

General Purpose Standing Committee No 5

Budget Estimates 2011-2012

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Terms of reference

1. That upon tabling, the Budget Estimates and related papers for the financial year 2011-2012 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report.

2. That the initial hearings be scheduled as follows:

Day One: Monday 24 October 2011

GPSC1	Finance and Services, the Illawarra	9.00 am – 1.00 pm
GPSC2	Ageing, Disability Services	9.00 am – 11.00 am
GPSC2	Education	11.10 am – 1.45 pm
GPSC5	Primary Industries, Small Business	11.15 am – 1.00 pm
GPSC1	Trade and Investment	2.00 pm – 3.30 pm
GPSC2	Health, Medical Research	2.00 pm – 6.00 pm
GPSC1	Planning and Infrastructure	3.45 pm – 6.00 pm

Day Two: Tuesday 25 October 2011

GPSC1	Treasury	9.00 am – 1.00 pm
GPSC3	Regional Infrastructure and Services	9.00 am – 11.00 am
GPSC3	The Legislature	11.15 am – 12.00 pm
GPSC3	Special Minister of State, the Central Coast	12.15 pm – 1.00 pm
GPSC1	Premier, Western Sydney	2.00 pm – 6.00 pm
GPSC3	Transport	2.00 pm – 6.00 pm

Day Three: Wednesday 26 October 2011

GPSC2	Mental Health, Healthy Lifestyles, Western NSW	9.00am – 10.15am
GPSC2	Citizenship and Communities, Aboriginal Affairs	10.30 am – 12.00 pm
GPSC2	Sport and Recreation	12.15 pm – 1.00 pm
GPSC2	Education	2.00 pm – 6.00 pm
GPSC4	Attorney General, Justice	2.00 pm – 6.00 pm

Day Four: Thursday 27 October 2011

GPSC5	Environment, Heritage	9.00 am – 1.00 pm
GPSC4	Police and Emergency Services, the Hunter	2.00 pm – 6.00 pm
GPSC5	Local Government, the North Coast	2.00 pm – 3.30 pm
GPSC5	Fair Trading	3.45 pm – 5.45 pm

Day Five: Friday 28 October 2011

GPSC5	Resources and Energy	9.00 am – 1.00 pm
GPSC3	Tourism, Major Events, Hospitality and Racing, Arts	9.00 am – 1.00 pm
GPSC2	Family and Community Services, Women	2.00 pm – 4.30 pm
GPSC3	Roads and Ports	2.00 pm – 6.00 pm

3. That an initial round of supplementary hearings be scheduled as follows:

Day One: Monday 28 November 2011

GPSC 1
GPSC 2

Day Two: Tuesday 29 November 2011

GPSC 1
GPSC 3

Day Three: Wednesday 30 November 2011

GPSC 4
GPSC 2

Day Four: Thursday 1 December 2011

GPSC 4
GPSC 5

Day Five: Friday 2 December 2011

GPSC 5
GPSC 3

4. That each scheduled day for the initial round of hearings will begin at 9:00 am and conclude by 6:00 pm.
5. The committees must hear evidence in public.
6. The committees may ask for explanations from Ministers in the House, or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure.
7. There is no provision under this resolution for a Minister or officer of a Department to make an opening statement before the committee commences questions.
8. A daily Hansard record is to be published as soon as practicable after each day's proceedings.
9. The committees are to present a final report to the House by the last sitting day of the first sitting week in February 2012.
10. Members may lodge questions on notice with the Clerk to the committee during a Budget Estimates hearing and up to two days following.
11. All answers to questions taken on notice during the hearing, and questions on notice lodged up to two days following the hearing, must be provided within 21 days, or as otherwise determined by the committee.

The terms of reference were referred to the Committee by the House on 12 May 2011, see *LC Minutes* (12/05/2011) 102-103, Item 7; as amended by *LC Minutes* (24/08/2011) 362-363, Item 8; as amended by *LC Minutes* (12/10/2011) 476, Item 3; as amended by *LC Minutes* (21/10/2011) 547, Item 4.

Committee membership

The Hon Robert Brown MLC	The Shooters and Fishers Party	<i>(Chair)</i>
The Hon Jeremy Buckingham MLC	The Greens	<i>(Deputy Chair)</i>
The Hon Rick Colless MLC	The Nationals	
The Hon Greg Donnelly MLC	Australian Labor Party	
The Hon Scot MacDonald MLC	Liberal Party	
The Hon Dr Peter Phelps	Liberal Party	
The Hon Peter Primrose MLC	Australian Labor Party	

Non-substantive members who attended the hearings

The Hon Jan Barham MLC	The Greens
The Hon Sophie Cotsis MLC	Australian Labor Party
Ms Cate Faehrmann MLC	The Greens
The Hon Amanda Fazio MLC	Australian Labor Party
The Hon Luke Foley MLC	Australian Labor Party
Dr John Kaye MLC	The Greens
The Hon Trevor Khan MLC	The Nationals
The Hon Sarah Mitchell MLC	The Nationals
The Hon Shaoquett Moselmane MLC	Australian Labor Party
The Hon Eric Roozendaal MLC	Australian Labor Party
The Hon Walter Secord MLC	Australian Labor Party
Mr David Shoebridge MLC	The Greens
The Hon Helen Westwood MLC	Australian Labor Party
The Hon Steve Whan MLC	Australian Labor Party

