



## LEGISLATIVE COUNCIL

2023-24

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

# QUESTIONS AND ANSWERS

No. 243

THURSDAY 2 MAY 2024

(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.

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<b>Publication of Questions</b>	<b>Answer to be lodged by</b>
Q & A No. 228 (Including Question Nos 1913 to 1924)	2 May 2024
Q & A No. 229 (Including Question Nos 1925 to 1927)	3 May 2024
Q & A No. 230 (Including Question Nos 1928 to 1956)	6 May 2024
Q & A No. 231 (Including Question Nos 1957 to 1960)	7 May 2024
Q & A No. 232 (Including Question Nos 1961 to 1978)	8 May 2024
Q & A No. 233 (Including Question Nos 1980 to 1982)	9 May 2024
Q & A No. 234 (Including Question Nos 1983 to 1985)	10 May 2024
Q & A No. 235 (Including Question Nos 1986 to 1986)	13 May 2024
Q & A No. 236 (Including Question Nos 1987 to 2002)	14 May 2024
Q & A No. 237 (Including Question Nos 2003 to 2014)	15 May 2024
Q & A No. 238 (Including Question Nos 2015 to 2025)	16 May 2024
Q & A No. 239 (Including Question Nos 2026 to 2033)	17 May 2024
Q & A No. 240 (Including Question Nos 2034 to 2039)	20 May 2024
Q & A No. 241 (Including Question Nos 2040 to 2046)	21 May 2024
Q & A No. 242 (Including Question Nos 2047 to 2069)	22 May 2024
Q & A No. 243 (Including Question Nos 2070 to 2077)	23 May 2024

**10 APRIL 2024**

(Paper No. 228)

- \* 1913 POLICE AND COUNTER-TERRORISM—POLICE FIREARM TRACKING—Ms Sue Higginson 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) Can you please list the duties (extraordinary duties) that allow firearms to be checked out of secure facilities by off duty police officers?
  - (2) How many police firearms have been discharged or fired by off duty police officers in each Local Area Command in the financial year:
    - (a) 2023-2024?
    - (b) 2022-2023?
    - (c) 2021-2022?
    - (d) 2020-2021?
    - (e) 2019-2020?
    - (f) 2018-2019?
  - (3) Can you please list the reasons or circumstances that have caused police firearms to be discharged or fired by off duty police officers in each Local Area Command in the financial year:
    - (a) 2023-2024?
    - (b) 2022-2023?
    - (c) 2021-2022?
    - (d) 2020-2021?
    - (e) 2019-2020?
    - (f) 2018-2019?
  - (4) How many human injuries have resulted from the discharge or firing of a police firearm by an off duty police officer in each Local Area Command in the financial year:
    - (a) 2023-2024?
    - (b) 2022-2023?
    - (c) 2021-2022?
    - (d) 2020-2021?
    - (e) 2019-2020?
    - (f) 2018-2019?
  - (5) How many human deaths have occurred as a result of a police firearm being discharged or fired by an off duty police officer in each Local Area Command in the financial year:
    - (a) 2023-2024?
      - (i) Were any of these suicides?
    - (b) 2022-2023?
      - (i) Were any of these suicides?
    - (c) 2021-2022?
      - (i) Were any of these suicides?
    - (d) 2020-2021?
      - (i) Were any of these suicides?

- (e) 2019-2020?
  - (i) Were any of these suicides?
- (f) 2018-2019?
  - (i) Were any of these suicides?
- (6) What are the police firearm models that can be booked out of secure facilities by off-duty police officers?
  - (a) How many rounds can be held in the magazine for each model?
- (7) Do police firearm rounds get stored separately from the firearm?
  - (a) Does this apply to non-secure facility storage arrangements?
  - (b) Are audits of police firearms and police firearm rounds conducted at the same interval?
    - (i) What is the interval?
    - (ii) Who is responsible for audits of police firearms and rounds in secure police facilities?
    - (iii) Who is responsible for audits of police firearms and rounds that are stored in arrangements other than secure police facilities?
- (8) How many police firearm rounds have not been accounted for in each Local Area Command, as a result of audit or other activities in the financial year:
  - (a) 2023-2024?
    - (i) List the reasons for missing rounds?
  - (b) 2022-2023?
    - (i) List the reasons for missing rounds?
  - (c) 2021-2022?
    - (i) List the reasons for missing rounds?
  - (d) 2020-2021?
    - (i) List the reasons for missing rounds?
  - (e) 2019-2020?
    - (i) List the reasons for missing rounds?
  - (f) 2018-2019?
    - (i) List the reasons for missing rounds?
- (9) How many complaints have been received by the NSW Police Force in each Local Area Command relating to a police firearm that is in the custody of an off duty police officer in the financial year:
  - (a) 2023-2024?
  - (b) 2022-2023?
  - (c) 2021-2022?
  - (d) 2020-2021?
  - (e) 2019-2020?
  - (f) 2018-2019?
- (10) How many reports have been made by an employee of the NSW Police Force in each Local Area Command relating to a police firearm that is in the custody of an off duty police officer in the financial year:
  - (a) 2023-2024?
  - (b) 2022-2023?

