

Legislative Council Committees

Annual Report 2003

Volume Two

Legislative Council
Committees - Report on
Performance

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Clerk's Foreword

During the 52nd Parliament the workload of Legislative Council committees significantly increased as the Council developed an increasingly activist function in scrutiny of the Executive. The contents of this second volume of the annual report presents the culmination of this activity, as members and staff worked tirelessly to complete inquiries and report to the Parliament and the public on findings.

The period reported on is not strictly comparable to that reported in previous annual reports, as no Committee work was undertaken once the House rose in December 2002. The fact that the six months from June 2002 saw the tabling of 33 reports by committees demonstrates the very high workload of staff and members. Many of these reports were very substantial and saw significant government response, and I would like to particularly thank committee staff for the way they responded to the significant pressures they were under during the period prior to the expiry of the 52nd Parliament.

During the pre and immediate post election period (January to June 2003) committee staff undertook a number of projects aimed at enhancing the administrative, procedural and technological capacity of parliamentary inquiries for the 53rd Parliament. The benefits of these projects, such as those examining consultation methods, audio facilities for hearings and the effectiveness of committee reports, should also provide improved information relating to the performance of Legislative Council committees in future annual reports.



John Evans
Clerk of the Parliaments

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Statistical summary – All Legislative Council Committees

	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003 ¹
Inquiries	21	37	42	47	35
Reports tabled	20	25	20	27	33
Recommendations	298	208	228	202	454
Meetings	76	230	161	199	100
Public consultation					
Number of submissions received	631	1,995	2,042	1,281	409
Number of hearings	35	120	73	101	36
Location - Parliament House	24	108	70	94	36
- other metropolitan	-	1	1	2	-
- regional NSW	11	11	3	5	-
Total duration (hours)	160	398.5	325	373.5	155.25
Number of witnesses	264	774	492	643	200
Participants in other forms of consultations					
Seminars	185	-	-	-	30
Briefings	41	133	72	47	79
Community consultations	163	251	274	-	81
Site visits	48	202	263	111	15
Public Forums	-	28	-	51	-
Total participants	1,362	3,165	3,117	2,529	813

¹ Committees in 2002-2003 ceased operation when the House rose in December 2002 for the March 2003 State Election. Figures reproduced therefore represent six months activity, the comparable period being 1998-99, when committee activity was interrupted for the 1999 election.

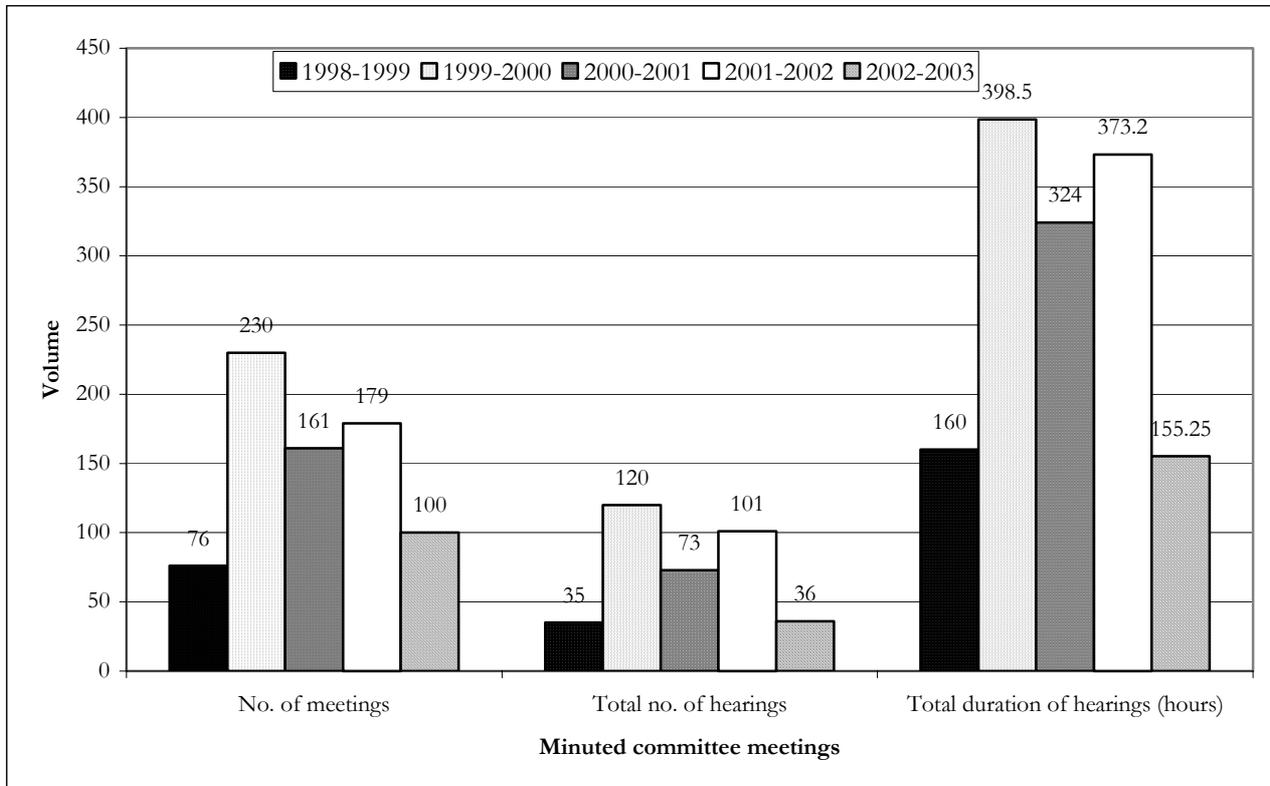
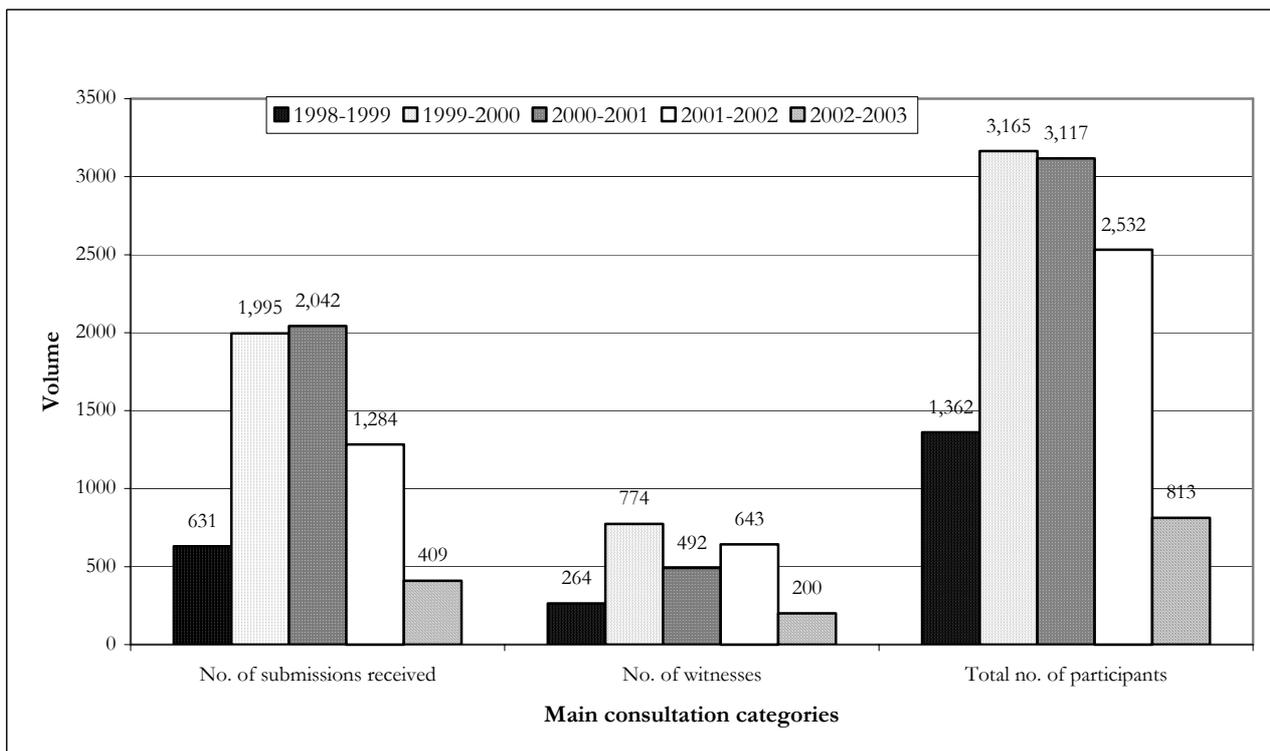
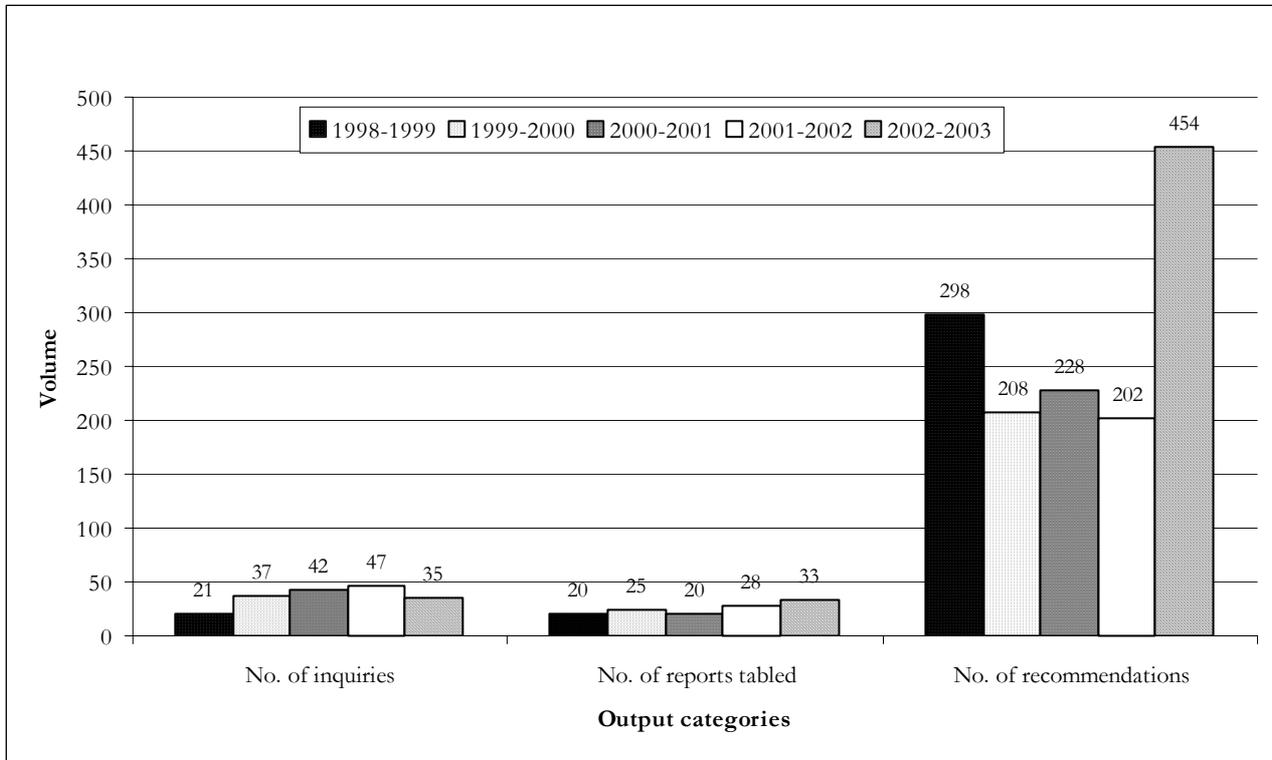
Figure 1.1 Meeting and hearings – all Legislative Council committees 1998-1999 to 2002-2003**Figure 1.2 Public consultation – all Legislative Council committees 1998-1999 to 2002-2003**

Figure 1.3 Output – all Legislative Council committees 1998-1999 to 2002-2003



Standing Committee on Law and Justice

How to contact the committee

Members of the Standing Committee on Law and Justice can be contacted through the Committee Secretariat. Written correspondence and enquiries should be directed to:

The Director

Standing Committee on Law and Justice

Legislative Council

Parliament House, Macquarie Street

Sydney New South Wales 2000

Internet www.parliament.nsw.gov.au

Email lawandjustice@parliament.nsw.gov.au

Telephone 61-2-9230 3311

Facsimile 61-2-9230 3371

Chapter 1 Standing Committee on Law and Justice

Law and Justice Committee at a glance

Committee membership 52nd Parliament

The Hon Ron Dyer MLC Australian Labor Party (Chair)

The Hon John Ryan MLC Liberal Party of Australia (Deputy Chair)

The Hon Peter Breen MLC Reform the Legal System

The Hon John Hatzistergos MLC Australian Labor Party

The Hon Janelle Saffin MLC Australian Labor Party²

The Hon Peter Primrose MLC Australia Labor Party³

Committee membership 53rd Parliament⁴

The Hon Christine Robertson MLC Australian Labor Party (Chair)

The Hon Greg Pearce MLC Liberal Party of Australia (Deputy Chair)

The Hon Tony Burke MLC Australian Labor Party

The Hon David Clarke MLC Liberal Party of Australia

The Hon Eddie Obeid MLC OAM Australian Labor Party

Ms Lee Rhiannon MLC The Greens

References

- 1.1**
1. Oversight of the Motor Accidents Authority and Motor Accidents Council (Reference from the House, dated 30 November 1999, pursuant to section 210 *Motor Accidents Compensation Act 1999*).
 2. Inquiry into the *Criminal Procedure Amendment (Pre-Trial Disclosure) Act 2001* (Reference from the House, dated 7 December 2000).
 3. Inquiry into Child Sexual Assault Matters (Ministerial reference from the Hon R J Debus MLC, dated 11 December 2001).
 4. Inquiry into Regulating the Use of Coats of Arms in NSW (Reference from the Hon R J Debus MLC, dated 5 February 2002).

² Discharged 28 August 2002. Minutes of Proceedings No 27, Item 2, 3rd Session.

³ Appointed 28 August 2002. Minutes of Proceedings No 27, Item 2, 3rd Session.

⁴ Established 21 May 2003. Minutes of Proceedings No7, item 3.

5. Inquiry into the *Home Building Amendment (Insurance) Act 2002* (Reference from the House, dated 9 May 2002).
6. Workers' Compensation Injury Management Pilot Projects Evaluation (Statutory reference, *Workplace Injury Management and Workers Compensation Act 1998*, Schedule 5A cl 1(2)).
7. Oversight of the Motor Accidents Authority and Motor Accidents Council (Reference from the House, dated 25 June 2003, pursuant to section 210 *Motor Accidents Compensation Act 1999*).

Statistical summary

	2001-2002	2002-2003
Inquiries	7	7
Reports tabled	3	5
Recommendations	60	83
Meetings	22	16 ⁵
Public Consultation		
Submissions received	181	28
Hearings	19	9
Location of hearings – Parliament House	19	9
Total duration	47 hrs 27 mins	24 hrs
Number of witnesses	65	34
Participants in other forms of consultation		
Seminars	-	-
Round table meetings	-	-
Briefings	-	-
Total participants	246	62

⁵ 52nd Parliament – 15, 53rd Parliament – 1.

