



LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEE NO. 3

## Budget Estimates 2016-2017

Report 35

December 2016

3



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General Purpose Standing Committee No. 3

# **Budget Estimates 2016-2017**

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## Terms of reference

1. That upon tabling, the Budget Estimates and related papers for the financial year 2016 - 2017 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report.
2. That, notwithstanding the House's resolution of 6 May 2015 allocating portfolio responsibilities to the General Purpose Standing Committees, for the purposes of the 2016-2017 budget estimates inquiry General Purpose Standing Committee No. 3 is to examine the Legislature portfolio.
3. That the initial hearings be scheduled as follows:

### Day One: Monday 29 August 2016

GPSC 2	Family and Community Services, Social Housing	9.00 am – 12.00 pm
GPSC 2	Roads, Maritime and Freight	2.00 pm – 6.00 pm
GPSC 3	Early Childhood Education, Aboriginal Affairs	9.00 am – 11.00 am
GPSC 3	The Legislature	11.15 am – 12.00 pm
GPSC 3	Education	2.00 pm – 6.00 pm

### Day Two: Tuesday 30 August 2016

GPSC 2	Ageing, Disability Services, Multiculturalism	9.00 am – 12.00 pm
GPSC 2	Transport and Infrastructure	2.00 pm – 6.00 pm
GPSC 3	Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault	9.00 am – 1.00 pm
GPSC 3	Health	2.00 pm – 6.00 pm

### Day Three: Wednesday 31 August 2016

GPSC 4	Trade, Tourism and Major Events, Sport	9.00 am – 12.00 pm
GPSC 4	Planning	2.00 pm – 6.00 pm
GPSC 1	Finance, Services and Property	9.00 am – 12.00 pm
GPSC 5	Industry, Resources and Energy	2.00 pm – 5.00 pm

### Day Four: Thursday 1 September 2016

GPSC 4	Justice and Police, Arts, Racing	9.00 am – 1.00 pm
GPSC 4	Attorney General	2.00 pm – 4.00 pm
GPSC 1	Treasury, Industrial Relations	9.00 am – 1.00 pm
GPSC 1	Premier, Western Sydney	2.00 pm – 6.00 pm
GPSC 6	Innovation and Better Regulation	4.15 pm – 6.00 pm

### Day Five: Friday 2 September 2016

GPSC 5	Primary Industries, Lands and Water	9.00 am – 1.00 pm
GPSC 5	The Environment, Heritage	2.00 pm – 5.00 pm
GPSC 6	Local Government	9.00 am – 11.00 am
GPSC 6	Regional Development, Skills, Small Business	11.15 am – 1.00 pm
GPSC 6	Corrections, Emergency Services, Veterans Affairs	2.00 pm – 5.00 pm

4. That supplementary hearings be scheduled during the week of 4 to 7 October 2016.
5. That each scheduled day for the initial round of hearings will begin at 9.00 am and conclude by 6.00 pm.
6. That the committees must hear evidence in public.
7. That 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.
8. That ministers may not make an opening statement before the committee commences questions.
9. That the committees are to present a final report to the House by 16 December 2016.
10. That members may lodge supplementary questions with the committee clerk by 5.00 pm, within two days, excluding Saturday and Sunday, following the hearing.
11. That answers to questions on notice and supplementary questions be published, except those answers for which confidentiality is requested, after these answers have been circulated to committee members.

These terms of reference were referred to the committee by the House on 1 June 2016, see LC Minutes 1 June 2016, pp 935-938.

## Committee details

### Committee members

The Hon Mike Gallacher MLC <sup>1</sup>	Liberal Party	<i>Chair</i>
The Hon Natasha Maclaren-Jones MLC	Liberal Party	<i>Deputy Chair</i>
Mr Justin Field MLC <sup>2</sup>	The Greens	
The Hon Courtney Houssos MLC	Australian Labor Party	
The Hon Sarah Mitchell MLC	The Nationals	
Reverend the Hon Fred Nile MLC	Christian Democratic Party	
The Hon Walt Secord MLC	Australian Labor Party	

### Non-substantive members who attended the hearings

Mr Jeremy Buckingham MLC	The Greens
Dr Mehreen Faruqi MLC	The Greens
Mr David Shoebridge MLC	The Greens
The Hon Shaoquett Moselmane MLC	Australian Labor Party
The Hon Mark Pearson MLC	Animal Justice Party
The Hon Peter Primrose MLC	Australian Labor Party
The Hon Lynda Voltz	Australian Labor Party

<b>Website</b>	<a href="http://www.parliament.nsw.gov.au">www.parliament.nsw.gov.au</a>
<b>Email</b>	<a href="mailto:budget.estimate@parliament.nsw.gov.au">budget.estimate@parliament.nsw.gov.au</a>
<b>Telephone</b>	(02) 9230 3081

<sup>1</sup> The Hon Mike Gallacher MLC replaced the Hon Ben Franklin MLC as a member on the committee as of 17 November 2016. Mr Gallacher was elected chair of the committee on 25 November 2016 following the resignation Ms Jan Barham MLC, former chair, from the committee on 15 November 2016.

<sup>2</sup> Mr Justin Field MLC replaced Ms Jan Barham MLC as a member on the committee as of 15 November 2016.

## Chair's foreword

I am pleased to present this report on the Inquiry into Budget Estimates 2016-2017. This annual inquiry into the Budget Estimates ensures parliamentary oversight of the Budget, and provides an important mechanism for the accountability of the executive government to the Legislative Council.

The inquiry consisted of five hearings to examine the following portfolios:

- Early Childhood Education, Aboriginal Affairs
- The Legislature
- Education
- Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault
- Health.