- (c) 2021-2022?
- (d) 2020-2021?
- (e) 2019-2020?
- (f) 2018-2019?
- (11) How many investigations have been undertaken by the NSW Police Force in each Local Area Command relating to a police firearm in the custody of an off duty police officer in the financial year:
- (a) 2023-2024?
- (b) 2022-2023?
- (c) 2021-2022?
- (d) 2020-2021?
- (e) 2019-2020?
- (f) 2018-2019?
- (12) In relation to Answers to Supplementary Questions for Supplementary Budget Estimates 2023 - 2024 provided by the Minister for Police, how many of the 5 instances since 2018 of misuse of a police firearm, that had been removed from a secure facility, resulted in disciplinary action against the officer involved?
- (a) What disciplinary action was taken on each occasion?
- (13) In relation to Answers to Supplementary Questions for Supplementary Budget Estimates 2023 - 2024 provided by the Minister for Police, how many of the 5 instances since 2018 of non-compliance with regards to police firearms, that had been removed from a secure facility, resulted in disciplinary action against the officer involved?
- (a) What disciplinary action was taken on each occasion?
- (14) What is the name or names of the document that contains the guidelines for:
- (a) the way storage of police weapons at police stations is monitored, catalogued and audited?
- (b) governing off-duty storage of firearms outside police stations?
- (c) allowing officers to take their guns for user-pays events?
- (d) checking guns in and out of police stations that are not the officer's primary station?
- (e) how weapon movements are recorded and reported to an officer's primary station?

Answer—

I am advised:

- (1) Firearms may only be moved from one police location to another for storage to access when on duty for an extraordinary role.
- (2)
- (a) 1 (to 16 April 2024)
- (b) 1
- (c) 0
- (d) 1
- (e) 0
- (f) 0
- (3)

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- (a) Allegation is an off-duty police officer used their police issued firearm in the murder of two individuals on 19 February 2024 (to 16 April 2024).
- (b) Suicide of an off-duty police officer using their police service firearm.
- (c) Nil
- (d) Suicide of an off-duty police officer using their police service firearm.
- (e) Nil
- (f) Nil
- (4)
- (a) - (f) Nil human injuries- Deaths are reported in question five.
- (5)
- (a) 2 deaths - one firearm used (to 16 April 2024)
- (b) 1 death - suicide.
- (c) 0
- (d) 1 death - suicide.
- (e) 0
- (f) 0
- (6) Police officers are only permitted to remove firearms in approved circumstances, as outlined in the guiding documents and guidelines, detailed in the response to question 14.
- (a) The NSW Police Force is currently transitioning from the .40 calibre series of Glock pistols to the 9mm series. Both types of firearms are currently in operational use. Both series of pistols have three models: Full size - used by General Duties officers, Compact and Sub compact - used by plain clothes officers.
- 40 calibre pistol Models:
- Glock 22 - Full size - Magazine capacity 15 rounds
- Glock 23 - Compact - Magazine capacity 12 rounds
- Glock 27 - Sub-compact - Magazine capacity 9 rounds.
- 9mm calibre pistol Models:
- Glock 17 - Full size - Magazine capacity 17 rounds
- Glock 19 - Compact- Magazine capacity 15 rounds
- Glock 26 - Sub-compact - Magazine capacity 10 rounds.
- (7) Depending upon the security system/safe storing the firearm, ammunition may be stored with or separate to the firearm.
- (a) If a firearm is stored in a non-police premises within a safe, the ammunition is stored separately in accordance with the Firearms Act 1996 No 46 and Firearms Regulation 2017.
- (b)
- (i-ii) Firearm only audits are conducted on a weekly basis via the Command Management Framework (CMF) system.
- Firearm and ammunition audits are conducted quarterly by the digital P359 (Arms and Appointments) System.
- Police Area Command (PAC)/Police District (PD)/Unit Commanders are responsible for compliance. This is usually delegated to the Systems Duty Officer Inspector at the PAC/PD or Unit.
- (8)

(a)-(f) There have been no reports of missing rounds for the reporting period requested.

(9)

- (a) 3 (to 16 April 2024)
- (b) 1
- (c) 1
- (d) 3
- (e) 4
- (f) 1

Note: 'Complaint' is interpreted as allegations received from a member of the public as per s12 of the *Law Enforcement Conduct Commission Act 2016*. The matters have not been filtered to exclude matters where the investigation subsequently found them to be 'on-duty'.

(10)

- (a) 3 (to 16 April 2024)
- (b) 3
- (c) 2
- (d) 1
- (e) 5
- (f) 4

Note: 'Report' is interpreted as misconduct information as per s13 of the *Law Enforcement Conduct Commission Act 2016*.

