

2001-2002-2003

**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**NOTICE PAPER**

No. 82

**Thursday, 27 November 2003**

The Assembly meets this day at 10.30 am

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**EXECUTIVE BUSINESS**

**Notices**

- \*1 MR STANHOPE: To present a Bill for an Act to amend the law relating to justice and community safety, and for other purposes. *(Notice given 26 November 2003).*
- \*2 MR QUINLAN: To present a Bill for an Act to amend the *First Home Owner Grant Act 2000*. *(Notice given 26 November 2003).*
- \*3 MR QUINLAN: To present a Bill for an Act about rates, and for other purposes. *(Notice given 26 November 2003).*
- \*4 MR QUINLAN: To present a Bill for an Act about land tax. *(Notice given 26 November 2003).*
- \*5 MR WOOD: To present a Bill for an Act to validate certain fees, and for other purposes. *(Notice given 26 November 2003).*
- \*6 MR CORBELL: To present a Bill for an Act to prohibit human cloning and to regulate certain activities involving the use of human embryos. *(Notice given 26 November 2003).*

*\*Notifications to which an asterisk (\*) is prefixed appear for the first time*

- \*7 MS GALLAGHER: To present a Bill for an Act about the education of children in the ACT, and for other purposes. (*Notice given 26 November 2003*).

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## ASSEMBLY BUSINESS

### Notice

- 1 MR SMYTH: To move – That:
- (1) notwithstanding the provisions of standing order 71, a Select Committee on Privileges be appointed to examine:
    - (a) the refusal of Mr Wood to answer questions of the Select Committee on Estimates;
    - (b) the refusal of Mr Corbell to answer questions of the Select Committee on Estimates; and
    - (c) the creation and distribution of the document known as ‘Budget Estimates 2003’ by certain persons within ACT Health;
    - (d) the broadcast on ABC radio of details concerning recommendations of the Standing Committee on Public Accounts inquiry into the Rates and Land Tax Amendment Bill 2003 and the Select Committee on Estimates 2003-2004 inquiry into the Appropriation Bill 2003-2004 prior to their presentation to the Legislative Assembly.and determine whether each constitutes a contempt of the Legislative Assembly.
  - (2) The Committee comprise:
    - (a) one member to be nominated by the Government;
    - (b) one member to be nominated by the Opposition;
    - (c) one member to be nominated by a member of the Cross bench.
  - (3) The Committee shall report by the last sitting day in September. (*Notice given 17 June 2003; amended 18 June 2003*).

## Orders of the day

- 1 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO. 4 – THE APPROPRIATENESS OF THE SIZE OF THE LEGISLATIVE ASSEMBLY FOR THE ACT AND OPTIONS FOR CHANGING THE NUMBER OF MEMBERS, ELECTORATES AND ANY OTHER RELATED MATTER – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 2 STATUS OF WOMEN IN THE ACT – SELECT COMMITTEE – REPORT – THE STATUS OF WOMEN IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 21 November 2002 – Mr Stanhope*) on the motion of Ms Gallagher – That the report be noted.
- 3 PUBLIC ACCOUNTS – STANDING COMMITTEE – REPORT NO 5 – INQUIRY INTO THE RATES AND LAND TAX AMENDMENT BILL 2003 – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 17 June 2003 – Mr Quinlan*) on the motion of Mr Smyth – That the report be noted.
- 4 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 14 – DRAFT VARIATION NO 175 TO THE TERRITORY PLAN – INDUSTRIAL B3 LAND USE POLICIES – INDUSTRIAL AREA POLICIES AND DEFINITIONS: FYSHWICK, SYMONSTON, MITCHELL AND HUME – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Dunne*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
- 5 HEALTH – STANDING COMMITTEE – REPORT NO. 4 – LOOKING AT THE HEALTH OF SCHOOL-AGE CHILDREN IN THE ACT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 21 August 2003 – Mr Cornwell*) on the motion of Mr Wood on behalf of Mr Corbell – That the Assembly takes note of the paper.
- 6 COMMUNITY SERVICES AND SOCIAL EQUITY – STANDING COMMITTEE – REPORT NO 3 – THE RIGHTS, INTERESTS AND WELL-BEING OF CHILDREN AND YOUNG PEOPLE – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 28 August 2003 – Ms Gallagher*) on the motion of Mr Hargreaves – That the report be noted.
- 7 EDUCATION – STANDING COMMITTEE – REPORT NO 3 – PATHWAYS TO THE FUTURE: REPORT ON THE INQUIRY INTO VOCATIONAL EDUCATION IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 28 August 2003 – Ms Gallagher*) on the motion of Ms MacDonald – That the report be noted.