On behalf of the committee, I would like to thank the Ministers and their officers who assisted the committee during this important inquiry. I am grateful to my fellow committee members and the secretariat staff for their contributions to the inquiry process.



The Hon Mike Gallacher MLC  
**Chair**



# Chapter 1 Introduction

## Referral of the 2016-2017 Budget Estimates

- 1.1 On 1 June 2016, the Legislative Council resolved that ‘the Budget Estimates and related papers for the financial year 2016-2017 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report’.<sup>3</sup> The resolution (hereafter referred to as the Budget Estimates resolution) requires each committee to examine the Budget Estimates for the relevant portfolios and report to the House by 16 December 2016.<sup>4</sup>
- 1.2 The Budget Estimates resolution further stipulated that the initial hearings will be held in the week commencing 29 August 2016 and the initial round of supplementary hearings be scheduled during the week of 4-7 October 2016.<sup>5</sup>
- 1.3 Notwithstanding the resolution of the House of 6 May 2015 allocating portfolio responsibilities to the General Purpose Standing Committees, the Budget Estimates resolution also stipulated that for the purposes of the 2016-2017 Budget Estimates Inquiry, General Purpose Standing Committee No. 3 will examine the Legislature portfolio instead of General Purpose Standing Committee No. 1.

## Hearings

- 1.4 The committee held four public hearings as follows:
- Monday 29 August 2016 – Early Childhood Education, Aboriginal Affairs
  - Monday 29 August 2016 – The Legislature
  - Monday 29 August 2016 – Education
  - Tuesday 30 August 2016 – Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault
  - Tuesday 30 August 2016 – Health.
- 1.5 A brief summary of the key issues raised during the hearings is contained in Chapter 2.

## Transcripts

- 1.6 Transcripts of the hearings are available on the committee’s web page at: <http://www.parliament.nsw.gov.au/gpsc3>.

<sup>3</sup> Minutes, *NSW Legislative Council*, 1 June 2016, pp 935 - 938.

<sup>4</sup> Minutes, *NSW Legislative Council*, 1 June 2016, p 936.

<sup>5</sup> Minutes, *NSW Legislative Council*, 1 June 2016, pp 935 - 936.

## **Questions on notice**

- 1.7 Questions taken on notice and the answers to these questions are also available on the committee's web page.

## Chapter 2 Issues raised during hearings

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

### Early Childhood Education

**2.1** A hearing examining the portfolio of Early Childhood Education was held on Monday 29 August 2016. The following issues were raised during the committee's examination of the Early Childhood Education portfolio:

- National Quality Standards
- Alleged fraud of Commonwealth funding by two day care providers
- Inspections of family day care services
- Childcare to carer ratios
- Animal education in early childhood centres
- Attendance rates at long day care centres
- Number of state-funded places in community pre-schools.

### Aboriginal Affairs

**2.2** A hearing examining the portfolio of Aboriginal Affairs was held on Monday 29 August 2016. The following issues were raised during the committee's examination of the Aboriginal Affairs portfolio:

- Death of Rebecca Maher, first Aboriginal death in NSW police custody since 2000
- Aboriginal Legal Service NSW/ACT and procedures concerning the custody notification system
- Use of restraints on Aboriginal children and adults in correction centres
- Land claims
- Evaluation of OCHRE
- Constitutional recognition for Aboriginal people
- Implementation of the recommendations from the Report on the Stolen Generation
- Aboriginal church at La Perouse

- Implementation of recommendations from the Royal Commission into Aboriginal deaths in custody
- Culture and heritage reforms
- Implementation of recommendations from the report on family response to the murders in Bowraville.

## The Legislature

**2.3** A hearing examining the portfolio of The Legislature was held on Monday 29 August 2016. The following issues were raised during the committee's examination of The Legislature portfolio:

- Number of casual and full-time cleaning staff
- Digitalisation project
- Fountain Court artworks
- Return of the Royal portraits to the Strangers Dining Room
- The removal of the Royal Coat of Arms from the Jubilee Room
- Education programs
- Access to the public galleries during sittings of the House.

## Education

**2.4** A hearing examining the portfolio of Education was held on Monday 29 August 2016. The following issues were raised during the committee's examination of the Education portfolio:

- Capital works funding to accommodate increasing enrolment numbers
- The recruitment process for employing the new Secretary of the Department of Education
- Difference between the Safe Schools Hub (Commonwealth funded materials to promote student wellbeing) and the Safe Schools Coalition (a network of organisations seeking to create safer school environments for same sex attracted, intersex and gender diverse students)
- Programs to counter violent extremism in schools
- Changes to the Higher School Certificate

- NAPLAN literacy and numeracy standards
- Commonwealth Gonski funding
- State government funding allocated to independent schools.

## **Mental Health and Medical Research**

**2.5** A hearing examining the portfolios of Mental Health and Medical Research was held on Tuesday 30 August 2016. The following issues were raised during the committee's examination of the Mental Health and Medical Research portfolios:

- Redevelopment plans and funding for Cumberland and Macquarie Hospitals
- Incident management systems for mental health institutions
- Wastage figures for animals that have been euthanased for the purposes of medical research
- Instances of and funding for xenotransplantation procedures
- Powers of the Animal Research Review Panel
- Use of greyhounds in medical research
- Collaborations between the NSW Police Force and mental health response teams
- Support for people with a drug or alcohol addiction
- Evaluation of the mental health benefits and impacts of the Safe Schools program.

