



DEBATES
OF THE
LEGISLATIVE ASSEMBLY
FOR THE
AUSTRALIAN CAPITAL TERRITORY

DAILY HANSARD

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2 November 2017

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Thursday, 2 November 2017

MADAM SPEAKER (Ms Burch) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Chief Minister
Motion of no confidence

MR COE (Yerrabi—Leader of the Opposition) (10.01): I move:

That this Assembly no longer has confidence in the Chief Minister, Mr Andrew Barr MLA, due to the Government's engagement in corrupt decisions.

The opposition does not have confidence in the ACT government. We move this motion because of the corrupt decisions that have taken place and, I am concerned, will continue to take place. There are numerous examples of corruption. These come at a time when the apathy, complacency and complicity of those opposite must be called out. There are too many times when property scandals, poker machine decisions, planning approvals and other decisions have seriously tarnished our city and given Canberra a reputation as being a corrupt capital.

There was a time when the Greens would call out these issues. There was a time when they would actually demand answers. Those questions are now not forthcoming. When Ms Le Couteur was between stints in this place she was vocal in the Downer Community Association. She raised questions about section 72 Dickson. Unfortunately, the probity questions have stopped. This is despite the fact that what we know now is many times worse than what we knew then.

In my budget reply speech in June I said:

The ACT has a problem. At best it is an integrity issue, and at worst it is corruption.

We all know that there are some people who have done very well out of this government, be it particular lobbyists, particular developers or particular consultants along the way. However, they have only gained this access because the government has given them preference or has shut the door on others.

The issues I raised have had new developments. The issues I raised in June include the CFMEU's \$4 million headquarters and the \$1 lease back, Labor's 489 poker machines and their then acquisition from the Italian club, the Glebe Park and lakeside deals, the Woden Tradies car park, the rural lease purchases, Labor's Braddon apartment deal and the MOU. Unfortunately, there is more to report.

It is corrupt to legislate for poker machines without declaring an interest whilst you are owning them. For years that is what they have been doing. Now, of course, they have cycled the pokie money into other entities.

The 2016 index of corruption by Transparency International states:

Corruption and inequality feed off each other, creating a vicious circle between corruption, unequal distribution of power in society, and unequal distribution of wealth.

Transparency International also say:

Corruption is the abuse of entrusted power for private gain. It can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs.

A slight perusal of Transparency International's website would do some of those opposite the world of good, and it would be very handy if they were to pass on that link to some of their comrades.

Regarding Labor's property development in Braddon, this deal stinks. The Labor Club did not pay a cent to change their lease. They did not pay a cent. How is it that you can go from a small commercial building to 36 apartments without paying a cent? That sounds dodgy, and it is dodgy when the government is also the decision-maker and in effect the developer. How would you like to be a development application assessor in the planning directorate and have that DA put in front of you? They have put that public servant in an impossible position. No public servant should ever be put in a position like that, where they have in effect got the weight of the government, the weight of the governing party, on their shoulders. It is bullying and it is intimidating.

Of course, the development happened, surely with the knowledge of the ministers. Soon after, the government did a rewrite of the change of use system, because they said they needed reform in that, after, of course, they had got the million dollar gain. Conveniently, the Labor Club managed to slip it in just in time. Rather than pay the \$1,080,000 that would have been applicable for their 36-apartment building had it been done today, they did not pay a cent.

The Labor movement is a major property developer. They have established spin-off companies to do their developments. It says so pretty clearly in the Labor Club's annual report. The purpose of the wholly owned company is "to acquire property and/or undertake property development". But if we need verification, I guess we could contact Wayne Berry, who is now a property developer, given that he is one of the two directors of the development company doing the 36 apartments in Braddon. At the same time as the government talks tough about property developers, the Labor Club is in effect a property developer themselves. One might say that is corrupt but, if not, it is a horrendous double standard.

At the same time as the Labor Party is talking tough about gambling, at the same time as they move to end the greyhound industry, those opposite continue to profit, through their party, on the back of poker machines. The guaranteed winner in Charnwood, in Stirling, in the city or in Belconnen is the Australian Labor Party. Every one of their campaigns was funded through poker machine money. And yes, the money now comes through the 1973 Foundation but it has really all come from pokies.

What is more, the 1973 Foundation, the company established to take the pokie profits, spend their money in Sydney. They buy properties in Canada Bay. Many millions of dollars have gone from the Labor Club into the 1973 Foundation and then back to the Labor Party. The Labor Party keeps getting the jackpot, whilst also being the regulator.

Earlier this year you might recall that I released information that the Labor Club spent \$528,000 acquiring even more poker machines from the Italo Australian Club. Unfortunately, I can reveal that the Labor Club are back to their old tricks. They have purchased even more poker machines. Tucked away on page 40 of their annual report is mention of a \$300,000 payment to the Australian-Croatian Club Ltd for gaming licences. The gaming empire on Chandler Street is growing. They talk tough about poker machines but in actual fact they are growing their empire.

The rural leases acquisitions keep happening. They include numerous blocks in Belconnen, Kambah, Stromlo, Tuggeranong, Wallaroo Road and elsewhere. Does anyone know what the strategy is for these purchases? How is it that tens of millions of dollars can be spent without a strategy, without direction? How does anyone know whether we are getting a good deal for the tens of millions of dollars that the government is spending? How is the government going to manage the weeds, the fences or the infrastructure or assets on these properties? Or perhaps they are allowing people to have 10-year rent-free leases on these sites as well. Who knows?

Unfortunately, many purchases have been done with just one valuation. Despite the fact that very few rural properties change hands in the ACT and despite the fact that it is not a mature market and is very volatile, the government uses only one valuation. This is bad practice. To the best of my knowledge, this goes against the rules and requirements for every other state government in the country.

The Chief Minister signed a direction about how land is to be acquired in the ACT. It is called the Planning and Development (Land Acquisition Policy Framework) Direction 2014 (No 1). It has systematically been flouted. Despite my raising the alarm bell on this issue, it persisted for months and there were acquisitions even after I raised the alarm bell on 5 November 2015. We know that the LDA board did not make all the decisions and that ministerial notifications, or chief ministerial decisions, were ignored on many occasions.

However, I can now say that I believe that there was another breach. The acquisition guideline states:

Government agreement is required for any acquisition by the LDA that results in a cumulative annual total of \$20 million in acquisition being exceeded. The cumulative annual total means all acquisitions within a financial year—1 July to 30 June.

This means that the government cannot spend more than \$20 million without cabinet approval.

For 2015-16 I believe that there was \$27 million worth of money spent on property acquisitions by the Chief Minister's agency. Therefore, the \$10 million Huntly property purchased from Sydney-based Consolo Ltd may not have complied with the rules. This is outrageous. This is not necessarily the fault of the sellers but the Chief Minister's agency that was appallingly asleep at the wheel or did so deliberately. The ambivalent approach to spending taxpayers' money is absolutely outrageous. What is more, that \$10 million purchase for that one-of-a-kind property was done with just one valuation. To the best of my knowledge, the valuation was an approximate as well.

The government laid out the red carpet for the Woden Tradies. Not only were there lease variations but also there was the car park deal. Despite the fact that the car park was only partially utilised, they assumed 100 per cent payment rates and 100 per cent occupancy rates for the car park. The result: the Tradies made a major windfall. The Tradies picked up coins out of those parking machines like they had hit the jackpot on a pokie machine inside. Now the club has been sold for \$16 million, and that is more money into the coffers of the Labor movement.

The issue of Glebe Park has been well documented. The Canberra Liberals were vigilant in raising this issue. Had it not been for our questions on notice, title searches, FOIs and committee inquiries, this might have just flown under the radar. Let us not forget that there was a formal valuation of \$1 million but the government paid \$4 million. This block, coincidentally, features in the grand plans for the new casino complex released just weeks after the government did the deal on this very block. What a coincidence!

It was revealed that Andrew Barr had signed and double-ticked a note which said that Aquis have rights to block 24 section 65. In response to my questioning and presentation of this document, Mr Barr said:

So it may well have been, Mr Coe, that I have confused the blocks.

He said that on 27 September. In question time he said:

I assumed that, as the section number was the same, the block referred to the adjacent block.

I asked:

There are no documents that exist to say, "By the way, the brief was wrong"?

Mr Barr said:

There are no documents that exist to that effect. I will check the record as to whether that particular error in terms of the block and section has been formally corrected.

It can now be revealed that Mr Barr misled the Assembly. He said he was confused. He said that there was a "particular error in terms of the block and section". In actual

fact, the brief had the right block and section. The casino was talking about that block and section. The Director-General of the Environment, Planning and Sustainable Development Directorate has now sent the public accounts committee a letter saying that the block and section were correct.

Now we have evidence that the ACT government acquired the Glebe Park block at about the same time as the casino was interested in it. In May 2015 the Chief Minister received a written brief discussing this Glebe Park block. The same month he met with Aquis about their proposal; yet there are no minutes available of that meeting. It was in the same month, and the following couple of months, that the deal to purchase this very block took place. We need an ICAC.

Regarding the CFMEU headquarter in Dickson, it is a sorry story. The situation is as follows: we know that a week after Andrew Barr became Chief Minister the ACT Labor government secretly purchased the CFMEU headquarters for \$3.9 million. We know they did a deal on 16 December and settlement occurred on 19 December. It was a little Christmas gift from one comrade to another.

The backstory is even worse. The government would have you believe that it was a land swap. However, it does not look like a land swap to me. It is just three separate transactions that all favour the CFMEU. The government would have you believe that the Tradies won a tender to buy a car park and then the parties got together and the government conveniently decided to sell another block.

How many other tenderers were given the opportunity to engage in a similar land deal? How many other tenderers could supposedly win a tender, and then say, "By the way, I won't pay you for five years but instead you should pay me \$4 million and, by the way, I'll stay in the same building for another four years as well"? We need an ICAC to stamp this out.

Firstly, the tender, I believe, was geared towards the Tradies. When a government released a site for a club next door to an existing club, who would buy it? Nobody would. Of course, the only person that would open a club next to the Tradies would be the Tradies. It is no wonder that a prized site in Dickson, despite 20 people expressing interest, returned only two expressions of interest. I am very curious to learn about the unsuccessful tenderer. A tender is awarded to the Tradies to operate a club next door to their own club and with the ability to build apartments on top. At that point, rather than pay the \$3.2 million for that site, they convince the government to give them \$4 million for another site.

But for years the government had been planning out this eventuality. In 2010 the planning authority said:

If the Tradies Club seeks to redevelop their site in the future, consideration should be given to incorporating the adjacent car park

The ACT government even got a valuation in 2010 for the Tradies. The instructions to the valuer included:

The Canberra Tradesmen & Union Club are negotiating the purchase of the land to enable substantial redevelopment and replacement of the club facilities.

That was two years before the supposed expression of interest. For years the government was planning to give the car park to the Tradies and they finally concocted a way.

On 15 September 2012 expressions of interest opened. Before the expressions of interest had even closed the Labor Party had put in a DA to deconcessionalise their lease. On 20 December, a little Christmas present once again, the government said the Tradies had won the tender. On 23 February Simon Corbell came into this place and said that the Tradies can deconcessionalise their block.

