

NEW SOUTH WALES LEGISLATIVE COUNCIL

HOUSE IN REVIEW



Volume 55/80

Sitting period
11 to 13 November 2014



The *House in Review* provides regular updates of the activities of the New South Wales Legislative Council. Clicking on a hyperlink will take you to the relevant webpage. For further information refer to the NSW Parliament website www.parliament.nsw.gov.au or contact the Procedure Office on (02) 9230 2431. To be placed on the email distribution list of the *House in Review*, please contact us on council@parliament.nsw.gov.au.

Overview

Tuesday of this week was notable for the debate of the Native Vegetation Amendment Bill 2014 and the presentation of the Address-in-Reply to the Governor. On Wednesday, the House agreed to the establishment of a Select Committee on the conduct and progress of the Ombudsman's inquiry "Operation Prospect", while on Wednesday and Thursday the House passed eight Government bills.

The week also saw the tabling by the Privileges Committee of a report on the VIP Gaming Management Agreement recommending that a redacted version of the Agreement be made public in accordance with the previous advice of the Independent Legal Arbiter. The redacted copy of the report was tabled the next day. This week also saw the tabling of 125 annual reports from departments and statutory bodies.

The House next sits again on Tuesday 18 November 2014 which is likely to be the final sitting week of the Parliament. As agreed to last week, debate on committee reports and valedictory speeches take precedence on 18 and 19 November 2014, respectively.

Presentation of the Address-in-Reply to the Governor

On Tuesday 11 November 2014, members proceeded to Government House to present to the His Excellency General the Honourable David Hurley AC DSC (Retd), Governor of the state of New South Wales the Address-in-Reply congratulating him on his assumption of the administration of the Government of the State. His Excellency provided an answer, thanking the House for its response to the Address.



Statement by the President – Centenary of the First World War

On Tuesday 11 November 2014, the President made a statement that marked the centenary of an address by His Majesty King George V to the British Parliament. The President also announced that the Parliament will hold a centenary of ANZAC exhibition entitled "Politics and Sacrifice: NSW Parliament and the ANZACs", from January 2015.

Conduct of business

On Thursday 13 November 2014, Government business took precedence of private members' business.

Government business

Note: Government business includes Government bills introduced or carried by ministers in the Council.

Local Government Amendment (Elections) Bill 2014

The bill originated in the Legislative Assembly.

Summary: The bill amends the *Local Government Act 1993* to implement recommendations made by the Joint Standing Committee on Electoral Matters in its March 2014 report into the 2012 local government elections. The bill makes amendments regarding the administration of council elections and the removal of barriers to candidate and voter participation including by enabling a casual vacancy to be filled by a count back of votes rather than a by-election and to require the Electoral Commissioner to provide each general manager who is administering the elections of a Council with a printed and an electronic copy of the residential roll. The bill also allows voters in the City of Sydney, and other councils in the future, to exercise their vote by way of postal and pre-poll voting.

Proceedings: Debate on the second reading of the bill commenced on Wednesday 12 November 2014. In his second reading speech, the Minister (Mr Mason-Cox) indicated that the bill demonstrates the Government's continuing commitment to further reducing the costs of local council elections, improving their administration

and enhancing their democratic outcomes by removing barriers to voter participation.

The Opposition and The Greens strongly opposed the bill, describing it as profoundly problematic and anti-democratic. The Opposition were particularly troubled by the proposal to allow for a casual vacancy to be filled by a count back rather than a by-election as it does not give the community a chance to have a say in its choice of candidate. In addition, the ability for the Minister for Local Government to extend the postal voting model to local government areas by regulation means a Government could arbitrarily intervene in a local government area to make the voting system favourable to its candidates.

The Greens voiced similar concerns to the Opposition and argued that the bill is a missed opportunity to repeal the failed experiment of councils running their own elections.

The Christian Democratic Party supported the bill stating that it provides for a fair system, that enabling a casual vacancy to be filled by count back rather than through a by-election is a sensible cost saving measure and that the measures regarding postal voting will assist people to vote.

The second reading was agreed to (Division 22:18).

