



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2012–2013–2014–2015

MINUTES OF PROCEEDINGS

No. 98

WEDNESDAY, 6 MAY 2015

1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mrs Dunne) 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 PUBLIC HOUSING

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

- (1) notes:
 - (a) the important role that public housing plays in the lives of disadvantaged Canberrans;
 - (b) that public housing in the ACT is allocated to people with complex and urgent need for housing assistance; and
 - (c) that the ACT Government has committed to a program of public housing renewal over the next five years, which will replace older public housing with more efficient housing that better meets their needs;
- (2) further notes:
 - (a) the Government's policy for public housing to be, as much as possible, distributed across the city;
 - (b) that this policy allows public housing tenants to be integrated into communities, for children to attend schools across Canberra, and for tenants of all ages to have access to services, communities and support structures that meet their individual needs;
 - (c) that public housing tenants are supported with community based services to meet their individual needs and to ensure that they are able to sustain their tenancies; and



- (d) that the Government works with local communities to ensure that the design and location of the housing is appropriate to individual locations;
- (3) calls on the Assembly to affirm its support for public housing being integrated across Canberra's suburbs; and
- (4) calls on the Government to update the Assembly by no later than the last sitting day in 2015 on the replacement housing for tenants being relocated as part of the public housing renewal program.

Debate ensued.

Question—put and passed.

3 SUSPENSION OF STANDING ORDERS—CONSIDERATION OF EXECUTIVE BUSINESS

Dr Bourke moved—That so much of the standing orders be suspended as would prevent order of the day No. 6, Executive business, relating to the Government Procurement (Notifiable Invoices) Amendment Bill 2015, being called on and debated cognately with order of the day No. 1, Private Members' business, relating to the Government Procurement (Transparency in Spending) Amendment Bill 2014.

Question—put and passed, with the concurrence of an absolute majority.

4 GOVERNMENT PROCUREMENT (TRANSPARENCY IN SPENDING) AMENDMENT BILL 2014

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.

Paper: Mr Coe presented the following paper:

Revised explanatory statement to the Bill.

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

Detail Stage

Clause 1 agreed to.

Clause 2—

On the motion of Mr Coe, his amendment No. 1 (*see* [Schedule 1](#)) was made.

Clause 2, as amended, agreed to.

Clause 3 agreed to.

Clause 4—

On the motion of Mr Barr (Minister for Economic Development), his amendment No. 1 (*see* [Schedule 2](#)) was made, after debate.

Paper: Mr Barr presented the following paper:

Supplementary explanatory statement to the Government amendments.

On the motion of Mr Coe, his amendment No. 2 (*see* [Schedule 1](#)) was made.

On the motion of Mr Coe, his amendment No. 3 (*see* [Schedule 1](#)) was made.

On the motion of Mr Barr (Minister for Economic Development), his amendment No. 2 (*see* [Schedule 2](#)) was made, after debate.

On the motion of Mr Coe, his amendment No. 4 (*see* [Schedule 1](#)) was made.

On the motion of Mr Coe, his amendment No. 5 (*see* [Schedule 1](#)) was made.

Clause 4, as amended, agreed to.

Clause 5—

On the motion of Mr Barr (Minister for Economic Development), his amendment No. 3 (*see* [Schedule 2](#)) was made, after debate.

Clause 5, as amended, agreed to.

Clause 6—

On the motion of Mr Barr (Minister for Economic Development), his amendment No. 4 (*see* [Schedule 2](#)) was made, after debate.

On the motion of Mr Coe, his amendment No. 6 (*see* [Schedule 1](#)) was made.

Clause 6, as amended, agreed to.

Title debated and agreed to.

Question—That this Bill, as amended, be agreed to—put and passed.

5 GOVERNMENT PROCUREMENT (NOTIFIABLE INVOICES) AMENDMENT BILL 2015—SPEAKER’S RULING—BILL WITHDRAWN

Order of the day No. 6, Executive business, having been called on—

The Assistant Speaker informed the Assembly that The Speaker had ruled that the Government Procurement (Notifiable Invoices) Amendment Bill 2015 was out of order as it contravened standing order 136, in that it was the same in substance as the Government Procurement (Transparency in Spending) Amendment Bill 2014 that was passed by the Assembly earlier today. The Speaker ordered that it be withdrawn from the *Notice Paper*.

