



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 2

Budget Estimates 2022-2023



Report 61

December 2022

2

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Portfolio Committee No. 2 - Health

Budget Estimates 2022-2023

Ordered to be printed 16 December 2022 according to
Standing Order 231

**New South Wales. Parliament. Legislative Council. Portfolio Committee No. 2 - Health.
Report no. 61.**

Budget Estimates 2022-2023

“December 2022”.

Chair: Hon. Greg Donnelly, MLC



A catalogue record for this
book is available from the
National Library of Australia

ISBN 978-1-922960-05-4

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Terms of reference

The Budget Estimates resolution and schedule was agreed to by the House on 22 June 2022, referring the Budget Estimates and related papers for 2022-2023 to the Portfolio Committees for inquiry and report and is reproduced, as amended on 10 August 2022, as follows¹:

- (1) That the Budget Estimates and related papers for the financial year 2022-2023 presenting the amounts to be appropriated from the Consolidated Fund be referred to the Portfolio Committees for inquiry and report.
- (2) That, further to the resolution of the House of 16 November 2021 adopting the 2022 sitting calendar, the 2022- 2023 initial budget estimates hearings be scheduled as follows:

Day One: Monday 22 August 2022

PC 5 Attorney General
PC 1 Treasurer, Energy

Day Two: Tuesday 23 August 2022

PC 3 Education and Early Learning
PC 7 Environment and Heritage

Day Three: Wednesday 24 August 2022

PC 6 Metropolitan Roads, Women's Safety and the Prevention of Domestic and Sexual Violence

Day Four: Thursday 25 August 2022

PC 7 Local Government
PC 3 Skills and Training, Science, Innovation and Technology

Day Five: Friday 26 August 2022

PC 6 Transport, Veterans, Western Sydney
PC 1 Finance, Employee Relations

Day Six: Monday 29 August 2022

PC 5 Corrections
PC 7 Planning, Homes

Day Seven: Tuesday 30 August 2022

PC 4 Customer Service and Digital Government
PC 5 Families and Communities, Disability Services

Day Eight: Wednesday 31 August 2022

PC 6 Regional Transport and Roads
PC 5 Deputy Premier, Regional NSW, Police

Day Nine: Thursday 1 September 2022

PC 1 Enterprise, Investment and Trade, Sport
PC 5 Multiculturalism, Seniors

¹ *Minutes*, NSW Legislative Council, 22 June 2022, pp 3481-3482, as amended *Minutes*, NSW Legislative Council, 10 August 2022, p 3563.

Day Ten: Friday 2 September 2022
 PC 5 Emergency Services and Resilience, Flood Recovery
 PC 4 Lands and Water, Hospitality and Racing

Day Eleven: Monday 5 September 2022
 PC 4 Agriculture and Western NSW
 PC 1 Aboriginal Affairs, Arts, Regional Youth, Tourism

Day Twelve: Tuesday 6 September 2022
 PC 2 Women, Regional Health, Mental Health
 PC 6 Infrastructure, Cities and Active Transport
 PC 1 The Legislature

Day Thirteen: Wednesday 7 September 2022
 PC 4 Small Business and Fair Trading
 PC 2 Health
 PC 1 Premier

- (3) That for the purposes of the 2022-2023 initial budget estimates hearings:
- (a) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of the morning and afternoon session, if required,
 - (b) the portfolio of The Legislature be examined concurrently by Opposition, Crossbench and Government members from 9.30 am until 12.30 pm.
- (4) That, further to the resolution of the House of 16 November 2021 adopting the 2022 sitting calendar, the 2022-2023 supplementary budget estimates hearings be held over five days from 24 October to 28 October 2022.
- (5) That for the purposes of the 2022-2023 initial and supplementary budget estimates hearings:
- (a) the committees must hear evidence in public,
 - (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure,
 - (c) ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session,
 - (d) witnesses, including ministers, may not make an opening statement before a committee commences questions,
 - (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following a hearing, and
 - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.
- (6) That the committees present a final report to the House by 23 December 2022.

On 21 September 2022, the Budget Estimates resolution and schedule, as it relates to the Corrections hearing, was varied by the House as follows²:

- (1) That this House notes that:
 - (a) on Wednesday 22 June 2022, the House adopted a schedule of initial budget estimates hearings for 2022-2023 over 13 working days from Monday 22 August to Wednesday 7 September 2022, and
 - (b) the following hearing was unable to be conducted as scheduled by Portfolio Committee No. 5 – Regional NSW and Stronger Communities due to the unavailability of the Minister:

Day Six: Monday 29 August 2022
PC 5 Corrections

- (2) That in view of the inability of Portfolio Committee No. 5 – Regional NSW and Stronger Communities to conduct this hearing, the committee be authorised to undertake the hearing on a date of its choosing under the same arrangements as originally agreed to by the House on Wednesday 22 June 2022.

According to a resolution of Portfolio Committee No. 5 - Regional NSW and Stronger Communities, the Corrections hearing was rescheduled to Monday, 24 October 2022.

² *Minutes*, NSW Legislative Council, 21 September 2022, p 3645.

Committee details

Committee members

The Hon Greg Donnelly MLC	Australian Labor Party	<i>Chair</i>
The Hon Emma Hurst MLC	Animal Justice Party	<i>Deputy Chair</i>
The Hon Lou Amato MLC	Liberal Party	
Ms Cate Faehrmann MLC	The Greens	
The Hon Wes Fang MLC	National Party	
The Hon Aileen MacDonald MLC	Liberal Party	
The Hon Walt Secord MLC	Australian Labor Party	

Non-substantive members who attended the hearings

The Hon Mark Banasiak MLC	Shooters, Fishers and Farmers Party
Ms Abigail Boyd MLC	The Greens
The Hon Courtney Houssos MLC	Australian Labor Party
The Hon Mark Latham MLC	Pauline Hanson's One Nation Party
The Hon Shayne Mallard MLC	Liberal Party
The Hon Peter Primrose MLC	Australian Labor Party
The Hon Adam Searle MLC	Australian Labor Party
The Hon Penny Sharpe MLC	Australian Labor Party

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Gareth Perkins	Administration Officer
Holly McDonald	Working in the Legislative Council program
Daisy D'Souza	Working in the Legislative Council program
Rhia Victorino	Director

Chair's foreword

I am pleased to present this report on the inquiry into Budget Estimates 2022-2023. 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.