In committee, the Opposition moved two amendments and The Greens moved 10 amendments. The amendments primarily sought to remove provisions for a council to only have postal voting and instead have the option of pre-poll, polling day and postal voting if they so choose and to remove provisions for a general manager to administer an election and instead, for these elections to be administered by the Electoral Commissioner. Eleven of these amendments were negated, six on Division (17:20). The final Opposition amendment did not proceed to a vote.

The bill was reported to the House without amendment, read a third time and returned to the Assembly.

Surveillance Devices Amendment (Police Body-Worn Video) Bill 2014

The bill originated in the Legislative Assembly.

Summary: The bill amends the *Surveillance Devices Act 2007* to allow for the use of body-worn video by police officers and exempts police from offences that prohibit the use of devices to record private conversations and activities.

Proceedings: Debate on the second reading of the bill commenced on Wednesday 12 November 2014. The second reading speech of the Parliamentary Secretary (Mr Clarke) was incorporated into Hansard. In that speech, the Parliamentary Secretary indicated that this bill establishes the legislative framework for the broad rollout and use of body-worn video devices by police as an operational tool following a successful trial that commenced in July 2013. The speech also noted that there are appropriate safeguards in the bill to maintain an individual's right to privacy by regulating the use, communication and publication of information obtained from these devices.

The Opposition did not oppose the bill, noting that a justification of the bill is that both the public and the police will behave appropriately if their actions are being recorded and that footage will make the facts of an incident easy to establish, as it will not rely on conjecture or the imperfection of memory.

The Greens supported the bill but raised concern that the cost of the rollout will likely be much greater than the forecast \$4 million and that a number of questions remain unanswered, such as whether cameras can be turned off by police and in what circumstances and what is the penalty for an officer who tampers with footage.

The second reading was agreed to.

In committee, an Opposition amendment was agreed to on the voices that a statutory review of the Act should be conducted by the Secretary or a delegate of the Department of Justice 12 months after the Act has been in operation. The Greens had an amendment negated on the voices that sought to put in place regulation-making powers to ensure there is integrity in the storage of video footage. The Government argued the amendment was unnecessary, but would consider proposing guidelines in the future.

The bill was reported to the House with the amendment, read a third time and returned to the Assembly. The Assembly agreed to the Council's amendment.

Motor Accidents (Lifetime Care and Support) Amendment Bill 2014

The bill originated in the Legislative Assembly.

Summary: The bill amends the *Motor Accidents (Lifetime Care and Support) Act 2006* to enable the Authority to enter into contracts with other local or interstate insurers in order to provide services to persons who are eligible under similar lifetime care schemes, with the immediate purpose of assisting the Australian Capital Territory (ACT) to administer its scheme. In addition, the bill clarifies that the Lifetime Care and Support Authority may pay for expenses incurred in relation to an injured person's treatment and care needs by making a reasonable contribution to alternate treatment options.

Proceedings: Debate on the second reading of the bill commenced on Wednesday 12 November 2014. The second reading speech of the Parliamentary Secretary (Mr Clarke) was incorporated into Hansard. In that speech, the Parliamentary Secretary indicated that this bill primarily facilitates a request by the ACT for the New South Wales Lifetime Care and Support Authority to assist the ACT in managing its scheme participants. It is estimated the ACT will have between three and six people eligible for lifetime care each year. In addition, the speech indicated that the clarification regarding the authority making a reasonable contribution to alternate treatment options is intended to create greater flexibility in meeting a participant's treatment and care needs.

The Opposition and The Greens supported the bill and its objectives, but noted that the Law Society and the Bar Association had raised concerns that the insertion of the term "alternative expenditure" to the provision to provide greater flexibility for treatment and care needs may have unforeseen consequences. The Opposition and

The Greens noted that the Government had indicated that these concerns will be addressed through the authority's guidelines, and on this understanding they supported the bill.

The second and third readings of the bill were agreed to and the bill was returned to the Assembly without amendment.

Liquor Legislation Amendment (Statutory Review) Bill 2014

The bill originated in the Legislative Assembly.

