

General Purpose Standing Committee No. 5

Budget Estimates 2013 – 2014

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Chair: Hon. Robert Brown, MLC.

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Terms of reference

1. That upon tabling, the Budget Estimates and related papers for the financial year 2013-2014 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 12 August 2013

GPSC 5	Local Government, The North Coast	9.00 am – 12.00 pm
GPSC 2	Citizenship and Communities, Aboriginal Affairs	9.00 am – 10.30 am
GPSC 5	Fair Trading	12.15 pm – 1.15 pm
GPSC 2	Mental Health, Healthy Lifestyles, Western NSW	10.45 am – 12.00 pm
GPSC 2	Sport and Recreation	12.15 pm – 1.00 pm
GPSC 2	Family and Community Services, Women	2.00 pm – 5.00 pm
GPSC 5	Primary Industries, Small Business	2.00 pm – 5.00 pm

Day Two: Tuesday 13 August 2013

GPSC 3	Tourism, Major Events, Hospitality and Racing, The Arts	9.00 am – 1.00 pm
GPSC 3	Roads and Ports	2.00 pm – 6.00 pm

Day Three: Wednesday 14 August 2013

GPSC 4	Attorney General, Justice	9.00 am – 1.00 pm
GPSC 4	Police and Emergency Services, The Hunter	2.00 pm – 6.00 pm

Day Four: Thursday 15 August 2013

GPSC 1	Treasury, Industrial Relations	9.00 am – 1.00 pm
GPSC 2	Education	9.00 am – 1.00 pm
GPSC 1	Finance and Services, The Illawarra	2.00 pm – 6.00 pm

Day Five: Friday 16 August 2013

GPSC 5	Resources and Energy, Special Minister of State, The Central Coast	9.00 am – 1.00 pm
GPSC 1	Premier, Western Sydney	9.00 am – 1.00 pm
GPSC 1	Planning and Infrastructure	2.00 pm – 4.15 pm
GPSC 5	The Environment, Heritage	2.00 pm – 6.00 pm

Day Six: Monday 19 August 2013

GPSC 3	Trade and Investment, Regional Infrastructure and Services	9.00 am – 12.00 pm
GPSC 3	The Legislature	12.15 pm – 1.00 pm
GPSC 3	Transport	2.00 pm – 6.00 pm

Day Seven: Friday 23 August 2013

GPSC 2	Ageing, Disability Services	9.00 am – 11.00 am
GPSC 2	Health, Medical Research	2.00 pm – 6.00 pm

3. That an initial round of supplementary hearings be scheduled during the week of 8 – 11 October 2013.
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 2014.
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 14 November 2012, see *LC Minutes* (14/11/2012) 1368, Item 16; amended by *LC Minutes* (21/05/2013), 1712-1714, Item 19.

Committee membership

The Hon Robert Brown MLC	The Shooters and Fishers Party	<i>Chair</i>
The Hon Jeremy Buckingham MLC	The Greens	<i>Deputy Chair</i>
The Hon Rick Colless MLC	The Nationals	
The Hon Greg Donnelly MLC	Australian Labor Party	
Mr 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
Dr Mehreen Faruqi MLC	The Greens
The Hon Amanda Fazio MLC	Australian Labor Party
The Hon Luke Foley MLC	Australian Labor Party
Dr John Kaye MLC	The Greens
The Hon Trevor Khan MLC	The Nationals
The Hon Shaoquett Moselmane MLC	Australian Labor Party
The Hon Adam Searle MLC	Australian Labor Party
The Hon Walt Secord MLC	Australian Labor Party
The Hon Penny Sharpe MLC	Australian Labor Party
Mr David Shoebridge MLC	The Greens
The Hon Steve Whan MLC	Australian Labor Party
The Hon Ernest Wong MLC	Australian Labor Party

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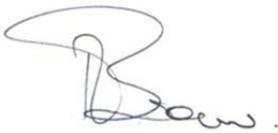
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Chair's foreword

I am pleased to present this report on the Inquiry into Budget Estimates 2013-2014. 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 Council.

The Inquiry consisted of seven hearings, receiving over 11 hours of evidence, to examine the portfolio areas of Local Government, The North Coast, Fair Trading, Primary Industries, Small Business, Resources and Energy, Special Minister of State, The Central Coast, The Environment and Heritage.

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.