Portfolio Committee No. 2 – Health is responsible for the scrutiny of the following portfolio areas:

- Health
- Women, Regional Health, Mental Health.

The key evidence gathering mechanism of this inquiry is through the conduct of public hearings. This report lists the key issues raised during the hearings. Transcripts, tabled documents and additional answers provided after the hearings are published on the [inquiry's webpage](#).

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 Greg Donnelly MLC
Committee Chair

Chapter 1 Introduction

The inquiry into Budget Estimates is one of the key mechanisms for parliamentary committees to scrutinise government expenditure, performance and effectiveness. It holds ministers and government officials to account and provides a greater level of transparency to the public.

The inquiry is conducted annually by the Legislative Council's Portfolio Committees. Each committee examines the budget estimates of its responsible portfolios, with ministers and senior public servants as the primary witnesses. The evidence taking process of the inquiry consists of answers provided during public hearings, including answers to questions on notice, and answers to post-hearing written questions (known as supplementary questions). There is no provision for written submissions.

Budget Estimates 2022-2023

- 1.1 On 16 November 2021 and 22 June 2022, the Legislative Council resolved that hearings for Budget Estimates 2022-2023 be held over 13 days from 22 August to 7 September 2022, and supplementary hearings be scheduled over five days from 24 to 28 October 2022.³
- 1.2 The Budget Estimates resolution and schedule was subsequently agreed to by the House on 22 June 2022, referring the Budget Estimates and related papers for the 2022-2023 financial year to the Portfolio Committees for inquiry and report by Friday 23 December 2022.⁴
- 1.3 Following changes to the administration of the government, the hearing schedule was amended by the House on 10 August 2022 to reflect the changed ministerial responsibilities.⁵
- 1.4 On 21 September 2022, the Budget Estimates resolution and schedule was further varied by the House to facilitate the postponement of the initial hearing of Portfolio Committee No. 5 – Regional NSW and Stronger Communities into the Corrections portfolio, due to the unavailability of the Minister.⁶
- 1.5 The budget estimates resolution establishing the inquiry, which sets out the rules for the inquiry, is reproduced on page iv.

Hearings

- 1.6 The committee held three public hearings as follows:
 - Tuesday 6 September 2022: Women, Regional Health, Mental Health
 - Wednesday 7 September 2022: Health
 - Thursday 27 October 2022: Health (supplementary hearing).

³ *Minutes*, Legislative Council, 16 November 2021, p 2713; and *Minutes*, Legislative Council, 22 June 2022, pp 3481-3482.

⁴ *Minutes*, Legislative Council, 22 June 2022, pp 3481-3482.

⁵ *Minutes*, Legislative Council 10 August 2022, p 3563.

⁶ *Minutes*, Legislative Council, 21 September 2022, p 3645.

Transcripts, questions on notice and supplementary questions

- 1.7 Transcripts of the hearings, questions taken on notice, supplementary questions and answers to these questions are available on the Budget Estimates webpage at: www.parliament.nsw.gov.au/budgetestimates.

Chapter 2 Issues raised during hearings

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

Women, Regional Health, Mental Health

2.1 A hearing examining the portfolios of Women, Regional Health, Mental Health was held on Tuesday 6 September 2022. A number of issues were raised during the committee's examination of these portfolios including:

- Timing and content of the NSW Rural Health Plan: Towards 2021 Final Progress Review, in light of the committee's inquiry into health outcomes and access to health and hospital services in rural, regional and remote New South Wales
- The role of the Health Care Complaints Commission and NSW Ombudsman in dealing with complaints regarding health matters in public hospitals
- Actions in response to the mental health recommendations of the committee's inquiry into health outcomes and access to health and hospital services in rural, regional and remote New South Wales
- Death at Dubbo Hospital relating to a missed cancer diagnosis
- Spending identified as benefiting women that is not specifically for women's health services
- Actions to address suicide in rural and regional areas
- Priorities of the Regional Health Ministerial Advisory Panel
- Bullying and intimidatory behavior in NSW Health
- Memorandum of Understanding between New South Wales and South Australia for the transfer of patients from Broken Hill to Adelaide
- Eating disorder programs
- Access to abortion in rural and remote areas
- Impact of COVID-19 on the mental health system across New South Wales
- Obstetric violence and birth trauma
- The Minister's meetings with women's health organisations
- Quarantining of the previously announced \$743 million boost to palliative care services from any expenditure on the costs of voluntary assisted dying in New South Wales
- Operationalisation of *Voluntary Assisted Dying Act 2021*.

Health

- 2.2** A hearing examining the portfolio of Health was held on Wednesday 7 September 2022. A number of issues were raised during the committee's examination of this portfolio including:
- Update from the committee's inquiry into health outcomes and access to health and hospital services in rural, regional and remote New South Wales with respect to the implementation of recommendations
 - Avoidable deaths in NSW hospitals
 - The inquiry into current and future provision of health services in the South-West Sydney Growth Region
 - COVID-19 updates, including closure of the Sydney Olympic Park vaccination hub; COVID-19 reinfection rates; the reduction of the COVID-19 isolation period to five days; long COVID-19 clinics
 - Employment of Extended Care Paramedics
 - Recruitment of additional health workers
 - Minister Hazzard's classification as a casual contact at a function on 22 June 2020
 - Post-COVID clinics
 - Affirmation treatment of children and adolescents who may be or are gender dysphoric
 - Clinical practices at John Hunter Children's Hospital and Maple Leaf House, Newcastle regarding prescribing puberty blockers and cross-sex hormones to children and adolescents who may be or are gender dysphoric
 - Proposed new hospitals in Rouse Hill, the Blue Mountains and Bankstown
 - Hospitalisation rates and vaccines for monkey pox and Japanese encephalitis
 - Alternatives to the use of animals in medical research.

