

c2015-157
OPP--OPPOSITION

LEGISLATIVE COUNCIL

Greater Sydney Commission Bill 2015

First print

Proposed amendments

- No. 1 **Advice on appointment of District Commissioners**
Page 3, clause 6 (4), line 45. Insert "and councillors" after "council".
- No. 2 **Principal objectives of Commission**
Page 4, clause 9. Insert after line 33:
 (g) to provide increased opportunity for public involvement and participation in environmental planning and assessment in the Greater Sydney Regions.
- No. 3 **Delegation of Commission's functions**
Page 5, clause 11 (4), lines 45 and 46. Omit all words on those lines.
- No. 4 **Infrastructure Delivery Committee**
Page 6, clause 14 (2). Insert after line 35:
 (c) the Secretary of the Ministry of Health,
 (d) the Secretary of the Department of Education.
- No. 5 **Infrastructure Delivery Committee**
Page 6, clause 14 (3), lines 36 and 37. Omit "a District Commissioner as an additional casual member". Insert instead "any one or more District Commissioners as additional casual members".
- No. 6 **Parliamentary Joint Committee**
Page 8. Insert after line 31:

Part 4 Parliamentary Joint Committee

19 Constitution of Joint Committee

As soon as practicable after the commencement of this Part and the commencement of the first session of each Parliament, a joint committee of members of Parliament, to be known as the Committee on the Greater Sydney Commission (referred to in this Part as the *Joint Committee*), is to be appointed.

20 Functions

The functions of the Joint Committee are as follows:

- (a) to monitor and review the exercise by the Commission of the Commission's functions under this or any other Act,
- (b) to report to both Houses of Parliament, with such comments as it thinks fit, on any matter relating to the Commission or connected with the exercise of the Commission's functions to which, in the opinion of the Joint Committee, the attention of Parliament should be directed,
- (c) to examine each annual and other report made by the Commission, and presented to Parliament, under this or any other Act and report to both Houses of Parliament on any matter appearing in, or arising out of, any such report,
- (d) to report to both Houses of Parliament any change that the Joint Committee thinks desirable to the functions, structure and procedure of the Commission,
- (e) to inquire into any question in connection with the Joint Committee's functions which is referred to it by both Houses of Parliament, and report to both Houses on that question.

21 Membership

- (1) The Joint Committee is to consist of 7 members, of whom:
 - (a) 3 are to be members of, and appointed by, the Legislative Council, and
 - (b) 4 are to be members of, and appointed by, the Legislative Assembly.
- (2) The appointment of members of the Joint Committee is, as far as practicable, to be in accordance with the practice of Parliament with respect to the appointment of members to serve on joint committees of both Houses of Parliament.
- (3) A person is not eligible for appointment as a member of the Joint Committee if the person is a Minister of the Crown or a Parliamentary Secretary.

22 Vacancies

A member of the Joint Committee ceases to hold office:

- (a) when the Legislative Assembly is dissolved or expires by the effluxion of time, or
- (b) if the member becomes a Minister of the Crown or a Parliamentary Secretary, or
- (c) if a member ceases to be a member of the Legislative Council or Legislative Assembly, or
- (d) if the member is discharged from office by the House of Parliament to which the member belongs.

23 Chair and Deputy Chair

- (1) There is to be a Chair and a Deputy Chair of the Joint Committee, who are to be elected by and from the members of the Joint Committee.
- (2) A member of the Joint Committee ceases to hold office as Chair or Deputy Chair of the Joint Committee if:
 - (a) the member ceases to be a member of the Committee, or
 - (b) the member resigns the office by instrument in writing presented to a meeting of the Committee, or
 - (c) the member is discharged from office by the Committee.

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- (3) At any time when the Chair is absent from New South Wales or is, for any reason, unable to perform the duties of Chair or there is a vacancy in that office, the Deputy Chair may exercise the functions of the Chair under this Act or under the *Parliamentary Evidence Act 1901*.

24 Procedure

- (1) The procedure for the calling of meetings of the Joint Committee and for the conduct of business at those meetings is, subject to this Act, to be as determined by the Committee.
- (2) The Clerk of the Legislative Assembly is to call the first meeting of the Joint Committee in each Parliament in such manner as the Clerk thinks fit.
- (3) At a meeting of the Joint Committee, 4 members constitute a quorum, but the Committee must meet as a joint committee at all times.
- (4) The Chair or, in the absence of the Chair, the Deputy Chair (or, in the absence of both the Chair and the Deputy Chair, a member of the Joint Committee elected to chair the meeting by the members present) is to preside at a meeting of the Joint Committee.
- (5) The Deputy Chair or other member presiding at a meeting of the Joint Committee has, in relation to the meeting, all the functions of the Chair.
- (6) The Chair, Deputy Chair or other member presiding at a meeting of the Joint Committee has a deliberative vote and, in the event of an equality of votes, also has a casting vote.
- (7) A question arising at a meeting of the Joint Committee is to be determined by a majority of the votes of the members present and voting.
- (8) The Joint Committee may sit and transact business despite any prorogation of the Houses of Parliament or any adjournment of either House of Parliament.
- (9) The Joint Committee may sit and transact business on a sitting day of a House of Parliament during the time of sitting.

25 Reporting when Parliament not in session

- (1) If a House of Parliament is not sitting when the Joint Committee seeks to furnish a report to it, the Committee may present copies of the report to the Clerk of the House.
- (2) The report:
- (a) on presentation and for all purposes is taken to have been laid before the House, and
 - (b) may be printed by authority of the Clerk, and
 - (c) if printed by authority of the Clerk, is for all purposes taken to be a document published by or under the authority of the House, and
 - (d) is to be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after receipt of the report by the Clerk.

No. 7 Removal of appointed members of Commission

Page 13, Schedule 2, clause 5 (2), lines 1 and 2. Omit “or no stated reason and without notice.”. Insert instead “reason and without notice. However, the Minister must provide a written statement of the reasons for removing the member from office and make that statement publicly available.”.

No. 8 Removal of State members of Sydney Planning Panels

Page 18, Schedule 3, clause 10 (3), lines 19 and 20. Omit “or no stated reason and without notice.”. Insert instead “reason and without notice. However, the Minister must provide a written statement of the reasons for removing the member from office and make that statement publicly available.”.

No. 9 **Removal of council nominees from Sydney Planning Panels**

Page 18, Schedule 3, clause 10 (4), lines 21 and 22. Omit “or no stated reason and without notice.”. Insert instead “reason and without notice. However, the general manager of the applicable council must provide a written statement of the reasons for removing the council nominee from office and make that statement publicly available.”.

No. 10 **Public exhibition of draft strategic plans**

Page 26, Schedule 5 [14], line 30. Omit “45 days”. Insert instead “60 days”.

No. 11 **Public exhibition of draft strategic plans**

Page 27, Schedule 5 [14], line 44. Omit “45 days”. Insert instead “60 days”.