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Chair's foreword

I am pleased to present the report of General Purpose Standing Committee No. 5 on the 2011-2012 Budget Estimates. The Committee examined the following portfolio areas:

- Primary Industries
- Small Business
- The Environment
- Heritage
- Local Government
- The North Coast
- Fair Trading
- Resources and Energy

On behalf of the Committee, I would like to thank the Ministers and other witnesses who gave evidence during the inquiry.



The Hon Robert Brown MLC

Chair

Chapter 1 Introduction

Referral of the 2011-2012 Budget Estimates

- 1.1 On 12 May 2011, the Legislative Council resolved that ‘the Budget Estimates and related papers for the financial year 2011-2012 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report’.¹
- 1.2 Each Committee was to examine the Budget Estimates for the relevant portfolios and report to the house by the last sitting day of the first sitting week in February 2012.

Hearings

- 1.1 The Committee held six public hearings as follows:
- Monday 24 October 2011 – Primary Industries, Small Business
 - Thursday 27 October 2011 – Environment, Heritage
 - Thursday 27 October 2011 – Local Government, the North Coast
 - Thursday 27 October 2011 – Fair Trading
 - Friday 28 October 2011 – Resources and Energy
 - Thursday 1 December 2011 – Environment (supplementary hearing).
- 1.2 A brief summary of the key issues raised during the hearings is contained in Chapter 2.

Transcripts

- 1.3 Transcripts of the hearings are available on the Committee's web page at www.parliament.nsw.gov.au/gpsc5

Questions on notice

- 1.4 Questions taken on notice, and the answers to these questions, are also available on the Committee's web page.

¹ *LC Minutes* (12/05/2011) 102-103, Item 7; as amended by *LC Minutes* (24/08/2011) 362-363, Item 8; as amended by *LC Minutes* (12/10/2011) 476, Item 3; as amended by *LC Minutes* (21/10/2011) 547, Item 4.

Chapter 2 Issues raised during hearings

This chapter provides a brief summary by portfolio of the key issues raised the hearings.

Primary Industries, Small Business

2.1 A hearing examining the portfolios of Primary Industries and Small Business was held on Monday 24 October 2011. The following issues were raised:

Primary Industries:

- Redundancies in the Department of Primary Industries
- Forests NSW plantation levels
- Murray Darling Basin Strategy
- Strategic regional land use planning
- Game Council of NSW
- Bio-security measures to protect animal and plant industries
- Water policies for regional and rural NSW
- Opportunities for recreational fishers in NSW.

Small Business:

- Establishment of the office of the Small Business Commissioner
- Reduction in regulations for small businesses
- Measures to boost small business confidence
- Incorporation of the Retail Tenancies Unit into the office of the Small Business Commissioner.

Environment, Heritage

2.2 A hearing examining the portfolios of Environment and Heritage was held on Thursday 27 October 2011. The following issues were raised:

Environment:

- Protection of koalas as a vulnerable species
- Management of pest animals, weeds and fires in national parks
- Possible contamination of the Macleay River
- Statutory review of Threatened Species Conservation Act 1995
- Logging yield in South West cypress forests

- Audit of Orica Kooragang Island plant
- Coastal management and sea level rises.

Heritage:

- Fig trees in Laman Street, Newcastle
- Membership and funding of Heritage Council
- Protection of heritage items.

Local Government, the North Coast

2.3 A hearing examining the portfolios of Local Government and the North Coast was held on Thursday 27 October 2011. The following issues were raised:

Local Government:

- Local government autonomy
- Employment diversity in the local government sector
- Potential amalgamation of councils and the viability of smaller councils
- The eligibility of North Coast councils for funding from the Local Council Renewal Scheme and Infrastructure Fund
- The use of council rates to fund public transport for the Barangaroo development
- Outsourcing road maintenance to the private sector.

North Coast:

- The closure of the meat works at Grafton
- Public sector job losses on the North Coast
- The impact of tourism
- The location of the *Splendour in the Grass Festival*
- Creative arts in the North Coast.

Fair Trading

2.4 A hearing examining the Portfolio of Fair Trading was held on Thursday 27 October 2011. The following issues were raised:

- The number of people employed in the Office of Fair Trading and the location of regional offices
- Efficiency dividend imposed by NSW Treasury
- 'Price gouging' from information technology companies

- The Strata Scheme Management Act 1996
- High-fronted gutters and compliance with the Building Code of Australia
- Loyalty programs and consumer affairs
- Purchase of flood-damaged vehicles
- Potential merging of State tribunals, including the Consumer, Trader and Tenancy Tribunal
- Investigation into Zeon Events.

