



LEGISLATIVE COUNCIL

2019-20-21-22

FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT

QUESTIONS AND ANSWERS

No. 841

THURSDAY 6 OCTOBER 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. 826 (Including Question Nos 9522 to 9525)	6 October 2022
Q & A No. 827 (Including Question Nos 9526 to 9535)	7 October 2022
Q & A No. 828 (Questions—Nil)	-
Q & A No. 829 (Including Question Nos 9536 to 9538)	11 October 2022
Q & A No. 830 (Including Question Nos 9539 to 9542)	12 October 2022
Q & A No. 831 (Questions—Nil)	-
Q & A No. 832 (Including Question Nos 9543 to 9548)	14 October 2022
Q & A No. 833 (Including Question Nos 9549 to 9565)	17 October 2022
Q & A No. 834 (Questions—Nil)	-
Q & A No. 835 (Including Question Nos 9566 to 9569)	19 October 2022
Q & A No. 836 (Including Question Nos 9570 to 9571)	20 October 2022
Q & A No. 837 (Questions—Nil)	-
Q & A No. 838 (Questions—Nil)	-
Q & A No. 839 (Including Question Nos 9572 to 9615)	25 October 2022
Q & A No. 840 (Including Question Nos 9616 to 9617)	26 October 2022
Q & A No. 841 (Including Question Nos 9618 to 9629)	27 October 2022

13 SEPTEMBER 2022

(Paper No. 826)

* 9522 ATTORNEY GENERAL—NCAT CASES—The Hon. Courtney Houssos to ask the Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence representing the Attorney General—

- (1) What are the grounds for closing cases before the NSW Civil and Administrative Tribunal (NCAT)?
- (2) Can NCAT close cases without the consent or notification of the individual?
- (3) Can cases closed by NCAT be reopened?
 - (a) If so, what process needs to be followed for these cases to be reopened?
 - (b) If not, why not?

Answer—

I am advised:

- (1) The NSW Civil and Administrative Tribunal (NCAT) finalises matters when a decision on an application has been made. NCAT is obliged to accept and list applications lodged with the Tribunal but may reject applications in limited circumstances as outlined in Rule 22 of the Civil and Administrative Tribunal Rules 2014.
- (2) NCAT notifies parties when it has made a decision on an application or rejected it. If a party lodges an application then withdraws it before the respondent is served, the respondent may not be notified of the application.
- (3) Section 55(2) of the Civil and Administrative Tribunal Act 2013 (the Act) provides that NCAT can reinstate proceedings which were dismissed because the applicant or appellant failed to appear at the hearing. Further information about the process of applying for a reinstatement is available on NCAT's website: www.ncat.nsw.gov.au.

Clause 9 of the Civil and Administrative Tribunal Regulation 2013 provides that NCAT can set aside or vary a decision in certain circumstances. Information about applying to set aside or vary a decision is available on NCAT's website. If a party is dissatisfied with a decision made by NCAT, they may lodge an Internal Appeal under section 32 of the Act.

* 9523 PLANNING—GOVERNMENT ASSET SALES OF OLD WAGGA AMBULANCE STATION—The Hon. Tara Moriarty 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) Could the Minister please provide the policy used to determine the sale of the Old Wagga Ambulance Station to Wagga Wagga City Council?
- (2) Could the Minister please provide the details of the decision-making process for the sale of the Old Wagga Ambulance Station to Wagga Wagga City Council?

Answer—

I am advised:

- (1) The Former Wagga Wagga Ambulance Station (the property) was declared surplus by NSW Health in March 2018. This was prior to the implementation of the Strategic Land and Property Framework (SLPF), therefore the SLPF does not apply to the divestment of the property.
- (2) This is a matter for the Minister for Health.

- * 9524 SPORT—SYDNEY FOOTBALL STADIUM—The Hon. Anthony D'Adam to ask the Minister for Education and Early Learning representing the Minister for Skills and Training, Minister for Science, Innovation and Technology, Minister for Enterprise, Investment and Trade, and Minister for Sport—
- (1) Did Venues NSW do an inspection and audit of damaged seats after spectators complained during the Wallabies game at the Sydney Football Stadium, particularly in Bays 22, 23 and 24?
 - (a) If so:
 - (i) How many seats were assessed as damaged by any inspection or audit undertaken?
 - (ii) How many seats have been replaced or repaired so far in the Sydney Football Stadium?
 - (iii) What was the cause of the damage?
 - (b) If not, why not?
 - (2) Given the number of damaged seats, how were those who occupied those seats during the two events on the weekend of 3 and 4 September 2022, notified they were entitled to a refund?
 - (a) If patrons haven't been notified of access to a refund for damaged seating, will Venues NSW notify patrons from Bays 22, 23 and 24 that they are eligible for a refund?
 - (i) If not, why not?
 - (3) Given the Northern end of the grandstand has one exit gate (gate four), does the co-location of toilet entrances in this exit impede the exit post game?