Following on from that, the Tradies conveniently sell another block to the government. They do not have to pay \$3 million but they in actual fact get \$4 million. What is more, the valuation was out of date. The valuation was done in April; it was valid for three months. It was 17 months out of date when the transaction actually took place. There were two scenarios and in actual fact they went for the one that favoured the Tradies the most. I will come back to that a little later.

All in all you have the government planning a sale to the Tradies for years, a tender geared towards the Tradies, a deconcessionalisation application before the tender had been awarded, a sweetheart land sale that no other parties had access to, a valuation that was 17 months out of date and a valuation based on vacant possession, not for 42 months.

There are so many issues with this Labor government, whether it is by design or by mismanagement or by complacency or by corruption. Things have to change in Canberra. We do not have confidence in this government. The ball is now in the Greens' court. Will they stand up for integrity or will they continue to give Labor a blank cheque?

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (10.22): I have now served in this Assembly for over a decade. In that time I have seen a few motions of this kind. None, including this one, has had any merit. This one, though, differs solely through a distinct lack of enthusiasm and competence from the opposition in bringing it forward. Let me be clear from the outset that I completely and utterly reject the opposition leader's allegations. I reject them personally and I reject them on behalf of the government.

I will shortly set out the facts on every issue raised by the Leader of the Opposition, but first I want to outline the positive agenda that we are here to implement. Just one year ago Canberrans rejected the opposition's negativity and instead voted for a government they knew would support their lives and their choices and back them in. This government wants Canberra to confidently face the future, a future of health care where you need it, of world-class teaching and learning spaces and tools, well-paid and secure jobs, and a city powered 100 per cent by renewable energy. This

government stands on a proud platform of equality in our schools, in our health system and in our workplaces. This government believes in a public transport system that caters for a growing city, based around a citywide light rail network.

As a government we have put integrity measures at the forefront of what we do. We took to the last election a proposal to establish an integrity commission, which is, of course, the subject of recommendations from the select committee established for this purpose earlier this week. We established the new Suburban Land Agency to deliver new greenfield residential estates and more affordable housing. We established the City Renewal Authority to deliver design-led, people-focused urban renewal that makes Canberra's CBD a place that people want to be. We have supported the LGBTIQ community through a divisive postal survey period, and we look forward to a yes vote delivering a more inclusive and more equal country. We have delivered and will continue to deliver progressive government for our progressive community.

I will now directly address each of the issues raised as the basis for this motion. In relation to Glebe Park, in September of 2015 the LDA purchased city block 24 section 65 adjacent to Glebe Park. The LDA purchased this land because it had determined that the Coranderrk Pond stormwater facility would need to be moved from its current location to restructure Parkes Way, to improve water quality in Lake Burley Griffin and to progress the city to the lake project. The site near Glebe Park was identified as a suitable alternative.

The then Land Development Agency's CEO negotiated and authorised the sale and the LDA board was briefed after it had been concluded. While the Auditor-General determined that there was a lack of documentation and recordkeeping regarding sale negotiations—a finding the government immediately acted on—she did not find any evidence of fraud or corrupt behaviour on the part of LDA officials.

Mr Coe interjecting—

MADAM SPEAKER: Mr Coe, you were heard in silence.

MR BARR: Aquis Entertainment does not hold any rights over block 24 section 65; it has never held a lease, a licence or any interests over part of this land. Aquis does have rights over the Glebe Park site block 16 section 65. This important point has again been reinforced by the Director-General of the Environment, Planning and Sustainable Development Directorate in a letter to the committee inquiry. In his letter he makes clear that the property rights referred to are those sought by Aquis but never granted by government.

The government has released to the Auditor-General and the committee inquiry currently underway all relevant material regarding the LDA's role. I have openly and willingly answered every question posed by members in this place and in the committee hearings now over several years. I instructed the Head of Service to immediately implement an independent review of the LDA's activities and processes conducted by the former commonwealth Auditor-General Ian McPhee, and then the government implemented all of his recommendations.

In relation to Dickson land sales and acquisitions, in September of 2012 cabinet approved block 20 section 34 at Dickson—the car park between Woolworths and the Dickson Tradies—to be put to the market via a request for tender as a future development site. Two submissions were received in response. The then Economic Development Directorate negotiated with the highest bidder—the Canberra Tradesmen’s Union Club Ltd—and reached agreement on a final transaction that included the following elements: the Canberra Tradesmen’s Union Club would acquire block 20 section 34 for \$3.498 million; the ACT government would acquire block 25 section 72 in Dickson and block 6 section 72 in Dickson for a total price of \$3.955 million; the ACT government would pay the net difference between these transaction amounts.

The decision to proceed with the transaction was made by the then Director-General of the Economic Development Directorate and the transaction was completed by the LDA. To ensure public car parking remained available during the development of the proposed new Coles supermarket on the other side of Woolworths in Dickson, the directorate and the Tradesmen’s Union Club agreed to defer settlement of block 20 section 34 until the Coles development was completed. The parties also agreed that the occupant of block 6 section 72 could remain in place for a peppercorn rent period of 40 months in light of that settlement being deferred.

The land has been acquired by government to address housing affordability and homelessness. Section 72 will be the site for Common Ground 2, an innovative way to help homeless Canberrans access dignified and supportive long-term accommodation, as well as new public housing.

In relation to poker machines, the Labor Club is an independent organisation owned and controlled by its members. ACT Labor declares all donations and financial support in accordance—

Opposition members interjecting—

MADAM SPEAKER: Members of the opposition, your leader was heard in peace. This is a serious debate; give it the regard it requires. Chief Minister.

MR BARR: Thank you, Madam Speaker. ACT Labor declares all donations and financial support in accordance with the territory’s stringent and transparent electoral laws. ACT Labor has not received any donations from the club since 2013. The government is working to reduce the number of poker machines across the territory and the harm they cause. The parliamentary agreement commits the government to reduce poker machine licences by almost 1,000 to 4,000 by 2020. We will be releasing legislation in the near future that outlines the mechanism to achieve this important goal, a goal that can hardly be considered to be giving favourable or preferential treatment to large club groups, including the Labor Club.

ACT Labor’s former headquarters at 21 Torrens Street in Braddon is now the site of a residential development. No lease variation charge was paid for this project for the simple reason that the development did not require a variation to the site’s existing

crown lease. The opposition choose to ignore this fact. This application to vary the lease was lodged prior to the introduction of the lease variation charge and, therefore, the uplift in value of the lease was assessed under the former change of use charge.

Under the former regime the costs of development, such as demolition and land contamination assessment, were taken into consideration when assessing charges. The Australian Valuation Office agreed with the private valuer that the before and after values of the lease were the same and, therefore, that no payment was due. Ministers had absolutely no involvement in the process. I am sure the irony will not be lost on members that the policy the opposition took to the last election was for the lease variation charge to be abolished, and yet they appear to want it to be applied retrospectively when it suits them.

His next charge, relating to the memorandum of understanding between the ACT government and Unions ACT regarding procurement decisions, is laughable in its lack of understanding of the MOUs purpose and effect. Firstly, the MOU was established in 2005—yes, 2005. So this apparent conspiracy that I have orchestrated was signed before I was even a member of this Assembly. And for all the apparent mystery around it, it is a publicly available document readily accessible through the government's procurement website.

Revised in 2015, the MOU sets out the form of union consultation in regard to industrial relations and workplace health and safety issues as part of the prequalification and tender evaluation processes for ACT public sector procurements. Provisions exist within the MOU for the government to consult with Unions ACT about who has put in for a tender—just as we consult with a range of external organisations, including business organisations—and for Unions ACT to alert the government to possible wrongdoing by contractors.

You have to wonder why it is that the Canberra Liberals are so opposed to the government checking whether companies are exploiting or underpaying their workers, many of whom are low paid and in vulnerable occupations. I can only assume that a Coe Liberal government would not care if workers were being exploited, even on government contracts. We will reinforce our ongoing commitment to workers in the ACT by bringing forward a local jobs code, meaning government procurement decisions deliver better outcomes for Canberra workers by ensuring that employers contracting with government adopt and hold high labour standards.

The direct sale of a car park site to the Woden Tradesmen's Club Union Association was agreed by cabinet in March of 2007. Cabinet also agreed that a final decision for sale would be determined by the Land Development Agency. The sale was to be at market value at the time of the grant of the lease and include a requirement for interim parking to be identified to replace spaces lost during any construction.

A 2009 request for an extension of time to lodge a new development application was agreed to by the chief executive of the Department of Land and Property Services, with a DA approved in 2011. The sale of land was subsequently settled on 20 June 2011, and the land was sold at market value based on three valuations for the site.

Madam Speaker, what we have seen this morning is a stunt from the leader of the opposition, an exercise in smear over substance. To bring on a no-confidence motion is an overreach and it is staggering in its malice. I have treated this motion seriously because it is the most serious one that can be moved in this place. But this debate is the clearest sign of an opposition bereft of ideas and direction.

The current opposition leader's one idea in the last parliamentary term was to rip up the light rail contract. It was a political disaster for him and his then leader, and for the Canberra Liberal Party it was an act of lunacy that was rejected by the electorate. And as the last leader forced out by this hopelessly divided Liberal Party said on election night, "to argue against the tram was always going to be a hard ask," and Mr Coe's effort "has not been enough." Yet his colleagues rewarded this stroke of political genius with the party leadership.

As today's stunt demonstrates, this current leader of the opposition is all about playing politics. He refuses to share with us and the broader Canberra community what he genuinely believes in because he knows how unpalatable his extreme conservative views are to our inclusive, progressive and welcoming city. That is why he refuses to explain exactly why he is so opposed to marriage equality, the only major party leader in this country in any state or territory to be so. Every other political leader in this country says yes, but this man says no. It is why he refuses to explain his continued opposition to safe and legal abortion. It is why he refuses to reveal his position on stage two of light rail. Instead, he seeks to hide his hard line conservatism behind smear and baseless allegation.

I and every member of this government will continue to serve the people of Canberra despite the antics of those opposite. We will put Canberrans first over political point scoring. We have done so this week and we will continue to do so into the future. In my time in this place as a member, as a minister and as Chief Minister, I have always sought to put the interests of this city and its people first. One year into this term, my government is honouring our commitment to Canberrans and delivering exactly what we promised.

In a democracy not everyone will agree with the government and our plans for this city. But last year's election demonstrates that the majority of Canberrans share our vision for this city. They are proud of our community and they want their local representatives to be striving every day to make this city a better place. I thank my colleagues for their support in delivering a better Canberra, and I reject the opposition leader's motion today.

MADAM SPEAKER: Before I call Mr Rattenbury, I remind members of clause 10.74 of the companion to the standing orders:

... Members can direct a charge against other Members or reflect upon their character or conduct only through a substantive motion which admits of a distinct vote of the Assembly.

But it also states:

... although a charge or reflection upon the character or conduct of a Member may be made by substantive motion, in expressing that charge or reflection a Member may not use unparliamentary words;

I also recognise that this is a serious and emotive debate, but I ask that people have respect and regard for the gravity of this and allow members to be heard with the respect and regard the matter requires.

MR RATTENBURY (Kurrajong) (10.39): As I said in my brief remarks last week, the Greens have looked at this matter closely and we have looked at each of the specific issues that Mr Coe flagged in his press release. I will address each of those in turn in my later remarks. The basis on which we have judged our response to this motion is what is spelt out in the parliamentary agreement. That publicly available document is clear. The Greens will not support any no confidence motion, except in instances of proven corruption, gross negligence or significant non-adherence to the agreement or the ministerial code of conduct.