Resources and Energy

2.5 A hearing examining the portfolio of Resources and Energy was held on Friday 28 October 2011. The following issues were raised:

- Fire at Eraring Power Station
- Special Commission of Inquiry into the Electricity Transactions conducted by Justice Brian Tamberlin
- Energy prices and Government assistance measures
- Progress towards the 2020 renewable energy target
- Coal seam gas activities including the Strategic Land Use Study to inform the location of coal seam gas activities
- Wallarah Coal Mine
- Mining royalties in NSW.

Environment (Supplementary hearing)

2.6 A supplementary hearing examining the portfolio of Environment was held on Thursday 1 December 2011. The following issues were raised:

- State's recovery plan for Koalas
- Nuclear waste storage
- Regulating the Strait's Hillgrove mine
- Safety measures at Kooragang Island's Orica facility
- Pilliga State Conservation Areas
- Conservation of Cumberland Plain Woodland
- Logging in national parks
- Monitoring of coal dust and air quality in Upper Hunter and Newcastle areas.

Appendix 1 Witnesses

1. Primary Industries, Small Business – Monday 24 October 2011

Name	Position and Organisation
The Hon Katrina Hodgkinson MP	Minister for Primary Industries, and Minister for Small Business
Dr Richard Sheldrake	Director General, Department of Primary Industries
Mr Barry Buffier	Deputy Director General, Department of State and Regional Development and Tourism
Mr Michael Cullen	Executive Director, Enterprise, Small Business and Regional Development
Mr David Harriss	Commissioner, NSW Office of Water
Mr Nick Roberts	Chief Executive Officer, Forests NSW
Mr Michael Bullen	Chief Executive Officer, Sydney Catchment Authority
Mr Yasmin King	Small Business Commissioner NSW

2. Environment, Heritage – Thursday 27 October 2011

Name	Position and Organisation
The Hon Robyn Parker MP	Minister for the Environment, and Minister for Heritage
Ms Lisa Corbyn	Chief Executive, Office of Environment and Heritage
Ms Sally Barnes	Deputy Chief Executive, Office of Environment and Heritage
Mr Greg Sullivan	Deputy Chief Executive, Office of Environment and Heritage
Mr Bernard Carlon	Acting Deputy Chief Executive, Office of Environment and Heritage
Mr Neil Hayman	Director Finance, Office of Environment and Heritage

3. Local Government, the North Coast – Thursday 27 October 2011

Name	Position and Organisation
The Hon Donald Page MP	Minister for Local Government, and Minister for the North Coast
Mr Steve Orr	Acting Deputy Chief Executive, Division of Local Government, Department of Premier and Cabinet
Mr Grahame Gibbs	Director, Performance Management and Compliance, Division of Local Government, Department of Premier and Cabinet
Ms Julie Byers	Regional Coordinator North Coast, Department of Premier and Cabinet
Mr John Scott	Director Regional Coordination, Department of Premier and Cabinet

4. Fair Trading – Thursday 27 October 2011

Name	Position and Organisation
The Hon Anthony Roberts MP	Minister for Fair Trading
Mr Rod Stowe	Commissioner for Fair Trading
Mr John Tansey	Assistant Commissioner, Home Building Service, NSW Fair Trading
Mr Don Jones	Assistant Commissioner, Compliance and Enforcement, NSW Fair Trading
Mr Andrew Gavrielatos	Assistant Commissioner, Customer Services, NSW Fair Trading

Name	Position and Organisation
Ms Susan Dixon	Director, Fair Trading Policy, NSW Fair Trading
Mr Michael Silk	Director, Reform Co-ordination Unit, Department of Finance of Finance and Services

5. Resources and Energy – Friday 28 October 2011

Name	Position and Organisation
The Hon Chris Hartcher MP	Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast
Mr Mark Paterson AO	Director General, Department of Trade and Investment, Regional Infrastructures and Services
Mr Mark Duffy	Deputy Director General, Resources and Energy, Department of Trade and Investment, Regional Infrastructures and Services
Mr Brad Mullard	Executive Director, Mineral Resources and Energy, Department of Trade and Investment, Regional Infrastructures and Services

Appendix 2 Minutes

Minutes No. 6

Friday 7 October 2011

General Purpose Standing Committee No 5

Room 1153, Parliament House, Sydney at 10.15 am

1. Members present

Mr Brown, *Chair*

Mr Buckingham, *Deputy Chair*

Mr Donnelly

Mr MacDonald

Mr Phelps

Mr Primrose

2. Apologies

Mr Colless

3. Draft minutes

Resolved, on the motion of Mr MacDonald: That draft Minutes no. 4 and 5 be confirmed.

4. ***

5. Inquiry into Budget Estimates 2011-2012 – procedural resolutions

5.1 Allocation of question time

Resolved, on the motion of Mr Phelps:

That for the initial round of hearings into the Budget Estimates 2011-2012, the sequence of questions to be asked alternate between Opposition, Cross Bench and Government members, in that order, with 20 minutes allocated to each.