6 HEALTHCARE IN A.C.T. SPECIAL SCHOOLS

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

(1) notes:

- (a) that the Healthcare Access in Schools Programme was designed to trial a nurse telephone hotline across Canberra schools during Term 1 of the 2015 school year;
- (b) that the trial has met with serious objections from both the ACT Education Union, who represent teachers in ACT public schools, and the Australian Nursing and Midwifery Federation, the ACT’s peak nursing body;
- (c) that the Education Directorate ignored warnings from the ACT body of the Australian Nursing and Midwifery Federation, stating that it was dangerous to remove nurses from special schools; and

- (d) that the issue of nurses in special schools, especially for The Woden School, has been a long standing issue for successive Ministers for Education and Health, with neither willing to take responsibility to ensure a permanent solution for special schools; and
- (2) calls on the ACT Government to continue to:
 - (a) guarantee that all special schools will be quarantined from the Healthcare Access in Schools Programme; and
 - (b) reinstate permanent nurses to all ACT special schools, with at least two nurses at Black Mountain School and one nurse to The Woden School, so that students with complex medical needs are not put at risk.

Mr Doszpot, by leave, was granted an extension of time.

Debate adjourned (Mr Corbell—Minister for Health) and the resumption of the debate made an order of the day for a later hour this day.

7 CANBERRA'S YOUTH AND YOUNG PEOPLE

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

- (1) notes:
 - (a) that Canberra's youth and young people are a valued part of our community with skills and abilities essential to our city's future; and
 - (b) that successive Labor governments have invested in Canberra's youth and young people;
- (2) further notes the Government's commitment to Canberra's youth and young people through investment in services targeted at youth and young people such as:
 - (a) schools, post secondary education and career guidance programs;
 - (b) arts and sports programs;
 - (c) services for young people with disabilities;
 - (d) community based supports for young people in need;
 - (e) transport planning and infrastructure;
 - (f) grants to empower and support young people;
 - (g) support for youth expression;
 - (h) out of home care services, including kinship care; and
 - (i) services for Indigenous youth; and
- (3) calls on the ACT Government to:
 - (a) maintain its commitment to Canberra's youth and young people as the future of our city; and
 - (b) actively seek the views of young people to inform future policy development and the delivery of services to young people.

Mr Wall moved the following amendment: Omit in paragraph (1)(b) the word "Labor".

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) that Canberra’s youth and young people are a valued part of our community with skills and abilities essential to our city’s future; and
 - (b) that successive governments have invested in Canberra’s youth and young people;
- (2) further notes the Government’s commitment to Canberra’s youth and young people through investment in services targeted at youth and young people such as:
 - (a) schools, post secondary education and career guidance programs;
 - (b) arts and sports programs;
 - (c) services for young people with disabilities;
 - (d) community based supports for young people in need;
 - (e) transport planning and infrastructure;
 - (f) grants to empower and support young people;
 - (g) support for youth expression;
 - (h) out of home care services, including kinship care; and
 - (i) services for Indigenous youth; and
- (3) calls on the ACT Government to:
 - (a) maintain its commitment to Canberra’s youth and young people as the future of our city; and
 - (b) actively seek the views of young people to inform future policy development and the delivery of services to young people.”—

be agreed to—put and passed.

8 QUESTIONS

Questions without notice were asked.

9 HEALTHCARE IN A.C.T. SPECIAL SCHOOLS

The order of the day having been read for the resumption of the debate on the motion of Mr Doszpot (*see* [Entry 6](#)):

Mr Corbell (Minister for Health) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes that:
- (a) the Health Access at School (HAAS) pilot was designed to support students who have additional health care needs to attend ACT public schools;
 - (b) the HAAS pilot is focused on the individual needs of students to access and participate at school which they otherwise may not have been able to attend;

- (c) the model includes a HAAS registered nurse (RN) who works with the family and others involved to develop a care plan for the student. The RN then trains the school Learning Support Assistant in the specific healthcare tasks required to support that particular student. These are often the same tasks that are undertaken by family members or carers when the child is not at school;
 - (d) senior officials from ACT Health are working with their equivalents from Education and Training and three key unions to resolve the concerns that have arisen at Black Mountain Specialist School during the pilot;
 - (e) ACT Health reinstated two RNs at Black Mountain School in Term 2 to further support families and staff transitioning to the HAAS program;
 - (f) following the development of a care plan for a student at Woden School, nurses now attend the school once daily, in line with the agreed care plan arranged and agreed to by a paediatrician, a registered nurse and parents;
 - (g) ACT Health is reviewing the needs of children in specialist schools in consultation with parents, teachers and health professionals; and
 - (h) the review will consult with the Education and Training Directorate, parents, teachers, nurses and their respective unions to establish the level of need for medical supervision of children in Woden and Black Mountain specialist schools, and the level and make up of teaching and nursing staff required to support students in classroom settings; and
- (2) calls on the Minister for Health to report back to the Assembly on the consultation by the last sitting day in August 2015.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Barr	Mr Corbell	Mr Coe	Ms Lawder
Ms Berry	Ms Fitzharris	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) the Health Access at School (HAAS) pilot was designed to support students who have additional health care needs to attend ACT public schools;
 - (b) the HAAS pilot is focused on the individual needs of students to access and participate at school which they otherwise may not have been able to attend;
 - (c) the model includes a HAAS registered nurse (RN) who works with the family and others involved to develop a care plan for the student. The RN then trains the school Learning Support Assistant in the specific

healthcare tasks required to support that particular student. These are often the same tasks that are undertaken by family members or carers when the child is not at school;