That document is framed in that way to be clear. We have a clear desire for stability in government, but our support for government is not unconditional. We, of course, will not stand by and allow corruption or other inappropriate conduct to occur. Equally, we will not simply bring down a Chief Minister in response to a political attack by the opposition.

We know that is part of the business of this place. The opposition will inevitably seek to cast the government in the worst possible light. The judgement we have to make is whether this is part of the usual rough and tumble of politics or something more serious and substantive. That is the basis on which we have made our decision. We do not believe there is proven corruption in this case.

On the issue that Mr Coe has pointed to most clearly, the Dickson land deal, the Auditor-General has not yet even reported. The matter has rightly been handed to an independent oversight body so that we can get an objective finding and get beyond the political manoeuvring that is the feature of this place. With the Auditor-General's work not even yet complete, it is hard to avoid the feeling that this motion today is more about politics than proven evidence.

A motion of no confidence is the highest civil action that can be brought against a Chief Minister here in the Assembly. It is a serious action and I think Mr Coe has stepped over the mark in thinking that dropping in a short phrase about the government's engagement in corrupt decisions without providing the evidence is sufficient for the Assembly to stop everything and ponder his proposal.

Madam Speaker, there have not been many no confidence motions against chief ministers since self-government. This is the 12th, as far as I am aware, and the third in the nine years that I have been in this place. This motion asks every single member in this place to reflect on the actions taken by the Chief Minister, examine the evidence before us, and make a decision as to whether the Chief Minister has in fact lost the confidence of an absolute majority of members of the Assembly.

If you look at the motion before us today, we do not believe there is much to base a decision on. Having listened to Mr Coe on ABC Radio last Thursday morning after having lodged his motion on Wednesday evening, I understood at that time that Mr Coe said he was still gathering the details on which he wanted to hang the motion. This makes it very difficult for other members to know exactly what we are supposed to be judging the Chief Minister on.

Let us be very clear here. The ACT Greens are the first to actually want to ensure that the ACT is responsibly managed and governed. We want the highest levels of integrity, scrutiny and accountability possible whilst still running a highly functional government. We put transparency at the very front of our decision-making and have put actions on our words for over two decades in this place.

When it comes to improving the processes of this place, and of this government, I think you will find, Madam Speaker, that the Greens have a solid history and legacy of improvements to integrity and transparency measures to show. These include the FOI reforms, which will bring our legislation from one of the worst in the country to what we believe will be one of the best. This will not be commencing until next year because the public service are preparing for it.

I know that they are now having to reform all their processes and websites so that they can start the push model, making sure that so many of the things that have to be FOI-ed now will simply be uploaded for the public to see as a matter of routine. It will apply the public interest test to each and every item requested for release, with only the very minimum of exceptions, exceptions that were largely added to by the other parties in this place.

The Greens called for an integrity commission as a key priority when we launched our election campaign in the middle of last year. We were pleased to see the other parties in this place also pledge that they would support a commission too, and as we all know, we now have a parliamentary agreement item which led to the committee, which has reported this week. I look forward to the commission being established as soon as practical. I look forward to seeing it as soon as practical.

The Greens also brought forward legislation to establish the Auditor-General, the Ombudsman and the Electoral Commissioner as officers of the Assembly rather than having them sitting under other directorates and having their budgets decided by the executive.

I do not want to bore the Assembly with the details of numerous other reforms that the Greens have pushed through the Assembly on committees and reporting processes. They have all been about making the Assembly more accessible to the public and ensuring greater levels of scrutiny. These are the sorts of integrity measures our community expect of us here in this place.

Coming back to the motion before us today, we do not believe that there is much to judge the Chief Minister by, based on the motion. I will rely on the media release Mr Coe put out last week to construct our discussion today. There are a number of

areas Mr Coe is prosecuting. They are, of course, the same issues that he identified in his budget speech in June and which he spoke about then instead of actually debating the substance of the budget.

There is a feel that this motion was about creating opportunities to say key phrases like “corrupt capital” and to talk about the need to clean up Canberra. But when it comes to the detail, the content is sorely lacking. I presume the local Liberals are using the same communications advice as Mr Abbott a few years ago in the period when he could speak only in three word slogans such as, “Stop the boats,” “Axe the tax,” “Lifters not leaners” and so on. The problem in a place like the ACT Assembly, and for a motion like this, is that the details do matter.

Let us go into the detail about some of the issues in Mr Coe’s media release. I will work through each of them. The problems with the Land Development Agency’s land purchases at Glebe Park flag serious questions. The Greens have raised similar concerns about some of the Land Development Agency’s land dealings, particularly the \$25 million buying spree of properties on the western edge of Canberra with no community consultation, no support from the planning agency and no government agreement to a broader strategy supporting the purchases.

But the question we have to ask is: does lack of strategy actually equal corruption? I do not think that the community has that understanding. We have supported the Auditor-General examining those issues and will continue to support our integrity agencies doing those investigations. The Auditor-General’s first report was alarming, and she is now doing more investigations. Importantly, thus far there have not been any findings of corruption. There were definitely very sloppy processes in place within the LDA and in some instances simply no process at all. This is clearly unacceptable.

In fairness to the Chief Minister, his response has been strong. The Land Development Agency has been abolished. The two replacement agencies have completely different boards without any of the local industry links that people were concerned about with the LDA board. New chief executives have been put in place and these are also outsiders. There are now new internal arrangements within the government that separate land development functions from economic development functions.

The Dickson Tradies land swap is another of Mr Coe’s points. The problem with this one is that it is very hard to know whether or not the issues are real. On the one hand, we know from Glebe Park that the LDA had serious issues and that this is a complicated deal that seemingly has not worked out the way it was intended. On the other hand, every time anyone mentions a union, the Liberal Party gets into a frenzy. That makes it extremely hard to know what is the real integrity issue and what is just union-bashing. What we can definitively say is that the Auditor-General is looking into the deal, as I touched on earlier. I think it is quite appropriate that we wait for the Auditor-General to report as an objective oversight agency on matters like this.

Mr Coe suggested that through its connection with the Labor clubs, the Labor Party’s indirect ownership of poker machines is an integrity issue. Now, the Greens are the

first to point out that poker machines are addictive, manipulative and cause harm for some members of our community, and we have campaigned to reduce the number of poker machines in the territory. But this is not what Mr Coe is complaining about. Even though we do not think it is ethical, we cannot see any inherent corruption issue with the ownership of poker machines by a political party. Again, we invite Mr Coe to present any evidence of a specific corruption issue rather than a general notion that he does not like the arrangement that is in place.

We are also very happy to have a conversation with the Liberal Party about further measures to control poker machines in this territory, but until now they have been the champions of the poker machines remaining in place and unfettered. I also note that the government has committed to a program of harm minimisation across all venues in Canberra. I welcome that. All the changes to date—whether it be the poker machine trading scheme, the introduction of ATM and EFTPOS limits, or the increases in the problem gambling assistance fund levy—have been applied equally across all clubs, regardless of their relationship with ACT Labor.

The ACT Labor Club's headquarters in Braddon is not a corruption issue as far as the Greens are aware. Mr Coe has made claims that it was a dodgy deal on land tax but has provided no specific evidence to that effect. I encourage him to provide us with any solid evidence that he has on this. Even better, as I have already said in regard to the Dickson Tradies, that information should be provided to the Auditor-General, the police or other investigation agencies.

The Liberal Party consistently raises the issue of the government's MOU with Unions ACT. We have looked closely at the MOU and we consider it a benign document. There is nothing sinister about it; it actually probably improves the procurement process. It is plain from reading the MOU that its intent is to ensure that government procurement appropriately emphasises workers' rights and workers' safety. Probably about 90 per cent of the MOU reiterates the existing laws and procurement requirements that already operate in the ACT.

I have met with the officials in government who work in procurement. The MOU does not require them to do anything they should not. They follow the laws of the territory and all the correct processes and procedures. All the MOU requires is that the government consult with Unions ACT. The same information is available to other stakeholders as well. Unions ACT provides any useful information they have. The decisions are still made properly through the procurement framework according to the law. There is no union veto. That is simply a construct of the Liberal Party that I think besmirches the professional and law abiding officials who work in ACT procurement.

The Woden Tradies car park is item 6, the last dot point on Mr Coe's list. We have spent some time trying to work out what that issue is about. The details have been scant. I have listened to what Mr Coe had to say today. That is more information than we had previously. We will look at that, but that certainly does not seem like a corruption case at this point in time.

Opposition members interjecting—

MR RATTENBURY: As I said, earlier this week, we tabled a report that will aid the establishment of an anti-corruption integrity commission here in the territory. Whilst I should not respond to interjections, we have been very clear that there are two reasons why we think that should be put in place. One is that there are people in the community who have questions and they should rightfully have a place to take them so that they can be fairly judged by people with adequate powers to do that judgement properly. The second reason is a preventative mechanism to put a chilling effect on anybody who is thinking of undertaking corrupt behaviour because they know the prospects of being caught will be higher than ever.

Once it is established, I expect that a number of the seemingly unresolved matters that are being talked about in the community will be referred for a thorough investigation. That is certainly why I and all members of the committee have proposed such strong powers: it is so the commission can do the job that needs to be done to give our community confidence that if there is the threat of corruption in this town it can be thoroughly and properly investigated.

As I said at the beginning of my remarks, our parliamentary agreement with Labor, which is a publicly available document for all to see, stipulates that we will not support motions of no confidence unless there is proven corruption or gross negligence. As I have outlined, we do not consider that the points raised in Mr Coe's media release or those he has further spelled out today fall into either of those categories, and certainly not a case of proven corruption. On that basis we are unable to support this motion today.

MR WALL (Brindabella) (10.52): This motion that has been brought forward here today by the Canberra Liberals is a very serious one. A motion of no confidence in the Chief Minister is not something that is frequently brought before this Assembly, and it is never brought here through a decision that is taken lightly. As Mr Coe stated, this is a serious motion with serious implications. However, what we have seen so far from Mr Barr in his reply is a complete inability for self-reflection; a man devoid of the ability to take any responsibility for the serious shortcomings of his leadership of a government that has lost its way.

However, the case brought here today is a case that highlights corruption of power and undue influence. As Mr Coe has reiterated, corruption is more than criminal conduct; it is more than matters that can simply be investigated by the police.

As has been noted on numerous occasions in this place, there is no need for a reminder that ACT Labor has been in power in this town for a long time. Faces may have changed but the underpinning culture and the legacy of previous Labor governments remain evident on the benches opposite and in the culture of how they go about doing business. The culture is one of arrogance and contempt; contempt for those who dare to disregard the Labor decision-making process and that of their political apparatchik; that is, the union movement.

The longevity of a Labor-Green coalition in one form or another has created a legacy. Canberra is a small town, and we often refer to something we call the "Canberra

factor”, that is, the connections that are formed in this city through business and personal relationships. People do mix in similar circles in this place and Canberra is also an intrinsically political town. Therefore it goes without saying that after what will be almost 20 years in power at the end of this Assembly, the Labor Party’s reach is visible. Former staffers are everywhere and are seen to be reinvented as public servants, and often find top-level jobs within peak industry organisations. Former political journalists become Labor staffers. The reach is long; the connections are deep. This phenomenon in itself is not corrupt in the criminal sense but it leads to an indoctrination of poor culture.

