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Legislative Assembly for the  
Australian Capital Territory

**2016-2017-2018-2019**

**Notice Paper**

No 105

Wednesday, 14 August 2019

The Assembly meets this day at 10 am

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**PRIVATE MEMBERS’ BUSINESS**

**Notices**

1 **Mr Coe**: To present a Bill for an Act to amend the *Planning and Development Act 2007*. *(Notice given 12 August 2019)*.

2 **Mrs Dunne**: To move—That this Assembly:

(1) notes:

(a) the recommendations contained in the report of Nous Group, dated 2 July 2019, titled *Access to Hydrotherapy in the ACT*;

(b) the general community considers the hydrotherapy pool at The Canberra Hospital (the pool) a significantly important resource for the physical and social wellbeing of the people who use it;

(c) during 2018-19 the pool had no closures due to unplanned equipment breakdowns, but the hydrotherapy pool at the University of Canberra Public Hospital had two; and

(d) the Government has stated previously that it would keep the pool open until a suitable alternative facility is available on the south side of Canberra; and

(2) calls on the Minister for Health to:

(a) affirm that the Government will keep the pool open until a suitably equipped and specified alternative, with regular and adequate public access is available on the south side of Canberra; and

(b) by the end of the October 2019 sitting period, report to the Assembly on the Government’s plans for a suitably equipped and specified hydrotherapy pool, with regular and adequate public access on the south side of Canberra. (*Notice given 12 August 2019. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

3 **Ms Cody**: To move—That this Assembly:

(1) notes that:

(a) the National Disability Insurance Scheme (NDIS) provides people with a permanent and significant disability, aged under 65, with the reasonable and necessary supports they need to live an ordinary life;

(b) the ACT was the first state or territory to sign up to the NDIS in 2013 and the first to transition all eligible participants into the Scheme in 2016‑17; and

(c) the NDIS has tri-partisan support at the Commonwealth and territory level;

(2) further notes that:

(a) the Administrative Appeals Tribunal (AAT) recently ruled that sex therapy should be considered a “necessary and reasonable support” for a NDIS participant;

(b) the Federal Minister for the NDIS has indicated that the AAT ruling would be appealed to the Federal Court, stating that the services were “not in line with community expectations of what are reasonable and necessary supports";

(c) any changes to the NDIS (Support for Participants) Rules 2013 to exclude sex or services intended to cause sexual release from participants plans would be a Category A change and require agreement of all state and territory governments; and

(d) the ACT Minister for Disability has stated that the ACT Government will not support any such rule change; and

(3) calls on the ACT Legislative Assembly to:

(a) recognise that, like everyone else, people with disability have sexual needs; and

(b) make a tri-partisan statement in support of the provision of sex therapy and sex work under the NDIS by forwarding this motion to the Prime Minister and Minister for the NDIS, signed by the leaders of all ACT Legislative Assembly parties. (*Notice given 12 August 2019. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

4 **Miss C Burch**: To move—That this Assembly:

(1) notes that:

(a) thousands of Canberrans rely on weekend bus services to travel around the city, and weekend service cancellations have led to many Canberrans being stranded at bus stops without any alternative;

(b) since the commencement of Network19, Transport Canberra has failed to achieve its stated target of 99.5 per cent of total services delivered to completion on weekends;

(c) over the two-month period from May to June this year there have been well over 2 000 cancellations of weekend bus services;

(d) the Transport Workers’ Union raised concerns to the ACT Government regarding weekend staffing levels before the new network was implemented and these concerns were not addressed; and

(e) as of today, the ACT Government has failed to deliver the bus network it promised Canberrans; and

(2) calls on the Minister for Transport and City Services to:

(a) explain to the Assembly what the Government is doing to improve the provision of real-time information about cancelled services to customers; and

(b) provide an updated weekend timetable that reflects the availability of weekend bus drivers by Wednesday of each week, so that Canberrans can plan their weekend travel accordingly. (*Notice given 12 August 2019. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

5 **Ms Lawder**: To move—That this Assembly:

(1) notes:

(a) that Anketell Street has recently been refurbished;

(b) that there are a number of cafes and restaurants with indoor and outdoor seating areas along Anketell Street; and

(c) the community opposition to buses running along Anketell Street, including a previous petition from Tuggeranong Community Council; and

(2) calls on the ACT Government to:

(a) recognise community opposition to buses along Anketell Street;

(b) recognise a more pleasant and conducive dining environment would be achieved without buses running along Anketell Street; and

(c) re-route buses away from Anketell Street. (*Notice given 29 July 2019. Notice will be removed from the Notice Paper unless called on within 3 sitting weeks – standing order 125A*).