Summary: The bill amends various legislation to give effect to certain recommendations of the statutory review of the *Liquor Act 2007* and the *Gaming and Liquor Administration Act 2007* including fine-tuning amendments to the Kings Cross and Sydney central business district precincts and introducing a number of new harm minimisation controls and an escalating penalty regime for selling alcohol to minors.

Proceedings: Debate on the second reading of the bill commenced on Wednesday 12 November 2014. The second reading speech of the Parliamentary Secretary (Mr Blair) was incorporated into Hansard. In that speech, the Parliamentary Secretary indicated that this bill forms the second stage of the Government's response to the statutory review of liquor legislation. The speech noted that the Government supported 84 of the 91 recommendations from that statutory review.

The Opposition and The Greens did not oppose the majority of the bill, and spoke in particular support of provisions to increase penalties relating to the sale of alcohol to minors. The Opposition voiced concern regarding the regulatory burden on small producers, but noted the Government had advised it is introducing a different type of licence for small wineries, distillers and craft brewers to reduce their annual licence fee from \$500 to \$200. The Greens voiced their disappointment that the bill does not include a number of key features, including the substantial amendment of the alcohol guidelines to deal with the issues of deep discounting, promotion to children, shopper docketts and two-for-one deals.

The second reading was agreed to.

In committee, The Greens moved five amendments to decrease the number of extended trading authorisations a small licensee may apply for in a year from 12 to 10, to remove a loophole that allows a licensee to state they have prevented intoxication on their premises simply because they have complied with the secretary's guidelines, to require the disclosure of high risk venues the Minister exempts from patron ID scanning in the Kings Cross precinct and a new provision that the Commissioner of Police may direct a licensee to enter into a liquor accord.

These amendments did not receive any support and the bill was reported to the House without amendment, read a third time and returned to the Assembly.

Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 (No 2)

The bill originated in the Legislative Assembly.

Summary: The bill amends the *Payroll Tax Rebate Scheme (Jobs Action Plan) Act 2011* to increase the payroll tax rebate available to employers when they hire a worker made redundant after 1 January 2014 from a list of designated employers. The additional rebate amount of \$1,000 is to apply in relation to the first year of eligible employment under the Act of a person who has been made redundant.

Proceedings: Debate on the second reading of the bill commenced on 12 November 2014 following the discharge of the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 from the Notice Paper. The No 2 bill differs in that it extends the end date of the Scheme until 2019.

The Minister (Mr Mason-Cox) incorporated his second reading speech into Hansard. In that speech the Minister stated that the extension of the scheme was intended to provide support for former Electrolux employees in Orange in recognition of the impact that the factory closure will have on the Orange community. The Minister noted that employers will receive an increased incentive should they hire a worker made redundant from designated employers. The Minister's speech concluded by encouraging employers to contact the government should they be undergoing significant redundancy episodes so they can be listed as designated employers under the Scheme.

The Opposition supported the bill but strongly criticised the Government's performance on the issue and the delay in having the bill considered by the House, given that all parties supported the bill. The Opposition argued that the delayed consideration of the bill created unnecessary uncertainty for employees impacted by the closure of the Electrolux factory in Orange and that everything possible should be done to assist redundant workers, noting statistics from the Australian Bureau of Statistics which indicate that 10,000 jobs have been lost in Central Western New South Wales over the last 12 months.

The Greens supported the bill and discussed the issues currently faced by Orange and suggested that the structure of manufacturing should be rethought in order for it to become more sustainable.

The second and third reading of the bill were agreed to and the bill was returned to the Legislative Assembly without amendment.

Aboriginal Land Rights Amendment Bill 2014

The bill originated in the Legislative Assembly.

Summary: The bill amends the *Aboriginal Land Rights Act 1983* by implementing recommendations from a recent review of the Act to provide for Aboriginal Land Agreements to be made between the Crown Lands Minister and Aboriginal Land Councils, to clarify certain functions and reporting obligations of Local Aboriginal Land Councils and to provide for disciplinary action to

be taken in relation to officers of Aboriginal Land Councils who engage in misconduct.

