



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 133

WEDNESDAY 15 NOVEMBER 2017

(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. 127 (Including Question Nos 1794 to 1815)	15 November 2017
Q & A No. 128 (Including Question Nos 1816 to 1821)	16 November 2017
Q & A No. 129 (Including Question Nos 1822 to 1827)	21 November 2017
Q & A No. 130 (Including Question Nos 1828 to 1840)	22 November 2017
Q & A No. 131 (Including Question Nos 1841 to 1843)	23 November 2017
Q & A No. 132 (Including Question Nos 1844 to 1844)	06 December 2017
Q & A No. 132 (Including Question Nos 1845 to 1865)	19 December 2017
Q & A No. 133 (Including Question Nos 1866 to 1876)	20 December 2017

11 OCTOBER 2017

(Paper No. 127)

*1794 PREMIER—COST OF MEMBERS OF REMUNERATED BOARDS AND COMMITTEES—Mr Veitch asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Premier—

- (1) What is the total annual cost of members of remunerated Boards and Committees as listed in the Public Service Commission website for each of the following financial years:
- (a) 2011-12?
 - (b) 2012-13?
 - (c) 2013-14?
 - (d) 2014-15?
 - (e) 2015-16?
 - (f) 2016-17?
 - (g) 2017 to current?

Answer—

NSW Government board members may receive remuneration in accordance with the Classification and Remuneration Framework for NSW Boards and Committees, published by the Public Service Commission.

The remuneration of significant positions can be found in relevant annual reports.

The NSW Government is streamlining boards, committees and entities that have served their purpose and can now be discontinued, merged or integrated into their relevant departments. This reform has been opposed by the labour movement, of which you are a member.

*1795 ATTORNEY GENERAL—ABORIGINAL DEATHS IN CUSTODY—Mr Shoebridge asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Attorney General—

Of the 339 recommendations handed down by the Royal Commission into Aboriginal Deaths in Custody, how many have been implemented by the Department of Justice?

Answer—

I am advised:

Of the 339 recommendations, a subset of around 200 recommendations are the responsibility, or part responsibility, of the Department of Justice (which includes Corrective Services NSW and Juvenile Justice NSW). The significant majority of these recommendations have been fully implemented.

Extensive work addressing the issues raised in the Report continues to be undertaken by NSW Justice Cluster agencies and has been integrated into the business as usual activities of these agencies, such as:

- Examining and implementing ways to divert Aboriginal and Torres Strait Islander people from the Justice system,
- Enhancing the ways in which police officers and other government representatives engage with Aboriginal communities, and
- Improving the responsiveness of the NSW justice system to vulnerable communities.

*1798 FAMILY AND COMMUNITY SERVICES—EX-STATE WARDS COMPENSATION TOTALS—Mr Shoebridge asked the Minister for Early Childhood Education, Minister for Aboriginal Affairs, Assistant Minister for Education representing the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault—

- (1) What is the total amount of compensation that has been paid to ex-state wards who were victims of abuse?
- (2) What is the average cost of compensation paid to ex-state wards who were victims of abuse?

Answer—

I am advised that each matter is assessed on a case by case basis.

*1799 TRANSPORT AND INFRASTRUCTURE—POINT TO POINT TRANSPORT—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) When did the Minister first announce that the Point to Point transport regulations, also known as the new public passenger transport regulations, would be put into place?
- (2) When was the business case regarding the necessary investments to implement the Point to Point transport regulations, also known as the new public passenger transport regulations, completed?
 - (a) What were the findings?
 - (b) What was the benefit to cost ratio?
 - (c) What was the amount of money required to implement this policy, including capital outlay for Information Technology and associated infrastructure and the operational and maintenance costs over the typically specified thirty year analysis period?
 - (d) Did the economic analysis conducted in the business case incorporate the adverse effects of commuters and users shifting from public transport to motor vehicle transport in the form of ride sharing?
 - (e) Did the analysis incorporate congestion costs, air pollution, greenhouse gases and adverse road safety outcomes such as the increase in car accidents?
 - (f) Did Transport for NSW apply economic evaluation metrics consistent with those in the Principles and Guidelines Manual used to determine the viability of transport investments?
 - (g) Was the financial and economic analysis that was conducted for Point to Point transport regulations, also known as the new public passenger transport regulations, conducted by internal staff of Transport for NSW or Roads and Maritime Services?
 - (i) If not, was this conducted by external consultants? If so, how much were they paid?
 - (h) Will the Minister release the business case for the Point to Point transport regulations, also known as the new public passenger transport regulations, as well as any internal reviews and assessments conducted by Transport for NSW?

