



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2020–2021–2022

MINUTES OF PROCEEDINGS

No 41

WEDNESDAY, 23 MARCH 2022

- 1** The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

This is Ngunnawal Country.

Today we are gathering on Ngunnawal country.

We always pay respect to Elders, female and male, and Ngunnawal country.

The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

- 2 FAMILY VIOLENCE SAFETY ACTION PILOT—HOLDING PERPETRATORS OF DOMESTIC AND FAMILY VIOLENCE TO ACCOUNT—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Berry (Minister for the Prevention of Domestic and Family Violence) made a ministerial statement concerning the Family Violence Safety Action Pilot and presented the following paper:

Family Violence Safety Action Pilot—Holding perpetrators of domestic and family violence to account—Ministerial statement, 23 March 2022.

Ms Berry moved—That the Assembly take note of the paper.

Question—put and passed.

3 ACTIVE TRAVEL STATEMENT—MINISTERIAL STATEMENT—PAPER NOTED

Mr Steel (Minister for Transport and City Services) made a ministerial statement concerning the Government's active travel priorities and presented the following paper:

Active travel statement—Ministerial statement, 23 March 2022.

Mr Steel moved—That the Assembly take note of the paper.

Question—put and passed.

4 A.C.T. EATING DISORDERS POSITION STATEMENT—UPDATE—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Davidson (Minister for Mental Health) made a ministerial statement to provide an update to the ACT Eating Disorders Position Statement and presented the following papers:

ACT Eating Disorders Position Statement—Update—

Response to Dr Marisa Paterson's e-petition, dated February 2022.

Ministerial statement, 23 March 2022.

Ms Davidson moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

5 A.C.T. MENTAL HEALTH WORKFORCE STRATEGY—MINISTERIAL STATEMENT—PAPER NOTED

Ms Davidson (Minister for Mental Health) made a ministerial statement to update the Assembly on the ACT Mental Health Workforce Strategy in response to the resolution of the Assembly of 8 October 2021, concerning youth mental health, and presented the following paper:

ACT Mental Health Workforce Strategy—Update on Assembly resolution 8 October 2021—Ministerial statement, 23 March 2022.

Ms Davidson moved—That the Assembly take note of the paper.

Question—put and passed.

6 UKRAINE CONFLICT

Mr Barr (Chief Minister), pursuant to notice, moved—That this Assembly:

- (1) voices support for the democratically elected Ukrainian Government, the Ukrainian people and Canberra's Ukrainian community; and
- (2) requests the Speaker convey to the Ukrainian Government, via the Embassy in Canberra, the support of this Assembly expressed in this motion.

Debate ensued.

Question—put and passed.

7 CRIMES (POLICING) LEGISLATION AMENDMENT BILL 2021

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 and passed.

Leave granted to dispense with the detail stage.

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

8 ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021

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 and passed.

Detail Stage

Clauses 1 to 7, by leave, taken together and agreed to.

New clauses—

On the motion of Mr Steel (Minister for Transport and City Services), new clauses 7A and 7B (his amendment No 1—see [Schedule 1](#)) were inserted in the Bill, after debate.

Paper: Mr Steel presented a supplementary explanatory statement to the Government amendments.

Clause 8—

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

Clause 8, as amended, agreed to.

Clause 9—

On the motion of Ms Clay, her amendment No 1 (see [Schedule 2](#)) was made, after debate.

Paper: Ms Clay presented a supplementary explanatory statement to her amendments.

Clause 9, as amended, agreed to.

Clause 10 agreed to.

Schedule 1—

Part 1.1 agreed to.

Part 1.2—

Ms Clay was granted leave to move an amendment that had not been considered or reported on by the Scrutiny Committee.

On the motion of Ms Clay, her amendment No 2 (see [Schedule 2](#)) was made.

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

Part 1.2, as amended, agreed to.

Title agreed to.

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

9 MINISTERIAL ARRANGEMENTS

Mr Barr (Chief Minister) informed the Assembly of the absence of Minister Rattenbury and Minister Vassarotti and advised the Assembly that questions without notice normally directed to—

The Attorney-General, the Minister for Consumer Affairs and the Minister for Gaming could be directed to Minister Cheyne.

The Minister for Water, Energy and Emissions Reduction could be directed to Mr Barr.

The Minister for the Environment and the Minister for Heritage could be directed to Minister Gentleman.

The Minister for Homelessness and Housing Services and the Minister for Sustainable Building and Construction could be directed to Minister Berry.

10 QUESTIONS

Questions without notice were asked.

11 LEAVE OF ABSENCE TO MEMBERS

Ms Clay moved—That leave of absence be granted to Mr Rattenbury, Ms Vassarotti and Mr Braddock for today for health reasons.

Question—put and passed.