6 **Mr Pettersson**: To move—That this Assembly:

(1) notes the popularity of Stage 1 of the Light Rail since it opened in April, including:

(a) 20 per cent of all boardings across the entire public transport network are now on a Light Rail service;

(b) public transport journeys starting in Gungahlin have increased 32 per cent compared to the same period last year;

(c) the millionth Light Rail passenger boarded Light Rail in mid-July;

(d) since the commencement of services, 15 125 passengers on average per day have used Light Rail. The estimated daily Light Rail patronage in the Light Rail Stage 1 business case was 15 120 per day in 2021; and

(e) the early success has led Canberra Metro to putting on an additional service on the morning and evening peaks, together with two extra services for students in the afternoon peak;

(2) notes that due to the success of Light Rail, services are nearing capacity in peak periods; and

(3) calls on the Government to work with Canberra Metro to explore the possibility of increasing services during the peak periods. (*Notice given 12 August 2019; amended 13 August 2019. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

7 **Mr Wall**: To move—That this Assembly:

(1) notes:

(a) the ACT is home to a number of animal related businesses including primary production, wildlife parks, as well as research facilities such as the CSIRO;

(b) recent protests around Australia co-ordinated by vegans opposed to all forms of livestock production;

(c) that up to 100 people at a time have stormed onto family farms, the addresses of which have been published online, with the intention of intimidating, threatening and bullying the owners;

(d) that these groups oppose many forms of animal related business and research including wildlife parks;

(e) the ACT has already experienced agricultural attacks when in 2011 Greenpeace protesters destroyed genetically modified wheat designed to increase nutrition and bowel health developed by the CSIRO;

(f) that any potential protests targeting wildlife parks pose a significant biosecurity and quarantine risk to the ACT and the broader Australian community;

(g) the Commonwealth Government’s call for states and territories to strengthen penalties and enforcement of criminal trespass offences for such events if they are carried out in the ACT; and

(h) that the NSW Government has passed legislation, creating a new offence for those causing a biosecurity risk by trespassing on a farm that incurs on the spot fines of $1 000 increasing to $220 000 for breaching farm biosecurity plans; and

(2) calls on the ACT Government to:

(a) commit to developing legislation to strengthen criminal trespass offences in line with the financial penalties recently implemented in NSW;

(b) ensure legislation in the ACT offers protection to all forms of animal related businesses including primary production, wildlife parks and research facilities; and

(c) condemn such offences and commit to actively deterring protests that illegally interfere with the conduct of a business. (*Notice given 12 August 2019. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

8 **Ms Lawder**: To move—That this Assembly:

(1) notes that:

(a) Canberrans are understandably concerned about water quality in our lakes and waterways;

(b) in 2014 the ACT Government and the Commonwealth committed $85 million to water quality projects across the ACT;

(c) Canberrans want to fully appreciate and enjoy the visual and recreational amenity of our lakes;

(d) staff of the Environment, Planning and Sustainable Development Directorate and multiple community groups across Canberra dedicate many hours of work in cleaning up waterways across the ACT; and

(e) despite all of this investment and effort our waterways continue to be contaminated and unusable for many users; and

(2) calls on the ACT Government to:

(a) report on what steps it is taking to make our waterways clean and safe for all water sports;

(b) provide a timeline for the completion of all current water quality projects; and

(c) provide projections for each of the water quality projects as to when Canberrans will be able to experience an improvement in the water quality of their local lakes, ponds and waterways. (*Notice given 3 June 2019. Notice will be removed from the Notice Paper unless called on within 2 sitting weeks – standing order 125A*).