## **Women and Prevention of Domestic Violence and Sexual Assault**

**2.6** A hearing examining the portfolios of Women and Prevention of Domestic Violence and Sexual Assault was held on Tuesday 30 August 2016. The following issues were raised during the committee's examination of the Women and Prevention of Domestic Violence and Sexual Assault portfolios:

- Refuge and other services available for people fleeing domestic and/or sexual violence, including those with companion animals
- The Domestic Violence Disclosure Scheme
- Review of new provocation laws to protect women from domestic violence
- The NSW Domestic and Family Violence and Sexual Assault Council

- Domestic and family violence services for the LGBTIQ communities
- Sexual assault nurse examiners in high-risk and rural areas
- Funding for the women's Asian Football Federation Asian Cup and Womensport NSW
- Applications for funding under the Innovation Fund
- Functions, reporting and resourcing of Women NSW
- Flexible working arrangements
- Gender pay gap in the public sector.

## Health

2.7 A hearing examining the portfolio of Health was held on Tuesday 30 August 2016. The following issues were raised during the committee's examination of the Health portfolio:

- Misidentification of deceased patients at Royal North Shore Hospital
- Actions to be taken in response to off-protocol prescribing of chemotherapy at St Vincent's Hospital
- Contamination of kangaroo meat
- Redevelopment of Lismore Base Hospital and other hospital upgrades
- Measures to address overweight and obesity
- Helicopter base at Lismore Base Hospital
- Planning for hospitals as part of urban planning
- Measures to improve the life expectancy of Aboriginal people.

## Appendix 1 Witnesses at hearings

### Early Childhood Education and Aboriginal Affairs – Monday 29 August 2016

Name	Position and Organisation
The Hon Leslie Williams MP	Minister for Early Childhood Education and Aboriginal Affairs
Mr Jason Ardler	Head, Aboriginal Affairs, Aboriginal Affairs
Ms Leslie Loble	Deputy Secretary, External Affairs and Regulation, Department of Education
Mr Gregory Prior	Deputy Secretary, School Operations and Performance, Department of Education
Mr Philip West	Chief Financial Officer, Finance Directorate, Department of Education

### The Legislature – Monday 29 August 2016

Name	Position and Organisation
The Hon Don Harwin MLC	President of the Legislative Council
Mr David Blunt	Clerk of the Parliaments
Mr Mark Webb	Executive Manager, Department of Parliamentary Services
Mr John Gregor	Director, Finance, Department of Parliamentary Services

### Education – Monday 29 August 2016

Name	Position and Organisation
The Hon Adrian Piccoli MP	Minister for Education
Mr Peter Riordan	A/Secretary, Department of Education
Ms Leslie Loble	Deputy Secretary, External Affairs and Regulation, Department of Education
Ms Jane Thorpe	A/Deputy Secretary, Corporate Services, Department of Education

Mr Philip West	Chief Financial Officer, Finance Directorate, Department of Education
Mr Tom Alegounarias	President, BOSTES NSW

### **Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault – Tuesday 30 August 2016**

<b>Name</b>	<b>Position and Organisation</b>
The Hon Pru Goward MP	Minister for Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault
Ms Elizabeth Koff	Secretary, NSW Health
Dr Kerry Chant PSM	Chief Health Officer and Deputy Secretary, Population and Public Health, NSW Ministry of Health
Ms Cathryn Cox	A/Deputy Secretary, Strategy and Resources, NSW Ministry of Health
Mr John Roach PSM	Chief Financial Officer and Deputy Secretary, Finance, NSW Ministry of Health
Ms Karen Crawshaw PSM	Deputy Secretary, Governance, Workforce and Corporate, NSW Ministry of Health
Dr Murray Wright	Chief Psychiatrist, NSW Health
Ms Natasha de Silva	Director, Women NSW, NSW Ministry of Health

### **Health – Tuesday 30 August 2016**

<b>Name</b>	<b>Position and Organisation</b>
The Hon Jillian Skinner MP	Minister for Health
Ms Elizabeth Koff	Secretary, NSW Health
Dr Kerry Chant PSM	Chief Health Officer and Deputy Secretary, Population and Public Health, NSW Ministry of Health
Ms Cathryn Cox	A/Deputy Secretary, Strategy and Resources, NSW Ministry of Health
Mr John Roach PSM	Chief Financial Officer and Deputy Secretary, Finance, NSW Ministry of Health

Ms Karen Crawshaw PSM

Deputy Secretary, Governance, Workforce and Corporate,  
NSW Ministry of Health

Ms Susan Pearce

Deputy Secretary, System Purchasing and Performance,  
NSW Ministry of Health

## Appendix 2 Minutes

### Minutes no. 30

Tuesday 21 June 2016

General Purpose Standing Committee No. 3

Room 1136, Parliament House, Sydney, 1.14 pm

#### 1. Members present

Ms Barham, *Chair*

Mrs Maclaren-Jones, *Deputy Chair*

Mr Franklin

Mrs Houssos

Mrs Mitchell

Mr Moselmane (from 1.16 pm)

Revd Nile

#### 2. Previous minutes

Resolved, on the motion of Mrs Maclaren-Jones: That draft minutes no. 29 be confirmed.

#### 3. Inquiry into Budget Estimates 2016-2017

The committee noted the Budget Estimates timetable for 2016-2017, including the following GPSC 3 hearings, as agreed to by the House:

Date	Time	Portfolio	Room
Monday 29 August 2016	9.00 am – 11.00 am	Early Childhood Education, Aboriginal Affairs (Williams)	Jubilee
	11.15 am – 12.00 pm	The Legislature (Harwin)	Jubilee
	2.00 pm – 6.00 pm	Education (Piccoli)	Jubilee
Tuesday 30 August 2016	9.00 am – 1.00 pm	Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault (Goward)	Macquarie
	2.00 pm – 6.00 pm	Health (Skinner)	Macquarie

#### 3.1 Allocation of question time

The committee noted that under the resolution establishing General Purpose Standing Committees, the sequence of questions at hearings will alternate between opposition, crossbench and government members, with equal time allocated to each, unless the committee decides otherwise.

