



## Minutes of Proceedings of the Legislation Review Committee (No. 3)

8.30 am, Tuesday 23 August 2011

Room 1254

Parliament House

### Members Present

Mr Bromhead (Chair), Mr Edwards, Mr Flowers, Dr Lee (Deputy Chair), Ms Mihailuk, Mr Moselmane, Dr Phelps, Mr Shoebridge

### 1. Confirmation of Minutes

Resolved, on the motion of Mr Flowers:

'That the minutes of the meeting held on 9 August 2011 be confirmed'.

### 2. Extraction of Bills for detailed consideration

Resolved, on the motion of Dr Phelps that the Committee consider the Local Government Amendment (Roadside Vehicle Sales) Bill 2011 in further detail

Resolved, on the motion of Ms Mihailuk that the Committee consider the Local Government Amendment (Local Democracy – Ward Representation Reform) Bill 2011 in further detail

### 3. Consideration of Bills *in globo*

Resolved, on the motion of Dr Phelps:

'That the Committee adopt the report on the following Bills *in globo*:

- *Australian Jockey and Sydney Turf Clubs Merger Amendment Bill 2011*
- *Clean Coal Administration Amendment Bill 2011*
- *Crown Law Officers Legislation Amendment (Retirement Age) Bill 2011*
- *Education Amendment (Ethics Classes Repeal) Bill 2011*
- *Fines Amendment (Work and Development Orders) Bill 2011*
- *Gaming Machine Tax Amendment Bill 2011*
- *Residential Parks Amendment (Register) Bill 2011*

### 4. Consideration of Bills in Detail

- Resolved, on the motion of Dr Phelps:

'That the Committee adopt the draft report on the *Threatened Species Conservation Amendment (Ecological Consultants Accreditation Scheme) Bill 2011*'.

- Resolved, on the motion of Mr Flowers:

'That the Committee adopt the draft report on the *Truth in Labelling (Free-range Eggs) Bill 2011*'.

- Ms Mihailuk moved, seconded by Mr Moselmane that the draft report on the *Local Government Amendment (Local Democracy – Ward Representation Reform) Bill 2011* be amended to include a conclusion reading: "The Committee notes that the Bill may trespass unduly on personal rights and liberties."

Discussion ensued.

Question put – That the proposed amendments be agreed to –

The Committee divided.

Ayes 2 [Mihailuk, Moselmane] Noes 5 [Bromhead, Edwards, Flowers, Lee, Phelps]

Negatived

- Resolved, on the motion of Dr Phelps:  
That the Committee adopt the report on the *Local Government Amendment (Local Democracy – Ward Representation Reform) Bill 2011* as initially proposed.
  - Dr Phelps moved that the draft report on the Local Government Amendment (Roadside Vehicle Sales) Bill 2011 be amended to include a conclusion reading: "The Committee refers to Parliament the question as to whether the prohibition on the purchase and sale of vehicles unduly trespasses on personal rights."
- Discussion ensued.

Question put – That the proposed amendments be agreed to –

The Committee divided.

Ayes 5 [Bromhead, Edwards, Flowers, Lee, Phelps] Noes 2 [Mihailuk, Moselmane]

Passed

- Resolved, on the motion of Dr Phelps:  
That the Committee adopt the amended report on the Local Government Amendment (Roadside Vehicle Sales) Bill 2011

## 5. Postponement of repeal of Regulations

Resolved, on the motion of Dr Lee:

'That the Committee adopt the draft reports on the postponement of repeal of Regulations and write to the relevant Ministers to inform them of their decision.'

## 6. Legislation Review Digest

Resolved, on the motion of Mr Flowers:

'That the Committee adopt the amended draft *Legislation Review Digest 2/55*, and that it be signed by the Chair and tabled in the House today'.

## 7. Regulations without papers

Resolved, on the motion of Dr Lee:

'That the Committee adopt the Regulations without papers'.

The Committee adjourned at 8.45 until 8.30 on 6 September 2011.