



LEGISLATIVE COUNCIL

2023

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

QUESTIONS AND ANSWERS

No. 161

WEDNESDAY 20 DECEMBER 2023

(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. 146 (Questions—Nil)	-
Q & A No. 147 (Including Question Nos 1543 to 1556)	21 December 2023
Q & A No. 148 (Including Question Nos 1557 to 1564)	22 December 2023
Q & A No. 149 (Questions—Nil)	-
Q & A No. 150 (Including Question Nos 1565 to 1573)	9 January 2024
Q & A No. 151 (Including Question Nos 1574 to 1575)	10 January 2024
Q & A No. 152 (Including Question Nos 1576 to 1591)	11 January 2024
Q & A No. 153 (Including Question Nos 1592 to 1601)	12 January 2024
Q & A No. 154 (Including Question Nos 1602 to 1603)	15 January 2024
Q & A No. 155 (Including Question Nos 1604 to 1608)	16 January 2024
Q & A No. 156 (Including Question Nos 1609 to 1612)	17 January 2024
Q & A No. 157 (Including Question Nos 1613 to 1620)	18 January 2024
Q & A No. 158 (Including Question Nos 1621 to 1621)	19 January 2024
Q & A No. 159 (Including Question Nos 1622 to 1622)	22 January 2024
Q & A No. 160 (Questions—Nil)	-
Q & A No. 161 (Including Question Nos 1623 to 1654)	24 January 2024

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(Paper No. 161)

- 1623 **TRANSPORT—FATAL ROAD ACCIDENTS AND DRUGS**—The Hon. Jeremy Buckingham to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Transport—
- (1) How many road users were killed in crashes for each of the financial years from 2018-19 until the most recent financial year for which data is available? Please provide data broken down by year.
 - (a) In what number and /or percentage of those fatal crashes, listed by each reporting year, was alcohol, and no other drug, a factor in the crash?
 - (b) In what number and /or percentage of those fatal crashes, listed by each reporting year, were alcohol and drugs other than alcohol a factor in the crash?
 - (c) In what number and /or percentage of those fatal crashes, listed by each reporting year, were drugs other than alcohol a factor in the crash?
 - (d) In what number and /or percentage of those fatal crashes, listed by each reporting year, was cannabis the only drug that was a factor in the crash?
- 1624 **HEALTH—COUNSELLING OF PATIENTS ON VOLUNTARY ASSISTED DYING**—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Minister for Health, Minister for Regional Health, and Minister for the Illawarra and the South Coast—
- (1) Have you obtained legal advice about the impact of *Carr v Attorney-General (Cth) [2023] FCA 1500* on the administration of Voluntary Assisted Dying (VAD) in New South Wales?
 - (2) Have you caused the Health Department to cease using carriage services (including email, Facebook, Instagram and X) to transmit material which directly or indirectly counsels patients in relation to accessing or attempting to access VAD?
 - (3) Have you caused all clinicians to cease using carriage services (including email, Facebook, Instagram and X) to transmit material which directly or indirectly counsels patients in relation to accessing or attempting to access VAD?
 - (4) Have you caused the Health Department and all clinicians to cease using carriage services (including email, Facebook, Instagram and X) to transmit material which directly or indirectly counsels patients in relation to accessing or attempting to access VAD?
 - (5) Have you caused the Health Department to cease using the NSW Health website, or any other websites, to counsel patients in relation to accessing or attempting to access VAD?
 - (6) Have you caused the Health Department to provide advice to doctors and other VAD providers about the use of tele-health to counsel patients in relation to VAD?
- 1625 **ATTORNEY GENERAL—CARR V ATTORNEY-GENERAL AND VOLUNTARY ASSISTED DYING IN NEW SOUTH WALES**—The Hon. Susan Carter to ask the Treasurer representing the Attorney General—
- (1) Have you obtained legal advice about the impact of *Carr v Attorney-General (Cth) [2023] FCA 1500* on the administration of Voluntary Assisted Dying in New South Wales?
- 1626 **ABORIGINAL AFFAIRS AND TREATY—TREATY WITH FIRST NATIONS PEOPLE**—The Hon. Susan Carter to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Aboriginal Affairs and Treaty, Minister for Gaming and Racing, Minister for Veterans, Minister for Medical Research, and Minister for the Central Coast—
- (1) Can you provide an update on the Government’s position on establishing a treaty with First Nations people?

1627 PREMIER—FRANCIS BOURGEOIS VISIT—The Hon. Susan Carter to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Premier—

- (1) In relation to Francis Bourgeois' visit to New South Wales in 2023, did the Government provide:
 - (a) Monetary benefits?
 - (i) If so, what was the amount?
 - (ii) What agency was responsible?
 - (b) In-kind benefits?
 - (i) If so, what was provided?
 - (ii) What agency was responsible?