#### 3.2 Government questions

Resolved, on the motion of Mr Franklin: That with no questions asked by government members:

- On Monday 29 August 2016, the portfolios of Early Childhood Education, Aboriginal Affairs be examined from 9.00 am until 10.20 am
- On Monday 29 August 2016, the portfolio of The Legislature be examined from 11.15 am to 11.45 am

- On Monday 29 August 2016, the portfolio of Education be examined from 2.00 pm to 4.40 pm
- On Tuesday 30 August 2016, the portfolios of Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault be examined from 9.00 am to 11.40 am
- On Tuesday 30 August 2016, the portfolio of Health be examined from 2.00 pm to 4.40 pm.

Mr Moselmane arrived at 1.16 pm.

### **3.3 Order for examination of portfolios**

Resolved, on the motion of Revd Nile: That for the Early Childhood Education, Aboriginal Affairs hearing on Monday 29 August 2016 the portfolios be examined in this order:

- Early Childhood Education – 9.00 am to 9.40 am
- Aboriginal Affairs – 9.40 am to 10.20 am.

Resolved, on the motion of Mr Franklin: That for the Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault hearing on Tuesday 30 August 2016 the portfolios be examined in this order:

- Mental Health, Medical Research – 9.00 am to 10.20 am
- Women, Prevention of Domestic Violence and Sexual Assault – 10.20 am to 11.40 am.

### **3.4 Witness requests**

Resolved, on the motion of Revd Nile: That the selection of witnesses be left to the discretion of the Minister.

## **4. Inquiry into reparations for the Stolen Generations in NSW**

### **4.1 Tabled document**

Resolved, on the motion of Mrs Houssos: That the timeline tabled by Aunty Lindy Lawler during the hearing on 2 March 2016 be kept confidential.

### **4.2 Re-consideration of Chair's draft report**

The committee continued consideration of the Chair's draft report.

Resolved, on the motion of Mr Franklin: That paragraph 4.98 be amended by omitting 'and others' after 'reunions with family members'.

Resolved, on the motion of Mr Franklin: That paragraph 8.25 be amended by inserting 'work in partnership with business and other organisations to' after 'we would also encourage the government to'.

Resolved, on the motion of Mrs Mitchell: That:

- the draft report, as amended, be the report of the committee and that the committee present the report to the House;
- the transcripts of evidence, submissions, tabled documents, answers to questions on notice and supplementary questions, and correspondence relating to the inquiry be tabled in the House with the report;
- upon tabling, all unpublished attachments to submissions be kept confidential by the committee;
- upon tabling, all transcripts of evidence, submissions, tabled documents, answers to questions on notice and supplementary questions, minutes of proceedings and correspondence relating to the inquiry not already made public, be made public by the committee, except for those documents kept confidential by resolution of the committee;
- the report be tabled on Thursday 23 June 2016;
- a media conference be held on Thursday 23 June 2016 at 1pm in The Domain.

## 5. Adjournment

The committee adjourned at 1.37 pm, *sine die*.

Tina Higgins

**Clerk to the Committee**

## Minutes no. 33

Monday 29 August 2016

General Purpose Standing Committee No. 3

Jubilee Room, Parliament House, Sydney, at 8.47 am

### 1. Members present

Mrs Maclaren-Jones, *Deputy Chair*

Mr Franklin

Mrs Houssos

Mrs Mitchell

Revd Nile (from 8.55 am)

Mr Secord

Mr Shoebridge (substituting for Ms Barham from 9.35 am)

Mr Moselmane (participating for Aboriginal Affairs portfolio from 9.25 am until 10.05 am)

Mr Pearson (participating)

### 2. Draft minutes

Resolved, on the motion of Mr Franklin: That draft minutes no. 32 be confirmed.

### 3. Correspondence

The committee noted the following items of correspondence:

#### *Received*

- 6 July 2016 – Email from Dr Brian Lindsay, Office of the President of the Legislative Council – providing the list of witnesses for the Budget Estimates hearing.
- 8 July 2016 – Email from Ms Kim Withers, Office of the Minister for Education – providing the list of witnesses for the Budget Estimates hearing.
- 18 July 2016 – Email from Ms Jemima Buckman, Office of the Minister for Early Childhood Education and Minister for Aboriginal Affairs – providing the list of witnesses for the Budget Estimates hearing.
- 26 July 2016 – Email from Mr Simon Fontana, Office of the Minister for Mental Health, Minister for Medical Research, Minister for Women, Minister for the Prevention of Domestic Violence and Sexual Assault – providing the list of witnesses for the Budget Estimates hearing.
- 1 August 2016 – Email from Mr Michael Evangelidis, Office of the Minister for Health – providing the list of witnesses for the Budget Estimates hearing.
- 24 August 2016 – Email from Ms Kim Withers, Office of the Minister for Education – providing a change to the list of witnesses for the Budget Estimates hearing.

#### *Sent*

- 1 July 2016 – Letter from Committee Director to the Hon Leslie Williams MP, Minister for Early Childhood Education and Minister for Aboriginal Affairs – requesting witnesses for the Budget Estimates hearing.
- 1 July 2016 – Letter from Committee Director to the Hon Don Harwin MLC, President of the Legislative Council – requesting witnesses for the Budget Estimates hearing.
- 1 July 2016 – Letter from Committee Director to the Hon Adrian Piccoli MP, Minister for Education – requesting witnesses for the Budget Estimates hearing.