Members' attendance record during the 52nd Parliament until 28 February 2003

	2002-2003
Mr Dyer (Chair)	15/15
Mr Ryan (Deputy Chair)	13/15
Mr Breen	8/15
Mr Hatzistergos	10/15
Ms Saffin	0/10
Mr Primrose	5/5

The first meeting of the new Committee was held on 26 June 2003, with all members of the new committee attending except for Mr Obeid, from whom an apology was received.

Inquiries

A NSW Bill of Rights

Government Response

- 1.2 The report of this inquiry, A NSW Bill of Rights, No 17 (tabled on 3 October 2001) received a Government response on 24 October 2002. The *Legislation Review Amendment Act 2002* has been passed to permit the Legislation Review Committee, formerly the Regulation Review Committee, to undertake a scrutiny function for all NSW legislation. This implements the primary recommendation of the Law and Justice Committee's Report No. 17.

Oversight of the Motor Accidents Authority and Motor Accidents Council - 52nd Parliament

Terms of Reference

- 1.3
1. That, in accordance with the provisions of section 210 of the *Motor Accidents Compensation Act 1999*, which commenced on 5 October 1999, the Standing Committee on Law and Justice be designated as the Legislative Council Committee to supervise the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council under the Act.
 2. That the terms of reference of the Committee in relation to these functions be:
 - (i) to monitor and review the exercise by the Authority and the Commission on their functions;
 - (ii) to report to the House, with such comments as it thinks fit, on any matter appertaining to the Authority or Commission or connected with the exercise of their functions to which, in the opinion of the Committee, the attention of the House should be directed;
 - (iii) to examine each annual or other report of the Authority and Commission and report to the House on any matter appearing in, or arising out of, any such report;
 - (iv) to examine trends and changes in motor accidents compensation, and report to the House any changes that the Committee thinks desirable to the functions and procedures of the Authority or Commission;
 - (v) to inquire into any question in connection with the Committee's functions which is referred to it by the House, and report to the House on that question.
 3. That the Committee is required to report to the House in relation to the exercise of its functions under this resolution at least once each year.

4. That nothing in this resolution authorises the Standing Committee on Law and Justice to investigate a particular compensation claim under the Motor Accidents Compensation Act.⁶

1.4 Date and source of reference: Resolution of the Legislative Council,
30 November 1999

1.5 Status of inquiry: Completed

Reports tabled	Take note debate	Government response
Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council, Fourth Report (tabled 15 December 2002)	None to date	Due 17 June 2003 (The 52 nd Parliament expired on 28 February 2003)

1.6 Statistical summary

Public consultation	2001-2002	2002-2003
Number of submissions received	-	-
Number of hearings	1	1
Locations – Sydney	1	1
Total duration	2 hrs 45 mins	1 hr 50 mins
Number of witnesses	4	4
Total participants	4	4

Outcomes/comments

1.7 Through this function, the committee has maintained an on-going oversight relationship with the Motor Accidents Authority and the Motor Accidents Council.

⁶ Motion moved by the Hon J Della Bosca MLC, Special Minister of State, and agreed to by the Legislative Council, Minutes of the Proceedings, No 28, 30 November 1999, p 296.

Inquiry into the Criminal Procedure Amendment (Pre-Trial Disclosure) Act 2001

Terms of Reference

1.8 That the Standing Committee on Law and Justice inquire and report on:

1. The provisions of the Criminal Procedure Amendment (Pre-Trial Disclosure) Bill 2001, as passed by the House, together with the system of pre-trial disclosure in New South Wales including:
 - (a) the provision of funding to various legal bodies required to undertake pre-trial disclosure, including but not limited to:
 - (i) the Legal Aid Commission,
 - (ii) the Office of the Director of Public Prosecutions,
 - (iii) the Public Defenders,
 - (iv) the Sydney Regional Aboriginal Corporation Legal Service and other Aboriginal legal services, and
 - (v) any other legal service,
 - (b) the frequency and type of pre-trial disclosure orders made in the Supreme Court and District Court,
 - (c) the rate of compliance with pre-trial disclosure requirements by:
 - (i) legally aided defendants,
 - (ii) privately funded defendants,
 - (iii) Police,
 - (iv) the Office of the Director of Public Prosecutions,
 - (d) the impact of pre-trial disclosure requirements on unrepresented defendants,
 - (e) the effect of pre-trial disclosure requirements on court delays and waiting times in the Supreme Court, District Court and the Court of Criminal Appeal,
 - (f) the effect of pre-trial disclosure requirements on the doctrine of the right to silence,
 - (g) the effect of pre-trial disclosure requirements on the doctrine of the presumption of innocence,
 - (h) the effect of pre-trial disclosure requirements on the doctrine of the burden of proof resting with the prosecution,
 - (i) any other matter arising out of or incidental to these terms of reference.
2. That the Committee report within 18 months from the date of commencement of the Act, as assented to.

1.9 **Date and source of reference:** Resolution of the Legislative Council,
7 December 2000

1.10 Status of Inquiry: Completed

Reports tabled	Take note debate	Government response
Inquiry into the <i>Criminal Procedure Amendment (Pre-Trial Disclosure) Act 2001</i> , First Report (tabled 24 September 2002)	25 September 2002	Due 24 March 2003 (The 52 nd Parliament expired on 28 February 2003)

1.11 Statistical summary

Public consultation	2001-2002	2002-2003
Number of submissions received	1	13
Number of hearings	0	0
Locations – Sydney	0	0
Total duration	0	0
Number of witnesses	0	0
Total participants	1	13

Outcomes/comments

- 1.12** The committee considered that it was too soon to assess the pre-trial disclosure requirements and recommended that the Attorney General re-refer the inquiry to the committee for examination of the provisions once they have been more frequently utilised.

Child Sexual Assault Matters

Terms of Reference

1.13 The Standing Committee on Law and Justice is to inquire into and report on:

The circumstances surrounding the prosecution of child sexual assault matters, including:

1. communication between the police and the complainant, and the complainant and the prosecution concerning the consequences of pursuing a prosecution for child sexual assault;
2. the role of sexual assault counsellors in the complaint process
3. the impact of the application of the rules of evidence, other legislative provisions and court practices in prosecutions for child sexual assault offences
4. alternative procedures for the prosecution of child sexual assault matters including alternative models for the punishment of offenders
5. possible civil responses to perpetrators and victims of child sexual assault
6. appropriate methods of sustaining ongoing dialogue between the community, government and non-government agencies about issues of common concern with respect to child sexual assault; and
7. any related matter concerning approaches to child sexual assault in the justice system.

1.14 **Date and source of reference:** 11 December 2001, from the Attorney General.

1.15 **Status of Inquiry:** Completed

Reports tabled	Take note debate	Government response
Report on Child Sexual Assault Prosecutions (tabled 13 November 2002)	None to date	Due 13 May 2003 (The 52 nd Parliament expired on 28 February 2003)

1.16 **Statistical summary**

Public consultation	2001-2002	2002-2003
Number of submissions received	84	4
Number of hearings	9	1
Locations – Sydney	9	1
Total duration	23 hrs 31 mins	2 hrs 50 mins
Number of witnesses	31	4
Total participants	115	8

Outcomes/comments

- 1.17** The committee's report met with considerable support from stakeholders and community groups. While the committee has not yet received the official government response to the report, its principal recommendation - the creation of a specialist Child Sexual Assault Court – was supported by the Government. On 18 November 2002, the Attorney General announced that the Government would establish a Child Sexual Assault Court, and the Court began hearing cases at the beginning of 2003.

Regulating the Use of the Coats of Arms

Terms of Reference

1.18 That the Standing Committee on Law and Justice is to inquire into and report upon a proposal to introduce a State Arms Bill to regulate the use of coats of arms in connection with the Parliament, the courts, the office of the Governor and State instrumentalities. In conducting its inquiry, the Committee should have regard to:

- Whether the provisions of the proposed State Arms Bill 2002 meet is stated policy objectives; and
- Any related matter.

1.19 **Date and source of reference:** 5 February 2002, from the Attorney General.

1.20 **Status of Inquiry:** Completed

Reports tabled	Take note debate	Government response
Report on the <i>Proposed State Arms Bill</i> (tabled 5 December 2002)	None to date	Due 5 June 2003 (The 52 nd Parliament expired on 28 February 2003)

1.21 Statistical summary

Public consultation	2001-2002	2002-2003
Number of submissions received	54	3
Number of hearings	0	2
Locations – Sydney	0	2
Total duration	0	6 hrs 05 mins
Number of witnesses	0	10
Total participants	54	13

Outcomes/comments

1.22 The committee's report was generally well received by those who participated in the inquiry. The Hon Peter Breen introduced his amended bill, the State Arms, Symbols and Emblems Bill 2003, on 22 May 2003. The Bill takes up many of the recommendations of the Committee. A government response to the report has not yet been received.

Inquiry into the Home Building Amendment (Insurance) Act 2002

Terms of Reference

1.23 That the Standing Committee on Law and Justice investigate the impact of the *Home Building Amendment (Insurance) Act 2002* on:

- home warranty insurance;
- home builders; and
- consumers.

The Committee is to report by 5 September 2002.

1.24 **Date and source of reference:** Resolution of the Legislative Council,
9 May 2002

1.25 **Status of Inquiry:** Completed

Reports tabled	Take note debate	Government response
Inquiry into the <i>Home Building Amendment (Insurance) Act 2002</i> (tabled 3 September 2002)	4 September 2002 and 18 September 2002	Due 3 March 2003 (The 52 nd Parliament expired on 28 February 2003)

1.26 **Statistical summary**

Public consultation	2001-2002	2002-2003
Number of submissions received	15	22
Number of hearings	0	5
Locations – Sydney	0	5
Total duration	0	13 hrs 15 mins
Number of witnesses	0	16
Total participants	15	38

Outcomes/comments

1.27 The Committee's report provided a comprehensive examination of the impact of the *Home Building Amendment (Insurance) Act 2002* on home warranty insurance, builders and consumers. The New South Wales Government announced a broad inquiry into the home warranty insurance scheme in May 2003 and the terms of reference for that inquiry include consideration of the Committee's report.

Workers Compensation Injury Management Pilot Project Evaluation

Terms of Reference

- 1.28** The effectiveness of Schedule 5A of the *Workplace Injury Management and Workers Compensation Act 1998* is to be evaluated by an independent person or body, chosen by the Authority by private tender, and the results of the evaluation are to be referred to the Law and Justice Committee of the Legislative Council which is to review the results and report to Parliament.
- 1.29** **Date and source of reference:** Statutory reference, *Workplace Injury Management and Workers Compensation Act 1998*, Schedule 5A, cl 1 (2) (commenced 1 January 2001)
- 1.30** **Status of Inquiry:** Not yet commenced

Oversight of Motor Accidents Authority and Motor Accidents Council – 53rd Parliament

Terms of Reference

- 1.31**
1. That, in accordance with the provisions of section 210 of the Motor Accidents Compensation Act 1999, the Standing Committee on Law and Justice be designated as the Legislative Council Committee to supervise the exercise of the functions of the Motor Accidents Authority and Motor Accidents Council under the Act.
 2. That the terms of reference of the Committee in relation to these functions be:
 - (a) to monitor and review the exercise by the Authority and Council of their functions,
 - (b) to report to the House, with such comments as it thinks fit, on any matter appertaining to the Authority or Council or connected with the exercise of their functions to which, in the opinion of the Committee, the attention of the House should be directed,
 - (c) to examine each annual or other report of the Authority and Council and report to the House on any matter appearing in, or arising out of, any such report,
 - (d) to examine trends and changes in motor accidents compensation, and report to the House any changes that the Committee thinks desirable to the functions and procedures of the Authority or Council,
 - (e) to inquire into any question in connection with the Committee's functions which is referred to it by the House, and report to the House on that question.
 3. That the Committee report to the House in relation to the exercise of its functions under this resolution at least once each year.
 4. That nothing in this resolution authorises the Committee to investigate a particular compensation claim under the Motor Accidents Compensation Act.
- 1.32** **Date and source of reference:** Reference from the House, 25 June 2003, pursuant to section 210 *Motor Accidents Compensation Act 1999*.
- 1.33** **Status of Inquiry:** Not yet commenced.

List of previous committee reports

Report No.	Title	Date tabled
1	Crimes Amendment Mandatory Life Sentences Bill	Nov 1995
2	Motor Accidents Scheme, Compulsory Third Party Insurance	April 1996
3	Motor Accidents Scheme, Compulsory Third Party Insurance, Interim Report	Dec 1996
4	Workplace Safety, Proceedings of Public Seminar	Feb 1997
5	Motor Accidents Scheme, Legal Costs, Proceedings of Public Seminar	June 1997
6	Family Impact Commission Bill	Nov 1997
7	Motor Accidents Scheme, Compulsory Third Party Insurance, Second Interim Report	Dec 1997
8	Workplace Safety, Interim Report	Dec 1997
Issues Paper No. 1	Workplace Safety, Issues Paper	Feb 1998
9	Motor Accidents Scheme, Compulsory Third Party Insurance, Final Report	Nov 1998
10.1	Workplace Safety, Final Report, Volume 1	Nov 1998
10.2	Workplace Safety, Final Report, Volume 2, Appendices	Nov 1998
11	Crime Prevention through Social Support, Proceedings of Public Conference	Dec 1998
12.1	Crime Prevention through Social Support, Submissions received in 1998, Volume 1, Early Childhood Intervention	June 1999
12.2	Crime Prevention through Social Support, First Report	Dec 1999
13	Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council, First Report	June 2000
14	Crime Prevention through Social Support, Second Report	Aug 2000
15	Report on Inquiry into the <i>Crimes Amendment (Child Protection Excessive Punishment) Bill 2000</i>	Oct 2000
16	Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council, Second Report	Feb 2001
17	A NSW Bill of Rights	Oct 2001
18	Review of the <i>Crimes (Forensic Procedures) Act 2000</i>	Feb 2002
19	Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council, Third Report	Feb 2002
20	<i>Home Building Amendment (Insurance) Act 2002</i>	Sept 2002
21	<i>Criminal Procedure Amendment (Pre trial Disclosure) Act 2001</i> , First Report	Sept 2002
22	Report on Child Sexual Assault Prosecutions	Nov 2002
23	Report on the Proposed State Arms Bill	Dec 2002
24	Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council, Fourth Report	Dec 2002

Standing Committee on Social Issues

How to contact the committee

Members of the Standing Committee on Social Issues can be contacted through the Committee Secretariat. Written correspondence and enquiries should be directed to:

The Director

Standing Committee on Social Issues

Legislative Council

Parliament House, Macquarie Street

Sydney New South Wales 2000

Internet www.parliament.nsw.gov.au

Email socialissues@parliament.nsw.gov.au

Telephone 61-2-9230 3078

Facsimile 61-2-9230 2981

Chapter 2 Standing Committee on Social Issues

Social Issues Committee at a glance

Committee membership 52nd Parliament

Ms Jan Burnswoods MLC Australian Labor Party (Chair)

The Hon Jim Samios MLC Liberal Party of Australia (Deputy Chair)

The Hon Amanda Fazio MLC Australian Labor Party

The Hon Ian West MLC Australian Labor Party

The Hon Dr Arthur Chesterfield-Evans MLC Australian Democrats

Committee membership 53rd Parliament ⁷

Ms Jan Burnswoods MLC Australian Labor Party (Chair)

The Hon Robyn Parker MLC Liberal Party of Australia (Deputy Chair)

The Hon Catherine Cusack MLC Liberal Party

The Hon Kayee Griffin MLC Australian Labor Party

The Hon Ian West MLC Australian Labor Party

The Hon Dr Arthur Chesterfield-Evans MLC Australian Democrats

References

- 2.1**
1. Residential and Support Services for People with Disability
(Reference from the House, dated 16 September 1999.)
 2. Early Intervention into Learning Difficulties
(Ministerial reference from the Hon John Aquilina MP, Minister for Education and Training, dated 4 August 2000. Re-referred by the House on 24 June 2003.)
 3. Community Housing
(Ministerial reference from the Hon Andrew Refshauge MP, Deputy Premier, Minister for Planning, Aboriginal Affairs and Housing, dated 27 September 2001. Re-referred by the House on 24 June 2003.)
 4. Child Protection Services
(Reference from the House, dated 10 April 2002.)