Answer—

I am advised :

The Point to Point Transport Regulations and the Passenger Transport Regulations are two separate documents. Information regarding point to point transport regulations is available on the Transport for NSW website. Information on the new point to point transport regulator is available on the Point to Point Transport Commissioner website.

*1800 PRIMARY INDUSTRIES—LAND MANAGEMENT CODES—Dr Faruqi asked the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry—

- (1) Has there been an assessment of the extent of clearing that could occur using each of the land management codes, and if so can the Minister advise the extent of clearing for each code?
- (2) Will there be special considerations and limitations based on the regional extent of native vegetation, such as the over cleared North West floodplains and lower slopes east of Moree?
- (3) Will the use of the Land Management codes enable landholders to clear category 2 (higher conservation remnant vegetation) down to just 10 per cent of category 2 vegetation retained per property.
- (4) Will the Local Land Services (LLS) be able to refuse clearing applications in over cleared landscapes when the application is consistent with the codes?
- (5) Will the Equity Code enable landholders to broadscale-clear woodlands, open forests and grasslands previously not cleared?
- (6) Can the Equity Code still clear up to 625 hectares or down to 10 per cent category 2 remnant vegetation per property?

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- (7) Can Invasive Native Species thinning clear up to 900 hectares, including trees up to 30cm in diameter and breast height (dbh), and retain just 20 trees per hectare? (includes Bimble box and River Red gum Koala preferred food trees)?
- (8) Can the Pasture Expansion Code thin trees up to 90cm dbh, providing the area does not to exceed 30 per cent of total property
- (9) Can the Farm Plan Code remove up to 25 per cent of category 2 remnant vegetation on a property?
- (10) For category 1 land, how will property vegetation planning be incorporated to consider the landscape significance of the vegetation and factors such as soil erosion, salinity recharge and discharge areas, protected lands, stream buffers, landscape corridors, and protection of hollow trees?
- (11) Does the principle of no net loss apply for the regulations?
(a) How do those aims and targets relate to catchment targets?
- (12) Despite set aside areas being described as in perpetuity agreements is it the case that Local Land Services may amend the public register to remove any area (or part of an area) that has ceased to be a set aside area?
(a) Under what circumstances can a set aside area be removed from the register?
- (13) Invasive Species Code - divisions 3 and 4 - will enable the clearing of up to 1000 hectares and destruction of ground level habitat to facilitate sowing of pastures. Is it the intention of this code to be used in remnant vegetation to change land use?
(a) It appears the only limitation to the use of this code is vulnerable land, can it be applied to all endangered ecological communities in category 2 land?
(b) The code allows the clearing of trees up to 30cm dbh, how are trees of that size considered to be invasive regrowth?
(c) Two of the invasive species listed to be cleared are koala preferred trees Bimble box and River Red gum. Where is Bimble box an invasive species in the north west of New South Wales?
(d) Why is River Red gum listed as an invasive species when it is restricted to riparian zones and flood ways that should not be cleared?
- (14) The Pasture Expansion Code will allow the clearing of remnant woodland trees up to 90cm dbh that will lead to loss of many hollow mature trees, how is the loss of hollow habitat to be compensated when the loss of Hollow-Bearing Trees is a Key Threatening Process?
- (15) Is the Pasture Expansion Code limited to vegetation communities that are not Ecological Endangered Communities (EECs)?
(a) If that is the case, is it correct that clearing on the floodplain will target non EECs communities that are koala habitat of Bimble box, Belah, Baradine Red gum, and River Red gum?
- (16) Is it correct that the Mosaic Code division 3 could fragment high conservation remnants into 5 hectare patches, has no minimum extent of category 2 remnant vegetation to retain after treatment and can allow the clearing of up to 30 per cent of the total area of the property?
- (17) Property Vegetation Plan (PVP) Transition, allows LLS to change an existing PVP to allow clearing in a set aside, please explain how this would occur?
(a) Under what circumstances would an existing PVP be changed?
(b) Are PVP offsets be maintained and included in sensitive or vulnerable category 2 remnant vegetation land to be registered and protected?
(i) If not, why not?
- (18) Is it correct that the Equity Code could allow clearing up to 625 hectares of remnant woodland of higher conservation value?
- (19) Where is the consideration for loss of hollow trees and logs or extent of habitat to sustain viable populations of species?
- (20) What is the scientific justification for the 50 per cent reduction to set aside requirement by using an EEC as the set aside, or a remnant that is considered by LLS to have strategic landscape significance?
(a) Please explain how the Equity Code will not lead to declines of all species, and what science underpins its use?

