



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 281

WEDNESDAY 24 JUNE 2020

(The Questions and Answers Paper published every Tuesday of each week will contain, by number and title, all unanswered questions, together with questions to which answers have been received on the previous sitting and any new questions. On subsequent days, new questions are printed, as are questions to which answers were received the previous day. Consequently the full text of any question will be printed only twice: when notice is given; and, when answered.)

Notice given on date shown

Publication of Questions	Answer to be lodged by
Q & A No. 267 (Including Question Nos 1502 to 1515)	24 June 2020
Q & A No. 268 (Questions—Nil)	-
Q & A No. 269 (Including Question Nos 1516 to 1527)	26 June 2020
Q & A No. 270 (Including Question Nos 1528 to 1532)	30 June 2020
Q & A No. 271 (Including Question Nos 1533 to 1537)	01 July 2020
Q & A No. 272 (Including Question Nos 1538 to 1541)	02 July 2020
Q & A No. 273 (Including Question Nos 1542 to 1542)	03 July 2020
Q & A No. 274 (Including Question Nos 1543 to 1545)	06 July 2020
Q & A No. 275 (Including Question Nos 1546 to 1550)	07 July 2020
Q & A No. 276 (Including Question Nos 1551 to 1557)	08 July 2020
Q & A No. 277 (Including Question Nos 1558 to 1559)	09 July 2020
Q & A No. 278 (Including Question Nos 1560 to 1572)	10 July 2020
Q & A No. 279 (Including Question Nos 1573 to 1577)	13 July 2020
Q & A No. 280 (Including Question Nos 1578 to 1583)	14 July 2020
Q & A No. 281 (Including Question Nos 1584 to 1590)	15 July 2020

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*1502 AGRICULTURE AND WESTERN NEW SOUTH WALES—SHOALHAVEN ZOO—Ms Hurst asked the Minister for Mental Health, Regional Youth and Women representing the Minister for Agriculture and Western New South Wales—

- (1) Has Shoalhaven Zoo been subject to any complaint, investigation or other adverse or corrective action by the Department of Primary Industries in relation to its treatment of animals under the Exhibited Animal Protection Act 1986, including its associated regulations and standards?

Answer—

Since the commencement of the exhibited animal compliance program in 2017 the NSW Department of Primary Industries (NSW DPI) has conducted four audits at Shoalhaven Zoo, all receiving 'A' ratings.

In this same period NSW DPI has investigated two complaints. Both these complaints were investigated and closed out as per NSW DPI's complaint handling policy with no further action required.

*1503 EDUCATION AND EARLY CHILDHOOD LEARNING—REVIEW OF CONFUCIUS INSTITUTES IN PRIVATE SCHOOLS—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) Given the review of foreign government or organisation support for language education in New South Wales government schools, is the Minister aware of any similar reviews into the Confucius Institutes in the private school system?

Answer—

The NSW Department of Education does not have oversight of external organisations engaged by non-government schools.

*1504 EDUCATION AND EARLY CHILDHOOD LEARNING—CONFUCIUS CLASSROOMS IN PRIVATE SCHOOLS—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) Given Confucius Classrooms were established in a number of private schools, beginning with Wenona Girls and the King's School, how many private schools now operate Confucius Classrooms?
(2) Does the Department make any financial contribution to these programs in private schools?

Answer—

- (1) The NSW Department of Education does not have oversight of external organisations engaged by non-government schools.
(2) The Department does not make any financial contribution to any Confucius programs being implemented in private schools.

*1505 EDUCATION AND EARLY CHILDHOOD LEARNING—UNIVERSITY CONFUCIUS INSTITUTE PERSONNEL IN SCHOOLS—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) Given school programs are conducted by the three New South Wales universities with Confucius Institute (CI) agreements:
(a) How many public schools use the personnel of these Institutes for Chinese language instruction?
(b) Is there Departmental oversight of the use of University CI personnel in public schools?

