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QUESTIONS AND ANSWERS

No. 590

WEDNESDAY 22 SEPTEMBER 2021

(The Questions and Answers Paper published on Monday to Friday of each week will contain, by number and title, all questions to which answers have been received the previous day and any new questions asked that 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. 575 (Including Question Nos 7346 to 7349)	22 September 2021
Q & A No. 576 (Including Question Nos 7350 to 7359)	23 September 2021
Q & A No. 577 (Including Question Nos 7360 to 7375)	24 September 2021
Q & A No. 578 (Including Question Nos 7376 to 7390)	27 September 2021
Q & A No. 579 (Including Question Nos 7391 to 7402)	28 September 2021
Q & A No. 580 (Including Question Nos 7403 to 7417)	29 September 2021
Q & A No. 581 (Including Question Nos 7418 to 7425)	30 September 2021
Q & A No. 582 (Including Question Nos 7426 to 7435)	1 October 2021
Q & A No. 583 (Including Question Nos 7436 to 7443)	4 October 2021
Q & A No. 584 (Including Question Nos 7444 to 7455)	5 October 2021
Q & A No. 585 (Including Question Nos 7456 to 7459)	6 October 2021
Q & A No. 586 (Including Question Nos 7460 to 7489)	7 October 2021
Q & A No. 587 (Including Question Nos 7491 to 7519)	8 October 2021
Q & A No. 588 (Including Question Nos 7490 to 7538)	11 October 2021
Q & A No. 589 (Including Question Nos 7539 to 7560)	12 October 2021
Q & A No. 590 (Including Question Nos 7561 to 7571)	13 October 2021

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(Paper No. 575)

* 7346 HEALTH AND MEDICAL RESEARCH—PUBLIC MATERNITY CARE OPTIONS—Ms Cate Faehrmann to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Health and Medical Research—

- (1) What proportion of women receive care through continuity of care programs at New South Wales public hospitals?
- (2) What percentage of women per year would access each of these models of care within public hospitals:
 - (a) GP/Obstetrician care?
 - (b) GP/Hospital shared care?
 - (c) Midwifery Group Practice/Caseload Midwifery?
- (3) What percentage of the total births in the state occur in:
 - (a) Public hospitals?
 - (b) Birth centres?
 - (c) The six publicly funded New South Wales homebirth programs?

Answer—

(1-2)

(a-c) Local health districts are responsible for developing models of maternity care including continuity of care models and use local data to inform service planning and provision to meet local needs and to anticipate birth numbers.

(3)

(a-c) This information is publicly available in the NSW Health Mothers and Babies Report 2019. The report provides data on the total number of homebirths that occur in NSW. Data is not collected separately on planned homebirths that occur through publicly funded or to private homebirth services.

* 7347 JOBS, INVESTMENT, TOURISM AND WESTERN SYDNEY—BLUE WREN FARM—The Hon. Mark Latham to ask the Minister for Finance and Small Business representing the Minister for Jobs, Investment, Tourism and Western Sydney—

- (1) Why has the Government granted \$146,980 to the Blue Wren Farm in Mudgee for the creation of a Barn Restaurant?
 - (a) What funding program was the money allocated from?
 - (b) Who initiated the grant?
- (2) Why can't the Blue Wren Farm as a profitable enterprise fully fund its own business expansion and capital works into the Barn Restaurant?
- (3) What role did the Member for Dubbo play in securing the government money for Blue Wren Farm?
- (4) Was there a competitive process in the determination of funding?
- (5) In the 2020-21 financial year:
 - (a) What other private enterprises in New South Wales have received government funding for capital works and facility expansion?
 - (i) What are the details?

Answer—

- (1) Blue Wren Farm at Eurunderee was eligible to receive funding through the Experience Enhancement Fund, managed by Destination NSW, as part of the broader Tourism Product Development Fund announced on 16 February 2021. Successful applicants to the Experience Enhancement Fund received grants of between \$50,000 and \$150,000 on a matched dollar-for-dollar basis.
 - (a) Refer to answer in question 1.
 - (b) Refer to answer in question 1.
- (2) Refer to answer to question 1.
- (3) None. Refer to answer to question 1.
- (4) Yes. See guidelines: www.destinationnsw.com.au/wpcontent/uploads/2021/02/guidelines-experience-enhancement-fund-2020-21.pdf
- (5) Successful Tourism Product Development Fund applicants are listed on Destination NSW's website: www.destinationnsw.com.au/tourism/businessdevelopment-resources/funding-and-grants/tourism-product-developmentfund.