⁷ Established 21 May 2003. Minutes of Proceedings No7, item 3.

5. Equal Age of Consent
(Ministerial reference from the Hon Bob Debus MP, Attorney General, dated 3 September 2002.)

Statistical summary

	2001-2002	2002-2003
Inquiries	5	5
Reports tabled	2	4
Recommendations	8	137
Meetings	26	29 ⁸
Public consultation		
Number of submissions received	421	239
Number of hearings	7	13
Location - Sydney	19	13
- regional NSW	2	
Total duration	85 hrs 5mins	60 hrs 10 mins
Number of witnesses	111	55
Participants in other forms of consultations		
Briefings - Sydney	-	78
Community consultations	-	-
- Sydney	-	35
- regional NSW	-	46
Seminar - Sydney	-	30
Site visits - Sydney	42	-
- regional NSW	27	-
Total participants	601	483

Members' attendance record (not including sub-committee attendance)

Members	Meetings attended
The Hon Jan Burnswoods, MLC (Chair)	26/26
The Hon Jim Samios, MLC (Deputy Chair)	23/26
The Hon Dr Arthur Chesterfield-Evans, MLC	23/26
The Hon Amanda Fazio, MLC	20/26
The Hon Ian West MLC	24/26

⁸ Includes 3 sub-committee meetings.

Inquiries

Residential and support services for people with disability

Terms of reference

- 2.2
1. That the Standing Committee on Social Issues inquiry into and report on the provision of residential care and other services which support people with disability, including the following.
 2. The tendering out of group homes currently operated by DOCS, including:
 - (a) how the decision was made, by whom and for what reason,
 - (b) the criteria for choosing which homes would be tendered out, how they were arrived at,
 - (c) the service planning and development that preceded the decision to tender out group homes, and in particular the following:
 - (i) arrangements for the provision of case work, clinical and allied health services for people with disability in accommodation provided by the non-government sector,
 - (ii) arrangements for the training and accreditation of staff working in non-government accommodation services,
 - (iii) arrangements for non-government infrastructure support and development generally,
 - (d) how the processes involved in tendering out group homes were arrived at,
 - (e) the level of consultation with people with disability, their families and carers prior to and during the process of tendering out the group homes, and organisations representing people with disability, especially including People with Disabilities (Inc), the NSW Council on Intellectual Disability, the NSW Safeguard Coalition and the Public Service Association,
 - (f) the appropriateness of the means by which people with disability and their families were informed of the decision to tender out group homes,
 - (g) whether during this process the Government has breached the *Disability Services Act* in any way,
 - (h) the need for certainty of future accommodation for people currently residing in DOCS Group Homes, and future clients of what are now DOCS Group Homes,
 - (i) the particular impact on rural and remote families.
 3. The provision of residential care and other services for people with disabilities, having regard but not limited to:
 - (a) current unmet need,
 - (b) the adequacy of the Government's response to unmet need to date, including:

- (i) the provision of funding to address unmet need,
 - (ii) service planning,
- (c) the need and level of provision for respite care,
- (d) the availability and distribution of supported accommodation, respite care and other disability services for people in rural and remote communities, needs of people with disabilities and their families in rural and remote areas, and the need for government to make particular provision for their needs,
- (e) the security of ongoing funding arrangements for the non-government sector,
- (f) the desirability or otherwise of a continuing role for Government in the direct provision of services for people with disability,
- (g) the adequacy of administrative arrangements between the Ageing and Disability Department and the Department of Community Services in relation to the disability services provided by the Department of Community Services,
- (h) the status of the implementation of the *Disability Services Act (1993)* in particular in respect to:
- (i) the provision of funding to assist services to reach conformity to legislative requirements, and
 - (ii) the implementation of those provisions dealing with individualised funding arrangements.
4. That the Inquiry make specific and general recommendations about the matters inquired into.
5. That in conducting the Inquiry specific steps be taken to consult as widely as possible with people with disability, their families and carers, and organisations representing people with disability, especially including People with Disabilities (Inc), the NSW Council on Intellectual Disability, the NSW Safeguard Coalition and the Public Service Association, having particular regard to the need to ensure people with disability are fully involved in decisions affecting their lives.
6. That, in relation to the matters raised in paragraph 2 the Inquiry report to the Parliament no later than 30 November 1999.
7. That until recommendations are made by this Inquiry, this House calls on the Government in the strongest terms to agree to a moratorium on the proposed changes to DOCS group homes, in order that it may respond positively to the Inquiry's outcomes.
8. That the Government be required to provide to the House all Government papers in written or electronic form including the complete range of documents relating to the decision to tender out DOCS group homes, including papers from the Departments of the Premier, Treasury, Ageing and Disability and Community Services.

2.3 Date and source of reference: Reference from the House, 16 September 1999 (The Hon John Ryan, MLC).

2.4 Status of inquiry: Completed

Reports tabled	Take note debate	Government response
Making it Happen: Final Report On Disability Services (tabled on 14 November 2002)		Due 14 May 2003 (The 52 nd Parliament expired on 28 February 2003)

2.5 Statistical Summary

Public consultation	2001-2002	2002-2003
Number of submissions received ⁹	-	-
Number of hearings	7	-
Location - Sydney	7	-
Total hearing duration (excludes briefings, site visits & community consultations)	26 hrs 15mins	-
Number of witnesses	44	-
Total participants	44	-

Outcomes/comments

2.6 The Committee's final report for this inquiry, *Making It Happen: Final Report on Disability Services* was tabled on 14 November 2002. Two interim reports, *The Group Homes Proposal* and *A Matter of Priority* were released in December 1999 and December 2000 respectively. The inquiry, which commenced in September 1999, received 316 written submissions and heard formal evidence from 135 witnesses. In addition, the Committee held community consultations in regional and rural New South Wales that were attended by a total of 555 people.

2.7 The inquiry has been associated with a period of substantial structural reform within disability services in New South Wales and the allocation of significant additional funding to the sector.

⁹ Please note submissions were received in the previous reporting period, see para 2.6.

Early Intervention into learning difficulties

Terms of Reference

That the Standing Committee on Social Issues inquire into and report on early intervention into learning difficulties during the early childhood years (ages 0-8), including the following:

- The appropriate role of parents, government departments, non-government agencies and educational organisations in the development, delivery and evaluation of early intervention programs.
- The adequacy of roles and responsibilities and interagency cooperation around early intervention programs for learning difficulties in NSW.
- The ways in which early intervention practice in NSW might be informed by practice in other States of Australia and overseas, including evidence of the impact of early intervention on child protection, juvenile justice and intensive education programs.
- Research into world's best practice in developing effective strategies to increase awareness and responsibility for assisting families in parenting skills, identifying learning difficulties and early intervention.
- Maximising the effectiveness of assessment and early identification in ensuring improved learning outcomes from schooling for children experiencing learning difficulties.
- Support available to families and communities to enable them to be better able to assist their children with learning difficulties.
- Any other relevant matters.

The primary emphasis of the Inquiry is on the evaluation and development of programs for children with learning difficulties who with appropriate early intervention would be able to achieve age appropriate outcomes throughout their schooling.

2.8 Date and source of reference: 4 August 2000, from the Hon John Aquilina MP. Re-referred by the House on 24 June 2003.

2.9 Status of inquiry: On-going

Reports tabled	Take note debate	Government response
<i>Early Child Development: A Co-ordinated Approach. First Report on Early Intervention for Children with Learning Difficulties</i> (tabled on 16 October 2002)	23 October 2002	Due 16 April 2003 (The 52 nd Parliament expired on 28 February 2003)

2.10 Statistical Summary

Public consultation	2001-2002	2002-2003
Number of submissions received	82	113
Number of hearings	5	2
Location - Sydney	3	2
- regional NSW	2	
Total hearing duration (excluding briefings, site visits and community consultations)	11 hrs 25 mins	4 hr 50 mins
Number of witnesses	12	2
Participants in other forms of consultation		
Community consultations	-	-
- Sydney (seminar)	-	30
Site visits - regional NSW	27	-
Total participants	121	145

Outcomes/comments

- 2.11** *Early Child Development: A Co-ordinated Approach: First Report on Early Intervention for Children with Learning Difficulties* was tabled on 16 October 2002.
- 2.12** The inquiry was interrupted by prorogation. The inquiry was re-referred to the Committee on 24 June 2003 and it is anticipated the final report will be released shortly.

Inquiry into Community Housing

Terms of Reference

- 2.13**
1. That the Standing Committee on Social Issues inquire into and report on government-funded community housing, and in particular:
 - (a) The role of the government-funded community housing sector in providing accommodation within the social housing system,
 - (b) The effectiveness of the community housing sector in meeting the needs of its clients in a responsive and efficient manner,
 - (c) The relative effectiveness of large and small community housing providers in providing accommodation to their clients,
 - (d) The role and operation of community housing or related models in other jurisdictions so as to better inform future strategies and develop best practice within the sector in New South Wales,
 - (e) Appropriate models for community housing in rural, regional and metropolitan New South Wales,
 - (f) The effectiveness of links between community housing providers and government and non-government support services,
 - (g) The adequacy and effectiveness of training and support available to community housing providers,
 - (h) Current management and operational policies and practices, their efficacy and transparency,
 - (i) The adequacy of current reporting and regulatory frameworks in ensuring corporate governance and accountability,
 - (j) Any other matter arising out of or incidental to these terms of reference.
 2. That the Inquiry consider community housing providers, excluding Aboriginal community housing providers.
 3. That the Committee present a final report to the Legislative Council no later than 7 November 2002.

2.14 **Date and source of reference:** Re-referred by the House on 24 June 2003. Reference from the Hon Andrew Refshauge MP, 27 September 2001.

2.15 **Status of inquiry:** On-going.

2.16 Statistical Summary

Public consultation	2001-2002	2002-2003
Number of submissions received	54	-
Number of hearings	4	1
Location - Sydney	4	1
Total hearing duration (excluding briefings, site visits and community consultations)	21 hrs	3 hrs 30 mins
Number of witnesses	26	4
Participants in other forms of consultation		
Site visits - Sydney	42	-
Total participants	122	4

Outcomes/comments

- 2.17** The inquiry was interrupted by prorogation. The inquiry was re-referred to the Committee on 24 June 2003 and it is anticipated that the final report will be released shortly.

Child Protection Services

Terms of Reference

- 2.18**
1. That the Standing Committee on Social Issues inquire into and report on the following aspects of the Department of Community Services:
 - (a) the adequacy of systems to receive, investigate and assess reports of children and young people at risk of harm,
 - (b) the ability of systems to receive and respond to requests for assistance concerning children, young people and families,
 - (c) the availability of appropriate out of home care placements for children and young people,
 - (d) outcomes for children and young people in out of home care.

In respect to matters (a)-(d) above, the Committee is to examine:

 - (i) the training and morale of DOCS employees,
 - (ii) the adequacy of resources allocated for child and family services,
 - (iii) the role of research and consultation.
 2. That the Committee table an interim report by 26 September 2002 and a final report by 5 December 2002.

2.19 Date and source of reference: Reference from the House dated 10 April 2002 (the Hon Dr Arthur Chesterfield-Evans, MLC).

2.20 Status of inquiry: Completed

Reports tabled	Take note debate	Government response
<i>Prevention: Interim Report on Child Protection Services</i> (tabled on 16 October 2002)	23 October 2002	Due 16 April 2003 (The 52 nd Parliament expired on 28 February 2003)
<i>Care and Support: Final Report on Child Protection Services</i> (tabled on 10 December 2002)	-	Due 10 June 2003 (The 52 nd Parliament expired on 28 February 2003)

2.21 Statistical Summary

Public consultation	2001-2002	2002-2003
Number of submissions received	247	-
Number of hearings	2	9
Location - Sydney	2	9
Total hearing duration (excluding briefings, site visits and community consultations)	11 hrs 45 mins	51 hrs 50 mins
Number of witnesses	12	49
Participants in other forms of consultation		
Community consultations		
- Sydney	-	35
- regional NSW	-	46
Briefings - Sydney	-	78
Total participants	259	208

Outcomes/comments

- 2.22** The committee's interim report, *Prevention: Interim Report on Child Protection Services* was tabled on 16 October 2002, and *Care and Support: Final Report on Child Protection Services* was tabled on 10 December 2002.
- 2.23** The inquiry helped to generate significant change in the child protection system, including the Government's announcement of an additional \$1.1 billion over four years for child protection services. Also, by providing the opportunity for debate among government and non-government stakeholders about the appropriate balance between prevention and crisis response for children at risk of harm, the committee helped bring about an important shift towards prevention and early intervention in child protection policy and service delivery in New South Wales.

Inquiry into the Equal Age of Consent

Terms of Reference

2.24 The Standing Committee on Social Issues inquire into and report into:

1. The social and legal impact of the lowering of the age of consent for homosexual males to the same age which applies to heterosexual males and females and lesbians, and in particular, the lowering of the age of consent for homosexual males as proposed in the Crimes Amendment (Sexual Offences) Bill 2002 introduced into the Legislative Council on 29 August 2002, and
2. Any related matter.

2.25 **Date and source of reference:** 3 September 2002, from the Hon Bob Debus MP, Attorney General on 3 September 2002.

2.26 **Status of inquiry:** This reference was not re-referred to the Committee in the 53rd Parliament.

2.27 Statistical Summary

Public consultation	2002-2003
Number of submissions received	126

Outcomes/comments

2.28 The inquiry was interrupted by prorogation. Due to the passage of the Crimes Amendment (Sexual Offences) Bill 2003, through both Houses in the new Parliament, the inquiry was not re-referred to the Committee.