- 8 HEALTH – STANDING COMMITTEE – REPORT NO 5 – ACCESS TO NEEDLES AND SYRINGES BY INTRAVENOUS DRUG USERS – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 28 August 2003 – Mr Smyth*) on the motion of Ms Tucker – That the report be noted.
- 9 ESTIMATES 2003-2004 (NO. 2) – SELECT COMMITTEE – REPORT ON THE INQUIRY INTO THE APPROPRIATION BILL 2003-2004 (NO. 2) – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 23 September 2003 – Mr Quinlan*) on the motion of Mr Smyth – That the report be noted.
- 10 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO 6 – CRIMES (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL 2002 – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 23 September 2003 – Ms Gallagher*) on the motion of Mr Stefaniak – That the report be noted.
- 11 PUBLIC ACCOUNTS – STANDING COMMITTEE – REPORT NO 6 – REVIEW OF AUDITOR-GENERAL'S REPORT NO 7 OF 2002 – FINANCIAL AUDIT WITH YEARS ENDING TO 30 JUNE 2002: Resumption of debate (*from 25 September 2003 – Mr Quinlan*) on the motion of Mr Smyth – That the report be noted.
- 12 HEALTH – STANDING COMMITTEE – REPORT NO 6 – REPORT ON RECENT REPORTS CONCERNING THE MENTAL HEALTH SYSTEM – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 21 October 2003 – Mr Corbell*) on the motion of Ms Tucker – That the report be noted.
- 13 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO. 6 – CRIMES (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL 2002 – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 18 November 2003 – Mr Pratt*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 14 EDUCATION – STANDING COMMITTEE – REPORT NO. 3 – PATHWAYS TO THE FUTURE: REPORT ON THE INQUIRY INTO VOCATIONAL EDUCATION AND TRAINING IN THE A.C.T. – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 25 November 2003 – Mrs Burke*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.

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#### **Last sitting day of 2003**

- 15 PLANNING AND ENVIRONMENT – STANDING COMMITTEE: Presentation of report on the Road Transport (Public Passenger Services) Amendment Bill 2003 pursuant to order of the Assembly of 17 June 2003.

**First sitting day of 2004**

- 16 STANDING COMMITTEES – Presentation of reports on annual and financial reports for the calendar year 2002 and the financial year 2002-2003 pursuant to order of the Assembly of 25 September 2003.
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**EXECUTIVE BUSINESS****Notices - continued**

- 8 MR QUINLAN: To move – That, in accordance with s.16(4) of the *Territory Owned Corporations Act 1990*, this Assembly approves the disposal of all of the undertakings (including its assets, rights and liabilities) of Totalcare Industries Limited to the Territory. (*Notice given 20 August 2003*).

**Orders of the Day**

- 1 ELECTORAL AMENDMENT BILL 2003 (NO. 2): (*Attorney-General*): Agreement in principle – Resumption of debate (*from 20 November 2003 – Mr Stefaniak*).
- 2 CRIMES (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL 2002: (*Minister for Industrial Relations*): Agreement in principle – Resumption of debate (*Mr Pratt*).
- 3 STATUTE LAW AMENDMENT BILL 2003 (NO. 2): (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 23 October 2003 – Mr Stefaniak*).
- 4 GENE TECHNOLOGY BILL 2002: (*Minister for Health*): Detail stage – Clause 4 – Resumption of debate (*from 28 August 2003 – Mr Smyth*).
- 5 ANNUAL LEAVE AMENDMENT BILL 2003: (*Minister for Industrial Relations*): Agreement in principle – Resumption of debate (*from 25 September 2003 – Mr Pratt*).
- 6 STATE OF THE TERRITORY'S FINANCE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 7 March 2002 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.

- 7 INDEPENDENT COMPETITION AND REGULATORY COMMISSION - INVESTIGATION INTO COMPETITION IMPLICATIONS OF PROVISION OF WHEELCHAIR ACCESSIBLE TAXI SERVICES BY A SINGLE NETWORK – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 13 December 2001 – Mr Wood*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 8 FINANCIAL MANAGEMENT ACT – CONSOLIDATED FINANCIAL MANAGEMENT REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 15 May 2002 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 9 GAMING MACHINE ACT – ACT GAMBLING AND RACING COMMISSION – REPORT ON COMMUNITY CONTRIBUTIONS MADE BY GAMING MACHINE LICENSEES – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 10 PUBLIC RENTAL HOUSING ASSISTANCE PROGRAM – AMENDMENT TO RESTORE SECURITY OF TENURE TO PUBLIC TENANTS – STATEMENT BY MINISTER – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 10 December 2002 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 11 FULL RETAIL COMPETITION – IMPACT ON ACT LOW INCOME EARNERS – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 20 February 2003 – Mr Cornwell*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 12 INDIGENOUS EDUCATION – FOURTH SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 4 March 2003 – Ms Gallagher – in continuation*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 13 INQUIRIES ACT – BOARD OF INQUIRY INTO DISABILITY SERVICES – IMPLEMENTATION OF THE GOVERNMENT RESPONSE – FIRST SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 1 April 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 14 INQUIRY INTO EDUCATION FUNDING IN THE ACT – REPORT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 8 May 2003 – Mr Cornwell*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.

- 15 VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT – REVIEW OF OPERATION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 16 CHILDREN AND YOUNG PEOPLE ACT – REVIEW – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Bourke*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 17 LAW REFORM COMMISSION REPORT ON BAIL – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 19 June 2003 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 18 RESPITE CARE PROJECT – MET AND UNMET NEEDS – FINAL REPORT – SUSTAINING CARING RELATIONSHIPS – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 24 June 2003 – Mr Cornwell*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
- 19 ACT TAXI SUBSIDY SCHEME – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 June 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 20 FUTURE OF BURNIE COURT LAND – MINISTERIAL STATEMENT – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 28 August 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 21 AUSTRALIAN CRIME COMMISSION (A.C.T.) BILL 2003: (*Minister for Police and Emergency Services*): Agreement in principle – Resumption of debate (*from 23 October 2003 – Mr Stefaniak*).
- 22 A.C.T. GAMBLING AND RACING COMMISSION – REVIEW – GAMING MACHINE ACT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 23 October 2003 – Mr Stefaniak*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 23 INDOOR AIR QUALITY MONITORING – ENVIRONMENTAL TOBACCO SMOKE – REPORT AND GOVERNMENT RESPONSE – PAPERS – MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 23 October 2003 – Mrs Burke*) on the motion of Mr Corbell – That the Assembly takes note of the papers.
- 24 HUMAN RIGHTS BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 18 November 2003 – Mr Stefaniak*).