- (21) Vast areas of the over cleared floodplain are paddock trees or small patches of trees surrounded by cleared category 1 land. Could the impact of Farm Plan Code be catastrophic for biodiversity in the over cleared floodplains?
- (a) Will the code allow broad scale clearing of woodland or open forest up to 25 per cent of the extent of category 2 native vegetation on a property?
- (22) What is the scientific justification for the formulae for set asides in cleared category 2 land?
- (23) What is the scientific justification to allow the planting of new trees in a cleared paddock to compensate for the loss of mature and often hollow trees?
- (24) The lower limit for application of the codes of the category 2 land retained is just 10. This is a very low standard considering that conservation biologists advocate that 30 per cent is the minimum. It is well documented that the effects of fragmentation become more intense when retained habitat is less than 30 per cent. What is the justification for setting the lower limit for application of the code to just 10 per cent of the category 2 land retained?

Answer—

- (1) It is not possible to predict the level of activity under the LLS Land Management Code as it is dependent on a range of external factors. Factors include rate of uptake, cost of relevant land management activities and broader economic and climatic conditions. There are a number of safeguards to ensure the LLS Land Management Code supports outcomes consistent with the principles of ecologically sustainable development.
- (2) There are a number of protections incorporated into the Land Management Framework to ensure biodiversity conservation at the bioregional scale in areas like the North West floodplains. This includes:
- strategic and prioritised investment in private land conservation through the Biodiversity Conservation Trust,
 - safeguards in the policy settings incorporated into the LLS Land Management Code including requiring landholders to set aside for high risk applications of the Code, and
 - the operation and application of the Biodiversity Assessment Method and Biodiversity Offsets Scheme.
- (3) The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management Code. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>
- (4) Mandatory code compliant certificates will be assessed by LLS on a case-by-case basis consistent with the terms of the legislation and the LLS Land Management Code.
- (5) Consistent with the independent expert panel review the LLS Land Management Code is anticipated to provide additional flexibility in land management options resulting in an increase in site-based clearing. There are a range of counterbalancing features of the reform including major, new direct funding for conservation such as the private land conservation program and significant increases in funding for the Saving our Species program.
- (6) The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management Code. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>
- (7) The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>
- (8) The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>
- (9) The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>
- (10) LLS provides advice to landholders on best practice land management generally.
- (11) and
- (a) Consistent with the independent expert panel review of biodiversity legislation in NSW the land

management framework focuses on conserving biodiversity at a bioregional scale.

(12) and

- (a) The requirements for the public registration of set asides is set out in the Local Land Services Regulation 2014. A copy of the LLS Regulation is available at: <https://www.legislation.nsw.gov.au/#/view/regulation/2014/1>

(13) and

- (a) to (d) There is no division 3 and 4 of the Invasive Species part of the Code.

(14) Consistent with the independent expert panel review of biodiversity legislation in NSW the land management framework focuses on conserving biodiversity at a bioregional scale.

(15) and

- (a) The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>

(16) The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>

(17) The mechanism for changing an existing PVP is set out in the Biodiversity Conservation (Savings and Transitional) Regulation 2017. A copy of this regulation is available at: <https://www.legislation.nsw.gov.au/#/view/regulation/2017/433>

- (a) The circumstances under which an existing PVP can be change are set set out in the Biodiversity Conservation (Savings and Transitional) Regulation 2017. A copy of this regulation is available at: <https://www.legislation.nsw.gov.au/#/view/regulation/2017/433>
- (b) The Native Vegetation Regulatory map is administered by the Office of Environment and Heritage details on how land will be categorised should be addressed to the Minister for the Environment.

(18) The landholding restriction, treatment area restrictions and set aside requirements are all set out in the LLS Land Management (Native Vegetation) Code 2017. A copy of the Code is available at: <https://www.legislation.nsw.gov.au/regulations/2017-468.pdf>

(19) Consistent with the independent expert panel review of biodiversity legislation in NSW the land management framework focuses on conserving biodiversity at a bioregional scale.