List of previous committee reports

Report No.	Title	Date tabled
1	Accessing Adoption Information	Oct 1989
2	Drug Abuse Among Youth	Dec 1990
3	Medically Acquired HIV	Oct 1991
4	Juvenile Justice in New South Wales	May 1992
5	Births, Deaths and Marriages: An Open Register?	Mar 1993
6	Sexual Violence: The Hidden Crime Part 1	Dec 1993
7	Suicide in Rural New South Wales	Nov 1994
8	Youth Violence in New South Wales	Sept 1995
9	Sexual Violence: Addressing the Crime Part 2	Apr 1996
10	Children's Advocacy	Sept 1996
11	Caring for the Aged: An Interim Report of the Inquiry into Aged Care and Nursing Homes	June 1997
12	Children of Imprisoned Parents	July 1997
13	Clinical Trials and Guardianship: Maximising the Safeguards	Aug 1997
14	Caring for the Aged: Final Report of the Inquiry into Aged Care and Nursing Homes	Sept 1997
15	Working for Children: Communities Supporting Families. Inquiry into Parent Education and Support Programs	Sept 1998
16	Hepatitis C: The Neglected Epidemic. Inquiry into Hepatitis C in New South Wales	Nov 1998
17	Interim Report on Inquiry into Adoption Practices: Transcripts of Evidence from 27 August to 19 October 1998	Nov 1998
18	Enhancing Aboriginal Political Representation. Inquiry into Dedicated Seats in the New South Wales Parliament	Nov 1998
19	The Group Homes Proposal Inquiry into Residential and Support Services	Dec 1999
20	Domestic Relationships: Issues for Reform. Inquiry into De Facto Relationships Legislation	De 1999
21	Report on Adoption Practices Second Interim Report. Transcripts of Evidence 16 June 1999 – 25 October 1999	June 2000
22	Releasing the Past. Adoption Practices 1950-1998. Final Report	Dec 2000
23	A Matter of Priority. Report on Disability Services. Second Report	Dec 2000
24	Inquiry into Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001 Interim Report: Off-line Matters	Mar 2002
25	Safety Net? Inquiry into Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001: Final Report	June 2002
26	Prevention: Interim Report on Child Protection Services	Oct 2002
27	Early Child Development: A Co-ordinated Approach. First Report on Early Intervention for Children with Learning Difficulties	Oct 2002

Report No.	Title	Date tabled
28	Making It Happen. Final Report on Disability Services	Nov 2002
29	Care and Support: Final Report on Child Protection Services	Dec 2002

Standing Committee on State Development

How to contact the committee

Members of the Standing Committee on State Development can be contacted through the Committee Secretariat. Written correspondence and enquiries should be directed to:

The Director

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Chapter 3 Standing Committee on State Development

State Development Committee at a Glance

Committee membership 52nd Parliament

The Hon Tony Kelly MLC Australian Labor Party (Chair)
The Hon Dr Brian Pezzutti MLC Liberal Party of Australia (Deputy Chair)
The Hon Ian Cohen MLC The Greens
The Hon Ian West MLC Australian Labor Party
The Hon Henry Tsang MLC Australian Labor Party

Committee membership 53rd

The Hon Tony Burke MLC Australian Labor Party (Chair)
The Hon Patricia Forsythe MLC Liberal Party of Australia (Deputy Chair)
The Hon Tony Catanzariti MLC Australian Labor Party
The Hon Ian Cohen MLC The Greens
The Hon Melinda Pavey MLC National Party
The Hon Henry Tsang MLC Australian Labor Party

References

- 3.1**
1. International Competitiveness of Agriculture in New South Wales
(Ministerial reference from the Hon Richard Amery MP, dated 20 July 1995, amended by the Hon Richard Amery, MP, 21 May 1998)
 2. Use and Management of Pesticides in New South Wales
(Ministerial reference from the Hon Pam Allan MP, dated 23 November 1998)
 3. Opportunities for Strengthening Rural Towns in New South Wales
(Ministerial reference from the Hon Harry Woods MP, dated 23 September 1999)
 4. Genetically Modified Food
(Ministerial reference received from the Hon Richard Amery MP, dated 11 November 1999)
 5. Redevelopment and Remediation of the Rhodes Peninsula
(Reference from the House, dated 24 October 2001 moved by Hon Ian Cohen MLC)
 6. Local Government Boundary Changes in Inner Sydney and Eastern Suburbs
(Reference from the House, dated 13 December 2001 moved by Hon Duncan Gay MLC)

Statistical Summary

	2001-2002	2002-2003
Inquiries	6	5
Reports tabled	2	2
Recommendations	33	2
Meetings	14	5
Public consultation		
Number of submissions received	30	2
Number of hearings	2	-
Total duration of hearings	13 hrs	-
Number of witnesses	23	-
Participants in other forms of consultations		
Site visits - Sydney	17	-
- outside NSW	42	-
Total participants	112	2

Members' attendance record

Members	Meetings held
The Hon Tony Kelly, MLC	5/5
The Hon Dr Brian Pezzutti RFD, MLC	5/5
The Hon Ian Cohen, MLC	3/5
The Hon Ian West, MLC	5/5
The Hon Henry Tsang, MLC	2/5

Inquiries

International competitiveness of agriculture in New South Wales

Terms of Reference

3.2 That the Standing Committee on State Development inquire into and report on the role of Government in facilitating the international competitiveness of agriculture in New South Wales, including:

- innovation and diversification of the industry, including the development of new products and the application of new technology;
- business enhancement services (for example, marketing and market intelligence, industry links/network, and leadership);
- regulatory impediments, and inter and intra government coordination;
- cost structures of the industry (for example, transport costs, packaging costs, state taxes and charges, and utility charges); and
- the development of sustainable management of agricultural resources.

3.3 **Date and source of reference:** 20 July 1995, from the Hon Richard Amery MP, Minister for Agriculture.

3.4 **Status of inquiry** Ongoing

Reports tabled	Take note debate	Government response
United Kingdom and European perspectives on agriculture, genetically modified food and rural development (tabled 27 September 2002)		Not applicable

Outcomes/Comments

3.5 The committee has received a substantial amount of evidence relating to the role of Government in facilitating the international competitiveness of agriculture in New South Wales during investigations conducted in previous years.

3.6 A report detailing comparative evidence gathered by the committee was tabled in September 2002.

Use and management of pesticides in New South Wales

Terms of reference

3.7 That in light of:

- its inquiry into the Role of Government in Facilitating the International Competitiveness of Agriculture in New South Wales; and
- the widespread community consultation that was conducted in 1997 by the NSW Environment Protection Authority in conjunction with the Government's *Discussion Paper on Improving Pesticide Management in NSW*;

the Standing Committee on State Development inquire into and report on issues associated with all pesticide use in NSW and options for future policy and/or programs related to the management of pesticides, including all agricultural chemicals, having particular regard to:

- the sustainability of agricultural activities which currently rely on intensive pesticide use;
- the social, health, environmental and trade interests of the agricultural and wider community, including the need for avoiding and reducing the risks associated with pesticide use;
- the role of pesticide users, local government, State agencies and other stakeholders (including environment and other community groups) in the resolution of local conflicts in relation to pesticide use; and
- any opportunities for industry to address the issues through research and development (on aspects such as less pesticide-dependent plant varieties, improved pesticide products and application techniques) and the development and implementation of best management practices for pesticide use.

For the purposes of the inquiry, the Minister for the Environment has advised that the term pesticides includes herbicides, bactericides, pest baits, fungicides, insecticides, pest lures, rodenticides and pest repellents.

- 3.8 **Date and source of reference:** 23 November 1998, from the Hon Pam Allan MP, Minister for the Environment.

3.9 Status of inquiry

Completed. The committee maintains a watching brief on the implementation of its recommendations

Reports tabled	Take note debate	Government response
Report on the Use and Management of Pesticides in New South Wales (tabled 22 September 1999))	13 October 1999 27 October 1999 24 November 1999	22 November 1999 (Recommendation No 46) 11 April 2000 (all Recommendations) 19 February 2001 2 May 2001 24 April 2002 3 February 2003

Outcomes/Comments

- 3.10** On 22 September 1999 the committee tabled its report into the use and management of pesticides in New South Wales (Volumes One and Two) that included 48 recommendations. The inquiry and report were originally requested by the Hon Pam Allan, MP, former Minister for the Environment, as a precursory analysis of the mechanism for the introduction of amendments to the *Pesticides Act 1978*. A substantial number of the committee's recommendations were adopted in the revised Act (*Pesticides Act 1999*).
- 3.11** In correspondence received by the committee on 22 November 1999, the Hon Bob Debus, Minister for the Environment, specifically advised of his willingness to adopt recommendation number 46 of the committee's report. As a consequence, the New South Wales Environment Protection Authority (EPA) continues to provide annual reviews to the Standing Committee concerning the progress and impact of implementing the *Pesticides Act 1999*.
- 3.12** Accordingly, on 19 February 2001, 2 May 2001 and 24 April 2002, the committee received reports from the Minister detailing progress on the implementation of the Act.
- 3.13** In February 2003, the Minister for the Environment forwarded the third annual review to the committee. This report includes details of effectiveness of the *Pesticides Act 1999* and the *Pesticides Amendment (Records) Regulation 2001*, the level and nature of education and enforcement activity undertaken, and information on the pesticides that are available for use in New South Wales.

Opportunities for strengthening rural towns in New South Wales

Terms of Reference

3.14 The Hon Harry Woods, MP, Minister for Regional Development, Minister for Rural Affairs and Minister for Local Government, requested that the Standing Committee on State Development inquire into and report on a number of issues in relation to rural towns, expanding on the work undertaken through the NSW Government's Directions Statement on Regional Development, "Rebuilding Country New South Wales". To ensure that smaller regional centres maximise their economic potential, the inquiry should give particular regard to:

- examination of economic development strategies that these centres could develop to achieve economic growth and employment. This analysis should include the use of mechanisms such as co-operatives, networks and clusters to achieve this growth. This inquiry should not only concentrate on the use of these mechanisms for the production of products and services for export out of the community, but also the utilisation of these tools to provide services and facilities for consumption within the particular community and in the purchase of inputs for the production of products and services
- how these centres can identify economic development opportunities. What role can the Government play in assisting these communities identify and develop these opportunities
- impediments to economic growth in rural communities, eg, infrastructure, availability of finance, business advice and assistance, and
- identify strategies for the development and promotion of economic opportunities in small towns.

3.15 **Date and source of reference:** 23 September 1999, from the Hon Harry Woods MP, Minister for Regional Development, Minister for Rural Affairs and Minister for Local Government.

3.16 **Status of inquiry:** Ongoing

Reports tabled	Take note debate	Government response
United Kingdom and European perspectives on agriculture, genetically modified food and rural development. (tabled 27 September 2002)		Not applicable

Outcomes/Comments

- 3.17** The committee has taken submissions and undertaken a number of site visits to areas in Queensland, Tasmania and far west New South Wales to investigate factors that contribute to the strengthening or otherwise of rural communities. Areas of focus have included the role of leadership, the social fabric of communities and agriculture as drivers for town development.
- 3.18** A report detailing comparative international evidence gathered by the committee was tabled in September 2002.

Genetically modified food

Terms of reference

3.19 The Hon Richard Amery, MP, Minister for Agriculture and Minister for Land and Water Conservation, has requested that, to assist the ongoing debate in the area of genetically modified food, the Standing Committee on State Development inquire into and report on issues relating to genetically modified food, and in particular:

- the likely public and private benefits and costs of genetically modified food to New South Wales
- the impacts of genetically modified food technology upon the agricultural and food processing sectors, and
- the identification of any possible adverse consequences to trade, food safety and the environment from the introduction of genetically modified food technology.

3.20 **Date and source of reference:** 11 November 1999, from the Hon Richard Amery MP, Minister for Agriculture, Minister for Land and Water Conservation.

3.21 **Status of inquiry:** Ongoing

Reports tabled	Take note debate	Government response
Genetically Modified Food: Interim Report (Issue Paper) (tabled 24 October 2001)	24 October 2001 14 November 2001 28 November 2001 5 December 2001	The Issues Paper did not contain recommendations for Government Response
United Kingdom and European perspective on agriculture, genetically modified food and rural development (tabled 27 September 2002)		Not applicable

Outcomes/Comments

3.22 The committee has been actively involved in the public policy debate on genetically modified food as it has rapidly evolved in Australia and internationally during the past few years.

3.23 A sub-committee conducted comparative research on this inquiry during July and August 2001. The committee published a report on this research in September 2002.

Redevelopment and remediation of the Rhodes peninsula

Terms of reference

3.24 That the Standing Committee on State Development inquire into and report on plans, including Sydney Region Environment Plan 29, for redevelopment and remediation of the Rhodes Peninsula, and in particular:

- the extent of land and water contamination at Rhodes and other contaminated land in the vicinity and the waters of Homebush Bay,
- the necessity for remediation of contaminated land and water, including the former Union Carbide site and land subject to reclamation in Homebush Bay,
- the cost of remediation,
- liability for the cost of remediation,
- any risk to existing and future residents,
- any risk to the environment, including terrestrial and marine fauna and flora,
- the effectiveness of transport plans, taking into account the proposed density of future development,
- the adequacy of public participation in the planning process,
- the health impacts of remediation and development, including any effect on the health of workers employed at Rhodes,
- any matters arising from, or incidental to, these terms of reference.

3.25 **Date and source of reference:** Reference from the House, 24 October 2001 (moved by the Hon Ian Cohen, MLC)

3.26 **Status of inquiry** Completed

Reports tabled	Take note debate	Government response
Report on the Redevelopment and Remediation of the Rhodes Peninsula (tabled 27 June 2002)	27 June 2002	Due December 2002

3.27 Statistical Summary

Public consultation	2001-2002
Number of recommendations	33
Number of submissions received	30
Number of hearings	2
Total duration	10
Number of witnesses	22
Total participants	52

Outcomes/Comments

3.28 The report of the committee was tabled on 27 June 2002.

3.29 A number of critical environmental and public safety issues were raised in the course of the inquiry, with the committee making 33 recommendations for consideration by the Government. The Government response is pending.

3.30 The committee resolved to maintain a watching brief over the implementation of its recommendations.

Local government boundaries

Terms of reference

3.31 That the Standing Committee on State Development inquire into and report on the impact of proposed changes to local government boundaries in Inner Sydney and the Eastern Suburbs (South Sydney, Leichhardt, Waverley, Woollahra and the City of Sydney Councils), and in particular:

- the economic impact of the proposed boundary changes on the areas affected
- the social impact on the communities affected by the changes
- the total value of assets owned by each Council in areas that could be affected and the most equitable way to distribute those assets if the boundary changes were to proceed
- the extent to which there are differences between the changes recommended by Professor Kevin Sproats in his “Report of an Inquiry into the Structure of Eight Inner Sydney and Eastern Suburbs Councils” and the proposed changes later announced by the Minister for Local Government
- whether the Local Boundaries Commission Inquiry into the Government’s proposals has conformed with appropriate legislative requirements
- the need for a plebiscite of ratepayers of affected Council areas under section 265 of the Local Government Act 1993
- that the Committee report by 31 March 2002.
- that, in view of the current proceedings in the Supreme Court and the Land and Environment Court, the Committee not commence its inquiry until a judgment is given in those proceedings. The Committee, in its inquiry, is to have regard to any decision of those Courts impacting on the proposed boundary changes.