- 1 July 2016 – Letter from Committee Director to the Hon Pru Goward MP, Minister for Mental Health, Minister for Medical Research, Minister for Women, Minister for the Prevention of Domestic Violence and Sexual Assault – requesting witnesses for the Budget Estimates hearing.
- 1 July 2016 – Letter from Committee Director to the Hon Jillian Skinner MP, Minister for Health – requesting witnesses for the Budget Estimates hearing.

Revd Nile joined the meeting.

#### 4. Inquiry into Budget Estimates 2016-2017

##### 4.1 Public hearing: Budget Estimates 2016-2017 – Early Childhood Education, Aboriginal Affairs

Witnesses, the public and media were admitted.

The chair made an opening statement regarding the broadcasting of proceedings and other matters. The chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

Minister Leslie Williams MP was admitted.

The following witnesses were sworn and examined:

- Mr Jason Ardler, Head, Aboriginal Affairs, Aboriginal Affairs
- Ms Leslie Loble, Deputy Secretary, External Affairs and Regulation, Department of Education
- Mr Gregory Prior, Deputy Secretary, School Operations and Performance, Department of Education
- Mr Philip West, Chief Financial Officer, Finance Directorate, Department of Education.

The chair declared the proposed expenditure for the portfolios of Early Childhood Education and Aboriginal Affairs open for examination.

The Minister and departmental witnesses were examined by the committee.

Mr Moselmane joined the meeting.

Mr Shoebridge joined the meeting.

Mr Moselmane left the meeting.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 10.20 am.

The public and media withdrew.

#### 5. Adjournment

The committee adjourned at 10.20 am, until 11.00 am, Monday 29 August 2016, Jubilee Room (*The Legislature*).

Kate Mihaljek  
Clerk to the Committee

**Minutes no. 34**

Monday 29 August 2016

General Purpose Standing Committee No. 3

Jubilee Room, Parliament House, Sydney, at 11.15 am

**1. Members present**Mrs Maclaren-Jones, *Deputy Chair*

Mr Franklin

Mrs Mitchell

Mr Moselmane (substituting for Mrs Houssos)

Revd Nile

Mr Primrose (substituting for Mr Secord)

Mr Shoebridge (substituting for Ms Barham)

**2. Inquiry into Budget Estimates 2016-2017****2.1 Public hearing: Budget Estimates 2016-2017 - The Legislature**

Witnesses, the public and media were admitted.

The chair made an opening statement regarding the broadcasting of proceedings and other matters. The chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Don Harwin MLC, President of the Legislative Council was admitted.

The following witnesses were sworn and examined:

- Mr David Blunt, Clerk of the Parliaments
- Mr Mark Webb, Executive Manager, Department of Parliamentary Services
- Mr John Gregor, Director, Finance, Department of Parliamentary Services

The chair declared the proposed expenditure for the portfolio of The Legislature open for examination.

The President and departmental witnesses were examined by the committee.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 11.52 am.

The public and media withdrew.

**3. Adjournment**

The committee adjourned at 11.52 am, until 1.45 pm, Monday 29 August 2016, Jubilee Room (*Education*).

Sarah Dunn

**Clerk to the Committee****Minutes no. 35**

Monday 29 August 2016

General Purpose Standing Committee No. 3

Jubilee Room, Parliament House, Sydney, at 2.00 pm

**1. Members present**Mrs Maclaren-Jones, *Deputy Chair*

Mr Franklin

Mrs Houssos

Mrs Mitchell

Revd Nile

Mr Secord  
Mr Shoebridge (substituting for Ms Barham).

## 2. Inquiry into Budget Estimates 2016-2017

### 2.1 Public hearing: Budget Estimates 2016-2017 – Education

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Chair also reminded Ms Leslie Loble, Mr Gregory Prior and Mr Philip West, that they did not need to be sworn, as they had been sworn at another Budget Estimates hearing.

Minister Adrian Piccoli MP was admitted.

The following witnesses were sworn and examined:

- Mr Peter Riordan, A/Secretary, Department of Education
- Ms Jane Thorpe, A/Deputy Secretary, Corporate Services, Department of Education
- Mr Tom Alegounarias, President, BOSTES NSW.

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

The Minister and departmental witnesses were examined by the Committee.

The Committee adjourned from 3.05 pm – 3.15 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.45 pm.

The public and media withdrew.

### 2.2 Supplementary hearings

Resolved, on the motion of the Mr Shoebridge that the committee hold a further meeting to deliberate on whether to hold supplementary hearings for the portfolios of Early Childhood Education, Aboriginal Affairs; The Legislature; and Education, on a date to be determined following receipt of answers to questions on notice.

## 3. Adjournment

The committee adjourned at 4.47 pm, until 8.45 am, Tuesday 30 August 2016, Macquarie Room (*Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault*).

Alex Stedman  
Clerk to the Committee

**Minutes no. 36**

Tuesday 30 August 2016

General Purpose Standing Committee No. 3

Macquarie Room, Parliament House, Sydney, at 8.48 am

**1. Members present**

Mrs Maclaren-Jones, *Deputy Chair*

Dr Faruqi (substituting for Ms Barham) (from 10.58 am)

Mr Franklin

Mrs Houssos

Mrs Mitchell

Revd Nile

Ms Voltz (substituting for Mr Secord)

Mr Pearson (participating for Mental Health, Medical Research portfolio)

**2. Tended documents**

Resolved, on the motion of Revd Nile: That the committee accept and publish the following documents tendered during the Education held on Monday 29 August 2016:

- Open Letter to the Prime Minister on the Safe Schools coalition Australia program, tendered by Revd Nile.

**3. Inquiry into Budget Estimates 2016-2017****3.1 Public hearing: Budget Estimates 2016-2017 – Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault**

Witnesses, the public and media were admitted.

The chair made an opening statement regarding the broadcasting of proceedings and other matters. The chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

Minister Pru Goward MP was admitted.