- (d) senior officials from ACT Health are working with their equivalents from Education and Training and three key unions to resolve the concerns that have arisen at Black Mountain Specialist School during the pilot;
 - (e) ACT Health reinstated two RNs at Black Mountain School in Term 2 to further support families and staff transitioning to the HAAS program;
 - (f) following the development of a care plan for a student at Woden School, nurses now attend the school once daily, in line with the agreed care plan arranged and agreed to by a paediatrician, a registered nurse and parents;
 - (g) ACT Health is reviewing the needs of children in specialist schools in consultation with parents, teachers and health professionals; and
 - (h) the review will consult with the Education and Training Directorate, parents, teachers, nurses and their respective unions to establish the level of need for medical supervision of children in Woden and Black Mountain specialist schools, and the level and make up of teaching and nursing staff required to support students in classroom settings; and
- (2) calls on the Minister for Health to report back to the Assembly on the consultation by the last sitting day in August 2015.”—

be agreed to—put and passed.

10 CRYSTAL METHAMPHETAMINE USE

Mr Hanson (Leader of the Opposition), pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the use of the drug ice (crystal methamphetamine) is having a huge impact in Australia and the ACT is not immune;
 - (b) children in Canberra as young as 13 are among the growing number of young people abusing ice;
 - (c) the Ted Noffs Foundation stated “two years ago, the presentation of ice doubled for young people, and last year it doubled again”;
 - (d) there has been a 52 per cent increase in the number of drug dealing and trafficking charges in the ACT;
 - (e) the Salvation Army has described treating ice patients as terrifying with some suffering from psychosis inside their drug treatment centre in Fyshwick;
 - (f) the Salvation Army Recovery Services in Canberra advised that more young people had sought treatment for ice addiction than for alcohol or cannabis abuse;
 - (g) the response to the increasing impact of ice requires a whole of government approach encompassing education, treatment, rehabilitation, community services, law reform and policing;

- (h) any response should be coordinated with the Federal Government and NSW; and
 - (i) the Federal Government recently announced a taskforce to deal with the drug; and
- (2) calls on the ACT Government to develop a whole of government response to tackle ice in the ACT, and table the strategy in the Assembly by the last sitting day in August 2015.

Mr Barr (Chief Minister) moved the following amendments together:

- (1) After paragraph (1)(i), insert:

“(j) the ACT Government invests approximately \$16.4 million annually in treatment and support services (residential and non-residential rehabilitation programs, withdrawal management, counselling, information and education, support and case management, pharmacotherapy, sobering up shelter and drug diversion program) and the Commonwealth approximately \$3 million in the ACT.”.

- (2) Omit paragraph (2), substitute:

“(2) calls on the Government to maintain its support for a national approach to tackle ice, and use the findings and actions from the National Ice Taskforce and the recently announced Victorian Ice Action Plan to ensure a coordinated and comprehensive response to ice use in the ACT.”.

Mr Rattenbury moved the following amendment to Mr Barr’s amendments: Add new paragraph (3):

“(3) and calls on the ACT Government to provide an update to the Assembly on the National Taskforce interim report, and implications for the ACT, by the end of the September sitting period.”.

Debate continued.

The amendment to Mr Barr’s proposed amendments agreed to.

Amendments, as amended, agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) the use of the drug ice (crystal methamphetamine) is having a huge impact in Australia and the ACT is not immune;
 - (b) children in Canberra as young as 13 are among the growing number of young people abusing ice;
 - (c) the Ted Noffs Foundation stated “two years ago, the presentation of ice doubled for young people, and last year it doubled again”;
 - (d) there has been a 52 per cent increase in the number of drug dealing and trafficking charges in the ACT;
 - (e) the Salvation Army has described treating ice patients as terrifying with some suffering from psychosis inside their drug treatment centre in Fyshwick;

- (f) the Salvation Army Recovery Services in Canberra advised that more young people had sought treatment for ice addiction than for alcohol or cannabis abuse;
 - (g) the response to the increasing impact of ice requires a whole of government approach encompassing education, treatment, rehabilitation, community services, law reform and policing;
 - (h) any response should be coordinated with the Federal Government and NSW;
 - (i) the Federal Government recently announced a taskforce to deal with the drug; and
 - (j) the ACT Government invests approximately \$16.4 million annually in treatment and support services (residential and non-residential rehabilitation programs, withdrawal management, counselling, information and education, support and case management, pharmacotherapy, sobering up shelter and drug diversion program) and the Commonwealth approximately \$3 million in the ACT;
- (2) calls on the Government to maintain its support for a national approach to tackle ice, and use the findings and actions from the National Ice Taskforce and the recently announced Victorian Ice Action Plan to ensure a coordinated and comprehensive response to ice use in the ACT; and
- (3) calls on the ACT Government to provide an update to the Assembly on the National Taskforce interim report, and implications for the ACT, by the end of the September sitting period.”—

be agreed to—put and passed.