A handwritten signature in blue ink, appearing to read 'Robert Brown', with a large, stylized initial 'R'.

Hon Robert Brown MLC
Chairman

Chapter 1 Introduction

Referral of the 2013-2014 Budget Estimates

- 1.1 On 14 November 2012, the Legislative Council resolved to hold the initial hearings of the General Purpose Standing Committees inquiry into the Budget Estimates on ‘Monday 12, Friday 16, Monday 19, Friday 23 August, and during the sittings of the Legislative Assembly on Tuesday 13, Wednesday 14 and Thursday 15 August 2013’.¹
- 1.2 On 21 May 2013, the Legislative Council further resolved that ‘the Budget Estimates and related papers for the financial year 2013-2014 presenting the amounts to be appropriated from the Consolidated Fund by referred to the General Purpose Standing Committees for inquiry and report’.² The 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 2014.

Hearings

- 1.3 The Committee held five public hearings as follows:
- Monday 12 August 2013 – Local Government, The North Coast
 - Monday 12 August 2013 – Fair Trading
 - Monday 12 August 2013 – Primary Industries, Small Business
 - Friday 16 August 2013 – Resources and Energy, Special Minister of State, The Central Coast
 - Friday 16 August 2013 – The Environment, Heritage.
- 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 webpage.

¹ *LC Minutes* (14/11/12) Item 16, p 1368.

² *LC Minutes* (21/05/2013) Item 19, pp 1712-1714.

Chapter 2 Issues raised during hearings

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

Local Government, The North Coast

2.1 A hearing examining the portfolios of Local Government, The North Coast was held on Monday 12 August 2013. The following issues were raised during the Committee's examination of the Local Government portfolio:

- Dog attacks and dangerous dogs
- Amalgamation of councils
- Distinction between community land and operational lands
- Removal of pensioner rebate
- Swimming pool registrations
- Code of Conduct complaints

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

- E3 environmental zones
- Case worker vacancies for child protection services
- Alcohol-related violence
- Beach erosion on North Coast beaches
- Downsizing of Grafton Correctional Centre
- Coal seam gas mining
- Low vaccination rates of children
- Local Infrastructure Renewal Scheme [LIRS]
- Visitor Economy Taskforce recommendation on special rate variation for tourism infrastructure
- Holiday parks.

Fair Trading

2.3 A hearing examining the portfolio of Fair Trading was held on Monday 12 August 2013. The following issues were raised during the Committee's examination of the Fair Trading portfolio:

- Australian Vaccination Network
- Anti-scalping legislation

- Licensing of tattoo parlours
- Review of strata and community schemes law
- Ban of online sale of tattoo guns
- Online ticket resales.

Primary Industries, Small Business

2.4 A hearing examining the portfolios of Primary Industries, Small Business was held on Monday 12 August 2013. The following issues were raised during the Committee's examination of the Primary Industries portfolio:

- Staff numbers
- Use of the former Cronulla Fisheries site
- Dealing with the hendra virus outbreak
- Consultation regarding Ovine Johne's Disease
- Mining and coal seam gas projects
- Animals considered as pests
- The destruction of wild dogs

2.5 The following issues were raised during the Committee's examination of the Small Business portfolio:

- The commencement of provisions in the Small Business Commissioner Act 2013
- The dispute resolution process arranged by the Office of the Small Business Commissioner
- Small Biz Connect and Small Biz Bus programs.

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, The Central Coast was held on Friday 16 August 2013. The following issues were raised during the Committee's examination of the Resources and Energy portfolio:

- Mount Thorley Warkworth mine
- The Wallarah 2 Project
- Rehabilitation work on the Woodsreef asbestos mine
- *Petroleum (Onshore) Act*
- Ethanol legislation
- The 2011 Wilcox report

- Domestic gas reservation policy
- The Family Energy Rebate Scheme
- Uranium exploration activities
- Total spending on rebate schemes in the last financial year
- Solar rooftop feed-in tariff
- Tree clearance and lopping policies for the electricity industry
- Carbon emissions reduction plans
- Energy Accounts Payment Assistance
- Doyles Creek exploration licence.

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

- Express trains to the Central Coast
- Affordable housing and homelessness
- Domestic violence
- Development of a Chinese theme park
- Construction of a regional airport
- Projects or initiatives to reduce youth unemployment
- Removal of second-chance learning from TAFE
- Business development opportunities.