Proceedings: Debate on the second reading of the bill commenced on 12 November 2014. The second reading speech of the Parliamentary Secretary (Mrs Pavey) was incorporated into Hansard. The speech highlighted that the significant changes proposed by the bill were a result of the first statutory review of the Aboriginal Land Rights Act since the Act was passed in 1983, which undertook extensive and in depth consultation with Aboriginal communities across NSW, and acknowledged that the Aboriginal Land Council endorsed the majority of provisions in the bill. The Parliamentary Secretary noted that the bill demonstrated the Government's commitment to a genuine partnership with the community, stating that the purpose of the bill was to empower Aboriginal communities to shape their own sustainable and prosperous future by enabling access to unused Crown Land to provide services that directly benefited Aboriginal communities in New South Wales.

The Opposition supported the bill, acknowledging the consultative work of the statutory review working group and the Minister for Aboriginal Affairs. The Opposition also acknowledged the uniqueness of the land council model and the need for legislative responses to manage change. The Opposition argued that certain aspects of the bill could have gone further in implementing more of the recommendations of the statutory review working group, but indicated that it would support the bill. In particular, the Opposition supported the provisions of the bill that enabled land agreements to be developed in a more flexible way beyond the determination process.

The Greens supported the bill, acknowledging the significance of the passing of the original Act in 1983, the contribution of the Revd the Hon. Fred Nile MLC who supported the passage of the bill through the House at that time, and the length and success of the statutory review on which the provisions of the bill were based. The Greens in particular welcomed the amendments to the land claims process and the provisions of the bill to enable the efficient resolution of outstanding claims.

The Christian Democratic Party supported the bill, discussing the context in which the Act was passed in 1983, congratulating the work of the Minister throughout the consultation process and highlighting the provisions of the bill which introduce a range of improvements to empower the Aboriginal people of New South Wales.

The second and third readings of the bill were agreed to and the bill was returned to the Legislative Assembly without amendment.

Environmental Planning and Assessment Amendment Bill 2014

The bill originated in the Legislative Assembly.

Summary: The bill amends the *Environmental Planning and Assessment Act 1979* by setting substantially higher maximum penalties for breaches of the Act, giving councils increased investigative powers and providing the courts with new powers to make offenders more accountable when they cause environmental harm. The

bill also establishes and facilitates the online delivery of planning services and information.

Proceedings: Debate on the second reading of the bill commenced on 13 November 2014. The Minister (Mr Mason-Cox) incorporated his second reading speech into Hansard. In that speech the Minister indicated that the provisions of the bill would mean that NSW would have one of the toughest enforcement regimes in the country. The Minister detailed the provisions of the bill which provide for higher penalties under a tiered system for categorizing offences, introduces alternative sentencing options for the Land and Environment Court, allows councils greater powers and flexibility in investigating and prosecuting offences and introduces an ePlanning network for lodging, accessing and administering planning applications.

The Opposition spoke in support of the bill and particularly in support of the increased penalties for those who infringe against the Act, and for changes to local council investigation and enforcement powers. The Opposition also foreshadowed amendments in committee to create a penalty of imprisonment for tier one offences, and create provisions for the timely distribution of information by ensuring the ePlanning website provides an online alert system.

The Christian Democratic Party supported the bill, welcoming the changes to the planning process and noting that the community has been critical of the lack of enforcement and penalties imposed under the existing system.

The Greens also supported the bill, stating that the provisions of the bill implement recommendations of the Moore and Dyer report into planning in New South Wales. The Greens also foreshadowed an amendment to the bill in relation to enforcement orders for the remediation of land, and tying orders to the land to which they relate, rather than the person or company who caused the harm.

The second reading of the bill was agreed to.

In committee the Opposition and The Greens moved their amendments to the bill which were opposed by the Government, stating that the penalties contained in the bill were appropriate, that the nature of the ePlanning system will result in timely publication of information, and that there were already effective enforcement mechanisms. The Opposition amendment concerning the capacity of the ePlanning website to provide an online alert system was agreed to by the House, however, the other amendments were negated or withdrawn.

