



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 206

FRIDAY 6 MARCH 2020

(The Questions and Answers Paper published every Tuesday of 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. 191 (Including Question Nos 1044 to 1047)	06 March 2020
Q & A No. 192 (Including Question Nos 1048 to 1055)	09 March 2020
Q & A No. 193 (Including Question Nos 1056 to 1057)	10 March 2020
Q & A No. 194 (Including Question Nos 1058 to 1059)	11 March 2020
Q & A No. 195 (Including Question Nos 1060 to 1063)	12 March 2020
Q & A No. 196 (Including Question Nos 1064 to 1067)	13 March 2020
Q & A No. 197 (Including Question Nos 1068 to 1070)	16 March 2020
Q & A No. 198 (Including Question Nos 1071 to 1071)	17 March 2020
Q & A No. 199 (Including Question Nos 1072 to 1072)	18 March 2020
Q & A No. 200 (Including Question Nos 1073 to 1074)	19 March 2020
Q & A No. 201 (Including Question Nos 1075 to 1075)	20 March 2020
Q & A No. 202 (Including Question Nos 1076 to 1076)	23 March 2020
Q & A No. 203 (Including Question Nos 1077 to 1079)	24 March 2020
Q & A No. 204 (Including Question Nos 1080 to 1080)	25 March 2020
Q & A No. 205 (Including Question Nos 1081 to 1081)	26 March 2020
Q & A No. 206 (Including Question Nos 1082 to 1086)	27 March 2020

14 FEBRUARY 2020

(Paper No. 191)

*1044 WATER, PROPERTY AND HOUSING—FLOODPLAIN HARVESTING—Mr Field asked the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

- (1) What is the status of the audit of floodplain harvesting in NSW?
 - (a) Will this audit be made public? If so, when?
- (2) For each of the state's Water Sharing Plan areas for which floodplain harvesting is possible, how many floodplain harvesting works are estimated to be in operation in NSW?
- (3) For each of the state's Water Sharing Plan areas for which floodplain harvesting is possible, what is the volume of water estimated to be able to be stored as a result of floodplain harvesting in NSW?

Answer—

- (1) 1. The Department of Planning, Industry & Environment completed an independent peer review of floodplain harvesting implementation in 2019.
 - (a) The report and also the Governments response were published on the Department website in July 2019.
- (2) Please see table below. Note, the NSW Government has committed to implementing the Floodplain Harvesting Policy in the five northern NSW valleys as the priority due to risk regarding Sustainable Diversion Limits. Equivalent information for other areas of NSW is not available. This table does not look at whether some storages in existing irrigation areas in the Southern Basin have been set up in a way to be capable of floodplain harvesting.
- (3) 3. Please see table below:

Summary Floodplain Harvesting Statistics - current as at 19/02/2020

FLOODPLAIN/VALLEY	NUMBER OF STORAGES	ESTIMATED ON FARM STORAGE CAPACITY**(GL)
Border rivers	132	179
Gwydir	403	553
Namoi	554	312
Macquarie	180	167
Barwon-Darling	117	239

** In addition to floodplain harvesting on farm storages are also commonly used to store:

- (1) water taken under unregulated river licences, regulated river licences and ground water licences
- (2) used irrigation water

*1045 WATER, PROPERTY AND HOUSING—EXEMPTIONS FOR FLOODPLAIN HARVESTING—Mr Field asked the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

Regarding the Water Management (General) Amendment (Exemptions for Floodplain Harvesting) Regulation 2020 ('the Regulation') gazetted on 7 February 2020 which exempted certain floodplain harvesting works from the requirement for approval to construct a water supply work as contained in section 91B(1) of the Water Management Act 2000:

- (1) How many floodplain harvesting works were affected by the Regulation?
 - (a) What is the volume of water that is able to be stored as a result of these works?
- (2) How is the Regulation consistent with NSW Floodplain Harvesting Policy that sets a clear intention to create a licencing scheme for all floodplain harvesting in NSW?
 - (a) Will these exempt works fall under a licencing arrangement in the future? If so, are they all expected to be approved?
- (3) What consultation, if any, occurred regarding the decision to introduce the Regulation?

