



LEGISLATIVE COUNCIL

**QUESTIONS  
AND  
ANSWERS**

No. 243

THURSDAY 30 APRIL 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

| <b>Publication of Questions</b>                     | <b>Answer to be lodged by</b> |
|-----------------------------------------------------|-------------------------------|
| Q & A No. 230 (Including Question Nos 1209 to 1210) | 30 April 2020                 |
| Q & A No. 231 (Including Question Nos 1211 to 1215) | 05 May 2020                   |
| Q & A No. 232 (Including Question Nos 1216 to 1225) | 06 May 2020                   |
| Q & A No. 233 (Questions—Nil)                       | -                             |
| Q & A No. 234 (Questions—Nil)                       | -                             |
| Q & A No. 235 (Including Question Nos 1226 to 1249) | 11 May 2020                   |
| Q & A No. 236 (Including Question Nos 1250 to 1251) | 12 May 2020                   |
| Q & A No. 237 (Including Question Nos 1252 to 1260) | 13 May 2020                   |
| Q & A No. 238 (Including Question Nos 1261 to 1267) | 14 May 2020                   |
| Q & A No. 239 (Including Question Nos 1268 to 1280) | 15 May 2020                   |
| Q & A No. 240 (Including Question Nos 1281 to 1297) | 18 May 2020                   |
| Q & A No. 241 (Including Question Nos 1298 to 1302) | 19 May 2020                   |
| Q & A No. 241 (Including Question Nos 1303 to 1303) | 21 May 2020                   |
| Q & A No. 241 (Including Question Nos 1304 to 1311) | 19 May 2020                   |
| Q & A No. 242 (Including Question Nos 1312 to 1312) | 20 May 2020                   |
| Q & A No. 243 (Including Question Nos 1313 to 1320) | 21 May 2020                   |

**9 APRIL 2020**

(Paper No. 230)

- \*1209 ATTORNEY GENERAL—HOME BUILDING DISPUTES REFERRED TO NCAT—Mr Latham asked the Minister for Education and Early Childhood Learning representing the Attorney General, and Minister for the Prevention of Domestic Violence—

In relation to home building disputes referred to the NSW Civil and Administrative Tribunal (NCAT):

- (1) Are there any current circumstances allowing NCAT to overrule a prior court decision where a person has been convicted of Home Building offences and ordered to repay costs?
  - (a) If so, what are those conditions?
- (2) Following a successful court prosecution of someone convicted of Home Building Offences, under what circumstances can the Department of Fair Trading refer the victim to NCAT for compensation?
- (3) If a prior court ruling awarding costs to a victim has been overruled by NCAT, what current avenues are available to the victim to recoup their losses?
- (4) Under what circumstances is the Victim Rights and Support Act 2013 an appropriate avenue for victim compensation associated with losses arising from a conviction relating to home building offences?

Answer—

I am advised:

The NSW Civil and Administrative Tribunal (NCAT) cannot overrule a court decision.

NSW Fair Trading cannot refer a victim of a home building offence to NCAT for compensation.

The Victims Rights and Support Act 2013 (the Act) is not an appropriate avenue for compensation of losses arising from a conviction relating to home building offences. The Act provides counselling and financial support to victims that have sustained injuries as a result of violent crime.

**30 APRIL 2020**

(Paper No. 243)

- 1313 POLICE AND EMERGENCY SERVICES—2019-20 BUSHFIRE SEASON STATISTICS—Mr Field to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Minister for Police and Emergency Services—

- (1) For each bushfire that burnt more than 200 hectares of land from 1 October 2019 to present, can the Minister provide the following in a table format:
  - (a) Commencement date of fire?
  - (b) Fire name?
  - (c) Origin location and tenure description, for example, the name of national park, name of state forest, Crown land or private land?
  - (d) Area burnt in hectares?
  - (e) Suspected cause?

- 1314 HEALTH AND MEDICAL RESEARCH—COVID-19 INFECTIONS AND THE RUBY PRINCESS CRUISE SHIP—Mr Banasiak to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Health and Medical Research—

- (1) What is the total number of Ruby Princess, voyage number RU2007, passengers and crew members who have tested positive for COVID-19 at any time since 18 March 2020?
- (2) Has contact tracing been conducted on every passenger and crew member who tested positive to

COVID-19 by NSW Health?

- (a) If not, how many passengers and crew members of Ruby Princess, voyage number RU2007, have been subject to contact tracing by NSW Health?
- (3) What is the total number of people across Australia to have tested positive for COVID-19 after coming into contact with Ruby Princess, voyage number RU2007, passengers and crew members, including secondary infections?