(11)

- (a) 4 (to 16 April 2024)
- (b) 4
- (c) 2
- (d) 4
- (e) 8
- (f) 5

(12) 3

- (a) Action taken:  
2021-2022 - Commander Warning Notice, Conduct Management Plan  
2020-2021 – Counselling  
2018-2019 - Advice and Guidance, Conduct Management Plan

(13) 3

Note: There were only three instances of non-compliance with regards to police firearms removed from a secure facility as published in Answers to Supplementary questions - dated 23 February 2024 - Q139d.

(14)

- (a) NSW Police Force Handbook - Arms and Appointments Chapter  
Command Management Framework (CMF) system  
Arms and Appointments System - Digital P359

Police Notice 03/32 - Supervisory and Management Checks

- (b) NSW Police Force Handbook-Arms and Appointments Chapter  
 Policy for Storage of Arms and Appointments at non-NSWPF premises  
 Firearms Movement Register  
 Application to store firearms on non-NSW Police Force premises - P1227  
 Police Notice 03/18 - Safekeeping of handguns in residential premises  
 Firearms Act 1996 No 46  
 Firearms Regulation 2017
- (c) NSW Police Force Handbook - Arms and Appointments Chapter  
 Cost Recovery and User Charges Policy (User Pays)  
 Firearms Movement Register  
 Firearms Act 1996 No 46  
 Firearms Regulation 2017
- (d) NSW Police Force Handbook - Arms and Appointments Chapter  
 Firearms Movement Register  
 Firearms Act 1996 No 46  
 Firearms Regulation 2017
- (e) Arms and Appointments System - Digital P359  
 Firearms Movement Register  
 Command Management Framework (CMF) system

\* 1914 TRANSPORT—BUS DRIVER SHIFTS—The Hon. Chris Rath 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) Are there any laws or regulations about how long a bus driver can undertake a shift?

Answer—

I am advised

Under the Bus Operator Accreditation Scheme, bus drivers operating fatigue-regulated vehicles, which are buses with a Gross Vehicle Mass over 4.5 tonnes, fitted to carry more than 12 adults (including the driver), must adhere to the fatigue management laws specified in the Heavy Vehicle National Law. The Heavy Vehicle National Law includes standard work and rest requirements.

Bus drivers may also work under Basic Fatigue Management or Advanced Fatigue Management regimes if they have accreditation for fatigue management.

\* 1915 ENVIRONMENT—LITTER REDUCTION—The Hon. Chris Rath to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage—

- (1) What actions are the Government undertaking to reduce littering?

Answer—

1. Through the NSW Litter Prevention Strategy 2022-2030, the NSW Government provides practical support for an integrated, state-wide approach to litter and marine debris prevention. This is backed by \$38 million over five years (2022-2027) for litter programs in the Waste and Sustainable Materials Strategy (WaSM Strategy). Results show NSW is reducing litter in line with state litter reductions targets.

In 2022 the Plastics Reduction and Circular Economy Act 2021 banned the supply of certain single-use plastic items including lightweight plastic bags, cotton buds, straws, cutlery, and plates and bowls (without lids), which is expected to prevent an estimated 2.7 billion plastic items entering our bushland, coastal and marine environments over the next 20 years.

On 29 October 2023, the NSW Government released the 'NSW Plastics: Next Steps' paper for feedback on potential further action to reduce plastic waste. This included plastic litter. Consultation closed on 4 February 2024, with 418 written submissions and 4787 survey responses received. The NSW Environment Protection Authority is now reviewing the feedback which will help to inform what actions to progress on the items and materials outlined in the paper.

\* 1917 PLANNING AND PUBLIC SPACES—KU-RING-GAI LOCAL ENVIRONMENT PLAN—The Hon. Chris Rath to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Minister for Planning and Public Spaces—

- (1) In relation to the Ku-ring-gai Local Environment Plan 2015, are there documents that are publicly available in relation to the 13 deferred areas of Bushfire Evacuation Risk that were prepared?
- (a) If so, what is the URL?

Answer—

I am advised:

Yes, these are available on the NSW Planning Portal at [www.planningportal.nsw.gov.au/ppr/lep-decision/ku-ring-gai-lep-2015-rezone-and-include-deferred-land-13-sites-0-dwellings](http://www.planningportal.nsw.gov.au/ppr/lep-decision/ku-ring-gai-lep-2015-rezone-and-include-deferred-land-13-sites-0-dwellings).

