

General Purpose Standing Committee No. 5

Budget Estimates 2012 - 2013

Ordered to be printed 14 December 2012 according to
Standing Order 231

New South Wales Parliamentary Library cataloguing-in-publication data:

New South Wales. Parliament. Legislative Council. General Purpose Standing Committee No. 5

Budget estimates, 2012-2013 / General Purpose Standing Committee No. 5 [Sydney, N.S.W.] : the Committee, 2012. [30] viii, 25p. ; 30 cm. (Report no. 36 / General Purpose Standing Committee No. 5)

“December 2012”

Chair: Hon. Robert Brown, MLC.

ISBN 9781921286889

1. New South Wales. Parliament. Legislative Council. General Purpose Standing Committee No. 5—
Appropriations and expenditures.
- I. Brown, Robert.
- II. Title.
- III. Series: New South Wales. Parliament. Legislative Council. General Purpose Standing Committee No.
5. Report ; no. 36

328.94407 (DDC22)

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Terms of reference

1. That upon tabling, the Budget Estimates and related papers for the financial year 2012-2013 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 8 October 2012

GPSC1	Finance and Services, The Illawarra	9.00 am	–	1.00 pm
GPSC2	Ageing, Disability Services	9.00 am	–	11.00 am
GPSC5	Primary Industries, Small Business	10.00 am	–	1.00 pm
GPSC2	Health, Medical Research	2.00 pm	–	6.00 pm
GPSC1	Planning and Infrastructure	3.45 pm	–	6.00 pm

Day Two: Tuesday 9 October 2012

GPSC1	Treasury, Industrial Relations	9.00 am	–	1.00 pm
GPSC3	Trade and Investment, Regional Infrastructure and Services	9.00 am	–	12.00 pm
GPSC3	The Legislature	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 10 October 2012

GPSC2	Citizenship and Communities, Aboriginal Affairs	9.00 am	–	10.30 am
GPSC2	Mental Health, Healthy Lifestyles, Western NSW	10.45 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 11 October 2012

GPSC5	The 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 12 October 2012

GPSC5	Resources and Energy, Special Minister of State, The Central Coast	9.00 am	–	1.00 pm
GPSC3	Tourism, Major Events, Hospitality and Racing, The Arts	9.00 am	–	1.00 pm
GPSC2	Family and Community Services, Women	2.00 pm	–	5.00 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 26 November 2012

GPSC1
GPSC2

Day Two: Tuesday 27 November 2012

GPSC1
GPSC3

Day Three: Wednesday 28 November 2012

GPSC4
GPSC2

Day Four: Thursday 29 November 2012

GPSC4
GPSC5

Day Five: Friday 30 November 2012

GPSC5
GPSC3

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 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 2013.
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.

These terms of reference were referred to the Committee by the House on 15 March 2012, see *LC Minutes* (15/3/2012) 819, Item 19; amended by *LC Minutes* (19/09/2012) 1247, Item 8.

Committee membership

The Hon Robert Brown MLC	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 MLC	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
The Hon Cate Faehrmann MLC	The Greens
The Hon Amanda Fazio MLC	Australian Labor Party
The Hon Luke Foley MLC	Australian Labor Party
The Hon Jennifer Gardiner MLC	The Nationals
Dr John Kaye MLC	The Greens
The Hon Shaoquett Moselmane MLC	Australian Labor Party
The Hon Adam Searle MLC	Australian Labor Party
Mr David Shoebridge MLC	The Greens
The Hon Mick Veitch MLC	Australian Labor Party
The Hon Lynda Voltz MLC	Australian Labor Party
The Hon Helen Westwood MLC	Australian Labor Party
The Hon Steve Whan MLC	Australian Labor Party

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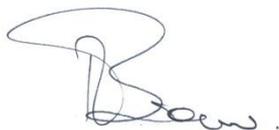
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Chair's foreword

I am pleased to present this report on the Inquiry into Budget Estimates 2012-2013. This annual inquiry ensures parliamentary oversight of the Budget Estimates and provides an important mechanism for the accountability of the executive government to the Council.

The Committee held five hearings, involving fifteen hours of evidence, to examine the portfolio areas of: The Environment, Heritage; Primary Industries, Small Business; Local Government, The North Coast; Fair Trading; and Resources and Energy, Special Minister of State, The Central Coast.

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.



Hon Robert Brown MLC
Chair

Chapter 1 Introduction

Referral of the 2012-2013 Budget Estimates

- 1.1 On 15 March 2012, the Legislative Council resolved that ‘the Budget Estimates and related papers for the financial year 2012-2013 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 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 the last sitting day of the first sitting week in February 2013.

Hearings

- 1.3 The Committee held five public hearings as follows:
- Monday 8 October 2012 – Primary Industries, Small Business
 - Thursday 11 October 2012 – Environment, Heritage
 - Thursday 11 October 2012 – Local Government, The North Coast
 - Thursday 11 October 2012 – Fair Trading
 - Friday 12 October 2012 – Resources and Energy, Special Minister of State, The Central Coast.
- 1.4 A brief summary of the key issues raised during the hearings is contained in Chapter 2.