(20) and

- (a) Consistent with the independent expert panel review of biodiversity legislation in NSW the land management framework focuses on conserving biodiversity at a bioregional scale.

(21) Consistent with the independent expert panel review of biodiversity legislation in NSW the land management framework focuses on conserving biodiversity at a bioregional scale.

- (a) Consistent with the independent expert panel review the LLS Land Management Code is anticipated to provide additional flexibility in land management options resulting in an increase in site-based clearing. There are a range of counterbalancing features of the reform including major, new direct funding for conservation such as the private land conservation program and significant increases in funding for the Saving our Species program.

(22) to (24) Consistent with the independent expert panel review of biodiversity legislation in NSW the land management framework focuses on conserving biodiversity at a bioregional scale.

*1801 ENVIRONMENT—SPRING GULLY, BUNDEENA—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

- (1) Why did the Minister answer Budget Estimates 2017-2018 Supplementary Question 133 (g) "No" when it appears that site diagrams were redacted from the bushfire consultant's report submitted by the applicant?
- (2) Can the Minister confirm with regard to the recently exhibited proposal for a road easement through the Royal National Park to the proposed eco-tourist facility at 60-70 Bournemouth St, Bundeena, whether all documents provided by the applicant and referred to in the Review of Environmental

Factors and whether all appendices to the Statement of Environmental Effects, Recreation Camp were exhibited?

- (3) Why did the Minister answer "this matter is currently being assessed" to Budget Estimates 2017-2018 Supplementary Questions 133 (h), (i), (j) and (k), in relation to threatened species relevant to the proposal, when National Parks and Wildlife Service was able to conclude their assessment and formalise approval of the Review of Environmental Factors just one week later?
- (4) When did the NPWS advise the proponent that the Review of Environmental Factors had been approved?
- (5) When did the Minister, or her office, become aware that the Review of Environmental Factors had been approved?

Answer—

I am advised:

- (1) No diagrams were redacted from the consultant's bushfire report.
- (2) The Review of Environmental Factors and all supporting documents referred to in the REF were exhibited. This included the Statement of Environmental Effects, Recreation Camp. The appendices for this document were not provided by the proponent.
- (3) The matter was still being assessed at the time of Budget Estimates.
- (4) 29 September 2017.
- (5) 29 September 2017.

*1802 TRANSPORT AND INFRASTRUCTURE—OPAL CARD RECYCLING—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) Are Opal Cards recyclable?
 - (a) If yes, how can members of the public recycle their Opal Cards?
 - (b) If no, are there any plans to make Opal Cards recyclable in the future?
- (2) How many Opal Cards are estimated to be disposed of each year?

Answer—

I am advised:

- (1) Opal Cards are not recyclable due to the materials they are constructed with and there are no plans to make Opal Cards recyclable in the future.
- (2) Data on how many Opal Cards are disposed of each year is not collected, but customers are encouraged to keep their Opal Cards, as they can be re-used for up to 9 years.

*1803 PRIMARY INDUSTRIES—FARM TRESPASS POLICY MEETINGS—Dr Faruqi asked the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry—

Please provide the dates, location and attendees of further workshops or meetings since the August 2015 meeting regarding the Farm Trespass Policy?

Answer—

The Department of Primary Industries hosted an industry workshop related to the Farm Incursions Policy on 10 February 2016.

The workshop was held at the Stamford Plaza Hotel Conference Room near Sydney Airport.

The organisations that attended the workshop are attached.

*1805 ENVIRONMENT—ECOLOGICAL CONSULTANTS—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

- (1) Who is delivering training and accreditation on the new Biodiversity Assessment Methodology?

- (2) Has the Minister received concerns about the lack of training and accreditation opportunities for ecological consultants on the new Biodiversity Assessment Methodology? If yes:
- Who has raised these concerns?
 - What is the Government doing to address the shortage of training and certification opportunities for ecological consultants?

Answer—

I am advised:

- Training is delivered by Green Cap / Muddy Boots Environmental Training. The Accreditation Scheme is administered by the Office of Environment and Heritage.
- There is no shortage of training opportunities for ecological consultants. As at 20 October 2017, almost 150 people have been trained in 10 courses since July 2017. Courses will continue in response to demand and are being held weekly through to the end of 2017.