Answer—

- (1) An audit of seats in bays 22, 23 and 24 has been completed. These bays can be converted to safe standing areas, with seats replaced by handrails. The audit identified that the seating issue was caused by a bracket system, the issue has been rectified.
- (2) Affected customers were relocated elsewhere during the event. Where patrons chose not to be relocated, they were offered tickets to future events or refunds.
- (3) The northern end of the stadium has two major entry and exit gates (three and five) which connect patrons to the public plazas on Moore Park Road, gate four is used for entry only.

6 OCTOBER 2022

(Paper No. 841)

- 9618 ENVIRONMENT AND HERITAGE—NSW CLEAN AIR STRATEGY—Ms Sue Higginson to ask the Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism representing the Minister for Environment and Heritage—
- (1) How many submissions were received for the NSW Clean Air Strategy Consultation?
 - (2) Of the submissions received, how many called for:
 - (a) Weaker regulations on wood heater pollution than those in the NSW Clean Air Strategy 2021-30?
 - (b) The current wood heater regulations to be kept?
 - (c) Stricter proposals to reduce wood heater pollution than found in the NSW Clean Air Strategy 2021-30?
 - (3) Of the stricter proposals of (2)(c), how many of them called for:
 - (a) Wood heaters to be removed when houses are sold?
 - (b) A stricter emissions limit than the current limit of 1.5g/kg?
 - (c) An obligation to consult neighbours before installing new wood heaters?
 - (d) Improved procedures for dealing with complaints about wood heater pollution?

- (e) Any other additional measures to reduce wood heater pollution?
 - (i) What additional measures were called for?

9619 ATTORNEY GENERAL—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence representing the Attorney General—

- (1) Since 1 January 2022, how many Senior Executives in the Department of Communities and Justice have been terminated under Section 41 of the Government Sector Employment Act 2013?
- (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?

9620 CUSTOMER SERVICE AND DIGITAL GOVERNMENT—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Finance, and Minister for Employee Relations representing the Minister for Customer Service and Digital Government, Minister for Small Business, and Minister for Fair Trading—

- (1) Since 1 January 2022, how many Senior Executives in the Department of Customer Service have been terminated under Section 41 of the Government Sector Employment Act 2013?
- (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?

9621 ENTERPRISE, INVESTMENT AND TRADE—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Education and Early Learning representing the Minister for Skills and Training, Minister for Science, Innovation and Technology, Minister for Enterprise, Investment and Trade, and Minister for Sport—

- (1) Since 1 January 2022, how many Senior Executives in the Department of Enterprise, Investment and Trade have been terminated under Section 41 of the Government Sector Employment Act 2013?
- (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?

9622 ENVIRONMENT AND HERITAGE—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism representing the Minister for Environment and Heritage—

- (1) Since 1 January 2022, how many Senior Executives in the Department of Planning and Environment have been terminated under Section 41 of the Government Sector Employment Act 2013?
- (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?

9623 FAMILIES AND COMMUNITIES—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Families and Communities, and Minister for Disability Services—

- (1) Since 1 January 2022, how many Senior Executives in the Department of Communities and Justice have been terminated under Section 41 of the Government Sector Employment Act 2013?
 - (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?
- 9624 HEALTH—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Women, Minister for Regional Health, and Minister for Mental Health representing the Minister for Health—
- (1) Since 1 January 2022, how many Senior Executives in NSW Health have been terminated under Section 41 of the Government Sector Employment Act 2013?
 - (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?
- 9625 PLANNING—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle 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) Since 1 January 2022, how many Senior Executives in the Department of Planning and Environment have been terminated under Section 41 of the Government Sector Employment Act 2013?
 - (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?
- 9626 PREMIER—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Finance, and Minister for Employee Relations representing the Premier—
- (1) Since 1 January 2022, how many Senior Executives in the Department of Premier and Cabinet have been terminated under Section 41 of the Government Sector Employment Act 2013?
 - (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?
- 9627 REGIONAL NEW SOUTH WALES—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Education and Early Learning representing the Deputy Premier, Minister for Regional New South Wales, and Minister for Police—
- (1) Since 1 January 2022, how many Senior Executives in the Department of Regional NSW have been terminated under Section 41 of the Government Sector Employment Act 2013?
 - (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?

9628 TRANSPORT—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence representing the Minister for Transport, Minister for Veterans, and Minister for Western Sydney—

- (1) Since 1 January 2022, how many Senior Executives in Transport for NSW have been terminated under Section 41 of the Government Sector Employment Act 2013?
- (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?

9629 TREASURER—SENIOR EXECUTIVES TERMINATION—The Hon. Adam Searle to ask the Minister for Finance, and Minister for Employee Relations representing the Treasurer, and Minister for Energy—

- (1) Since 1 January 2022, how many Senior Executives in NSW Treasury have been terminated under Section 41 of the Government Sector Employment Act 2013?
- (2) Of the staff terminated how many:
 - (a) Are women?
 - (b) Identify as Aboriginal or Torres Strait Islander?
 - (c) Have a disability or required a reasonable workplace adjustment?

David Blunt
Clerk of the Parliament