\* 1918 POLICE AND COUNTER-TERRORISM—POLICE RECRUITMENT—Ms Sue Higginson 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) Have any reviews or evaluations been undertaken into the NSW Police Force entry requirements since 1 January 2021?
- (a) If so, how many?
- (i) When were they conducted?
- (b) Have any reports been produced as a result of any review or evaluation?
- (i) Are these available publicly?
- (2) Have any reviews, evaluations, or directives been undertaken into the NSW Police Force psychometric tests since 1 January 2021?
- (a) If so, how many?
- (i) When were they conducted?
- (b) Have any reports been produced as a result of any review or evaluation?
- (i) Are these available publicly?
- (3) How many applications by prospective employees of the NSW Police Force were flagged for additional review or interview as a result of a psychometric test result in the financial year:
- (a) 2023-2024?
- (i) Could you please list the number of reviews or interviews by category and number?
- (b) 2022-2023?
- (i) Could you please list the number of reviews or interviews by category and number?
- (c) 2021-2022?
- (i) Could you please list the number of reviews or interviews by category and number?
- (d) 2020-2021?

- (i) Could you please list the number of reviews or interviews by category and number?
- (e) 2019-2020?
  - (i) Could you please list the number of reviews or interviews by category and number?
- (f) 2018-2019?
  - (i) Could you please list the number of reviews or interviews by category and number?
- (4) How many applications by prospective employees of the NSW Police Force were rejected as a result of a psychometric test result in the financial year:
  - (a) 2023-2024?
    - (i) Could you please list the number of reviews or interviews by category and number?
  - (b) 2022-2023?
    - (i) Could you please list the number of reviews or interviews by category and number?
  - (c) 2021-2022?
    - (i) Could you please list the number of reviews or interviews by category and number?
  - (d) 2020-2021?
    - (i) Could you please list the number of reviews or interviews by category and number?
  - (e) 2019-2020?
    - (i) Could you please list the number of reviews or interviews by category and number?
  - (f) 2018-2019?
    - (i) Could you please list the number of reviews or interviews by category and number?
- (5) How many people applied to join the NSW Police Force in 2014?
  - (a) How many withdrew their application during the process?
  - (b) How many applications were refused?
    - (i) Could you please list the categories and numbers of applications that were refused?
- (6) How many people applied to join the NSW Police Force in 2021?
  - (a) How many withdrew their application during the process?
  - (b) How many applications were refused?
    - (i) Could you please list the categories and numbers of applications that were refused?
- (7) How many people applied to join the NSW Police Force in 2022?
  - (a) How many withdrew their application during the process?
  - (b) How many applications were refused?
    - (i) Could you please list the categories and numbers of applications that were refused?
- (8) How many people applied to join the NSW Police Force in 2023?
  - (a) How many withdrew their application during the process?
  - (b) How many applications were refused?
    - (i) Could you please list the categories and numbers of applications that were refused?
- (9) Has any contact that includes advertising the application process been made by any part of the NSW Police Force to applicants that had previously been rejected?
  - (a) When did these contacts occur?
    - (i) How was this decision made?

Answer—

I am advised:

(1)

(a)-(b) One minor change into the entry requirements has been made since 1 January 2021, resulting from a direction of the NSW Police Commissioner to remove Covid-19 vaccination requirements.

(2)

(a)-(b) The NSW Police Force regularly conducts internal assessments to ensure psychometric testing is in line with industry standards. Digital testing for recruit applicants commenced in September 2023.

(3)

(a) 230

(i) Interview with Police Psychology Unit – 230  
Category breakdown is not available.

(b) 204

(i) Interview with Police Psychology Unit – 204  
Category breakdown is not available.

(c) 307

(i) Interview with Police Psychology Unit – 307  
Category breakdown is not available.

(d) 465

(i) Interview with Police Psychology Unit – 465  
Category breakdown is not available.

(e) 473

(i) Interview with Police Psychology Unit- 473  
Category breakdown is not available.

(f) 484

(i) Interview with Police Psychology Unit – 484  
Category breakdown is not available.

(4)

(a) 10

(i) Unfavourable - Interview with Police Psychology Unit - 10

(b) 19

(i) Unfavourable - Psychometric Assessment - 13  
Unfavourable - Interview with Police Psychology Unit - 6

(c) 45

(i) Unfavourable - Psychometric Assessment - 33  
Unfavourable - Interview with Police Psychology Unit - 12

(d) 95

(i) Unfavourable - Psychometric Assessment - 78

- Unfavourable - Interview with Police Psychology Unit – 17
- (e) 58  
 (i) Unfavourable - Psychometric Assessment - 37  
 Unfavourable - Interview with Police Psychology Unit - 21
- (f) 70  
 (i) Unfavourable - Psychometric Assessment - 45  
 Unfavourable - Interview with Police Psychology Unit - 25
- (5) 3,051  
 (a) 785  
 (b) 1,547  
 (i) A breakdown is not available.
- (6) 2,393  
 (a) 415  
 (b) 859  
 (i) A breakdown is not available.
- (7) 1,554  
 (a) 258  
 (b) 512  
 (i) A breakdown is not available.
- (8) 1,700  
 (a) 372 \*\*  
 (b) 443 \*\*  
 (i) A breakdown is not available.