- *1806 WESTCONNEX—WESTCONNEX—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—

Please provide the budgeted capital expenditure (capex), the financing charges and the total project cost of the WestConnex Project.

Answer—

The budget for WestConnex is \$16.8 billion.

- *1807 PLANNING—KOALAS—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Planning, Minister for Housing, and Special Minister for State—

In light of the increasing number of koalas being killed on roads in the Greater Macarthur area (such as Appin Rd), and the fact that an additional 143,000 dwellings are projected to be built in this area (including additional roads such as the widening of Appin Road and the Georges River Parkway), what measures is the Department proposing to protect koalas within the Wollondilly and Campbelltown local government areas?

Answer—

I am advised:

The Department of Planning and Environment is working with Roads and Maritime Services and the Office of Environment and Heritage to ensure that koala protection is considered at each stage of the planning and infrastructure design process as the development in the area is planned. A draft Land Use and Infrastructure Implementation Plan for the proposed Greater Macarthur Priority Growth Area will be made available for community consultation during 2018 that will encourage a koala friendly environment and identify key linkages across both council areas. Until that time the Department will continue to work with Campbelltown Council to encourage the conservation and management of koala habitat through the application of the provisions of State Environmental Planning Policy No. 44 – Koala Habitat Protection (SEPP 44), which applies to both the Wollondilly and Campbelltown local government areas.

- *1808 ENVIRONMENT—WASTE MANAGEMENT—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

- When did the Minister become personally aware that recycling companies are land filling or otherwise disposing of recyclable materials, which according to some estimates is up to 50 per cent?
- For the Environment Protection Authority 'Bin Trim' program in the financial year 2016/2017, please provide:
 - The total program budget, a list of the contractors and regions that they serviced?
 - How many businesses were provided 'bin trim' consultancies, broken down by region?

Answer—

I am advised:

- (1) This assertion was made in the Four Corners program on 6 August 2017 and referred to glass. This assertion has been investigated and determined to be incorrect. The amount of recyclable glass being sent to landfill is closer to one per cent, and comprises the residual material from processing at material recovery facilities.
- (2)
 - (a) This information is available at www.epa.nsw.gov.au/wastegrants/bin-trim-business.htm.
 - (b) As Bin Trim consultancies last between six to 18 months, 2016–17 data on business that have completed the program is not available.

*1809 TRANSPORT AND INFRASTRUCTURE—CYCLE WAYS—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) How many metres of new cycle ways does the Government plan to install during the 2017-18 financial year? How many of these are in Sydney and how many in the rest of New South Wales?
- (2) Have the number of cyclists in New South Wales has been decreasing?
 - (a) If so, what is the Government's plan to bring the numbers up?
- (3) Does the Government have an aim to achieve a certain mode share percentage for cycling?
 - (a) If so, what is the percent goal and when is the Government expected to achieve this number?
 - (b) If not, why not?
- (4) What is the planned breakdown by project of the \$62 million set aside for Cycling Infrastructure over the 2017-18 State Budget?

Answer—

I am advised:

- (1) More than 150 projects are proposed to be constructed or developed in 2017-18 under the \$62 million Active Transport Program.
- (2) The National Cycling Participation Survey data is available on the Austroads website.
- (3) The NSW Government is overhauling the way we look at servicing the transport needs of the people of NSW. The Future Transport Strategy has been released for consultation and seeks feedback from the community on what would persuade them to walk and cycle more/further and develop strategies to achieve these outcomes.
 - (a) The NSW Government will continue to monitor cycling mode share, customer satisfaction and participation rates through established methods as well as observe ongoing usage rates of local cycling infrastructure.
- (4) Discussions with the successful applicants are ongoing. The final list of projects that will be funded is being finalised.

*1810 LANDS AND FORESTRY—CROWN PUBLIC ROADS—Dr Faruqi asked the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry representing the Minister for Lands and Forestry, and Minister for Racing—

- (1) How many kilometres of Crown public roads exist in New South Wales?
- (2) Does the Government have an annual budget for maintaining Crown public roads? If yes:
 - (a) What was that budget in 2016/2017
 - (b) What is that budget in 2017/2018?
 - (c) If no, who maintains these roads if the Government does not?
- (3) Does the Government maintain Gibraltar Road near Marulan?
 - (a) What is the budget for maintaining this road in 2017/2018?
- (4) Has the Government been approached about maintaining Gibraltar Road near Marulan?
 - (a) If yes, by whom?