Answer—

- (1)
(a) The Department of Education has no knowledge of any University CI personnel providing instruction in Chinese language in NSW public schools.
(b) The Universities' Confucius Institutes are autonomous institutions with their own internal

governance arrangements. The Department has no oversight of these.

*1506 EDUCATION AND EARLY CHILDHOOD LEARNING—DEPARTMENT FUNDING OF CONFUCIUS CLASSROOM TEACHERS—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) Given the Chinese assistant teachers selected by Hanban are to continue in their roles until at least the end of 2022, are these assistants considered to be employees of the Department of Education?
 - (a) If so, will their salaries now be paid by the Department?

Answer—

NSW public schools with Confucius Classrooms were staffed by qualified, Department of Education teachers with approval to teach Chinese. The teaching assistants selected by Confucius Institute Headquarters (Hanban) were volunteer teachers and worked under the supervision of the departmental teacher.

The volunteer teachers received advice from Hanban to return to China by 10 October 2019.

As volunteer teachers, salaries were not paid by the Department.

*1507 EDUCATION AND EARLY CHILDHOOD LEARNING—DEPARTMENT FUNDING OF CONFUCIUS CLASSROOMS—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) In place of the previous agreement, the Department of Education has committed to 'invest \$1.2 million each year in support for the thirteen Confucius classroom schools.'
 - (a) How is this allocation to be spent?
 - (b) Is the grant to be equally shared between the thirteen schools?
 - (c) For how long will this additional funding continue?
 - (d) As students in these Confucius classrooms make up approximately 15 per cent of the 30,000 students studying in Chinese language programs, on what basis is the additional funding to just thirteen schools justified?

Answer—

- (1)
 - (a) The Department of Education will invest \$1.2 million annually in support for the 13 schools that previously had Confucius Classrooms to continue their learning of Chinese language and culture through the employment of paraprofessionals until at least the end of 2022.
 - (b) In 2020, each school received funding to replace their 2019 Chinese volunteer teaching assistant/s with local, Chinese speaking assistants and an amount to support Chinese language and culture projects.
 - (c) The Department of Education will continue additional funding to support the 13 schools that previously had Confucius Classrooms to continue their learning of Chinese language and culture until at least the end of 2022.
 - (d) The Department of Education has committed the additional funding to support the 13 schools that previously had Confucius Classrooms to continue their learning of Chinese language and culture. This will ensure continuity of Chinese language instruction at the 13 schools which would otherwise have been adversely affected by the Department's decision to end its agreement with Hanban.

*1508 EDUCATION AND EARLY CHILDHOOD LEARNING—CONFUCIUS INSTITUTE LOCATION CONSIDERATIONS—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) In response to recommendation five of the: "Review of foreign government or organisation support for language education in New South Wales government schools", consideration was given to relocating the Confucius Institute (CI) program to an alternate location. The Secretary of the Department said that this "unique program" would be better placed with a higher education provider:
 - (a) What locations were considered?

(b) Where is the CI now housed?

Answer—

(1)

- (a) A number of locations were considered. Relocation of the program would have needed to involve an educational institution with expertise in Chinese language and culture, one with the capacity to support NSW public school students in the teaching of Chinese language and culture. The length of time required to negotiate with an educational institution that met these criteria would have created uncertainty for schools involved in the program with regard to their planning for the 2020 school year.
- (b) The Confucius Institute at the NSW Department of Education no longer exists.

*1509 EDUCATION AND EARLY CHILDHOOD LEARNING—FOREIGN GOVERNMENT INFLUENCE REVIEW SECURITY CONSIDERATIONS—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) Given the "Review of foreign government or organisation support for language education in New South Wales government schools" review concluded it:
 - (a) " did not discover any evidence of actual political influence being exercised" and that the termination of the Confucius Institute (CI) Agreement is largely supported on the grounds of the governance arrangements.
 - (b) And noting that Mr Ross Babbage, formerly of the Office of National Assessments said: 'This sort of activity has to be put in the picture of the broader programs ... that the Chinese Government has been sponsoring into Australia. These Confucius Institute initiatives cannot be seen as somehow separate, or an abstraction from them:
 - (i) Did the review seek the input of specialist security agencies?
 - (ii) Did the review terms of reference and the table top review, limit the possibility of security considerations being given due weight?