Health – Supplementary hearing

- 2.3** A supplementary hearing examining the portfolio of Health was held on Thursday 27 October 2022. A number of issues were raised during the committee's examination of this portfolio including:
- Delays of ambulances and in emergency departments
 - Reduction in numbers of beds in public hospitals
 - Medibank cyberattack
 - Hospital upgrades and renovations, including Fairfield Hospital and Rouse Hill Hospital
 - Regulation of cosmetic procedures
 - Effectiveness of vaccines against COVID-19 transmission
 - Minister Hazzard's classification as a casual contact at a function on 22 June 2020

- Vaping amongst younger people
- Update – affirmation treatment of children and adolescents who may be or are gender dysphoric
- Update – clinical practices at John Hunter Children’s Hospital and Maple Leaf House, Newcastle regarding prescribing puberty blockers and cross-sex hormones to children and adolescents who may be or are gender dysphoric.

Appendix 1 Witnesses at hearings

Date	Name	Position and Organisation
Tuesday 6 September 2022 Macquarie Room Parliament House, Sydney	Hon Bronnie Taylor MLC	Minister for Women, Minister for Regional Health, and Minister for Mental Health
	Ms Susan Pearce	Secretary, NSW Health
	Mr Luke Sloane	Coordinator General, Regional Health Division,
	Ms Rebecca Wark	Chief Executive Officer, Health Infrastructure
	Mr Phil Minns	Deputy Secretary, People, Culture and Governance, NSW Health
	Dr Murray Wright	Chief Psychiatrist, NSW Health, Mental Health Branch
	Dr Nigel Lyons <i>(via videoconference)</i>	Deputy Secretary, Health System Strategy and Planning, NSW Health, Mental Health Branch
	Ms Catherine Lourey <i>(via videoconference)</i>	NSW Mental Health Commissioner, NSW Health, Mental Health Branch
Ms Tanya Smyth	Director of Women NSW, Department of Premier and Cabinet	
Wednesday 7 September 2022 Macquarie Room Parliament House, Sydney	Hon Brad Hazzard MP	Minister for Health
	Ms Susan Pearce	Secretary, NSW Health
	Dr Marianne Gale	Acting Chief Health Officer, Deputy Secretary, Population and Public Health, NSW Health
	Mr Matthew Daly	Deputy Secretary, Patient Experience and System Performance, NSW Health
	Mr Alfa D'Amato	Deputy Secretary, Financial Services and Asset Management and Chief Financial Officer, NSW Health

Date	Name	Position and Organisation
	Ms Sue Dawson	Commissioner, Health Care Complaints Commission
	Dr Antonio Penna	Executive Director, Office for Health and Medical Research, NSW Health
	Ms Jacqui Cross	Chief Nursing and Midwifery Officer, NSW Health
	Dr Dominic Morgan ASM	Commissioner and Chief Executive, NSW Ambulance
	Dr Nigel Lyons <i>(via videoconference)</i>	Deputy Secretary, Health System Strategy and Planning, NSW Health
	Mr Phil Minns	Deputy Secretary, People, Culture and Governance, NSW Health
	Ms Rebecca Wark	Chief Executive Officer, Health Infrastructure NSW
	Dr Michael Douglas <i>(via videoconference)</i>	Visiting Medical Officer, Northern NSW Local Health District
Thursday 27 October 2022 Macquarie Room Parliament House, Sydney	Hon Brad Hazzard MP	Minister for Health
	Ms Susan Pearce	Secretary, NSW Health
	Dr Kerry Chant	Chief Health Officer, Deputy Secretary, Population and Public Health, NSW Health
	Ms Deb Willcox	Deputy Secretary, Health System Strategy and Planning, NSW Health
	Mr Phil Minns	Deputy Secretary, People, Culture and Governance, NSW Health
	Mr Alfa D'Amato	Deputy Secretary, Financial Services and Asset Management and Chief Financial Officer, NSW Health
	Ms Rebecca Wark	Chief Executive Officer, Health Infrastructure NSW

Date	Name	Position and Organisation
	Dr Dominic Morgan ASM	Commissioner and Chief Executive, NSW Ambulance

Appendix 2 Minutes

Minutes no. 62

Thursday 21 July 2022

Portfolio Committee No. 2 - Health

Room 1136, Parliament House, Sydney at 10.04 am

1. Members present

Mr Donnelly, *Chair*

Ms Hurst, *Deputy Chair* (via videoconference)

Mr Amato (via videoconference)

Mr Fang

Mr Rath (via videoconference)

Mr Secord

2. Apologies

Ms Fahrman

3. Previous minutes

Resolved, on the motion of Mr Amato: That draft minutes no. 60 be confirmed.

4. Inquiry into Budget Estimates 2022-2023 – procedural resolutions

The committee noted that the Budget Estimates timetable for 2022-2023 was agreed to by the House, with hearings commencing at 9.30 am and concluding by 5.15 pm. Below is a table of Portfolio Committee No. 1 hearings:

Date	Portfolio
Thursday 1 September 2022	Health
Tuesday 6 September 2022	Women, Regional Health, Mental Health

4.1 Allocation of question time and total hearing time

The committee noted that under the Budget Estimates 2022-2023 resolution each portfolio, except The Legislature, will be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of the morning and afternoon session, if required.

