

# NEW SOUTH WALES LEGISLATIVE COUNCIL

## *HOUSE IN REVIEW*



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8 to 10 September 2015*



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](http://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 at [council@parliament.nsw.gov.au](mailto:council@parliament.nsw.gov.au).

### Overview

On Tuesday, the House agreed to dispense with debate on committee reports in order to focus on the Biosecurity Bill. After a lengthy and complex committee stage, which saw the House sit into the evening, the bill was passed with four amendments and forwarded to the Assembly for concurrence. The Assembly returned the bill without amendment the following day.

Wednesday saw debate on a government motion to have the House join the Assembly in sending an Address to Her Majesty Queen Elizabeth the Second, congratulating Her Majesty on becoming the longest serving monarch of the United Kingdom and Australia. The motion was ultimately agreed to without amendment. Following that debate, the House considered three government bills, two of which were finalised and returned to the Assembly without amendment.

Thursday saw the introduction of three private members' bills, one each from a member of the Opposition, the Christian Democratic Party and the Greens. In each case, the member introducing the bill gave their second reading speech after which debate was adjourned for five calendar days. Thursday also saw debate on a private members' motion relating a development matter in Port Macquarie which had been the subject of a petition with 12,662 signatures presented to the House in the previous sitting week.

Finally, this edition of *House in Review* contains a special Budget Estimates supplement, which summarises the activity of the initial round of budget estimates hearings that occurred during the week of 31 August to 4 September.

The House will next sit on Tuesday 15 September 2015 at 2:30 pm.

### Government business

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

### Biosecurity Bill 2015

The bill originated in the Legislative Council.

*Summary:* The bill provides a new framework for the prevention, elimination and minimisation of biosecurity risks, promotes biosecurity as a shared responsibility across government, the community and industry, and gives effect to intergovernmental biosecurity agreements to which the State is a party.

*Proceedings:* Debate on the second reading of the bill resumed on 8 September from 25 August 2015 (see previous edition of *House in Review* for earlier debate). In reply, the Minister (Mr Blair) sought to address a number of the issues raised during the second reading debate by noting: that there will be ongoing education with the community and industry regarding shared responsibility including the release in draft form for public consultation of any proposed regulations; that the bill does not reverse the onus of the burden of proof for offences under the bill and that the severity of the penalties provided for are commensurate with the seriousness of the offences to which they apply; that the bill does not increase the existing powers of authorised officers, but instead streamlines them and in some cases reduces those powers; that the bill focuses on education rather than prosecution; that while the bill does not implement a 'permitted list' approach to the authorization for the sale of plants it does allow for the development of such an approach if considered necessary in the future; and that the Government would commit the Biosecurity Advisory Committee to providing a State of Biosecurity report to both Houses of Parliament every four years.

During the earlier debate in the previous sitting week, the Opposition had moved that the bill be referred to General Purpose Standing Committee No. 5 for inquiry and report. The motion was defeated on division (18:23) with the Greens and the Animal Justice Party supporting the motion, but the Government, Christian Democratic Party and Shooters and Fishers Party opposing the motion.

The second reading was then agreed to (Division 35:6), the Greens and the Animal Justice Party voting against the bill.

A total of eighty-nine amendments from the Opposition, the Greens, the Animal Justice Party and the Christian Democratic Party had been circulated prior to the

committee stage. In a number of instances amendments from different parties sought to address the same aspect of the bill in a similar but not identical manner. Ultimately, sixty-two of the circulated amendments were moved during the committee stage.

Through the various amendments the Opposition sought to establish a statutory State Biosecurity Committee and to reduce the penalty amounts for offences under the bill; The Greens sought to establish a permitted rather than prohibited list approach to plants, to restrict the powers of authorised officers with respect to entry to premises and seizure of items, to provide for the Minister for the Environment to also exercise regulatory functions under the Act when a biosecurity risk is primarily an environmental risk, to allow for the establishment of advisory committees, and to provide broader scope for people to be adjudged as performing their biosecurity duty while undertaking certain activities; while the Animal Justice Party also sought to broaden the scope for complying with a person's biosecurity duty, to reduce penalty amounts, restrict the powers of authorised officers, and to amend the definition of biosecurity impact and the application of the defence of due diligence.