* 7348 CUSTOMER SERVICE—COVID-19 TRANSMISSIONS ON SERVICE NSW PREMISES—The Hon. Mark Latham to ask the Minister for Finance and Small Business representing the Minister for Customer Service, and Minister for Digital—

- (1) How many COVID-19 transmissions have been recorded on Service NSW premises among:
 - (a) Staff in the following periods:
 - (i) January 2020 to 31 May 2021?
 - (ii) 1 June 2021 to date?
 - (b) Customers for the following periods:
 - (i) January 2020 to 31 May 2021?
 - (ii) 1 June 2021 to date?

Answer—

As of 14 September 2021, five Service NSW employees / contractors have tested positive to COVID-19 after taking a COVID-19 test and isolating following an exposure in a Service NSW Service Centre. These test results have all been received since 1 June 2021. In the absence of advice from NSW Health, Service NSW is not able to confirm whether these team members transmitted COVID-19 while on Service NSW premises or from another source.

Service NSW has not received advice from NSW Health regarding any customers transmitting COVID-19 from a Service NSW premises.

* 7349 HEALTH AND MEDICAL RESEARCH—COVID-19 TRANSMISSIONS ON SERVICE NSW PREMISES—The Hon. Mark Latham to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Health and Medical Research—

- (1) How many COVID-19 transmissions have been recorded on Service NSW premises among:
 - (a) Staff in the following periods:
 - (i) January 2020 to 31 May 2021?
 - (ii) 1 June 2021 to date?
 - (b) Customers for the following periods:
 - (i) January 2020 to 31 May 2021?
 - (ii) 1 June 2021 to date?

Answer—

I refer the member to the response provided to LC 7348.

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(Paper No. 590)

7561 HEALTH AND MEDICAL RESEARCH—HOSPITALISED PROTESTERS 2.0—The Hon. Rod Roberts to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Health and Medical Research—

- (1) On 27 August 2021 the [Question on Notice 7280](#) was asked of the Minister. On 17 September 2021 the answer to the Question on Notice was received from the Minister:
 - (a) Would the Minister please answer part (1) (c) of the original question?
 - (b) Is there any confirmed cases of COVID-19 being transmitted outdoors?
 - (c) If a member of the Legislative Council can't get a comprehensive response to a formal question on notice how is the public expected to trust the health advice being given by the Minister?

7562 ENERGY AND ENVIRONMENT—PEABODYS METROPOLITAN MINE—Ms Cate Faehrmann to ask the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts representing the Minister for Energy and Environment—

- (1) On how many occasions has Metropolitan Mine exceeded its licensed discharge limits for Environment Protection Licence No. 767?
- (2) Is Peabody Energy undertaking reject coal emplacement in the historic mine tunnels near Helensburgh underneath the Garawarra State Conservation Area and adjacent to waterways that flow through the Royal National Park?
- (3) Has Peabody Energy ever undertaken reject coal emplacement in the historic mine tunnels near Helensburgh underneath the Garawarra State Conservation Area and adjacent to waterways that flow through the Royal National Park?
 - (a) If such emplacement has occurred under project approval MP08_0149, under what section of that project approval has this emplacement taken place?
- (4) If those tunnels are not part of the project approval MP08_0149, what studies have been carried out about what may happen with this emplacement material in the event of damaging impacts caused by the historic mine tunnels near Helensburgh that are adjacent to waterways that flow through the Royal National Park?

7563 REGIONAL NEW SOUTH WALES, INDUSTRY AND TRADE—PEABODYS METROPOLITAN MINE—Ms Cate Faehrmann to ask the Minister for Education and Early Childhood Learning representing the Deputy Premier, and Minister for Regional New South Wales, Industry and Trade—

- (1) Are there no remediation plans in place for the historic mine tunnels near Helensburgh underneath the Garawarra State Conservation Area and adjacent to waterways that flow through the Royal National Park under project approval MP08_0149:
 - (a) If this is the case, who will be responsible for remediation in the event of metallic discharges into the National Park catchments caused by rebounding water tables when the Metropolitan Mine ceases pumping from these tunnels?
- (2) Is Peabody Energy undertaking reject coal emplacement in the historic mine tunnels near Helensburgh underneath the Garawarra State Conservation Area and adjacent to waterways that flow through the Royal National Park?
- (3) Has Peabody Energy ever undertaken reject coal emplacement in the historic mine tunnels near Helensburgh underneath the Garawarra State Conservation Area and adjacent to waterways that flow through the Royal National Park?