5.2 Publication of answers to questions on notice

Resolved, on the motion of Mr Buckingham: That the Committee authorise the Clerk of the Committee to publish the answers provided to questions on notice, except those answers for which confidentiality is requested, after these answers have been circulated to committee members.

Order for examination of portfolios:

Resolved, on the motion of Mr MacDonald: That on

- Monday 24 October 2011 the Primary Industries portfolio be examined from 11.15am – 12.15pm and Small Business from 12.15pm – 1pm
- Thursday 27 October 2011 the Environment portfolio be examined from 9am-12pm and Heritage from 12pm – 1pm.
- Thursday 27 October 2011 the Local Government portfolio be examined from 2pm – 2.45pm and the North Coast from 2.45pm- 3.30pm.

5.3 Witness requests

The Committee noted that if members have requests for specific witnesses, they should advise the Secretariat as soon as possible.

5.4 Morning/Afternoon tea

The Committee noted that morning tea will arrive at 10.15 am and afternoon tea at 3.15 pm. For long hearings, the Chair may decide to have a brief break at this time.

6. ***

7. Adjournment

The Committee adjourned at 12pm until 11.15am, Monday 24 October 2011 (Budget Estimates)

Madeleine Foley

Clerk to the Committee

Minutes No 7

Monday 24 October 2011

General Purpose Standing Committee No 5

Waratah Room, Parliament House, Sydney, at 11.05 am

1. Members present

Mr Brown (*Chair*)

Mr Buckingham (*Deputy Chair*) (at 11.25am)

Mr Colless

Mr Khan (*Dr Phelps*)

Mr MacDonald

Mr Primrose

Mr Whan (*Mr Donnelly*)

2. Substitute members

The Chair advised that the following members would be substituting for the hearing:

- Mr Khan for Dr Phelps
- Mr Whan for Mr Donnelly.

3. Correspondence

The Committee noted the following items of correspondence:

Received:

- 18 October 2011 – From the Hon Amanda Fazio MLC to the Secretariat advising of the Opposition's request for witnesses to attend the Budget Estimates hearings for 2011-2012.
- 19 October 2011 – From Minister Hartcher, Minister for Resources and Energy, to the Secretariat in relation to the Opposition's request for witnesses
- 19 October 2011– From Minister Page, Minister for Local Government and Minister for the North Coast, to the Secretariat in relation to the Opposition's request for witnesses
- 19 October 2011 – From Minister Hodgkinson, Minister for Primary Industries and Minister for Small Business, to the Secretariat in relation to the Opposition's request for witnesses
- 19 October 2011 – From Minister Roberts, Minister for Fair Trading, to the Secretariat in relation to the Opposition's request for witnesses
- 19 October 2011 – From Minister Parker, Minister for Environment and Heritage, to the Secretariat in relation to the Opposition's request for witnesses.

Sent:

- 30 August 2011 – From Clerk Assistant, Committees to Minister Hodgkinson, Minister for Primary Industries and Small Business, regarding the Minister’s scheduled appearance at the Inquiry into the Budget Estimates 2011-2012
- 30 August 2011 – From Clerk Assistant, Committees to Minister Parker, Minister for Environment and Heritage, regarding the Minister’s scheduled appearance at the Inquiry into the Budget Estimates 2011-2012
- 30 August 2011 – From Clerk Assistant, Committees to Minister Page, Minister for Local Government and the North Coast, regarding the Minister’s scheduled appearance at the Inquiry into the Budget Estimates 2011-2012
- 30 August 2011 – From Clerk Assistant, Committees to Minister Roberts, Minister for Fair Trading, regarding the Minister's scheduled appearance at the Inquiry into the Budget Estimates 2011-2012
- 30 August 2011 – From Clerk Assistant, Committees to Minister Hartcher, Minister for Resources and Energy, regarding the Minister's scheduled appearance at the Inquiry into the Budget Estimates 2011-2012.

4. Public hearing: Inquiry into Budget Estimates 2011-2012 – Primary Industries, Small Business

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair reminded Minister Hodgkinson that she did not need to be sworn, as she had sworn an oath to her office as a member of Parliament.

The following officials from departments, statutory bodies or corporations were sworn:

- Dr Richard Sheldrake, Director General, Department of Primary Industries
- Mr David Harriss, Commissioner, NSW Office of Water
- Mr Nick Roberts, Chief Executive Officer, Forests NSW
- Mr Michael Bullen, Chief Executive Officer, Sydney Catchment Authority.

The Chair then declared the proposed expenditure for the portfolio of Primary Industries open for examination.

The Minister and other witnesses were examined by the Committee.

The Minister tendered the following document:

- Answer to question regarding Crown Lands and Catchment Management Authorities.

The evidence concluded and the departmental witnesses withdrew.

Mr Buckingham left the meeting.

The following officials from departments, statutory bodies or corporations were sworn:

- Mr Michael Cullen, Executive Director, Enterprise, Small Business and Regional Development
- Mr Barry Buffier, Deputy Director General, Department of Trade and Investment
- Ms Yasmin King, Small Business Commissioner NSW
- Mr Sheldrake was examined under former oath.