The bill was read a third time and returned to the Legislative Assembly with the amendment

Bill discharged

The following bill was discharged from the Notice Paper:

- (1) Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014

Bills introduced and read a first time

The following bills from the Assembly were introduced, read a first time, and their second reading set down for a later hour:

- (1) Statute Law (Miscellaneous Provisions) Bill (No 2) 2014
- (2) Crime Commission Legislation Amendment Bill 2014
- (3) Criminal Procedure Amendment (Domestic Violence Complainants) Bill 2014
- (4) Valuation of Land Amendment Bill 2014
- (5) Fisheries Management Amendment Bill 2014
- (6) Pesticides Amendment Bill 2014.
- (7) Petroleum (Onshore) Amendment (NSW Gas Plan) Bill 2014.

Motions

Revocation of the dedication of Crown Land

Summary: The motion called on the House to agree to a proposal, tabled in the House on Tuesday 11 November 2014, for revocation of the dedication of part of Bingara State Forest.

Proceedings: The motion was moved on Wednesday 12 November 2014. The Minister (Mr Gay) and the Opposition noted the revocation was a sensible approach to realign the Bingara State Forest boundary so that it better reflects the distinction between forested land and land that has been held in tenure by a family since 1932.

The motion was agreed to. In accordance with section 15 of the *Forestry Act 2012* the resolution of the House was communicated to His Excellency the Governor.

Parliamentary Zone

The motion called for the House to declare, according to the *Parliamentary Precincts Act 1997*, that the area of Hospital Road between the pedestrian crossings adjacent to the State Library and Sydney Hospital be treated as part of the parliamentary zone for the purposes of the Act. The motion was moved on Thursday 13 November 2014 and was agreed to without debate.

Private members' business

Note: Private members' business is business introduced by members of the House other than Government ministers. There are two types of private members' business: private members' bills and private members' motions.

Bills

Native Vegetation Amendment Bill 2014 (Mr Brown, Shooters and Fishers Party)

The bill originated in the Legislative Council.

Summary: The bill amends the *Native Vegetation Act 2003* to make further provision with respect to the clearing of native vegetation, including modifying current controls so that they apply only to the clearing of native

indigenous trees and the requirements for the broadscale clearing of native vegetation.

Proceedings: Standing orders were suspended to bring on the item of business (Division 22:19). Debate on the second reading of the bill resumed on 11 November 2014 from 11 September 2014 (see Vol 55/75 of *House in Review* for earlier debate).

The Minister (Mr Gay) resumed his speech and stated that the Government does not support the extensive amendments introduced in the bill, primarily because the Government has established an independent expert panel, the Biodiversity Legislation Review Panel, that is currently conducting a comprehensive review of the *Native Vegetation Act 2003* and related biodiversity laws that will report by the end of this year. The Minister foreshadowed that he would move amendments in committee that do not interfere with the work of the Review Panel, but provide some benefits in the interim before its report is released. The Minister noted that some of these amendments were informed by legal advice the Government had obtained that indicated the bill as introduced would have unintended consequences that could increase the complexity and red tape for farmers. The Minister stated that the Government would only support the bill on the provision its amendments were agreed to.

The Opposition opposed the bill, stating that the independent expert panel should be allowed to report before legislation is considered, but noting that if changes to the legislation are warranted following the review, it would consider those in good faith.

The Greens opposed the bill arguing that it gutted the Act of any protections to native vegetation and would be a huge blow to the biodiversity of the State. The Greens stated that as biodiversity is declining, environmental protections should be strengthened, not weakened.

The Christian Democratic Party supported the bill and argued that it provides a better balance between farmers being able to use their land and environmental protections. It noted that the bill is fully supported by the NSW Farmers Association and provides sensible and necessary changes to the flawed 2003 Act.

The second reading was agreed to (Division 20:18).

In committee, the Government moved 11 amendments which sought to make a variety of significant changes to the bill, including to regrowth and routine agricultural management activities as well as removing sections that narrow the coverage of the Act to only large trees and that reduce penalties and weaken compliance and enforcement provisions.

