



LEGISLATIVE COUNCIL

2019-20-21-22

FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT

QUESTIONS AND ANSWERS

No. 686

TUESDAY 22 FEBRUARY 2022

(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. 671 (Including Question Nos 8173 to 8182)	22 February 2022
Q & A No. 672 (Including Question Nos 8183 to 8187)	23 February 2022
Q & A No. 673 (Including Question Nos 8188 to 8197)	24 February 2022
Q & A No. 674 (Including Question Nos 8198 to 8223)	25 February 2022
Q & A No. 675 (Including Question Nos 8224 to 8228)	28 February 2022
Q & A No. 676 (Including Question Nos 8229 to 8253)	1 March 2022
Q & A No. 677 (Including Question Nos 8254 to 8262)	2 March 2022
Q & A No. 678 (Including Question Nos 8263 to 8297)	3 March 2022
Q & A No. 679 (Including Question Nos 8298 to 8300)	4 March 2022
Q & A No. 680 (Including Question Nos 8301 to 8310)	7 March 2022
Q & A No. 681 (Including Question Nos 8311 to 8316)	8 March 2022
Q & A No. 682 (Including Question Nos 8317 to 8321)	9 March 2022
Q & A No. 683 (Including Question Nos 8322 to 8322)	10 March 2022
Q & A No. 684 (Including Question Nos 8323 to 8325)	11 March 2022
Q & A No. 685 (Questions—Nil)	-
Q & A No. 686 (Questions—Nil)	-

1 FEBRUARY 2022

(Paper No. 671)

* 8173 POLICE—NSW CIVIL AND ADMINISTRATIVE TRIBUNAL CASES—The Hon. Mark Banasiak to ask the Minister for Education and Early Learning representing the Deputy Premier, Minister for Regional New South Wales, and Minister for Police—

(1) For each calendar year from 2015 to 2021:

- (a) How many times has the Commissioner of Police applied to the NSW Civil and Administrative Tribunal for an order under section 64 of the Civil and Administrative Tribunal Act 2013 in cases involving firearm owners/applicants?
 - (i) How many applications were granted?
 - (ii) How many applications were declined?
 - (iii) For each case where an order was granted, how many cases were decided in favour of the applicant?
 - (iv) What is the case name and Medium Neutral Citation of each case where an order was granted?
 - (v) What is the case name and Medium Neutral Citation of each case where an order was declined?
- (b) How many times has the Commissioner of Police applied to the NSW Civil and Administrative Tribunal for an order under section 59 of the Administrative Decisions Review Act 1997 in cases involving firearm owners/applicants?
 - (i) How many applications were granted?
 - (ii) How many applications were declined?
 - (iii) For each case where an order was granted, how many cases were decided in favour of the applicant?
 - (iv) What is the case name and Medium Neutral Citation of each case where an order was granted?
 - (v) What is the case name and Medium Neutral Citation of each case where an order was declined?

Answer—

I am advised:

The NSW Police Force is unable to provide this information within the limited timeframe required to respond to a Question on Notice. Matters before the NSW Civil and Administrative Tribunal can be found at <https://www.ncat.nsw.gov.au>

* 8176 EDUCATION AND EARLY LEARNING—OCCUPATION DATA—The Hon. Daniel Mookhey to ask the Minister for Education and Early Learning—

- (1) Can the Minister please provide information of the number of employees, median weekly salary and average weekly overtime payment for each occupation listed in the following table?

Job title	Number of employees in this occupation	Median weekly salary for this occupation	Average weekly Overtime Payment for this occupation
Teacher			
Band 1(Graduate)			

Band 2(Proficient)			
Band 2.1			
Band 2.2			
Band 2.3			
Band 3 (Highly Accomplished/Lead)			
Step 13			
Step 12			
Step 11			
Step 10			
Step 9			
Step 8			
Step 7			
Step 6			
Step 5			
School Counsellor			
Band 1			
Band 2			
Band 2.1			
Band 2.2			
Band 2.3			
Band 3			
Home School Liaison Officer, Aboriginal Student Liaison Officer, Education Officer			
Step 13			
Step 12			
Step 11			
Step 10			
Step 9			
Step 8			
Step 7			
Step 6			
Step 5			
PRINCIPAL			
Teaching Principal 1 (TP1) or Associate Principal			
Teaching Principal 2 (TP2) or Associate Principal			
P1			
P2			
P3			
P4			
P5			
Central School Principal			
PC1			
PC2			
PC3			

