



SELECTION OF BILLS COMMITTEE

REPORT NO. 41 – 17 NOVEMBER 2020

MEMBERS OF THE COMMITTEE

The Hon Natasha Maclaren-Jones MLC, *Chair*

The Hon Mark Buttigieg MLC, *Deputy Chair*

The Hon Mark Banasiak MLC

The Hon Anthony D'Adam MLC

Mr Justin Field MLC

The Hon Trevor Khan MLC

The Hon Mark Latham MLC

The Hon Taylor Martin MLC

Revd The Hon Fred Nile MLC

The Hon Mark Pearson MLC

Mr David Shoebridge MLC

Secretariat to the committee:

Ms Beverly Duffy, Clerk Assistant—Procedure
(02 9230 3367)

Mr Alex Stedman, Principal Council Officer—Procedure
(02 9230 2798)

The Selection of Bills Committee met on Tuesday 17 November to consider whether the following bills be referred to a standing committee for inquiry and report:

- Bushfire Legislation Amendment Bill 2020
- Electricity Infrastructure Investment Bill 2020
- Mandatory Disease Testing Bill 2020
- Casino Control Amendment (No Compensation) Bill 2020
- Environmental Planning and Assessment Amendment (Review of Land Decisions) Bill 2020
- ICAC and Other Independent Commissions Legislation Amendment (Independent Funding) Bill 2020
- Law Enforcement (Powers and Responsibilities) Amendment (Drug Detection Dogs and Strip Searches) Bill 2020
- Prevention of Cruelty to Animals (Increased Penalties) Bill 2020
- Independent Commission Against Corruption Amendment (Property Developer Commissions to MPs) Bill 2020.

The committee makes the following recommendations:

- (1) That:
 - (a) the provisions of the Mandatory Disease Testing Bill 2020 be referred to the Standing Committee on Law and Justice for inquiry and report,
 - (b) the bill be referred to the committee upon receipt of the message on the bill from the Legislative Assembly,
 - (c) the committee report by 17 February 2021, and
 - (d) on the report being tabled, a motion may be moved immediately for the first reading and printing of the bill.
- (2) That the following bills not be referred to a standing committee for inquiry and report, this day.
 - (a) Bushfire Legislation Amendment Bill 2020,
 - (b) Electricity Infrastructure Investment Bill 2020,
 - (c) Casino Control Amendment (No Compensation) Bill 2020,
 - (d) Environmental Planning and Assessment Amendment (Review of Land Decisions) Bill 2020,
 - (e) ICAC and Other Independent Commissions Legislation Amendment (Independent Funding) Bill 2020,
 - (f) Law Enforcement (Powers and Responsibilities) Amendment (Drug Detection Dogs and Strip Searches) Bill 2020

- (g) Prevention of Cruelty to Animals (Increased Penalties) Bill 2020, and
- (h) Independent Commission Against Corruption Amendment (Property Developer Commissions to MPs) Bill 2020.

Natasha Maclaren-Jones MLC

Chair

17 November 2020

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Mandatory Disease Testing Bill 2020

Reasons for referral/principal issues for consideration:

- Involuntary invasive medical procedure
- Impact on vulnerable communities including those living with HIV/AIDS
- Actual impact of scheme on likelihood of harm experienced by workers
- Best practice policy and procedure to protect frontline workers

Possible submissions or evidence from:

- ACON
- Hepatitis NSW
- NUAA
- Council for Civil Liberties
- Law Society
- Bar Association
- Australian Lawyers for Human Rights
- Australian Medical Association NSW

Standing committee to which bill is to be referred:

Law and Justice


Stage which the bill should be referred:

- the provisions of the bill be referred (Assembly bills that have not been received by the Council)
- on the receipt of the message from the Assembly
- at the conclusion of the mover's 2R speech in the Council
- at the conclusion of the 2R debate in the Council

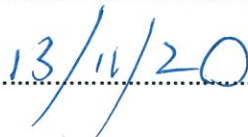
Reporting date:

11 February 2022

Signed:


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Selection of Bills Committee member

Date:


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SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Electricity Infrastructure Investment Bill 2020

Reasons for referral/principal issues for consideration:

1. The Bill has the impact of transforming the NSW power grid, potentially with huge impacts on jobs, businesses and households.
2. Doubts have been raised by the Grattan Institute and Australian Energy Council about the merits of the Bill, in transferring risks and costs in the energy sector onto taxpayers and consumers.
3. The Bill may destabilise and jeopardise the National Energy Market, as the Bill reflects unilateral State action out-of-step with a national approach.
4. The Minister's unorthodox actions in seeking to retrospectively rewrite Departmental advice on these reforms in response to a Legislative Council SO52 for which notice had been given, but the Chamber had not even debated (Notice Paper 628, 4 August 2020).
5. The inadequate and incomplete advice furnished by Departmental officers James Hay and Liam Ryan (in response to a subsequent truncated SO52), dated 15 September, which fails to address the impact of the New England and South-West REZs on existing electricity supply, price and reliability.
6. Doubts over the accuracy and credibility of the Aurora assumptions underpinning future investment. In particular, doubts over the viability of commercially funded pumped-hydro and mass battery storage, plus widespread criticism of the Snowy 2.0 scheme.
7. Further failure to disclose documents, with due transparency, as in response to Hon Mark Latham's GIPA, Deputy Secretary James Hay has said that earlier departmental advice and consultants reports and notes will not be released, only final advice (see Sharmeen Medhora email, 9 November 2020). The Parliament should not tolerate a situation whereby the public servant at whom, in large part, the GIPA is directed is dictating the scope of the GIPA.
8. Reports from the Minister's Department that advice and modelling critical of his policy has been rewritten and withheld from Cabinet, the Government party room, the Parliament and the NSW public.
9. The unusual policy approach of a government privatising old electricity assets, saying there was no legitimate need for public ownership and financing of the sector, to then 4-5 years later financially underwrite corporations creating new electricity assets - the equivalent of Jobkeeper for rent seekers.

10. The unclear impact of these reforms on their stated policy goal of combating global warming and impacting on the planet's average surface temperatures.

Possible submissions or evidence from:

- All business groups and consumer advocates in NSW
- The energy sector and associated experts
- Environmental lobby
- Farmers and other property owners concerned by land use impacts
- Animal justice advocates concerned by the windmill slaughter of birdlife
- The NSW trade union movement, led by the AWU
- AEMO, Australian Energy Regulator and the Federal Government
- Joel Fitzgibbon
- Michael Photios

Standing committee to which bill is to be referred:

Portfolio Committee No.4 - Industry

Stage which the bill should be referred:

- the provisions of the bill be referred (Assembly bills that have not been received by the Council)
- on the receipt of the message from the Assembly
- at the conclusion of the mover's 2R speech in the Council
- at the conclusion of the 2R debate in the Council

Reporting date:

1 May 2021

Signed:



Selection of Bills Committee member

Date: 13/11/2020