The Environment, Heritage

2.8 A hearing examining the portfolios of The Environment, Heritage was held on Friday 16 August 2013. The following issues were raised during the Committee's examination of the Environment portfolio:

- Staff redundancies
- Proposed amendment of the Protection of the Environment Operations (General) Regulation 2009
- Woodchip exports
- Logging within koala high-use areas
- Rodent eradication on Lord Howe Island
- Dust emissions from coal trains
- Dharawal and Wianamatta Nature Reserve
- Reforms of the Environment Protection Authority

- Penalties for illegal dumping
- Promotion of energy efficiency
- Changes to native vegetation regulations
- Illegal land clearing
- Pest control in national parks
- Tourism in national park areas
- Costs associated with Wood Smoke Reduction Program
- Air quality monitoring programs and research
- Destruction of vegetation in Girraween.

2.9 The following issues were raised during the Committee's examination of the Heritage portfolio:

- Thompson Square and Windsor Bridge
- Challoner House
- Management and protection of historic heritage in national parks and reserves
- Heritage Revitalisation Program.

Appendix 1 Witnesses at hearings

Local Government, The North Coast – Monday 12 August 2013

Name	Position and Organisation
The Hon. Donald Page MP	Minister for Tourism, Major Events, Hospitality and Racing, Minister for the Arts
Mr Ross Woodward	Chief Executive, Division of Local Government, Department of Premier and Cabinet
Ms Corin Moffatt	Manager Innovation and Development, 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 & Cabinet

Fair Trading – Monday, 12 August 2013

Name	Position and Organisation
The Hon. Anthony Roberts MP	Minister for Fair Trading
Mr Rod Stowe PSM	Commissioner, NSW Fair Trading
Mr Robert Vellar	Assistant Commissioner, Policy & Strategy, NSW Fair Trading
Mr Bjorn Borg	Manager, Finance and Accounting, NSW Fair Trading

Primary Industries, Small Business – Monday 12 August 2013

Name	Position and Organisation
The Hon. Katrina Hodgkinson MP	Minister for Primary Industries, Minister for Small Business
Dr Richard Sheldrake	Director General, Department of Primary Industries
Mr David Harriss	Commissioner, Department of Primary Industries
Mr Nick Roberts	Chief Executive Officer, Forestry Corporation of NSW
Mr Michael Bullen	Deputy Director General, Department of Primary Industries
Mr Geoff Allan	Executive Director, Department of Primary Industries
Mr Bruce Christie	Executive Director, Department of Primary Industries
Mr Brett Tucker	Chief Executive Officer, Department of Primary Industries
Ms Yasmin King	Small Business Commissioner, Office of Small Business Commissioner

Resources and Energy, Special Minister of State, The Central Coast – Friday 16 August 2013

Name	Position and Organisation
The Hon. Chris Hartcher MP	Minister for Resources and Energy, Special Minister of State,
Ms Kylie Hargreaves	Minister for The Central Coast A/Deputy Director General, Department of Trade and Investment, Regional Infrastructure and Services
Mr Andrew Lewis	Executive Director, Energy, Department of Trade and Investment, Regional Infrastructure and Services
Mr Brad Mullard	Executive Director, Mineral Resources, Department of Trade and Investment, Regional Infrastructure and Services
Mr Bruce Morcombe	Director, Business Advisory Services, Department of Trade and Investment, Regional Infrastructure and Services
Ms Rachel Connell	Director, Office of Coal Seam Gas, Department of Trade and Investment, Regional Infrastructure and Services
Mr Alan Blackman	Senior Regional Co-ordinator, Department of Premier and Cabinet

The Environment, Heritage – Friday, 16 August 2013

Name	Position and Organisation
The Hon. Robyn Parker MP	Minister for the Environment, Minister for Heritage
Mr Barry Buffier	Chair, NSW Environment Protection Authority and Chief Executive Officer, NSW Environment Protection Authority
Mr Mark Gifford	Chief Environmental Regulator, NSW Environment Protection Authority
Mr Steve Hartley	Principal Manager Forestry, NSW Environment Protection Authority
Ms Sally Barnes	Chief Executive, The Office of Environment and Heritage
Mr Terry Bailey	Deputy Chief Executive, Regional Operations Group and Heritage Division, The Office of Environment and Heritage
Dr Tracey Avery	Director, Heritage Division, The Office of Environment and Heritage
Mr Owen Walker	Director, Finance, The Office of Environment and Heritage

Appendix 2 Tabled documents

Monday 12 August 2013

Local Government, The North Coast

- 1 Chart listing reviews of Local Government conducted by the O'Farrell Government since 2011, tabled by Ms Cotsis.