- (5) Would the Government be liable if damage to the surface of Gibraltar Road led to damage to property or injury or death to a person?
- (a) If yes, how does the Government manage that liability?

Answer—

- (1) The NSW Government administers over 500 000 hectares of Crown roads. The majority of these roads have not been formed or constructed, and are merely lines on maps.
- (2) No.
- (a) Not applicable
- (b) Not applicable
- (c) Minor maintenance and repairs of Crown roads can be undertaken by road users if authorised by Department of Industry – Crown Lands. If proposals to upgrade or construct are received, and the subject road provides access to several properties, the NSW Government may seek to transfer the Crown road to the local council given councils are funded and resourced for this activity. The Department works constructively with local councils where appropriate to manage Crown roads.
- (3) No.
- (a) Not applicable
- (4) Yes.
- (a) By Mr David Blissett (on behalf of some of the landowners using Gibraltar Road) and Mr David Bartlett.
- (5) It would be inappropriate to speculate on a hypothetical question.

*1812 LOCAL GOVERNMENT—ELLERTON ROAD EXTENSION—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

- (1) Was Queanbeyan-Palerang Regional Council in caretaker period on 15 September 2017?
- (2) Under what authority did the Queanbeyan-Palerang Regional Council enter into an agreement regarding the Ellerton Road Extension on 15 September 2017?

Answer—

I am advised:

- (1) Queanbeyan-Palerang Regional Council was not in caretaker period on 15 September 2017
- (2) The Council entered into a Memorandum of Understanding.

*1813 LOCAL GOVERNMENT—COUNCIL MEETINGS—Mr Primrose asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for the Environment, Minister for Local Government, and Minister for Heritage—

- (1) Is it the case that the Model Code of Conduct (in particular clauses 3.7 and 3.8) prohibits a Councillor meeting with either an applicant seeking planning approval or an objector to an application, even if a council officer nominated by the Council's General Manager is also present?
- (a) If not, is it considered best practice for a Councillor meeting with either an applicant seeking planning approval or an objector to an application, to meet on Council premises and with a Council staff member (nominated by the General Manager) present?
- (2) Does the Model Code of Conduct or any other relevant instrument require that mail personally addressed to an individual Councillor, and delivered to the offices of the Council, be opened by Council Staff and scanned into the Council's Record system?

Answer—

I am advised:

- (1) There is no such prohibition imposed under the Model Code of Conduct for Local Councils in NSW

(the Model Code).

- (a) In recognition of councillors' role as elected representatives and the need to allow them the flexibility to meet constituents at locations outside of councils' premises and at times that are outside of normal business hours, there is no restriction on the location and times at which councillors may meet with applicants or objectors to a planning application. However under proposed changes to the Model Code, councillors will soon be required to keep a written record of all meetings and other communications with applicants or objectors to planning applications. Councillors will also be required to disclose in writing any meetings and other communications with applicants or objectors to a planning application at a council or committee meeting where the planning application is under consideration.
- (2) Correspondence received by councillors are council records and should be managed in accordance with councils' records management procedures. This requirement will soon be reflected in the Model Code under changes proposed to it.

*1814 PREMIER—DEPARTMENT TERMINATION PAYMENT—Ms Voltz asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Premier—

Did Monica Morona, the Director of Intergovernmental and Stakeholder Relations at the Department of Primary Industries receive a termination payment at the end of her employment with the Department?

Answer—

Departmental staffing arrangements are a matter for the relevant secretary. This question would be more appropriately referred to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry.

*1815 PRIMARY INDUSTRIES—DEPARTMENT TERMINATION PAYMENT—Ms Voltz asked the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry—

Did Monica Morona, the Director of Intergovernmental and Stakeholder Relations at the Department of Primary Industries receive a termination payment at the end of her employment with the Department?

Answer—

Ms Monica Morona was terminated under section 41 of the Government Sector Employment Act 2013 and as a consequence received a termination payment in accordance with clause 39 of the Government Sector Employment Regulation 2014.