1628 JOBS AND TOURISM—FRANCIS BOURGEOIS VISIT—The Hon. Susan Carter to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism—

- (1) In relation to Francis Bourgeois' visit to New South Wales in 2023, did Destination NSW provide:
 - (a) Monetary benefits?
 - (i) If so, what was the amount?
 - (b) In-kind benefits?
 - (i) If so, what was provided?

1629 TRANSPORT—FRANCIS BOURGEOIS VISIT—The Hon. Susan Carter to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Transport—

- (1) In relation to Francis Bourgeois' visit to New South Wales in 2023, did Transport for NSW provide:
 - (a) Monetary benefits?
 - (i) If so, what was the amount?
 - (b) In-kind benefits?
 - (i) If so, what was provided?

1630 PREMIER—LIGHTING OF THE SYDNEY OPERA HOUSE—The Hon. Susan Carter to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Premier—

- (1) In relation to lighting up the Sydney Opera House from 1 January 2022 to the present, on what date(s) has it been lit up?
 - (a) What was the occasion/event/anniversary for it being lit up?
 - (b) What was the cost each time it was lit up?
 - (c) Did the Government pay each time it was lit up?
 - (i) If not, what dates and occasion/event/anniversary was it lit up?
 - (ii) If not, who paid?
 - (d) Can organisations pay to have the Sydney Opera House lit up?
 - (e) Will the Sydney Opera House be lit to celebrate Christmas?

1631 MULTICULTURALISM—MULTICULTURALISM NSW DIWALI EVENT—The Hon. Susan Carter to ask the Treasurer representing the Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport—

- (1) In relation to the Diwali event hosted by Multiculturalism NSW on 7 November 2023, was the event hosted at the Museum of Contemporary Art (MCA)?
- Why was the event hosted at the MCA?
 - Was the Opera House lit up?
 - What was the total cost of the event?
- 1632 MULTICULTURALISM—CHINESE NEW YEAR 2024—The Hon. Susan Carter to ask the Treasurer representing the Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport—
- (1) In relation to Chinese New Year in 2024, will the Sydney Opera House be lit up to commemorate the occasion?
- If not, why not?
- 1633 REGIONAL TRANSPORT AND ROADS—MINISTERIAL VEHICLE ACCIDENTS AND DAMAGES—The Hon. Susan Carter to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Regional Transport and Roads—
- (1) The Premier’s Department Disclosure Log details Ministerial vehicle accidents and damages. In relation to the offence on 29 September 2023, Rectify fuel contamination - Wrong fuel, was the ministerial driver responsible for the contamination?
- If not, were you responsible?
- 1634 ROADS—ACCIDENTS IN SCHOOL ZONES—The Hon. Susan Carter to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism—
- (1) In relation to the following school zones on the Pacific Highway, how many car and/or pedestrian accidents have taken place in a school zone, broken down by year since 2019, in:
- Wahroonga (outside Abbotsleigh)?
 - Warrawee / Wahroonga (outside Warrawee Public School)?
 - Pymble (outside Sacred Heart Primary School)?
 - Gordon (outside Ravenswood School for Girls)?
 - Lindfield (outside Holy Family Primary School)?
 - Lindfield (outside Lindfield Public School)?
 - Chatswood (outside Chatswood Public School)?
- 1635 TRANSPORT—PUBLIC TRANSPORT TAP-ON DATA—The Hon. Susan Carter to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Transport—
- (1) How many people tapped on using their Opal or credit/debit card, broken down by each year since 2019, at the following stations:
- Pymble?
 - Gordon?
 - Killara?
 - Lindfield?
 - Roseville?
 - Chatswood?

1636 EDUCATION AND EARLY LEARNING—ROSEVILLE PUBLIC SCHOOL—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to Roseville Public School, what has been the total number of students enrolled, broken down by calendar year, from 2019 to the present?
 - (a) What is the student capacity of the school, broken down by calendar year, from 2019 to the present?
 - (b) What is the local enrolment area?
 - (c) What has been the total number of students enrolled who live outside the enrolment area, broken down by calendar year, from 2019 to the present?

1637 EDUCATION AND EARLY LEARNING—LINDFIELD PUBLIC SCHOOL—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to Lindfield Public School, what has been the total number of students enrolled, broken down by calendar year, from 2019 to the present?
 - (a) What is the student capacity of the school, broken down by calendar year, from 2019 to the present?
 - (b) What is the local enrolment area?
 - (c) What has been the total number of students enrolled who live outside the enrolment area, broken down by calendar year, from 2019 to the present?

1638 EDUCATION AND EARLY LEARNING—LINDFIELD EAST PUBLIC SCHOOL—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to Lindfield East Public School, what has been the total number of students enrolled, broken down by calendar year, from 2019 to the present?
 - (a) What is the student capacity of the school, broken down by calendar year, from 2019 to the present?
 - (b) What is the local enrolment area?
 - (c) What has been the total number of students enrolled who live outside the enrolment area, broken down by calendar year, from 2019 to the present?