- 25 PARENTAGE BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 20 November 2003 – Mr Stefaniak*).
- 26 SEXUALITY DISCRIMINATION LEGISLATION AMENDMENT BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 20 November 2003 – Mr Stefaniak*).
- 27 REVENUE LEGISLATION AMENDMENT BILL 2003 (NO. 3): (*Treasurer*): Agreement in principle – Resumption of debate (*from 20 November 2003 – Mr Smyth*).
- 28 BUILDING BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 20 November 2003 – Mrs Dunne*).
- 29 CONSTRUCTION OCCUPATIONS (LICENSING) BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 20 November 2003 – Ms Dundas*).
- 30 CONSTRUCTION OCCUPATIONS LEGISLATION AMENDMENT BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 20 November 2003 – Mrs Dunne*).
- 31 ELECTORAL AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 20 November 2003 – Ms Dundas*).
- 32 STRUCTURE OF COMMUNITY HOUSING CANBERRA LTD – REVIEW – MINISTERIAL STATEMENT – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 20 November 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.

### Notices – continued

- 9 MR STANHOPE: To move – That the Legislative Assembly for the Australian Capital Territory, having noted that:
  - (1) subsection 8(2) of the *Australian Capital Territory (Self-Government) Act 1988* (the Act) provides that the Assembly shall consist of 17 members;
  - (2) subsection 8(3) of the Act provides that the Governor-General may make regulations under the Act to fix a different number of members;
  - (3) regulations may only be made for this purpose in accordance with a resolution passed by the Assembly; and
  - (4) regulations would need to be made no later than April 2003 so that the necessary electoral redistribution can be conducted in time for the ACT election scheduled for October 2004;

hereby resolves that the number of members of the Legislative Assembly should be increased from 17 to 25 by regulations made by the Governor-General for the purposes of subsection 8(3) of the Act; and

calls upon the Chief Minister to communicate this resolution to the Commonwealth Government with a request that the regulations increasing the number of members be made at the earliest opportunity but no later than 31 March 2003. (*Notice given 25 September 2002*).

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## PRIVATE MEMBERS' BUSINESS

### Notices

- 1 MRS CROSS: To move - That the Assembly calls on the Government to:
  - (1) investigate the issue of fireworks in the ACT with respect to the noise and inconvenience caused by the loud bang factor;
  - (2) investigate the lowering of the maximum content of 'flash powder' to an amount such as 100 mg per firecracker effect and reduce the confusion of the definition of Shopgood Fireworks. (*Notice given 17 June 2003*).
- 2 MS TUCKER: To move – That this Assembly:
  - (1) commends the Government for proposing a rebate scheme for owners of houses reliant on wood burning heaters;
  - (2) calls on the Government to develop a comprehensive strategy and timetable to eliminate the problem of wood smoke pollution in the ACT, incorporating such measures as:
    - (i) implementing enhanced air quality monitoring, including both airborne particles (PM10) and smaller airborne particles (PM 2.5), as recommended as the top priority in the State of the Environment Report 2000;
    - (ii) introducing mobile air monitoring of the Tuggeranong Valley and other wood smoke affected areas of Canberra.
    - (iii) commissioning a study into the long-term health effects of wood smoke pollution on Canberra residents;
    - (iv) replacing wood burning heaters in government-owned homes in Canberra;

- (v) resourcing Environment ACT to enforce the penalty provisions contained in part 13 of the Environment Protection Act applying to excessively smoking chimneys;
  - (vi) providing regular information for broadcasting daily winter air pollution levels for the Tuggeranong Valley and other parts of Canberra as part of the weather forecasts on daily television and radio news bulletins;
  - (vii) working with rental property owners to encourage them to convert their properties to cleaner and more efficient forms of heating;
  - (viii) further public education initiatives on the proper use of wood-burning heaters; and
- (3) calls on the Government to include in the Spatial Plan process an investigation of the possibility of sustainable wood supply in the ACT. *(Notice given 6 May 2003).*
- 3 MR SMYTH: To move – That this Assembly, noting that the Government’s proposed new land rating system:
- (1) has not been adequately tested or modeled;
  - (2) is unfair and regressive;
  - (3) will lead to wildly different rates being levied on owners of properties of equivalent value.
- Calls on the Government to:
- (4) not introduce the new system in the 2003-04 financial year;
  - (5) undertake full assessment and modeling of the proposed new system;
  - (6) report the findings of this assessment and modeling to the Assembly by the end of 2003. *(Notice given 1 April 2003).*
- 4 MRS DUNNE: To move – That this Assembly calls on the Minister for Planning to immediately recommence the master planning process for the Kippax Group Centre. *(Notice given 9 May 2002).*
- 5 MR PRATT: To move – That this Assembly:
- (1) notes that the Department of Education will vacate the O’Connell Education Centre of the site of the old Griffith Primary School site by the end of this school year;