The Shooters and Fishers Party opposed these amendments and noted that the NSW Farmers Association had received legal advice that challenged the legal advice of the Government that the bill would have unintended consequences. The Opposition and The Greens also opposed the amendments. The Opposition stated that the defeat of these amendments would mean the defeat of the bill. The Greens asserted they would not be manipulated by the Government into making a terrible bill a somewhat better bill. The amendments were

negated on Division (18:21) and the bill was reported to the House without amendment.

The bill was then negated on the third reading (Division 3:35), with only Revd Mr Nile from the Christian Democratic Party voting with the Shooters and Fishers Party in favour of the bill.

State Energy and Water Utilities Protection (Referendum) Bill 2014 (Mr Searle, Australian Labor Party)

The bill originated in the Legislative Council.

Summary: The object of the bill is to prevent the assets or business undertakings of certain State energy or water utilities, namely Essential Energy, Ausgrid, Endeavour Energy, TransGrid, Sydney Water Corporation and Hunter Water Corporation, from being privatised, unless it is approved at a referendum.

Proceedings: Leave was granted to bring in the bill on Thursday, 13 November 2013. The bill was presented, read a first time and printed. In his second reading speech, Mr Searle stated that the Government has announced plans to privatise State electricity assets after the 2015 election, which will increase electricity prices and deprive the State of more than \$1 billion in dividends each year. For this reason, the intention of the bill is to make it compulsory for a referendum to be held before the Government is able to proceed to privatise State electricity or water utilities. Mr Searle argued that there is significant public interest in this issue and the public should be able to have a say on any plans for privatisation. The second reading was adjourned until the next sitting day.

Limitation Amendment (Child Abuse) Bill 2014 (Mr Shoebridge, The Greens)

The bill originated in the Legislative Council.

Summary: The bill amends the *Limitation Act 1969* to remove any limitation period applying under the Act to an action for damages for child abuse.

Proceedings: Leave was granted to bring in the bill on Thursday, 13 November 2013. The bill was presented, read a first time and printed. In his second reading speech, Mr Shoebridge indicated that currently, as a general rule, victims of child sexual abuse must bring claims for damages within either three years of the abuse occurring or three years from obtaining majority, being 18 years of age. Mr Shoebridge argued that this is grossly discriminatory against victims of historical child sexual abuse, with many victims not coming forward for 20 or more years after the abuse. He advocated this change to the law as part of the growing national campaign for justice for victims of historical child abuse. Debate was adjourned for five calendar days.

Motions taken as formal business

The following items of private members' business were agreed to as formal business without amendment or debate:

- (1) Intersex Awareness Day (Dr Faruqi)

- (2) Tabling of the VIP Gaming Management Agreement (Dr Kaye)
- (3) 16th annual Deepavali Fair (Mr Clarke)
- (4) Anniversary of the Feast of the Nativity of our Lady, Monti Fest (Mr Clarke)
- (5) Spinal Cord Injury Awareness Week (Ms Barham)
- (6) 76th anniversary of Kristallnacht (Mr Clarke)
- (7) Women in engineering (Dr Kaye on behalf of Dr Faruqi)
- (8) John Maclean Foundation (Ms Ficarra)
- (9) India Club Inc.'s Festival of Diwali celebrations (Mr Clarke)
- (10) Surf Life Saving Australia (Ms Ficarra)
- (11) Saint Michael's Antiochian Orthodox Church, Kirrawee (Mr Clarke)
- (12) NSW Netball Awards Dinner 2014 (Ms Ficarra)
- (13) NSW Telstra Business Women's Awards (Ms Ficarra)
- (14) Lord Bannside of North Antrim, the Rev Dr Ian Paisley (Mr Moselmann on behalf of Ms Fazio)
- (15) State Emergency Service Wear Orange Wednesday (Mr Blair)
- (16) Deepavali Fair 2014 (Mr Clarke)
- (17) NSW Jewish Board of Deputies Kristallnacht commemorations (Mr Clarke).

Orders for papers

Note: The Council has a common law power to order the Government to produce State papers.