While generally (although not always) supporting each other, the amendments of the Greens, the Opposition and the Animal Justice Party were negatived, either on division or on the voices, with the Government, the Christian Democratic Party and the Shooters and Fishers Party opposing the amendments.

In contrast, Christian Democratic Party amendments to have the Minister answerable for the making of control orders and to require specific consultation for control orders for game animals and native flora and fauna while not universally supported were agreed to on the voices.

The bill was reported to the House with the CDP amendments, read a third time and forwarded to the Assembly for concurrence. The following day the Assembly returned the bill without amendments.

### **Health Services Amendment (Ambulance Services) Bill 2015**

The bill originated in the Legislative Assembly.

*Summary:* The bill amends the *Health Services Act 1997* to allow the Ambulance Service of NSW to engage non-government organisations to provide non-emergency transport services for patients.

*Proceedings:* Debate on the second reading of the bill commenced on 9 September. The Parliamentary Secretary (Mrs Mitchell) incorporated her second reading speech into Hansard. In that speech the Parliamentary Secretary stated that systemic issues within the existing arrangements for the provision of non-emergency transport services were negatively affecting the efficiency and capacity of emergency ambulance services, and that the bill seeks to implement the recommendations of the 2012 Ambulance Reform Plan which proposed a two tier ambulance system as a measure to improve emergency ambulance services. The Parliamentary Secretary argued that the bill provides a strong risk management strategy which will ensure patient safety standards are maintained.

The Opposition opposed the bill, arguing that it will privatise ambulance services without providing appropriate clinical standards, leaving patients at risk. The Victorian experience of ambulance privatisation in the 1990s was highlighted as an example of the risks associated with private ambulance services. The Opposition also raised concerns over the lack of consultation with the Health Services Union and discussed a number of operational and clinical issues raised by the Union.

The Greens also opposed the bill, stating that the Government had no mandate to privatise core health services which they saw as a fundamental duty of the State. The Christian Democratic Party supported the bill, acknowledging the Government's responses to the issues raised by the Union.

In reply the Parliamentary Secretary reiterated the need for the changes to ambulance services and the strength of the regulatory framework which the bill allows for.

The second reading of the bill was agreed to (Division 21:16), with the Animal Justice Party voting with the Opposition and the Greens against the motion.

In committee the Opposition moved eight amendments to the bill which sought to establish a consultative regulatory framework for the management and care of patients using private non-emergency transport services. The Government opposed the amendments arguing they would have a number of unintended consequences or were already provided for under the Act. The Greens supported the amendments arguing that they provided an important safety net for patients. The Christian Democratic Party opposed the amendments, supporting the existing regulatory provisions. The eight amendments were negatived (Division 15:22).

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

### **Real Property Amendment (Electronic Conveyancing) Bill 2015**

The bill originated in the Legislative Assembly.

*Summary:* The bill amends the Real Property Act 1900 to make provision for the alignment of paper and electronic conveyancing practices and to facilitate the adoption of electronic conveyancing practices.

*Proceedings:* Debate on the second reading of the bill commenced on 9 September 2015. The second reading speech of the Parliamentary Secretary (Ms Cusack) was incorporated into Hansard. In that speech, the Parliamentary Secretary stated that the bill will allow a number of important reforms in conveyancing, including introducing standard verification of identity arrangements across both paper and electronic conveyancing. The bill also introduces a nationally agreed priority notice as a further risk mitigation tool for the conveyancing industry.

The Opposition did not oppose the bill, stating that the proposed reforms are a significant advance in the nature of conveyancing. Similarly, the Greens did not oppose the bill, and noted that there are economic, social, individual and environmental benefits to moving away from paper transactions and towards electronic

transactions. The Christian Democratic Party supported the bill, noting the broad industry support for the reforms.

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

### **Jobs for NSW Bill 2015**

The bill originated in the Legislative Assembly.

*Summary:* The bill establishes Jobs for NSW, a seven member board to provide high level strategic advice to the Government on jobs creation and driving investment in New South Wales. The board will consist of four members appointed by the Minister for Industry, Resources and Energy, one member appointed by the Minister for Regional Development and the respective Secretaries of the Departments of Premier and Cabinet and of Industry, Skills and Regional Development. The bill also establishes the Jobs for NSW Fund which will support eligible proposals for jobs creation incentives across the State.