Transcripts

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

Questions on notice

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

¹ *LC Minutes* (15/03/2012) 819, Item 19; as amended by *LC Minutes* (19/09/2012) 1247, Item 8.

Chapter 2 Issues raised during hearings

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

Primary Industries, Small Business

2.1 A hearing examining the portfolios of Primary Industries and Small Business was held on Monday 8 October 2012. The following issues were raised:

- The impacts of unfair market practices and the Government's compliance with the 30 day payment policy on small businesses
- The regulatory burden on small businesses and the impact of the carbon tax
- Water management in the Nimmie-Caira region
- The development of the New South Wales Aquifer Interference Policy
- The amalgamation of local land services
- The funding and decentralisation of Fisheries NSW.

Environment, Heritage

2.2 A hearing examining the portfolios of Environment and Heritage was held on Thursday 11 October 2012. The following issues were raised:

- Operations of the Environment Protection Authority including wood heaters in regional areas, response to environmental incidents and recycling programs
- Governance of Parramatta Park and appointments to the Trust
- Science on climate change including research on sea level rises
- Decision to permit hunting in National Parks and the process for implementing this decision
- Investigations into allegations of illegal land clearing
- Energy saving programs
- Bushfire management and hazard reduction
- Heritage protection including the Historic Houses Trust, Thompsons Square and Windsor
- Restructure of the Office of Environment and Heritage to meet budget constraints
- Aboriginal Heritage Act and Aboriginal Heritage Information Management Systems (AHIMS).

Local Government, The North Coast

2.3 A hearing examining the portfolios of Local Government and The North Coast was held on Thursday 11 October 2012. The following issues were raised during the Committee's examination of Local Government:

- Dangerous dogs
- Pecuniary interests of local government councillors
- Local Government Infrastructure Renewal Scheme
- Uranium exploration.

2.4 The following issues were raised during the Committee's examination of The North Coast:

- Mullimbimby Hospital
- Brunswick Heads ferry reserve
- Local Environment Plans
- Byron Bay bypass
- Liquor stores in Byron Bay.

Fair Trading

2.5 A hearing examining the portfolio of Fair Trading was held on Thursday 11 October 2012. The following issues were raised:

- Ministerial meetings with building industry representatives
- Labelling of consumer products, particularly those containing palm oil and trans fats
- Building defects and failures in rectifications
- Strata and community title reform, including the strata scheme discussion paper
- Residential parks and nursing home contracts
- Review of warranty period for structural and non-structural defects
- Licensing of tradespeople who install security products
- Increasing public awareness of consumer and business rights, particularly in regional and rural NSW
- Strategies to combat travelling conmen and scammers.

Resources and Energy, Special Minister of State, The Central Coast

2.6 A hearing examining the portfolios of Resources and Energy, Special Minister of State and The Central Coast was held on Friday 12 October. The following issues were raised during the Committee's examination of Resources and Energy and Special Minister of State:

- Coal seam gas mining and exploration
- Mining licence renewals
- Registered lobbyists
- Boggabri and Fullerton Cove mining protests
- Fracture Stimulation Management Plans (FSMPs)
- Coal Service Pty Ltd board vacancies
- Electricity Network Reform Taskforce
- Networks NSW
- Energy supply reliability
- Asbestos in the electricity industry
- Maximum demand charges
- Mine Rehabilitation Advisory Council.

2.7 The following issues were raised during the Committee's examination of The Central Coast:

- Regional transport masterplan
- Ausgrid sponsorship of Central Coast Mariners
- Central Coast Regional Development Corporation
- 'The Landing' development project
- Palliative care services
- Ambulance services.

Appendix 1 Witnesses at hearing

1. Primary Industries, Small Business – Monday 8 October 2012

Name	Position and Organisation
Hon. Katrina Hodgkinson MP	Minister for Primary Industries, and Minister for Small Business
Mr Mark Paterson	Director General, Department of Trade and Investment, Regional Infrastructure and Services
Mr Michael Bullen	A/ Director General, Department of Primary Industries
Ms Renata Brooks	Deputy Director General, Catchment & Lands, Department of Primary Industries
Mr David Harriss	Commissioner, NSW Office of Water
Mr Nick Roberts	Chief Executive Officer, Forests NSW
Dr Geoff Allan	Executive Director, Fisheries NSW
Ms Yasmin King	Small Business Commissioner