The longstanding relationship between the Labor Party and the union movement has corrupted the way in which political decisions are made, business is conducted and the future of the city is determined. It is important to note that there is a small portion of the union movement that are pulling the strings within the ACT Labor Party and this Labor government. These individuals do not represent the majority of union membership in the ACT; that goes without saying. But the minority are loud and they are forceful. This minority call all the shots, control the preselections of those opposite and are the beneficiaries of many corrupt taxpayer-funded deals. This control compromises all those members opposite who form this Labor coalition government, headed by Mr Barr.

This control is seen publicly in many forms. For example, we know that ACT Labor MLAs need permission from the unions before attending certain industry group meetings and functions. Chief Minister Andrew Barr has not denied that his fellow Labor MLAs need to seek permission from the unions before attending events such as the Master Builders Association annual dinner, a demand that was made by UnionsACT. Not one Labor member was in attendance at a function hosted by the Master Builders Association recently. The event was an annual event that is community based. This particular event was hosted in conjunction with OzHelp, who have the objective of raising awareness of mental health issues and how industry can work together with other stakeholders to prevent suicide. It is worth remembering that this snub came at a time of celebration of an organisation that was established jointly with their union friends in the CFMEU and the Master Builders Association.

Another example is that of how this government is going about communicating and engaging with other stakeholder groups—the greyhound industry, ClubsACT and now the MBA. It seems that ACT Labor deem it appropriate to pick and choose whom they meet with, regardless of their position in the Canberra community, just because they do not agree with Labor policy; or, more accurately, do not entirely agree with Mr Barr himself.

This corrupting influence prevents a government from working in the interests of all Canberrans. This undue influence works internally as well. In 2015 there was yet another example of unions having significant, corrupting influence over ALP preselections when the ACT’s longest serving Labor minister was relegated to third on the left faction ticket, a faction heavily controlled by unions such as the CFMEU and United Voice. This turn of events was enough to see the second most senior ALP member, the deputy leader of the government and longest serving ALP MLA, pull the pin on their career, and has since seen the ascension of Ms Berry

to the Deputy Chief Minister role. There is no secret that she is in fact currently the darling of the union movement.

The ability of UnionsACT to dictate to the government who should effectively be hired and fired is a gross misuse of influence and a stark reminder of exactly how much power is exerted over members of the Labor government, and particularly those who sit on the front bench, under the leadership of Mr Barr.

Recently, UnionsACT have turned their sights on the deputy director of Access Canberra. They are accusing him of “hindering unions”, which, in their view, is a reason to be sacked. We know that the memorandum of understanding between UnionsACT and the ACT government gives the power of veto to unions when it comes to the procurement of goods and services. This means effectively that if you dare to disagree with the unions, you do not get a look-in for government contracts. This control has been no more evident in recent times than in the handling of school cleaning contracts.

Examples of this are rife, and the fear of recrimination for many in the business sector is real. Speaking publicly of the corruption racket that occurs in this town can have a far-reaching effect. Many businesses in this town have been made or broken based on the level of union support that they have displayed.

This is the situation in the ACT. Those who dare to disagree with a government policy or Labor party directives will be punished while their supporters, seemingly, as has been evidenced, get favourable treatment. The so-called party of the worker is more focused on backroom deals benefiting union bosses, to the detriment of workers and employers.

As I mentioned this has been no more evident than in the recent repackaging of works for school contract cleaning. Many local contractors were left unable to compete for the work that they have done in some cases for decades, because works packages were resized to suit only large national companies—the same companies who sign union agreements. The result of this, I am led to believe, is a significantly greater cost to taxpayers, backroom deals for unions and benefits paid through the EBAs that these companies have entered into.

These examples of undue influence are all an indictment of the leadership of this Chief Minister. This is a serious motion with serious consequences, backed by serious evidence. The fact remains that this motion will not succeed without the support of the Greens. Mr Rattenbury, in his comments here today and publicly, has displayed many of the characteristics of a delusional parent, unwilling to take responsibility for the misbehaviour of their young one. In this instance Mr Rattenbury is simply unwilling to even acknowledge that the government that he has supported now for two terms could possibly do anything wrong.

I think Mr Hargreaves has put it most aptly in saying, “Do you think Shane Rattenbury would do himself out of a job? Yeah right!”

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (11.01): Well, my goodness; what a dummy spit this has become. Those opposite have moved perhaps the most serious motion that can be moved in this place. They have made some very serious allegations without any foundation whatsoever. It is an epic dummy spit, an irresponsible use of standing orders, and it reflects very poorly on each of them.

Let us go back to Wednesday. What happened then was disappointing but not surprising. It was the day when the capital city of Australia—the nation’s capital, our home, the place I have enormous pride in, the city that the Chief Minister, Andrew Barr, has enormous pride in—was not only recognised in *Lonely Planet* but was placed in the top three cities in the world to visit—the top three, Madam Speaker. While the rest of us on this side of the chamber were beside our Chief Minister, Andrew Barr, cheering our city on for this outstanding achievement, there was not a single peep of positivity from those opposite, with the exception, I believe, of Ms Lee. They just could not bear it. It was too much good news for the opposition to handle.

Again it is not surprising. There is a long list of achievements where the response from the Canberra Liberals has been just so glib: record tourism growth, a recession avoided—despite the efforts of federal Liberals—international flights, jobs growth throughout the economy, a fairer tax system and a balanced budget, export connections from Canberra to all over the world, and, the one which perhaps gets them the most, a rolling list of ACT government policies and programs which stick up for people who rely on their government to work for equality, inclusion and fairness.

What is the other constant here apart from the Liberals and their carping? It is the leadership of Andrew Barr. So it is particularly disappointing for me to be standing here today to debate such a flimsy, baseless, time-wasting motion against the Chief Minister. It is disappointing because we have so many other things of great importance that we could be debating that have real impacts on the lives of Canberra people.

The Chief Minister has literally spent years encouraging investment in and recognition of this city, long before it was fashionable to do so. The achievements that we have made now—the exceptional economic success of recent years—are a testament to his work. His leadership as minister and his response when shortcomings in the Land Development Agency were identified are also there for all to see. Most notably, on 29 September 2016 ACT Labor committed to the establishment of a new city renewal authority—a commitment now delivered.

What was the Liberals’ policy? If they were so offended by the activities of former officials of the LDA then what was their policy? Was it informed by Mr Coe’s own personal ties with the property industry; ties only disclosed many months after he began this line of attack? What an incredible double standard.

Nonetheless I feel the need to set the record straight on a number of technical issues which the opposition does not seem to understand in relation to the government's work in this area. Let us look at how the government has managed this issue. The government took the Auditor-General's report into certain LDA acquisitions and responded by agreeing to everything that she recommended. The government, led by the Chief Minister, accepted all seven recommendations contained in the Auditor-General's report.

The opportunities for improved governance were acknowledged and acted upon immediately by the government and the former Land Development Agency. Executive ownership and accountability for governance was embedded through the LDA's governance executive committee, chaired by the deputy chief executive officer. A dedicated governance function was established to develop and oversee delivery of a comprehensive program for the business as a whole. Centralised core business processes were implemented in relation to valuations, requesting legal advice and records and data management. Training and education sessions were conducted for LDA staff on instructing valuers, fraud prevention and ethics, records management, financial delegations and procurement. Guidance material and working instructions were developed and provided to staff in relation to record keeping, requirements for briefing the LDA board in relation to land acquisitions, the process for amending or seeking advice on the land acquisition policy framework and the use of compulsory acquisition under that framework.

The government has taken opportunities at annual report hearings, estimates hearings and in making ministerial statements to update the Assembly on how the Auditor-General's recommendations have been addressed. It is a thorough response, initiated by the Chief Minister and now continuing in both our portfolios through the City Renewal Authority and the Suburban Land Agency.

Indeed it was ACT Labor, led by the Chief Minister, which, prior to the 2016 election, committed to the establishment of two new entities that would enable dedicated focus on the significant task of shaping the future of this city within the boundaries of our civic centre and through the expansion of our suburban communities.

This decision was a commitment given to the community and delivered upon through the passage of the City Renewal Authority and Suburban Land Agency Act 2017. The act passed, reflecting the decision by this Assembly as to the soundness of the framework established by the act, including the appointment of independent governing boards that are directly accountable to the relevant responsible minister for the performance of the entity in the pursuit of the government's expectations and directions. There was specific inclusion of a duty of good conduct which board members owe to the responsible minister in addition to those obligations and responsibilities for board members that arise under the Financial Management Act 1996 and the Public Sector Management Act 1994.

There was the creation of a dedicated office of the chief executive officer for each of the agencies and the authority, ensuring a clear and direct single line of accountability to their respective governing boards. Annual direction setting by the responsible

ministers is achieved through a legislative statement of expectation for the City Renewal Authority and a similar administrative direction for the Suburban Land Agency. There is the requirement for the responsible minister to present a quarterly report on land acquisitions that occurred in the previous quarter, including any valuations for the land. There is the requirement for the government to issue its own direction setting conditions on the acquisition of land by either the authority or the agency. The Suburban Land Agency exercises specific functions only with the approval of the responsible minister.

In relation to the City Renewal Authority, the government's statement of expectation commenced on 8 August 2017 and the authority's statement of operational intent was approved by the Chief Minister and commenced on 27 October 2017. Having both of these instruments as notifiable instruments and publicly available on the legislation register provides openness and transparency as the City Renewal Authority implements its program of works.

As the Minister for Housing and Suburban Development, I wrote to the Suburban Land Agency informing it of the government's expectations for it as it delivers new suburbs and revitalises established suburbs, including in relation to the operation and performance of the board based on the principles of accountability, transparency and participation. How the Suburban Land Agency meets these expectations will be included in its statement of intent under the Financial Management Act 1996.

The boards of each entity have now been appointed, and have established audit and risk committees as required by the act. This process was conducted transparently and with full engagement with the Standing Committee on Planning and Urban Renewal. Chief executive officer recruitment processes have concluded and the new appointees bring expertise and experience from outside the ACT public sector.

As part of the administrative arrangements that came into effect on 1 July 2017, a number of land development policy and governance functions were moved into the Environment, Planning and Sustainable Development Directorate. These arrangements reinforce the government's commitment to the governance oversight of the two new entities, and ensure a clear delineation between the policy and delivery arms of land development.

The new arrangements provide a single point of access for industry and the community to understand and engage with the government on matters related to the planning and development of the city and suburban centres. This work will embed a strong governance and quality improvement culture across the directorate, the City Renewal Authority and the Suburban Land Agency.

Further, a portfolio project governance committee with executive representation from the directorate, the City Renewal Authority and the Suburban Land Agency is overseeing the ongoing program of governance activities. Key areas of focus include consolidating governance systems and frameworks for performance monitoring, risk management and compliance assurance; adapting project management governance to the new environment, including standardising frameworks, methodologies and monitoring systems; standardising document control and records management,

including the rollout of an electronic document and record management system; updating operational policy and procedure on matters such as land transactions, due diligence and sales and marketing; and training and information for staff on key governance issues, such as instructing valuers, fraud and ethics, records management, financial delegations and procurement.