PC4			
Primary School Principal			
PP1			
PP2			
PP3			
PP4			
PP5			
PP5			
Principal - Environmental Education Centre or Hospital school Grade 2			
Principal - Environmental Education Centre or Hospital school Grade 1			
Executive Principal, Connected Communities			
High School Deputy Principal			
Deputy Principal (Secondary) / Central Principal			
Primary School Deputy Principal			
Deputy Principal (Primary) Central School			
Assistant Principal Primary School			
Assistant Principal Central School			
Head Teacher High School			
Head Teacher Central School			
Leader, Psychology Practice			
Senior Psychologist, Education (formerly District Guidance Officer)			
Senior Assistant in Schools			
Non School based teaching service			
Principal Education Officer			
Senior Education Officer Class 2			
Senior Education Officer Class 1			
Year 1			
Year 2			
Year 3			
Casual Teachers and School Counsellors			
Band 1			
Band 2			
Casual TP1/AP1			
Principal Environmental Education Centre or Hospital School Grade 1			
Teacher in Charge			
Teachers of classes of students with disabilities			
EDUCATIONAL PARAPROFESSIONAL			
Step 1			
Step 2			
Step 3			
Saturday School of Community Languages			
Supervisor			
Assistant Supervisor			

Curriculum Coordinator			
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Answer—

Data relating to teaching staff and roles is provided in the Department of Education's Annual Report and sourced from Workforce Profile data as at end June each year. The latest Annual report is available on the Department's website at

<https://education.nsw.gov.au/about-us/strategies-and-reports/annual-reports>. Salaries for school teachers and related employees are covered in the Crown Employees (Teachers in Schools and Related Employees) Salaries and Conditions Award 2020. Overtime is not applicable under this Award.

The Award was varied by the NSW Industrial Relations Commission on 23 December 2021 to give effect to provide 2.5 per cent increase (comprised of a 2.04 per cent increase in salaries, plus 0.5 per cent increase in the superannuation guarantee contribution) effective from the first full pay period on or after 1 January 2022 pending the outcome of the arbitration for a new Award in May 2022. Current rates for 2022 are available at <https://education.nsw.gov.au/industrial-relations/pay-and-allowances/teaching-service>.

* 8178 POLICE—NSW POLICE CIVIL PAYMENTS FOLLOW UP QUESTION—The Hon. Rod Roberts to ask the Minister for Education and Early Learning representing the Deputy Premier, Minister for Regional New South Wales, and Minister for Police—

- (1) On the 16 December 2021 the Minister provided a response to question on notice 7839:
 - (a) What is the Minister doing about the inordinate and unacceptable level of settled claims against NSW Police for incidents as outlined in the answer to question (3) of 7839?
 - (b) What is the Minister doing to protect innocent citizens of New South Wales against the unlawful behaviour of New South Wales Police as evidenced in answer to question (3) (c) of 7839?

Answer—

I am advised:

All civil claims received by the NSW Police Force are triaged as a complaint under Part 8A of the Police Act 1990, and are investigated and actioned accordingly. In addition to addressing any potential misconduct, all civil claims are reviewed internally to identify educational and training opportunities, or any systemic issues that need to be addressed.

* 8179 CORRECTIONS—COVID-19 WITHIN THE CORRECTIONAL SYSTEM—Mr David Shoebridge to ask the Minister for Families and Communities, and Minister for Disability Services representing the Minister for Corrections—

- (1) What is the current number of COVID-19 cases with the correctional system as of 31 January 2022 divided by:
 - (a) Inmates?
 - (b) Correctional officers?
- (2) How many inmates have been diagnosed with COVID-19 in total since 1 January 2020?
- (3) How many inmates have been hospitalised following being diagnosed with COVID-19 in total since 1 January 2020?
- (4) How many correctional officers have been diagnosed with COVID-19 in total since 1 January 2020?
- (5) How many correctional officers have been hospitalised following being diagnosed with COVID-19 in total since 1 January 2020?
- (6) What is the policy that allows transfers between prisons to continue with COVID-19 transmission at an all-time high in New South Wales?
- (7) Do all inmates receive an in-person consultation with a GP following a COVID-19 diagnosis?
 - (a) If not why not?

- (b) If not, what other services do they receive following a COVID-19 diagnosis?
- (8) What if any delays have occurred for other medical services in the prison system as a result of resources being directed towards addressing COVID-19?
- (9) What COVID-19 procedures are in place across New South Wales correctional centres, including but not limited to:
- (a) Transfer protocols?
 - (b) Quarantine protocols?
 - (c) Isolation protocols?
 - (d) Personal protective equipment (PPE) provisions for inmates and facility staff?
- (10) What safeguards have been put in place to prevent the excessive isolation of inmates, balancing the prevention of COVID-19 spread and the other aspects of inmates mental and physical health?
- (11) What information is provided to family when inmates are:
- (a) Transferred?
 - (b) Diagnosed with COVID-19?
- (12) What is the current policy for family visits?
- (13) What additional expenditure has been allocated to Justice Health since 1 January 2020 to deal with COVID-19?
- (14) What consideration has been given to the emergency release of minimum security inmates across correctional centres?