Answer—

1. b.

i. The review sought input from the Commonwealth Home Affairs Portfolio, which includes the Department of Home Affairs and other specialist security agencies.

ii. The terms of reference stated that the desktop review would "examine the governance arrangements of ... programs, including risks associated with their operational structure and continued operation." The term 'risks' implies that it was open for the review to examine a number of relevant factors, including security considerations. The terms of reference did not pre-determine or limit the significance that would be accorded to certain risk factors.

The terms of reference also stated that the review would consider advice from relevant Commonwealth Government departments. The nature of that advice was not specified and it was open for the relevant departments to provide advice regarding security considerations in response to the scope of the review if they saw fit.

*1510 EDUCATION AND EARLY CHILDHOOD LEARNING—FOREIGN GOVERNMENT INFLUENCE REVIEW CONSULTATION PROCESS—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) The "Review of foreign government or organisation support for language education in New South Wales government schools" report noted: 'many commentators, including academics, parents and members of parliament, have expressed concerns about political influence being exerted through the operation of the Confucius Institute in the department':
 - (a) What opportunities were provided for critics of the program's governance arrangements, curriculum and practices to raise their concerns during the review?

Answer—

The 'Review of foreign government or organisation support for language education in New South Wales' was conducted as a desktop review of foreign government/organisation support for language programs in the Department of Education, including the Confucius Institute.

It was not within the scope of the review to formally collect evidence from students, teachers, parents or principals about these programs, unless such comments and perspectives were in the public domain.

The review considered all available departmental documentation and relevant material in the public domain about these language programs. The review also sought input from the Commonwealth Government Home Affairs Portfolio.

*1511 EDUCATION AND EARLY CHILDHOOD LEARNING—CONFUCIUS INSTITUTE ESTABLISHMENT—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) The Confucius Institute (CI) was established within the Department of Education in 2012 by agreement with Hanban, an agency of the Chinese Government. It was the only example worldwide, of a CI being located in a Government Department. What due diligence was undertaken before this program was approved?

Answer—

The establishment of the Confucius Institute at the NSW Department of Education in 2012 was the culmination of discussions and agreements between the Department and China over a number of years.

The process included legal, financial, political and educational considerations. In addition, the process ensured that the hosting of non-departmental personnel was within the Department's administrative policy and practices.

*1512 EDUCATION AND EARLY CHILDHOOD LEARNING—GROW YOUR MIND SCHOOL PROGRAM—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) Regarding the answer to question on notice 1379:
 - (a) Could the Minister please elucidate her answer by providing a list of the 47 schools who have previously accessed resources?

Answer—

- (1) As at 15 June 2020, from the information sourced, the Department of Education has been able to ascertain that a total of 47 NSW government schools have either purchased teacher resources from Grow Your Mind Pty Ltd, or may have accessed other resources.

- (a) The schools are: Aberdeen Public School, Anson Street School, Anzac Park Public School, Barnsley Public School, Beauty Point Public School, Bega Valley Public School, Bronte Public School, Cabramatta West Public School, Chifley Public School, Clovelly Public School, Connells Point Public School, Eastlakes Public School, Emu Plains Public School, Epping North Public School, Epping West Public School, Fairfield High School, Glenmore Road Public School, Glen William Public School, Hampden Park Public School, Highlands School, Hurstville Public School, Illaroo Road Public School, Kangaroo Valley Public School, Kegworth Public School, Lalor Park Public School, La Perouse Public School, Little Soldiers Public School, Malabar Public School, Mascot Public School, Matraville Soldiers Settlement Public School, Mosman Public School, Muswellbrook South Public School, O'Connell Public School, Oyster Bay Public School, Paddington Public School, Pagewood Public School, Plunkett Street Public School, Scone Public School, South Coogee Public School, Spring Ridge Public School, Summer Hill Public School, Tacking Point Public School, Ultimo Public School, Wakehurst Public School, Walhallow Public School, Wellington Public School, Woollahra Public School.