- (2) notes that the Blue Gum School is currently in unacceptable accommodation and needs to move into more acceptable accommodation at the end of the current school year;
  - (3) calls on the Minister for Education to explore all educational options (Departmental, government and non government) for the O'Connell Centre before it is made surplus to requirement. (*Notice given 25 June 2002*).
- 6 MRS DUNNE: To move – That this Assembly calls on the Minister for Urban Services to immediately allocate funds for the site selection and design of a permanent library and community centre at the Kippax Group Centre. (*Notice given 9 May 2002*).
- 7 MS TUCKER: To move – That this Assembly:
  - (1) having noted that under the *Australian Capital Territory (Self-Government) Act 1988* the size of the Assembly can only be altered by regulations in accordance with a resolution passed by the Assembly;
  - (2) hereby resolves that the number of members of the Legislative Assembly should be increased from 17 to 21, with 7 members elected from each of 3 electorates; and
  - (3) calls upon the Chief Minister to communicate this resolution to the Minister for Regional Services, Territories and Local Government with a request that the regulations increasing the number of members be made by no later than 31 March 2003 so that the necessary electoral redistribution can be conducted in time for the ACT election scheduled for October 2004. (*Notice given 19 November 2002*).
- 8 MRS DUNNE: To move – That noting recommendation 4 of Report No 4 of the Standing Committee on Planning and Environment into Draft Variation No 174 to the Territory Plan, the Hungarian-Australian Club site and Community Facility Land, this Assembly calls on the Government to review the operation of all pre self-government concessional leases. (*Notice given 11 December 2002*).
- 9 MS DUNDAS: To move – That this Assembly, recognising the need for a Youth Night Shelter in Civic to provide safe overnight accommodation for young people unable to return home late at night, calls on the ACT Government to make the establishment of a youth night shelter a high priority for the 2003-2004 financial year (*Notice given 4 March 2003*).
- 10 MR STEFANIAK: To move – That the Assembly calls on the Government to commemorate the achievements and contributions made by the Cannons, Capitals and Brumbies by means of honour plaques laid on London Circuit similar to the honour plaque already laid to commemorate the contribution made by the Canberra Raiders. (*Notice given 4 March 2003*).

- 11 MRS BURKE: To move – That this Assembly calls upon the government to establish suitable community support mechanisms for illicit drug dependent parents to assist them in moving away from a drug dependent lifestyle to ensure the well being and safety of their children. (*Notice given 4 March 2003*).
- 12 MRS CROSS: To move – That the Assembly calls on the Chief Minister:
- (1) to table Howard McBeth's 1994 report into the adequacy of the Territory's fire prevention strategies;
  - (2) to incorporate the McBeth report into the Government's operational response to the 18 January 2003 bushfires. (*Notice given 5 March 2003*).
- 13 MS DUNDAS: To move – That this Assembly calls on the ACT Government to audit the superannuation and workers compensation entitlements of all fire-fighters who have been transferred from the NSW Fire Brigade to the ACT Fire Brigade, and report to the Assembly by 19 August 2003. (*Notice given 1 April 2003*).
- 14 MS DUNDAS: To move – That this Assembly calls on the ACT Government to immediately establish a Taskforce reporting directly to Cabinet, with parent, principal, teacher and Government representation, to evaluate and implement recommendations from the Connors Inquiry into ACT Education Funding. (*Notice given 1 April 2003*).
- 15 MR PRATT: To move – That this Assembly:
- (1) expresses its concern that those students of Tuggeranong College who drive their own cars are required to pay for their own school hours parking, the only students in the ACT required to do so;
  - (2) calls upon the Department of Urban Services to put in place an adequate number of dedicated car spaces for free student parking and other suitable administrative arrangements to allow such parking to occur. (*Notice given 24 June 2003*).
- 16 MR PRATT: To move – That this Assembly
- (1) concerned at the ongoing difficulties with the sale and illegal trafficking of fireworks, including illegal and dangerous items, notes that the ACT community has exhausted its patience with this unacceptable, disruptive and unsafe state of affairs;
  - (2) hereby calls upon the government to as quickly as possible:
    - (a) pass legislation that will ban the retail sale of shop good fireworks in the ACT;

- (b) restrict the use of all fireworks to certified pyro-technicians and government approved community organizations;
  - (c) permit community organisations restrictive use of fireworks only at the Queen's Birthday long weekend between 5 pm – 10 pm on prescribed nights;
  - (d) introduce stricter penalties for the illegal sale and use of fireworks;
  - (e) ensure that penalties are enforced. *(Notice given 24 June 2003).*
- 17 MS DUNDAS: To move – That this Assembly calls on the ACT Government to develop a loan scheme to encourage more ACT households to purchase rainwater tanks, for implementation in the 2004-2005 financial year. *(Notice given 26 August 2003).*
- 18 MS MACDONALD: To move – That the Assembly:
- (1) expresses concern at the Federal Government's intention to remove excise free status on the environmentally friendly fuel, LPG;
  - (2) recognises the crisis the LPG industry will face if such an excise is introduced;
  - (3) notes the importance of promoting environmentally friendly fuels and vehicles;
  - (4) acknowledges the ACT Government for directing all ACT Government departments to replace at least one fleet vehicle with an environmentally friendly hybrid vehicle and signing up the Greenfleet program;
  - (5) recognises the importance of programs such as Greenfleet in sustaining the environment. *(Notice given 25 November 2003).*

## Orders of the day

- 1 INQUIRIES AMENDMENT BILL 2002: *(Mr Humphries)*: Agreement in principle – Resumption of debate *(from 15 May 2002 – Mr Stanhope)*.
- 2 LAND (PLANNING AND ENVIRONMENT) LEGISLATION AMENDMENT BILL 2001: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 12 December 2001 – Mr Corbell)*.
- 3 CRIMES AMENDMENT BILL 2001 (NO 3): *(Mr Stefaniak)*: Agreement in principle – Resumption of debate *(from 12 December 2001 – Mr Stanhope)*.
- 4 SUPREME COURT AMENDMENT BILL 2001 (NO 2): *(Mr Stefaniak)*: Agreement in principle – Resumption of debate *(from 12 December 2001 – Mr Stanhope)*.