Answer—

I am advised:

(1) (a), 2, 3, 7(a)-(b), 8, 11(b) and 13. These questions should be redirected to the Minister for Health, who has responsibility for the Justice Health and Forensic Mental Health Network.

(1)

(b) 163

- (4) As at 11 February 2022, 1,276 staff members have reported being positive to covm-19 to Corrective Service NSW (CSNSW).
- (5) Staff are not obligated to report whether they have been hospitalised. CSNSW does not hold this information.
- (6) Commissioner's Instructions have been used to implement key operational policies during the COVID-19 pandemic. Temporary restrictions on movements have been in place since 2020. Inmate movements are limited to essential movements only that include:
- movements of COVID-19 positive inmates
 - movements from c9urt cells to reception centres, transit centres and staging areas to gaol of classification to maintain bed capacity for fresh custody inmates and to meet quarantine and isolation requirements urgent medical escorts
 - movements for involuntary treatment at the Mental Health Unit at Long Bay Hospital
 - movements to facilitate section 19 Mental Health Assessments
 - immigration detainee movements to facilitate release
 - movements to facilitate 'in-person ' court appearances
 - movements necessary for maintaining the good order and security of a correctional centre
 - preparing inmates for release (including Drug Court releases to drug rehabilitation)

- movement of inmates to facilitate participation in high intensity or priority offender programs
- movement of inmates following completion of a program or termination from a program

(9) (a)-(d)

Information on CSNSW's response to COVID-19 including quarantine, isolation and movement protocols, and PPE requirements can be found online at: <https://www.coronavirus.dcj.nsw.gov.au/services/corrective-services>

(10) COVID-19 has disrupted the normal operations of correctional centres and normal inmate activities. In managing the risks associated with COVID-19, the paramount consideration continues to be protecting the health and safety of staff and inmates.

This includes supporting inmate mental health and wellbeing. Essential services such as medical care, psychology, welfare and access to legal representatives remain available.

In-cell activity packs are provided to all inmates in quarantine and lockdown. These packs include activities to pass the time as well as strategies to assist with coping, such as breathing and mindfulness techniques.

Staff must prioritise the delivery of essential services to all inmates in quarantine or isolation. Where possible, staff will facilitate extra phone calls for inmates in isolation or quarantine in a COVID-safe way.

(11)

(a) CSNSW does not inform families when an inmate is transferred to another correctional centre for security reasons. If an inmate is transferred to hospital, their next of kin is notified.

(12) As part of managing the risk of transmission of COVID-19 in correctional facilities, in person social visits to inmates were suspended from 24 June 2021 to 23 November 2021, and from 24 December 2021 and to this time. To mitigate disruption to family relationships caused by the suspension of visits, correctional centres have taken action to increase access to free telephone calls. Video visits continue to be available for family and legal visits.

(14) CSNSW, together with the Justice Health and Forensic Mental Health Network, has worked to identify eligible and suitable inmates should there be a need to use the provisions. To date, it has not been deemed reasonably necessary to make orders under the COVID-19 emergency provisions to release inmates to parole.

* 8180 HEALTH—COVID-19 WITHIN THE CORRECTIONAL SYSTEM—Mr David Shoebridge to ask the Minister for Women, Minister for Regional Health, and Minister for Mental Health representing the Minister for Health—

(1) What is the current number of COVID-19 cases with the correctional system as of 31 January 2022 divided by:

(a) Inmates?

(b) Correctional officers?

(2) How many inmates have been diagnosed with COVID-19 in total since 1 January 2020?

(3) How many inmates have been hospitalised following being diagnosed with COVID-19 in total since 1 January 2020?

(4) How many correctional officers have been diagnosed with COVID-19 in total since 1 January 2020?

(5) How many correctional officers have been hospitalised following being diagnosed with COVID-19 in total since 1 January 2020?

(6) What is the policy that allows transfers between prisons to continue with COVID-19 transmission at an all-time high in New South Wales?

(7) Do all inmates receive an in-person consultation with a GP following a COVID-19 diagnosis?

(a) If not why not?

(b) If not, what other services do they receive following a COVID-19 diagnosis?

- (8) What if any delays have occurred for other medical services in the prison system as a result of resources being directed towards addressing COVID-19?
- (9) What COVID-19 procedures are in place across New South Wales correctional centres, including but not limited to:
 - (a) Transfer protocols?
 - (b) Quarantine protocols?
 - (c) Isolation protocols?
 - (d) Personal protective equipment (PPE) provisions for inmates and facility staff?
- (10) What safeguards have been put in place to prevent the excessive isolation of inmates, balancing the prevention of COVID-19 spread and the other aspects of inmates mental and physical health?
- (11) What information is provided to family when inmates are:
 - (a) Transferred?
 - (b) Diagnosed with COVID-19?
- (12) What is the current policy for family visits?
- (13) What additional expenditure has been allocated to Justice Health since 1 January 2020 to deal with COVID-19?
- (14) What consideration has been given to the emergency release of minimum security inmates across correctional centres?