- (4) For how long will the Regulation remain in place?
- (5) Is there a trigger for its revocation?
- (6) What was the legal basis for having to introduce both the the Regulation and the Temporary Water Restriction (Northern Basin) (Floodplain Harvesting) Order 2020 concurrently?
- (7) Prior to the introduction of the Regulation, what was the legal status of floodplain harvesting works in NSW?

Answer—

- (1) The Water Management (General) Amendment (Exemptions for Floodplain Harvesting) Regulation 2020 relates to the ability of floodplain works to take water but does not provide approval for those physical infrastructure works.
- (2) The need for this Regulation was clearly articulated as part of the Floodplain Harvesting Policy first published in 2013.
 - (a) Licensing of floodplain harvesting is planned to be completed by 1 July 2021 as published in the NSW Government Floodplain Harvesting Action Plan.
- (3) State-wide public consultation on the Independent Peer Review and also the NSW Government Floodplain Harvesting Action Plan occurred in September 2019. The intention to introduce this Regulation was included in that consultation.
- (4) The regulation is intended to cease when licensing is complete (1 July 2021 for the northern basin valleys) as per the NSW Government Floodplain Harvesting Action Plan.
- (5) The regulation is intended to cease when licensing is complete (1 July 2021 for the northern basin valleys) as per the NSW Government Floodplain Harvesting Action Plan.
- (6) The legal basis for the introduction of both the Water Management (General) Amendment (Exemptions for Floodplain Harvesting) Regulation 2020 and the Temporary Water Restriction (Northern Basin) (Floodplain Harvesting) Order 2020 was the Water Management Act 2000.
- (7) Approvals for flood works are required under the Water Management Act 2000 - this regulation does not relate to flood works. Prior to this regulation, all floodplain harvesting in NSW sat outside the licensing framework of the Water Management Act 2000, meaning that no licences or approvals were required. This exemption represents a restriction to current practice as a transitional arrangement to full regulation through licensing and measurement.

*1046 WATER, PROPERTY AND HOUSING—TEMPORARY WATER RESTRICTION FOR FLOODPLAIN HARVESTING (NORTHERN BASIN)—Mr Field asked the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

Regarding the Temporary Water Restriction (Northern Basin) (Floodplain Harvesting) Order 2020 gazetted on 7 February 2020:

- (1) How many floodplain harvesting works were affected by this Order?
 - (a) What is the volume of water that is able to be stored as a result of these works?

Answer—

FLOODPLAIN / VALLEY	NUMBER OF STORAGES	ESTIMATED ON FARM STORAGE CAPACITY**(GL)
Border rivers	132	179
Gwydir	403	553
Namoi	554	312
Macquarie	180	167
Barwon-Darling	117	239

** In addition to floodplain harvesting on farm storages are also commonly used to store:

- (1) water taken under unregulated river licences, regulated river licences and ground water licences
- (2) used irrigation water

*1047 WATER, PROPERTY AND HOUSING—TEMPORARY APPROVAL TO TAKE FOR THE PURPOSE OF FLOODPLAIN HARVESTING—Mr Field asked the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

Regarding the approval to take from Namoi, Gwydir and Barwon under the Temporary Water Restriction (Northern Basin) (Floodplain Harvesting) Order 2020 made on 10 February 2020:

- (1) How many floodplain harvesting works were affected by this Order?
 - (a) What is the volume of water that is able to be stored as a result of these works?
- (2) Which stakeholder groups requested that this order be made?
- (3) Given the public statements of the Minister that only a few properties were affected by the order, how many properties were affected?
- (4) What specific floodplain infrastructure on these properties were threatened by flooding in the six catchments identified in the approval to take order?
- (5) When was the Department of Planning, Industry and Environment officers informed of the risks to these structures?
- (6) Given the Minister's statements that Natural Resources Access Regulator (NRAR) would be investigating matters relating to this order, who requested NRAR do this work?
 - (a) When was this request made of NRAR?
 - (b) What actions could be taken should NRAR find that there was not an infrastructure risk on properties that harvested floodplain water as a result of this order?