Fair Trading

- 2 Advertisement circulated in the inner western suburbs of Sydney by an individual offering the services of a spiritual healer, tabled by Ms Fazio.

Appendix 3 Minutes

Minutes No. 46

Thursday 27 June 2013

General Purpose Standing Committee No. 5

Members' Lounge, Parliament House, 1:01 pm

1. Members present

Mr Brown, *Chair*

Mr Colless

Mr Donnelly

Mr MacDonald

Dr Phelps

Mr Primrose

2. Previous minutes

Resolved, on the motion of Dr Phelps: That draft minutes No. 45 be confirmed.

3. ***

4. Inquiry into Budget Estimates 2013-2014

4.1 Allocation of question time

Resolved, on the motion of Mr Primrose: That for the initial round of hearings into the Budget Estimates 2013-2014, the allocation of questions to be asked be left in the hands of the chair.

4.2 Publication of answers to questions on notice

Resolved, on the motion of Dr Phelps: That the Committee authorise the publication of answers to questions on notice, after these answers have been circulated to committee members.

4.3 Order for examination of portfolios

Resolved, on the motion of Mr Colless: That on Monday 12 August 2013, the Local Government portfolio be examined from 9:00am until 10:30am and The North Coast portfolio be examined from 10:30am until 12:00pm.

Resolved, on the motion of Mr Colless: That on Monday 12 August 2013, the Primary Industries portfolio be examined from 2:00pm until 4:00pm and the Small Business portfolio be examined from 4:15pm until 5:00pm.

Resolved, on the motion of Mr Donnelly: That on Friday 16 August 2013, the Resources and Energy portfolio be examined from 9:00am until 12:00pm and the Special Minister of State and The Central Coast portfolios be examined concurrently from 12:00pm until 1:00pm.

Resolved, on the motion of Mr Primrose: That on Friday 16 August 2013, the Environment portfolio be examined from 2:00pm until 5:00pm and the Heritage portfolio be examined from 5:00pm until 6:00pm.

4.4 Witness requests

Members were asked to provide any witness requests to the Secretariat by 5:00pm, Friday 12 July 2013.

5. Interim social media guidelines – from the Chair's Committee

Resolved, on the motion of Dr Phelps: That the committee adopt the interim guidelines on the use of social media and electronic devices during committee proceedings.

6. Adjournment

The Committee adjourned at 1:13pm *sine die*.

Stewart Smith
Clerk to the Committee

Minutes No. 47

Monday 12 August 2013

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney, at 8:47 am

1. Members present

Mr Brown, *Chair*

Ms Barham (*Buckingham – The North Coast*)

Mr Colless

Ms Cotsis (*Donnelly*)

Ms Fazio (*North Coast*)

Mr MacDonald

Dr Phelps

Mr Searle (*Primrose*)

Mr Shoebridge (*Mr Buckingham – Local Government*)

2. Substitutions

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

- Ms Barham to substitute for Mr Buckingham (*The North Coast*)
- Ms Cotsis to substitute for Mr Donnelly
- Mr Shoebridge to substitute for Mr Buckingham (*Local Government*).

3. Participating members

The Chair advised that Ms Fazio (*North Coast* only) would be attending the hearing as a participating member.

4. Draft minutes

Resolved, on the motion of Mr MacDonald: That draft Minutes No. 46 be confirmed.

5. Correspondence

The Committee noted the following items of correspondence:

Received

- 8 July 2013 – Email from Mr Brandon Jacobs, Minister Robert's office to Budget Estimates Secretariat advising of the witnesses to attend Fair Trading hearing on 12 August 2013.
- 12 July 2013 – Email from Mr Tony Chappel, Minister Parker's office to Budget Estimates Secretariat requesting breakdown of portfolio examination for Environment and Heritage hearing on 16 August 2013.
- 17 July 2013 – Email from Mr Darren Bark, Minister Page's office to Budget Estimates Secretariat advising of the witnesses to accompany the Minister on 12 August 2013.
- 19 July 2013 - Email from Mr Darren Bark, Minister Page's office to Budget Estimates Secretariat advising of the updated list of witnesses to accompany the Minister on 12 August 2013.
- 19 July 2013 – Email from Mr Paul Terrett, Minister Page's office advising that the Minister seeks the Committee's agreement to waive the Coalitions allocated time for the hearing on Monday 12 August, for the Local Government and the North Coast portfolios.