*1513 POLICE AND EMERGENCY SERVICES—REVIEW OF POLICE CONDUCT—Mr Banasiak asked the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Minister for Police and Emergency Services—

- (1) In response to question 1316- Commissioners Review of Police conduct, the minister responded that "I am advised: Yes. The NSW Police Force formal investigation resulted in sustained findings against both Senior Constables. Both officers have since separated from the NSW Police Force."
 - (a) Would the Minister elucidate whether the separation from the NSW Police Force was as a result of the sustained findings against each Senior Constable?

Answer—

Refer to my answer to LC QON 1316.

*1514 TRANSPORT AND ROADS—WESTMEAD METRO STATION—Ms Boyd asked the Minister for Mental Health, Regional Youth and Women representing the Minister for Transport and Roads—

- (1) In determining the final location for the Westmead metro station in the proposed Metro West project, what consideration was given to increasing accessibility to the Westmead hospital by locating the new metro stop north of the existing heavy rail Westmead station?
- (2) What criteria was used to determine the best location for the proposed Westmead metro station?
- (3) What community consultation was undertaken regarding the proposed Westmead metro station?
 - (a) What was the feedback from the community during this process?
 - (b) What weight was it given in determining the final location?

Answer—

I am advised:

1. The preferred location of Westmead Metro Station has been strategically located to provide connectivity to the hospital precinct. An analysis of the station location can be found in the Sydney Metro West Scoping Report which was released in 2019. A copy of the Scoping Report is available on the Sydney Metro website.

2-3. When determining a station location, Sydney Metro undertakes a comprehensive review that considers a range of factors including stakeholder and community feedback, alignment with key government priorities and project objectives, affordability, economic evaluation and risk assessment.

*1515 POLICE AND EMERGENCY SERVICES—PROTEST GROUPS IN NEW SOUTH WALES—Rev'd Mr Nile asked the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Minister for Police and Emergency Services—

- (1) Regarding the protest that occurred outside the New South Wales Parliament yesterday, which involved the group calling itself "Black Lives Matter" and also attended by the so-called "AntiFa":
 - (a) What connections, if any, do these groups have to groups of the same name based in the United States of America which have been embroiled in significant violence now for over a week causing death and the destruction of property?
 - (b) What are the security implications of this for New South Wales?

Answer—

It would be inappropriate for me to comment on ongoing police investigations. I am advised that the NSW Police Force cannot confirm whether persons associated with Antifa were present at the event.

The NSW Police Force together with other Australian security and law enforcement agencies continue to maintain awareness of issue motivated groups that may incite or engage in violence, and undertake risk and threat assessments.