\*\* Note: 108 applications remain in process so it is possible this number could change.

- (9)  
 (a)-(i) No.

\* 1919 TRANSPORT—NEIGHBOURHOOD DEALS AND OPAL CARD TOP UP MACHINES—The Hon. Natalie Ward 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 Neighbourhood Deals, what are the locations for the trial?  
 (2) What are the locations of the 114 train stations that do not have an Opal Card top up machines?

Answer—

I am advised

- (1) Transport is undertaking a range of actions that enable 15 minute neighbourhoods by making our streets and public places safer, greener and more liveable.  
 (2) See below locations

List of stations with no ticket machine
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1	Aberdeen
2	Adamstown
3	Austinmer
4	Awaba
5	Bargo
6	Bell
7	Bellambi
8	Beresfield
9	Berry
10	Blackheath
11	Bomaderry
12	Bombo
13	Booragul
14	Branxton
15	Bullaburra
16	Bulli
17	Bundanoon
18	Burradoo
19	Camellia
20	Carlingford
21	Casula
22	Clarendon
23	Coal Cliff
24	Cockle Creek
25	Coledale
26	Coniston
27	Corrimal
28	Cowan
29	Cringila
30	Dora Creek
31	Douglas Park
32	Dundas
33	Dungog
34	East Maitland
35	East Richmond
36	Edmondson Park
37	Exeter
38	Fairy Meadow
39	Falconbridge
40	Gerringong
41	Goulburn
42	Greta
43	Hawkesbury River
44	Hazelbrook
45	Hexham

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46	High Street
47	Hildale
48	Kembla Grange
49	Koolewong
50	Kotara
51	Lapstone
52	Lawson
53	Leightonfield
54	Linden
55	Lisarow
56	Lochinvar
57	Lysaghts
58	Martins Creek
59	Marulan
60	Medlow Bath
61	Menangle
62	Menangle Park
63	Metford
64	Mindaribba
65	Minnamurra
66	Mittagong
67	Moss Vale
68	Mount Kuring-gai
69	Mt Victoria
70	Mulgrave
71	Muswellbrook
72	Narara
73	Niagara Park
74	Otford
75	Ourimbah
76	Paterson
77	Penrose
78	Point Clare
79	Port Kembla
80	Port Kembla North
81	Roschill
82	Rydal
83	Rydalmere
84	Sandgate
85	Scarborough
86	Scone
87	Sefton
88	Shellharbour Junction
89	Singleton
90	Stanwell Park
91	Tahmoor

92	Tallong
93	Tarana
94	Tarro
95	Tascott
96	Tela rah
97	Telopea
98	Teralba
99	Thornton
100	Towradgi
101	Valley Heights
102	Vineyard
103	Wallarobba
104	Warabrook
105	Waratah
106	Warrimoo
107	Wingello
108	Wirragulla
109	Wombarra
110	Wondabyne
111	Woodford
112	Woonona
113	Yerrinbool
114	Zig Zag

\* 1920 ROADS—ROAD SAFETY IN NEW SOUTH WALES—The Hon. Natalie Ward 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) Can you please advise of the timeline for a review of the Australian Road rules to ensure New South Wales regulation supports safe and connected active transport?
- (2) Can you please advise when the New South Wales Centre for Road Safety 'Guidelines for Road Safety Audit Practices' were last reviewed and updated?
- (3) Can you please advise how many practicing professionals are registered on the Transport for NSW's Register of Road Safety?
- (4) Can you please advise how many road accidents have been recorded in NSW in 2024 involving:
  - a) E-bikes?
  - b) E-scooters?

Answer—

I am advised

- (1) The review of the Australian Road Rules is led by the National Transport Commission. The National Transport Commission website advises that the review of the Australian Road Rules is every two years. The Australian Road Rules was last amended in 2023 and is due for review.
- (2) The NSW Centre for Road Safety Guidelines for Road Safety Audit Practices was internally reviewed in 2014 and 2019. There is a current review underway that coincides and aligns with the national harmonisation project undertaken by Austroads, which currently continues with the

implementation framework. To ensure national consistency in the practice of road safety audit, the review and framework are envisaged for completion in Financial Year 2024-25.

- (3) Since the inception of Transport for NSW's Register of Road Safety Auditors in 2002, there have been 1,785 professionals registered as road safety auditors. Almost half of this number is currently classified as active status (878) with the remainder in various categories such as elapsed (391), inactive (212) or under assessment (304).

(4)

- (a) Transport for NSW captures all road crash data in NSW, however the data does not identify ebikes as a separate category to bicycles.
- (b) As at 10 April 2024, preliminary data for 2024 shows that there were two crashes on NSW roads involving motorised push scooters (e-scooter). No fatalities have been reported in these crashes.

Across the six NSW Shared E-scooter Trials, 37 incidents have been reported from over 250,000 trips as at 7 April 2024.