The list of actions that the government has taken under the leadership of the Chief Minister is significant and it was important that I laid them out again for the opposition so that they got the chance to understand it, take it in and reflect on what the government has actually done.

The government has very frankly stated that we will always be looking for opportunities to strengthen probity and governance related to land development. We have actively and openly participated in every scrutiny process and forum. We have done so without the support of the opposition, without any constructive input from them at all. But that is how they roll.

I will go briefly to the UnionsACT MOU. This seeks to ensure that public money goes to ethical employers, to ensure that government contractors provide safe working environments and to ensure that workers are paid award wages.

Mr Wall mentioned cleaning contracts in his statement. Let us not forget that some employers, unfortunately, do not do the right thing. Recently, it was reported in the *Canberra Times* that a director of a cleaning company transferred assets to his wife on the same day that the court ordered him to pay \$300,000 owed to cleaners employed by the company that he was involved with. That is exactly the kind of thing that this government wants to avoid.

Opposition members interjecting—

MS BERRY: It is great to hear so many passionate interjections and the obvious support for low paid workers in this town from those opposite.

Mrs Jones interjecting—

MS BERRY: I am very sorry but the fact is—and I hate to break it to the Liberal Party—that, unfortunately, history tells us that not every employer, left unchecked, will honour these community expectations. Mrs Jones interjects, but she should know better. Mrs Jones has had experience working as an official with the shop distributive association in Tasmania, so she has experience with what an organised union can do to support the rights of low paid workers in retail. It is great to have so much passionate interjection from Mrs Jones, a former union employee in Tasmania.

Mrs Jones interjecting—

MADAM SPEAKER: Mrs Jones, please.

MS BERRY: As we let government contracts, the duty of care this government owes to every subcontractor and employee is that all of the standards around employment

are met. Unions have an important role to play, and Mrs Jones knows that. If the Liberal Party think that this is corruption then the challenge for them is to walk outside this room, make that claim without the benefit of parliamentary privilege, and back it up.

Despite this pretty lame motion here today from the opposition, the government's offer remains: if you ever decide that you truly want to pursue the opportunities that are before our city, the city that this side of the chamber talks up at every opportunity we get, you can join our team. It would not be so hard but you are just going to have to grow up. This motion is without maturity, foundation or any respect for the Assembly, and it should be voted down as such.

MS LAWDER (Brindabella) (11.15): This motion of no confidence in the Chief Minister has come about today because of the corruption of decision-making processes by this Labor government. Under this Labor government Canberra has become the corrupt capital.

It is my understanding that since self-government there have been only nine motions of no confidence in a Chief Minister, so it is not something taken lightly. It is not a political stunt; it is a decision taken after a lot of consideration. I ask every member here to think carefully about what we are discussing today. You all probably remember the quote "Evil flourishes when good men and women do nothing". This is your opportunity to reflect on that.

I believe that this Labor government have conducted themselves in many ways that have not shown integrity and have eroded trust. It is not just us saying this. I reflect on the Auditor-General's report. The Auditor-General was scathing of this government in her review of the LDA's purchase of certain blocks. The Auditor-General was so alarmed about how the LDA and this Labor government have conducted themselves that she is now undertaking two further investigations into rural land acquisitions and Dickson land deals, and that is only two inquiries that we know of.

My colleague Mr Coe has previously gone through six areas where this Labor government have shown clear evidence of corruption: first, the government's paying \$4 million for a block of land next to the casino, despite a valuation saying it was worth \$1 million; second, the ACT government buying the CFMEU headquarters in Dickson for \$4 million, then allowing the CFMEU to rent it back for \$1 per year, payable on demand; third, the Labor Party's indirect ownership of around 500 poker machines; fourth, the Labor Party not paying a dollar in change of use charges for their Braddon apartment development; fifth, unions being given veto powers on ACT government contracts; and sixth, the government signing a deal to give parking revenue to the Woden Tradies, and the very favourable terms of that deal.

Those are six separate issues and six connections with an ACT Labor government giving favours to itself or its mates. Members here will remember that when the public accounts committee was trying to set up an inquiry into the LDA dealings and certain land purchases, Mr Pettersson attempted to delay it. He attempted to set up another committee to probe into allegations that Mrs Dunne overstretched when providing information to the media. The committee had already decided that that did

not impact on its work. So what we saw was Mr Pettersson trying to stop an inquiry into the LDA and the corrupt Labor cultural practices, led by this Chief Minister. It was an attempt to distort the public accounts committee investigation. It was to protect their mates.

This might not be criminal, but corruption is more than criminality. It is the very core of the rotten state of affairs that this ACT community finds itself in with this government. Many people feel that corruption is a victimless crime. I disagree. Corruption affects many people; in fact corruption affects us all. It has a human cost. Corruption affects us in the ACT, each and every one of us. Each person is affected by the higher taxes they may be charged so that this Labor government can pay off their friends and pay off the unions.

However, this Labor government certainly has changed a few individuals' lives negatively. I will speak about some of them today. These are some that are already on the public record, to respect the privacy of other people. I will talk about some who gave evidence to the public accounts committee in the very committee inquiry that Mr Pettersson tried to stop.

I will start by talking about Jim Seears. Jim was the owner of the paddle boat business on the lake. He said he was driven to the brink by negotiations with the LDA over its attempts to close his business. I found it so hard to watch his evidence, and I hope others did too. Explaining his torment to the committee hearing last month, he said:

I burnt everything ... Because I was at the point of suicide at one stage over the way I was being treated by the LDA.

"I was at the point of suicide," he said. The Chief Minister has led a government that bullied and humiliated Mr Seears to the brink of suicide. This is not good enough. The average person in the street would expect that their elected government would treat local small businesses better than this.

I would like to talk about Tim Xirakis, the former city to the lake project director. The Labor Party says it stands up for workers, but when a worker stands up to the Labor government they get sacked. Tim was told at 4 pm that he had to be gone by 5 pm on 9 September 2015. At 5.01 pm his calendar and contacts had been removed and his email stopped.

He said the officials:

... probably spent more time telling me about my confidentiality requirements than explaining why, after four years in multiple roles, I was being what felt like unceremoniously dumped.

When asked why he had been sacked, Mr Xirakis said he had no idea. He said:

I could only assume ... Something I knew and brought up somewhere had really spooked someone and they thought the best course of action to deal with that was to remove me.

This is arrogance and contempt at its worst from this government, to destroy this man's livelihood because he might have known something. It is a bit like a mafia mentality, is it not? You find out certain information; you will get knocked off. This is a racket of protection, a racket of looking after yourself, by a systemic boys' club in the Labor culture.

I would like to talk about Mr Spokes Bike Hire. Jillian Edwards and Mr Shanahan purchased the business in November 2006 for \$480,000 plus bikes worth \$20,000, so the purchase price was around \$500,000. The business ran for 10 years before the LDA purchased it in 2016, after two years of negotiations.

The owners of Mr Spokes said they were proud of what they had done. They had great reviews. They had great accolades and reviews on TripAdvisor, and they were often rated very highly compared even with the War Memorial and Questacon as one of the great family things to do in Canberra. I have done that with my kids over the years.

For a husband and wife team, this was a great achievement. That was until this Labor government decided they wanted that land for the city to the lake project. After initially threatening to compulsorily acquire the land for a price far less than the value of the business, the government in 2015 told them they could stay put while development went ahead around them. The government taunted the couple by writing in a letter, "The LDA no longer needs to pursue the acquisition of your crown lease" and—how lovely—"a level of noise and other disruption will be unavoidable," a bit of bullying by the government.

Sadly, this was not the only example of bullying towards Ms Edwards and her husband, Mr Shanahan. Ms Edwards told the public accounts committee that when negotiations seemed to be going nowhere she contacted the Chief Minister's office. Her husband then received a phone call later in the day from a staffer of the Chief Minister. He said:

He raised his voice and he said, "If you don't agree to sit down and meet with the LDA, things are going to get a lot tougher for you."

Wow. That was from a staffer in the Chief Minister's office. Ms Edwards became visibly distraught while giving her evidence to the public accounts committee as she recalled how she was treated by the public servants and the Chief Minister's advisors, saying:

... you could come to the conclusion that there was a bit of malicious intent in there at times.

That is pretty disappointing from this government. The people of Canberra expect more. The issue eventually was only resolved when someone phoned Ms Edwards out of the blue and offered to represent her. What we have seen here is the ACT Labor culture of mates getting each other's backs. It is systemic. It is pervasive. If you want a good outcome in this city, you have to be part of the gang. Mr Wall has already

spoken about those who are now, unfortunately, according to this Labor government, outside the tent. They are not in the gang anymore.

I will give you one other example: that of the Federal Golf Club, who are on record as saying they left ClubsACT to join Canberra Community Clubs because they thought it would assist with the approval of their development application. Plus residents participated in what they thought was a sham consultation with the outcome a fait accompli. These are ordinary Canberrans who are so negatively impacted by the actions of this government.

Corruption is different from criminality. For example, just because someone pays to attend a dinner with a minister might not make the minister change his or her mind about a development or a land acquisition. But you can bet your boots it will make that minister answer their phone when that person rings. This Chief Minister would not only answer his phone but also take them out to dinner, use public funds to buy their property for \$4 million and rent it back to them for \$1.

Only on Tuesday, Mr Rattenbury, as Chair of the Select Committee on an Independent Integrity Commission, handed down the unanimous report into the introduction of an ICAC in the ACT, which recommended that the ACT introduce the New South Wales definition of corruption, which does not limit corruption to that which is a criminal offence.

We in this chamber must hold our standards high. The community quite rightly expect a high standard from our politicians. Sadly, as we all know, the estimation of politicians in the eyes of the public has slipped considerably in recent years. Just because no charges have been laid with respect to certain dealings does not mean they did not happen, and does not mean they were not wrong.

For example, the other day while driving into work I heard a news report on the radio that said a New South Wales organised crime squad report had been released. The report stated that New South Wales police had found that there were organised crime figures supplying NRL players with drugs and prostitutes in exchange for insider betting information, an illegal act punishable by up to two years jail.

Police had said there was no doubt several NRL players had passed secret information about injuries and positions to professional gamblers, but said they would not be pursuing criminal charges. It was here that I could not help but notice the parallels. No one is arguing that these things did not happen. No one argued that, in the NRL case, information was not supplied to organised crime gangs. No one argued that players had not received drugs and prostitutes in return. But this is the point. The point is that your average footy fan, when they sit down on the couch to watch Friday night footy, would not expect that to be happening. The average citizen would not expect dodgy deals by this government to be taking place either.

Corruption is different from criminality. When someone undertakes corrupt activities it does not mean they will be found to have committed a criminal offence. Those who say, "If this Labor government is corrupt, why haven't police laid any charges?" must remember that. Corruption does not mean that criminal charges will be laid every time.

Our standard here should not have the same threshold as the standard to lock someone away for a significant period of time. We must hold a higher standard for our leaders. The community rightly expects higher standards. (*Time expired.*)

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (11.30): The only lack of confidence I have is in Alistair Coe. Will he be able to keep his leadership after this embarrassing stunt? Don't worry: we do not want him to go; we want him to stay there. I would be very happy with that. He is doing a fantastic job for the Labor Party. I would like him to stay there right through to 2020, maybe even 2024.