- 5 STATISTICAL PROFILE ON THE ADMINISTRATION OF JUSTICE AND REVIEW OF THE OPERATION OF THE VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT - MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 7 March 2002 – Mrs Dunne*) on the motion of Mr Stefaniak – That the Assembly takes note of the papers.
- 6 PROPOSED TIMETABLE FOR THE COMPLETION OF THE GUNGAHLIN DRIVE EXTENSION: Resumption of debate (*from 5 June 2002 – Ms Dundas*) on the motion of Mrs Dunne – That this Assembly:
  - (1) notes the ACT Government's commitment to build the Gungahlin Drive extension on time, on the western alignment, and to the same budget as that allocated to the eastern alignment; and
  - (2) directs the Minister for Planning, Mr Corbell, to table before the Assembly rises on Thursday, 6 June 2002 his proposed timetable for completing the Gungahlin Drive extension including but not limited to the:
    - (a) commencement and completion of environmental planning;
    - (b) commencement and completion of engineering planning;
    - (c) commencement of the draft variation process;
    - (d) timetable for the letting of tenders;
    - (e) commencement of works; and
    - (f) completion of works.
- 7 COMMUNITY REFERENDUM BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 28 August 2002 – Mr Stanhope*).
- 8 CRIMES AMENDMENT BILL 2002: (*Mr Pratt*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Stanhope*).
- 9 BUILDING (WATER EFFICIENCY) AMENDMENT BILL 2002: (*Mrs Dunne*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Corbell*).
- 10 LITTER AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 20 November 2002 – Mr Corbell*).
- 11 PUBLIC ACCESS TO GOVERNMENT CONTRACTS AMENDMENT BILL 2002 (NO. 2): (*Ms Dundas*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).
- 12 COSTING OF ELECTION COMMITMENTS BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).
- 13 FINANCIAL LEGISLATION (INTEGRITY AND RESPONSIBILITY) AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 11 December 2002 – Mr Quinlan*).

- 14 BUSHFIRE RECONSTRUCTION AUTHORITY BILL 2003: *(Mrs Dunne)*: Agreement in principle – Resumption of debate *(from 5 March 2003 – Mr Stanhope)*.
  - 15 GAMING MACHINE (POLITICAL DONATIONS) AMENDMENT BILL 2003: *(Mrs Cross)*: Agreement in principle – Resumption of debate *(from 7 May 2003 – Mr Quinlan)*.
  - 16 BUSHFIRE INQUIRY (PROTECTION OF STATEMENTS) AMENDMENT BILL 2003 (NO. 2): *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 18 June 2003 – Mr Wood)*.
  - 17 CORRECTIONS REFORM AMENDMENT BILL 2003: *(Mr Smyth)*: Agreement in principle – Resumption of debate *(from 25 June 2003 – Mr Stanhope)*.
  - 18 ELECTORAL AMENDMENT BILL 2002: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 20 August 2003 – Mr Hargreaves)*.
  - 19 GOVERNMENT PROCUREMENT (PRINCIPLES) GUIDELINE AMENDMENT BILL 2003: *(Ms Dundas)*: Agreement in principle – Resumption of debate *(from 27 August 2003 – Mr Quinlan)*.
  - 20 DRUGS OF DEPENDENCE AMENDMENT BILL 2003: *(Mr Stefaniak)*: Agreement in principle – Resumption of debate *(from 24 September 2003 – Mr Stanhope)*.
  - 21 LITTER (LITTERING FROM MOTOR VEHICLES) AMENDMENT BILL 2003: *(Mr Cornwell)*: Agreement in principle – Resumption of debate *(from 22 October 2003 – Mr Wood)*.
  - 22 PROPOSED AMENDMENT TO STANDING ORDER 118 – ANSWERS TO QUESTIONS WITHOUT NOTICE: Resumption of debate *(from 7 May 2003 – Ms Tucker)* on the motion of Mr Cornwell – That this Assembly amends Standing Order 118, in accordance with the Australian Labor Party's *Labor's 2001 ACT Election Commitments* (page 35, paragraph 8 'We will limit Ministers' answers to Questions to five minutes), by adding a new sub-section (c) shall not be longer than five minutes in length, and amends existing sub-section (b) by adding 'and' after 'refers'.
  - \*23 GMO (ENVIRONMENT PROTECTION) BILL 2003: *(Ms Tucker)*: Agreement in principle – Resumption of debate *(from 26 November 2003 – Mr Corbell)*.
  - \*24 FINANCIAL MANAGEMENT AMENDMENT BILL 2003 (NO. 3): *(Ms Dundas)*: Agreement in principle – Resumption of debate *(from 26 November 2003 – Mr Quinlan)*.
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**Referred to Standing Committee on Legal Affairs on****7 May 2003**

LONG SERVICE LEAVE (PRIVATE SECTOR) BILL 2003: (*Mr Berry*):  
Resumption of debate – Agreement in principle (*Ms Gallagher*).