\* 1921 PLANNING AND PUBLIC SPACES—GOSFORD WATERFRONT AND CENTRAL COAST STADIUM CONCEPT—The Hon. Natalie Ward to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Minister for Planning and Public Spaces—

- (1) Can you please provide an update on the delivery of the Gosford Waterfront and Central Coast Stadium Concept Plan?

Answer—

I am advised:

The Hunter and Central Coast Development Corporation (HCCDC) has been tasked with delivering on the Government's Gosford Waterfront election commitment to investigate the feasibility of creating an iconic Gosford Waterfront and a business case to be submitted to Infrastructure NSW.

Work on the project is underway.

\* 1922 PREMIER—REVIEW OF THE GOVERNMENT SECTOR EMPLOYMENT ACT—The Hon. Rod Roberts to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Premier—

- (1) I draw your attention to an online news article published by The Guardian at 1:14PM on 9 April 2024 entitled "Chris Minns orders review of termination payouts for senior NSW public servants". The article reports that you have ordered a review of the Government Sector Employment Act, with a particular focus on the separation payments given to New South Wales public service senior executives, and that you have promised to make the findings of the review public. Is this reporting accurate?
- (a) If so, when will this review commence?
- (b) What are the terms of reference?
- (c) Will the review be independent of the public service?
- (d) Who will lead the review?

Answer—

I am advised:

The NSW Government has a strong focus on ensuring that government expenditure, including in relation to the employment of Public Service senior executives, is appropriate and efficient.

The Cabinet Office is currently reviewing provisions relating to separation payments made to Public Service senior executives in the Government Sector Employment Act 2013 and regulations.

\* 1923 FAMILIES AND COMMUNITIES—ADOPTION OF MINORS FROM OVERSEAS—The Hon. Susan Carter 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) In relation to adoption of minors from overseas, how many adoptions took place in New South Wales for the years:
  - (a) 2019-2020?
  - (b) 2020-2021?
  - (c) 2021-2022?
  - (d) 2022-2023?
  - (e) 2023-2024?
- (2) In relation to adoption of minors from overseas, how many adoptions in New South Wales are from the Unaccompanied Humanitarian Minors (UHM) Program for the years:
  - (a) 2019-2020?
  - (b) 2020-2021?
  - (c) 2021-2022?
  - (d) 2022-2023?
  - (e) 2023-2024?

Answer—

I am advised:

1. Adoption of minors from overseas:
  - a) 2019/2020: 11
  - b) 2020/2021: 12
  - c) 2021/2022: <5
  - d) 2022/2023: 5
  - e) 2023/2024: This data is not yet available.
2. Adoption of Unaccompanied Humanitarian Minors:
  - a) 2019/2020: 0
  - b) 2020/2021: <5
  - c) 2021/2022: 0
  - d) 2022/2023: <5
  - e) 2023/2024: This data is not yet available.

Note: figures less than 5 have been shown as <5 for privacy reasons.

\* 1924 FINANCE—FOREIGN SURCHARGES—The Hon. Damien Tudehope to ask the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources—

- (1) As at 8 April 2024, are there any exemptions from foreign surcharge on purchaser duty or on land tax based on specific international tax treaties?
  - (a) If so, can you please provide the details?

- (2) How much has been refunded in total to foreign taxpayers of foreign surcharge paid to the Government between March 2023 and April 2024 based on a belief that those taxpayers were exempt from the surcharge under specific international tax treaties?
- (a) Of this how much was refunded after the Commonwealth announcement on 13 December 2023 that "The Government will clarify the uncertainty associated with the interaction between foreign investment fees, and similar state and territory property taxes, and double tax agreements implemented domestically by the International Tax Agreements Act 1953, to ensure that the foreign investment fees and similar imposts prevail. This measure will have retrospective effect"?
- (b) Why was this money refunded once it was clear that any "uncertainty" about the interaction of New South Wales foreign surcharge with particular international tax treaties would be resolved, with retrospective effect, so that the State foreign surcharge prevailed?
- (c) On what date was the last refund paid?
- (3) Will foreign surcharge be collected on land tax for the 2023 land tax year on all properties for which an exemption based on a now superseded interpretation of the implications of certain international tax treaties?
- (4) What steps will be taken to recover refunds of taxes that are now clearly lawful?
- (5) What procedures have been put in place to prevent any further premature refunds of taxes prior to exploring all avenues for addressing any perceived loopholes in tax law?

Answer—

I am advised:

The previous Liberal-National NSW Government introduced foreign surcharge provisions in 2016. Regrettably, they failed to ensure that the NSW foreign surcharge provisions were consistent with federal tax treaties.

On 21 February 2023, Revenue NSW made the decision to refund foreign surcharge collected from-foreign taxpayers from countries exempted under federal tax treaties.

The amount refunded to exempted foreign taxpayers is set out in response to QON 1755.