*Proceedings:* The bill was received from the Legislative Assembly on 9 September 2015 and read a first time. The second reading speech of the Parliamentary Secretary (Mr Colless) was incorporated into Hansard. In that speech the Parliamentary Secretary indicated that since it had come into office the Government had fostered the creation of more than 250,000 new jobs and had now set a target of creating a further 150,000 jobs within four years. The Parliamentary Secretary's speech noted that for the State to remain strong and prosperous it needed to prepare for the future and embrace innovation and rapid workplace change and that the proposed Jobs for NSW will provide the foundation for this. The speech further noted that Jobs for NSW will submit an annual report outlining all the job creation incentives paid for from the fund. The annual report will also include whether at least 30 per cent of the fund monies were directed to rural and regional areas in that year.

The Opposition did not oppose the bill. However, the Opposition argued that Jobs for NSW was in many ways an exercise in rebadging and recycling existing schemes already funded by the Government, but with a smaller quantum of funds and a less ambitious job creation target than the Government claimed it had achieved in its first four years of office. The Opposition foreshadowed that it would seek to strengthen the bill in the committee stage, including making the minimum 30 per cent of fund monies directed to rural and regional areas a guarantee rather than a target.

The Christian Democratic Party supported the bill, noting that it was often difficult for a government to maintain its job creation momentum past its first term and that the bill would assist in this regard. The Christian Democratic Party agreed with the proposal to have the appointed members of the board drawn from eminent business leaders with extensive commercial experience and success.

The Greens did not oppose the bill, but like the Opposition foreshadowed that they would seek to amend the bill in the committee stage. The Greens saw the bill

as an acknowledgement by the Government that it needed to involve itself in generating jobs and not rely solely on the market economy to generate sufficient employment for the State. The Greens took the opportunity to criticise the Government for underestimating the capacity of the public sector to generate jobs and argued that whatever benefits the bill might bring will be undermined by the withdrawal of funds from TAFE and the resultant loss of skilled workers.

Debate was adjourned until a future day.

### *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) Dams Safety Bill 2015.
- (2) State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015.

### *Government motions*

### **Address to Her Majesty the Queen on becoming the longest serving monarch**

*Summary:* The motion called on the House to agree to an Address to Her Majesty Queen Elizabeth the Second, conveying the congratulations of the Parliament to Her Majesty on becoming the longest serving monarch of the United Kingdom and Australia and to authorise the President to sign the address on behalf of the Legislative Council, in conjunction with the Speaker of the Legislative Assembly, on behalf of the Legislative Assembly.

The words of the proposed Address were: 'We, the Members of the Legislative Council of New South Wales, in Parliament assembled, desire to offer to Your Majesty our sincere congratulations on this day becoming the longest serving monarch of the United Kingdom and Australia. We assure Your Majesty of our loyalty and extend to you and His Royal Highness the Prince Philip, Duke of Edinburgh our good wishes for continued health and well-being.'

*Proceedings:* Debate on the motion commenced according to precedence on 9 September 2015. In proposing the motion, the Government noted that while the world had changed significantly during the time of her reign, the Queen had remained a steadfast constant in the lives of her subjects. The Opposition supported the motion. While noting that it looked forward to the time when institutional arrangements were changed and the country had its own head of state, it also acknowledged that until that time the Queen is the legal head of State and deserving of the House's recognition and honour for the diligent way in which she has, for more than six decades, applied herself to her role in Australia and the Commonwealth. Members from both the Government and the Opposition acknowledged the high esteem in which many people hold the monarch.

The Christian Democratic Party supported the motion, noting the results of the 1999 referendum on whether Australia should become a republic or remain a

constitutional monarchy. The Shooters and Fishers Party also supported the motion, noting that the occasion of becoming the longest serving monarch warranted commemoration and should not be turned into a constitutional debate.

The Greens moved that the Address be amended by inserting the words 'to Australia and the people of New South Wales' after the word 'loyalty'. The Greens argued that the amendment in no way sought to diminish the regard in which the Queen was held by many people in the State, but acknowledged what they saw as the primary loyalty of a member of an Australian Parliament. While drawing the support of the Opposition, the Greens amendment was opposed by the Government, Christian Democratic Party and the Shooters and Fishers Party and was negated (Division 16:21).

The motion was then agreed to (Division 34:5), with the Greens voting against the motion as originally moved.