12 OCTOBER 2017

(Paper No. 128)

*1817 TRANSPORT AND INFRASTRUCTURE—POINT OT POINT TRANSPORT COMMISSION—Dr Faruqi asked the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Transport and Infrastructure—

- (1) What is the budget allocation for the Point to Point Transport Commission in the 2017-18 NSW Budget?
- (a) What has been spent to date setting up and operating the Commission?
- (2) Has Transport for NSW received any complaints about the Point to Point Transport Commissioner?
- (a) If yes, how many?
- (i) What do these complaints relate to?
- (ii) Who were the complaints directed to and how were they resolved?
- (3) How many staff currently work in the Point to Point Transport Commission?
- (a) How many of these are permanent staff?
- (b) How many of these are contract staff?
- (c) How many of these are consultants?

- (4) Since the Commission became operational, how many staff in total have been engaged by the commission?
- How many of these are permanent staff?
 - How many of these are contract staff?
 - How many of these are consultants?
- (5) Since the Commission became operational, how many staff in total have left or have been removed from their positions, including those who left or were removed during their probation period.
- How many of these are permanent staff?
 - How many of these are contract staff?
 - How many of these are consultants?
- (6) How did the Minister appoint the inaugural Point to Point Transport Commissioner?
- What are his/her qualifications?
 - What expertise specific to this portfolio does the Commissioner bring?
 - What is the current remuneration for this position?
 - How long has the Commissioner been appointed for?
- (7) What regulatory actions can the Point to Point Transport Commission take to ensure industry compliance with the safety regulations in the Point to Point Transport (Taxis and Hire Vehicles) Act 2016 and its accompanying regulation?
- What mechanisms will be used by the Point to Point Transport Commissioner to monitor offences against the Act?
 - What measures are in place to audit Point to Point Transport providers, if any?
 - If none, then what does the Point to Point Transport Commission rely on to make sure providers are compliant with the Act?
 - Have any actions been taken to date?
 - If yes, what were these actions?
- (8) What are the regulatory powers of the Point to Point Transport Commissioner as a new regulator for the Point to Point Transport industry?
- (9) Are there any plans to transition the Commission to be part of the Department of Finance, Services and Innovation?
- If so, what is the Commission being transitioned to the Department of Finance, Services and Innovation?
 - If so, when is this transition expected to take place?
 - If so, please outline what the process for this transition will be?
 - If not, were there ever any plans to make this transition? Why were they changed or dropped?

Answer—

I am advised:

- This information is contained in the Budget Papers.
- and (6) I am disappointed by the imputations made by Dr Faruqi. I have the highest respect and regard for the Point to Point Transport Commissioner, her team and the work they are doing in the reformed Point to Point Transport industry. Had the member completed even the most cursory of internet searches, she would know the Point to Point Transport Commissioner's gender rather than needing to use "he I she". These attempts to besmirch the character of senior public servants are unworthy.
- to (5) The Commission became operational on 1 November 2017 with the commencement of the Point to Point Transport (Taxis and Hire Vehicles) Act 2016. Staffing levels are commensurate with an organisation of its size and with its responsibilities.
- and (8) This information is publicly available.
- The NSW Government is considering a number of options for the transfer of some functions to the Department of Finance, Services, and Innovation. This process is ongoing.

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(Paper No. 133)

- 1866 PRIMARY INDUSTRIES—LOCAL LAND SERVICES LEVY THRESHOLDS—Mr Veitch to ask the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry—
- (1) What was the projected annual increase in revenue for Local Land Services based on the Natural Resource Commission's recommendation to reduce the threshold for payment of levies from 10 hectares to 2 hectares?
 - (2) How many additional properties would have been liable for payment of Local Land Service levies if the threshold had been reduced from 10 hectares to 2 hectares?
- 1867 LANDS AND FORESTRY—LOFTUS TAFE SITE—Mr Veitch to ask the Minister for Primary Industries, Minister for Regional Water, Minister for Trade and Industry representing the Minister for Lands and Forestry, and Minister for Racing—
- (1) What is the land status of the parcel of land on the corner of Rawson and Pitt Streets Loftus, which accommodates educational services and facilities provided by TAFE, University of Wollongong and Cook School?
- 1868 TREASURER—FORESTRY JOB TOTALS—Mr Veitch to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Treasurer, and Minister for Industrial Relations—
- (1) What were the total number of jobs (EFT figures) in the softwood and hardwood divisions of the Forestry Corporation of NSW (or its equivalent) for the following financial years:
 - (a) 2010-11?
 - (b) 2011-12?
 - (c) 2012-13?
 - (d) 2013-14?
 - (e) 2014-15?
 - (f) 2015-16?
 - (g) 2016-17?
 - (2) What were the total number of jobs (EFT figures) in the Forestry Policy Research and Development (or its equivalent) for the following financial years:
 - (a) 2010-11?
 - (b) 2011-12?
 - (c) 2012-13?
 - (d) 2013-14?
 - (e) 2014-15?
 - (f) 2015-16?
 - (g) 2016-17?
- 1869 SPORT—COMBAT SPORTS COMBATANTS SEROLOGICAL CERTIFICATES—Ms Voltz to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—
- (1) How many registered combatants 18 years and over have not supplied a current serological certificate over the last twelve months?
 - (2) How many registered combatants under 18 years have not supplied a current serological certificate over the last eighteen months?