The following witnesses were sworn and examined:

- Ms Elizabeth Koff, Secretary, NSW Health
- Dr Kerry Chant PSM, Chief Health Officer and Deputy Secretary, Population and Public Health, NSW Ministry of Health
- Ms Cathryn Cox, A/Deputy Secretary, Strategy and Resources, NSW Ministry of Health
- Mr John Roach PSM, Chief Financial Officer and Deputy Secretary, Finance, NSW Ministry of Health
- Ms Karen Crawshaw PSM, Deputy Secretary, Governance, Workforce and Corporate, NSW Ministry of Health
- Dr Murray Wright, Chief Psychiatrist, NSW Health
- Ms Natasha de Silva, Director, Women NSW, NSW Ministry of Health

The chair declared the proposed expenditure for the portfolios of Mental Health, Medical Research, Women, and Prevention of Domestic Violence and Sexual Assault open for examination.

The Minister and departmental witnesses were examined by the committee.

Ms Voltz tendered the following documents:

- Ben Pike, The Sunday Telegraph newspaper article, *Plan for nurses to back up cops in mental health incidents on the frontline.*

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 11.40 am.

The public and media withdrew.

#### 4. **Adjournment**

The committee adjourned at 11.40 am, until 1.45 pm, Tuesday 30 August 2016, Macquarie Room (*Health*).

Jenelle Moore  
Clerk to the Committee

#### **Minutes no. 37**

Tuesday 30 August 2016  
General Purpose Standing Committee No. 3  
Macquarie Room, Parliament House, Sydney, at 1.56 pm

#### 1. **Members present**

Mrs Maclaren-Jones, *Deputy Chair*  
Mr Buckingham (substituting for Ms Barham)  
Mr Franklin  
Mrs Houssos  
Mrs Mitchell  
Revd Nile  
Mr Secord  
Mr Pearson (participating until 3.04 pm)

#### 2. **Inquiry into Budget Estimates 2016-2017**

##### **2.1 Public hearing: Budget Estimates 2016-2017 – Health**

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Chair also reminded Ms Elizabeth Koff, Dr Kerry Chant, Ms Cathryn Cox, Mr John Roach and Ms Karen Crawshaw, that they did not need to be sworn, as they had been sworn at another Budget Estimates hearing.

Minister Jillian Skinner MP was admitted.

The following witnesses were sworn and examined:

- Ms Elizabeth Koff, Secretary, NSW Health
- Dr Kerry Chant PSM, Chief Health Officer and Deputy Secretary, Population and Public Health, NSW Ministry of Health
- Ms Cathryn Cox, A/Deputy Secretary, Strategy and Resources, NSW Ministry of Health
- Mr John Roach PSM, Chief Financial Officer and Deputy Secretary, Finance, NSW Ministry of Health
- Ms Karen Crawshaw PSM, Deputy Secretary, Governance, Workforce and Corporate, NSW Ministry of Health
- Ms Susan Pearce, Deputy Secretary, System Purchasing and Performance, NSW Ministry of Health.

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

The Minister and departmental witnesses were examined by the committee.

The committee adjourned from 3.03 pm to 3.10 pm.

Minister Skinner tendered the following documents:

- *Adult overweight and obesity: Snapshot June 2016*, NSW Health
- *Childhood overweight and obesity, Healthy Children Initiative: Snapshot June 2016*, NSW Health

Dr Chant tendered the following documents:

- *Preventing alcohol related harm: Snapshot February 2015*, NSW Health
- *Trends in alcohol use and health related harms in NSW, Report of the Chief Health Officer 2016*, NSW Health

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.43 pm.

The public and media withdrew.

## 2.2 Tendered documents

Resolved, on the motion of Mrs Houssos: That the committee accept and publish the following document tendered during the Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault hearing held on Tuesday 30 August 2016:

- *Sunday Telegraph* article 'Plan for nurses to back up cops in mental health incidents on the frontline' dated 23 August 2015, tendered by the Hon Lynda Voltz MLC.

Resolved, on the motion of Mrs Houssos: That the committee accept and publish the following documents tendered during the Health hearing held on Tuesday 30 August 2016:

- *Adult overweight and obesity: Snapshot June 2016*, NSW Health, tendered by Minister Skinner
- *Childhood overweight and obesity, Healthy Children Initiative: Snapshot June 2016*, NSW Health, tendered by Minister Skinner
- *Preventing alcohol related harm: Snapshot February 2015*, NSW Health, tendered by Dr Chant
- *Trends in alcohol use and health related harms in NSW, Report of the Chief Health Officer 2016*, NSW Health, tendered by Dr Chant.

## 2.3 Supplementary hearings

Resolved, on the motion of Mrs Houssos:

- That the committee hold a further meeting to deliberate on whether to hold supplementary hearings for the portfolio of Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault on a date to be determined following receipt of answers to questions on notice
- That the committee hold a further meeting to deliberate on whether to hold supplementary hearings for the portfolio of Health on a date to be determined following receipt of answers to questions on notice.

## 3. Adjournment

The committee adjourned at 4.44 pm, *sine die*.

Merrin Thompson  
Clerk to the Committee

**Minutes no. 39**

Thursday 29 September 2016

General Purpose Standing Committee No. 3

Members Lounge, Parliament House, Sydney, 2.03 pm

**1. Members present**Mrs Maclaren-Jones, *Deputy Chair*

Mr Franklin (via teleconference)

Mrs Houssos

Mrs Mitchell (via teleconference)

Mr Secord

Mr Shoebridge

**2. Apologies**

Ms Barham

Revd Nile

**3. Previous minutes**

Resolved, on the motion of Ms Houssos: That draft minutes no. 38 be confirmed.