**23 October 2003**

VICTIMS OF CRIME (FINANCIAL ASSISTANCE)  
AMENDMENT BILL 2003: (*Attorney-General*):  
Resumption of debate – Agreement in principle (*Mr Smyth*).

**Referred to Standing Committee on Planning and Environment on****17 June 2003**

ROAD TRANSPORT (PUBLIC PASSENGER SERVICES)  
AMENDMENT BILL 2003: (*Minister for Urban Services*): Resumption of debate –  
Agreement in principle (*Mrs Dunne*).

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**QUESTIONS ON NOTICE**

On the first sitting day of a period of sittings a complete *Notice Paper* is published containing all unanswered questions. On subsequent days, only new and redirected or revised questions are included on the *Notice Paper*.

**Unanswered questions**

1021, 1042, 1054, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066,  
1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078,  
1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090,  
1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102,  
1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1114, 1115,  
1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127,  
1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138,  
1139

**27 November 2003**

*(Redirected question – 30 days expires 25 December 2003)*

\*1113 MR SMYTH: To ask the Minister for Education, Youth and Family Services – In relation to adoptions in the ACT:

- (1) How many adoptions were processed in the ACT in:
  - (a) 2000-2001;
  - (b) 2001-2002;
  - (c) 2002-2003;
  - (d) to date in 2003-04 (if any);
- (2) Have any same sex couples contacted the government interested in adopting children, if so, how many and when;
- (3) On average how long does it take to process an adoption in the ACT.

***New questions***

*(30 days expires 27 December 2003)*

\*1140 MRS DUNNE: To ask the Chief Minister – In relation to the ACT flag:

- (1) What are the rules and/or regulations governing who can use the ACT flag to promote the Territory;
- (2) Can members of the public obtain an ACT flag;
- (3) If yes to (2) how and at what cost. If no to (2) why not;
- (4) Does the ACT promote its flag on material sold at tourist stores;
- (5) If yes to (4) on what sort of material. If no to (4) why not.

\*1141 MR CORNWELL: To ask the Minister for Urban Services – In relation to junk mail:

- (1) How many fines or warnings have been issued to companies found to be posting junk mail advertisements on the windscreens of cars in the ACT in (a) 2002 and (b) 2003 to date;
- (2) How are the regulations, preventing junk mail being deposited on windscreens, being enforced;
- (3) What is the approximate annual cost of policing these regulations.

\*1142 MR PRATT: To ask the Minister for Education, Youth and Family Services – In relation to the transportable amenity improvement program (TAIP):

- (1) Why was TAIP revised down by \$35 000 in the 2002-03 capital works program;
- (2) What schools have missed out on improving the amenity of their transportables due to the expenditure being revised down;
- (3) What schools benefited from the \$65 000 spent last financial year and what works were undertaken as part of that expenditure.

\*1143 MR PRATT: To ask the Minister for Education, Youth and Family Services – In relation to school thefts:

- (1) How many schools have been broken into so far this school year;
- (2) In each case what goods were stolen from the school and what was the value of each theft;
- (3) How many (a) school computers and (b) teacher computers have been stolen from schools so far this year;
- (4) In how many cases did the school itself have to recover insurance costs;
- (5) In how many cases did the Department of Education, Youth and Family Services recover the insurance cost;
- (6) What is the average cost of theft to schools in Canberra each year;
- (7) What level of theft must occur before the Department picks up the insurance costs;
- (8) Has there even been an instance where a school has not been able to afford the insurance costs associated with theft. If so, which school, when, and how was this/these cases then handled.

\*1144 MR PRATT: To ask the Minister for Disability, Housing and Community Services – According to the Capital Works Progress Report for 2002-03 a total of \$53 000 was allocated in the 2002-03 Budget for three different Youth Centre projects as shown on the June quarter report for the Department of Disability, Housing and Community Services. Upon looking at the Department of Education, Youth and Family Services (DEYFS), quarterly report the same projects appear but with different monetary values:

- (1) Are these the same projects, which have been doubled up in the report;
- (2) If so why are there different figures for similar projects in DEYFS. If not:

- (a) why have these projects been delayed;
- (b) are they still on the agenda, if not, why not;
- (c) if so to (b) when will they be completed.

\*1145 MR PRATT: To ask the Minister for Police and Emergency Services – In relation to the Woden Police Station:

- (1) A total of \$5 million was allocated in 2002-03 for the Woden Police Station, but this figure was revised down to \$120 000, why is this so;
- (2) Why was only \$61 000 of that \$120 000 expended at the end of 2002-03;
- (3) What was delivered for the \$61 000 expended last financial year;
- (4) \$5.605 million has been allocated for expenditure in 2003-04, how much of that allocation has been expended to date this financial year. If funds have been expended this financial year, what has been delivered for that expenditure;
- (5) The date listed for starting work on this project is June 2003, is this still accurate and has work begun. If not, why not;
- (6) Will the remainder of the funds be expended this financial year;
- (7) Has a contract been let for this project. If so, who was awarded the contract, if not, when will the contract be let;
- (8) The completion date listed for this project in the Budget Papers is March 2005, while the date listed in the 2002-03 Capital Works Progress Report is June 2006. Which is the correct date, or is there a new date altogether.