1639 EDUCATION AND EARLY LEARNING—LINDFIELD LEARNING VILLAGE—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to Lindfield Learning Village from Kindergarten to Year 6, what has been the total number of students enrolled, broken down by calendar year, from 2019 to the present?
 - (a) What is the student capacity of the school, broken down by calendar year, from 2019 to the present?
 - (b) What is the local enrolment area?
 - (c) What has been the total number of students enrolled who live outside the enrolment area, broken down by calendar year, from 2019 to the present?

1640 EDUCATION AND EARLY LEARNING—BEAUMONT ROAD PUBLIC SCHOOL—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government

Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to Beaumont Road Public School, what has been the total number of students enrolled, broken down by calendar year, from 2019 to the present?
 - (a) What is the student capacity of the school, broken down by calendar year, from 2019 to the present?
 - (b) What is the local enrolment area?
 - (c) What has been the total number of students enrolled who live outside the enrolment area, broken down by calendar year, from 2019 to the present?

1641 EDUCATION AND EARLY LEARNING—KILLARA PUBLIC SCHOOL—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to Killara Public School, what has been the total number of students enrolled, broken down by calendar year, from 2019 to the present?
 - (a) What is the student capacity of the school, broken down by calendar year, from 2019 to the present?
 - (b) What is the local enrolment area?
 - (c) What has been the total number of students enrolled who live outside the enrolment area, broken down by calendar year, from 2019 to the present?

1642 EDUCATION AND EARLY LEARNING—GORDON EAST PUBLIC SCHOOL—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to Gordon East Public School, what has been the total number of students enrolled, broken down by calendar year, from 2019 to the present?
 - (a) What is the student capacity of the school, broken down by calendar year, from 2019 to the present?
 - (b) What is the local enrolment area?
 - (c) What has been the total number of students enrolled who live outside the enrolment area, broken down by calendar year, from 2019 to the present?

1643 EDUCATION AND EARLY LEARNING—GORDON WEST PUBLIC SCHOOL—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney—

- (1) In relation to Gordon West Public School, what has been the total number of students enrolled, broken down by calendar year, from 2019 to the present?
 - (a) What is the student capacity of the school, broken down by calendar year, from 2019 to the present?
 - (b) What is the local enrolment area?
 - (c) What has been the total number of students enrolled who live outside the enrolment area, broken down by calendar year, from 2019 to the present?

1644 HEALTH—TERMINATIONS AFTER 22 WEEKS—The Hon. Susan Carter to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources representing the Minister for Health, Minister for Regional Health, and Minister for the Illawarra and the South Coast—

- (1) Between the commencement of the *Abortion Law Reform Act 2019* and 30th June 2023 what is the total number of terminations which occurred after 22 weeks gestation?
 - (2) Of these terminations, what number were terminated for:
 - (a) congenital abnormality?
 - (b) physical condition/health of the mother?
 - (c) psychosocial reasons?
 - (d) other?
 - (3) Section 11 of the *Abortion Law Reform Act 2019* refers to care of persons born after termination. With respect to these persons:
 - (a) what is the total number of persons born following termination between the commencement of the *Abortion Law Reform Act 2019* and 30 June 2023?
 - (b) how many of these persons were born following an induction prior to 22 weeks?
 - (c) how many of these persons were born following an induction between 22 weeks and 28 weeks?
 - (d) how many of these persons were born following an induction after 28 weeks?
 - (e) how many of these persons were born following an abortion after 28 weeks?
 - (f) what is the longest survival time for a live birth prior to 22 weeks?
 - (g) what is the longest survival time for a live birth after 22 weeks?
 - (h) in how many of these cases was medical intervention or resuscitation provided?
 - (i) what are the guidelines which govern live birth following termination?
- 1645 WATER—WATER BUYBACKS—The Hon. Rod Roberts to ask the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast—
- (1) As reported in recent media articles, there are concerns among New South Wales irrigation farmers that the Federal Government's *Restoring Our Rivers Bill* will drive up food prices and hollow out regional communities. While the Government has claimed that it does not support water buybacks, what is it doing to prevent these outcomes and allay such fears?
- 1646 WATER—WATER AFFORDABILITY—The Hon. Rod Roberts to ask the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast—
- (1) In light of growing concerns among New South Wales irrigation farmers that the Federal Government's *Restoring Our Rivers Bill* will drive up water prices and the cost of production, what is the NSW Government doing to ensure that irrigation farmers can access water at an affordable price so that they can continue growing the important food and fibre that our state needs?
- 1647 WATER—SUSTAINABLE DIVERSION LIMIT ADJUSTMENT MECHANISM (SDLAM) PROJECTS—The Hon. Rod Roberts to ask the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast—
- (1) In relation to Sustainable Diversion Limit Adjustment Mechanism (SDLAM) projects, what measures are being taken to expedite project approvals in conjunction with the Federal Government?
 - (a) Will you address project guidelines in New South Wales to ensure that categories are broad enough to capture valuable opportunities for improvements to the basin environment?
- 1648 WATER—NEW SOUTH WALES BASIN COMMUNITIES—The Hon. Rod Roberts to ask the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast—

