



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2008–2009–2010–2011

MINUTES OF PROCEEDINGS

No. 122

WEDNESDAY, 19 OCTOBER 2011

1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mr Rattenbury) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 PETITION—MINISTERIAL RESPONSE

The Clerk announced that the following response to a petition had been lodged by:

Mr Barr (Minister for Education and Training), dated 17 October 2011—Response to petition No. 126, lodged by Mr Doszpot on 20 September 2011, concerning the relocation of the Arawang Primary School Early Intervention Unit from the Waramanga Preschool campus to the Weston Preschool campus.

3 GOVERNMENT OFFICE BLOCK PROJECT

Mr Seselja, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the ACT Labor Government's plan to spend \$432 million on the Government Office Block in the city;
 - (b) the new ACT Chief Planner's recent statements calling for the decentralisation of government departments in the ACT;
 - (c) the proposed Government Office Block is the most expensive project in the history of the ACT Government;
 - (d) the importance of allocating capital to the most important projects to the community; and
 - (e) the high vacancy rate in the ACT office market; and

(2) calls on the ACT Government to immediately abandon this \$432 million project.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 11
Mr Coe	Mr Barr	Mr Hargreaves
Mr Doszpot	Dr Bourke	Ms Hunter
Mrs Dunne	Ms Bresnan	Ms Le Couteur
Mr Hanson	Ms Burch	Ms Porter
Mr Seselja	Mr Corbell	Mr Rattenbury
Mr Smyth	Ms Gallagher	

And so it was negatived.

4 COMMUNITY LEGAL CENTRES

Mr Rattenbury, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the motion passed by the Assembly on 30 June 2010 relating to Community Legal Centres (CLCs);
 - (b) the improvements made in 2010 to the structure of Havelock House to enable CLCs to make the most of the space available;
 - (c) the short term accommodation found at the old Gunghaleen School house in North Lyneham for sections of the Women’s Legal Centre;
 - (d) despite (b) and (c), the office accommodation shortage for CLCs remains a problem and that they cannot supply a work desk for all funded staff positions and continue to be forced to reject offers of additional pro bono legal work;
 - (e) the capacity of CLCs to meet their full potential is being constrained due to the office accommodation shortage; and
 - (f) recommendation number 132 from the Select Committee on Estimates 2011-2012; and
- (2) directs the Government to undertake the actions set out in recommendation number 132 of the Select Committee on Estimates 2011-2012 and report to the Assembly by the first sitting day in December 2011.

Debate ensued.

Mrs Dunne, by leave, moved the following amendments to paragraph (2) together:

- (1) Omit “directs”, substitute “calls on”.
- (2) Omit “December 2011”, substitute “March 2012”.

Debate continued.

Amendments agreed to.

Debate continued

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
- (a) the motion passed by the Assembly on 30 June 2010 relating to Community Legal Centres (CLCs);
 - (b) the improvements made in 2010 to the structure of Havelock House to enable CLCs to make the most of the space available;
 - (c) the short term accommodation found at the old Gunghaleen School house in North Lyneham for sections of the Women’s Legal Centre;
 - (d) despite (b) and (c), the office accommodation shortage for CLCs remains a problem and that they cannot supply a work desk for all funded staff positions and continue to be forced to reject offers of additional pro bono legal work;
 - (e) the capacity of CLCs to meet their full potential is being constrained due to the office accommodation shortage; and
 - (f) recommendation number 132 from the Select Committee on Estimates 2011-2012; and
- (2) calls on the Government to undertake the actions set out in recommendation number 132 of the Select Committee on Estimates 2011-2012 and report to the Assembly by the first sitting day in March 2012.”—

be agreed to—put and passed.

5 TERRITORIES SELF-GOVERNMENT LEGISLATION AMENDMENT (DISALLOWANCE AND AMENDMENT OF LAWS) BILL 2011 (CWLTH)

Dr Bourke, pursuant to notice, moved—That this Assembly:

- (1) acknowledges the importance and timeliness of the debate now taking place in the Australian Parliament in relation to the Territories Self-Government Legislation Amendment (Disallowance and Amendment of Laws) Bill;
- (2) calls on Coalition and all remaining crossbench MPs to vote to pass the bill, thereby removing historic and unwarranted constraints upon the legislative powers of the elected ACT Parliament and according proper respect and deserved independence to the people of the ACT; and
- (3) looks forward to a continued debate and dialogue between the ACT and Federal Governments regarding other aspects of ACT self-government that warrant review and possible amendment.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 10

Mr Barr	Mr Hargreaves
Dr Bourke	Ms Hunter
Ms Bresnan	Ms Le Couteur
Mr Corbell	Ms Porter
Ms Gallagher	Mr Rattenbury

NOES, 5

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mr Seselja

And so it was resolved in the affirmative.

6 QUESTIONS

Questions without notice were asked.

7 ROSTERED MINISTER'S QUESTIONS

Questions were asked of Ms Burch (Minister for Multicultural Affairs).

8 CRIMES (SENTENCING) AMENDMENT BILL 2011

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put.