The Commonwealth Government introduced the Treasury Laws Amendment (Foreign Investment) Act 2024 on 7 February 2024. A bill is a proposal for a new law or a change to an existing one. A bill becomes a law if it is passed in identical form by both the House of Representatives and the Senate and given Royal Assent by the Governor-General. Bills are merely legislative proposals and do not have any legal weight. Accordingly, Bills (prior to their enactment) do not take precedence over existing laws.

Subsequent refunds were processed up to 8 April 2024, when the Treasury Laws Amendment (Foreign Investment) Act 2024 was assented to.

The Commonwealth Government's Treasury Laws Amendment (Foreign Investment) Act 2024 has now addressed the shortcomings of the foreign surcharge provisions introduced by the previous Liberal-National NSW Government.

Revenue NSW is working through the technical elements and administrative consequences of the Treasury Laws Amendment (Foreign Investment) Act 2024

## 2 MAY 2024

(Paper No. 243)

2070 POLICE AND COUNTER-TERRORISM—RECENT NSW POLICE WORK—The Hon. Susan Carter 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) What were the length of the shifts that police officers working overtime hours at the Palestinian Action Group Protests worked on the following dates:
- (a) 25 February 2024?

- (b) 17 February 2024?
  - (c) 11 February 2024?
  - (d) 4 February 2024?
  - (e) 28 January 2024?
  - (f) 21 January 2024?
  - (g) 14 January 2024?
  - (h) 7 January 2024?
- (2) How many interns work within the NSW Police Force?
    - (a) How many of those interns are paid interns?
    - (b) How many of these interns are working for course credit?
  - (3) Has the NSW Police Force consulted with the Sydney Chamber of Commerce about the impact of Palestinian Action Group protests on business within the Central Business District?
  - (4) Have you consulted with stakeholders about the impact of Palestinian Action Group protests on businesses within the Central Business District?
  - (5) Is the NSW Police Force conducting an operation to prevent the supply of illegal alcohol to businesses within New South Wales, in the way that we have seen the Victorian Police do?
  - (6) What is the NSW Police Force doing to prevent the spread of illegal vapes in New South Wales?

2071 ATTORNEY GENERAL—COMMUNITY LEGAL CENTRES—The Hon. Susan Carter to ask the Treasurer representing the Attorney General—

- (1) How many interns work within the Department of Communities and Justice?
  - (a) How many of those interns are paid interns?
  - (b) How many of these interns are working for course credit?
- (2) How much does Legal Aid NSW fund Community Legal Centres NSW?
  - (a) For what purpose is this funding provided?
- (3) Is Community Legal Centres NSW funded to provide accreditation services to community legal centres in New South Wales?
  - (a) How long has that funding arrangement existed?
  - (b) What performance measures or KPIs must Community Legal Centres NSW meet under that funding arrangement?
- (4) When was the last time Legal Aid NSW evaluated the performance of Community Legal Centres NSW against its funding obligations?
  - (a) What was the outcome of that evaluation?
- (5) When was the last time Legal Aid NSW evaluated whether the accreditation requirements imposed by Community Legal Centres NSW are fit for purpose?
- (6) What are the escalation arrangements for a community legal centre that objects to the manner in which accreditation has been undertaken, or determinations made by Community Legal Centres NSW in relation to accreditation?
- (7) Are you aware that several community legal centres have raised concerns about the nature of the accreditation framework, Community Legal Centres NSW's conduct in administering accreditation services, and determinations made by Community Legal Centres NSW?
- (8) What is Legal Aid NSW doing about the concerns raised by community legal centres about alleged poor governance and performance by Community Legal Centres NSW?
- (9) Why has the funding for accreditation services not been put out to tender?