2. The Environment, Heritage – Thursday 11 October 2012

Name	Position and Organisation
Hon. Robyn Parker MP	Minister for the Environment, and Minister for Heritage
Mr Barry Buffier	Chair and Chief Executive, Environment Protection Authority
Mr Mark Gifford	Chief Environmental Regulator, Environment Protection Authority
Ms Sally Barnes	Chief Executive, Office of Environment and Heritage
Mr Tom Grosskopf	Acting Deputy Chief Executive, Office of Environment and Heritage
Mr Carl Solomon	Acting Deputy Chief Executive, Office of Environment and Heritage
Mr Owen Walker	Corporate Management Accountant, Office of Environment and Heritage
Ms Melinda Murray	Acting Director Conservation Programs, Office of Environment and Heritage
Ms Petula Samios	Director, Heritage Branch, Office of Environment and Heritage
Ms Kim Ellis	Director and Chief Executive, Centennial Park and Moore Park Trust
Mr Cameron Kerr	Director and Chief Executive Officer, Taronga Conservation Society Australia, Office of Environment and Heritage

3. Local Government, The North Coast – Thursday 11 October 2012

Name	Position and Organisation
Hon. Donald Page MP	Minister for Local Government, and Minister for the North Coast
Mr Ross Woodward	Chief Executive, Division of Local Government, Department of Premier and Cabinet
Mr Steve Orr	Deputy Chief Executive, Division of Local Government, Department of Premier and Cabinet
Mr Grahame Gibbs	Manager, Investigations and Performance, Division of Local Government, Department of Premier and Cabinet
Mr Mike Pearce	Senior Regional Coordinator, North Coast, Delivery & Implementation Group, NSW Department of Premier and Cabinet

4. Fair Trading – Thursday 11 October 2012

Name	Position and Organisation
Hon. Anthony Roberts MP	Minister for Fair Trading
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 Bjorn Borg	Acting Accounting and Commercial Manager, Department of Finance and Services

5. Resources and Energy, Special Minister of State, The Central Coast – Friday 12 October 2012

Name	Position and Organisation
Hon. Chris Hartcher MP	Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast
Mr Mark Duffy	Deputy Director General, Resources and Energy
Mr Brad Mullard	Executive Director, Mineral Resources
Mr Andrew Lewis	Executive Director, Resources and Energy
Mr Bruce Morcombe	Director Business Advisory Services, Resources and Energy
Ms Jenny Nash	Director Mine Safety Performance, Mine Safety Performance
Mr Alan Blackman	Senior Regional Coordinator, Regional Coordination Branch, Central Coast, Department of Premier and Cabinet

Appendix 2 Tabled documents

Monday 8 October 2012

Primary Industries, Small Business

- 1 A document entitled '*NSW Aquifer Interference Policy*', Department of Primary Industries, Office of Water, tendered by the Hon Katrina Hodgkinson MP, Minister for Primary Industries, and Minister for Small Business.

Thursday 11 October 2012

Local Government, The North Coast

- 2 A document entitled '*The Financial Sustainability of Existing Financial and Infrastructure Policies, Largest 100 NSW Councils, 2006/07*', tendered by the Hon Minister Donald Page MP, Minister for Local Government, and Minister for the North Coast.

Appendix 3 Minutes

Minutes No. 31

Friday 14 September 2012

General Purpose Standing Committee No. 5

Jubilee Room, Parliament House, Sydney, at 8.45 am

1. Members present

Mr Brown, *Chair*

Mr Colless, *Deputy Chair*

Ms Faehrmann

Mr Foley (from 8.50 am)

Mr MacDonald

Dr Phelps (from 8.55 am)

Mr Primrose

2. ***

3. Inquiry into Budget Estimates 2012 – 2013

3.1 Correspondence

The Committee noted the following items of correspondence sent:

- 9 August 2011 – From Director, Committees to Minister Hartcher, Minister for Resources and Energy, Special Minister for State, and Minister for the Central Coast, regarding the Minister's scheduled appearance for the Inquiry into the Budget Estimates 2012-2013
- 9 August 2011 – From Director, Committees to Minister Hodgkinson, Minister for Primary Industries, and Minister for Small Business, regarding the Minister's scheduled appearance for the Inquiry into the Budget Estimates 2012-2013
- 9 August 2011 – From Director, Committees to Minister Page, Minister for Local Government, and Minister for the North Coast, regarding the Minister's scheduled appearance for the Inquiry into the Budget Estimates 2012-2013
- 9 August 2011 – From Director, Committees to Minister Parker, Minister for the Environment, and Minister for Heritage, regarding the Minister's scheduled appearance for the Inquiry into the Budget Estimates 2012-2013
- 9 August 2011 – From Director, Committees to Minister Roberts, Minister for Fair Trading, regarding the Minister's scheduled appearance for the Inquiry into the Budget Estimates 2012-2013.

Mr Foley joined the meeting.

3.2 Order for examination of portfolios: If portfolios are not to be considered concurrently

3.2.1. Monday 8 October 2012, 10.00 am – 1.00 pm: Primary Industries, Small Business

Resolved, on the motion of Mr Colless: That on Monday 8 October 2012 the Primary Industries portfolio be examined from 10.00 am – 12.00 pm and Small Business from 12.00 pm – 1.00 pm.