**Orders of the day**

1 [**Planning and Development (Territory Plan Variations) Amendment Bill 2017**](http://www.legislation.act.gov.au/b/db_55871/default.asp): *(Ms Le Couteur)* Agreement in principle—Resumption of debate *(from 10 May 2017—Ms Lawder)*.

2 [**Crimes (Consent) Amendment Bill 2018**](http://www.legislation.act.gov.au/b/db_57900/default.asp): *(Ms Le Couteur)* Agreement in principle—Resumption of debate *(from 11 April 2018—Mr Ramsay)*.

3 **[Magistrates Court (Retirement Age of Magistrates) Amendment Bill 2018](http://www.legislation.act.gov.au/b/db_58053/default.asp)**: *(Mr Hanson)* Agreement in principle—Resumption of debate *(from 9 May 2018—Mr Ramsay)*.

4 [**Domestic Animals (Dangerous Dogs) Legislation Amendment Bill 2018**](https://www.legislation.act.gov.au/b/db_59106/): *(Ms Lawder)* Agreement in principle—Resumption of debate *(from 24 October 2018—Mr Steel)*.

5 [**drugs of dependence (personal cannabis use) amendment bill 2018**](https://legislation.act.gov.au/b/db_59295/): *(Mr Pettersson)*: Agreement in principle—Resumption of debate *(from 20 February 2019—Mr Rattenbury)*.

6 **Development Application Assessment**: Resumption of debate *(from 30 July 2019—Mr Wall)* on the motion of Mr Parton—That this Assembly:

(1) notes the:

(a) importance of an efficient development assessment system in achieving the Territory’s economic development objectives;

(b) vital role an efficient development assessment system plays in achieving the housing aspirations of the ACT community;

(c) average days to make a decision on a Development Application (DA) have increased from 62 days in mid-2018 to 90 days in January 2019;

(d) proportion of DA’s decided within specified timeframes has fallen to 30 percent;

(e) significant schedule and financial losses these delays impose on individuals and companies that have submitted a DA;

(f) tenuous position this imposes on many applicants;

(g) negative impact on the ACT Government’s credibility and reputation arising from these delays; and

(h) impact on the health and wellbeing of overloaded planning staff caught up in this stressful problem; and

(2) calls on the ACT Government to:

(a) take immediate steps to increase resources allocated to the DA determination and approval process;

(b) undertake regular monitoring of DA workloads to ensure applicants’ requirements are met within prescribed timeframes;

(c) ensure staff in the DA assessment and processing areas are appropriately oversighted to avoid negative health impacts arising from stressful workload levels;

(d) provide a report for each quarter on DA assessment and processing that details the following:

(i) staffing strength at the beginning of the quarter, staff departures from the DA assessment area during the quarter, staff recruited or added to the assessment area during the quarter, and staff strength at the end of each quarter;

(ii) number of staff in each quarter on leave, including sick leave and other categories of leave;

(iii) the average number of DAs processes by each assessor during the quarter; and

(iv) the number of DAs waiting for processing at the beginning of the quarter, the number received during the quarter, the number processed during the quarter and the number outstanding at the end of the quarter; and

(e) that the report detailed above be provided commencing with the June quarter 2019.

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**EXECUTIVE BUSINESS**

**Notices**

\*1 **Mr Rattenbury**: To present a Bill for an Act to amend the *Energy Efficiency (Cost of Living) Improvement Act 2012*, and for other purposes. *(Notice given 13 August 2019)*.

\*2 **Mr Rattenbury**: To present a Bill for an Act to amend the *Official Visitor Act 2012*, and for other purposes. *(Notice given 13 August 2019)*.

**Orders of the day**

1 [**Appropriation Bill 2019-2020**](https://legislation.act.gov.au/b/db_60215/): *(Treasurer)*: Further consideration at detail stage—Schedule 1—Part 1.6, Chief Minister, Treasury and Economic Development Directorate *(from 13 August 2019—Mr Gentleman)*.