4.2 Witness requests

Resolved, on the motion of Mr Secord: That for the portfolio of Health the committee invite the following witnesses:

- Hon Brad Hazzard MP, Minister for Health
- Mr Matthew Daly, Deputy Secretary, Patient Experience and System Performance
- Ms Susan Pearce, Secretary, NSW Health
- Dr Kerry Chant AO PSM, Chief Health Officer, Deputy Secretary, Population and Public Health
- Dr Nigel Lyons, Deputy Secretary, Health System Strategy and Planning, NSW Health
- Mr Phil Minns, Deputy Secretary, People, Culture and Governance, NSW Health
- Ms Rebecca Wark, Chief Executive Officer, Health Infrastructure
- Ms Sue Dawson, Commissioner, Health Care Complaints Commission
- Dr Jeremy McAnulty, Executive Director, Health Protection
- Dr Antonia Penna, Executive Director, Health & Medical Research

- Ms Jacqui Cross, Chief Nursing and Midwifery Officer
- Mr Alfa D'Amato, Deputy Secretary, Financial Services and Asset Management and Chief Financial Officer
- State Health Services Functional Area Controller (Disaster Response).

Resolved, on the motion of Mr Secord: That for the portfolios of Women, Regional Health and Mental Health the committee invite the following witnesses:

- Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health and Minister for Mental Health
- Ms Susan Pearce, Secretary, NSW Health
- Deputy Secretary with responsibility for Regional Health
- Dr Murray Wright, Chief Psychiatrist, NSW Health
- Dr Nigel Lyons, Deputy Secretary, Health System Strategy and Planning, NSW Health
- Mr Phil Minns, Deputy Secretary, People, Culture and Governance, NSW Health
- Ms Tanya Smyth, Director, Women NSW, Department of Communities and Justice
- Ms Catherine Lourey, NSW Mental Health Commissioner, NSW Mental Health Commission
- Ms Pia Van De Zandt, Acting Executive Director, Department of Communities and Justice
- Ms Maureen Lewis, Acting Executive Director, NSW Health.

The committee noted that where a witness no longer occupies a position, invitations will be made based on the position.

Resolved, on the motion of Mr Secord: That the committee submit any further witness requests to the secretariat by 5.00 pm, Monday 25 July 2022.

4.3 Witness appearance time

The committee noted that under the Budget Estimates 2022-2023 resolution ministers are invited to appear for the morning sessions only, 9.30 am to 12.45 pm, unless requested by the committee to appear also for the afternoon session.

4.4 Recording of hearing

Resolved, on the motion of Mr Fang: That all Budget Estimates 2022-2023 hearings be recorded and that these recordings be placed on the inquiry webpage as soon as practicable after the hearing.

5. Adjournment

The committee adjourned at 10.08 am, *sine die*.

Allison Stowe

Committee Clerk

Minutes no. 65

Tuesday 6 September 2022

Portfolio Committee No. 2 - Health

Macquarie Room, Parliament House, Sydney, at 9.15 am

1. Members present

Mr Donnelly, *Chair*

Ms Hurst, *Deputy Chair*

Mr Banasiak (participating from 10.20 am until 10.53 am)

Ms Faehrmann (via videoconference, until 11.15 am)

Mr Fang

Mrs MacDonald

Mr Primrose (substituting for Mr Secord)

Ms Sharpe (participating from 11.15 am until 11.53 am, and from 3.35 pm until 4.12 pm)

2. Apologies

Mr Amato

3. Previous minutes

Resolved, on the motion of Ms Hurst: That draft minutes no. 62 be confirmed.

4. Correspondence

The committee noted the following items of correspondence:

Received:

- 16 August 2022 – Email from Ms Sally Judson, Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, and Minister for Mental Health, to Budget Estimates secretariat returning witness list for a Budget Estimates 2022-2023 hearing on 6 September 2022
- 16 August 2022 – Email from Ms Sally Judson, Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, and Minister for Mental Health, to Budget Estimates secretariat returning an amended witness list for a Budget Estimates 2022-2023 hearing on 6 September 2022
- 16 August 2022 – Email from Ms Ellie Stamatelatos, Office of Hon Brad Hazzard MP, Minister for Health, to Budget Estimates secretariat returning witness list for a Budget Estimates 2022-2023 hearing on 7 September 2022
- 26 August 2022 – Email from Ms Sally Judson, Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, and Minister for Mental Health, to Budget Estimates secretariat regarding suitability of witnesses for a Budget Estimates 2022-2023 hearing on 6 September 2022
- 31 August 2022 – Email from Ms Ellie Stamatelatos, Office of Hon Brad Hazzard MP, Minister for Health, to Budget Estimates secretariat returning witness list for a Budget Estimates 2022-2023 hearing on 7 September 2022
- 1 September 2022 – Email from Ms Sally Judson, Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, and Minister for Mental Health, to Budget Estimates secretariat regarding witness requests for a Budget Estimates 2022-2023 hearing on 6 September 2022
- 2 September 2022 – Email from Ms Ellie Stamatelatos, Office of Hon Brad Hazzard MP, Minister for Health, to Budget Estimates secretariat regarding witness attendance for a Budget Estimates 2022-2023 hearing on 7 September 2022
- 5 September 2022 – Email from Ms Sally Judson, Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, and Minister for Mental Health, to Budget Estimates secretariat regarding witness attendance for a Budget Estimates 2022-2023 hearing on 6 September 2022
- 5 September 2022 – Email from Ms Ellie Stamatelatos, Office of Hon Brad Hazzard MP, Minister for Health, to Budget Estimates secretariat regarding witness attendance for a Budget Estimates 2022-2023 hearing on 7 September 2022.