3.2.2. Thursday 11 October 2012, 9.00 am – 1.00 pm: Environment, Heritage

Resolved, on the motion of Mr Colless: That on Thursday 11 October 2012 the Environment portfolio be examined from 9.00 am – 12.00 pm and Heritage from 12.00 pm – 1.00 pm.

3.2.3. Thursday 11 October 2012, 2.00 pm – 3.30 pm: Local Government, the North Coast
Resolved, on the motion of Mr Colless: That on Thursday 11 October 2012 the Local Government portfolio be examined from 2.00 pm – 2.45 pm and the North Coast from 2.45pm- 3.30pm.

3.2.4. Friday 12 October 2012, 9.00 am – 1.00 pm: Resources and Energy, Special Minister of State, the Central Coast
Resolved, on the motion of Mr Colless: That on Friday 12 October 2012 the Resources and Energy portfolio be examined from 9.00 am – 12.00 pm and the Special Minister of State and the Central Coast be examined concurrently from 12.00 pm – 1.00 pm.

4. ***

5. ***

6. ***

7. **Adjournment**

The Committee adjourned at 5.10 pm until Tuesday, 25 September 2012, 7.30 am, at Sydney Airport, for site visit to Bourke/ Coonabarabran.

Madeleine Foley

Clerk to the Committee

Minutes No. 33

Wednesday 26 September 2012

General Purpose Standing Committee No. 5

Bourke Bowling Club, Bourke, at 9.00 am

1. **Members present**

Mr Brown, *Chair*

Mr Colless, *Deputy Chair*

Ms Faehrmann

Mr Foley

Mr MacDonald

Dr Phelps

Mr Primrose

2. **Correspondence**

The Committee noted the following item of correspondence received:

- 25 September 2012 – Nicole Buskiewicz, Advisor, Office of the Minister of Environment and Heritage, to the Chair, requesting that for the Minister's Budget Estimates appearance that officials from the Office of Environment and Heritage be questioned for the first 1.5 hours and officials from the Environment Protection Authority be questioned for the following 1.5 hours.

3. ***

4. **Budget Estimates 2012-2013**

The Committee considered correspondence from the Office of the Minister of Environment and Heritage relating to the allocation of time for the Environment portfolio.

Mr MacDonald moved: That the Committee agree to the request that for the Minister's Budget Estimates appearance officials from the Office of Environment and Heritage be questioned for the first 1.5 hours and officials from the Environment Protection Authority be questioned for the following 1.5 hours.

Question put and resolved in the negative.

Resolved, on the motion of Mr Primrose: That officials from the Environment Protection Authority appear from 9 am for not more than one hour. Further, that officials from the Office of Environment and Heritage be in attendance throughout the allocated time from 9.00 am to 12 pm.

5. Adjournment

The Committee adjourned at 6.45 pm until Wednesday, 2 October 2012, 9.00 am, at Coonabarabran Bowling Club, Bourke, NSW.

Madeleine Foley

Clerk to the Committee

Minutes No. 34

Thursday 27 September 2012

General Purpose Standing Committee No. 5

Coonabarabran Bowling Club, at 9.00 am

1. Members present

Mr Brown, *Chair*

Mr Colless, *Deputy Chair*

Ms Faehrmann

Mr Foley

Mr MacDonald

Dr Phelps

Mr Primrose

2. ***

3. ***

4. Budget Estimates

Resolved, on the motion of Mr Colless: That the time allocated for the examination of the Primary Industries and Small Business portfolios be reduced from three to two hours, and that no time is allocated to the Government members to ask questions. Further, that the portfolio of Primary Industries be examined from 10.00 - 11.20 am and the portfolio of Small Business be examined from 11.30 - 12.10 pm.

5. Adjournment

The Committee adjourned at 1.00 pm until Wednesday 3 October 2012, 9.00 am, at Port Macquarie, NSW.

Madeleine Foley

Clerk to the Committee

Minutes No. 35

Wednesday 3 October 2012

General Purpose Standing Committee No. 5

Sydney Airport at 8.00 am

1. Members present

Mr Brown, *Chair*
 Mr Colless, *Deputy Chair*
 Ms Faehrmann (*Mr Buckingham*)
 Mr Foley (*Mr Donnelly*)
 Mr MacDonald
 Dr Phelps
 Mr Primrose

2. Draft minutes

Resolved, on the motion of Mr Colless: That draft minutes 33 and 34 be confirmed, as amended for typographical errors.

3. *****4. Budget Estimates**

Resolved, on the motion of Mr Colless: That on Monday 8 October 2012 the portfolio of Small Business be examined from 10.00 am – 10.40 am and the portfolio of Primary Industries be examined from 10.50 am – 12.10 pm, and that as previously resolved no time be allocated to the Government members to ask questions.