I speak a little bit about contrast. On the one hand, we have the Chief Minister's strong record of working for and delivering for Canberrans. In contrast, there is an opposition leader and his relentless cavalcade of negativity and mediocrity. Let me say again very clearly: the only lack of confidence I have is in the Canberra Liberals and the opposition leader.

I urge Canberrans to continue reflecting on the Liberal negativity, as indeed they have done for the past five elections in a row. The motion we are debating this morning is nothing more than grandstanding from the opposition, who clearly favour stunts like this instead of genuine policy debate.

In contrast, the leadership and record of Chief Minister Andrew Barr, whose government I am incredibly proud to serve in, is evidenced for all to see. Right now there is a confidence and optimism in Canberra that is palpable. To see this, you need only look at the growth and creativity being unleashed. We have become a city that is being talked up around the country and the world. We have a Chief Minister who is leading the charge in taking Canberra to the rest of the country and the world.

What is more, our schools, hospitals and emergency services are world class. We are the world's most liveable city with a natural environment that is second to none. Civic, Tuggeranong, Gungahlin and Belconnen are booming, Woden stands at the brink of transformation with light rail stage 2, and our other suburbs retain their garden character that we all love.

Our businesses and universities are growing, innovating and creating jobs. We are leading the country in tax reform and reforms like 100 per cent renewable energy. This is due in no small part to the unstinting passionate and effective leadership and advocacy for Canberra by our Chief Minister, Andrew Barr. Labor's approach and record have been endorsed by Canberrans in the past five elections. In contrast, the Canberra Liberals have remained resolute in their inability or unwillingness to put forward a comprehensive and achievable agenda. That can hardly have escaped their attention, given they are sitting on the opposition benches.

In my long experience and many and varied careers, I can think of few, if any, more effective leaders than Chief Minister Andrew Barr. What we are seeing from him as Chief Minister is a prime example of leadership in action, articulating a clear and

comprehensive vision, pursuing a vision with vigour and getting results that are benefitting all Canberrans.

Contrast the Canberra of 2017 to the Canberra of 1997, when our community and our economy were hammered by the public service cuts of the Howard government. It was the first time in history that house prices in Canberra dropped. The territory has come a long way since then. Compare this to the Canberra of 50 years ago, when we really were just a big country town. It is no longer. If the opposition leader cannot see this, he really is operating in a parallel universe of right wing conservatism.

What the rest of the territory sees is a city that Canberrans are proud to call home; a city that is intentionally focused; and an attractive destination for tourists, students and investors.

It will probably escape the opposition leader's attention, but stunts like the motion today do nothing but undermine the great work that so many Canberrans—particularly in our businesses, tourism and education sectors—are doing to encourage investment and visitation in Canberra. When the opposition leader stands up here and hurls unsubstantiated and misleading allegations, he harms the confidence being built in our great city.

Again, the contrast between the Chief Minister and the opposition leader is stark. While the opposition leader was dreaming up this motion, the Chief Minister was in the United States, talking up Canberra, encouraging investment in the territory and explaining the benefits of doing business here. He was inspecting work on our major transport investment, the light rail project, which is already transforming our city.

I touch briefly on the urban renewal outcome that the government is progressing in Dickson. The section 72 site in the heart of Dickson will be home to a new Common Ground and new public housing, as the government works with the community on a new plan for the site. As such, this site will provide a great outcome for Canberrans who need a helping hand, including through supportive and public housing. As the Common Ground development in Gungahlin has shown, this is a great model for providing secure and affordable accommodation and support services to Canberrans in need.

The government purchased blocks 6 and 25 of section 72 in Dickson in 2012. The precinct is within easy walking distance of the Dickson shops, the Dickson pool and the first stage of light rail—a perfect spot for social housing in the territory. The purchased blocks, along with other land in the precinct, is large enough to combine a mix of uses, including community facilities and private homes, in addition to the planned social housing. The government will soon begin consultation with the community on what they would like to see.

It is important to note that the sale and purchase arrangement allowed the government to secure ownership of two key blocks of land to consolidate a significant urban renewal site, while ensuring the public car park on block 30 section 34 in Dickson would remain available to the public while other significant development works took place in the area. In summary, the sale and purchase of these blocks in Dickson is

facilitating a positive urban renewal and community support outcome in Canberra's north.

As I have noted, Canberra is booming. As I outlined earlier, I am proud to serve in this government and to serve our Chief Minister, Andrew Barr. I am proud of our track record and resolute in our commitment to continue delivering for all Canberrans.

MR HANSON (Murrumbidgee) (11.37): I welcome this motion because it shines a light on what is going on with this government and in this town. Those opposite have sought to turn this into a public policy debate. They are talking about issues like abortion and tourism, equity, international flights and tax reform. Let us be very clear what this is about today, and that is what lurks beneath: power, money and corruption.

It is a money-go-round. It is public money—through sweetheart deals, land deals and pokie money—which goes to the Labor Party and the CFMEU and is then recycled back into the pockets of Labor and Greens parties politicians through political donations. It is not just the Canberra Liberals saying this. I will turn to that shortly. I will give just one example. Mr Coe has outlined the evidence very well. This is one example where the CFMEU get \$4 million in their pocket and are then allowed to stay in a property for \$1 a year.

Let us put that in context with community standards. The Woden Valley RSL has just moved into a small part of the old school in Holder. They are paying \$40,000 a year. Across this town there are many community organisations, charities, members of our community that have to rattle a tin on the weekend to raise money. Each of them is paying tens of thousands of dollars a year. But this mob and their mates pay a dollar. I repeat: they pay a dollar.

These sweetheart deals are achieved through the power of the grip that the factions and the CFMEU have on pre-selections. All of you across there know it. You are the beneficiaries of it. You can smile at me, Mr Pettersson—you know it more than most.

It is not just the Canberra Liberals saying this. I refer to what Kevin Rudd, the former Labor Prime Minister, said. He said that the Labor Party should “sever ties with the CFMEU, given the evidence of corruption, bullying and law breaking”. Bob Hawke, a well-respected former unionist and Prime Minister of this country, said, “It is just appalling. I wouldn't tolerate it.” Judges have said that the CFMEU “had contempt for the law” and were trying to “usurp parliament”. We see the usurping of parliament here through the actions of the CFMEU aligned with Labor Party members in this place.

Let me turn to former Chief Minister—the longest serving Chief Minister of this territory—Mr Jon Stanhope, who had been crusading for reform to what he sees clearly as corruption. He talked about the power of the unions on the party. He said that it has “corrupted the party”. That is a quote from Jon Stanhope: “corrupted the party”. He talked about rorting.

Again I quote Jon Stanhope who, when talking about the Labor Party in an article, said, “... has seen it become the plaything of a handful of union-based factional

leaders". We are seeing that play out through the corruption of particularly the CFMEU. What did Mr Stanhope say about that? He said:

The ALP—

as in this mob opposite—

will insist that it was 'them'—

as in the unions—

that were at fault, not 'us', when in fact they are in reality 'us'.

You only need to listen to the maiden speeches of most of those members opposite to see whom they are beholden to. Mr Stanhope has gone further. He said that the first investigation of our new corruption commission should be into the ALP and its links with the CFMEU. This is Jon Stanhope saying this. This is not Alistair Coe saying it; it is Jon Stanhope who said:

The CFMEU is not just affiliated with the ACT branch of the Labor Party, it is the most powerful and influential organ of the party.

I would imagine that at least half, if not more, of the Labor members of the ACT Legislative Assembly owe their preselection to the CFMEU.

I think it inevitable that the Assembly select committee into the establishment of an independent integrity commission will recommend such a commission be established. If so, I can see, particularly in light of the position adopted by the government in relation to Clubs ACT, that the first inquiry—

I repeat: the first enquiry—

it undertakes will be into the relationship between the ACT government and the Labor Party and CFMEU group of clubs.

That is what Mr Jon Stanhope, the longest serving Labor Chief Minister of the ACT, said.

It is not just through the pokies and the land deals that they are making money. It is not only Mr Wall raising concerns but also industry groups. The Master Builders Association have stated that they are deeply concerned about the integrity of the ACT government's tendering processes. They have gone further and described the government's set up of an MOU as looking to legislate for "a three-way process that involves a union tip off and pay off". That is from a respected industry group. They go further:

Their huge wealth—

again, I hear scoffing from across the chamber—

and power has been built on forcing Canberra's construction industry into the woefully anti-competitive pattern agreements that delivered \$1.2 million in direct profits to the CFMEU ACT ...

That was in 2013-14 alone. Again: this was an industry group.

The ACT Civil Contractors Federation president, Peter Middleton, estimated that the effect of the MOU just on a single project—that is, light rail—would mean taxpayers were paying “\$40 million to \$80 million more than they should”. I repeat: 40 to \$80 million more than they should. A *Canberra Times* editorial described this MOU and said, “The deal between the state government and UnionsACT just does not smell right.” And it doesn’t.

That goes to how this government ultimately funds itself: on the back of pokie profits. There are the land deals and all those sweetheart deals that bring in millions, but it is the pokies that bring in the tens of millions into this government. Mr Stanhope said that the money that they get from their pokie empire is “morally unacceptable”. He said it is “morally unacceptable”, and it is. We have members like Gordon Ramsay opposite who come in and lecture us about gaming reform but, as we all know—this community would agree with Jon Stanhope—what you are doing is morally unacceptable. I again quote Mr Stanhope:

The Labor Party should not be in a position where it’s perceived as owning poker machines and facilitating gambling.

That is what you are doing. As I said earlier this week, Canberra is the only jurisdiction outside tin pot African dictatorships where the party of government and their union-affiliated mates own a pokie empire, profit from that and then regulate that industry; get the money from that into building luxury apartments and funding their own political success.

This is not isolated to the Labor Party. The Greens, as we know, are significant beneficiaries of the pokie money from the CFMEU; \$50,000 went to the ACT Greens in one single donation.

It is unethical and it has corrupted this party. This Labor Party has been corrupted. This party of government has been corrupted as a result. This is on the back of the misery of problem gamblers in places like Charnwood. Mr Ramsay should know that this Labor Party is profiteering from poor families.

Although Mr Stanhope has campaigned on this issue, you can get an insight into the culture of this party. Last year the president of the ACT Labor sub-branch in Dickson, who is a member of the CFMEU, was charged with blackmail. He was stood down. He was replaced by another CFMEU official as the president of the Labor Party sub-branch, who was also facing court action.

The media were flabbergasted and, when asked questions about this by the ABC, the response of the secretary of the Labor Party to these very serious concerns—charges that I believe led to convictions for blackmail—was this: “If we started throwing people out of the Labor Party for fines, we probably wouldn’t have many members left.” That is what the leadership of the Labor Party thinks. That is the standard that the party of government sets for probity in this town: that if we were to throw out

people in the Labor Party who were facing court action and fines, there would not be many members left. That is your secretary. That is the secretary of the Labor Party who says that. Mr Pettersson over there continues to snigger.