\*1146 MR CORNWELL: To ask the Minister for Urban Services – In relation to a bushfire memorial:

- (1) What consultation has the government undertaken with the community in regards to the establishment of a bushfire memorial in Canberra;
- (2) How many suggestions have been presented to the government for a bushfire memorial;
- (3) When will the government make a final decision on the design, structure, siting and construction of a bushfire memorial in Canberra;
- (4) What is the estimated cost, start and completion date for this project;
- (5) Who will pay for this memorial.

\*1147 MR SMYTH: To ask the Chief Minister – In relation to community consultation. Does the Government still use the Community Consultation Protocol and Community Consultation Manual implemented under the former Liberal Government. If not, why not and what guidelines has the Government established for community consultation.

\*1148 MR SMYTH: To ask the Chief Minister – In relation to aboriginal sacred sites:

- (1) What studies or works remain to be completed in regenerating or evaluating aboriginal sacred sites damaged during the January bushfires;
- (2) Has the evaluation of sacred trees been completed and what action can now take place following that evaluation;
- (3) What is the estimated monetary loss of aboriginal sacred sites in the January bushfires.

\*1149 MR SMYTH: To ask the Minister for Urban Services – In relation to shopping centre upgrades:

- (1) Has the Minister received any requests or bids for shopping centre upgrades as part of the 2004-05 Budget. If so, which shopping centres have asked for consideration in the next budget;
- (2) What shopping centre upgrades are taking place this financial year and to what dollar value.

\*1150 MR SMYTH: To ask the Minister for Economic Development, Business and Tourism – In relation to the Rally of Canberra:

- (1) Will the government provide funds to host the 2004 Rally of Canberra;
- (2) Will Australian Capital Tourism still organise the event and what section will look after Rally of Canberra given the changes to the tourism agency in the ACT;
- (3) Has any planning begun for the 2004 event, if so, has Australian Capital Tourism been given any indication of how many nominations will be received for the 2004 event;
- (4) Will Subaru sponsor the 2004 event, if not, why not and what plans are underway to find a new sponsor.

\*1151 MR SMYTH: To ask the Treasurer – In relation to Canberra Stadium:

- (1) How many events are planned to take place at Canberra Stadium next year;
- (2) Other than NRL and Super 12 matches what events will take place and on what dates;
- (3) What is the estimated income for the Stadiums Authority from the events planned in 2004.

\*1152 MR SMYTH: To ask the Treasurer – In relation to the changed arrangements for exemptions from land tax for residential properties owned by a trust or a company, that were implemented as part of the 2002-03 Budget:

- (1) How many properties have had their exemptions from land tax removed as a result of these new arrangements;
- (2) How much revenue has been raised from the removal of exemptions for these categories of property;
- (3) Following the implementation of the new arrangements, how many requests have been made seeking relief from the impact of the new arrangements;
- (4) Of any requests that have been made, have these requests been accepted as valid and, if so, what has been the outcome of these requests;
- (5) Have any requests for relief been rejected. If so on what basis were these requests rejected.

\*1153 MR SMYTH: To ask the Treasurer – In relation to the reviews conducted by international ratings agencies, such as Standard and Poor's and Moody's of the ACT economy:

- (1) What is the nature of any contact that is made between ratings agencies and the ACT Government. In addition to the Treasury, are any other Departments or agencies of the ACT Government involved;
- (2) Are regular meetings or briefing sessions held involving a particular ratings agency and the ACT Government. If so, what is the frequency of these meetings and briefing sessions. If not, why not;
- (3) Are meetings or briefing sessions arranged with ratings agencies that involve the Treasurer and/or the staff of the Treasurer. If so, what is the frequency of these meetings and briefing sessions, if not, why not;
- (4) Is there any *ad hoc* contact between ratings agencies and the ACT Government. If not, why not;

- (5) Are drafts of reports being prepared by a rating agency provided to the ACT Government for comment prior to that agency finalising and releasing the relevant report; if not, why not.

\*1154 MR SMYTH: To ask the Treasurer – In relation to the goods and services tax:

- (1) The ACT Budget for 2003-04 estimated that the ACT would receive \$626.5 million in 2003-04 from the goods and services tax. Is this estimate still valid;
- (2) If there has been any change to the estimate of receipts from this tax, what is the new estimate of receipts and what is the basis for the change in the estimate;
- (3) For each of the years for which revenue has been received from the goods and services tax:
  - (a) what was the estimate of revenue for each year;
  - (b) what was the actual revenue received for each year;
  - (c) what were the reasons for any variation between the estimated revenue and the actual revenue received;
- (4) For the out years, how have the estimates for receipts of revenue from the goods and services tax been developed;
- (5) What factors are likely to influence these estimates.

\*1155 MRS BURKE: To ask the Minister for Disability, Housing and Community Services – In relation to properties within the ACT and ACT Housing stock. For each suburb within the ACT, please specify:

- (1) How many properties are located within each suburb;
- (2) Further to (1), how many of these are owned by ACT Housing;
- (3) Further to (2), what percentage is this of the total number of properties within this area.