3.32 **Date and source of reference:** Reference from the House, 13 December 2001 (moved by the Hon Duncan Gay, MLC)

3.33 **Status of inquiry** Not yet commenced

Reports tabled	Take note debate	Government response
Inquiry into local government boundaries in inner Sydney and the Eastern Suburbs (tabled 3 December 2002)	3 December 2002	Not required

Outcomes/Comments

3.34 A report was tabled in December 2002 providing a summary of the events occurring since the terms of reference were referred to the committee.

List of previous publications

Report no.	Title	Date tabled
Discussion Paper 1	Public Sector Tendering & Contracting in New South Wales: A Survey	May 1989
1	Public Sector Tendering & Contracting in New South Wales: Supply of Goods and Services	Aug 1989
2	Public Sector Tendering & Contracting in New South Wales: Local Government Tendering & Contracting	Oct 1989
Discussion Paper 2	Coastal Development in New South Wales: Public Concerns & Government Processes	Nov 1989
Discussion Paper 3	Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting: Management Options	June 1990
3	Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting. Volume A	Apr 1991
4	Coastal Planning & Management in New South Wales: A Framework for the Future. Volume 1	Sept 1991
Supplement to 4	An Alternative Dispute Resolution Primer	Sept 1991
5	Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting. Volume B	Dec 1991
6	Payroll Tax Concessions for Country Industries. Volume I	Dec 1991
7	Public Sector Tendering & Contracting in New South Wales: Supply of Goods and Services: Follow Up Report	June 1992
8	Coastal Planning & Management in New South Wales: The Process for the Future. Volume II	Oct 1992
9	Public Sector Tendering & Contracting in New South Wales: Local Government Tendering & Contracting: Follow Up Report	Apr 1993
Discussion Paper 4	Regional Business Development in New South Wales: Trends, Policies and Issues.	Aug 1993
10	Regional Business Development in New South Wales: Achieving Sustainable Growth: Principles for Setting Policy. Volume I	May 1994
11	Regional Business Development in New South Wales: Achieving Sustainable Growth: Initiatives for Setting Policy. Volume II	Nov 1994
12	Rationales for Closing the Veterinary Laboratories At Armidale and Wagga Wagga and the Rydalmere Biological and Chemical Research Institute	Aug 1996
13	Factors Influencing the Relocation of Regional Headquarters of Australian and Overseas Corporations to New South Wales	Oct 1996
14	Interim Report on the Fisheries Management Amendment (Advisory Bodies) Act 1996	Apr 1997
15	Waste Minimisation and Management	Apr 1997
16	The Fisheries Management Amendment (Advisory Bodies) Act 1996	July 1997
Discussion Paper 5	Future Employment and Business Opportunities in the Hunter Region	Oct 1997
17	Fisheries Management and Resource Allocation in New South Wales	Nov 1997
18	Operations of the Sydney Market Authority (Dissolution) Bill from Commencement until 31 December 1997	Mar 1998

Report no.	Title	Date tabled
Discussion Paper 6	International Competitiveness of Agriculture in New South Wales	May 1998
19	Future Employment and Business Opportunities in the Hunter Region; and The Downsizing of the Rack Rite Investment Proposal	July 1998
20	Interim Report on the Provision and Operation of Rural and Regional Air Services in New South Wales	Sept 1998
21A	The Use and Management of Pesticides in New South Wales Vol 1	Sept 1999
21B	The Use and Management of Pesticides in New South Wales Vol 2: Transcripts of Evidence	Sept 1999
22	Inquiry into Road Maintenance and Competitive Road Maintenance Tendering	Nov 2000
23	Merger of Country Energy Distributors	May 2001
24	Genetically Modified Foods: Interim Report (Issues Paper)	Oct 2001
25	Redevelopment and Remediation of the Rhodes Peninsula	June 2002
26	European and United Kingdom perspectives on agriculture, genetically modified food and rural development	Sept 2002
27	Local government boundaries in Inner Sydney and the Eastern Suburbs	Dec 2002

Standing Committee on Parliamentary Privilege and Ethics

How to contact the committee

Members of the Standing Committee on Parliamentary Privilege and Ethics can be contacted through the Committee Secretariat. Written correspondence and inquiries should be directed to:

Clerk to the Committee

Standing Committee on Parliamentary Privilege and Ethics

Legislative Council

Parliament House, Macquarie Street

Sydney New South Wales 2000

Internet www.parliament.nsw.gov.au

Email privilege@parliament.nsw.gov.au

Telephone 61-2-9230 2024

Facsimile 61-2-9230 2761

Chapter 4 Standing Committee on Parliamentary Privilege and Ethics

Parliamentary Privilege and Ethics at a glance

Committee membership

The Hon Helen Sham-Ho, MLC Independent (Chair)
The Hon Amanda Fazio, MLC Australian Labor Party
The Hon Patricia Forsythe, MLC Liberal Party of Australia (Deputy Chair)
The Hon Jenny Gardiner, MLC National Party of Australia
The Hon John Hatzistergos, MLC Australian Labor Party ¹⁰
The Hon Tony Kelly, MLC Australian Labor Party
The Hon Peter Primrose, MLC Australian Labor Party
The Hon Janelle Saffin, MLC Australian Labor Party ¹¹
The Revd Hon Fred Nile, MLC Christian Democratic Party

References

- 4.1
1. Citizens Right of Reply
(Resolution of the House, 13 November 1997)
 2. Functions in connection with members' code of conduct and ethical standards
(section 72C of the ICAC Act 1988; resolutions of the House, 24 May 1995 and 25 May 1999)
 3. Guidelines for dealing with unauthorised disclosure of committee proceedings
(Resolution of the House, 15 November 2001)
 4. Pecuniary interests register
(Resolution of the House, 25 September 2002)
 5. Possible amendment of Standing Order 126
(Resolution of the House, 3 December 2002)

¹⁰ Appointed to replace the Hon Janelle Saffin on 26 September 2002: *Minutes of the Proceedings of the Legislative Council*, No. 37, 26/9/2002, entry no. 5.

¹¹ Replaced by the Hon John Hatzistergos on 26 September 2002 (see footnote 1).

Statistical summary

	2001-2002	2002-2003
Inquiries	5	4
Reports tabled	5	6 ¹²
Recommendations/resolutions	10	13
Meetings	12	9
Public consultation		
Number of submissions received	8	5
Number of hearings	1	1
Location - Sydney	1	1
Total duration of hearings	5 hrs 42 minutes	3 hrs 15 minutes
Number of witnesses	9	2
Total participants	17	7

Members' attendance record

Members	Meetings held
The Hon Helen Sham-Ho, MLC (Chair)	9/9
The Hon Amanda Fazio MLC	8/9
The Hon Patricia Forsythe MLC	8/9
The Hon Jenny Gardiner, MLC	9/9
The Hon John Hatzistergos, MLC	7/7
The Hon Tony Kelly, MLC	9/9
The Hon Peter Primrose, MLC	9/9
The Hon Janelle Saffin, MLC	0/2
The Revd Hon Fred Nile, MLC	9/9

¹² Two of the reports related to citizen's right of reply submissions, pursuant to the resolution of the House of 13 November 1997 establishing the citizen's right of reply procedure.

Inquiries

Citizens Right of Reply

Terms of Reference

- 4.2
1. Any person who has been referred to in the house by name, or in such a way as to be readily identified, may make a submission in writing to the President, on any one or more of the following grounds, claiming:
 - (a) that they have been adversely affected:
 - (i) in reputation;
 - (ii) in respect of dealings or association with others;
 - (b) that they have been injured in occupation, trade, and requesting that they should be able to include an appropriate response in the parliamentary record.
 2. (1) Where a person makes a submission to the President, the President must, as soon as practicable, consider the submission and decide whether:
 - (a) to refer the submission to the Standing Committee on Parliamentary Privileges and Ethics (referred to as “the Committee”) for the inquiry and report; or
 - (b) it is inappropriate to be considered by the Committee on the grounds that the subject matter of the submission is trivial, frivolous, vexatious or offensive in character.(2) The President must inform the person in writing of the decision.
 3. Where a submission is referred to the Committee, the Committee may decide not to consider a submission referred to it if, in the opinion of the Committee, the subject matter of the submission is not sufficiently serious or is frivolous, vexatious or offensive in character. The Committee must report its decision to the House.
 4. (1) Where the committee decides to consider a submission, the Committee may confer with, but not take evidence from any person, including:
 - (a) the person who made the submission; and
 - (b) any Member who referred to the person in the House.(2) In considering any submission, the Committee;
 - (a) must meet in private;
 - (b) must not consider or judge the truth of any statements made in the House or in the submission;
 - (c) must not make public:
 - (i) any minutes of proceedings;
 - (ii) any evidence; or

- (iii) any submissions, either in whole or in part, except in its report to the House.
5. In reporting to the House on a submission, the Committee may recommend:
- (a) that no further action be taken by the House or by the Committee in relation to the submission; or
 - (b) that a response by the person who made the submission, in a form the words agreed to by the person and the Committee and specified in the report of the Committee, be published in the Minutes of the Proceedings or incorporated in Hansard, and must not make any other recommendation.
6. Any response by a person who made a submission and which is included in a report to the House:
- (a) must be succinct and strictly relevant to the questions in issues;
 - (b) must not contain anything offensive in character;
 - (c) must not contain any matter where publication would have the effect of:
 - (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph 1; or
 - (ii) unreasonably adding to or aggravating any adverse effect, injury or invasion of privacy suffered by a person.
7. In this resolution, **person** includes an unincorporated association, a corporation and a body corporate.
8. This resolution has continuing effect unless and until amended or rescinded by resolution of the House.

4.3 Date and source of reference: Resolution of the House, 13 November 1997, moved by the Hon Ron Dyer MLC for the Hon Michael Egan MLC.

4.4 Status of inquiry: Procedure activated as required from time to time.

Reports tabled
Report on person referred to in the Legislative Council (Mr R Laughton) (tabled 29 August 2002)
Report on person referred to in the Legislative Council (Mr T Bidder) No.2 (tabled 1 October 2002)

Pecuniary interests register

Terms of reference

- 4.5
1. That this House notes the requirements of section 14A (1) of the Constitution Act 1902 and the Constitution (Disclosures by Members) Regulation 1983 for Members to disclose the following pecuniary interests or other matters:
 - (a) real property
 - (b) sources of income
 - (c) gifts
 - (d) contributions to travel
 - (e) interests and positions in corporations
 - (f) positions in trade unions and professions or business associations
 - (g) debts
 - (h) dispositions of property, and
 - (i) discretionary disclosures.
 2. That this House further notes section 14A (2) of the Constitution Act 1902 which states:
 - (2) If a Member of either House of Parliament wilfully contravenes any regulation made under subsection (1), that House may, in accordance with subsection (3), declare his seat vacant and the seat of the Member shall thereupon become vacant.
 3. That this House notes that in response to Questions without Notice directed to the Honourable Edward Obeid, he stated, among other things:
 - (a) "...Since I became a minister I have had no active part in any professional practice or in any business." – Letter to Premier in Hansard, 8 September 1999, p. 64,
 - (b) "...my pecuniary interests of 1999 stand." – Hansard, 29 August 2000, p. 8392,
 - (c) "I have complied with the requirements of my pecuniary register every year." – Hansard, 31 August 2000, p. 8555,
 - (d) "My pecuniary interests are well in order..." – Hansard, 5 September 9 2000, p. 8602
 - (e) "...I have answered enough questions on my pecuniary interests. They are there for everyone to see. They comply with the requirements of the Constitution..." – Hansard, 31 October 2000, p. 9331,

- (f) "...Anything I have to say about my pecuniary interests is well recorded. Any time that I feel it should be corrected, I have done so." – Hansard proof, 18 September 2002, p. 16.
4. That the Standing Committee on Parliamentary Privilege and Ethics investigate and report on:
 - (a) whether, under section 14A (2) of the Constitution Act 1902, the Honourable Edward Obeid, Minister for Mineral Resources and Minister for Fisheries, has wilfully contravened the requirements of clause 12 of the Constitution (Disclosures by Members) Regulation 1983 by failing to disclose any pecuniary interest as required under the Regulation,
 - (b) what, if any, sanctions should be enforced in relation to the conduct of the Honourable Edward Obeid, Minister for Mineral Resources and Minister for Fisheries, in this matter, and
 - (c) whether the provisions of the Constitution (Disclosures by Members) Regulation 1983 should be amended to provide for the provision of supplementary or amended disclosures by Members.
 5. That the Committee have power to take evidence, and to send for persons, papers, records and things.
 6. That leave be given to Members and Officers of the Legislative Council to appear and give evidence to the Committee in relation to the inquiry.
 7. That the Committee report in relation to paragraph 4 (a) and (b) by Thursday 31 October 2002, and in relation to paragraph 4 (c) as the Committee thinks fit.

4.6 Date and source of reference: 25 September 2002, Legislative Council
(moved by the Hon Greg Pearce, MLC)

4.7 Status of inquiry: Completed

Reports tabled	Take note debate	Government response
Report on Inquiry into the Pecuniary Interests Register (tabled 31 October 2002)	12 November 2002	
Report on Inquiry into the Pecuniary Interests Register Supplementary Returns	4 December 2002	

4.8 Statistical Summary

	2002-2003
Inquiries	
Reports tabled	2
Recommendations/findings	6
Meetings	4
Public consultation	
Number of submissions received	3

Number of hearings	1
Location - Sydney	1
Total duration of hearings	3 hrs 15 mins
Number of witnesses	2
Total participants	3

Outcomes/comments

- 4.9** The committee reported in relation to paragraphs 4(a) and (b) of the terms of reference on 31 October 2002 (Report No. 20), and in relation to paragraph 4(c) of the terms of reference on 4 December 2002 (Report No.21).
- 4.10** In the first report, the committee made five findings in relation to the question of wilful contravention of the *Constitution (Disclosures by Members) Regulation 1983* in this case. The findings were adopted by the House on 12 December 2002, after a vigorous take note debate during which Mr Obeid apologised to the House for the errors in his pecuniary interest returns. In the second report, the committee recommended that the *Constitution (Disclosures by Members) Regulation 1983* be amended to provide for supplementary returns by members. However, as the report was tabled near the end of the parliamentary session, it was not considered by the House prior to the expiry of the 52nd Parliament.

Review of members' code of conduct

Terms of reference

The designated committee is to review the code of conduct at least once in each period of two years. (Section 72C of the *ICAC Act 1988*)

- 4.11 Date and source of reference:** Section 72C of the *ICAC Act 1988*; resolutions of the House, 24 May 1995 and 25 May 1999
- 4.12 Status of inquiry:** Completed

Reports tabled	Take note debate	Government response
Report on Review of the Members' Code of Conduct (tabled 5 December 2002)	-	Not applicable

4.13 Statistical Summary

	2002-2003
Inquiries	
Reports tabled	1
Recommendations/resolutions	2
Meetings	1
Public consultation	
Number of submissions received	-
Number of hearings	-
Location - Sydney	-
Total duration of hearings	-
Number of witnesses	-
Total participants	-

Outcomes/comments

- 4.14** The Committee's report recommended that no changes to the code of conduct are required at this time, and that the Committee compile a compendium of the provisions and guidelines concerning members' conduct, pecuniary interests, and resources, as part of its educative role under the *ICAC Act*.