This is not just isolated to the political arm of the party. We see the infection spread into this place. We saw it last year, Madam Speaker, when you were previously the police minister. The Chief Police Officer came into this place to brief the police minister on ongoing investigations into the CFMEU. The CFMEU had been investigated by the police. There was a briefing provided to the police minister on those investigations. That was then leaked from the former police minister's office to the CFMEU. Let me quote—there are numerous quotes on this—from the *Australian*:

ACT Police chief Rudi Lammers said the leaks had occurred early last year, and came to police attention in April, when they became aware of a conversation between Ms Hawthorne—

the former police minister's chief of staff—

and CFMEU ACT Secretary Dean Hall, believed to have been recorded by trade union royal commission investigators.

Mr Lammers said police had found evidence of “ongoing releases of information” throughout the latter half of last year.

That is the sort of behaviour that led to the police minister's resignation and infects this government.

I commend Mr Coe for bringing this motion forward and shining a light on what is corrupt conduct. Let me be very clear: this is a government, a party, which is profiteering from the misery of problem gamblers through a massive pokie empire. That is corrupt.

This is a party, a government, legislating and governing, providing information through back channels on behalf of themselves and their mates. That is corrupt. This is a party, a government, doing sweetheart deals, property deals, which financially benefit themselves as ALP members and their mates through the CFMEU. That is corruption.

I commend this motion to the Assembly.

MS FITZHARRIS (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (11.50): I am very proud to be part of this progressive government, this good government, with a positive plan for renewal across our city and our suburbs, a government committed to equality and giving everyone a chance—a government of integrity and openness with the Canberra community—and proud especially to serve under this Chief Minister who has proven himself not only to his colleagues but to the Canberra community over multiple elections, including one as Deputy Chief Minister and one as Chief Minister just over a year ago. Indeed, it was an endorsement of a member and a leader

who has achieved for his electorate and our community for 11 years. He has proven himself as a representative, a policy leader, a passionate advocate for issues close to the hearts and lives of so many Canberrans and perhaps one of the most influential shapers and leaders of our city.

We know that Canberra is the fastest growing most progressive city in Australia, with health and education systems and infrastructure the envy of many Australian jurisdictions, with strong economic growth, secure jobs, a budget returning to balance after some exceptionally challenging times and outstanding tourism numbers. Indeed, as has been noted, we have just been named the third most attractive city in the world to visit, an accolade talked about and talked up around our country but notably, as the Deputy Chief Minister said, met by a wall of silence from those opposite. They just cannot bear the success of this city under this government, a united team behind a strong Chief Minister.

It is no accident that the success of this city is reaching its peak under the leadership of Andrew Barr. His leadership is testament to his personal character and the trust he has of his colleagues and the community, his willingness to put himself out in our community, to lead change, to listen to all voices in our community, to respond when mistakes are made. This is a hallmark of all effective leaders.

No government, no leader, no human being is perfect, and any political discourse that assumes this does a disservice to us all, to our roles as representatives and to this institution. But what sets leaders apart is their ability to stand up for what they believe in, to take risks, to listen, to work with others, to achieve what needs to be done, to be decisive when something is not working and when things need to change, to bring colleagues and the community with you towards a shared goal of making our city and our community a better place, to take our city to the country and to the world. There is no-one better placed to do that than Andrew Barr, and I, and all of my colleagues, stand behind his leadership: leadership with integrity.

This government's commitment to good governance has been unprecedented. Our achievements have occurred in the context of a good and well-run government with a clear vision and clear values, led by the Chief Minister.

The Chief Minister and the deputy have thoroughly and comprehensively addressed the issues raised by the opposition. The opposition have ignored the facts. They have, indeed, ignored the Auditor-General's findings. The opposition leader even considers his own efforts today in this place superior to those efforts currently underway by the Auditor-General. They have ignored the actions taken by the Chief Minister and outlined in detail by the Deputy Chief Minister.

Our commitment to open government is clear, with cabinet outcomes, government data sets and significant amounts of material made available online. There has been an unprecedented level of access to material such as reports being made to this larger Legislative Assembly, as it should be.

Community engagement and transparency in decision-making are paramount. As the Chief Minister said before and after the election, we are working hard to further build

our expertise in community engagement to make sure that major decisions are underpinned by genuinely representative information about what our whole community really thinks. Our first citizens jury into compulsory third-party insurance is a good example of this.

Ministers are rightly subject to extensive scrutiny, including questions without notice, appearances before committees including budget estimates and annual reports hearings, and responding to questions in the chamber. Far from the opposition's claims about the ACT, the ACT maintains an extraordinarily high level of credibility nationally and internationally. We have led the nation on many issues: tax reform, social inclusivity and domestic violence response, just to name a few.

Let us not forget that just over a year ago voters in Canberra endorsed the ACT Labor Party, giving us the highest number of first preference votes at the ACT election and allowing us to form government together with the ACT Greens Party. In contrast, there was a larger swing against the Liberal opposition.

What we see here today is immature, irresponsible and disrespectful. We saw just last week how seriously the Canberra Liberals really took this move—members opposite laughing openly about this motion, likening it to a choice between Mr Hanson doing a fitness class and a no-confidence motion—and again as recently as yesterday chortling about it in the chamber like children. It bore out their real motive: to get a headline. They actually think it is a joke. They were unprepared and do a deep disservice to the Legislative Assembly and to the community by their actions.

It is not a joke. It is the most serious motion this Assembly can consider, with one of the most serious accusations an opposition can make. But we should not be surprised. Colleagues, we have seen this before: a relentless campaign that starts as a whisper of slogans and mistruths and slowly builds to a crescendo of negativity and fear, the most orchestrated piece of sophistry you could imagine. It is opposition for opposition's sake, relegating every other issue into one narrow prism, doing a disservice to every other aspect of policy or service delivery to meet the needs of people in our community. And make no mistake, we have seen similar campaigns federally by the Liberal Party. It is Canberra's version of dog whistling, fear mongering, because all this opposition knows is how to play politics.

It is reminiscent of a replay of the case against light rail and notably, because the opposition are now utterly stranded on their position on light rail, it is, of course, likely to dominate their term. And since just over year ago, with the resounding response from our community, what we have seen mostly from this opposition is a glimpse of what a Liberal government would look like.

They are clearly anti-union. Most simply put last week by the shadow minister for small business and industrial relations when, in response to a charge that the opposition are anti-union, he gleefully shouted, "Hear, hear!" That means that the opposition are proudly anti 33,000 Canberra working people and their families: city services workers, schoolteachers, CIT teachers, nurses, ambos, public servants, bus drivers, librarians, construction workers and more. We know clearly where this opposition lie: anti-union, anti-women's right to choose, anti safe schools for our kids.

I know that not all members opposite feel this way and, indeed, I respect all their views, even those that I do not agree with, but all Canberrans must know how divided this opposition is, how incapable they will be, just like their federal counterparts, of having any ambition or vision for our city or our community and that, no matter what, they cannot put forward a united front because there simply is very little that unites them.

Today's motion is a revealing act of desperation as cover for a party that has nothing to offer one year out from an election which they comprehensively lost, an opposition that mocks members in this chamber for a mispronunciation, who are not interested in hearing answers, on the one hand treating it like it is all a game and on the other hand accusing the government of the most serious actions.

The opposition has overreached. The opposition leader has misused his position to make one of the most serious and unfounded allegations he could make against a chief minister. The Chief Minister has strongly addressed and refuted those allegations, which the opposition continue to ignore. When this debate is over, I look forward to working with my colleagues and the community, getting on with the job of delivering what we promised for Canberrans under the leadership of our Chief Minister.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (12.00): Madam Speaker—

Mrs Jones interjecting—

MADAM SPEAKER: Sorry, minister, just resume your seat for a moment. Mrs Jones, no conversation and interjecting across the floor. Minister Ramsay has the floor.

MR RAMSAY: Madam Speaker, last week the opposition was quoted as saying “Enough’s enough.” They may be about the only two words that have been spoken in this whole area with which I can readily agree. Enough is enough. It is time for us as an Assembly to move beyond the stunts and to move beyond the desperation that is now being regularly peddled by the Canberra Liberals.

A motion of no confidence in the Chief Minister is the most serious that can be considered by the Assembly and yet, two days after giving notice of the motion, the current Leader of the Opposition said that he was still putting together the materials on which they would rely. We have seen question time used this week as a desperate grab to obtain documents which amount to little more than a fishing expedition.

This is not a motion for a person to move and then go hunting for information to back it up. Canberrans deserve higher respect than that. And yet, respect is not something which has been afforded to the people of Canberra by the Liberals. In this place we have an opposition that does not believe in evidence or policy.

I note that throughout the debate the volume has been increasing at times across the chamber. There is clearly an inverse relationship between the evidence and the volume, because there is no policy, no evidence upon which to base this. There is no policy that the Canberra Liberals have in relation to women's health. They are closing their eyes to the evidence of what policy achieves.

They are desperate to work around the Assembly and the sovereignty of the territory regarding people's health and pill testing. They are internally conflicted and confused when it comes to considerations of electronic gaming machines and gambling. The current Leader of the Opposition continues to insinuate that this government cannot engage objectively with the clubs.

The Canberra Liberals' repeated assertion that the government is conflicted because of the Labor Club gaming machine revenue is misplaced, it is misunderstood and it misrepresents reality. Gaming machine revenue is collected as a tax. It goes into consolidated revenue, which of course funds schools, hospitals, roads, public transport, rubbish collection, mowing, parks, city services, the justice system.

Opposition members interjecting—

MADAM SPEAKER: Can you resume your seat, please, Mr Ramsay. Ms Lawder, you were heard in silence, I think, as were you, Mr Wall, but you are not providing silence for Mr Ramsay at the moment. Mr Ramsay.

MR RAMSAY: Madam Speaker, city services, the justice system, the arts—I could go on. This is revenue like any tax that is necessarily collected to fund the city that we love and the lifestyle that we enjoy. But the realities of running an economy elude the opposition, probably for obvious reasons. The facts are clear: this government is working and working hard to reduce harm.

But the opposition spokesperson for gambling constantly seeks to water down any steps designed to reduce the negative impact of gambling in the territory. Madam Speaker, I draw to your attention that the assistance package for clubs that this government has initiated is aimed primarily to assist small and medium clubs. Neither the Labor clubs nor the tradesmen's clubs qualify for that assistance. There is no preferential treatment.

The Labor Party's relationship with the Labor Club is transparent. There is nothing hidden about it. The Labor Party has not received donations from the Labor Club since 2013. And, more importantly, decisions about the club's gaming machines and its income are not made or directed by the Labor Party. The club is an independent organisation owned and controlled by its members. All donations, as the opposition well knows, though may well choose to ignore, are reported as part of the electoral donations regulations.

The allegation that this government is conflicted on this is entirely unfounded when you look at the policy that we have on gaming machines. In addition to the casino legislation, which we will be debating later, which prioritises acquisitions from small

and medium clubs, gaming machine numbers across the sector will go down in this term of government.

We have also already this year increased the problem gambling assistance fund, we have imposed EFTPOS withdrawal limits and we have committed to reviewing the community contributions scheme. We are asking the clubs to contribute, as our partners, to the harm reduction agenda. And we are engaged with all clubs and all club representative groups in this important work.

The claim that there is a credibility issue simply does not stack up against the reality of what government is doing. But, again, evidence does not seem to be the concern of the Canberra Liberals. As serious as this motion is, or at least as it should be, the reality is that we are seeing a desperate opposition that has simply used this motion to cloud, to obscure and to avoid the truth.