- (a) If such emplacement has occurred under project approval MP08_0149, under what section of that project approval has this emplacement taken place?
- (4) If those tunnels are not part of the project approval MP08_0149, what studies have been carried out about what may happen with this emplacement material in the event of damaging impacts caused by the historic mine tunnels near Helensburgh that are adjacent to waterways that flow through the Royal National Park?
- 7564 HEALTH AND MEDICAL RESEARCH—INCORRECT VACCINATION INFORMATION—The Hon. Mark Latham to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Health and Medical Research—
- (1) Since 1 July 2021:
- (a) How many times has NSW Health sent vaccination information to the wrong person by:
- (i) SMS?
- (ii) Any other means?
- (2) How did these errors and privacy breaches occur?
- 7565 WATER, PROPERTY AND HOUSING—PEABODYS METROPOLITAN MINE—Ms Cate Faehrmann to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—
- (1) What investigations has Water NSW commenced or completed into the distribution of metallic-enriched sediments on the base of Sydney's water supply dams, particularly those whose catchments are impacted by underground mining?
- (2) What investigations has Water NSW commenced into the distribution of metallic-enriched sediments on the base of the Woronora Reservoir?
- (3) What investigations has Water NSW completed into the distribution of metallic-enriched sediments on the base of the Woronora Reservoir?
- (4) What locations on the base of the Woronora Reservoir have been sampled?
- (a) Over what time periods were samples taken?
- (5) What evidence is there that metal-laden sediments are not accumulating on the base of our water storage catchment areas?
- 7566 PLANNING AND PUBLIC SPACES—PEABODYS METROPOLITAN MINE—Ms Cate Faehrmann to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Planning and Public Spaces—
- (1) How many times has an external assessment been conducted of any sustained increase in metallic contaminants (aluminium, manganese and iron) against Metropolitan Mine's performance measure for quality of surface waters in Woronora Reservoir and the Waratah Rivulet over the last 10 years?
- (a) What is the yearly breakdown of these exceedances?
- (2) On how many occasions has the exceedance of metallic contaminant levels of water in Woronora Reservoir and the Waratah Rivulet been deemed to be no more than "a negligible reduction to the quality of water resources reaching the reservoir"?
- (a) What is the yearly and cumulative impact of these exceedances?
- (3) Have the concentrations of these contaminants over that period increased in frequency relative to 20-year averages or other metrics?
- (a) What does this imply about the long-term water security of Woronora Reservoir?
- (4) Has Peabody submitted extraction plans for Metropolitan mine tunnels 308 - 315?
- (5) Why has the Minister not answered the previous question submitted on 14 July 2021 regarding whether any new extractions plan for Metropolitan Mine tunnels 308 - 315 be publicly exhibited before approval by the department of planning?

- (6) Why has the Minister not answered the previous question submitted on 14 July 2021 about whether members of the public and interested groups be able to put in submissions regarding the extraction plans for Metropolitan Mine tunnels 308 - 315?
- (7) Camp Gully Creek flows through the Royal National Park and is adjacent to the surface facilities of Peabody's Metropolitan Mine at Helensburgh:
- (a) How much water has Peabody's Metropolitan Mine taken from Camp Gully Creek over the last ten years?
- (8) Is Peabody Energy undertaking reject coal emplacement in the historic mine tunnels near Helensburgh underneath the Garawarra State Conservation Area and adjacent to waterways that flow through the Royal National Park?
- (9) Has Peabody Energy ever undertaken reject coal emplacement in the historic mine tunnels near Helensburgh underneath the Garawarra State Conservation Area and adjacent to waterways that flow through the Royal National Park?
- (a) If such emplacement has occurred under project approval MP08_0149, under what section of that project approval has this emplacement taken place?
- (b) If those tunnels are not part of the project approval MP08_0149, what studies have been carried out about what may happen with this emplacement material in the event of damaging impacts caused by the historic mine tunnels near Helensburgh that are adjacent to waterways that flow through the Royal National Park?