- (1) In light of significant community opposition to water buybacks, how will the New South Wales Government ensure that such processes are relegated to a last resort?
- (a) What will be done to keep the Federal Government accountable for impacts on basin communities across our state?
- 1649 WATER—RIVER HEALTH—The Hon. Rod Roberts to ask the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast—
- (1) As an alternative to buying back water, what representations have you made to the Federal Government regarding other options to support river health such as fish passages, riparian restoration, and carp management?
- 1650 POLICE AND COUNTER-TERRORISM—RANDOM DRUG AND ALCOHOL TESTING STATISTICS 2021-22—The Hon. Rod Roberts to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales representing the Minister for Police and Counter-terrorism, and Minister for the Hunter—
- (1) For the year 1 July 2021 to 30 June 2022, how many random breath tests were conducted on drivers in New South Wales?
- (a) How many were positive?
- (2) For the year 1 July 2021 to 30 June 2022, how many roadside drug tests were conducted on drivers in New South Wales?
- (a) How many were positive?
- (b) What is the breakdown of drugs involved?
- 1651 POLICE AND COUNTER-TERRORISM—RANDOM DRUG AND ALCOHOL TESTING STATISTICS 2022-23—The Hon. Rod Roberts to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales representing the Minister for Police and Counter-terrorism, and Minister for the Hunter—
- (1) For the year 1 July 2022 to 30 June 2023, how many random breath tests were conducted on drivers in New South Wales?
- (a) How many were positive?
- (2) For the year 1 July 2022 to 30 June 2023, how many roadside drug tests were conducted on drivers in New South Wales?
- (a) How many were positive?
- (b) What is the breakdown of drugs involved?
- 1652 TRANSPORT—ROAD FATALITIES 2021-22—The Hon. Rod Roberts to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Transport—
- (1) For the year 1 July 2021 to 30 June 2022 how many road fatalities in New South Wales involved alcohol?
- (2) For the year 1 July 2021 to 30 June 2022 how many road fatalities in New South Wales involved drugs?
- (a) What is the breakdown of these road fatalities, in percentage terms, by drug type?
- 1653 TRANSPORT—ROAD FATALITIES 2022-23—The Hon. Rod Roberts to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Transport—
- (1) For the year 1 July 2022 to 30 June 2023 how many road fatalities in New South Wales involved alcohol?

(2) For the year 1 July 2022 to 30 June 2023 how many road fatalities in New South Wales involved drugs?

(a) What is the breakdown of these road fatalities, in percentage terms, by drug type?

1654 FAMILIES AND COMMUNITIES—STRUCTURED DECISION MAKING—Ms Sue Higginson to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Minister for Families and Communities, and Minister for Disability Inclusion—

(1) What Structured Decision Making (SDM) suite of tools are currently in use in New South Wales?

(2) Are the following tools in use:

(a) Mandatory Reporter Guide (MRG)?

(b) Screening and Response Priority Tool (SCRPT)?

(c) Safety Assessment, Risk Assessment and Risk Re-assessment tools (SARA)?

(d) Restoration Assessment?

(3) Has a risk assessment validation report or audit been undertaken of any of the SDM tools used by the Department of Communities and Justice

(a) If yes, who performed it and when?

(4) Overall, in any audit, can you list the areas that were identified for improvement?

(5) When was the SDM Policy and Procedures Manual last updated?

(6) When was the Safety, Risk, and Risk Reassessment Policy and Procedures Manual last updated?

(7) Regarding the results of any audit or report:

(a) can you describe in detail the results for children subject to risk assessment in each of the following areas:

(i) risk classification?

(ii) subsequent child protection involvement?

(iii) race/ethnicity?

(b) Please provide the results for each overall risk assessment classification at all risk levels?

(c) Have the SDM tools been audited for equity – whether they work equitably across families of different races and ethnicities?

(i) Specifically if yes, what were the conclusions and areas identified for improvement? Please provide the results.

(d) What was the risk level distribution for children by race/ethnicity evaluated using the SDM suite of tools? Please provide the results.

(8) In 2021-22, using the SDM suite of tools what percentage of children were rated:

(a) Low risk?

(b) Moderate risk?

(c) High risk?

(d) Very high risk?

(9) Of these children, what percentage had subsequent child protection involvement?

David Blunt AM
Clerk of the Parliaments