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- 1584 EDUCATION AND EARLY CHILDHOOD LEARNING—MASTERS CURRICULUM REVIEW—Mr Latham to ask the Minister for Education and Early Childhood Learning—
- (1) What response has the Government made to the Masters Curriculum Review's suggestion at page 4 that schools and teachers, rather than parents, should be instilling "values and develop character" in children, so that "the curriculum of schools explicitly include and give greater priority to the social, ethical, emotional and physical development and health of every student"?
 - (2) When Masters repeatedly reports on the views of parents, what data base and survey work is the report relying on to make these statements?
 - (3) How many New South Wales parents of school-aged children made separate submissions to the Masters Review in their capacity as parents (excluding representative parent bodies)?
 - (4) Has the Government published all of the Masters' recommendations?
 - (a) If not, which recommendations have not been published?
- 1585 EDUCATION AND EARLY CHILDHOOD LEARNING—PRE-FABRICATED SCHOOLS—Mrs Houssos to ask the Minister for Education and Early Childhood Learning—
- (1) It was reported in the Sydney Morning Herald on 16 June 2020 that "not all Sydney schools will be deemed suitable for the new construction method" of pre-fabricated schools, what makes a site suitable or unsuitable for this pre-fabricated construction method?
- 1586 BETTER REGULATION AND INNOVATION—SILICOSIS—Mr Mookhey to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Minister for Better Regulation and Innovation—
- (1) How many worksites in the manufactured stone industry has SafeWork NSW inspected in the 2019/20 financial year to date?
 - (a) How many sites were issued a silica related enforcement notice?
 - (i) How many of these notices have been resolved?
 - (b) How many sites were issued a silica related improvement notice?
 - (i) How many of these notices have been resolved?
 - (2) What is the average number of visits made by SafeWork NSW to worksites in the manufactured stone industry in the 2019/2020 financial year to date?
 - (3) How many enforcement notices for worksites in the manufactured stone industry from any previous years are unresolved?
 - (4) How many improvement notices for worksites in the manufactured stone industry from any previous years are unresolved?
- 1587 TREASURER—SILICOSIS—Mr Mookhey to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Treasurer—
- (1) How many silicosis claims for compensation have been made to icare's Dust Diseases Care in each month for the 2019/2020 financial year to date?
 - (2) How many claims for medical examination for people exposed to harmful dust at a New South Wales workplace have been made to icare's Dust Diseases Care in:
 - (a) 2019/20 financial year to date?
 - (b) 2018/19 financial year?
- 1588 BETTER REGULATION AND INNOVATION—FAIR TRADING ACT FINES AND NOTICES—Mr Primrose to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Minister for Better Regulation and Innovation—

- (1) Since the commencement of section 58N (2) of the Fair Trading Act 1987, what is the total number of fines that have been issued to persons or businesses that have imposed any administrative charge or fee that reduces the redeemable value of the gift card after the sale of the gift card?
- (a) What is the average individual s. 58N (2) fine amount per person or business as at 24 June 2020?
 - (b) What is the total dollar amount of s. 58N (2) fines issued since the commencement of this clause and until 24 June 2020?
 - (c) What are the businesses and locations where s. 58N (2) fines were issued since the commencement of this clause and until 24 June 2020?
 - (d) In the instances where s. 58N (2) fines notices were not issued to persons or businesses, what is the name and location of each of the businesses where warning notices for breach of s. 58N (2) were issued?
 - (i) What is the individual number of these warning notices that each of these persons or businesses have been issued since the commencement of s. 58N (2)?

1589 BETTER REGULATION AND INNOVATION—FAIR TRADING ACT FINES AND NOTICES—Mr Primrose to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Minister for Better Regulation and Innovation—

- (1) Since the commencement of section 58N (1) of the Fair Trading Act 1987, what is the total number of s. 58N (1) fines that have been issued to persons or businesses that have sold gift cards with an expiry date that is earlier than three years after the date of sale of the gift card?
- (a) What is the average individual s. 58N (1) fine amount per person or business as at 24 June 2020?
 - (b) What is the total dollar amount of s. 58N (1) fines issued since the commencement of this clause and until 24 June 2020?
 - (c) What are the businesses and locations where s. 58N (1) fines were issued since the commencement of this clause until 24 June 2020?
 - (d) In the instances where s. 58N (1) fines notices were not issued to persons or businesses, what is the name and location of each of the businesses where warning notices for breach of s. 58N (1) were issued?
 - (i) What is the individual number of these warning notices that each of these businesses have been issued since the commencement of s. 58N (1)?

1590 EDUCATION AND EARLY CHILDHOOD LEARNING—ROLE AND PURPOSE OF ENGLISH TEXTUAL CONCEPTS—Mr Latham to ask the Minister for Education and Early Childhood Learning—

- (1) What is the purpose, content and use of the English Textual Concepts resource developed by the Department of Education?
- (a) What role is this resource playing in driving post-modernist and identity political content out of the New South Wales English curriculum and classrooms?

David Blunt
Clerk of the Parliaments