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

The Committee adjourned at 5.00 pm until Thursday, 4 October 2012, 9.00 am, at Port Macquarie, NSW.

Madeleine Foley

Clerk to the Committee

Minutes No. 38

Monday 8 October 2012

General Purpose Standing Committee No. 5

Waratah Room, Parliament House, Sydney, at 9.45 am

1. Members present

Mr Brown (*Chair*)
 Mr Colless
 Mr MacDonald
 Dr Phelps
 Mr Primrose
 Mr Buckingham
 Mr Searle (*Mr Donnelly, until 10.40 am*)
 Mr Whan (*participating*)

2. Substitutions

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

- Ms Faehrmann for Mr Buckingham (*part Primary Industries, Small Business*)
- Mr Searle for Mr Donnelly (*Small Business*)
- Mr Whan for Mr Donnelly (*Primary Industries*).

3. Participating members

The Chair advised that Mr Whan would be attending the hearing as a participating member, except for the portion of the hearing where he will be attending as the member substituting for Mr Donnelly, as noted in Item 2.

4. Draft minutes

Resolved, on the motion of Mr MacDonald: That Draft Minutes No.31 be confirmed.

5. Correspondence

The Committee noted the following items of correspondence:

Received

- 25 September 2012 – From Ms Namoi Dougall, Chief of Staff, Office of the Minister for Local Government and the North, to the Committee Secretariat, providing the list of witnesses for the Minister for Local Government and Minister for North Coast
- 25 September 2012 – From Ms Nicole Buskiewicz, Advisor, Office of the Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage, to the Chair, requesting the Committee to consider a further breakdown of time allocated for the examination of the Environment and Heritage portfolios
- 28 September 2012 – From Mr Brandon Jacobs, Parliamentary Adviser, Office of the Hon Anthony Roberts MP, Minister for Fair Trading, providing a list of witnesses for the Minister for Fair Trading
- 2 October 2012 – From Mr Sean O'Connell, Senior Policy Adviser, Office of the Deputy Premier, providing a list of witnesses
- 2 October 2012 – From Ms Danielle Lautrec, A/Director Ministerial and Parliamentary Services, Office of Environment and Heritage, Department of Premier and Cabinet, providing a list of witnesses.

Sent

- 26 September 2012 – From the Secretariat to Mr Alexander Drake, Deputy Chief of Staff, Office of the Hon Katrina Hodgkinson MP, Minister for Primary Industries, Minister for Small Business, informing the Ministry of the time allocation for portfolios
- 26 September 2012 – From the Secretariat to Ms Nicole Buskiewicz, Advisor, Office of the Hon Robyn Parker MP, Minister for the Environment, Minister for Heritage, informing the Ministry of the time allocation for portfolios
- 26 September 2012 – From the Secretariat to Mr Darren Bark, Policy & Parliamentary Adviser, Minister for Local Government, Minister for the North Coast, informing the Ministry of the time allocation for portfolios
- 26 September 2012 – From the Secretariat to Ms Caroline Hutcherson, Media Advisor, Office of the Minister for Resources and Energy, Special Minister of State, informing the Ministry of the time allocation for portfolios
- 27 September 2012 – From the Secretariat to Ms Nicole Buskiewicz, Advisor, Office of the Hon Robyn Parker MP, Minister for the Environment, Minister for Heritage, informing the Ministry of the decision made in relation to the time allocation for the examination of the Environment and Heritage portfolios.

6. Allocation of question time

Resolved, on the motion of Mr Primrose: That for the initial round of Budget Estimates 2012-2013 into Primary Industries and Small Business, the sequence of questions to be asked alternate between Opposition and Cross Bench members, with 20 minutes allocated to each and then alternating thereafter.

7. Return date for answers to questions on notice:

Resolved, on the motion of Mr MacDonald: That for the initial round of hearings into the Budget Estimates 2012-2013, answers to questions taken on notice during the hearing, and questions on notice lodged up to two days following the hearing, be provided within 21 days.

8. Public hearing: Budget Estimates 2012-2013 – 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 were sworn:

- Ms Yasmin King, Small Business Commissioner.
- Mr Mark Paterson, Director General, Department of Trade and Investment, Regional Infrastructure and Services.

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

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

Ms King withdrew.

Mr Searle left the meeting at 10.40 am.

The following officials were sworn:

- Mr Michael Bullen, A/Director General, Department of Primary Industries
- Ms Renata Brooks, Deputy Director General, Catchments and Lands, Department of Primary Industries
- Mr David Harriss, Commissioner NSW Office of Water
- Mr Nick Roberts, Chief Executive Officer, Forests NSW
- Dr Geoff Allen, Executive Director, Fisheries NSW.

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

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

Minister Hodgkinson tendered the following document:

- NSW Aquifer Interference Policy, Department of Primary Industries, Office of Water.

The Minister and the departmental witnesses withdrew.

The public hearing concluded at 12.10 pm.