The Chair then declared the proposed expenditure for the portfolio of Small Business open for examination.

The Minister and other witnesses were examined by the Committee.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 1.00 pm. The public and media withdrew.

5. Deliberative meeting

5.1 Tendered documents

Resolved, on the motion of Mr Khan: That the Committee accept and publish the following tendered document:

- Answer to question regarding Crown Lands and Catchment Management Authorities, tendered by Minister Hodgkinson.

5.2 Supplementary hearings

Mr Whan moved: That the Committee hold a further hearing to consider matters relating to the portfolio of Primary Industries.

Question put and negatived.

Mr Khan moved: That the Committee hold no further hearings to consider matters relating to the portfolio of Primary Industries.

Question put.

The Committee divided.

Ayes: Mr Colless, Mr Khan, Mr MacDonald

Noes: Mr Primrose, Mr Whan.

Question resolved in the affirmative.²

Resolved, on the motion of Mr Colless: That the Committee hold no further hearings to consider matters relating to the portfolio of Small Business.

6. Adjournment

The Committee adjourned at 1.05 pm until Thursday 27 October 2011, at 8.50 am.

Cathryn Cummins

Clerk to the Committee

Minutes No 8

Thursday 27 October 2011

General Purpose Standing Committee No 5

Macquarie Room, Parliament House, Sydney, at 8.50 am

1. Members present

Mr Brown (*Chair*)

Ms Faehrmann (*Buckingham - Environment*)

Mr Shoebridge (*Buckingham - Heritage*)

² The Chair abstained from the vote. However, as members who are present at a meeting cannot abstain from voting, the question will need to be put again at the next meeting. Please see Minutes No 8.

Mr Colless
 Mr MacDonald
 Dr Phelps
 Ms Fazio (*Donnelly*)
 Mr Primrose
 Mr Foley (*participating*)

2. Substitute members

The Chair advised that the following members would be substituting for the hearing:

- Ms Fazio for Mr Donnelly
- Ms Faehrmann for Mr Buckingham (*Environment*)
- Mr Shoebridge for Mr Buckingham (*Heritage*).

3. Participating members

The Chair advised Mr Foley was attending the hearing as a participating member.

4. Conduct of hearing

Resolved, on the motion of Dr Phelps: That during the Budget Estimates hearing for the portfolios of Environment and Heritage any time for questions not used by the Government not be allocated to the Opposition or Cross Bench and that the times for the examination of the portfolios be brought forward accordingly.

5. Public hearing: Inquiry into Budget Estimates 2011-2012 – Environment, Heritage

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair reminded Minister Parker that she did not need to be sworn, as she had sworn an oath to her office as a member of Parliament.

The following officials from departments, statutory bodies or corporations were sworn:

- Ms Lisa Corbyn, Chief Executive, Office of Environment and Heritage
- Ms Sally Barnes, Deputy Chief Executive, Office of Environment and Heritage
- Mr Greg Sullivan, Deputy Chief Executive, Office of Environment and Heritage
- Mr Bernard Carlon, Acting Deputy Chief Executive, Office of Environment and Heritage
- Mr Neil Hayman, Director Finance, Office of Environment and Heritage.

The Chair then declared the proposed expenditure for the portfolio of Environment open for examination.

The Minister and the departmental witnesses were examined by the Committee until 11.11 am

The evidence concluded and the Committee had a short recess until 11.20

The Chair then declared the proposed expenditure for the portfolio of Heritage open for examination.

The Minister and the departmental witnesses were examined by the Committee.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 12.02 pm.

The public and media withdrew.

6. Deliberative meeting

Supplementary hearings

Ms Fazio moved: That the Committee hold a further hearing to consider matters relating to the portfolio of Environment for a four hour period, at which the Minister be requested to attend, on a date to be determined by the Chair in consultation with Committee members.

Question put.

The Committee divided.

Ayes: Mr Brown, Ms Fazio, Mr Primrose, Mr Shoebridge

Noes: Mr Colless, Mr MacDonald, Dr Phelps

Question resolved in the affirmative.

Ms Fazio moved: That the Committee hold a further meeting to deliberate on supplementary hearings relating to the portfolio of Heritage on a date to be determined following receipt of answers to questions on notice.

Question put.

The Committee divided.

Ayes: Ms Fazio, Mr Primrose, Mr Shoebridge

Noes: Mr Brown, Mr Colless, Mr MacDonald, Dr Phelps

Question resolved in the negative.

Mr Colless moved: That the committee hold no further hearings to consider matters relating to the portfolio of Primary Industries.

Question put.

The Committee divided.

Ayes: Mr Brown, Mr Colless, Mr MacDonald, Dr Phelps

Noes: Mr Primrose, Ms Fazio, Mr Shoebridge

Question resolved in the affirmative.

7. Adjournment

The Committee adjourned at 12.13 pm until Thursday 27 October 2011, at 1.50 pm.