The Assembly voted—

AYES, 4		NOES, 13
Ms Bresnan	Mr Barr	Ms Gallagher
Ms Hunter	Dr Bourke	Mr Hanson
Ms Le Couteur	Ms Burch	Mr Hargreaves
Mr Rattenbury	Mr Coe	Ms Porter
	Mr Corbell	Mr Seselja
	Mr Doszpot	Mr Smyth
	Mrs Dunne	

And so it was negatived.

9 CORRECTIONAL CENTRES—BLOOD BORNE VIRUS MANAGEMENT

Mr Hanson, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) that the Chief Minister, Katy Gallagher, has been pushing for a needle exchange at the ACT prison;
 - (b) that the Chief Minister commissioned the Public Health Association of Australia (PHAA) to report on how a needle and syringe program (NSP) could be implemented at the prison;
 - (c) that the Community and Public Sector Union submission to the Government following the PHAA report makes it clear that prison staff do not support a NSP at the prison;
 - (d) that the Australian Nursing Federation submission to the Government makes it clear that nurses do not support the NSP models of delivery as proposed by the PHAA report; and
 - (e) that the submission by Mr Bill Aldcroft, an expert with many years experience working with prisoners, makes it clear that prisoners do not support a NSP; and
- (2) calls on the Chief Minister to abandon her push to introduce a needle exchange at the prison and publicly announce that the ACT Labor Government will no longer pursue a NSP at the Alexander Maconochie Centre.

Ms Gallagher (Chief Minister) moved the following amendment: Omit all words after “That this Assembly”, substitute “supports comprehensive blood borne virus management in correctional settings to improve the overall health and wellbeing of prisoners in the ACT.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 5
Mr Barr	Mr Hargreaves	Mr Coe
Dr Bourke	Ms Hunter	Mr Dospot
Ms Bresnan	Ms Le Couteur	Mr Hanson
Ms Burch	Ms Porter	Mr Seselja
Mr Corbell	Mr Rattenbury	Mr Smyth

And so it was resolved in the affirmative.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly supports comprehensive blood borne virus management in correctional settings to improve the overall health and wellbeing of prisoners in the ACT.”—

be agreed to—put and passed.

10 NATIONAL ASSESSMENT PROGRAM—LITERACY AND NUMERACY

Ms Porter, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the importance of the National Assessment Program—Literacy and Numeracy (NAPLAN) testing for parents and teachers to receive feedback on students’ strengths and weaknesses;
 - (b) the importance of NAPLAN data in helping improve the educational outcomes in areas of weakness for students;
 - (c) the strong performance of ACT students NAPLAN testing since 2008;
 - (d) that ACT students have performed very strongly in the 2011 test results, ranked first or equal first in the nation in many categories, with improvements in other areas;
 - (e) that under the National Partnership agreements for education skills and workforce development and early childhood education, the ACT is receiving approximately \$80 million of Australian Government funding over seven years to deliver a range of reforms; and
 - (f) that the ACT Government has also appointed specialist literacy and numeracy teachers as part of a strategy to build teacher capacity and improve student outcomes; and
- (2) further notes:
 - (a) that the ACT Liberals voted against the specialist literacy and numeracy teachers; and

- (b) that the ACT Liberals have voted against increasing education funding in successive ACT Budgets.

Mr Doszpot moved the following amendment: Omit paragraph (2), substitute:

“(2) supports ongoing specialist teacher services for students and schools in the ACT.”.

Ms Hunter addressing the Assembly—

Adjournment negatived: It being 6 p.m.—The question was proposed—That the Assembly do now adjourn.

Mr Barr (Minister for Education and Training) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Amendment agreed to.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) the importance of the National Assessment Program—Literacy and Numeracy (NAPLAN) testing for parents and teachers to receive feedback on students’ strengths and weaknesses;
 - (b) the importance of NAPLAN data in helping improve the educational outcomes in areas of weakness for students;
 - (c) the strong performance of ACT students NAPLAN testing since 2008;
 - (d) that ACT students have performed very strongly in the 2011 test results, ranked first or equal first in the nation in many categories, with improvements in other areas;
 - (e) that under the National Partnership agreements for education skills and workforce development and early childhood education, the ACT is receiving approximately \$80 million of Australian Government funding over seven years to deliver a range of reforms; and
 - (f) that the ACT Government has also appointed specialist literacy and numeracy teachers as part of a strategy to build teacher capacity and improve student outcomes; and
- (2) supports ongoing specialist teacher services for students and schools in the ACT.”—

be agreed to—put and passed.

11 HOUR OF MEETING—ALTERATION

Mr Barr (Deputy Chief Minister), by leave, moved—That, pursuant to standing order 27, the Assembly at its rising this sitting adjourn until 2 p.m. Thursday, 20 October 2011.

Question—put and passed.

12 ADJOURNMENT

Mr Barr (Deputy Chief Minister) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.47 p.m., adjourned until tomorrow at 2 p.m, in accordance with the resolution agreed to this sitting.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

Tom Duncan
Clerk of the Legislative Assembly