- 26 July 2013 - Email from Ms Caroline Hutcherson, Minister Hartcher's office to Budget Estimates Secretariat advising of the witnesses to accompany the Minister on 16 August 2013.
- 31 July 2013 - Email from Ms Kerri Griffiths, Minister Hodgkinson's office to Budget Estimates Secretariat advising of the witnesses to accompany the Minister on 12 August 2013.
- 2 August 2013 - Email from Ms Angela Barrett, Minister Parker's office to Budget Estimates Secretariat advising of the witnesses to accompany the Minister on 16 August 2013.

Sent

- 1 July 2013 – Email from Committee Director to Minister Page's office requesting witnesses to accompany the Minister on 12 August 2013.
- 1 July 2013 – Email from Committee Director to Minister Roberts' office requesting witnesses to accompany the Minister on 12 August 2013.
- 1 July 2013 – Email from Committee Director to Minister Hodgkinson's office requesting witnesses to accompany the Minister on 12 August 2013.
- 1 July 2013 – Email from Committee Director to Minister Hartcher's office requesting witnesses to accompany the Minister on 16 August 2013.
- 1 July 2013 – Email from Committee Director to Minister Parker's office requesting witnesses to accompany the Minister on 12 August 2013.
- 26 July 2013 – Email from Committee Director to Minister Page's office advising of agreement to amend the time for examination of the Local Government and North Coast portfolios.

Resolved, on the motion of Mr MacDonald: That the secretariat write to Mr Tony Chappell to advise that the time allocated to the Environment and Heritage portfolio will remain as previously advised.

6. Inquiry into Budget Estimates 2013-2014**6.1 Webcast of proceedings.**

Resolved, on the motion of Dr Phelps: That the Committee authorises the webcast of all the Committee's 2013-14 Budget Estimates hearings via the Parliament's website.

6.2 Order for examination of portfolios

The Chair advised that the Committee had previously resolved that government members would not ask questions during the Local Government and North Coast portfolios.

Resolved, on the motion of Dr Phelps: That the opposition and crossbench be allocated 20 minutes each and any time remaining be divided between the two groups equally.

Resolved, on the motion of Dr Phelps: That government members forego asking questions during the Fair Trading portfolio.

Resolved, on the motion of Dr Phelps: That government members forego asking questions during Primary Industries portfolio.

6.3 Public hearing: Budget Estimates 2013-2014 – Local Government, The North Coast

Witnesses, the public and media were admitted.

Mr Shoebridge joined the meeting.

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

The following officials from Department of Premier and Cabinet were sworn:

- Mr Ross Woodward, Chief Executive, Division of Local Government

- Ms Corin Moffatt, Manager Innovation and Development, Division of Local Government
- Mr Grahame Gibbs, Manager Investigations and Performance, Division of Local Government
- Mr Mike Pearce, Senior Regional Coordinator.

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.

Ms Cotsis tabled the following document:

- Chart listing reviews of Local Government conducted by the O'Farrell Government since 2011.

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

Ms Barham joined the meeting.

Mr Shoebridge left the meeting.

Ms Fazio joined the meeting.

The Minister and the departmental witnesses withdrew.

The public hearing concluded at 11:01am

The public and media withdrew.

6.4 Tendered documents

Resolved, on the motion of Mr Colless: That the Committee accept and publish the following document tabled during the Local Government, The North Coast hearing held on Monday 12 August 2013:

- Chart listing reviews of Local Government conducted by the O'Farrell Government since 2011, tabled by Ms Cotsis.

6.5 Supplementary hearings

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

7. Adjournment

The Committee adjourned at 11.04 am until 12.05 pm, Monday 12 August 2013, Macquarie Room (*Fair Trading*).

Jenelle Moore

Clerk to the Committee

Minutes No. 48

Monday 12 August 2013

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney, at 12.12 pm

1. Members present

Mr Brown, *Chair*

Mr Colless
Ms Fazio (*Donnelly*)
Dr Kaye (*Buckingham*)
Mr MacDonald
Dr Phelps
Mr Secord (*Primrose*)

2. Substitutions

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

- Ms Fazio for Mr Donnelly
- Dr Kaye for Mr Buckingham
- Mr Secord for Mr Primrose.