Returns to order

- (1) **Newcastle East End Development Project:** received 6 November 2014, five boxes public, one boxes privileged.
- (2) **Byron Central Hospital and Maitland Hospital:** received 6 November 2014, eight boxes public, three boxes privileged.
- (3) **Planning in Newcastle and the Hunter:** received 6 November 2014, six boxes public.
- (4) **Martins Creek and Wollombi Public Schools:**
 - (a) additional documents received on 11 November 2014, three boxes public, four boxes privileged.
 - (b) additional documents received on 13 November 2014, two boxes public, four boxes privileged.

Correspondence regarding a return to order

- (1) **Planning in Newcastle and the Hunter:** On 12 November 2014 the Clerk tabled correspondence between Dr Faruqi and the Department of Premier and Cabinet regarding the the content of the return to order.

Disputed claim of privilege

- (1) **VIP Gaming Management Agreement:** On Wednesday 12 November the House ordered the production and tabling of a redacted version of the disputed VIP Gaming Management Agreement as recommended by the Independent Legal Arbiter and the Privileges Committee. The redacted document was received and tabled on Wednesday 14 November 2014.

Petitions

Petition received

- (1) Taxi transport subsidy cap for people with a disability – 137 signatures (presented Ms Barham).
- (2) Transforming electricity generation in New South Wales to 100 per cent renewables – 1,096 signatures (presented Dr Kaye). Government's response due: Wednesday 17 December 2014.
- (3) TAFE funding and services – renewables – 42 signatures (presented Dr Kaye).
- (4) Stopping Cobbora coal mine – renewables – 224 signatures (presented Dr Kaye).
- (5) Truth in labelling on all free-range products–renewables – 246 signatures (presented Dr Kaye).

Reports tabled

Parliamentary Budget Officer: Parliamentary Budget Office Operational Plan for 2014-15, dated 5 November 2014.

Auditor-General:

- (1) Financial Audit report, Volume Five 2014, focusing on Electricity and Water, dated November 2014.
- (2) Financial Audit report, Volume Six 2014, focusing on Premier and Cabinet, dated November 2014.

Committee activities

Note: Committee activities includes committee references, reports tabled, debate on committee reports, government responses received and any other significant committee activity in the House. Committee activity as part of a current inquiry is summarised in the following section entitled 'Inquiry activities'.

Committee reference

Select Committee on the conduct and progress of the Ombudsman's inquiry "Operation Prospect" (Mr Brown, Shooters and Fishers Party)

On Wednesday 12 November 2014, standing orders were suspended (Division 20:16) to debate a motion for the establishment of a select committee to inquire into and report on the conduct and progress of the Ombudsman's inquiry "Operation Prospect". Operation Prospect is a large-scale inquiry by the Ombudsman into allegations about the conduct of officers of the NSW Police Force, the New South Wales Crime Commission and the Police Integrity Commission. The Opposition and The Greens supported the motion and stated that the matter has been

with the Ombudsman now for two years and called for transparency into the process. The Government was opposed to the establishment of the inquiry as it could compromise the integrity of the investigations and moved to amend the motion. This amendment was negated (Division 18:22), and the motion was agreed to (Division 22:18).

Committee membership

Select Committee on the supply and cost of gas and liquid fuels in New South Wales: The Leader of the Opposition nominated Mr Searle and Mr Veitch as the opposition members on the committee, and the Leader of the Government nominated Mr Blair, Mr MacDonald, and Dr Phelps as government members on the committee.

Committee reports tabled

Joint Standing Committee on Electoral Matters: "Preparations for the 2015 NSW State Election", dated November 2014.

Legislation Review Committee: "Legislation Review Digest No. 65/55 of 2013", dated 11 November 2014.

Privileges Committee:

- (1) "A revised memorandum of understanding with the ICAC relating to the execution of search warrants on members' premises", dated November 2014
- (2) "The Crown Casino VIP Gaming Management Agreement", dated November 2014.