2 [**Appropriation (Office of the Legislative Assembly) Bill 2019-2020**](https://legislation.act.gov.au/b/db_60216/): *(Treasurer)*: Agreement in principle—Resumption of debate *(from 4 June 2019—Mr Coe)*.

3 **UNFANTASTIC PLASTIC—THE 2018 REVIEW OF THE *PLASTIC SHOPPING BAGS BAN ACT 2010*—GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER**: Resumption of debate *(from 16 May 2019—Ms Lee)* on the motion of Mr Gentleman—That the Assembly takes note of the paper.

4 **Achievements in the first year—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER**: Resumption of debate *(from 31 October 2017—Mrs Jones)* on the motion of Mr Rattenbury—That the Assembly takes note of the paper.

5 [**Fisheries Legislation Amendment Bill 2019**](https://www.legislation.act.gov.au/b/db_60087/): *(Minister for the Environment and Heritage)*: Agreement in principle—Resumption of debate *(from 16 May 2019—Mr Hanson)*.

6 **Bimberi Headline Indicators Report—PAPER—MOTION TO TAKE NOTE OF PAPERS**: Resumption of debate *(from 4 April 2019—Mrs Kikkert)* on the motion of Mr Gentleman—That the Assembly take note of the paper.

7 **Female Detainee Accommodation at the Alexander Maconochie Centre—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER**: Resumption of debate *(from 31 October 2017—Mrs Jones)* on the motion of Mr Rattenbury—That the Assembly takes note of the paper.

8 **Education (Safe and Supportive Schools Advisory Committee)—Terms of Reference Determination—PAPER—MOTION TO TAKE NOTE OF PAPER**: Resumption of debate *(from 19 March 2019—Ms Lee)* on the motion of Mr Gentleman—That the Assembly take note of the paper.

9 **ACT HEALTH REPORTING—MINISTERIAL STATEMENT—motion to take note of paper**: Resumption of debate *(from 14 February 2017—Mr Wall)* on the motion of Ms Fitzharris—That the Assembly takes note of the paper.

10 [**Education Amendment Bill 2017**](http://www.legislation.act.gov.au/b/db_57057/default.asp): (*Minister for Education and Early Childhood Development)*: Agreement in principle—Resumption of debate *(from 26 October 2017—Mr Wall)*.

11 [**Electoral Amendment Bill 2018**](https://www.legislation.act.gov.au/b/db_59281/): *(Attorney-General)*: Detail stage—Clause 1—Resumption of debate *(from 12 February 2019—Mr Wall)*.

12 [**ACT Teacher Quality Institute Amendment Bill 2019**](https://legislation.act.gov.au/b/db_60234/): *(Minister for Education and Early Childhood Development)*: Agreement in principle—Resumption of debate *(from 6 June 2019—Mr Wall)*.

13 [**Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2019**](https://legislation.act.gov.au/b/db_60243/): *(Attorney-General)*: Agreement in principle—Resumption of debate *(from 6 June 2019—Mr Hanson)*.

14 [**Litter Legislation Amendment Bill 2019**](https://legislation.act.gov.au/b/db_60240/): *(Minister for City Services)*: Agreement in principle—Resumption of debate *(from 6 June 2019—Ms Lawder)*.

15 **ACT Mental Health Act 2015: Review of the Authorised period of emergency detention—paper—motion to take note of paper**: Resumption of debate *(from 30 July 2019—Mrs Dunne)* on the motion of Mr Gentleman—That the Assembly take note of the paper.

16 [**Animal Welfare legislation amendment bill 2019**](https://legislation.act.gov.au/b/db_60107/): *(Minister for City Services)*: Agreement in principle—Resumption of debate *(from 30 July 2019—Mrs Dunne)*.

17 [**Public Sector Management Amendment Bill 2019**](https://legislation.act.gov.au/b/db_60723/): *(Chief Minister)*: Agreement in principle—Resumption of debate *(from 1 August 2019—Mr Coe)*.

18 [**Planning and Development (Community Concessional Leases) Amendment Bill 2019**](https://legislation.act.gov.au/b/db_60724/): *(Minister for Planning and Land Management)*: Agreement in principle—Resumption of debate *(from 1 August 2019—Mrs Dunne)*.