**4. Correspondence*****Received***

- 23 September 2016 – Email from Michael Evangelidis, Office of the Minister for Health – attaching signed cover letter, responses to supplementary questions, responses to questions taken on notice and corrected transcript.
- 23 September 2016 – Email from Ben Turner, Office of the Minister for Mental Health, Medical Research, Women and for the Prevention of Domestic Violence and Sexual Assault – attaching signed cover letter, responses to supplementary questions, responses to questions taken on notice and corrected transcript.
- 22 September 2016 – Email from Dr Brian Lindsay, Office of the President – attaching signed cover letter, responses to supplementary questions, responses to questions taken on notice and corrected transcript.
- 22 September 2016 – Email from Jemima Buckman, Office of the Minister for Early Childhood Education and Aboriginal Affairs – attaching signed cover letter, responses to supplementary questions, responses to questions taken on notice and corrected transcript.
- 22 September 2016 – Email from Kim Withers, Office of the Minister for Education – attaching signed cover letter, responses to supplementary questions, responses to questions taken on notice and corrected transcript.

***Sent:***

- 1 September 2016 – Email from Committee Director to Ms Kim Withers, Office of the Minister for Education – attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions.
- 1 September 2016 – Email from Committee Director to Dr Brian Lindsay, Office of the President of the Legislative Council – attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions.
- 1 September 2016 – Email from Committee Director to Ms Jemima Buckman, Office of the Minister for Early Childhood Education and Minister for Aboriginal Affairs – attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions.

- 2 September 2016 – Email from Committee Director to Mr Michael Evangelidis, Office of the Minister for Health – attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions.
- 2 September 2016 – Email from Committee Director to Mr Simon Fontana, Office of the Minister for Mental Health, Minister for Medical Research, Minister for Women, Minister for the Prevention of Domestic Violence and Sexual Assault – attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions.

## 5. Inquiry into Budget Estimates 2016-2017

### 5.1 Supplementary hearings

Resolved, on the motion of Mr Franklin: That the committee hold no further hearings to consider matters relating to the Aboriginal Affairs, The Legislature, Education, Mental Health, Medical Research, Women, Prevention of Domestic Violence and Sexual Assault portfolios.

Mrs Houssos moved: That the committee hold a further 80 minute hearing to consider matters relating to the Early Childhood Education portfolio.

Question put.

The committee divided.

Ayes: Mrs Houssos, Mr Field, Mr Secord

Noes: Mr Franklin, Mrs Mitchell, Mrs Maclaren-Jones

Question resolved in the negative on the casting vote of the chair.

Mrs Secord moved: That the committee hold a further 80 minute hearing to consider matters relating to the Health portfolio.

Question put.

The committee divided.

Ayes: Mrs Houssos, Mr Field, Mr Secord

Noes: Mr Franklin, Mrs Mitchell, Mrs Maclaren-Jones

Question resolved in the negative on the casting vote of the chair

## 6. Adjournment

The committee adjourned at 2.14 pm, until Friday 11 November 2016 at 9.00 am (site visit for the inquiry into enrolment capacity in inner city public primary schools).

Rebecca Main

**Clerk to the Committee**

**Draft minutes no. 41**

Friday 25 November 2016

General Purpose Standing Committee No. 3

Jubilee Room, Parliament House, Sydney, 8.45 am

**1. Members present**

Mr Gallacher, *Chair*

Mrs Maclaren-Jones, *Deputy Chair*

Mr Graham

Mrs Houssos

Mrs Mitchell

Revd Nile

Mr Shoebridge (substituting for Mr Field for the duration of the inquiries into enrolment capacity in inner city public primary schools and students with disability or special needs in New South Wales schools)

**2. Apologies****3. Election of Chair**

The Committee Clerk called for nominations for the Chair.

Revd Nile moved: That Mr Gallacher be elected Chair of the Committee.

Mr Shoebridge moved: That Mrs Houssos be elected Chair of the Committee.

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

Ballot conducted.

The Clerk announced the result of the ballot as follows:

Mr Gallacher: 4 votes

Mrs Houssos: 3 votes.

Mr Gallacher, having a majority of the members present and voting, was therefore declared elected Chair of the Committee.

**4. Draft minutes**

Resolved, on the motion of Revd Nile: That draft minutes nos. 39 and 40 be confirmed, subject to a typographical correction to draft minutes no. 39.

**5. Correspondence**

The committee noted the following items of correspondence:

***Received***

- 5 October 2016 – Email from Dr Sarah Willard Gray to secretariat regarding General Purpose Standing Committee No. 4's 2013 inquiry into the use of cannabis for medical purposes
- 13 October 2016 – Email from Dr Ronelle Hutchinson, Manager Policy and Advocacy, Speech Pathology Australia to secretariat, expressing an interest in appearing at a hearing for the inquiry into students with disability or special needs in New South Wales schools
- 19 October 2016 – Letter from Mr John Dixon, General Secretary, NSW Teachers Federation to Chair, requesting an extension to the submission closing date for the inquiry into students with disability or special needs in New South Wales schools
- 11 November 2016 – Email from Ms Tina Williams, Councillor for North Coast Region, NSW Aboriginal Land Council to secretariat, regarding progress from the inquiry into reparations for the Stolen Generations in New South Wales
- 16 November 2016 – Email from Ms Janine Barrett providing a copy of an Inner City Schools Working Party agenda dated 8 December 2014 regarding the redevelopment of Ultimo Public School

- 16 November 2016 – Email from Mr Field advising that Mr Shoebridge will be substituting for Mr Field for the duration of the inquiries into enrolment capacity in inner city public primary schools and students with disability or special needs in New South Wales schools.