Guidelines for dealing with unauthorised disclosure of committee proceedings

Terms of reference

4.15 That this House, having considered the recommendations of Report No. 13 of the Standing Committee on Parliamentary Privilege and Ethics entitled "Possible intimidation of witnesses before General Purpose Standing Committee No. 3 and unauthorised disclosure of committee evidence", requests the Standing Committee on Parliamentary Privilege and Ethics to inquire into and report on appropriate guidelines for dealing with unauthorised disclosure of debates, reports or proceedings of Legislative Council committees.

4.16 **Date and source of reference:** 15 November 2001, Legislative Council
(the Revd the Hon Fred Nile, MLC)

4.17 **Status of inquiry:** Completed

Reports tabled	Take note debate	Government response
Report on guidelines concerning unauthorised disclosure of committee proceedings (tabled 5 December 2002)	-	Not applicable

4.18 Statistical Summary

	2002-2003
Inquiries	
Reports tabled	1
Recommendations/resolutions	3
Meetings	2
Public consultation	
Number of submissions received	-
Number of hearings	-
Location - Sydney	-
Total duration of hearings	-
Number of witnesses	-
Total participants	-

Outcomes/comments

4.19 The Committee's report recommended that the House adopt comprehensive guidelines, set out in the report, concerning unauthorised disclosures of debates, reports or proceedings of the Legislative Council committees.

Possible amendment of Standing Order 126

Terms of reference

- 4.20** That the Standing Committee on Parliamentary Privilege and Ethics inquire into and report on the possible amendment of Standing Order 126 to include reference to the direct pecuniary interests of a Member's spouse or the Member's children and any other relevant and associated matters
- 4.21** **Date and source of reference:** 3 December 2002, Legislative Council
(Ms Rhiannon, as amended)
- 4.22** **Status of inquiry:** Lapsed with expiry of 52nd Parliament

General Purpose Standing Committees

How to contact the committee

Members of the General Purpose Standing Committees can be contacted through the Committee Secretariat. Written correspondence and enquiries should be directed to:

The Director

General Purpose Standing Committees

Legislative Council

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Facsimile 61-2-9230 3416

Chapter 5 General Purpose Standing Committees

Statistical summary for General Purpose Standing Committees No. 1-5

	2001-2002	2002-2003
Inquiries	22	13
Reports tabled	14	14
Recommendations	63	99
Meetings	93	31
Public consultation		
Number of submissions received	353	116
Number of hearings	53	7
Location - Sydney	48	7
- other metropolitan areas	2	-
- regional NSW	3	-
Total duration	213 hrs	31 hrs 30 mins
Number of witnesses	394	55
Participants in other forms of consultations		
Public forums	51	-
Site visits	25	1
Briefing	5	1
Signatories to petitions	400	-
Total participants	1,228	172

Members' attendance records

- 5.1** See Appendix 1. Unlike other Standing Committees, Members of General Purpose Standing Committees are able to make substitutions.

General Purpose Standing Committee No 1 at a glance

Committee membership

Revd the Hon Fred Nile MLC Christian Democratic Party (Chair)
The Hon Tony Kelly MLC Australian Labor Party (Deputy Chair)
The Hon Patricia Forsythe MLC Liberal Party of Australia
The Hon Don Harwin MLC Liberal Party of Australia
The Hon Peter Primrose MLC Australian Labor Party
The Hon Henry Tsang MLC Australian Labor Party
The Hon Dr Peter Wong MLC Unity

References

- 5.2
1. Review and Monitoring of the New South Wales Workers Compensation Scheme (Reference from the House, 28 June 2001)
 2. Proposed Closure and Restructuring of Government Schools in Inner Sydney (Reference from the House, 10 April 2002)
 3. Budget Estimates 2002-2003 (Reference from the House, 4 June 2002)

Statistical summary

	2001-2002	2002-2003
Inquiries	4	3
Reports tabled	4	4
Recommendations	-	34
Conclusions	-	33
Meetings	31	6
Public consultation		
Number of submissions received	138	18
Number of hearings	18	1
Location - Sydney	17	1
- other metropolitan areas	1	
Total duration	78 hrs	5 hrs
Number of witnesses	122	7

Participants in other forms of consultation		
Public forums	29	-
Site visits	12	-
Briefings	5	1
Signatories to petitions	400	-
Total participants	706	26

Members' attendance records

Members	Meetings attended
Ms Jan Burnswoods MLC	2
The Hon Ron Dyer MLC	3
The Hon Amanda Fazio MLC	1
The Hon Patricia Forsythe MLC	2
The Hon Michael Gallacher MLC	2
The Hon Don Harwin MLC	1
Revd the Hon Fred Nile MLC	6
The Hon Greg Pearce MLC	4
The Hon Peter Primrose MLC	1
The Hon Janelle Saffin MLC	2
The Hon Henry Tsang MLC	4
The Hon Dr Peter Wong MLC	5

Inquiries

Review and Monitoring of the New South Wales Workers Compensation Scheme

Members for the duration of this inquiry

Revd the Hon Fred Nile MLC Christian Democratic Party (Chair)
The Hon Tony Kelly MLC Australian Labor Party (Deputy Chair)
The Hon Michael Gallacher MLC Liberal Party of Australia ^{13 14}
The Hon Greg Pearce MLC Liberal Party of Australia ¹⁵
The Hon Janelle Saffin MLC Australian Labor Party ¹⁶
The Hon Henry Tsang MLC Australian Labor Party
The Hon Dr Peter Wong MLC Unity

Terms of reference

- 5.3**
1. That General Purpose Standing Committee No. 1, have the following functions:
 - (a) to monitor the financial position of the workers compensation scheme under the Workers Compensation Act 1987 and the Workplace Injury Management and Workers Compensation Act 1998, and
 - (b) to monitor and review the implementation and operation of the Workers Compensation Legislation Amendment Bill (No. 2) and the Workers Compensation Legislation Further Amendment Bill 2001, as finally passed by the Parliament,
 - (c) to investigate and report on the efficiency of the operation of the workers compensation system and the administration of the WorkCover Authority,
 - (d) to monitor the impact on premiums of the Bill.
 2. That the Committee be authorised to engage the services of:
 - (a) an actuary, who is a member of the Institute of Actuaries of Australia, and
 - (b) an accountant, who is a member of the Institute of Chartered Accountants in Australia or the Australian Society of Certified Practising Accountants,
 - (c) for the purpose of advising and assisting the Committee, as the Committee thinks fit, in relation to the Committee's functions.

¹³ Hon Richard Colless MLC replaced Hon Patricia Forsyth MLC

¹⁴ Hon Michael Gallacher MLC replaced Hon Richard Colless.

¹⁵ Hon Greg Pearce MLC replaced Hon Don Harwin MLC.

¹⁶ Hon Janelle Saffin MLC replaced Hon Peter Primrose MLC.

3. That the Committee:
 - (a) provide interim reports to the House each 3 months, and
 - (b) finally report to the House by 30 June 2002
4. Nothing in this resolution authorises the Committee to investigate a particular compensation claim – put and passed.

5.4 Date and source of reference: Reference from the House, 28 June 2001.

5.5 Engagement of consultant The Committee contracted Ernst & Young ABC as consultant actuaries

5.6 Status of Inquiry Completed

Reports tabled
NSW Workers Compensation Scheme – Fourth Interim Report (tabled 29 August 2002)
NSW Workers Compensation Scheme – Final Report (tabled 3 September 2002)

5.7 Statistical summary

	2001-2002	2002-2003
Inquiries		
Reports tabled	3	2
Recommendations	-	28
Conclusions	36	33
Meetings	18	3
Public consultation		
Number of submissions received	24	18
Number of hearings	9	1
Location - Sydney	9	1
Total duration	51 hrs	5 hrs
Number of witnesses	60	7
Participants in other forms of consultation		
Public forums	15	-
Briefings	5	1
Total participants	104	26

Outcomes/comments

- 5.8** This Inquiry continued over 14 months and produced four interim reports and a final report. The final report contained the Committee's 28 recommendations. During the inquiry, the Government announced an independent review to examine major scheme design issues and propose the future underwriting framework of the scheme. In the Government Response to the Inquiry the Minister advised that the recommendations in the final report would be considered by the scheme design review committee.
- 5.9** The Committee utilised many innovative forms of consultation during this Inquiry – video conferencing and teleconferencing allowed the Committee to interact with interstate heads of workers compensation authorities, and a public forum provided an opportunity for frank discussion among key stakeholders in the workers compensation scheme about the future direction of the NSW scheme. The use of a consulting actuary greatly assisted the Committee in its understanding of the issues and of the information provided to it.
- 5.10** One of the recommendations of the final report was for a parliamentary committee to be given a statutory role to oversight WorkCover, similar to the role given to the Law and Justice Committee in regard to the Motor Accidents Authority.

Proposed Closure and Restructuring of Government Schools in Inner Sydney

Members for the duration of this inquiry

Revd the Hon Fred Nile MLC Christian Democratic Party (Chair)

Ms Jan Burnswoods MLC Australian Labor Party (Deputy Chair)¹⁷

The Hon Patricia Forsythe MLC Liberal Party of Australia

The Hon Don Harwin MLC Liberal Party of Australia

The Hon Peter Primrose MLC Australian Labor Party

The Hon Henry Tsang MLC Australian Labor Party

The Hon Dr Peter Wong MLC Unity

Terms of reference

- 5.11** 1. That General Purpose Standing Committee No. 1 inquire into and report on the circumstances, processes, effects and short and long term consequences of the proposed closure and restructuring of government schools in inner Sydney, especially the closure of Hunters Hill High School, and in particular:
- (a) the validity, relevance and veracity of the demographic and other evidence advanced or used in support of the proposed restructuring,
 - (b) the effectiveness and integrity of the public consultation processes used to develop the plan and to determine the closures of the schools,
 - (c) the accuracy and probity of the asset valuation process and the implications of conducting it before any assessment of the educational needs was completed,
 - (d) the role and functioning of the School Closure Committee and the validity of its findings,
 - (e) the risk to the future provision of school education arising from the loss of education sites in inner Sydney area,
 - (f) the impact of state government funding policies, enrolment policies and investment infrastructure for public school on the attractiveness of public schools,
 - (g) the impacts on availability of local comprehensive public education as an option for residents of inner Sydney,
 - (h) the impacts on the educational and social needs of children and young people with high welfare needs, and

¹⁷ Ms Jan Burnswoods MLC replaced Hon Tony Kelly MLC.

- (i) the development of appropriate measures to ensure that children forced to move schools are not disadvantaged.

2. That the Committee report by 27 June 2002.¹⁸

5.12 Date and source of reference: Reference from the House, 10 April 2002.

5.13 Status of Inquiry: Completed

Reports tabled
Proposed closure and restructuring of inner Sydney schools (tabled 3 July 2002)

5.14 Statistical summary

	2001-2002	2002-2003
Inquiries		
Reports tabled	-	1
Recommendations	-	6
Meetings	8	2
Public consultation		
Number of submissions received	114	-
Number of hearings	4	-
Location - Sydney	3	-
- other metropolitan areas	1	-
Total duration	17 hrs	-
Number of witnesses	31	-
Participants in other forms of consultation		
Public forums	14	-
Site visits	12	-
Signatories to petitions	400	-
Total participants	571	-

Outcomes/comments

5.15 There was a very high level of public interest in the inquiry, with 114 submissions, over 100 people attending a public hearing at Hunters Hill Town Hall and large attendances at the three Parliament House hearings.

¹⁸ The reporting date for the report was subsequently extended to 4 July 2002 following a motion in the House by the Chair on 27 June 2002.

- 5.16** On 3 July 2002 the Committee tabled its report, which included 6 recommendations. In particular the committee recommended that:
- Hunters Hill High School not be closed
 - Erskineville Public School not be closed and,
 - the Government review its decision to close Redfern Public School.
- 5.17** On 17 October 2002 the Hon John Watkins, Minister for Education, announced that Erskineville Public School and Hunters Hill High School would remain open.

Examination of Budget Estimates 2002-2003

Terms of reference

- 5.18**
1. That the Budget Estimates and related documents 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 Committees consider the Budget Estimates in accordance with the allocation of portfolios to the Committees.
 3. For the purposes of this inquiry any member of the House may attend a meeting of a Committee in relation to the Budget Estimates and question witnesses, participate in the deliberations of the Committee at such meeting and make a dissenting statement relating to the Budget Estimates, but may not vote or be counted for the purpose of any quorum.
 4. The Committees must hear evidence on the Budget Estimates in public.
 5. Not more than 3 Committees are to hear evidence on the Budget Estimates simultaneously.
 6. When a Committee hears evidence on the Budget Estimates, the Chair is to call on items of expenditure in the order decided on and declare the proposed expenditure open for examination.
 7. 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.
 8. The report of a Committee on the Budget Estimates may propose the further consideration of any items.
 9. A daily Hansard record of the hearings of a Committee on the Budget Estimates is to be published as soon as practicable after each day's proceedings.
 10. The Committees have leave to sit during the sittings or any adjournment of the House.
 11. That initial hearings of Committees be according to a schedule prepared and circulated by the Leader of the Government.
 12. The Committees may hold supplementary hearings as required.
 13. The Committees present a final report to the House by Thursday 5 September 2002.

5.19 Source of reference: Reference from the House, 4 June 2002.

5.20 Status of inquiry: Completed

Reports tabled
Budget Estimates 2002-2003 (tabled 5 September 2002)

5.21 Statistical summary

	2001-2002	2002-2003
Public consultation		
Number of meetings	5	1
Number of hearings	5	-
Location - Sydney	5	-
Total duration	10 hrs	-
Number of witnesses	32	-
Total participants	32	-

Outcomes/comments

5.22 The Committee examined the budget estimates and related documents for the following government portfolios:

- Premier, Arts and Citizenship
- Treasury and State Development
- Special Minister for State, Assistant Treasurer and Minister for Industrial Relations
- Education and Training
- The Legislature

5.23 Budget estimates reports are published as a guide to transcripts of hearings. Answers received to questions on notice are put on the Committee's website. Budget estimates transcripts are frequently used by Members in other inquiries as a source of information for questions to government authorities.

General Purpose Standing Committee No 2 at a glance

Committee Membership

The Hon Dr Brian Pezzutti RFD MLC Liberal Party (Chair)
The Hon Dr Arthur Chesterfield-Evans MLC Australian Democrats (Deputy Chair)
The Hon Alan Corbett MLC Independent
The Hon Ron Dyer MLC Australia Labor Party
The Hon Duncan Gay MLC National Party
The Hon Janelle Saffin MLC Australian Labor Party
The Hon Henry Tsang MLC Australian Labor Party

References

- 5.24
1. Quality of care for public patients and value for money in major non-metropolitan hospitals in NSW
(Self-referred, 10 April 2001)
 2. Budget Estimates 2002-2003
(Reference from the House, 4 June 2002)

Statistical summary

	2001-2002	2002-2003
Inquiries	4	2
Reports tabled	3	2
Recommendations	9	5
Meetings	18	4
Public consultation		
Number of submissions received	4	-
Number of hearings	11	1
Location - Sydney	10	1
- regional NSW	1	
Total duration	32 hrs 5 mins	3 hrs
Number of witnesses	47	11
Participants in other forms of consultation		
Public forums	9	-

	2001-2002	2002-2003
Site visits	1	-
Total participants	61	11

Members' attendance records

Members	Meetings attended
The Hon Dr Arthur Chesterfield-Evans MLC	3
The Hon Alan Corbett MLC	1
The Hon Ron Dyer MLC	4
The Hon Amanda Fazio MLC	1
The Hon Jenny Gardiner MLC	1
The Hon Duncan Gay MLC	2
The Hon Richard Jones MLC	1
The Hon Peter Primrose MLC	1
The Hon Brian Pezzutti MLC	4
The Hon Henry Tsang MLC	2

Inquiries

Quality of care for public patients and value for money in major non-metropolitan hospitals in NSW

Terms of Reference

5.25 That the General Purpose Standing Committee No. 2 inquire into and report upon the following matters concerning the quality of care for public patients and value for money in major non-metropolitan hospitals throughout New South Wales.