Answer—

- (1-3) The number of PCR-confirmed COVID-19 infections among people residing in correctional settings is published in the NSW Health Weekly Surveillance Report on the NSW Health website at <https://www.health.nsw.gov.au/Infectious/covid-19/Pages/weekly-reports.aspx>

Information on correctional officers diagnosed with COVID-19 is a matter for the Minister for Corrections.

- (4–6, 12, 14) This is a matter for the Minister for Corrections.

(7)

- (a-b) Health care is provided to COVID-19 patients by a multidisciplinary COVID-19 team, utilising face to face and virtual care services, determined by the patient's level of risk. This is as per the Justice Health and Forensic Mental Health Network Business Rules for Monitoring COVID-19 Positive Patients, including patient-partnered monitoring.

All newly diagnosed patient medical files are reviewed by the COVID-19 Medical Officer (MO) and categorised according to risk based on a number of medical and social criteria. All patients receive a nursing review. Patients categorised as moderate or high risk or are deteriorating are regularly reviewed by the onsite medical and nursing team and escalated for hospital transfer when necessary.

- (8) All urgent patient health issues continue to be assessed and treatment provided as necessary within the custodial system. Patients continue to be prioritised based on their clinical health needs.

(9)

- (a-d) I refer the Member to the response to LC 8179.

- (10) The mandatory quarantine period for all new receptions into custody has reduced from 14 days to seven days. Additionally, COVID-19 positive patients are now released from isolation if asymptomatic at Day 10.

The Network's Custodial Mental Health Service has developed an information and wellbeing pack for patients in isolation to assist with managing anxiety and distress they may experience associated with COVID-19. All patients have access to health information relating to COVID-19, and mental

health supports are available throughout the custodial environment and through the local Health Centre.

In Youth Justice Centres, regular monitoring of the mental health of young people occurs through collaboration with primary health and Youth Justice psychologists. All young people in the COVID-19 hub at Cobham Youth Justice Centre receive a mental health wellbeing pack which includes sensory toys, mindfulness strategies and distraction tools.

(11)

(a-b) Corrective Services NSW is responsible for providing transfer information to the next of kin.

Patients diagnosed with COVID-19 are informed and encouraged to contact their relatives. With the patient's consent, information of the diagnosis is provided if relatives contact the Network.

For young people in custody that are COVID-19 positive or considered close contacts, families are informed and provided with the relevant education materials as part of the release planning process.

(13) Details of COVID-19 related expenditure are available in the Network's annual report Our Network at <https://www.justicehealth.nsw.gov.au/publications/our-network-2021-final-3.pdf>

* 8181 PLANNING—FEE PAYABLE FOR COSTS AND EXPENSES OF STUDIES BY PLANNING AUTHORITIES—Mr David Shoebridge to ask the Minister for Women, Minister for Regional Health, and Minister for Mental Health representing the Minister for Planning, and Minister for Homes—

- (1) Are there limits on developers paying for consultants used for rezoning proposals or strategic planning?
- (2) Is there a code of practice that guides this?
- (3) What are the restrictions?
- (4) Is the Minister aware of the cost of the report for the Chatswood CBD development for which proposers paid for the strategic planning reports?
 - (a) If not, why not?
 - (b) Is that consistent with the council's fiduciary obligations?

Answer—

I am advised:

The Department is not aware of any limitations regarding the fees paid for or charged by consultants in relation to strategic planning advice including the rezoning process.

The Department's Local Environmental Plan Making Guideline (Dec 2021) provides guidance on the submission of planning proposals and studies required to provide justification to support a planning proposal.

City of Willoughby Council has made a statement regarding the consultants' reports to support planning proposals in the Chatswood CBD on its website, available at www.willoughby.nsw.gov.au/Council/News-and-media/Chatswood-CBD-Planning-and-Urban-Design-Strategy-2036.

Council advised the Department that at no point were the costs of these studies or the commercial arrangements between the proponents and their consultants discussed with Council staff.

I am also not aware of the cost of the reports prepared for the Chatswood CBD Planning and Urban Design Strategy undertaken by Willoughby City Council.

I recommend Mr Shoebridge contact City of Willoughby Council directly if he was to seek this information. Council has no obligation to disclose to the Department fees paid for consultants used in the preparation of its strategic planning studies.

22 FEBRUARY 2022

(Paper No. 686)

Nil Questions submitted.

David Blunt
Clerk of the Parliament

Authorised by the Parliament of New South Wales