Standing Committee on Social Issues: "Legacy Report: 55th Parliament", dated November 2014. On tabling the report the Chair thanked stakeholders for their contribution, committee members and the secretariat. The Chair noted that the use of roundtable discussions with key stakeholders to gather feedback on draft recommendations was very useful during the domestic violence inquiry and could be useful for other committees during the 56th Parliament.

Standing Committee on Law and Justice: "Legacy report: 55th Parliament", dated November 2014. On tabling the report the Chair noted that the committee had proudly produced a number of reports, including the report on the family response to the murders in Bowraville.

Standing Committee on State Development: "Legacy report: 55th Parliament", dated November 2014. On tabling the report the Chair thanked the committee and the secretariat and noted that the committee made sound recommendations to the Government on issues relating to roads and transport infrastructure, freight movement, funding and resourcing of local government, health, education, service delivery, storage allocations, the sustainability and security of water, and regular aerial passenger transport services.

Inquiry activities

General Purpose Standing Committee No. 1

Review of the inquiry into allegations of bullying in WorkCover NSW

The committee intends to table its report by 11 December 2014.

General Purpose Standing Committee No. 4

Inquiry into the Fair Trading Amendment (Ticket Reselling) Bill

The committee has published 9 submissions and held a public hearing in Sydney on Monday 3 November 2014. The committee is in the process of analysing the evidence received, with the intention of reporting by mid-February 2015.

General Purpose Standing Committee No. 5

Inquiry into the Wambelong fire

The committee concluded its evidence gathering in mid-September. It is now preparing its report, which it expects to table mid-February 2015.

Inquiry into the performance of the NSW Environment Protection Authority

The committee has published 251 submissions and held three public hearings in Sydney, Lismore and Newcastle. The committee will hold its final hearing on 24 November in Sydney.

Inquiry into Budget Estimates

General Purpose Standing Committee No 3 will hold a supplementary hearing into the portfolio of Trade and Investment on 20 November 2014.

Select Committee on home schooling

The committee is in the process of finalising its report, with a view to it being tabled during the second sitting week in November 2014.

Select Committee on the planning process in Newcastle and the broader Hunter Region

The committee has received 350 submissions and conducted a site visit and public hearing in Newcastle on 7 November. A second public hearing and a public forum will be held in Newcastle on 21 November, and a third public hearing scheduled for Sydney on 24 November 2014. The committee has resolved to produce an interim report by 19 December 2014.

Joint Select Committee on loose fill insulation

The committee has received 34 submissions. The committee will hold a public hearing in Sydney on Friday 14 November, followed by a second hearing in Queanbeyan on Monday 17 November.

The final reporting date for the inquiry is 16 February 2015.

Select Committee on ministerial propriety in New South Wales

The select committee has received seven submissions. The reporting date for the inquiry has been extended until 2 March 2015.

Adjournment debate

Tuesday 11 November 2014

Tribute to Mustafa Kemal Atatürk (Mr Khan); Coptic Orphans Organisation (Mr Donnelly); Climate change (Ms Barham); Northern Rivers gas exploration (Mr Secord); Australian Gynaecological Cancer Foundation (Ms Ficarra); Planning Pre-gateway Review (Mr Shoebridge).

Wednesday 12 November 2014

Live cattle export trade (Mr Borsak); Blue Mountains Transport Forum (Ms Sharpe); New South Wales Number One (Mr MacDonald); World Diabetes Day (Mr Brown); Depression (Mr Wong); NSW Rural Health Plan (Mrs Pavey); E-cigarettes (Ms Fazio).

Thursday 13 November 2014

First World War heroes (Mr Colless); Ethiopian famine (Ms Voltz); Counterterrorism measures (Mr Clarke); Public transport (Dr Faruqi); Government performance (Ms Cotsis); Robyn Parker and Chris Hartcher valedictory speeches (Mr MacDonald).

Feedback on *House in Review*

We welcome any comments you might have on this publication.

We are particularly keen to know which parts of the *House in Review* you find most useful and whether you have any suggestions for improvement. Please email your comments to stephen.frappell@parliament.nsw.gov.au.

All responses will be kept strictly confidential.



David Blunt
Clerk of the Parliaments