19 [**Freedom of Information Amendment Bill 2019**](https://legislation.act.gov.au/b/db_60721/): *(Attorney-General)*: Agreement in principle—Resumption of debate *(from 1 August 2019—Mr Hanson)*.

20 **A step up for our kids: one step can make a lifetime of difference—A.c.t. out of home care strategy 2015-2020—final report for the mid-strategy evaluation—PAPER—MOTION TO TAKE NOTE OF PAPER**: Resumption of debate *(from 1 August 2019—Mrs Kikkert)* on the motion of Mr Gentleman—That the Assembly take note of the paper.

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**ASSEMBLY BUSINESS**

**Orders of the day**

**31 August 2019**

1 **Environment and Transport and City Services—Standing Committee**: Presentation of report on a new Territory Coat of Arms, pursuant to order of the Assembly of 29 November 2018; amended 16 May 2019; amended 30 July 2019.

**17 September 2019**

2 **Fuel Pricing—Select committee**: Presentation of report on fuel prices in the ACT, pursuant to order of the Assembly of 14 February 2019; amended 16 May 2019.

**24 October 2019**

3 **Education, Employment and Youth Affairs—Standing Committee**: Presentation of report on the management and minimisation of bullying and violence in government and non-government schools pursuant to order of the Assembly of 4 April 2019.

**March 2020**

4 **Health, Ageing and Community Services—Standing Committee**: Presentation of report on the analysis of the child care and protection case referred to in the 2018 Court of Appeal decision, reported in *The* *Canberra Times* on 17 February 2019, to identify potential and systemic issues that may need to be addressed, pursuant to order of the Assembly of 16 May 2019.

**July 2020**

5 **Health, Ageing and Community Services—Standing Committee**: Presentation of report on the ability to share information in the care and protection system in accordance with the *Children and Young People Act 2008*, pursuant to order of the Assembly of 16 May 2019.

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**CROSSBENCH EXECUTIVE MEMBERS’ BUSINESS**

*There are no notices or orders of the day*

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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 redirected questions are included on the Notice Paper together with a list of all unanswered questions.

A Questions on Notice Paper will be issued on the Friday of a sitting week, containing the text of all questions on notice lodged that week and can be accessed at [www.parliament.act.gov.au/in-the-assembly/questions-paper](http://www.parliament.act.gov.au/in-the-assembly/questions-paper).

***Unanswered questions***

*(30 days expires 1 September 2019)*

2574-2635

**T Duncan**

Clerk of the Legislative Assembly

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**GOVERNMENT TO RESPOND TO PETITIONS**

(in accordance with standing order 100)

**14 August 2019**

Bus services for Belconnen students—Minister for Transport—Petitions lodged by Mrs Kikkert   
(Pet 9-19 and 12-19).

**15 August 2019**

Students with difficulties learning to read—Minister for Education and Early Childhood Development—Petition lodged by Ms Lee (Pet 13-19).

**3 September 2019**

Phillip Easty Street—Proposed N10 and N12 developments—Minister for Planning and Land Management—Petitions lodged by Ms Le Couteur (Pet 25-18 and 15-19).

Cross border proposal—Proposed buffer zones—Chief Minister—Petition lodged by Ms Le Couteur (Pet 16-19).

ACT Transport Network—Minister for Transport—Petition lodged by Miss C Burch (Pet 17-19).

**5 September 2019**

Hydrotherapy services in south Canberra—Minister for Health and Wellbeing—Petitions lodged by Mrs Jones (Pet 10-19 and 18-19).

**29 October 2019**

Community engagement on redevelopment of Chisholm Village—Minister for Planning and Land Management—Petitions lodged by Ms J Burch (Pet 19-19 and 22-19).

A destination recreation park for the inner north—Minister for Transport and City Services—Petition lodged by Mr Rattenbury (Pet 14-19).

**12 November 2019**

Roller derby facilities in the ACT—Minister for Sport and Recreation—Petition lodged by Ms J Burch (Pet 20-19).