11 LIGHT RAIL NETWORK PROJECT

Mr Coe, pursuant to notice, moved—That this Assembly calls on the ACT Government to delay signing any more contracts to build, design, operate or maintain light rail until after the 2016 Australian Capital Territory election.

Papers: Mr Corbell (Minister for Capital Metro) presented the following papers:

Light rail network project—

Capital Metro Light Rail Project to be delivered through Canberra’s first large-scale private partnership—Katy Gallagher MLA—ACT Labor Policy Statement, dated 21 September 2012.

Labor backs light rail—ABC News article, dated 21 September 2012.

Labor unveil plan for light rail—Canberra Times article, dated 22 September 2012.

Debate continued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 7	
Mr Coe	Mr Smyth	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Wall	Dr Bourke	Mr Gentleman
Mrs Dunne		Ms Burch	Mr Rattenbury
Mr Hanson		Mr Corbell	

And so it was negated.

12 ADJOURNMENT

Ms Burch (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.14 p.m., adjourned until tomorrow at 10 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mrs Jones* and Ms Porter*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

GOVERNMENT PROCUREMENT (TRANSPARENCY IN SPENDING) AMENDMENT BILL 2014

Amendments circulated by Mr Coe

1

Clause 2

Page 2, line 5—

omit clause 2, substitute

2 Commencement

- (1) This Act (other than section 4, so far as it inserts section 42D (1) (e)), commences on 1 July 2015.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

- (2) Section 4, so far as it inserts section 42D (1) (e), commences on—

- (a) 1 July 2016; or
 (b) if, before 1 July 2016, the Minister fixes another day by written notice—the day fixed.

Note A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

- (3) The Legislation Act, section 79 (Automatic commencement of postponed law) does not apply to this Act.

2

Clause 4

Proposed new section 42D (1)

Page 4, line 19—

omit proposed new section 42D (1), substitute

- (1) The notifiable invoice register must include the following for each notifiable invoice:

- (a) the name of the entity invoicing the Territory;
 (b) if the entity invoicing the Territory has an ABN—the ABN;
 (c) the name of the responsible Territory entity for the invoice;
 (d) a brief description of what the invoice is for;
 (e) the date the invoice was received;
 (f) the date the invoice was paid;

- (g) the value of the good, service or work charged for under the invoice;
- (h) anything else prescribed by regulation.

3

Clause 4

Proposed new section 42E (1) (b)

Page 5, line 22—

omit

5 years

substitute

2 years

4

Clause 4

Proposed new section 42G

Page 6, line 13—

omit

good or a service

substitute

good, service or work

5

Clause 4

Proposed new section 42H (b)

Page 6, line 19—

omit proposed new section 42H (b), substitute

- (b) prevent responsible Territory entities from making available information about, or the text of, a notifiable invoice otherwise than as required by this part if any agency is required under law to do so or can otherwise properly do so.

6

Clause 6

Proposed new section 12C

Page 8, line 6—

omit

\$10 000

substitute

\$25 000

Schedule 2**GOVERNMENT PROCUREMENT (TRANSPARENCY IN SPENDING)
AMENDMENT BILL 2014**

Amendments circulated by the Minister for Economic Development

1

Clause 4**Proposed new sections 42A and 42B****Page 3, line 7—***omit proposed new sections 42A and 42B, substitute***42A What is a *notifiable invoice*?—pt 3A**

- (1) For this part, a *notifiable invoice* is an invoice for the prescribed amount or more, payable by a responsible territory entity for goods, services or works provided to the Territory or a Territory entity.
- (2) However, a *notifiable invoice* does not include—
 - (a) an invoice for goods, services or works provided by the Territory or a Territory entity; or
 - (b) an invoice prescribed by regulation.

2

Clause 4**Proposed new section 42F****Page 6, line 1—***omit proposed new section 42F, substitute***42F Territory entities to provide material for notifiable invoice register**

The responsible Territory entity for a notifiable invoice must, within 21 days after the end of the month in which the invoice was paid—

- (a) enter the information mentioned in section 42D (1) for the invoice in the register; or
- (b) give the information to the director-general for entry in the register.

3

Clause 5**Proposed new dictionary definition of *notifiable invoice*****Page 7, line 8—***omit*

section 42B

substitute

section 42A

4

Clause 6

Proposed new section 12C heading

Page 8, line 5—

omit the heading, substitute

12C Notifiable invoice threshold—Act, s 42A (1)