7567 BETTER REGULATION AND INNOVATION—IAN HEAD—Mr David Shoebridge to ask the Minister for Finance and Small Business representing the Minister for Better Regulation and Innovation—

- (1) Regarding the death of Ian Head on 28 October 2017 which was subject to review by the Office of National Rail Safety Regulator (ONRSR) and Safe Work NSW (SW NSW):
- (a) Was a final report created into this matter by Safework?
- (i) If so, why is this report not available?
- (ii) If a report was not created, why?
- (b) Noting that SafeWork NSW Customer Service Standard states “the need to seek expert or technical opinions”:
- (i) Why didn't SW NSW engage a fatigue expert to assist their investigation?
- (c) SafeWork NSW Customer Service Standard states: “where further investigation is undertaken, an update will be provided at least once in every three months”:
- (i) Why didn't SW NSW provide updated information every three months?
- (d) Why did SW NSW not request evidence of Ian Head's thirty-five rostered straight shifts?
- (e) There is a definition on the contract of what ST's classifies a shift, how did SW NSW determine the difference between a non-rostered and rostered shift?
- (f) In correspondence to the family of the deceased worker the Minister stated: *As referred to in their final report, the ONRSR “did not review any actual hours worked” for the relevant period. However, SW NSW did obtain and review these records as part of its investigation in relation to your father. Relevantly, these records indicated that: Your fathers shift on the 22 October 2017 was cancelled shortly after his arrival onsite; and the previous shift performed by your father was rostered to end at 3.00pm, approximately 11 hours prior to the noon-rostered shift on the day of the incident:*
- (i) On what basis did SW NSW conclude that the shift on the 22 October 2017 being cancelled shortly after his arrival onsite?
- (ii) What were the actual hours the deceased worker worked on the shift prior to the day of the incident and the actual rest period between shifts, including any travel time?

- (g) In correspondence to the family of the deceased worker the Minister stated: *Your father had received several documented inductions, training, and competency assessment from MCR regarding fatigue, impairment, vehicle use. According to the records obtained by MCR, these training documents were accessed and sighted by your father:*
- (i) Please provide a list of the training accessed and sighted by the deceased worker that addressed fatigue management?

7568 TRANSPORT AND ROADS—IAN HEAD—Mr David Shoebridge to ask the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts representing the Minister for Transport and Roads—

- (1) Regarding the death of Ian Head on 28 October 2017 which was subject to review by the Office of National Rail Safety Regulator (ONRSR) and Safe Work NSW (SW NSW):
- (a) Was a final report created into this matter by Safework?
- (i) If so, why is this report not available?
- (ii) If a report was not created, why?
- (b) Noting that SafeWork NSW Customer Service Standard states “the need to seek expert or technical opinions”:
- (i) Why didn’t SW NSW engage a fatigue expert to assist their investigation?
- (c) SafeWork NSW Customer Service Standard states: “where further investigation is undertaken, an update will be provided at least once in every three months”:
- (i) Why didn’t SW NSW provide updated information every three months?
- (d) Why did SW NSW not request evidence of Ian Head’s thirty-five rostered straight shifts?
- (e) There is a definition on the contract of what ST’s classifies a shift, how did SW NSW determine the difference between a non-rostered and rostered shift?
- (f) In correspondence to the family of the deceased worker the Minister stated: *As referred to in their final report, the ONRSR “did not review any actual hours worked” for the relevant period. However, SW NSW did obtain and review these records as part of its investigation in relation to your father. Relevantly, these records indicated that: Your fathers shift on the 22 October 2017 was cancelled shortly after his arrival onsite; and the previous shift performed by your father was rostered to end at 3.00pm, approximately 11 hours prior to the noon-rostered shift on the day of the incident:*
- (i) On what basis did SW NSW conclude that the shift on the 22 October 2017 being cancelled shortly after his arrival onsite?
- (ii) What were the actual hours the deceased worker worked on the shift prior to the day of the incident and the actual rest period between shifts, including any travel time?
- (g) In correspondence to the family of the deceased worker the Minister stated: *Your father had received several documented inductions, training, and competency assessment from MCR regarding fatigue, impairment, vehicle use. According to the records obtained by MCR, these training documents were accessed and sighted by your father:*
- (i) Please provide a list of the training accessed and sighted by the deceased worker that addressed fatigue management?