The public and media withdrew.

9. Tendered documents

Resolved, on the motion of Mr Buckingham: That the Committee accept and publish the following documents tendered during the hearing:

- NSW Aquifer Interference Policy, Department of Primary Industries, Office of Water, tendered by Minister Hodgkinson.

10. Supplementary hearings

Resolved, on the motion of Mr Primrose: That the Committee hold a further meeting to deliberate on whether to hold supplementary hearings for the portfolios of Primary Industries, and Small Business on a date to be determined following receipt of answers to questions on notice.

11. Adjournment

The Committee adjourned at 12.15 pm, until 8.45 am, Thursday 11 October 2012, Macquarie Room (*The Environment, Heritage*).

Susan Want

Clerk to the Committee

Minutes No. 39

Thursday 11 October 2012

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney, at 8.45 am

1. Members present

Mr Brown (*Chair*)

Mr Colless

Ms Faehrmann (*Mr Buckingham – Environment, until 12.25 pm*)

Ms Fazio (*Mr Primrose*)

Mr Foley (*participating*)

Mr MacDonald

Mr Moselmane (*Mr Donnelly*)

Dr Phelps

Mr Shoebridge (*Mr Buckingham – Heritage, from 11.55 am*)

2. Substitutions

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

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

3. Participating members

The Chair advised that Mr Foley would be attending the hearing as a participating member.

4. Public hearing: Budget Estimates 2012-2013 – The 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 were sworn:

- Mr Barry Buffier, Chair and Chief Executive, Environment Protection Authority
- Mr Mark Gifford, Chief Environmental Regulator, Environment Protection Authority
- Ms Sally Barnes, Chief Executive, Office of Environment and Heritage
- Mr Tom Grosskopf, Acting Deputy Chief Executive, OEH
- Mr Carl Solomon, Acting Deputy Chief Executive, OEH

- Mr Owen Walker, Corporate Management Accountant, OEH
- Ms Melinda Murray, A/Director Conservation Programs, OEH
- Kim Ellis, Director and Chief Executive, Centennial Park and Moore Park Trust
- Cameron Kerr, Director and Chief Executive Officer, Taronga Conservation Society Australia, OEH.

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

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

The Committee adjourned at 9.38 am.

The Committee resumed the hearing at 9.50 am.

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

The following departmental witnesses withdrew:

- Mr Barry Buffier, Chair and Chief Executive, Environment Protection Authority
- Mr Mark Gifford, Chief Environmental Regulator, Environment Protection Authority.

The Committee continued to examine the Minister and the remaining departmental witnesses.

The following official was sworn:

- Ms Petula Samios, Director Heritage Branch, Office of Environment and Heritage.

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

Mr Shoebridge joined the meeting.

Ms Faehrmann left the meeting.

The Minister and the departmental witnesses withdrew.

The public hearing concluded at 12.40 pm.

The public and media withdrew.

5. **Supplementary hearings**

Resolved, on the motion of Ms Fazio: That the Committee hold a meeting to deliberate on whether to hold supplementary hearings for the portfolios of The Environment and Heritage on a date to be determined following receipt of answers to questions on notice.

6. **General business**

Resolved, on the motion of Mr MacDonald: That the time allocated for the examination of the portfolios of Resources and Energy, Special Minister of State and The Central Coast be reduced from four hours to two hours and 40 minutes, and that no time is allocated to the Government members to ask questions. Further, that the portfolios of Resources and Energy, Special Minister of State and The Central Coast be examined from 9.00 – 11.00 am, and the portfolio of The Central Coast be examined from 11.00 - 11.40 am.

7. Adjournment

The Committee adjourned at 12.45 pm, until 1.45 pm, Thursday 11 October 2012, Macquarie Room (*Local Government, The North Coast*).

Madeleine Foley

Clerk to the Committee

Minutes No. 40

Thursday 11 October 2012

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney, at 1.55 pm

1. Members present

Mr Brown (*Chair*)

Ms Barham (*Mr Buckingham – The North Coast*)

Mr Colless

Ms Cotsis (*participating – Local Government, The North Coast*)

Dr Kaye (*Mr Buckingham – Fair Trading*)

Mr MacDonald

Dr Phelps

Mr Searle (*Mr Donnelly – Fair Trading*)

Mr Shoebridge (*Mr Buckingham – Local Government*)

Mr Veitch (*Mr Primrose – Local Government, The North Coast*)

Ms Voltz (*Mr Primrose – Fair Trading*)

Ms Westwood (*Mr Donnelly – Local Government, The North Coast*)

2. Substitutions

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

- Mr Shoebridge for Mr Buckingham (*Local Government*)
- Ms Barham for Mr Buckingham (*The North Coast*)
- Dr Kaye for Mr Buckingham (*Fair Trading*)
- Ms Westwood for Mr Donnelly (*Local Government, The North Coast*)
- Mr Veitch for Mr Primrose (*Local Government, The North Coast*)
- Mr Searle for Mr Donnelly (*Fair Trading*)
- Ms Voltz for Mr Primrose (*Fair Trading*).