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- (10) Are you aware that Community Legal Centres NSW provided no assistance to Far West Community Legal Centre Limited to support the organisation to stay open, and instead imposed obligations on the organisation that fall outside of the accreditation framework which ultimately led to the Board's decision to wind up?
- (11) Are you aware that Community Legal Centres NSW insisted that the Far West Community Legal Centre Limited secure permanent solicitors as a pre-cursor to progressing accreditation, rather than locum or FIFO support which the organisation had relied on for up to five years due to the nationwide solicitor shortage and local competition with Legal Aid NSW for solicitors?
- (12) Are you aware that a 15year compliance issue at Far West Community Legal Centre Limited that has not been detected by Community Legal Centres NSW throughout that time, was given as one of the critical and urgent reasons that the organisation had to cease operations?
- (13) Why has the Government not advised what the future service delivery arrangements are for Staying Home Leaving Violence and the Far West Community Legal Centre in the Far West?
- (14) What is the Government doing to correct the salary imbalances that are impacting community legal services which are competing against the Legal Aid NSW in regional and remote areas, noting Legal Aid NSW pays its own solicitors a great deal more than it funds community legal centres?
- 2072 HEALTH—NSW HEALTH WORKERS—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) What are the average weekly hours worked by doctors at the intern and resident levels within New SouthWales?
- (2) How many interns work within NSW Health?
- (a) How many of those interns are paid interns?
- (b) How many of these interns are working for course credit?
- 2073 MEDICAL RESEARCH—MEDICAL RESEARCH SUPPORT PROGRAMME—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) When will the information about the Medical Research Support programme for upcoming rounds be published?
- 2074 MUSIC AND NIGHT TIME ECONOMY—HOSPITALITY BUSINESSES IN NIGHT-TIME ECONOMY—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) What are you doing to reduce costs for hospitality and retail businesses to operate after 5pm?
- (2) What are you doing to ensure that illegal alcohol is not supplied to hospitality businesses within New South Wales?
- (3) What are you doing to ensure that increases in taxation and regulatory fees do not reduce the number of businesses operating as part of the night-time economy?
- (4) What supports are available for businesses seeking to start up as part of the night-time economy?
- 2075 WOMEN—FUNDING FOR CATHOLICCARE WILCANNIA-FORBES—The Hon. Susan Carter 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 representing the Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault—
- (1) Have invitations to tender for the new specialist family domestic and sexual violence workers under the National Partnership Agreement recently been issued?

- (2) If so, was CatholicCare Wilcannia-Forbes excluded from applying for additional funds to boost its domestic violence workforce in its current area of operation – including high demand areas such as Forbes and the Local Government Areas of Forbes, Parkes, Bourke and Lachlan?
  - (a) If so, why?
    - (i) Have these reasons been shared with the service providers?
    - (ii) What impact would exclusion have on its ability to continue delivering the existing Specialist Homelessness Services and Staying Home Leaving Violence programs?
- (3) Was CatholicCare Wilcannia-Forbes invited to tender for funding in areas such as the Snowy Valley and Coonabarabran, where it currently has no services, and which are hundreds of kilometres from its closest domestic violence services locations?
- (4) Why has CatholicCare Wilcannia-Forbes been excluded from applying for funding in the 52 per cent of New South Wales in which they operate, but informed that they can apply for funding in the 48 per cent of New South Wales where they do not operate?

2076 EDUCATION AND EARLY LEARNING—BOURKE HIGH SCHOOL—The Hon. Mark Latham 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 Bourke High School, for its 123 students in 2023, how much did the school receive in total government funding?
  - (a) How much did the school receive in equity program funding?
- (2) With teacher numbers of 27.2 and 41.2 staff overall at the school, how were important milestones in the Vocabulary and Reading initiative missed and the MacqLit intervention reading program delayed, as per the school's 2023 Annual Report?
- (3) Why, as per the school's 2023 Annual Report, were various numeracy professional learning initiatives employed with limited success?
  - (a) Why has there been "a lack of staff buy-in" in the teaching of maths at the school?
- (4) In the 2023 Annual Report, why were each of the four "progress towards achieving improvement measures" not subject to proper reporting and accountability supposedly because "the school cannot report due to cohort size" and "cohort size does not allow the publication of percentages"?
  - (a) How can this happen in a school with 123 students?
- (5) Why on the Annual Progress Measure of "Increase the number of students attending school at 90 per cent or higher by 10 per cent" did the school fail to report in its 2023 Annual Report, instead merely stating that "Attendance will remain a focus for 2024"?
- (6) Why does the Report indicate an attendance rate of 49.6 per cent, that is, 34.3 per cent below the state average?
  - (a) What are the main contributors to this high truancy rate?
  - (b) What is the Government doing to overcome this problem in Bourke?
- (7) Given the failings of Bourke High School in almost every aspect of student performance, will you now end its management as a "Connected Communities" school and bring new leadership and expertise to give the Aboriginal students the comprise 85 per cent of enrolment better opportunities in life?

2077 HEALTH—INTER-HOSPITAL TRANSFERS—Dr Amanda Cohn 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) Since 1 July 2023 within the Hunter New England Local Health District, what number of inter-hospital transfers for diagnostics have been performed by NSW Ambulance?

- (2) Since 1 July 2023 within the Hunter New England Local Health District, what number of inter-hospital transfers for diagnostics have been performed by non-emergency patient transport?
- (3) Since 1 July 2023 within the Hunter New England Local Health District, what number of inter-hospital transfers for diagnostics have been performed by private contractors?
- (4) Since 1 June 2023 within the Hunter New England Local Health District, what number of inter-hospital transfers have been performed by NSW Ambulance and non-emergency patient transport coded for treatment?
- (5) Since 1 June 2023 within the Hunter New England Local Health District, what number of inter-hospital transfers have been performed by NSW Ambulance and non-emergency patient transport coded for appointment?
- (6) Will the planned Single Digital Patient Record system include interstate data sharing capability?

David Blunt AM  
Clerk of the Parliaments