## **6. Inquiry into enrolment capacity in inner city public primary schools**

### **6.1 Public submissions**

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos. 1, 4, 5, 8, 11, 12, 13, 14, 15, 16, 17, 18, 21, 23, 24, 27, 30, 31, 32, 33, 35, 37, 38, 41, 42, 44, 47, 49, 51, 52, 53, 54, 55, 60, 61, 62, 63, 65, 66 and 67.

### **6.2 Partially confidential submissions**

Resolved, on the motion of Mrs Mitchell: That the committee:

- keep the following information confidential, as per the request of the author: names and/or identifying and sensitive information in submissions nos. 6, 7, 10, 19, 20, 22, 36, 39, 40, 45, 46, 48, 56, 57, 58, 59 and 64
- keep the following information confidential, as per the recommendation of the secretariat: names and/or identifying and sensitive information in submissions nos. 2, 3, 9, 25, 26, 28, 29, 34, 43, 50, and 68, save for the names of third parties appearing as witnesses at the hearing.

Resolved, on the motion of Mr Shoebridge: That the committee keep potential adverse mention in submission no 29 confidential, as per the recommendation of the secretariat.

### **6.3 Attachments to submissions**

Resolved, on the motion of Mr Shoebridge: That the committee authorise the publication of attachments to submission no 27 (City of Sydney) and submission no 67 (Department of Education), subject to keeping the following information confidential:

- in the attachments to submission nos 27 and 67: the names of third parties not appearing as witnesses at the hearing, as per the recommendation of the secretariat
- in submission no 67 Attachment Item C, Tab 25: author and consultation details at the end of page two, as per the request of the Department
- in submission no 67 Attachment Item C, Tab 27: the last row in the table on page three, as per the request of the Department.

### **6.4 Public hearing**

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Mr Peter Riordan, Deputy Secretary, Corporate Services, Department of Education
- Mr Anthony Perrau, Executive Director, Asset Management, Department of Education
- Mr Murat Dizdar, Executive Director, Public Schools NSW, Department of Education
- Dr Sylvia Corish, Director, Public Schools NSW, Inner City Strategy, Department of Education
- Mr Tony McCabe, Group Director, Capital Works, Department of Education.

The evidence concluded and the witnesses withdrew.

The following witness were sworn and examined:

- Ms Mary Casey, Project consultant, McLachlan Lister.

Ms Casey tendered the following document:

- Document entitled 'Consultation to date'.

The evidence concluded and the witness withdrew.

The following witnesses were sworn and examined:

- Ms Clover Moore, Lord Mayor, City of Sydney
- Ms Monica Barone, Chief Executive Officer, City of Sydney
- Mr Kim Woodbury, Chief Operating Officer, City of Sydney
- Mr Nicholas Male-Perkins, Commercial Manager, City of Sydney
- Dr Greg Dasey, Principal Hydrologist, JBS&G.

Ms Moore tendered the following document:

- Correspondence dated 24 October 2014 to 11 February 2016 between the Department of Education and the City of Sydney.

The evidence concluded and the witnesses withdrew.

The following witness were sworn and examined:

- Mr Chris Kline, Principal, Douglas Partners
- Ms Nerilee Edwards, Associate, Douglas Partners.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Kevin Langdon, President, Ultimo Public School P&C Association
- Ms Janine Barrett Former, President, Ultimo Public School P&C Association
- Mr William D'Anthes, Former President, Ultimo Public School P&C Association.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Elizabeth Elenius, Pyrmont Action Incorporated
- Ms Mary Mortimer Ultimo, Pyrmont Education Campaign Committee.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Mr Ron Powell, Architect, Powell & Associates.

Mr Powell tendered the following documents:

- Document entitled 'Conceptual diagram prepared by Mr Stewart Morgan'.

The evidence concluded and the witness withdrew.

The public and media withdrew.

The public hearing concluded at 4.29 pm.

## **6.5 Tendered documents**

Resolved, on the motion of Mr Shoebridge: That the committee accept and publish the following documents tendered during the public hearing:

- 'Consultation to date', tendered by Ms Casey
- Correspondence dated 24 October 2014 to 11 February 2016 between the Department of Education and the City of Sydney, tendered by Ms Moore
- 'Conceptual diagram prepared by Mr Stewart Morgan', tendered by Mr Powell.

## **7. Inquiry into students with disability or special needs in New South Wales schools**

### **7.1 Extension of inquiry timeframe**

Resolved, on the motion of Mr Shoebridge: That, as previously agreed, the committee:

- extend the submission closing date to 26 February 2017
- hold four public hearings in late March/April 2017, with dates to be determined by the Chair after consultation with members regarding their availability.

**8. Inquiry into Budget Estimates 2016-2017**

**8.1 Consideration of Chair's draft report – Budget Estimates 2016-2017**

Resolved, on the motion of Revd Nile:

That the draft report be the report of the committee and that the committee present the report to the House;

That the transcripts of evidence, tabled documents, answers to questions on notice and supplementary questions, minutes of proceedings and correspondence relating to the Budget Estimates hearings be tabled in the House with the report;

That upon tabling, all unpublished transcripts of evidence, tabled documents, answers to questions on notice and supplementary questions, minutes of proceedings and correspondence relating to the Budget Estimates hearings, be published by the committee, except for those documents kept confidential by resolution of the committee;

That the committee secretariat correct any typographical, grammatical and formatting errors prior to tabling;

That the report be tabled on Friday 2 December 2016.

**9. Adjournment**

The committee adjourned at 4.35 pm, until Monday 6 February 2016, 9.30 am, Room 1254, Parliament House (enrolment capacity report deliberative).

Sharon Ohnesorge  
**Clerk to the Committee**