3. Participating members

The Chair advised that Ms Cotsis would be attending the hearing for Local Government and the North Coast as a participating member.

4. Public hearing: Budget Estimates 2012-2013 – 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 were sworn:

- Mr Ross Woodward, Chief Executive, Division of Local Government, DPC
- Mr Steve Orr, Deputy Chief Executive, Division of Local Government, DPC

- Mr Grahame Gibbs, Manager Investigations and Performance, Division of Local Government, DPC
- Mr Mike Pearce, Senior Regional Coordinator, North Coast, Delivery & Implementation Group, DPC.

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

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

Mr Shoebridge left the meeting at 2.20 pm.

Minister Page tendered the following document:

- Document titled '*The Financial Sustainability of Existing Financial and Infrastructure Policies, Largest 100 NSW Councils, 2006/07*'.

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

The Minister and the departmental witnesses withdrew.

The Committee adjourned at 3.10 pm.

The Committee resumed at 3.45 pm.

5. **Public hearing: Budget Estimates 2012-2013 – 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 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 Bjorn Borg, Acting Accounting and Commercial Manager, Department of Finance and Services.

The Chair 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 Minister and the departmental witnesses withdrew.

The public hearing concluded at 5.45 pm.

The public and media withdrew.

6. **Tendered documents**

Resolved on the motion of Dr Phelps: That the Committee accept and publish the following document tendered during the hearing:

- '*The Financial Sustainability of Existing Financial and Infrastructure Policies, Largest 100 NSW Councils, 2006/07*', tendered by Minister Page.

7. Supplementary hearings

Resolved, on the motion of Dr Phelps: That the Committee hold a meeting to deliberate on whether to hold supplementary hearings for the portfolios of Local Government, The North Coast and Fair Trading on a date to be determined following receipt of answers to questions on notice.

8. Adjournment

The Committee adjourned at 5.49 pm, until 8.45 am, Friday 12 October 2012, Macquarie Room (*Resources and Energy, Special Minister of State, The Central Coast*).

Cathryn Cummins

Clerk to the Committee

Minutes No. 41

Friday 12 October 2012

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney, at 9.00 am

1. Members present

Mr Brown (*Chair*)

Mr Buckingham (*Deputy Chair*)

Mr Foley (*participating*)

Miss Gardiner (*Mr Colless*)

Dr Kaye (*participating*)

Mr MacDonald

Mr Moselmane (*Mr Donnelly*)

Dr Phelps

Mr Primrose

2. Substitutions

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

- Ms Gardiner for Mr Colless
- Mr Moselmane for Mr Donnelly.

3. Participating members

The Chair advised that Mr Foley and Dr Kaye would be attending the hearing as participating members.

4. Public hearing: Budget Estimates 2012-2013 – Resources and Energy, Special Minister of State, The Central 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 Hartcher 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 were sworn:

- Mr Mark Duffy, Deputy Director General, Minerals and Energy
- Mr Brad Mullard, Executive Director, Mineral Resources
- Mr Andrew Lewis, Acting Executive Director, Energy
- Mr Bruce Morcombe, Director, Business Advisory Services, Resources and Energy
- Ms Jenny Nash, Director Mine Safety Performance.

The Chair 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.

Dr Kaye joined the meeting.

The departmental witnesses withdrew.

The Committee adjourned at 11.00 am. Mr Foley, Mr Buckingham, and Dr Kaye left the meeting.

The hearing resumed at 11.05 am.

The following official was sworn:

- Mr Alan Blackman, Senior Regional Coordinator, Regional Coordination Branch, Central Coast, Department of Premier and Cabinet.

The Chair declared the proposed expenditure for the portfolios of Special Minister of State and The Central Coast open for examination

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

The Minister and the departmental witnesses withdrew.

The public hearing concluded at 11.32 pm

The public and media withdrew.

5. **Questions on notice**

Resolved, on the motion of Dr Phelps: That the Committee request the Minister for Energy and Resources to provide the answer to the question he took on notice with respect to employee protection from asbestos within 60 days.

6. **Supplementary hearings**

Resolved, on the motion of Dr Phelps: That the Committee hold a meeting to deliberate on whether to hold supplementary hearings for the portfolios of Resources and Energy, Special Minister of State, and The Central Coast on a date to be determined following receipt of answers to questions on notice.

7. **Adjournment**

The Committee adjourned at 11.36 am, *sine die*.

John Young

Clerk to the Committee

Draft Minutes No. 42

Tuesday 13 November 2012

General Purpose Standing Committee No. 5

Members' Lounge, Parliament House, Sydney, at 1.00 pm

1. **Members present**

Mr Brown (*Chair*)

Mr Colless

Mr Donnelly
Mr MacDonald
Dr Phelps
Mr Primrose

2. Minutes

Resolved, on the motion of Mr Phelps: That Draft Minutes nos. 38 - 41 be confirmed.