Sent:

- 29 July 2022 – Email from Budget Estimates secretariat, to Hon Brad Hazzard MP, Minister for Health, issuing witness invitation requests for a hearing on 1 September 2022
- 29 July 2022 – Email from Budget Estimates secretariat, to Hon Bronnie Taylor MLC, Minister for Women, Regional Health and Mental Health, issuing witness invitation requests for a hearing on 6 September 2022
- 11 August 2022 – Email from Budget Estimates secretariat, to Hon Brad Hazzard MP, Minister for Health, regarding amended Budget Estimates 2022-2023 hearing schedule and change of hearing date to 7 September 2022
- 31 August 2022 – Email from Budget Estimates secretariat to Office of Hon Brad Hazzard MP, Minister for Health, regarding witness availability and attendance for a Budget Estimates 2022-2023 hearing on 7 September 2022
- 31 August 2022 – Email from Budget Estimates secretariat to Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, and Minister for Mental Health, confirming witnesses for a Budget Estimates 2022-2023 hearing on 6 September 2022
- 2 September 2022 – Email from Budget Estimates secretariat, to Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health and Minister for Mental Health, re-confirming witnesses for a Budget Estimates 2022-2023 hearing on 6 September 2022

- 5 September 2022 – Email from Budget Estimates secretariat to Office of Hon Brad Hazzard MP, Minister for Health, regarding witness availability and attendance for a Budget Estimates 2022-2023 hearing on 7 September 2022.

5. Inquiry into Budget Estimates 2022-2023 – initial hearings

5.1 Order for examination of portfolios

The committee noted the resolution of the House of 10 August 2022 amending the Budget Estimates 2022-2023 terms of reference.

The committee noted that under the Budget Estimates 2022-2023 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of the morning and afternoon sessions, if required.

5.2 Public hearing: Women, Regional Health, Mental Health

Departmental witnesses, the public and the media were admitted.

The Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, and Minister for Mental Health, was 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 following witnesses were sworn:

- Ms Susan Pearce, Secretary, NSW Health
- Mr Luke Sloane, Coordinator General, Regional Health Division
- Ms Rebecca Wark, Chief Executive Officer, Health Infrastructure
- Mr Phil Minns, Deputy Secretary, People, Culture and Governance, NSW Health
- Dr Murray Wright, Chief Psychiatrist, NSW Health, Mental Health Branch
- Dr Nigel Lyons, Deputy Secretary, Health System Strategy and Planning, NSW Health (*via videoconference*)
- Ms Catherine Lourey, NSW Mental Health Commissioner, NSW Health, Mental Health Branch (*via videoconference*)
- Ms Tanya Smyth, Director of Women NSW, Department of Premier and Cabinet.

The Chair declared the proposed expenditure for the portfolios of Women, Regional Health, Mental Health open for examination.

The Minister and departmental witnesses were examined by the committee.

Mr Donnelly tabled the following document:

- Letter from the Chair to Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP, New South Wales Minister for Women, Minister for Regional Health and Minister for Mental Health, the Hon Bronnie Taylor MLC, Cr Tom Kennedy, Mayor, Broken Hill City Council, regarding the condition of the taxiway and apron surfaces at Broken Hill airport, sent 15 June 2022.

The Minister withdrew at 12:54 pm.

Mr Donnelly tabled the following document:

- Media release, '\$743 million enhance end-of-life care in NSW', Premier, Treasurer and Minister for Health, 9 June 2022.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.18 pm.

5.3 Tendered documents

Resolved, on the motion of Ms Hurst: That the committee accept and publish the following documents tendered during the Women, Regional Health, Mental Health hearing held on Tuesday 6 September 2022:

- Letter from the Chair to Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP, New South Wales Minister for Women, Minister for Regional Health and Minister for Mental Health, the Hon Bronnie Taylor MLC, Cr Tom Kennedy, Mayor, Broken Hill City Council, regarding the condition of the taxiway and apron surfaces at Broken Hill airport, sent 15 June 2022, tendered by Mr Donnelly,
- Media release, '\$743 million enhance end-of-life care in NSW', Premier, Treasurer and Minister for Health, 9 June 2022, tendered by Mr Donnelly.

5.4 Supplementary hearings

The committee noted that, under the Budget Estimates resolution, supplementary hearings are scheduled for the week 24 October to 28 October 2022.

Resolved, on the motion of Ms Hurst: That the committee defer its decision on whether to hold supplementary hearings for the portfolios of Women, Regional Health, Mental Health, until after the return of answers to supplementary questions.

6. Adjournment

The committee adjourned at 5.19 pm, until 9.15 am, Wednesday 7 September 2022, Macquarie Room, Budget Estimates 2022-2023 hearing – Health.

Merrin Thompson
Committee Clerk

Minutes no. 66

Wednesday 7 September 2022

Portfolio Committee No. 2 - Health

Macquarie Room, Parliament House, Sydney, at 9.17 am

1. Members present

Mr Donnelly, *Chair*

Ms Hurst, *Deputy Chair* (from 9.17 am until 11.02 am, from 12.18 pm until 12.51 pm, from 2.23 pm until 3.42 pm, and from 4.19 pm until 5.28 pm)

Ms Boyd (participating from 11.27 am until 12.06 pm, and from 12.34 pm until 12.52 pm)

Ms Faehrmann (via videoconference, from 9.17 am until 11.02 am)

Mr Fang (from 9.19 am)

Mr Latham (participating from 10.52 am)

Mrs MacDonald (until 12.52 pm)

Mr Primrose (substituting for Mr Secord until 5.17 pm)

Mr Searle (participating from 9.25 am until 2.22 pm)

2. Apologies

Mr Amato

3. Correspondence

The committee noted the following item of correspondence:

Sent:

- 5 September 2022 – Email from Budget Estimates secretariat to Office of Hon Brad Hazzard MP, Minister for Health, confirming witnesses for a Budget Estimates 2022-2023 hearing on 7 September 2022.