Answer—

- (1) Works not properties.
- (2) Northern NSW community members and landholders.
- (3) Following the initial advice I received, I have subsequently been advised approximately 200 properties were in the area where the order was lifted.
- (4) Various types of irrigation infrastructure, private property as well as public infrastructure was reported to be at risk by landholders. There was also reported to be a significant risk to public safety.
- (5) Between 7-9 February.
- (6) NRAR staff were asked to assist in an aerial investigation which included reported infrastructure damage and ongoing risk that was allegedly being exacerbated because of the pumping restrictions. This was not part of NRAR's normal duties.
 - (a) Monday 10 February.
 - (b) The purpose of this investigation was to inform future decision making around these restrictions.

17 FEBRUARY 2020

(Paper No. 192)

*1050 JOBS, INVESTMENT, TOURISM AND WESTERN SYDNEY—SYDNEY STARTUP HUB—Ms Jackson asked the Minister for Finance and Small Business representing the Minister for Jobs, Investment, Tourism and Western Sydney—

- (1) What is the current utilisation rate of the Sydney Startup Hub since it was created?
- (2) How many start-ups are currently occupying space in the Sydney StartUp Hub as of February 2020?
- (3) How much spare capacity is available at the Sydney Startup Hub as of February 2020?

Answer—

- (1) The Sydney Startup Hub is currently 100 per cent leased.
- (2) As at January 2020, there are 492 startups at the Sydney Startup Hub.
- (3) Currently there is no capacity for additional tenants at the Sydney Startup Hub.

*1055 HEALTH AND MEDICAL RESEARCH—CLOSURE OF PUBLIC HOSPITALS AND HEALTH SERVICES—Mr Primrose asked the Minister for Mental Health, Regional Youth and Women representing the Minister for Health and Medical Research—

- (1) How many New South Wales public hospitals or public health services have closed since 2011?
- (2) What are the names of all New South Wales public hospitals or public health services that have closed since 2011?

Answer—

- (1) and 2.

The NSW Government is funding more health services every year.

In 2019-20, \$2.7 billion will be invested in capital on top of \$24 billion in recurrent spending, taking the total health budget this year to \$26.7 billion. This represents \$1 billion, or 4.5 per cent, more for NSW Health's recurrent spending budget than in 2018-19.

Local health districts are responsible for providing the range of health services for residents in their areas. Health service delivery changes over time, which may involve realignment of existing services to improve the overall level of services available to local populations.

19 FEBRUARY 2020

(Paper No. 194)

*1058 CUSTOMER SERVICE—EXPENSES RELATED TO NSW WARATAH LOGO—Mr Latham asked the Minister for Finance and Small Business representing the Minister for Customer Service—

- (1) How much did the Government spend on events launching the New South Wales Waratah Logo design in 2020?
- (2) Can a list of these events be provided?

Answer—

- (1) Nil
- (2) There was no launch event for the 2020 Waratah logo design.

6 MARCH 2020

(Paper No. 206)

1082 REGIONAL TRANSPORT AND ROADS—HILLSBOROUGH ROAD—Mr Buttigieg to ask the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council representing the Minister for Regional Transport and Roads—

- (1) A media release titled 'NSW Government provides \$5 million to Improve Warners Bay Road', published in the name of Duncan Gay MLC on 23rd July 2013 read: "The NSW Government also is providing \$500,000 this year for RMS to investigate opportunities for further improvements to Hillsborough Road at Charlestown including the Crockett Street intersection. Last year a left turning lane was also provided for motorists turning from Crockett Street." "There is still more that could be done and this funding paves the way for investigations to continue," Mr Gay said:
 - (a) How much of the \$500,000 announced in this release was expended:
 - (i) In 2013?
 - (ii) In 2014?
 - (iii) In the years following 2014?
 - (b) What was the product of the expenditure?