3. Correspondence

The Committee noted the following items of correspondence:

Received

- 4 October 2012 – From Mr Sean O’Connell, Senior Policy Adviser, Office of the Deputy Premier, to the Secretariat advising of additional witnesses
- 8 October 2012 – From Mr Alexander Drake, Deputy Chief of Staff, Office of the Minister for Primary Industries, Minister for Small Business, to the Secretariat advising of an additional witness
- 9 October 2012 – From Ms Caroline Hutcherson, Media Advisor, Office of the Minister for Resources and Energy, Special Minister of State, Minister for the Central Coast, to the Secretariat, advising of an additional witness
- 11 October 2012 – From Mr Brandon Jacobs, Parliamentary Adviser, Office of the Minister for Fair Trading, advising of additional witnesses
- 2 November 2012 – From Minister Hodgkinson to the Secretariat, providing answers to questions on notice and answers to supplementary questions for the portfolios of Primary Industries and Small Business
- 6 November 2012 – From Minister Page to the Secretariat, providing answers to questions on notice and answers to supplementary questions for the portfolios of Local Government and The North Coast
- 6 November 2012 – From Minister Roberts to the Secretariat, providing answers to questions on notice and answers to supplementary questions for the portfolio of Fair Trading
- 6 November 2012 – From Minister Parker to the Secretariat, providing answers to questions on notice and answers to supplementary questions for the portfolios of the Environment and Heritage
- 7 November 2012 – From Minister Hartcher to the Chair, providing answers to questions on notice and answers to supplementary questions for the portfolios of Resources and Energy, Special Minister of State and the Central Coast.

Sent

- 3 October 2012 – From the Secretariat to Mr Alexander Drake, Deputy Chief of Staff, Office of the Hon Katrina Hodgkinson MP, Minister for Primary Industries, Minister for Small Business, informing the Ministry of the time allocation for the examination of the portfolios
- 10 October 2012 – From the Secretariat to Mr Paul Terrett, Senior Policy Advisor, Minister for Local Government, And the North Coast, informing the minister’s office that the Committee resolved not to have government question time
- 12 October 2012 – From the Secretariat to Minister Hodgkinson, Minister for Primary Industries and Minister for Small Business, forwarding highlighted transcript and supplementary questions
- 16 October 2012 – From the Secretariat to Minister Parker, Minister for the Environment and Minister for Heritage, forwarding highlighted transcript and supplementary questions
- 16 October 2012 – From the Secretariat to Minister Page, Minister for Local Government and Minister for the North Coast, forwarding highlighted transcript and supplementary questions
- 16 October 2012 – From the Secretariat to Minister Roberts, Minister for Fair Trading, forwarding highlighted transcript and supplementary questions

- 17 October 2012 – From the Secretariat to Minister Hartcher, Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast, forwarding highlighted transcript and supplementary questions.

4. ***

5. **Inquiry into Budget Estimates 2012-2013 - Supplementary hearings**

Resolved, on the motion of Mr Colless: That the Committee hold no further hearings to consider matters relating to the portfolios of: Small Business, The Environment, Heritage, Local Government, The North Coast, Fair Trading, Resources and Energy, Special Minister of State, and The Central Coast.

Mr Primrose moved: That the Committee hold a supplementary hearing into the portfolio of Primary Industries, with relevant public servants asked to appear for one and a half to two hours, on Thursday 29 November or Friday 30 November 2012.

The Committee divided.

Ayes: Mr Primrose, Mr Donnelly.

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

Question resolved in the negative.

6. **Adjournment**

The Committee adjourned at 1.12 pm, until Tuesday 4 December 2012, Macquarie Room (*Public hearing – Inquiry into the management of public land in NSW*).

Rachel Callinan

Clerk to the Committee

Draft Minutes No. 43

4 December 2012

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney at 9.15 am

1. **Members present**

Mr Brown, *Chair*

Mr Colless, *Deputy Chair*

Ms Faehrmann (Buckingham) (from 9.30 am)

Mr Foley (Donnelly)

Mr MacDonald

Dr Phelps (from 10.00 am)

Mr Primrose

2. **Apologies**

Ms Faehrmann (until 9.30 am)

Dr Phelps (until 10.00 am)

3. **Minutes**

Resolved, on the motion of Mr MacDonald: That draft minutes 31, 35, 36 and 37 be confirmed.

4. **Budget Estimates 2012-2013: Chair's draft report**

Resolved, on the motion of Mr Colless: That the report be the report of the Committee.

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

5. ***

6. ***

7. ***

8. **Adjournment**

The Committee adjourned at 5.15 pm until 9.30 am on Wednesday 3 December 2012 at Parliament House, Sydney.

Madeleine Foley

Clerk to the Committee