The Assembly moved an Address in the same terms on 9 September and agreed to it on 10 September 2015.

### **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*

### **Alcoholic Beverages Advertising Prohibition Bill 2015 (Revd Mr Nile, Christian Democratic Party)**

The bill originated in the Legislative Council.

*Summary:* The bill prohibits advertising aimed at promoting the sale of alcoholic beverages, with a view to reducing the incentive for people to consume alcohol. An Alcohol Advertising Prohibition Committee will be established to prepare a timetable for the removal of advertisements promoting alcoholic beverages. The bill also provides for the declaration of local option areas within which the purchase, sale or consumption of alcoholic beverages in a public place is an offence.

*Proceedings:* The bill was introduced, read a first time and printed on 10 September 2015. It is noted that a previous of the bill was introduced in the 55th Parliament. In his second reading speech, Revd Mr Nile indicated that the bill does not seek to criminalise alcohol but prohibit advertising on certain promotional activities concerning the sale of alcohol. Revd Mr Nile raised concerns over increases in advertising engagement by the alcohol industry, arguing that the current voluntary code is ineffective. Revd Mr Nile stated that the bill would assist to reduce the high financial and personal costs associate with alcohol abuse and that introducing limits to the advertising of alcohol had support from health organisations and the community.

Debate was adjourned for five calendar days.

### **Coal Seam and Other Unconventional Gas Moratorium Bill 2015 (Mr Searle, Australian Labor Party)**

The bill originated in the Legislative Council.

*Summary:* The bill proposes a moratorium on prospecting for, or the mining of, coal seam or other unconventional gas. During the moratorium any petroleum title (other than an existing production lease) related to coal seam or unconventional gas ceases to have effect. The bill provides that the moratorium for an area remains in place until a moratorium lifting order for that area is made by the Minister, and a list of no go zones which are excluded from being included in a moratorium lifting order. The bill also provides for the establishment of a Standing Expert Advisory Board which is to advise the Minister on the granting of moratorium lifting orders and on the designation of further no go zones.

*Proceedings:* Leave was granted to bring in the bill on 10 September 2015, whereupon it was read a first time and printed. In his second reading speech, Mr Searle said that while previous Governments, including the previous Labor Government, had rushed to support the coal seam gas industry, it was now clear that no prudent government or Parliament could approve further coal seam gas mining until its associated risks had been rigorously assessed. Mr Searle stated that the moratorium for any area should not be lifted until all of the recommendations from the 2014 report of the Chief Scientist on the risks associated with coal seam gas had been implemented. Mr Searle argued that there are some areas that are clearly incompatible with coal seam gas mining, such as certain local government areas, core drinking water catchment areas and the recharge zone of the Great Artesian Basin, and that these had been designated as no go zones in the bill.

Debate was adjourned for five calendar days.

### **Firearms Amendment (Lever Action Shotguns-Community Safety) Bill 2015 (Mr Shoebridge, The Greens)**

The bill originated in the Legislative Council.

*Summary:* The bill amends the Firearms Act 1996 to restrict the possession and use of lever action shotguns in the same manner as currently applies in relation to pump action shotguns.

*Proceedings:* Leave was granted to bring in the bill on 10 September 2015. The bill was presented, read a first time and printed. In his second reading speech Mr Shoebridge noted that after the Port Arthur massacre, a national firearms agreement restricted the sale of rapid fire shotguns. However, he observed that lever action shotguns are capable of shooting eight bullets in under eight seconds, and argued that the use and possession of such guns should also be subject to the same restrictions as other rapid fire shotguns. In this regard, he noted that there are 217,000 licensed gun owners in Australia, and that there have been 7,000 pre-orders for the importation and purchase of a lever action shotgun. He stated that the gun control lobby opposes the sale of the lever action shotgun, and called on the government to support the bill so that the possession and use of the lever action

shotgun is restricted to a certain class of licensed shooters, such as primary producers and professional contract shooters engaged in animal pest control on rural land.

Debate was adjourned for five calendar days.