4. Inquiry into Budget Estimates 2022-2023 – initial hearings

4.1 Order for examination of portfolios

The committee noted that under the Budget Estimates 2022-2023 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of the morning and afternoon sessions, if required.

The committee noted, as previously agreed via email, that the Dr Michael Douglas, Visiting Medical Officer, Northern NSW Local Health District, will appear from 11.15 am to 5.30 pm via videoconference.

4.2 Public hearing: Health

Departmental witnesses, the public and the media were admitted.

The Hon Brad Hazzard MLC, Minister for Health, was 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 reminded the following witnesses that they did not need to be sworn, as they had been sworn at an earlier Budget Estimates hearing before the committee:

- Ms Susan Pearce, Secretary, NSW Health
- Dr Nigel Lyons, Deputy Secretary, Health System Strategy and Planning, NSW Health (*via videoconference*)
- Mr Phil Minns, Deputy Secretary, People, Culture and Governance, NSW Health
- Ms Rebecca Wark, Chief Executive Officer, Health Infrastructure.

The following witnesses were sworn:

- Dr Marianne Gale, Acting Chief Health Officer, Deputy Secretary, Population and Public Health
- Mr Matthew Daly, Deputy Secretary, Patient Experience and System Performance
- Mr Alfa D'Amato, Deputy Secretary, Financial Services and Asset Management and Chief Financial Officer
- Ms Sue Dawson, Commissioner, Health Care Complaints Commission
- Dr Antonio Penna, Executive Director, Health & Medical Research
- Ms Jacqui Cross, Chief Nursing and Midwifery Officer
- Dr Dominic Morgan ASM, Commissioner and Chief Executive, NSW Ambulance.

The Chair declared the proposed expenditure for the portfolios of Women, Regional Health, Mental Health, open for examination.

The Minister and departmental witnesses were examined by the committee.

The following witness was admitted and sworn at 11.16 am:

- Dr Michael Douglas, Visiting Medical Officer, Northern NSW Local Health District (*via videoconference*).

Mr Donnelly tendered the following documents:

- Journal article, Kasia Kozłowska et al, Australian Children and Adolescents with Gender Dysphoria: Clinical Presentations and Challenges Experienced by a Multidisciplinary Team and Gender Service, Human Systems: Therapy, Culture and Attachments, 2011
- Media article, Julie Szego, 'Absolutely Devastating': Woman Sues Psychiatrist over Gender Transition, Sydney Morning Herald, 24 August 2022.
- Webpages from ACON website.

The Minister withdrew at 5.16 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.16 pm.

4.3 Attendance of minister

The committee noted that Minister Hazzard was present at the afternoon session, attending the hearing for the full day, alongside departmental witnesses.

4.4 Tended documents

Resolved, on the motion of Ms Hurst: That the committee accept and publish the following documents tendered during the Health hearing held on Wednesday 7 September 2022:

- Journal article, Kasia Kozłowska et al, Australian Children and Adolescents with Gender Dysphoria: Clinical Presentations and Challenges Experienced by a Multidisciplinary Team and Gender Service, Human Systems: Therapy, Culture and Attachments, 2011, tendered by Mr Donnelly,
- Media article, Julie Szego, 'Absolutely Devastating': Woman Sues Psychiatrist over Gender Transition, Sydney Morning Herald, 24 August 2022, tendered by Mr Donnelly,
- Webpages from ACON website, tendered by Mr Donnelly.

4.5 Supplementary hearings

The committee noted that, under the Budget Estimates resolution, supplementary hearings are scheduled for the week 24 October to 28 October 2022.

Resolved, on the motion of Ms Hurst: That the committee defer its decision on whether to hold supplementary hearings for the portfolio of Health, until after the return of answers to questions on notice.

5. Adjournment

The committee adjourned at 5.27 pm, *sine die*.

Shaza Barbar

Committee Clerk

Minutes no. 69

Friday 7 October 2022

Portfolio Committee No. 2 – Health

Room 814-815, Parliament House, 9.17 am

1. Members present

Mr Donnelly, *Chair*

Ms Hurst, *Deputy Chair* (from 11.15 am)

Mr Amato (via videoconference)

Mr Buttigieg (substituting for Mr Secord)

Ms Faehrmann

Mr Farlow (substituting for Mr Fang)

Mrs MacDonald

2. Inquiry into the impact of ambulance ramping and access block on the operation of hospital emergency departments in New South Wales

3. Inquiry into Budget Estimates 2022-2023 – supplementary hearings

3.1 Supplementary hearings

Mr Buttigieg moved: That the committee:

- hold a further half-day hearing with the minister and department witnesses to consider matters relating to the portfolio of Health, on a date during the week of 24 October to 28 October 2022
- hold no further hearings to consider matters relating to the portfolios of Women, Regional Health, Mental Health.

Question put.

The committee divided.

Ayes: Mr Buttigieg, Mr Donnelly, Ms Faehrmann, Ms Hurst.

Noes: Mr Amato, Mr Farlow, Mrs MacDonald.

Question resolved in the affirmative.

4. **Adjournment**

The committee adjourned at 3.18 pm until Monday 17 October 2022 (report deliberative – Primates and animal research).