Merrin Thompson

Clerk to the Committee

Minutes No 9

Thursday 27 October 2011

General Purpose Standing Committee No 5

Macquarie Room, Parliament House, Sydney, at 1.53 pm

1. Members present

Mr Brown (*Chair*)

Ms Barham (*Mr Buckingham - North Coast*) (*Participating – Local Government*)

Mr Colless

Ms Cotsis (*Participating*)

Mr MacDonald
 Mrs Mitchell (*Dr Phelps*)
 Mr Moselmane (*Mr Donnelly*)
 Mr Shoebridge (*Mr Buckingham*) (*Local Government*)
 Ms Westwood (*Mr Primrose*)

2. Substitute members

The Chair advised that the following members would be substituting for the purposes of this hearing:

- Ms Barham to substitute for Mr Buckingham (*North Coast*)
- Mr Shoebridge to substitute for Mr Buckingham (*Local Government*)
- Mrs Mitchell to substitute for Dr Phelps
- Mr Moselmane to substitute Donnelly
- Ms Westwood to substitute for Mr Primrose.

3. Participating members

The Chair advised that the following members would be attending the meeting as participating members:

- Ms Cotsis
- Ms Barham (*Local Government*).

4. Conduct of hearing

Mr Colless indicated that the Government would not be asking questions.

Mr Shoebridge moved: That the sequence of questions for the portfolio of Local Government be Cross Bench and Opposition, in that order.

Question put.

The Committee divided.

Ayes: Mr Brown, Mr Colless, Mr MacDonald, Mrs Mitchell, Mr Shoebridge

Noes: Mr Moselmane, Ms Westwood.

Question resolved in the affirmative.

5. Public hearing: Inquiry into Budget Estimates 2011-2012 – Local Government, the North Coast

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair reminded Minister Page that he did not need to be sworn, as he had sworn an oath to his office as a Member of Parliament.

The following officials from departments, statutory bodies or corporations were sworn:

- Mr Grahame Gibbs, Director, Performance Management and Compliance, Division of Local Government, Department of Premier and Cabinet
- Mr Steve Orr, Acting Chief Executive, Division of Local Government, Department of Premier and Cabinet
- Ms Anne Guzman, Acting Director, Division of Local Government, Department of Premier and Cabinet
- Ms Julie Byers, Regional Coordinator North Coast, Department of Premier and Cabinet.

The Chair then declared the proposed expenditure for the portfolio of Local Government open for examination.

The Minister and the departmental witnesses were examined by the Committee.

The evidence concluded and the departmental witnesses withdrew.

The Chair then declared the proposed expenditure for the portfolio of the North Coast open for examination.

The Minister and the departmental witnesses were examined by the Committee.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 3.06 pm.

The public and media withdrew.

6. Deliberative meeting

Supplementary hearings

Resolved, on the motion of Ms Westwood: That the Committee hold a further meeting to deliberate on supplementary hearings relating to the portfolio of Local Government on a date to be determined following receipt of answers to questions on notice.

Resolved, on the motion of Mr Moselmann: That the Committee hold a further meeting to deliberate on supplementary hearings relating to the portfolio of North Coast on a date to be determined following receipt of answers to questions on notice.

7. Adjournment

The Committee adjourned at 3.11 pm until Thursday 27 October 2011, at 3.40 pm.

Stephen Frappell

Clerk to the Committee

Minutes No 10

Thursday 27 October 2011

General Purpose Standing Committee No 5

Macquarie Room, Parliament House, Sydney, at 3.45 pm

1. Members present

Mr Brown (*Chair*)

Mr Colless

Dr Kaye (*Buckingham*)

Mr MacDonald

Dr Phelps

Mr Roozendaal (*Primrose*)

Mr Secord (*Donnelly*)

2. Substitute members

The Chair advised that the following members would be substituting for the hearing:

- Dr Kaye to substitute for Mr Buckingham
- Mr Roozendaal to substitute for Mr Primrose
- Mr Secord to substitute for Mr Donnelly.

3. Public hearing: Inquiry into Budget Estimates 2011-2012 – Fair Trading

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair reminded Minister Roberts that he did not need to be sworn, as he had sworn an oath to his office as a member of Parliament.

The following officials from departments, statutory bodies or corporations were sworn:

- Mr Rod Stowe, Commissioner for Fair Trading
- Mr Don Jones, Assistant Commissioner, Compliance and Enforcement, NSW Fair Trading
- Mr John Tansey, Assistant Commissioner, Home Building Service, NSW Fair Trading
- Mr Michael Silk, Director, Reform Co-ordination Unit, Department of Finance and Services.

The Chair then declared the proposed expenditure for the portfolio of Fair Trading open for examination.

The Minister and the departmental witnesses were examined by the Committee.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.40 pm.

The public and media withdrew.

4. **Deliberative meeting**

Supplementary hearings

Resolved, on the motion of Dr Kaye: That the Committee hold a further meeting to deliberate on supplementary hearings relating to the portfolio of Fair Trading on a date to be determined following receipt of answers to questions on notice.

5. **Adjournment**

The Committee adjourned at 5.45 pm until Friday 28 October 2011, at 8.50 am.