7569 TRANSPORT AND ROADS—SYDNEY TRAINS—Mr David Shoebridge to ask the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts representing the Minister for Transport and Roads—

- (1) Sydney Trains - Regarding the death of Ian Head on 28 October 2017 which was subject to review by the Office of National Rail Safety Regulator (ONRSR) and Safe Work NSW:
- (a) Noting that Sydney Train’s WHS Policy provides it must "Ensure full compliance with all relevant health and safety legislation and regulatory requirements" and that the Office of National Rail Safety Regulator (ONRSR) reported: Multi Civil & Rail (MCR) did not have

systems in place to manage fatigue; MCR's systems were weak against Work Health and Safety Act 2011; and MCR failed to meet the requirements under Rail Safety National Law:

- (i) How did these findings impact MCR's existing and future contracts?
 - (ii) How did Sydney Trains allow a contractor to operate without these protections in place?
 - (iii) Were any disciplinary or other remedial actions taken given these breaches in Sydney Trains?
- (b) Noting that Sydney Train's OHS policy provides that it must "Implement and maintain a system of safeworking" and that the ONRSR reported: "ST has not located any information or documents responsive to this request", for the following questions:

Advice on how Sydney Trains ensures that rail safety workers supplied by MCR are trained/instructed in Sydney Train's requirements for the management of fatigue.

Details of any audits, inspections, reports prepared by or received by Sydney Trains in the previous two years up to the date of this Notice regarding the management of fatigue of rail safety workers contracted from any organization other than MCR.

Copy of any instruction/procedure/guideline that sets out how/when any actions identified for Part C, Item 4 (Item C4: Describe how Sydney Trains ensures compliance by MCR with the Sydney Trains fatigue management requirements) above is to be carried out:

- (i) What actions have been taken to ensure these system failures do not repeat and what if any disciplinary or other remedial actions taken given these breaches by Sydney Trains?
- (c) Noting that the ONRSR reported: "An audit was carried out on MCR on 09/04/2017 covering a number of matters including fatigue." This audit conducted by Daniel Yuen and Vicki Cosmia of the 5/04/2017, awarded a Positive commendation or noteworthy effort on MCR's Fatigue Management:
- (i) Who was responsible (name) for approving, monitoring, and ensuring MCR and other contractors' systems of work?
 - (ii) How can these audit findings be sustained given the critical conclusions of the ONRSR on these very same issues?
- (d) Noting that Sydney Train's policy is to "Create a culture of working safely" and Sydney Trains Safety Management System Operating Procedure 08: Managing Fatigue Risks, why did Sydney Trains fail to implement a system to manage the risks with the contractor MCT?
- (e) What if any due diligence has been undertaken regarding the fitness of the directors of MCR given their prior employment relationship with NSW Rail?
- (i) Does it include police background checks?

7570 ATTORNEY GENERAL—AVAILABILITY OF BEDS FOR WOMEN LEAVING DOMESTIC VIOLENCE—The Hon. Rose Jackson to ask the Minister for Sport, Multiculturalism, Seniors and Veterans representing the Attorney General, and Minister for Prevention of Domestic and Sexual Violence—

- (1) How many beds are available as of 1 September 2021 for women and children leaving violence in New South Wales?
 - (a) Broken down by:
 - (i) Local Government Area?
 - (ii) In women only refuges?
- (2) How many beds are available as of 1 September 2021 for single women leaving violence in New South Wales?
 - (a) Broken down by:

- (i) Local Government Area?
- (ii) In women only refuges?

7571 ATTORNEY GENERAL—NSW DOMESTIC VIOLENCE LINE—The Hon. Rose Jackson to ask the Minister for Sport, Multiculturalism, Seniors and Veterans representing the Attorney General, and Minister for Prevention of Domestic and Sexual Violence—

- (1) Please provide the total number of calls to the NSW Domestic Violence call line (1800 65 64 63) for each month of 2021:
 - (a) Broken down by:
 - (i) Local Government Area?
 - (ii) Statistical area?
- (2) How many calls have been requests for short term or emergency housing assistance?

David Blunt
Clerk of the Parliament