\*1156 MRS BURKE: To ask the Minister for Disability, Housing and Community Services – In relation to issues concerning eligibility requirements for ACT Housing tenants:

- (1) What are the current processes for ensuring the eligibility requirements concerning both allocations and transfers are satisfactorily met within the system;

- (2) In relation to allocations, including early-allocations, how many individual cases involving the breach of the eligibility requirements have been identified:
  - (a) since 1 July 2003;
  - (b) for the period 1 July 2002 to 30 June 2003;
- (3) In relation to transfer applications, how many individual cases involving breach of the eligibility requirements have been identified:
  - (a) since 1 July 2003;
  - (b) for the period 1 July 2002 to 30 June 2003;
- (4) Further to (2) and (3), please identify the range of circumstances in which people are found to be in breach of these terms;
- (5) What immediate sanctions, if any, are imposed upon such persons upon ACT Housing becoming aware of such circumstances;
- (6) Further to (5), in relation to cases identified in (2) and (3) please indicate, by category identified in response to (5), the imposition of such sanctions for these cases for the periods stated;
- (7) Further to (5), what longer-term consequences, if any, apply to such people in terms of their future public housing options.

\*1157 MRS BURKE: To ask the Minister for Disability, Housing and Community Services – In relation to the attendance of ACT Housing staff at tribunal and other legal proceedings:

- (1) What is the breakdown showing the attendance of ACT housing staff at legal proceedings (where applicable provide an estimate or average figure, so far as records maintained allow) for the periods 1 July 2003 to date, 1 July 2002 to 30 June 2003, 1 July 2001 to 30 June 2002 and 1 July 2000 to 30 June 2001 in relation to:
  - (a) Staff (distinguish between the employment classification of relevant affected employee);
  - (b) Tribunal (distinguish in all responses between attendances at the tribunal and other locations (eg Local Court, other courts or administrative bodies));
  - (c) Nature of proceedings (provide a breakdown of the types of cases in which officers are directly involved);

- (2) In the event that the requirement of ACT Housing officers and staff to be available to appear in legal proceedings concerning a range of issues arising from the ACT public housing system has become an increasing time burden on such employees and their performance of their other work responsibilities, what measures, if any, are being taken to help alleviate this growing problem.

**T Duncan**

Clerk of the Legislative Assembly

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## COMMITTEES

*Unless otherwise shown, appointed for the life of the Fifth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.*

### Standing

*Pursuant to standing order*

ADMINISTRATION AND PROCEDURE: *(Formed 12 November 2001)*: The Speaker *(Presiding Member)*, Ms Dundas, Mrs Dunne *(from 18 February 2003)*, Mr Hargreaves, Ms MacDonald *(during the absence of Mr Hargreaves from 11-27 May 2002)*, Mr Stefaniak *(during the absence of Mrs Dunne on 6 May 2003)*.

*Pursuant to resolution*

COMMUNITY SERVICES AND SOCIAL EQUITY: *(Formed 11 December 2001; Amendment to resolution of appointment 21 November 2002)*: Mr Hargreaves *(Chair)*, Mr Cornwell *(from 21 November 2002)*, Mrs Cross, Ms Dundas.

EDUCATION: *(Formed 11 December 2001)*: Ms MacDonald *(Chair)*, Ms Dundas, Mr Pratt.

HEALTH: *(Formed 11 December 2001)*: Ms Tucker *(Chair)*, Mrs Burke *(from 18 February 2003)*, Ms MacDonald.

LEGAL AFFAIRS: *(Formed 11 December 2001):* Mr Stefaniak *(Chair)*, Mr Hargreaves, Ms Tucker.

PLANNING AND ENVIRONMENT: *(Formed 11 December 2001; Amendment to resolution of appointment 21 November 2002):* Mrs Dunne *(Chair)*, Mrs Cross *(from 21 November 2002)*, Ms Dundas, Mr Hargreaves *(from 30 January 2003)*.

PUBLIC ACCOUNTS: *(Formed 11 December 2001):* Mr Smyth *(Chair)*, Ms MacDonald *(from 30 January 2003)*, Ms Tucker.

## **Dissolved**

ESTIMATES 2001-02: *(Formed 19 February 2002):* Mr Humphries *(Chair)*, Ms Dundas, Mr Hargreaves. *(Presented 9 April 2002)*.

ESTIMATES 2002-03: *(Formed 6 June 2002):* Mr Humphries *(Chair)*, Mr Hargreaves, Ms Dundas, Mrs Dunne, Ms Gallagher. *(Printing, circulation and publication authorised 19 August 2002; presented 20 August 2002)*.

ESTIMATES 2003-04: *(Formed 3 April 2003):* Mr Smyth *(Chair)*, Mrs Cross, Mr Hargreaves, Mrs Dunne, Ms MacDonald. *(Presented 17 June 2003)*.

ESTIMATES 2003-04 (NO. 2): *(Formed 19 August 2003):* Mr Smyth *(Chair)*, Ms Dundas, Mr Hargreaves. *(Presented 23 September 2003)*.

PRIVILEGES: *(Formed 6 June 2002):* Ms Tucker *(Chair)*, Mr Hargreaves, Mr Smyth. *(Presented 14 November 2002)*.

PRIVILEGES: *(Formed 26 June 2003):* Ms Dundas *(Chair)*, Mr Quinlan, Mr Stefaniak. *(Presented 18 November 2003)*.

STATUS OF WOMEN IN THE ACT: *(Formed 11 December 2001):* Ms Gallagher *(Chair)*, Mrs Cross, Ms Dundas. *(Presented 21 November 2002)*.

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