Madeleine Foley

Committee Clerk

Minutes no. 71

Thursday 27 October 2022

Portfolio Committee No. 2 - Health

Macquarie Room, Parliament House, Sydney, at 12.50 pm

1. **Members present**

Mr Donnelly, *Chair*

Mr Amato

Ms Faehrmann

Mrs Houssos (substituting for Mr Secord)

Mr Latham (participating from 1.59 pm)

Mr Mallard (substituting for Mrs MacDonald)

2. **Apologies**

Ms Hurst, *Deputy Chair*

Mr Fang

3. **Correspondence**

The committee noted the following items of correspondence:

Received:

- 14 September 2022 – Email from Ms Sally Judson, Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, Minister for Mental Health, to Budget Estimates secretariat requesting an extension for the submission of post-hearing responses due back 4 October 2022
- 21 September 2022 – Email from Ms Felice Fierro, Office of Hon Brad Hazzard MP, Minister for Health, to Budget Estimate secretariat requesting an extension for the submission of post hearing responses due back 4 October 2022
- 30 September 2022 – Letter from Mr Roger Arnold to the chair raising concerns regarding the management of his complaint relating to the care and treatment of his wife
- 6 October 2022 – Letter from the Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, Minister for Mental Health, to Budget Estimates secretariat, returning post hearing responses for a Budget Estimates 2022-2023 hearing held on 6 September 2022
- 6 October 2022 – Letter from the Hon Brad Hazzard MP, Minister for Health, to Budget Estimates secretariat, returning post hearing responses for a Budget Estimates 2022-2023 hearing held on 7 September 2022
- 13 October 2022 – Letter from Mr Donnelly, Ms Faehrmann and Mr Secord, to the committee director, requesting a meeting of Portfolio Committee No. 2 to consider a proposed self-reference into a matter arising from Budget Estimates relating to the COVID-19 classification of the Minister for Health, the Hon Brad Hazzard MP
- 17 October 2022 - Email from Office of Hon Brad Hazzard MP, Minister for Health to Budget Estimates secretariat regarding scheduling of a supplementary Budget Estimates 2022-2023 hearing on 27 October 2022
- 19 October 2022 - Email from Office of Hon Brad Hazzard MP, Minister for Health to Budget Estimates secretariat returning witness list for a supplementary Budget Estimates 2022-2023 hearing on 27 October 2022
- 21 October 2022 - Email from Office of Hon Brad Hazzard MP, Minister for Health to Budget Estimates secretariat confirming witness availability for a supplementary Budget Estimates 2022-2023 hearing on 27 October 2022.

Sent:

- 12 September 2022 – Email from Budget Estimates secretariat to Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, and Minister for Mental Health, issuing uncorrected transcript, questions on notice, and supplementary questions for a Budget Estimates 2022-2023 hearing held on 6 September 2022
- 13 September 2022 – Email from Budget Estimates secretariat to the Office of Hon Brad Hazzard MP, Minister for Health, issuing uncorrected transcript, questions on notice and supplementary questions for a Budget Estimates 2022-2023 hearing held on 7 September 2022
- 15 September 2022 – Email from Budget Estimates secretariat to the Office of Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health and Minister for Mental Health, granting an extension for a Budget Estimates 2022-2023 hearing held on 6 September 2022
- 23 September 2022 – Email from Budget Estimates secretariat to Ms Felice Fierro, Office of Hon Brad Hazzard MP, Minister for Health, granting an extension for a Budget Estimates 2022-2023 hearing held on 7 September 2022
- 14 October 2022 - Email from Budget Estimates secretariat to Office of Hon Brad Hazzard MP, Minister for Health issuing witness invitations for a supplementary Budget Estimates 2022-2023 hearing on 27 October 2022
- 19 October 2022 - Email from Budget Estimates secretariat to Office of Hon Brad Hazzard MP, Minister for Health confirming scheduling of a supplementary Budget Estimates 2022-2023 hearing on 27 October 2022
- 21 October 2022 - Email from Budget Estimates secretariat to Office of Hon Brad Hazzard MP, Minister for Health regarding the returned witness list for a supplementary Budget Estimates 2022-2023 hearing on 27 October 2022.

Resolved, on the motion of Mrs Houssos: That:

- the committee respond to Mr Arnold acknowledging his correspondence, noting that it is not the role of the committee to investigate individual complaints and refer him to the NSW Ombudsman,
- the secretariat provide the Chair with a copy of the response for review, and
- the committee keep the attachments confidential.

4. Inquiry into Budget Estimates 2022-2023 – supplementary hearings

4.1 Extension to deadline for post-hearing responses

Resolved, on the motion of Mrs Houssos: That the committee, as previous as previously agreed via email:

- extend the deadline for post-hearing responses arising from the Budget Estimates Women, Regional Health, Mental Health hearing from 3 October 2022 to 6 October 2022
- extend the deadline for post-hearing responses arising from the Budget Estimates Health hearing from 4 October 2022 to 6 October 2022.

4.2 Clarification of evidence

Resolved, on the motion of Mrs Houssos: That the committee, as previously agreed via email, authorise the publication of correspondence from Mr Phil Minns, Deputy Secretary, People, Culture and Governance, NSW Health, received 6 October 2022, and the insertion of footnotes in the Budget Estimates Women, Regional Health, Mental Health and Health transcripts, noting receipt of correspondence clarifying the evidence given and providing a hyperlink to the published correspondence.

4.3 Supplementary hearings procedures

The committee noted that according to paragraph (5) of the Budget Estimates 2022-2023 resolution, supplementary hearings are to be conducted according to the same provisions as set out for initial hearings.

Resolved, on the motion of Mr Amato: That for the purpose of the supplementary hearing the committee adopt the procedures for questions as provided for during initial hearings.

4.4 Public hearing: Health

Departmental witnesses, the public and the media were admitted.

The Hon Brad Hazzard MLC, Minister for Health, was 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 reminded the following witnesses that they did not need to be sworn, as they had been sworn at an earlier Budget Estimates hearing before the committee:

- Ms Susan Pearce, Secretary, NSW Health
- Mr Phil Minns, Deputy Secretary, People, Culture and Governance, NSW Health
- Mr Alfa D'Amato, Deputy Secretary, Financial Services and Asset Management and Chief Financial Officer
- Ms Rebecca Wark, Chief Executive Officer, Health Infrastructure.
- Dr Dominic Morgan ASM, Commissioner and Chief Executive, NSW Ambulance.