Cathryn Cummins

Clerk to the Committee

Minutes No. 11

Friday 28 October 2011

General Purpose Standing Committee No 5

Macquarie Room, Parliament House, Sydney, at 8.55 am

1. **Members present**

Mr Brown (*Chair*)

Mr Buckingham (*Deputy Chair*)

Mr Colless

Ms Fazio (*Primrose*)

Mr Donnelly

Mr MacDonald

Dr Phelps

Mr Foley (*participating – Energy*)

Dr Kaye (*participating – Energy*)

2. Substitute members

The Chair advised that the following member would be substituting for the hearing:

- Ms Fazio for Mr Primrose

3. Participating members

The Chair advised that the following members would be attending the meeting as participating members:

- Dr Kaye
- Mr Foley.

4. Conduct of hearing

Resolved, on the motion of Dr Phelps: That the Committee consider matters relating to Energy and Resources separately, with the time divided equally between the areas and allowing for a 10 minute break between examination of each area.

5. Public hearing: Inquiry into Budget Estimates 2011-2012 – Resources and Energy

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair reminded Minister Hartcher that he did not need to be sworn, as he had sworn an oath to his office as a member of Parliament.

The Chair also reminded Mr Mark Paterson AO, Director General, Department of Trade and Investment, Regional Infrastructure and Services that he did not need to be sworn, as he had been sworn at an earlier Budget Estimates hearing.

Mr Mark Duffy, Deputy Director General, Division of Resources and Energy was sworn.

The Chair then declared the proposed expenditure for the portfolio of Resources and Energy open for examination.

The Minister and the departmental witnesses were examined by the Committee.

Mr Foley and Dr Kaye left the meeting following consideration of the area of Energy.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 12.50 pm.

The public and media withdrew.

6. Deliberative meeting

Supplementary hearings

Resolved, on the motion of Ms Fazio: That the Committee hold a further meeting to deliberate on supplementary hearings relating to the portfolio of Resources and Energy following receipt of answers to questions on notice.

7. Adjournment

The Committee adjourned at 1.00 pm, *sine die*.

Madeleine Foley
Clerk to the Committee

Minutes No. 15

Thursday 17 November 2011

General Purpose Standing Committee No 5

9.15 am, Macquarie Room, Parliament House, Sydney

1. Members presentMr Brown, *Chair*Mr Buckingham, *Deputy Chair*

Mr Colless

Mr Donnelly

Mr MacDonald

Dr Phelps

Mr Primrose

2. *****3. Inquiry into Budget Estimates – supplementary hearing**

Mr MacDonald sought leave to move without notice: That the Committee rescind its decision of 27 October 2011 to hold a further hearing to consider matters relating to the portfolio of Environment for a four hour period, at which the Minister be requested to attend, on a date to be determined by the Chair in consultation with Committee members.

Objection not taken.

Question put.

The Committee divided.

Ayes: Mr Colless, Mr MacDonald, Dr Phelps

Noes: Mr Brown, Mr Donnelly, Mr Primrose, Mr Buckingham

Question resolved in the negative.

Resolved, on the motion of Mr Primrose: That the Minister and the public officials listed on the original witness schedule be invited to attend the supplementary hearing. Further, if the Minister is unable to attend, the Committee will require the attendance of the public officials only, who are:

- Ms Lisa Corbyn, Chief Executive, Office of Environment and Heritage
- Ms Sally Barnes, Deputy Chief Executive, Office of Environment and Heritage
- Mr Greg Sullivan, Deputy Chief Executive, Office of Environment and Heritage
- Mr Bernard Carlon, Acting Deputy Chief Executive, Office of Environment and Heritage
- Mr Neil Hayman, Director Finance, Office of Environment and Heritage.

4. *****5. *******6. Adjournment**

The Committee adjourned at 5 pm until Friday 25 November 2011, Members' Lounge, Parliament House.

Madeleine Foley

Clerk to the Committee

Minutes No. 16

Friday 25 November 2011

General Purpose Standing Committee No 5

9:01 am, Members Lounge, Parliament House, Sydney

1. Members presentMr Brown (*Chair*)

Mr Colless

Mr MacDonald

Dr Phelps

Mr Primrose

2. Apologies

Mr Donnelly.

3. Draft minutes

Resolved, on the motion of Mr Colless: That draft Minutes 13, 14 and 15 be confirmed.

4. Inquiry into Budget Estimates 2011-2012**4.1 Correspondence**

The Committee noted the following items of correspondence.

Sent:

- 22 November 2011 – From Committee Clerk to Minister for Environment, regarding a supplementary hearing on 1 December 2011.

Received:

- 17 November 2011 – From Minister Hodgkinson to the Chair, regarding answers to questions on notice for the Budget Estimates portfolios of Primary Industries, Small Business.
- 22 November 2011 – From Minister Parker to the Chair, regarding answers to questions on notice for the Budget Estimates portfolios of Environment, Heritage.
- 22 November 2011 – From Minister Page to the Chair, regarding answers to questions on notice for the Budget Estimates portfolios of Local Government, the North Coast.
- 22 November 2011 – From Minister Roberts to the Chair, regarding answers to questions on notice for the Budget Estimates portfolio of Fair Trading.
- 23 November 2011 – From Minister Hartcher to the Chair, regarding answers to questions on notice for the Budget Estimates portfolio of Resources and Energy.