3. Correspondence

The Committee noted the following items of correspondence:

Received

- 2 August 2013 – Email from Mr Brandon Jacobs, Minister Roberts' office to Budget Estimates Secretariat request for no government questions during the Fair Trading hearing.

4. Inquiry into Budget Estimates 2013-2014

4.1 Public hearing: Budget Estimates 2013-2014 – Fair Trading

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting and webcasting 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 witnesses were sworn:

- Mr Rod Stowe PSM, Commissioner, NSW Fair Trading
- Mr Robert Vellar, Assistant Commissioner, Policy & Strategy, NSW Fair Trading
- Mr Bjorn Borg, Manager, Finance and Accounting, NSW Fair Trading.

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.

Ms Fazio tabled an advertisement circulated in the inner western suburbs of Sydney by an individual offering the services of a spiritual healer.

The Minister and the departmental witnesses withdrew.

The public hearing concluded at 1.15 pm.

The public and media withdrew.

4.2 Tended documents

Resolved, on the motion of Dr Phelps: That the Committee accept and publish the following documents tabled during the Fair Trading hearing held on Monday 12 August 2013:

- Advertisement circulated in the inner western suburbs of Sydney by an individual offering the services of a spiritual healer, tabled by Ms Fazio.

4.3 Supplementary hearings

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

5. Adjournment

The Committee adjourned at 1.18 pm, until 1:50 pm, Monday 12 August 2013, Macquarie Room (*Primary Industries, Small Business*).

Jenelle Moore
Clerk to the Committee

Minutes No. 49

Monday 12 August 2013

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney, at 1.50 pm

1. Members present

Mr Brown, *Chair*
Mr Buckingham, *Deputy Chair*
Mr Colless
Mr MacDonald
Dr Phelps
Mr Searle (*participating*)
Mr Whan (*Donnelly*)
Mr Wong (*Primrose*)

2. Substitutions

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

- Mr Whan for Mr Donnelly
- Mr Wong for Mr Primrose.

3. Participating members

The Chair advised that Mr Searle would be attending the hearing for the Small Business portfolio as a participating member.

4. Correspondence

The Committee noted the following item of correspondence:

Received

- 02 August 2013 - Email from Ms Kerri Griffith, Minister Hodgkinson's office request for no government questions during the Primary Industries, Small Business hearing.

5. Inquiry into Budget Estimates 2013-2014

5.1 Public hearing: Budget Estimates 2013-2014 – Primary Industries, Small Business

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting and webcasting 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 witnesses were sworn in for the Primary Industries portfolio:

- Dr Richard Sheldrake, Director General
- Mr David Harriss, Commissioner
- Mr Nick Roberts, Chief Executive Officer
- Mr Michael Bullen, Deputy Director General
- Mr Geoff Allan, Executive Director
- Mr Bruce Christie, Executive Director
- Mr Brett Tucker, Chief Executive Officer.

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.

Mr Searle joined the hearing at 3.22 pm.

The witnesses withdrew.

The public hearing for the portfolio of Primary Industries concluded at 3.25 pm.

Mr Buckingham left at 3.26 pm.

The following witness was sworn and examined:

- Ms Yasmin King, Small Business Commissioner.

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

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

The Minister and the departmental witness withdrew.

The public hearing for the portfolio of Small Business concluded at 4.13 pm.

The public and media withdrew.

5.2 Supplementary hearings

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

6. Adjournment

The Committee adjourned at 4.15 pm, until 8.45 am, Friday 16 August 2013, Macquarie Room (*Resources and Energy, Special Minister of State, The Central Coast*).

Samuel Griffith

Clerk to the Committee

Minutes No. 50

Friday 16 August 2013

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney, at 8.45 am

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

Mr Colless

Mr Donnelly (*participating*)Ms Fazio (*Primrose*)Dr Kaye (*Buckingham – Special Minister of State, The Central Coast*)

Mr MacDonald

Mr Moselmane (*participating*)

Dr Phelps

Mr Whan (*Donnelly*)**2. Substitutions**

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

- Ms Fazio for Mr Primrose
- Dr Kaye for Mr Buckingham (*Special Minister of State, The Central Coast*)
- Mr Whan for Mr Donnelly.