- (a) The implementation of quality of care and value for money indicators in public and contracted major non-metropolitan hospitals during the period 1995 to 2001.
- (b) Mechanisms for comparing quality of care and value for money between these hospitals.
- (c) Progress in improving quality of care and value for money and reducing variability in quality of care in these hospitals during the period 1995 to 2001.
- (d) The strategies and measures in place or proposed for improving the quality of care and value for money and for reducing the variability in quality of care in these hospitals for the period 2001 to 2003.

5.26 **Source of reference:** Self referral, 11 April 2001.

5.27 **Status of inquiry:** Completed

Reports tabled
Quality of care for public patients and value for money in major non-metropolitan hospitals in New South Wales, Final Report (tabled 4 September 2002)

5.28 Statistical summary

	2000-2001	2001-2002	2002-2003
Inquiries			
Reports tabled	-	1	1
Recommendations	-	-	5
Meetings	1	11	1
Public consultation			
Number of submissions received	16	4	-
Number of hearings	-	7	-
Location - Sydney	-	6	-
- regional NSW	-	1	-
Total duration	-	24 hrs 5 mins	-
Number of witnesses	-	22	-
Participants in other forms of consultation			
Public forums	-	9	-
Site visits	-	1	-
Total participants	16	36	-

Outcomes/comments

5.29 Following the first hearing with NSW Health in this inquiry the Director General of NSW Health travelled to Port Macquarie Base Hospital and entered negotiations with Mayne Health regarding equity with other base hospitals. The outcome of these negotiations became known as the Four Point Plan, which had the aim of treating Port Macquarie Base Hospital consistently with all other base hospitals in terms of equity of funding and transparency.

5.30 The final report examined the Four Point Plan and its impact in practical terms, concluding that some of the problems with Port Macquarie Base Hospital at the start of the inquiry had been resolved, and that NSW Health initiatives such as the Four Point Plan and the new Consumer/Community Health Forum have addressed concerns raised during the inquiry process.

Examination of Budget Estimates 2002-2003

Terms of reference

5.31 Refer to paragraph 5.18.

5.32 **Source of reference:** Reference from the House, 4 June 2002.

5.33 **Status of inquiry:** Completed

Reports tabled
Budget Estimates 2002-2003 (tabled 31 October 2002)

5.34 Statistical summary

	2001-2002	2002-2003
Public consultation		
Number of meetings	4	3
Number of hearings	4	1
Location - Sydney	4	1
Total duration	8 hrs	3 hrs
Number of witnesses	25	11
Total participants	25	11

Outcomes/comments

5.35 The Committee examined the budget estimates and related documents for the following government portfolios:

- Small Business and Tourism
- Mineral Resources and Fisheries
- Health
- Community Services, Ageing, Disability Services and Women.

5.36 Budget estimates reports are published as a guide to transcripts of hearings. Answers received to questions on notice are put on the Committee's website. Budget estimates transcripts are frequently used by Members in other inquiries as a source of information for questions to government authorities.

General Purpose Standing Committee No. 3 at a glance

Committee Membership

The Hon Helen Sham-Ho MLC Independent (Chair)
The Hon John Hatzistergos MLC Australian Labor Party (Deputy Chair)
The Hon Greg Pearce MLC Liberal Party of Australia
The Hon Peter Primrose MLC Australian Labor Party
Ms Lee Rhiannon MLC The Greens
The Hon James Samios MLC Liberal Party of Australia
The Hon Ian West MLC Australian Labor Party

References

- 5.37
1. Review of the Inquiry into Cabramatta Policing (Self-referral, 26 July 2001)
 2. Inquiry into certain aspects of the Department of Corrective Services (Self-referral, 21 March 2002)
 3. Budget Estimates 2002-2003 (Reference from the House, 4 June 2002).

Statistical summary

	2001-2002	2002-2003
Inquiries	5	3
Reports tabled	2	3
Recommendations	25	23
Meetings	17	7
Public consultation		
Number of submissions received	15	-
Number of hearings	9	2
Location - Sydney	9	2
- other metropolitan areas	1	
Total duration	31 hrs	5 hrs
Number of witnesses	45	5

	2001-2002	2002-2003
Participants in other forms of consultation		
Public forums	13	-
Total participants	73	5

Members' attendance records

Members	Meetings attended
The Hon John Hatzistergos MLC	7
The Hon John Jobling MLC	4
The Hon Greg Pearce MLC	5
The Hon Peter Primrose MLC	6
Ms Lee Rhiannon MLC	6
The Hon John Ryan MLC	1
The Hon James Samio MLC	2
The Hon Helen Sham-Ho MLC	6
The Hon Henry Tsang MLC	1
The Hon Ian West MLC	7

Inquiries

Review of Inquiry into Cabramatta Policing

Terms of reference

5.38 In the final chapter of the July 2001 Cabramatta Policing report the Committee reported concerns of sections of the Cabramatta community that, once the inquiry had concluded, many of the promises made to the people of Cabramatta during the inquiry would be given a lower priority. For that reason the final recommendation of the report recommended that:

The Premier report to Parliament on, or around, 27 March 2002 on the outcomes of the implementation of the package of initiatives for Cabramatta announced on 27 March 2001, together with the implementation of the recommendations contained in this report.

It is the intention of the Committee to then consult with the Cabramatta community, to enable the community to have an opportunity to comment on the changes that have occurred as a result of the implementation of the Premier's initiatives and the implementation of the Committee's recommendations.

5.39 In conducting the Review the Committee sought input on the following two issues:

- What has changed with policing in the Cabramatta area since March 2001, including police/ community relationships?
- What changes are still required in relation to policing in the Cabramatta area?

5.40 **Date and source of reference:** 26 July 2001, self-referred.

5.41 **Status of inquiry:** Completed

Reports tabled
Review of Inquiry into Cabramatta Police (tabled 26 September 2002)

5.42 **Statistical summary**

	2001-2002	2002-2003
Inquiries		
Reports tabled	-	1
Recommendations	-	20
Meetings	3	4
Public consultation		

	2001-2002	2002-2003
Number of submissions received	15	-
Number of hearings	2	1
Location - Sydney	1	1
- other metropolitan areas	1	-
Total duration	15 hrs 5 mins	4 hrs
Number of witnesses	16	2
Participants in other forms of consultation		
Public forums	13	-
Total participants	44	2

Outcomes/comments

- 5.43** This inquiry was intended primarily as an examination of the outcomes of the main Cabramatta Policing inquiry. During and after the Cabramatta Policing report was released the government committed an extensive package of additional resources to the area; and at the same time changes were made in the management of the NSW Police at the local and senior levels.
- 5.44** In April 2002 the Government released a 60 page report entitled “Cabramatta – A Progress Report” which reported on improvements in policing drug crime in Cabramatta since the Committee’s main inquiry and on the response to the Committee’s recommendations. The Government advised that 19 of the Committee’s 25 recommendations either had been or would be implemented.
- 5.45** The Bureau of Crime Statistics and Research in June 2002 released a report which indicated crime levels in Cabramatta had declined more rapidly than in other areas of Sydney in some categories during and since the Committee’s inquiry. It is evident that local policing has been more appropriate to the needs of Cabramatta than the strategies followed in 1999 and 2000.
- 5.46** On 30 December 2002 the Minister for Police wrote to the Committee Chair regarding five of the twenty recommendations of this report. The Minister indicated the support of NSW Police for those of the five recommendations that were applicable to that portfolio. The Minister concluded by advising that while progress was being made at Cabramatta and there was cause for cautious optimism; it was clear that any complacency would see the return of past problems. For this reason, it was the Minister’s intention to provide further reports on progress and changes in Cabramatta.

Inquiry into certain aspects of the Department of Corrective Services

Terms of reference

- 5.47 That General Purpose Standing Committee No. 3 inquire and report on:
- (a) the procedures for the appointment of the Commissioner, Assistant Commissioners and Governors of the Department of Corrective Services, and circumstances relating to these recent appointments.
 - (b) Whether associations between these senior officers in the Department of Corrective Services and prisoners are at all times appropriate, and undertaken with integrity and professionalism and whether proper disciplinary action is initiated when required.

5.48 **Date and source of reference:** 21 March, self-referred.

5.49 **Status of inquiry:** Completed.

Reports tabled
Inquiry into Aspects of the Department of Corrective Services (tabled 11 July 2002)

5.50 Statistical summary

	2001-2002	2002-2003
Inquiries		
Reports tabled	-	1
Recommendations	-	3
Meetings	4	2
Public consultation		
Number of hearings	2	1
Location - Sydney	2	-
Total duration	5 hrs 25 mins	-
Number of witnesses	4	-
Total participants	4	-

Outcomes/comments

- 5.51 After holding two hearings at which serious allegations were raised, the committee resolved to recommend that the Legislative Council refer the matter to the Independent Commission Against Corruption. The report outlined the evidence heard by the Committee which led to its decision to recommend referral; and sought to assist the Legislative Council in its decision to make the referral.

- 5.52** The Legislative Council forwarded the report to the Independent Commission Against Corruption on 28 August 2002 for consideration. The Clerk of the Parliaments wrote to the ICAC Commissioner on 9 September 2002, forwarding confidential documents received during the Inquiry.
- 5.53** The Commissioner for the ICAC replied to the Clerk on 18 June 2003 detailing the preliminary inquiries undertaken and advising that the Commissioner has accepted the advice of the Commission's Operations Review Committee that the investigation be discontinued.

Examination of Budget Estimates 2002-2003

Terms of reference

5.54 Refer to paragraph 5.18.

5.55 **Source of reference:** Reference from the House, 4 June 2002.

5.56 **Status of inquiry:** Completed

Reports tabled
Budget Estimates 2002-2003 (tabled 5 September 2002)

5.57 Statistical summary

	2001-2002	2002-2003
Public consultation		
Number of meetings	-	1
Number of hearings	5	1
Location - Sydney	5	1
Total duration	12 hrs	1 hour
Number of witnesses	25	2
Total participants	25	2

Outcomes/comments

5.58 The Committee examined the budget estimates and related documents for the following government agencies:

- Police
- Juvenile Justice
- Fair Trading
- Attorney General
- Corrective Services.

5.59 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to questions on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities.

General Purpose Standing Committee No. 4 at a glance

Committee Membership

The Hon Jenny Gardiner MLC National Party of Australia (Chair)
The Hon Ian Cohen MLC The Greens (Deputy Chair)
Ms Jan Burnswoods MLC Australian Labor Party
The Hon Charlie Lynn MLC Liberal Party of Australian
The Hon Ian Macdonald MLC Australia Labor Party
The Hon David Oldfield MLC Pauline Hanson's One Nation
The Hon Janelle Saffin MLC Australian Labor Party

References

- 5.60** Budget Estimates 2002-2003
(Reference from the House, 4 June 2002)

Statistical summary

	2001-2002	2002-2003
Inquiries	2	1
Reports tabled	1	1
Recommendations	-	-
Meetings	5	4
Public consultation		
Number of submissions received	-	-
Number of hearings	4	1
Location - Sydney	4	1
Total duration	8 hrs	1 hr 30 mins
Number of witnesses	36	2
Total participants in inquiries	36	2

Members' attendance records

Members	Meetings attended
Ms Jan Burnswoods MLC	4
The Hon Ian Cohen MLC	4
The Hon Amanda Fazio MLC	3
The Hon Jenny Gardiner MLC	4
The Hon Charlie Lynn MLC	4
The Hon Ian Macdonald MLC	2
The Hon David Oldfield MLC	4
The Hon Peter Primrose MLC	1

Inquiries

Examination of Budget Estimates 2002-2003

Terms of reference

5.61 Refer to paragraph 5.18.

5.62 **Source of reference:** Reference from the House, 4 June 2002.

5.63 **Status of inquiry:** Completed

Reports tabled
Budget Estimates 2002-2003 (tabled 24 October 2002)

5.64 Statistical summary

	2001-2002	2002-2003
Public consultation		
Number of meetings	-	1
Number of hearings	4	1
Location - Sydney	4	1
Total duration	8 hrs	1 hr 5 mins
Number of witnesses	36	2
Total participants in inquiries	36	2

Outcomes/comments

5.65 The Committee examined the budget estimates and related documents for the following government agencies:

- Aboriginal Affairs
- Housing
- Planning
- Gaming and Racing
- Hunter Development
- Transport
- Roads
- Public Works and Services

- Sport and Recreation.

- 5.66** Budget Estimates guides are published as a guide to the transcripts of hearings; and answers received to questions taken on notice during the hearings are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities.
- 5.67** The Committee held a supplementary hearing on 23 October during which it examined the proposed expenditure for the M5 East Tunnel and the Cross City Tunnel from the portfolio areas of Transport and Roads. Issues raised in this hearing were pursued by GPSC No.5 in a subsequent inquiry into the M5 tunnel, discussed in that committee's section of this annual report.

General Purpose Standing Committee No. 5 at a glance

Committee Membership

The Hon Richard Jones MLC Independent (Chair)
Ms Jan Burnswoods MLC Australian Labor Party (Deputy Chair)
The Hon Richard Colless MLC National Party of Australia
The Hon Amanda Fazio MLC Australian Labor Party
The Hon Malcolm Jones MLC Outdoor Recreation Party
The Hon John Jobling MLC Liberal Party of Australia
The Hon Janelle Saffin MLC Australian Labor Party

References

- 5.68
1. Feral Animals
(Self-referral, 30 May 2001)
 2. TransGrid Landclearing
(Reference from the House, 20 June 2001)
 3. Budget Estimates 2002-2003
(Reference from the House, 4 June 2002)
 4. M5 East Tunnel
(Self-referral, 24 October 2002)

Statistical summary

	2001-2002	2002-2003
Inquiries	7	4
Reports tabled	4	4
Recommendations	29	37
Meetings	22	10
Public consultation		
Number of submissions received	196	98
Number of hearings	11	2
Location - Sydney	9	2
- regional NSW	2	
Total duration	63 hrs 25 mins	20 hrs
Number of witnesses	144	30

	2001-2002	2002-2003
Participants in other forms of consultation		
Public forums	-	-
Site visits	12	1
Briefings	-	-
Total participants in inquiries	352	128

Members' attendance records

Members	Meetings attended
The Hon Jan Burnswoods MLC	9
The Hon Richard Colless MLC	5
The Hon Ron Dyer MLC	1
The Hon Amanda Fazio MLC	8
The Hon John Jobling MLC	9
The Hon Malcolm Jones MLC	10
The Hon Richard Jones MLC	10
The Hon Peter Primrose MLC	9
The Hon Ian West MLC	1
The Hon Henry Tsang MLC	1

Inquiries

Feral Animals

Terms of reference

- 5.69** That General Purpose Standing Committee No. 5 inquire into and report upon:
1. the damage caused by feral animals to the environment across all land tenures;
 2. the current and future threat of feral animals to native flora and fauna across all land tenures, including national parks, private land holdings, other publicly owned land etc;
 3. the adequacy of current practices and resources for feral animal control;
 4. improvements for current practices, and alternative solutions for feral animal control; and
 5. any other relevant matters.