- (2) A media release titled 'Rebuilding the Hunter: Massive Roads Package Brings Hunter Investment to more than \$1 Billion', published in the name of Mike Baird, Premier of New South Wales on 17th February 2015, stated the Government's re-election promise as follows: "\$4 million to continue planning and pre-construction to widen Hillsborough Road to four lanes between Warners Bay and the Newcastle Inner City Bypass.":
- (a) How much of the \$4 million promised in this release was expended:
 - (i) In 2015?
 - (ii) In 2016?
 - (iii) In the years following 2016?
 - (b) What was the product of the expenditure?
- (3) What additional funding has been expended in relation to Hillsborough Road?
- (a) How much in addition to the \$4.5 million promised was expended:
 - (i) In 2015?
 - (ii) In 2016?
 - (iii) In 2017?
 - (iv) In 2018?
 - (v) In 2019?
 - (vi) In 2020?
 - (b) What was the product of the expenditure?
- (4) What are the crash statistics on Hillsborough Road as follows:
- (a) In 2018:
 - (i) Road user deaths?
 - (ii) Drivers and passengers in vehicles injuries?
 - (iii) Pedestrian injuries?
 - (b) In 2019:
 - (i) Road user deaths?
 - (ii) Drivers and passengers in vehicles injuries?
 - (iii) Pedestrian injuries?
 - (c) In 2020:
 - (i) Road user deaths?
 - (ii) Drivers and passengers in vehicles injuries?
 - (iii) Pedestrian injuries?
- (5) In April 2018 the response to a Government Information (Public Access) Act 2009 (GIPA) request revealed that Hillsborough Road had been incorporated into the Lake Macquarie Traffic Study. A draft of the study was obtained to verify its existence, but this study has not been published:
- (a) When was the study completed?
 - (b) When will the study be made public?
- (6) What safety works and upgrades have been completed on Hillsborough Road as follows:
- (a) In 2018?
 - (b) In 2019?
 - (c) In 2020?
- (7) In June 2019 the Newcastle Herald reported that one local campaigner, Michael Nolan, has sent 123 pieces of correspondence in relation to the lack of action. The same article indicated that "the RMS is developing a strategic business case for projects on Hillsborough Road":
- (a) Has the strategic business case been completed?
 - (i) If not, when will it be completed?
 - (b) When will the strategic business case be made public?
- (8) When will the community finally see real action to improve the traffic bottlenecks and safety issues on Hillsborough Road?
- (9) In relation to over-capacity at the Hillsborough Road and Macquarie Road roundabout:
- (a) What is the estimated cost of replacing the roundabout with traffic lights?

- (b) Will the roundabout be replaced by traffic lights within the next three years?
- (10) In relation to the intersection of Hillsborough Road and Chadwick Street:
- (a) What is the estimated cost of installing traffic lights?
 - (b) Will traffic lights be installed within the next three years?
- (11) In relation to Hillsborough Road and Crockett Street:
- (a) What is the estimated cost of installing traffic lights?
 - (b) Will traffic lights be installed within the next three years?
- 1083 REGIONAL TRANSPORT AND ROADS—REGIONAL BUS SERVICES AFTER PRIVATISATION, KEOLIS DOWNER - NEWCASTLE REGION—Mr Buttigieg to ask the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council representing the Minister for Regional Transport and Roads—
- (1) What were the patronage figures for the following bus routes run by Keolis Downer for each month from July 2017 to the present as follows:
 - (a) For bus route 11 between Garden Suburb and Charlestown?
 - (b) For bus route 14 between Bennetts Green and Adamstown Heights?
 - (c) For bus route 22 between Kahibah and Charlestown?
 - (d) For bus route 25 between Kotara and Charlestown?
 - (e) For bus route 28 between Mount Hutton and Adamstown Heights?
 - (f) For bus route 29 between Eleebana and Cardiff South?
 - (g) For bus route 41 between Eleebana and Adamstown Heights?
 - (h) For bus route 43 between Tingira Heights and Charlestown?
 - (i) For bus route 44 between Kotara and Warners Bay?
 - (j) For bus route 48 between Dudley, Redhead and Warners Bay?
 - (2) What were the start of journey on-time statistics for each bus route run by Keolis Downer for each month from July 2017 as follows:
 - (a) For bus route 11 between Garden Suburb and Charlestown?
 - (b) For bus route 14 between Bennetts Green and Adamstown Heights?
 - (c) For bus route 22 between Kahibah and Charlestown?
 - (d) For bus route 25 between Kotara and Charlestown?
 - (e) For bus route 28 between Mount Hutton and Adamstown Heights?
 - (f) For bus route 29 between Eleebana and Cardiff South?
 - (g) For bus route 41 between Eleebana and Adamstown Heights?
 - (h) For bus route 43 between Tingira Heights and Charlestown?
 - (i) For bus route 44 between Kotara and Warners Bay?
 - (j) For bus route 48 between Dudley, Redhead and Warners Bay?
 - (3) What were the end of journey on-time statistics for each bus route run by Keolis Downer for each month from July 2017 as follows:
 - (a) For bus route 11 between Garden Suburb and Charlestown?
 - (b) For bus route 14 between Bennetts Green and Adamstown Heights?
 - (c) For bus route 22 between Kahibah and Charlestown?
 - (d) For bus route 25 between Kotara and Charlestown?
 - (e) For bus route 28 between Mount Hutton and Adamstown Heights?
 - (f) For bus route 29 between Eleebana and Cardiff South?
 - (g) For bus route 41 between Eleebana and Adamstown Heights?
 - (h) For bus route 43 between Tingira Heights and Charlestown?
 - (i) For bus route 44 between Kotara and Warners Bay?
 - (j) For bus route 48 between Dudley, Redhead and Warners Bay?
 - (4) How many buses did not run for each bus route run by Keolis Downer for each month from July 2017 as follows:

-
- (a) For bus route 11 between Garden Suburb and Charlestown?
- (b) For bus route 14 between Bennetts Green and Adamstown Heights?
- (c) For bus route 22 between Kahibah and Charlestown?
- (d) For bus route 25 between Kotara and Charlestown?
- (e) For bus route 28 between Mount Hutton and Adamstown Heights?
- (f) For bus route 29 between Eleebana and Cardiff South?
- (g) For bus route 41 between Eleebana and Adamstown Heights?
- (h) For bus route 43 between Tingira Heights and Charlestown?
- (i) For bus route 44 between Kotara and Warners Bay?
- (j) For bus route 48 between Dudley, Redhead and Warners Bay?
- (5) What were the patronage figures for the D59 'On Demand transport service' run by Keolis Downer for each month from 1st January 2018 to the present as follows:
- (a) Passengers starting a journey in Charlestown?
- (b) Passengers starting a journey in Dudley?
- (c) Passengers starting a journey in Eleebana?
- (d) Passengers starting a journey in Gateshead?
- (e) Passengers starting a journey in Kahibah?
- (f) Passengers starting a journey in Mount Hutton?
- (g) Passengers starting a journey in Tingira Heights?
- (h) Passengers starting a journey in Windale?
- (i) Passengers starting a journey in Whitebridge?
- (6) How many complaints have been received relating to Newcastle Buses each month from July 2017 to the present by:
- (a) Keolis Downer?
- (b) Transport for NSW?
- (7) 7. What were the subjects of the complaints that were received relating to Newcastle Buses each month from July 2017 to the present by:
- (a) Keolis Downer?
- (b) Transport for NSW?
- 1084 ENERGY AND ENVIRONMENT—FLYING FOX BATS—Mr Veitch to ask the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council representing the Minister for Energy and Environment—
- (1) At what stage did the flying fox bats become a vulnerable species?
- (2) What environmental protections are given to the flying fox bats?
- (3) Does the minister have a strategy to contain the bats to non-residential areas?
- 1085 LOCAL GOVERNMENT—LOCAL COUNCILS AND BATS—Mr Veitch to ask the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council representing the Minister for Local Government—
- (1) How many local councils are affected by the bats?
- (2) What expenditure do local councils have to help combat the bats?
- (3) Does the government have a plan to help local councils contain them?
- (a) If so, how much will it cost?
- 1086 HEALTH AND MEDICAL RESEARCH—FLYING FOX COLONIES—Mr Veitch to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Health and Medical Research—
- (1) Is there a strategy to deal with the health conditions of living with/under the flying fox colonies?

- (a) If so what is it?
- (2) Has there been any community consultation in flying fox colony affected areas?
 - (a) If so when and where including a date and location?
- (3) Has any information been given to residents?
 - (a) If so when? Please provide a date.
- (4) How many cases of illness have related to the flying fox colonies?
- (5) Is there a strategy to protect local water ways for these residents?
- (6) Are there any long term health implications for living near the colonies?
- (7) Has the government tested any removal techniques?
 - (a) If so when and where?
 - (b) Were they successful?
 - (c) How much did they cost?
- (8) The NSW Health website says the information provided was updated in 2012. Does NSW Health plan on updating this information?
 - (a) If so when?

David Blunt
Clerk of the Parliaments