3. Participating members

The Chair advised that Mr Foley, Mr Donnelly and Mr Moselmane would be attending the hearing as participating members.

4. Correspondence

The Committee noted the following items of correspondence received:

- 7 August 2013 – Email from Ms Caroline Hutcherson, Minister Hatcher’s office advising of the Minister’s request for no government questions during the hearing into Resources and Energy, Special Minister of State, The Central Coast
- 13 August 2013 – From Ms Belinda Cone to Committee Director, seeking permission to film the Budget Estimates hearing into the Environment and Heritage on 16 August 2013 for the purpose of a documentary.

Resolved, on the motion of Mr Buckingham: That the Committee agree to the request from Ms Belinda Cone of Threefold Films to film the hearing into The Environment, Heritage on 16 August 2013.

5. Inquiry into Budget Estimates 2013-2014**5.1 Public hearing: Budget Estimates 2013-2014 – Resources and Energy, Special Minister of State, The Central Coast**

Resolved, on the motion of Mr Colless: That with no Government questions asked on Friday 16 August 2013, the:

- Resources and Energy portfolio will be examined from 9.00 am until 11.00 am
- Special Minister of State, The Central Coast portfolios will be examined from 11.15 am until 11.55 am.

Mr Donnelly left the meeting.

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting and webcasting 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 from the Department of Trade and Investment, Regional Infrastructure and Services were sworn:

- Ms Kylie Hargreaves, Acting Deputy Director General
- Mr Andrew Lewis, Executive Director, Energy
- Mr Brad Mullard, Executive Director, Mineral Resources
- Mr Bruce Morcombe, Director, Business Advisory Services
- Ms Rachel Connell, Director, Office of Coal Seam Gas.

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.

The witnesses withdrew.

Mr Donnelly joined the meeting.

The following witness was sworn:

- Mr Alan Blackman, Senior Regional Co-ordinator, Department of Premier and Cabinet.

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

Ms Fazio joined the meeting.

Dr Kaye joined the meeting.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 11.57 am.

The public and media withdrew.

5.2 Supplementary hearings

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

6. Adjournment

The Committee adjourned at 12.00 pm, until 1.50 pm, Friday 16 August 2013, Macquarie Room (*The Environment, Heritage*).

Shu-fang Wei
Clerk to the Committee

Minutes No. 51

Friday 16 August 2013

General Purpose Standing Committee No. 5

Macquarie Room, Parliament House, Sydney, at 1.54 pm

1. Members presentMr Brown, *Chair*

Mr Colless

Dr Faruqi (*Buckingham – The Environment*)Ms Fazio (*Primrose*)Mr Khan (*Phelps*)

Mr MacDonald

Ms Sharpe (*Donnelly*)Mr Shoebridge (*Buckingham – Heritage*, from 5.01 pm)Mr Foley (*participating* from 3.47 pm)**2. Substitutions**

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

- Dr Faruqi for Mr Buckingham (*The Environment*)
- Ms Fazio for Mr Primrose
- Ms Sharpe for Mr Donnelly
- Mr Shoebridge for Mr Buckingham (*Heritage*)
- Mr Khan for Dr Phelps.

3. Participating members

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

4. Inquiry into Budget Estimates 2013-2014**4.1 Public hearing: Budget Estimates 2013-2014 – The Environment, Heritage**

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting and webcasting 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 CEO, NSW Environment Protection Authority
- Mr Mark Gifford, Chief Environmental Regulator, NSW Environment Protection Authority
- Mr Steve Hartley, Principal Manager Forestry, NSW Environment Protection Authority
- Ms Sally Barnes, Chief Executive, The Office of Environment and Heritage
- Mr Terry Bailey, Deputy Chief Executive, Regional Operations Group and Heritage Division, The Office of Environment and Heritage
- Dr Tracey Avery, Director, Heritage Division, The Office of Environment and Heritage
- Mr Owen Walker, Director, Finance, The Office of Environment and Heritage.

The Chair declared the proposed expenditure for the portfolios of The Environment, Heritage open for examination.

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

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

The public hearing concluded at 5.42 pm.

The public and media withdrew.

4.2 Supplementary hearings

Resolved, on the motion of Mr Colless: That the Committee hold a further meeting to deliberate on whether to hold supplementary hearings for the portfolios of the Environment and Heritage.