#### *Motions*

#### **Sale of Port Macquarie Plaza car park (Mr Veitch, Australian Labor Party)**

*Summary:* The motion called on the House to note the chronology of events from 2010 regarding the development of a plan of management for the Hastings Regional Crown Reserve Precinct A, which includes the parcel of land known as the Plaza car park, resulting in the announcement that Woolworths was the preferred candidate to purchase the site. The motion also noted the significant concerns expressed by the Port Macquarie community and the Port-Macquarie Hastings Council regarding the announcement. The motion also called on the Government to halt the current sale process and to initiate an independent inquiry into the expression of interest process for the sale.

*Proceedings:* Debate on the motion commenced on 10 September 2015. In speaking to the motion, Mr Veitch argued that the Port Macquarie community felt that it had been excluded from what it now considered to be a flawed process, and that this was evidenced by the petition signed by 12,662 citizens that had been presented to the House the previous sitting week. Mr Veitch argued that the establishment of an independent inquiry into the expression of interest process and the negotiations that have led to the current situation provided the only chance of restoring community confidence in whatever decision is ultimately made regarding the car park site.

The Government opposed the motion, arguing that there were no valid grounds for the level of community concern that others had sought to inflame. The Government stated that no sale of the site had yet been agreed to, that all statutory requirements regarding the potential sale of Crown land had been met, that any sale would include a covenant ensuring that the existing number of car parking spaces will be protected in any new development, and that any proposed development on the site would require consent from Council.

The Greens supported the motion, arguing that it was manifestly clear that the local community was dissatisfied with the process and that it did not want the car park site sold for development. The Greens made a commitment that should the site be attempted to be sold, it would seek to enlist cross-party support to have the House disallow the required revocation of Crown Land.

The Shooters and Fishers Party did not support the motion on the grounds that it considered the actions called for in the motion to be premature. The Shooters and Fishers argued that more time was required to fairly judge the recent reassurances given by the Government that the process would meet community needs and expectations, but indicated that it would be willing to support referral of the matter to General Purpose

Standing Committee No. 5 for inquiry if required in the future.

The Christian Democratic Party noted that with development matters it was often difficult to balance economic potential with community expectations, but considered that in this case, probity issues had been properly addressed.

The motion was negatived.

#### **Activities during the 2015 State Election (Ms Voltz, Australian Labor Party)**

*Summary:* The motion notes that there were a number of alleged breaches of the Parliamentary Electorates and Election Act 1912 in the East Hills electorate at the 2015 general election, and that the Labor candidate, who was unsuccessful in getting elected, was the victim of a smear campaign in the lead up to the election.

*Proceedings:* Debate on the motion commenced according to precedence. Ms Voltz outlined a number of alleged breaches of the Parliamentary Electorates and Election Act 1912 in the East Hills electorate at the 2015 general election. She noted that she had also received correspondence from the Independent Commission Against Corruption that stated that the Commission considers the matter involves possible breaches of two pieces of legislation which are administered by the NSW Electoral Commission.

The debate was interrupted.

#### *Motions taken as formal business*

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

- (1) Grafton Regional Art Gallery (Mrs Houssos)
- (2) Royal Samoan Police Band (Mr Clarke)
- (3) Birth of Her Royal Highness, Princess Charlotte Elizabeth Diana of Cambridge (Dr Phelps)
- (4) Sports and events centre in Ballina (Mr Buckingham)
- (5) Dementia Awareness Month (Ms Barham)
- (6) Liverpool Plains youth (Mr Buckingham)
- (7) Canned hunting (Mr Pearson)
- (8) 'Music from Taiwan' concert (Mr Clarke)
- (9) Middle East refugee crisis (Mr Moselmane)
- (10) Syrian refugees (Dr Faruqi)
- (11) Global Tuberculosis Caucus (Mr Mallard)
- (12) Annual Friendship and Dialogue Ramadan Iftar dinner (Mr Clarke)
- (13) Indigenous Literacy Day 2015 (Ms Barham)
- (14) 4<sup>th</sup> Annual gala dinner of Australian Middle East Media (Mr Clarke)
- (15) Annual NSW Police Northern Beaches Local Area Command awards ceremony (Mr Clarke)

- (16) Hungry Ghost Festival (Mr Moselmane)
- (17) Investiture with the Pallium of the Most Reverend Anthony Fisher OP (Mr Clarke)
- (18) Order for papers – Greyhound welfare (Dr Kaye)
- (19) Ashfield Local Area Command celebrations of 100 years of women in policing (Mrs Houssos)
- (20) Attestation parade for Constable Education Program Class 325 (Mr Clarke)
- (21) World Suicide Prevention Day and RUOK? Day (Ms Barham)
- (22) Mounties Group Club Grants Financial Awards presentation night (Mr Clarke)
- (23) International Fetal Alcohol Spectrum Disorders Awareness Day (Ms Barham)
- (24) Bankstown Local Club Grants Committee presentation awards (Mr Clarke).