4.2 Supplementary hearings

Resolved, on the motion of Mr Colless: That the Committee hold no further hearings to consider matters relating to the portfolios of Local Government, the North Coast, Fair Trading and Resources and Energy.

4.3 Recission

Resolved by leave and notwithstanding a previous resolution regarding the scheduled time for the supplementary hearing for the Environment portfolio, on the motion of Mr Colless: That the supplementary budget estimates hearing for the Environment portfolio be held on 1 December 2011 between 11.00 am and 1.00 pm, and that the Minister appear between 12.00pm and 1.00 pm.

5. Adjournment

The Committee adjourned at 9:05 pm until 11.00am, Friday 1 December 2011, supplementary hearing for the Environment portfolio.

Beverly Duffy
Clerk to the Committee

Draft Minutes No 17

Thursday 1 December 2011
General Purpose Standing Committee No 5
Macquarie Room, Parliament House, Sydney, at 10.45 am

1. Members present

Mr Primrose (*Chair*)
Mr Donnelly
Ms Faehrmann (Buckingham)
Mr Khan (Colless)
Mr Mason-Cox (Phelps)
Mrs Pavey (MacDonald)
Mr Foley (*participating*)

2. Election of the Chair

The Committee Clerk called for nominations for the Chair.

Mr Donnelly moved: That Mr Primrose be elected Chair of the Committee.

Mr Khan moved: That Mr Mason-Cox be elected Chair of the Committee.

The Clerk informed the Committee that, there being two nominations, a ballot would be held.

The Clerk announced the result of the ballot as follows:

Mr Primrose – 3 votes
Mr Mason-Cox – 3 votes.

There being an equality of votes, the Clerk informed the Committee members that, in accordance with the practise of the House, she was required to withdraw by lot the name of one candidate, with the remaining candidate elected Chair.

The Clerk withdrew the name of Mr Mason-Cox. As a result Mr Primrose, as the remaining candidate, was declared Chair of General Purpose Standing Committee No. 5 for the purposes of this meeting.

3. Apologies

Mr Brown.

4. Substitute members

The Chair advised that the following members would be substituting for the hearing:

- Ms Faehrmann for Mr Buckingham
- Mr Khan for Mr Colless
- Mr Mason-Cox for Dr Phelps
- Ms Pavey for Mr MacDonald.

5. Participating members

The Chair advised Mr Foley was attending the hearing as a participating member.

6. Conduct of hearing

Resolved, on the motion of Mr Mason-Cox:

7. Public hearing: Inquiry into Budget Estimates 2011-2012 – Environment

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair reminded the following officials that they did not need to be sworn in, as they were all sworn at the initial Budget Estimates hearing and will give evidence under your previous oath or affirmation.

- Ms Lisa Corbyn, Chief Executive, Office of Environment and Heritage
- Mr Greg Sullivan, Deputy Chief Executive, Office of Environment and Heritage
- Mr Bernard Carlon, Acting Deputy Chief Executive, Office of Environment and Heritage
- Mr Neil Hayman, Director Finance, Office of Environment and Heritage.

The following officials from departments, statutory bodies or corporations were sworn:

- Mr Bob Conroy, Executive Director, Park Management, Office of Environment and Heritage
- Mr Tom Grosskopf, Director Landscapes and Ecosystems Conservation, Office of Environment and Heritage.

The Chair then declared the proposed expenditure for the portfolio of Environment open for examination.

The departmental witnesses were examined by the Committee.

The Committee had a brief adjournment.

The Minister entered the hearing at 12.05 pm.

The Minister and the departmental witnesses were examined by the Committee until 1.00 pm.

The evidence concluded and the Minister and the departmental officers withdrew.

The public hearing concluded at 1.02 pm.

The public and media withdrew.

8. Adjournment

The Committee adjourned at 1.13 pm, *sine die*.

Beverly Duffy
Clerk to the Committee

Draft Minutes No. 21

13 February 2012

General Purpose Standing Committee No 5

Room 1153, Parliament House, Sydney at 9.35am

1. Members present

Mr Brown, *Chair*

Mr Colless

Mr Donnelly

Mr MacDonald

Dr Phelps

Mr Primrose

2. Budget Estimates 2011-2012: Chair's Draft Report

The Chair submitted his draft report entitled: Budget Estimates 2011-2012, which having been previously circulated, was taken as being read

Resolved, on the motion of Mr Donnelly: That the report be the report of the Committee and that the Committee present the report to the House, together with transcripts of evidence, answers to questions on notice, minutes of proceedings and correspondence relating to the Inquiry.

3. Adjournment

The Committee adjourned at 9.37 am.

Beverly Duffy

Clerk to the Committee