5.70 **Date and source of reference:** Self-referral, 30 May 2001.

5.71 **Status of inquiry:** Completed

Reports tabled
Feral Animals (tabled 29 October 2002)

5.72 Statistical summary

	2001-2002	2002-2003
Inquiries		
Reports tabled	-	1
Recommendations	-	24
Meetings	-	3
Public consultation		
Number of submissions received	136	-
Number of hearings	4	-
Location - Sydney	2	
- regional NSW	2	
Total duration	41 hrs 75 mins	-
Number of witnesses	74	-

	2001-2002	2002-2003
Participants in other forms of consultations		
Site visits - regional NSW	12	-
Total participants	222	-

Outcomes/comments

- 5.73** The inquiry generated a great deal of interest from regional areas both in terms of submissions and in participation in the regional hearings. The cooperation of many government agencies during the inquiry was a positive indication of the scope for achieving progress in this area which is of major concern to many rural landholders across the State.
- 5.74** The inquiry highlighted many successful local initiatives as models for the strategic and integrated approach to feral animal management. The inquiry also found a general consensus among stakeholders on the type of actions required to ameliorate the various effects of the feral animal problem.
- 5.75** In its response to the recommendations of the inquiry, the Government indicated that it endorsed the spirit and intent of the majority of the recommendations. The Government advised that, for all but one recommendation, either action has or will be taken in line with the intent of a recommendation, or that it is giving continuing consideration to a recommendation of the committee.
- 5.76** The primary conclusion of the inquiry was the need for an overall strategic command of the problem as a means of achieving integrated feral animal control programs. The foundation for this is the recommendation that the NSW Government take action to make the Pest Animal Council a statutory body, responsible for integrated regional feral animal management across the State.
- 5.77** The Government advised that it will review arrangements for coordination and integration of feral animal control activities across organisations, including options for enhancing the role of the existing Pest Animal Council.

Land-clearing by TransGrid

Terms of reference

- 5.78**
1. That General Purpose Standing Committee No. 5 inquire into and report on the clearing and over-clearing of land in the vicinity of TransGrid transmission lines in the northern Kosciuszko region, and in particular:
 - (a) the level of environmental damage caused to Kosciuszko National Park, Brindabella National Park, Namadgi National Park, Bago State Forest and Bimberi Nature Reserve,
 - (b) the measures required to effectively remediate the area to ensure the long-term viability of the area,
 - (c) the total costs associated with the remediation of the area and liability for such costs,
 - (d) the extent of communication between, and the involvement and response of the following agencies:
 - State Forests
 - The National Parks and Wildlife Service,
 - The Environment Protection Authority, and
 - The Department of Land and Water Conservation,
 - (e) the adequacy of the present controls on the management and use of easements for transmission lines, pipelines and roads in national parks, State forests and nature reserves,
 - (f) the use of timber, bush rock or soil removed from cleared areas,
 - (g) measures to prevent any further inappropriate clearing and overclearing in national parks, State forests and nature reserves.
 2. That in relation to any cross-border issues with the Australian Capital Territory, the committee be authorised to meet with relevant committees of the Australian Capital Territory Legislative Assembly.
 3. That the committee report by Tuesday 18 September 2001.

5.79 Date and source of reference: Reference from the House, 20 June 2001.

5.80 Status of Inquiry: Completed

Reports tabled
Inquiry into Land Clearing (tabled 21 November 2002)

5.81 Statistical summary

	2001-2002	2002-2003
Inquiries		
Reports tabled	-	1
Recommendations	-	1
Meetings	1	2
Public consultation		
Number of submissions received	13	-
Total participants in inquiries	13	-

Outcomes/comments

- 5.82** The report of the Committee summarised the situation from the time the reference was received from the House until the decision by the committee not to undertake the full inquiry process.
- 5.83** In its own internal investigation and report into the land-clearing, and in its submission to the inquiry, TransGrid acknowledged that it was the responsible party. TransGrid advised that it was undertaking a range of process, procedural, management and training improvements to ensure that such an incident did not occur again, including working with the National Parks and Wildlife Service to review current inter-agency agreements and procedures.
- 5.84** Following inspections of the affected areas, the Environment Protection Authority served TransGrid with clean-up notices issued under section 91 of the *Protection of the Environment Operations Act 1997*. The notices required TransGrid to undertake short and long-term requirements to rehabilitate the affected areas.
- 5.85** Both the Environment Protection Authority and the National Parks and Wildlife Service initiated legal proceedings, under their respective relevant Acts, against TransGrid.
- 5.86** At its meeting of 24 October 2002, the Committee agreed that, given the then on-going legal proceedings and with the current Parliament nearing the end of its term, the inquiry should not be taken any further at that stage.

Examination of Budget Estimates 2002-2003

Terms of reference

5.87 Refer to paragraph 5.18.

5.88 **Source of reference:** Reference from the House, 4 June 2002.

5.89 **Status of inquiry:** Completed

Reports tabled
Budget Estimates 2002-2003 (tabled 5 September 2002)

5.90 Statistical summary

	2001-2002	2002-2003
Public consultation		
Number of meetings	-	1
Number of hearings	5	-
Location - Sydney	5	-
Total duration	10 hrs 5 mins	-
Number of witnesses	46	-
Total participants in inquiries	46	-

Outcomes/comments

5.91 The Committee examined the budget estimates and related documents for the following government agencies:

- Environment
- Emergency Services
- Information Technology
- Energy
- Forestry
- Western Sydney
- Local Government
- Regional Development
- Rural Affairs

- Agriculture
- Land and Water Conservation.

5.92 Budget Estimates guides are published as a guide to the transcript of hearings; and the answers received to questions taken on notice during the hearings are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities.

Inquiry into the M5 East Tunnel

Membership for the duration of the inquiry

The Hon Richard Jones MLC Independent (Chair)

Ms Jan Burnswoods MLC Australian Labor Party (Deputy Chair)

The Hon Amanda Fazio MLC Australian Labor Party

The Hon John Jobling MLC Liberal Party of Australia

The Hon Malcolm Jones MLC Outdoor Recreation Party

The Hon Peter Primrose MLC Australian Labor Party¹⁹

The Hon John Ryan MLC Liberal Party of Australia²⁰

Terms of reference

- 5.93**
1. That General Purpose Standing Committee No. 5, inquire into and report on the M5 East Ventilation Stack, and in particular:
 - (a) the implementation of the recommendations of the General Purpose Standing Committee No. 5 report on the 2001 Inquiry into the M5 East Ventilation Stack;
 - (b) health and safety risks for people using the M5 East Tunnel, including fire risk and risk to commercial drivers and tunnel operators;
 - (c) air quality and health impacts for residents, workers and business around the tunnel stack and tunnel entrances/exits;
 - (d) adequacy of conditions of approval, air quality and monitoring provisions and enforcement;
 - (e) viability of different systems for filtration and treatment of tunnel emissions; and
 - (f) any other relevant matters.
 2. That the Committee present a report by 5 December 2002.

5.94 **Date and source of reference:** Self-referral, 24 October 2002.

¹⁹ Hon Peter Primrose MLC replaced Hon Janelle Saffin MLC.

²⁰ Hon John Ryan MLC replaced Hon Richard Colless MLC.

5.95 Status of Inquiry: Completed

Reports tabled
Inquiry into the M5 East Tunnel (tabled 5 December 2002)

5.96 Statistical summary

	2002-2003
Inquiries	
Reports tabled	1
Recommendations	12
Meetings	4
Public consultation	
Number of submissions received	98
Number of hearings	2
Location - Sydney	2
- other metropolitan areas	-
Total duration	20 hrs
Number of witnesses	30
Total participants in inquiries	128

Outcomes/comments

- 5.97** This inquiry followed on from the 2001 Inquiry into the M5 East Ventilation Stack, and the subsequent opening of the M5 East Tunnel on 9 December 2001. The operation of the tunnel and the effects of its ventilation exhaust on the local community continued to be the subject of considerable attention in the media and Parliament.
- 5.98** This report examines the concerns of local residents including those who reported ill health effects following the opening of the tunnel. NSW Health is currently investigating these complaints to determine if they are related to the tunnel stack emissions. The Minister for Health has advised the Legislative Council on 24 June 2003 that the first of two studies is nearing completion and a second health study on the impact on the community around the exhaust stack commenced in April 2003.
- 5.99** While the Government did not choose to implement the primary recommendations of the inquiry, it can be noted that some of the conditions of approval for the subsequent Cross City Tunnel development do reflect an awareness of concerns raised during the inquiry regarding the conditions that were set for the M5 East. Close review of the operation of the M5 East Tunnel by the relevant authorities has provided them with valuable information in terms of assessing approval requirements for future tunnels.

- 5.100** The ventilation and filtration of exhaust from road tunnels is a continuing issue of interest and concern to many community groups. The report of this inquiry will provide a useful resource for participants in this on-going debate.

Select Committees

How to contact the committee

Members of the Legislative Council Select Committees can be contacted through the Committee Secretariat. Written correspondence and enquiries should be directed to:

The Director

Legislative Council Select Committees

Legislative Council

Parliament House, Macquarie Street

Sydney New South Wales 2000

Internet www.parliament.nsw.gov.au

Email scmh@parliament.nsw.gov.au

Telephone 61-2-9230 2193

Facsimile 61-2-9230 2981

6.3 Status of inquiry Completed

Reports tabled	Take note debate	Government response
Inquiry into Mental Health Services in NSW, Interim Report (tabled 3 September 2002)	-	-
Inquiry into Mental Health Services in NSW, Final Report (tabled 6 December 2002)	-	Forthcoming

Statistical Summary

	2001-2002	2002-2003
Inquiry		
Reports tabled	-	2
Recommendations	-	120
Meetings	8	10
Public consultation		
Number of submissions received	284	19
Number of hearings	5	6
Location – Sydney	5	6
Total duration	35 hrs5 mins	30 hrs 25 mins
Number of witnesses	41	54
Participants in other forms of consultations		
Site visits - NSW	-	8
- Outside NSW	-	6
Total participants	325	87

Members' attendance record 2002-2003

Members	Meetings attended
The Hon Dr Brian Pezzutti, RFD MLC (Chair)	10/10
The Hon Peter Breen MLC (Deputy Chair)	8/10
The Hon Dr Arthur Chesterfield-Evans MLC	10/10
The Hon Amanda Fazio MLC	8/10
The Hon John Hatzistergos MLC	3/10
The Hon John Jobling MLC	9/10

Outcomes/Comments

- 6.4** The inquiry generated considerable stakeholder interest, evidenced by the large number of submissions received. Consequently, the committee undertook an extensive hearing schedule covering most issues concerning mental health services in New South Wales, including a public forum on 7 August.
- 6.5** An interim report was tabled on 3 September 2002. The final report was tabled on 6 December 2002. The final report made 120 recommendations for the reform of mental health services in NSW. Requests for the final report have been extensive, with more than 900 reports distributed to date. In addition, the report has been widely accessed via the Parliament's website.

Appendix 1

Committee attendance

Committee attendance during the 52nd Parliament until 28 February 2003

	Law & Justice	Social Issues	State Development	Privilege & Ethics	GPSC No. 1	GPSC No. 2	GPSC No. 3	GPSC No. 4	GPSC No. 5	Mental Health	TOTALS (LC)
GOVERNMENT MEMBERS											
Burnswoods		26			2			4	9		41
Dyer	15				3	4			1		23
Fazio		20		8	1	1		3	8	8	49
Hatzistergos	10			7						3	27
Kelly			5	9							14
Macdonald							2				2
Pinrose	5			9	1	1	6	1	9		32
Saffin					2						2
Tsang			2		4	2	1		1		10
West		24	5				7		1		37
Colless									5		5
Forsythe				8	2						10
Gallagher					2						2
Gardiner				9		1		4			14
Gay					2						2
Harwin					1						1
Jobling							4		9	9	22
Lynn								4			4
Pearce					4						9
Pezzutti			5			4				10	19
Ryan	13								1		14
Samios		23							2		25
Breen	8									8	16
Chesterfield-Evans		23				3				10	36
Cohen			3					4			7
Corbett						1					1
Jones, M									10		10
Jones, R						1			10		11
Nile, F				9	6						15
Oldfield								4			4
Rhiannon									6		6
Sham-Ho				9					6		15
Wong					5						5
CROSS BENCH MEMBERS											

Appendix 2

Committee travel and expenditure

Committee travel and expenditure

Standing Committee on Social Issues

Date	Minutes	Destination	In attendance	Inquiry	Activity	Hours	Output	Total Cost
25-26 Jul 02	Regional Travel Sub-cttee minutes 1 & 2	Kempsey, Coffs Harbour	Members Ms Burnswoods Mr West Staff x 2	Child Protection Services	The sub-cttee met with 47 people at four consultations.	13 hrs 5 mins	Interim & Final Report on Child Protection Services	\$6,791.98

Select Committee on Mental Health

Date	Minutes	Destination	In attendance	Inquiry	Activity	Hours	Output	Total Cost
8-9 Oct 02	n/a	Melbourne	Members Mr Pezzutti Dr Chesterfield- Evans Mr Jobling Staff x 1	Mental Health	Site visit Thomas Embling Hospital. Consultation: Dept of Human Services. Visited Embling hospital, used as blueprint for forensic section of final report.	n/a	Interim & Final Report of the Select Committee on Mental Health	\$3,611.30

General Purpose Standing Committee No. 3

Date	Minutes	Destination	In attendance	Inquiry	Activity	Hours	Output	Total Cost
27 Sept 02	n/a	Cabramatta – Australian-Chinese Teow Assoc. Hall	<u>Members</u> Mrs Sham-Ho Mr Pearce Mr West Staff x 4	Review of Inquiry into Cabramatta Police	Community launch of committee report.	n/a	Distribution of committee report.	\$254.90

General Purpose Standing Committee No. 5

Date	Minutes	Destination	In attendance	Inquiry	Activity	Hours	Output	Total Cost
11 Nov 02	85	Turrilla	<u>Members</u> Mr R Jones Mr Jobling Mr M Jones Mr Primrose Mr Ryan Staff x 3	M5 East Tunnel	Inspection of M5 East Motorway Control Centre, M5 East Ventilation Stack, local vantage points, air quality monitoring station and homes of local residents.	2 hrs 25 mins	Report on the Inquiry into M5 East Tunnel.	\$0.00