## Petitions

### *Petition received*

- (1) Aboriginal fishing rights – 17 signatures (presented Ms Barham)
- (2) Child care centre at Sutherland hospital – 683 signatures (presented Mr Secord).

## Reports tabled

**Auditor General:** Performance Audit report of the Acting Auditor General entitled ‘Transferring out-of-home care to non-government organisations: Department of Family and Community Services’, September 2015.

**Auditor General:** Performance Audit report of the Acting Auditor General entitled ‘Sydney metropolitan bus contracts: Transport for NSW’, plus erratum, September 2015.

## 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 references*

**General Purpose Standing Committee No. 2:** The Chair informed the House that on 1 September 2015, the committee resolved to inquire into elder abuse in New South Wales.

**Standing Committee on Law and Justice:** The Chair informed the House that on 9 September 2015, the committee resolved to inquire into the security classification and management of inmates sentenced to life imprisonment.

### *Committee report tabled*

**Legislation Review Committee:** ‘Legislation Review Digest No. 5 of 2015’, 8 September 2015.

## Inquiry activities

### **Select Committee on the Closure of Public Schools in New South Wales**

The committee has received 39 submissions and held its only hearing on Thursday 20 August. The report is due to be tabled on 22 October 2015.

### **Select Committee on the Legislative Council committee system**

An issues paper is being prepared before the committee calls for submissions in November.

### **General Purpose Standing Committee No. 2**

#### *Inquiry into elder abuse in New South Wales*

The closing date for submissions is 15 November 2015.

### **General Purpose Standing Committee No. 3**

#### *Inquiry into reparations for the stolen generations in New South Wales.*

The closing date for submissions is 27 September 2015.

#### *Inquiry into registered nurses in New South Wales nursing homes.*

The committee has received over 160 submissions and has conducted three public hearings. The committee is currently in the process of preparing its report, which is due to be tabled on 30 October 2015.

### **General Purpose Standing Committee No. 6**

#### *Inquiry into local government in New South Wales*

The committee has completed all of the hearings scheduled for this inquiry. The committee’s final report is due to be tabled by 30 October 2015.

#### *Inquiry into vocational education and training.*

The committee will be conducting a number of public hearings and site visits throughout September and October. These will take place in Wollongbar and Lismore on 11 September, in Belmont and Newcastle on 18 September, in Sydney on 22 and 23 September, and in Nowra and Wollongong on 12 October 2015.

### **Law and Justice Committee**

#### *Inquiry into remedies for the serious invasion of privacy in New South Wales.*

The committee received a briefing from the Privacy Commissioner on 9 September 2015 regarding privacy laws in New South Wales, and has extended the closing date for submissions until 20 September 2015.

#### *Inquiry into the security classification and management of inmates sentenced to life imprisonment*

The committee adopted the terms of reference on Wednesday 9 September. The closing date for submissions is Sunday 25 October and the committee intends to hold public hearings in November.

### **Social Issues Committee**

#### *Inquiry into service coordination in communities with high social needs.*

The committee has received 49 submissions. The committee held its first hearing on 28 August, with further hearings to be held in October and November.

### **State Development Committee**

*Inquiry into economic development in Aboriginal communities.*

The committee commenced its inquiry into strategies to support economic development in Aboriginal communities. The closing date for submissions is 11 October.

*Regional planning processes in NSW*

The closing date for submissions is 11 December. The committee will begin conducting hearings in March 2016.

## **Adjournment debate**

### **Tuesday 8 September 2015**

Syrian refugee crisis (Mrs Houssos); Uncle Max Dulumunmun Harrison (Mr Pearson); ACON thirtieth anniversary (Ms Sharpe); Landcare NSW Biennial Muster (Mr Colless); Syrian refugee crisis (Dr Phelps); Syrian refugee crisis (Mr Shoebridge).