- 1870 SPORT—COMBAT SPORTS AMATEUR FIGHTER PARTICIPATION—Ms Voltz to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—
- (1) How many fighters, registered as amateur, were permitted to participate in professional fights in 2016/17?
 - (2) How many applied but were not permitted to participate?
- 1871 SPORT—COMBAT SPORTS AUTHORITY PERMIT APPLICATION PROCESS—Ms Voltz to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—
- (1) How many applications for permits, both amateur and professional, were completed within 14 days of receipt by the Combat Sports Authority in 2016/17?
 - (2) How many applications for permits, both amateur and professional, were completed within 21 days of receipt by the Combat Sports Authority in 2016/17?
 - (3) How many applications for permits, both amateur and professional, were completed within 28 days of receipt by the Combat Sports Authority in 2016/17?
 - (4) How many applications for permits, both amateur and professional, were not completed, or were rejected after receipt by the Combat Sports Authority in 2016/17?
- 1872 SPORT—COMBAT SPORTS AUTHORITY FIT AND PROPER PERSON TEST—Ms Voltz to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—
- How many fit and proper person tests were undertaken by the Combat Sports Authority in 2016/17?
- 1873 SPORT—COMBAT SPORTS AUTHORITY ISSUE OF AMATEUR PERMITS—Ms Voltz to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—
- (1) How many amateur permits were issued by the Combat Sports Authority in 2016/17?
 - (2) How many amateur permits were cancelled by the Combat Sports Authority in 2016/17?
 - (3) If any permits were cancelled:
 - (a) How many were cancelled on the day of the fight event?
 - (i) For what reason were these fights cancelled?
 - (b) How many were cancelled the day before the fight event?
 - (i) For what reason were these fights cancelled?
- 1874 SPORT—COMBAT SPORTS AUTHORITY ISSUE OF PROFESSIONAL PERMITS—Ms Voltz to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—
- (1) How many professional permits were issued by the Combat Sports Authority in 2016/17?
 - (2) How many professional permits were cancelled by the Combat Sports Authority in 2016/17?
 - (3) If any were cancelled:
 - (a) How many were cancelled on the day of the fight event?
 - (i) For what reason were these fights cancelled?
 - (b) How many were cancelled the day before the fight event?
 - (i) For what reason were these fights cancelled?

1875 SPORT—COMBAT SPORTS INSPECTORS ATTENDANCE—Ms Voltz to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport—

- (1) How many amateur fights did Combat Sports Authority Inspectors attend in 2016/17?
- (2) How many professional fights did Combat Sports Authority Inspectors attend in 2016/17?

1876 INDUSTRIAL RELATIONS—ELECTRICAL TRADES UNION AND UNITED SERVICES UNION MEDIA RELEASE—Revd Mr Nile to ask the Minister for Resources, Minister for Energy and Utilities, Minister for Arts, Vice-President of the Executive Council representing the Treasurer, and Minister for Industrial Relations—

- (1) Can the Minister inform the House whether the concerns outlined in the joint Electrical Trades Union and United Services Union media release of 16 August 2017, in which the unions raised the issue of outsourcing, are grounded in fact?
- (2) How many workers from the Geographic Information System have been placed in re-deployment, and what exactly does this entail?
- (3) Can the Minister inform the House how many off-shore workers have been retained to perform jobs that would ordinarily be done by Australians?
- (4) What systems are in place to protect sensitive information falling into the hands of foreign governments or competitive or hostile foreign entities?

David Blunt
Clerk of the Parliaments