12 DEFIBRILLATORS—GOVERNMENT SCHOOLS AND WORKPLACES

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

- (1) notes:
 - (a) defibrillators save lives. St John Ambulance estimates that each year more than 100 Canberrans' lives could be saved from sudden cardiac arrest (SCA) if defibrillators were installed in ACT government schools and workplaces;
 - (b) currently there is no requirement for defibrillators in ACT government schools or workplaces;
 - (c) the cost of a defibrillator and installation is \$2500. It would cost \$250 000 to provide 100 defibrillators in government schools and workplaces (some schools have already installed them using their own limited funds);
 - (d) rolling out defibrillators in all government schools and workplaces is supported by St John Ambulance, Australian Red Cross and the Heart Foundation; and

- (e) it is estimated more than 30 000 Australians suffer from SCA every year of which only five percent survive. The chances of survival decrease by up to 10 percent for every minute that passes; and
- (2) calls on the ACT Government to:
 - (a) lead the nation on this important health and community issue by putting a defibrillator in every ACT government school and building/workplace;
 - (b) legislate to mandate defibrillators in all ACT government schools and government workplaces;
 - (c) prepare and deliver a public education campaign, in consultation with St John Ambulance and the Heart Foundation, to raise awareness of the use of (and access to) defibrillators to save lives; and
 - (d) examine installing defibrillators on all ACT buses (we already have defibrillators on our 14 trams thanks to funding from Rotary Gungahlin) and report back to the Assembly before the May sitting period.

Ms Stephen-Smith (Minister for Health) moved the following amendment: Omit all text after “That this Assembly”, substitute:

- “(1) notes:
- (a) it is estimated more than 30 000 Australians suffer from sudden cardiac arrest (SCA) every year of which only five percent survive;
 - (b) the chances of survival decrease by up to 10 percent for every minute that passes;
 - (c) defibrillators save lives. St John Ambulance estimates that each year more than 100 Canberrans’ lives could be saved from SCA if defibrillators were installed in ACT government schools and workplaces;
 - (d) currently there is no legislative requirement for defibrillators in ACT government schools or workplaces;
 - (e) St John Ambulance, Australian Red Cross and the Heart Foundation support the provision of defibrillators in all government schools and workplaces;
 - (f) as of October 2020, 38 of the 89 ACT government schools have a defibrillator on site;
 - (g) ACT government schools assess their risk profile in accordance with the First Aid Code of Practice and through consultation processes established per the *Work Health and Safety Act 2011*;
 - (h) all light rail vehicles have a defibrillator on board;
 - (i) Transport Canberra has a fleet of five Field Response Vans that are based at each interchange across Canberra, which are able to be deployed to respond rapidly to any emerging issues on bus services anywhere in the city;
 - (j) each Field Response Van is fitted with defibrillator equipment and all Transport Canberra Transport Officers staffing these vans hold first aid certificates; and

- (k) all Transport Canberra buses have radio communication to the Transport Canberra Control Room which enables a rapid response of emergency services and the incident response vehicles as required; and
- (2) calls on the ACT Government to:
 - (a) continue to support government schools and agencies to increase the availability of defibrillators in their facilities; and
 - (b) consider ways to increase public awareness of the use of (and access to) defibrillators to save lives, in consultation with St John Ambulance and the Heart Foundation.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 11		NOES, 4
Ms Burch	Ms Orr	Mr Cain
Ms Cheyne	Dr Paterson	Ms Castley
Ms Clay	Mr Pettersson	Mrs Kikkert
Ms Davidson	Mr Steel	Ms Lawder
Mr Davis	Ms Stephen-Smith	
Mr Gentleman		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) it is estimated more than 30 000 Australians suffer from sudden cardiac arrest (SCA) every year of which only five percent survive;
 - (b) the chances of survival decrease by up to 10 percent for every minute that passes;
 - (c) defibrillators save lives. St John Ambulance estimates that each year more than 100 Canberrans’ lives could be saved from SCA if defibrillators were installed in ACT government schools and workplaces;
 - (d) currently there is no legislative requirement for defibrillators in ACT government schools or workplaces;
 - (e) St John Ambulance, Australian Red Cross and the Heart Foundation support the provision of defibrillators in all government schools and workplaces;
 - (f) as of October 2020, 38 of the 89 ACT government schools have a defibrillator on site;
 - (g) ACT government schools assess their risk profile in accordance with the First Aid Code of Practice and through consultation processes established per the *Work Health and Safety Act 2011*;

- (h) all light rail vehicles have a defibrillator on board;
 - (i) Transport Canberra has a fleet of five Field Response Vans that are based at each interchange across Canberra, which are able to be deployed to respond rapidly to any emerging issues on bus services anywhere in the city;
 - (j) each Field Response Van is fitted with defibrillator equipment and all Transport Canberra Transport Officers staffing these vans hold first aid certificates; and
 - (k) all Transport Canberra buses have radio communication to the Transport Canberra Control Room which enables a rapid response of emergency services and the incident response vehicles as required; and
- (2) calls on the ACT Government to:
- (a) continue to support government schools and agencies to increase the availability of defibrillators in their facilities; and
 - (b) consider ways to increase public awareness of the use of (and access to) defibrillators to save lives, in consultation with St John Ambulance and the Heart Foundation.”—

be agreed to—put and passed.

