doing to transition workers who have been diagnosed with silicosis out of the stone industry?
163. Given that the parliamentary inquiry into dust diseases has heard evidence that there is no safe level of exposure to silica dust, why won't you consider banning the product entirely?
164. The CFMEU wrote to the NSW govt in 2015 warning them about flammable cladding. It wasn't until 2018 and after the 2017 Grenfell Tower fire that the govt banned the product. Why do you think the government took so long to respond?

Industrial manslaughter

This parliament heard evidence from the mother of Christopher Cassanti and 18 year old crushed to death on a construction site.

She said the penalties currently in place to hold directors and those responsible accountable are appalling and do not bring justice to the victims.

165. Will you commit to introducing a charge for industrial manslaughter?

(a) If no, why?