5. Adjournment

The Committee adjourned at 5.43pm *sine die*.

Alex Stedman

Clerk to the Committee

Minutes No. 52

Wednesday 18 September 2013

General Purpose Standing Committee No. 5

Members' Lounge, Parliament House, Sydney at 10:45am

1. Members present

Mr Brown, *Chair*

Mr Donnelly

Mr MacDonald

Dr Phelps

Mr Primrose

2. Previous minutes

Resolved, on the motion of Dr Phelps: That Draft Minutes Nos 47, 48, 49, 50 and 51 be confirmed.

3. Correspondence

The Committee noted the following items of correspondence:

Received

- ***
- ***
- 21 August 2013 – Email from Mr Andrew Helps to Chair, response to comments of Mr Barry Buffier at the GPSC No 5 hearing into Environment and Heritage on 16 August 2013.
- 30 August 2013 – Email from Mr Andrew Helps to Committee Director, responding to the Committee's decision to publish excerpt of his statement requesting advice about citizen's right of reply.
- 1 September 2013 – Email from Mr Andrew Helps to Committee Director, advising that he would like the Committee to publish his correspondence in full.
- 4 September 2013 – Email from Minister Page's office to Budget Estimates Secretariat, providing answers to supplementary questions and questions taken on notice during the Local Government, The North Coast hearing.
- 5 September 2013 – Letter from Hon Sophie Cotsis MLC to Committee Director, raising concerns that the answers to questions on notice taken by Minister Page to Local Government, The North Coast inadequately address comments he and his officials made during the hearing.
- 5 September 2013 – Email from Minister Robert's office to Budget Estimates Secretariat, providing answers to supplementary questions and questions taken on notice during the Fair Trading hearing.

- 5 September 2013 – Email from Minister Hodgkinson office to Budget Estimates Secretariat, providing answers to supplementary questions and questions taken on notice during the Primary Industries, Small Business hearing.
- 11 September 2013 – Email from Minister Hartcher’s office to Budget Estimates Secretariat, providing answers to supplementary questions and questions taken on notice during the Resources and Energy, Special Minister of State, The Central Coast hearing.
- 11 September 2013 – Email from Minister Parker’s office to Budget Estimates Secretariat, providing answers to supplementary questions and questions taken on notice during the Environment, Heritage hearing.

Sent

- 30 August 2013 – Email from Committee Director to Mr Andrew Helps, advising that the Committee has reviewed his statement and agreed to publish an excerpt on page 31 of the transcript from the hearing into Environment and Heritage.
- 30 August 2013 – Email from Committee Director to Mr Andrew Helps, providing advice about the Legislative Council’s Standing Orders provision for a citizen’s right of reply.
- 2 September 2013 – Email from Committee Director to Mr Andrew Helps, in response to his email of 1 September, reiterating that the Committee has published an excerpt of his correspondence which is keeping in past committee practice in similar situations.
- ***

4. Inquiry into Budget Estimates 2013/14

4.1 Supplementary hearings

Resolved, on the motion of Dr Phelps: That the Committee hold no further hearings for the Inquiry into Budget Estimates 2013/14.

5. Adjournment

The Committee adjourned at 10:50am *sine die*.

Stewart Smith
Clerk to the Committee

Draft Minutes No. 53

Wednesday 23 October 2013

General Purpose Standing Committee No. 5

Members’ Lounge, Parliament House, Sydney at 1:07 pm

1. Members present

Mr Brown, *Chair*
Mr Buckingham, *Deputy Chair*
Mr Colless
Mr Donnelly
Dr Phelps
Mr Primrose

2. Apologies

Mr MacDonald

3. Previous minutes

Resolved, on the motion of Dr Phelps: That Draft Minutes No. 52 be confirmed.

4. Chair's draft report: Budget Estimates 2013 – 2014

The Chair submitted his draft report entitled Budget Estimates 2013 - 2014, which, having been previously circulated was taken as being read.

Resolved, on the motion of Mr Colless:

- 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, minutes of proceedings and correspondence relating to the Inquiry be tabled in the House with the report; and
- That upon tabling, all transcripts of evidence, tabled documents, answers to questions on notice, 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.

5. Adjournment

The Committee adjourned at 1:09 pm *sine die*.

Stewart Smith
Clerk to the Committee