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**COMMITTEES**

Unless otherwise shown, appointed for the life of the Ninth 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 31 October 2016)*: The Speaker (Chair), Ms Cheyne, Mr Rattenbury, Mr Wall.

Pursuant to resolution

**Economic Development and Tourism—Standing Committee**: *(Formed 13 December 2016; amended 26 October 2017 and 20 September 2018)*: Mr Hanson (Chair), Ms Orr, Mr Pettersson.

**Education, Employment and Youth Affairs—Standing Committee**: *(Formed 13 December 2016; amended 20 September 2018; amended 20 May 2019)*: Mr Pettersson (Chair), Mrs Kikkert, Mr Parton.

**Environment and Transport and City Services—Standing Committee**: *(Formed 13 December 2016; amended 20 September 2018)*: Ms Orr (Chair), Miss C Burch, Mr Milligan.

**Health, Ageing and Community Services—Standing Committee**: *(Formed 13 December 2016; amended 20 September 2018)*: Ms Cody (Chair), Mrs Dunne, Ms Le Couteur.

**integrity commission—standing committee**: *(Formed 29 November 2018; amended 4 June 2019)*: Mr Wall (Chair), Ms Cheyne, Ms Le Couteur.

**Justice and Community Safety—Standing Committee**: *(Formed 13 December 2016; amended 20 September 2018)*: Mrs Jones (Chair), Ms Cody, Mr Pettersson.

**Planning and Urban Renewal—Standing Committee**: *(Formed 13 December 2016; amended 20 September 2018)*: Ms Le Couteur (Chair), Ms Orr, Mr Parton.

**PUBLIC ACCOUNTS:** *(Formed 13 December 2016; amended 26 October 2017 and 20 September 2018)*: Mrs Dunne (Chair), Ms Cheyne, Ms Cody, Ms Lawder.

**Select**

**Fuel pricing—Select Committee**: *(Formed 14 February 2019)*: Ms Cheyne (Chair), Mr Parton, Mr Wall.

**Dissolved**

**2016 ACT Election and Electoral Act—Select Committee**: *(Formed 15 December 2016)*: Ms Cody (Chair), Ms Cheyne, Ms Le Couteur, Mr Milligan, Mr Wall. *(Presented 30 November 2017)*

**End of life choices in the act—Select Committee**: *(Formed 30* *November 2017)*: Ms Cody (Chair), Ms Cheyne, Mrs Dunne, Mrs Kikkert, Ms Le Couteur. *(Presented 21 March 2019)*

**Estimates 2017-2018—Select Committee**: *(Formed 16 February 2017)*: Mr Wall (Chair), Ms Cody, Mr Coe, Ms Le Couteur, Mr Pettersson. *(Presented 1 August 2017)*

**ESTIMATES 2018-2019—Select Committee**: *(Formed 22 March 2018)*: Mr Wall (Chair), Ms Cheyne, Ms Le Couteur, Ms Lee, Ms Orr. *(Presented 31 July 2018)*

**Estimates 2019-2020—Select Committee**: *(Formed 21 February 2019)*: Miss C Burch (Chair), Ms Cody, Mrs Jones, Ms Le Couteur, Mr Pettersson. *(Presented 30 July 2019)*

**Independent Integrity Commission—Select Committee**: *(Formed 15 December 2016; amended 6 June 2017)*: Mr Rattenbury (Chair), Ms Cody, Mrs Jones, Ms Lee, Mr Steel. *(Presented 31 October 2017)*

**Independent Integrity Commission 2018—Select Committee**: *(Formed 6 June 2018)*: Mr Rattenbury (Chair), Ms Cody*,* Mrs Dunne, Ms Lee, Mr Steel. *(Presented 31 October 2018)*

**Privileges 2018—Select Committee**: *(Formed 12 April 2018)*: Mr Rattenbury (Chair), Ms Cheyne, Mr Wall. *(Presented 31 July 2018)*

**Privileges 2019—Select Committee**: *(Formed 4 April 2019)*: Mr Pettersson (Chair), Mr Rattenbury, Mr Wall. *(Presented 9 July 2019)*

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