### **Wednesday 9 September 2015**

Child care funding cuts (Mr Secord); Disadvantage by postcode (Ms Barham); Syrian refugee crisis (Mr Khan); Parramatta urban development (Mr Mookhey); Recreational fishing (Mr Brown); Fish habitat rehabilitation (Mr Amato); Local government amalgamations (Mr Moselmane).

### **Thursday 10 September 2015**

Liverpool City Council (Mr Borsak); China-Australia Free Trade Agreement (Mr Farlow); Violence against women (Mr Searle); TAFE NSW (Dr Kaye); Same-sex marriage (Mr Clarke); Strata housing (Mr Primrose).

## **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](mailto:stephen.frappell@parliament.nsw.gov.au).

All responses will be kept strictly confidential.



Steven Reynolds  
Deputy Clerk

## House in Review – Budget Estimates supplement

Each year government ministers and senior public officials attend an annual Budget Estimates Inquiry to answer questions about the expenditure, performance and effectiveness of their departments.

Budget Estimates is a key process for government accountability and transparency. The inquiry is conducted by the Legislative Council's six General Purpose Standing Committees (GPSCs), each of which is responsible for examining specific portfolios. This year the initial round of Budget Estimates hearings was held from 31 August to 4 September 2015.

The Budget Estimates inquiry involves detailed questioning by committee members on the decisions made, actions taken, and advice provided by ministers and public servants. Most Australian parliaments conduct similar inquiries.

One of the most important features of the New South Wales process, undertaken by the Upper House since 1995, is that every minister from both Houses attends to answer questions. It is clearly established that there is wide latitude in questioning and members do not have to refer to individual budget line items to frame their questions.

In New South Wales, unlike some other jurisdictions, committee scrutiny of the budget estimates takes place after the budget has been agreed to, and is not part of the approval process. In 2015, the *Appropriation Bill* was assented to on 29 June 2015, while the initial Estimates hearings did not commence until two months later.

### Budget Estimates resolution 2015-2016

Each year the Legislative Council passes a resolution which sets out the dates for the Budget Estimates hearings and the rules under which the inquiry operates. The resolution to establish this year's Budget Estimates inquiry was passed on 24 June 2015.

Key features of the resolution included:

- large portfolios to be examined for up to four hours for initial hearings with smaller portfolios receiving two hours or less
- hearings to be held between 9.00 am and 6.00 pm each day
- all hearings to be heard in public
- witnesses must be ministers or officers of departments, statutory bodies or corporations
- ministers cannot make opening statements
- members can lodge supplementary questions with the committee secretariat within two days, excluding Saturday and Sunday, following the hearings
- final reports to be tabled by 18 December 2015.

### Features of this year's inquiry

The 56<sup>th</sup> Parliament saw the establishment of a sixth GPSC (in addition to the five that had been established in 1997), leading to a redistribution of the 23 ministerial portfolios between the six committees. Another important feature of this year's Estimates is that all six GPSCs resolved that government members would not ask questions, on the proviso that the overall hearing time be reduced accordingly.

The following table shows key statistics for this year's initial Estimates hearings.

**Table 1: Statistics for the initial hearings of Budget Estimates 2015-2016**

	2015	2014	2013	2012	2011
<b>Hearings held</b>	23	23	24	23	25
<b>Ministers who appeared</b>	23	23	23	23	22
<b>Public servant witnesses</b>	118	125	114	113	107
<b>Total hearing time</b>	49 hours, 55 minutes	56 hours, 15 minutes	52 hours	59 hours	59 hours and 28 minutes
<b>Supplementary questions</b>	5,452	4,017	3,479	3,289	2,048
<b>Hearings without government questions</b>	23	21	19	10	N/A



### **Supplementary questions**

This year a total of 5,452 supplementary questions were received following the initial hearings – the highest ever number since the current process for supplementary questions was introduced in 2006. Answers to supplementary questions are due from 24 to 30 September 2015.

### **Supplementary hearings**

The week of 6 to 9 October 2015 has been set aside for supplementary hearings. Each of the six GPSCs has resolved that decisions on whether to hold supplementary hearings will be deferred until after the receipt of answers to questions.

### **Budget Estimates website**

A transcript of each hearing, as well as the questions on notice and supplementary questions, can be obtained on the Budget Estimates website: [www.parliament.nsw.gov.au/budgetestimates](http://www.parliament.nsw.gov.au/budgetestimates)