13 TENANCY RIGHTS

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

- (1) notes that:
- (a) as a result of the national issue of affordable and accessible housing, many people face the likelihood of having to rent for most of or all of their life;
 - (b) there is currently a power imbalance between landlords and tenants, resulting in many tenants feeling forced to accept sub-standard or poor living conditions; and
 - (c) landlords will often ask tenants for extensive background information on their income, employment situation, rental history and references; whereas tenants can obtain little-to-no information about their landlord and their treatment of previous tenants;
- (2) acknowledges:
- (a) the work of the ACT Government to improve rights of tenants, including:
 - (i) capping rent increases;
 - (ii) strengthening tenants’ rights to have a pet;
 - (iii) allowing tenants the freedom to make minor modifications to their home;
 - (iv) providing a fairer method for calculating break lease fees;
 - (v) lowering upfront costs by limiting the amount of advance rent a landlord can request;

- (vi) facilitated share housing arrangements by making it easier to change who is listed on a tenancy agreement while the tenancy agreement continues; and
 - (vii) raising minimum standards for rental homes;
 - (b) that the ACT Government has successfully attracted Build to Rent projects that will improve the local rental market; and
 - (c) that the ACT Government is continuing to progress its commitment to amend the Residential Tenancies Act to end no cause evictions under the Parliamentary and Governance Agreement, and related reforms to better protect tenants; and
- (3) calls on the ACT Government to:
- (a) review the information imbalance that exists between landlords and tenants, and consider whether prospective tenants should be given the right to receive references from landlords' previous tenants, and report back to the Assembly on this matter during the November 2022 sitting period; and
 - (b) reaffirm its ongoing commitment to improving the rights of renters in the ACT.

Debate ensued.

Question—put and passed.

14 CORRECTION OF RECORD—STATEMENT BY MINISTER—PAPER

Ms Stephen-Smith (Minister for Health), by leave, made a statement to correct her answer to a question without notice today, and presented the following paper:

Final response to media inquiry regarding vaccination status of people who had been admitted to ICU and those who had died with COVID-19 in 2022 (provided to journalist 4 February 2022).

15 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Paper: Ms Stephen-Smith (Minister for Health) presented the following paper:

Final response to media inquiry regarding vaccination status of people who had been admitted to ICU and those who had died with COVID-19 in 2022 (provided to journalist 3 February 2022)—Amended version.

Debate continued.

Question—put and passed.

And then the Assembly, at 4.26 pm, adjourned until tomorrow at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Braddock*, Mrs Jones*, Mr Milligan*, Mr Rattenbury* and Ms Vassarotti*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021

Amendments circulated by the Minister for Transport and City Services

1
Proposed new clauses 7A and 7B
Page 5, line 9—

insert

7A **New section 244L**

in division 14.3, insert

244L **Travelling in or on personal mobility device without due care etc**

A person must not travel in or on a personal mobility device without—

- (a) due care and attention; or
- (b) reasonable consideration for other road users.

Maximum penalty: 20 penalty units.

7B **New section 296A**

insert

296A **Driving without due care etc**

A driver must not drive a vehicle without—

- (a) due care and attention; or
- (b) reasonable consideration for other road users.

Maximum penalty: 20 penalty units.

2
Clause 8
Proposed new section 304A (1)
Page 5, line 15—

omit

believes

substitute

suspects

3
Schedule 1, part 1.2
Amendment 1.3
Page 10, line 1—

omit amendment 1.3, substitute

[1.3] Schedule 1, part 1.12A, new items 422A and 422B

insert

422A	244K	person in or on personal mobility device without proper control	20	154	-
422B	244L	person in or on personal mobility device without due care etc	20	154	-

[1.3A] Schedule 1, part 1.12A, item 524

substitute

523A	296A				
523A.1	• rider of a bicycle	driving without due care etc—bicycle rider	20	154	-
523A.2	• any other driver	driving without due care etc—any other driver	20	301	-
524	297 (1)	drive without proper control of vehicle	20	398	-

Schedule 2**ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021**

Amendments circulated by Ms Clay

1

Clause 9**Section 6 (1), penalty, proposed new paragraph (c)****Page 7, line 6—**

omit

, imprisonment for 6 months or both

2
Schedule 1, part 1.2
Amendment 1.2
Proposed new item 9
Page 9—

omit item 9.3, substitute

9.3	<ul style="list-style-type: none"> if the driving occasions actual bodily harm 	negligent driving occasioning actual bodily harm	50pu	900	3 (NS)
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