The following witnesses were sworn:

- Dr Kerry Chant, Chief Health Officer, Deputy Secretary, Population and Public Health
- Ms Deb Willcox, Deputy Secretary, Health System Strategy and Planning, NSW 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.

Ms Faehrmann tendered the following document:

- Facebook post alleging sexism in the NSW Ambulance Special Operations Team.

Mr Donnelly tendered the following documents:

- Hansard excerpt from Budget Estimates hearing on 7 September 2022
- Excerpt from answers to questions on notice from the Budget Estimates hearing on 7 September 2022
- Report – 'The Cass Review - 'Independent review of gender identity services for children and young people: Interim report', dated February 2022
- Information about public consultation conducted by NHS England – 'Interim service specification for specialist gender dysphoria services for children and young people – public consultation' including consultation guide, specialist service for children and young people with gender dysphoria (phase 1 providers) and Equality and Health Inequalities Impact Assessment
- Guideline published by the National Association of Practising Psychiatrists – 'Managing gender dysphoria in young people: The NAPP Guide'.

Ms Faehrmann tendered the following document:

- Document regarding NSW Health funding applications.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.09 pm.

4.5 Tendered documents

Resolved, on the motion of Ms Faehrmann: That the committee accept and publish the following documents tendered during the Health hearing held on Thursday 27 October 2022:

- Facebook post alleging sexism in the NSW Ambulance Special Operations Team, tendered by Ms Faehrmann
- Hansard excerpt from Budget Estimates hearing on 7 September 2022, tendered by Mr Donnelly
- Excerpt from answers to questions on notice from the Budget Estimates hearing on 7 September 2022, tendered by Mr Donnelly
- Report – 'The Cass Review - 'Independent review of gender identity services for children and young people: Interim report', dated February 2022, tendered by Mr Donnelly
- Information about public consultation conducted by NHS England – 'Interim service specification for specialist gender dysphoria services for children and young people – public consultation' including consultation guide, specialist service for children and young people with gender dysphoria (phase 1 providers) and Equality and Health Inequalities Impact Assessment, tendered by Mr Donnelly
- Guideline published by the National Association of Practising Psychiatrists – 'Managing gender dysphoria in young people: The NAPP Guide', tendered by Mr Donnelly

- Document regarding NSW Health funding applications, tendered by Ms Faehrmann.

5. Inquiry into the COVID-19 classification of the Minister for Health

6. Adjournment

The committee adjourned at 4.20 pm, *sine die*.

Helen Hong

Committee Clerk

Draft minutes no. 74

Monday 12 December 2022

Portfolio Committee No. 2 - Health

Macquarie Room, Ground Floor, State Library, Sydney, at 10.02 am

1. Members present

Mr Donnelly, *Chair*

Ms Hurst, *Deputy Chair* (via videoconference)

Mr Amato (via videoconference)

Mr Buttigeig (via videoconference, until 10.10 am) (substituting for Mr Secord for the Budget Estimates inquiry)

Ms Faehrmann (via videoconference)

Mr Fang

Mr Graham (substituting for Mr Secord for the Inquiry into the COVID-19 classification of the Minister for Health)

Mr Latham (participating)

Mrs MacDonald

2. Previous minutes

Resolved, on the motion of Mr Graham: That draft minutes nos. 65, 66, 71, 72 and 73 be confirmed.

3. Correspondence

The committee noted the following items of correspondence:

Received:

- 24 November 2022 – Letter from the Hon Brad Hazzard MP, Minister for Health, to Budget Estimates secretariat, returning post hearing responses for a supplementary Budget Estimates 2022-2023 hearing held on 27 October 2022
- 24 November 2022 – Email from the Office of Hon Brad Hazzard MP, Minister for Health to Budget Estimates secretariat, regarding transcript corrections for a supplementary Budget Estimates 2022-2023 hearing held on 27 October 2022.

Sent:

- 3 November 2022 – Email from Budget Estimates secretariat to the Office of Hon Brad Hazzard MP, Minister for Health, issuing uncorrected transcript, questions on notice and supplementary questions for a supplementary Budget Estimates 2022-2023 hearing held on 27 October 2022
- 24 November 2022 – Email from Budget Estimates secretariat to the Office of Hon Brad Hazzard MP, Minister for Health regarding transcript corrections for a supplementary Budget Estimates 2022-2023 hearing held on 27 October 2022
- 6 December 2022 – Email from secretariat to Mr Adam Marshall MP, attaching a copy of the notes of his interviews with contact tracers provided by NSW Health in response to questions on notice, inviting him to provide further information to the committee.

4. Inquiry into Budget Estimates 2022-2023

4.1 Answers to questions on notice and supplementary questions

The committee noted the following answers to questions on notice and supplementary questions were published by the committee clerk under the authorisation of the resolution establishing the inquiry:

- answers to questions on notice and supplementary questions from the Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health, Minister for Mental Health, received 6 October 2022
- answers to questions on notice and supplementary questions from the Hon Brad Hazzard MP, Minister for Health, received 6 October 2022
- answers to questions on notice and supplementary questions from the Hon Brad Hazzard MP, Minister for Health, received 24 November 2022.

4.2 Consideration of Chair's draft report

Resolved, on the motion of Ms Faehrmann: That:

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

The transcripts of evidence, 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 transcripts of evidence, tabled documents, answers to questions on notice and supplementary questions, and correspondence relating to the inquiry, be published by the committee, except for those documents kept confidential by resolution of the committee;

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

That the report be tabled on Friday 16 December 2022.

5. Inquiry into the COVID-19 classification of the Minister for Health

6. Adjournment

The committee adjourned at 10.59 am, *sine die*.

Allison Stowe / Sarah Newlands

Committee Clerk