1315 WATER, PROPERTY AND HOUSING—WATER ACCOUNTS HELD BY THE NSW DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT—Mr Banasiak to ask the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing—

- (1) Regarding water accounts held by the NSW Department of Planning, Industry and Environment (DPIE) on behalf of the environment for both the Murray and Murrumbidgee Rivers, can the Minister provide the following:
  - (a) Opening balance as at 1 July 2019?
  - (b) Allocations received between 1 July 2019 and 31 March 2020?
  - (c) Amount of water traded in to DPIE water accounts between 1 July 2019 and 31 March 2020?
  - (d) Amount of water sold by DPIE to other water holders between 1 July 2019 and 31 March 2020?
  - (e) Amount of water used by DPIE between 1 July 2019 and 31 March 2020?
  - (f) Water lost as forgone carryover between 1 July 2019 and 31 March 2020?
  - (g) Closing balance as at 31 March 2020?
  - (h) The amount of water to be carried over post-July 2020?

1316 POLICE AND EMERGENCY SERVICES—COMMISSIONER'S REVIEW OF POLICE CONDUCT—Mr Banasiak to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Minister for Police and Emergency Services—

- (1) In the case of *R v Adam Patrick Hassard* heard in December 2016, the Magistrate made the following comments in their ruling "...I have already indicated that but in the absence of those officers to rebut what has been put by the complainant in these proceedings there are some very, very concerning conduct by those officers and I suspect it is being reviewed. I hope it is being reviewed by the commissioner." Regarding these comments:
  - (a) Was the conduct of the officers cited by the Magistrate referred to the Commissioner for investigation?
    - (i) If not, what was the justification for not referring this matter for investigation?
    - (ii) If so, what was the outcome of this investigation?

1317 ENERGY AND ENVIRONMENT—EXPENDITURE OF THE NATIONAL PARK AND WILDLIFE SERVICE ON SHOOTING ACTIVITIES—Mr Banasiak to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Minister for Energy and Environment—

- (1) What has been the total expenditure by the National Park and Wildlife Service (NPWS) spent from 2018 to 2020 on the following:
  - (a) Aerial shooting?
  - (b) Ground shooting?
  - (c) Dissection of both aerial and ground shooting by the following categories:
    - (i) Man hours from end to end?
    - (ii) Ammunition discharged and utilised?
    - (iii) Firearms costs including maintenance?
    - (iv) Numbers of animals culled including their species?

1318 PREMIER—STATE LIBRARY AND COOK BICENTENARY PUBLICATIONS—Mr Latham to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Premier—

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- (1) In its public programs, does the State Library of NSW run anything other than material relating to identity politics and Indigenous Affairs?
- (a) If so, what are the details?
- (2) In marking the 250th anniversary of the landing of James Cook at Botany Bay on 29 April 2020, why did the State Library commence its public presentation of information with the words, "On this day in 1770 the Gweagal people of Kamay discovered James Cook and the Endeavour"?
- (3) In question 2 above, what information did the State Library present to the people of New South Wales detailing the achievements of Captain Cook and the crew of The Endeavour?
- (4) Why did the State Library on 29 April 2020 publish on social media material from the Australian Broadcasting Corporation (ABC) in which an Indigenous woman, Ms Adler, claimed that her grandfather, named Cooman, was one of the two men who protested Captain Cook's landing 250 years earlier at Botany Bay and, in fact, according to Adler, "my grandfather was shot" by Captain Cook's landing party?
- (5) Why did the State Library's blog on 29 April 2020 describe the Prime Minister of Australia at the bicentennial Cook celebrations in 1970 as John McEwen?
- (6) In questions 4 and 5 above, what action is the Government taking to improve the standard of scholarship at the State Library of NSW and eliminate the publication of fake history?
- (a) What action has been taken against the staff who so badly misled the people of NSW in these matters?
- 1319 EDUCATION AND EARLY CHILDHOOD LEARNING—GUEST APPEARANCE PAYMENT FOR PROGRAMS—Mr Latham to ask the Minister for Education and Early Childhood Learning—
- (1) Does the Department of Education pay people for guest appearances in its #EducationLive and #LearnFromHome programs?
- (a) If so, who has been paid?
- (b) How much were they paid?
- (c) For what purpose were they paid?
- 1320 PREMIER—PREMIER'S LITERARY AWARDS—Mr Latham to ask the Minister for Finance and Small Business, Vice-President of the Executive Council representing the Premier—
- (1) Who is on the selection panel for the Premier's Literary Awards hosted by the State Library of NSW?
- (2) Why was the 2020 Glenda Adams Award for New Writing awarded to someone who commenced their acceptance speech as follows: "Hello, I am SL Lim, author of Real Differences and Revenge, a forthcoming novel about abolishing the family"?
- (3) In the 2020 Premier's Literary Awards, how many category winners did not write works consistent with the purpose of Left-wing politics, such as in post-modernism, identity politics and Indigenous Affairs?

David Blunt  
Clerk of the Parliaments