The truth is that this government, under the Chief Minister, Andrew Barr, is and has been working for the benefit of a strong, vibrant, healthy and just Canberra. And the opposition is simply working hard to reduce itself to a shadow. I oppose the motion.

MS STEPHEN-SMITH (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (12.06): I, of course, rise to speak against the motion that is currently before the Assembly. As my colleagues have pointed out, few motions in this place have greater significance than a motion of no confidence. But the motion before us today does not reflect this fact. In fact, this motion reflects more on the integrity of those opposite than on this government or this Chief Minister.

As Canberrans have come to expect from those opposite, this motion is driven purely by petty politics. It is moved by a leader of the opposition who has sunk to the level of innuendo, conspiracy and mudslinging. As we have seen over the past week, he has not been able to make a single specific allegation that is not rehashed overreach, as my colleagues have pointed out, particularly the Chief Minister who has rebutted each claim in detail.

Instead, the Leader of the Opposition has been, and still is, relying on insinuation and smear in what appears to be a temper tantrum after the Chief Minister stood up to him in question time last week or, as the Deputy Chief Minister pointed out, after yet another good news day for Canberra under this Chief Minister; more good news that the opposition just could not bear to hear.

I am not without sympathy for those opposite. I understand the constraints and frustrations of opposition. Nevertheless, I entered this place a year ago hoping for a more cooperative, constructive approach from all members of the Assembly. I figured that in a small chamber such as this, in a city where the population understands better than any other the realities and complexities of government, and after an election where a positive vision so clearly won out over carping negativity, the new opposition leader might try a new approach, that he might try celebrating Canberra's achievements alongside us and talking about how we can work together to make the

city even better, that he might seek to work with the government on the things we can agree on, at least for the first couple of years, to show Canberrans that the Canberra Liberals could be a constructive force for good.

Unfortunately, I was wrong. Instead, as a new member in this place, I have been constantly disappointed by the disingenuous approach taken by those opposite to pretty much every issue that has arisen. It has, in fact, taken me some time to come to terms with this. But, sadly, I am no longer surprised by the pettiness and partisan politicking that we see here today.

It is clear that 16 years in opposition has left the Canberra Liberals without experience or understanding of government. At best they are misinformed, and at worst they act to wilfully mislead. We see it time and again in this place. Regardless of the facts, in fact often with complete disregard for the truth or the impact that they will have on people's lives, those opposite engage in the confected outrage of a party devoid of ideas. And that is exactly what we see on display today: an opposition more interested in mudslinging than engaging in ideas.

It is regrettable that we find ourselves in this place today having this debate rather than dealing with the issues that the people of Canberra are concerned with. On this side of the chamber we want to discuss the real issues. We want to discuss our plan for a stronger, fairer and more inclusive city, our investment in growing and diversifying Canberra's economy to create more and better jobs—something the Chief Minister has championed over many years—and our vision for a city that is a great place to live, work and raise a family because we are a government with a vision for this city, a vision for a better future.

In contrast, those opposite have no vision and no alternative. That is why they resort to the politics of wrecking and negativity. I have no doubt that Canberrans see and understand this. I have no doubt about that because last year's election result made it clear. The Canberra Liberals are out of government because they are out of touch and out of their depth. They are more interested in disingenuous innuendo than articulating their alternative vision for our city. This is not the strategy of an alternative government or an alternative chief minister. It is not the way this place should be or should operate.

I have on occasion seen the productive way of working that can be afforded by the closeness of this place. Rather than the confected outrage on display today, I challenge those opposite to reflect on the impact of their negativity on Canberrans but also on their own chances of ever getting into government. I challenge them to consider working constructively with us to deliver the best outcomes for Canberrans. The strategy of petty politics for the sake of politics is counterproductive and serves no-one well, least of all the Canberra community.

MR PETTERSSON (Yerrabi) (12.12): Thank you, Madam Speaker.

Mr Parton: Here we go.

MR PETTERSSON: I knew you would be looking forward to this, Mark. You are excited over that side today. It is good to see. There are some standing orders and conventions I am not entirely familiar with, but every single one of us knows the gravity of a motion of no confidence in the Chief Minister. That is why we are all sitting here today watching, apart from some of our comrades.

Mr Wall: In your darkest hour, they are not there.

MR PETTERSSON: Shane is at the back, so it could be worse. I will be honest: my heart skipped a beat when I first heard about this motion. My thoughts immediately went to wondering: “What could this be about? What justification does Mr Coe have for moving such a serious motion?”

I can reassure you, Madam Speaker, that any nervousness I had quickly turned to amusement when I saw in the *Canberra Times* their terrible media release: no evidence, no facts, just a list of dot points. That is right: dot points, all of their crazy conspiracy theories in dot point form. When I was in high school, which was not that long ago, I had a teacher who told me, “If you’re ever running out of time in an exam, put your key points down in dot points.” I think it says a lot. Mr Coe has run out of time. He has resorted to dot points.

Now as we all know, corruption is a very serious claim that needs serious evidence. Mr Coe appeared on ABC Radio last week. I do not think he was prepared for it. It was a bit crackly over the radio.

Opposition members interjecting—

MR PETTERSSON: I made an exception. I do not normally listen to ABC Radio, but for this I wanted to listen. Alistair Coe was asked directly, “If you have evidence, why not take that to the police? Is that not the most direct way to prove corruption?” Mr Coe responded, “Well, we certainly we have forwarded the information to the police.” When asked to elaborate on what information he had forwarded, Mr Coe refused to say, remarking, “Well, that is subject to a police inquiry.” Those are very serious words, Mr Coe.

We later found out that this was all smoke and mirrors. There has been no police referral. He even confirmed this to Fairfax, saying that he had not forwarded any further evidence to the police other than the matter of the FOI, which was previously reported upon. It was an interesting turn of events. So maybe Mr Coe has a secret stash of documents that he is refusing to share with anyone—not the media, not the members of this chamber and not even the police. Alternatively, he has nothing and this is a political stunt. Both are concerning, but with this opposition we know it is most definitely the latter: a pure political stunt.

I did notice something strange while reading that press release with the weird dot points, the one I was talking about before. There were six dot points. That number stood out to me. Does it stand out to anyone else? I am hearing silence. In Mr Coe’s

budget reply speech, rather than talk about the budget, he talked about probity. In that speech he named seven issues that the Canberra Liberals were aware of.

I have paid attention to what Mr Coe has said today. It is good to hear that he has remembered the seventh issue, even if in his press release he could not. The term “corrupt capital” has been thrown around by those opposite. One of my favourite things in this place is to monitor the social media accounts of everyone. There are some star social media performers and there are some who are lacking. I saw the #corruptcapital hashtag attempted by the Canberra Liberals. If Liberal HQ is looking for some guidance on social media then I just suggest they consider consulting Mr Parton and Parton Me, procuring some of his social media services. Mark seems quite good at getting traction with some of his selfie videos, so I suggest they look into that for future social media attempts. I know—

Opposition members interjecting—

MADAM SPEAKER: Can the members resume their seats, please. Again, someone is on the floor trying to make their point. This is a serious debate, so let us just hear the arguments for and against.

MR PETTERSSON: Thank you, Madam Speaker. I was struggling to hear my own thoughts over some of the interruptions from opposite, so I appreciate that. It was a long time ago that the Canberra Liberals were last in government. When they were, they oversaw a shambolic regime in which breaches of the Financial Management Act had become standard practice. Overnight loans, tax breaks and public money going to their mates were standard practice. They were all standard practice under the last Liberal government. Yes, it has been a while since that last took place. There are brownie points in it if someone can figure out how old they were when they were last in government. But their behaviour as an opposition suggests that not much has changed.

As we all know, the Liberal Party’s policy platform is open to the highest bidder. Their positions on poker machines, compulsory third-party insurance and planning laws are presumably all auctioned off at Liberal Party fundraisers. I think it is fair to say that the Canberra Liberals have learned very little from their time in the wilderness, but it does make for a good laugh when they try to uphold themselves as beacons of virtue.

This Labor government, on the other hand, has progressed a range of measures directly aimed at improving transparency and accountability, as we have heard from the previous speakers. We have refused to accept donations from property developers. That is a step—

Opposition members interjecting—

MR PETTERSSON: No. That is a step that the Canberra Liberals will not take. It is very interesting that the Canberra Liberals will not take that same step. I understand why. It is because your mates up the highway—

Opposition members interjecting—

MADAM SPEAKER: Stop the clock, please. This is the first time I have stopped the clock but, as amusing as it may be for you, you have brought on a motion of no confidence in the Chief Minister, a most serious allegation. You have people on their feet defending the Chief Minister, putting their arguments.

Ms Lawder: He is not really defending the Chief Minister.

MADAM SPEAKER: Ms Lawder, I would not make a comment in the middle of my trying to bring you to order. You have been heard in relative silence. Now allow this side that same respect.

MR PETTERSSON: Again, Madam Speaker, thank you for the interruption. I am struggling to hear my thoughts, given how loud they are today. They are not normally this animated, which is why I am so surprised. Going back to why they are so keen to keep taking property developer donations, look up the highway at what happened to their mates the New South Wales Liberal Party. A bunch of them under ICAC investigation all had to call it quits.

The lack of evidence presented by Mr Coe has made me ponder another question about this whole matter: why now? Why has this come on now? It is strange. It seems a weird time. If you legitimately thought there was something untoward occurring, would it not be better to wait until you had compiled some evidence—anything? What do we not know about, Mr Coe? Why has this come on this week? Is his tenuous hold on the opposition caucus room starting to slip and is this just a desperate attempt to regain some momentum? I suspect it is.

I also think it says something that Mr Coe cannot even rally half of his party room to speak on his motion. It is the most important motion he has ever moved in this place, and he cannot even get a handful of members to speak to it. That is interesting. I know it is just a political stunt, but you would think they could at least back him up.

Could there be a challenge on the cards, not this week but a little into the future? I think Mr Hanson, interjector in chief, might be considering a comeback. He is swanning around on his motorbike, wearing his hip leather jacket, almost like Canberra's Malcolm Turnbull. Trust me, Jeremy, you are not Canberra's Malcolm Turnbull. Or what about Mr Wall, the loyal sidekick to Mr Coe? Maybe Mr Wall is toying with the idea of being leader one day. I do not think so, and I think Mr Wall agrees. Mr Wall is very comfortable being Robin to Mr Coe's Batman. I think Mr Wall should be very proud of himself today.

Mr Hanson: I raise a point of order, Madam Speaker. In your previous ruling you admonished the opposition. As you rightly pointed out, this is a serious motion. I would consider whether Mr Pettersson, based on the ruling that you provided to the opposition, is treating this motion with the sincerity and the due regard which you have insisted the opposition have.

MADAM SPEAKER: I take your comments, but I think there has been enough mirth and interjection from the opposition benches. Mr Pettersson, whilst tongue in cheek, is making a point as to what his view is on this motion.

MR PETTERSSON: Thank you, Madam Speaker. I am getting quite a workout sitting down and standing up. Going back to Mr Wall, I think Mr Wall is having an excellent day. Somehow he managed to get himself to number two on the Liberal speaking list. It is almost like it says something about the Liberal Party caucus room. But I digress. The shocking thing to me is that no-one has ever considered the current deputy of the Canberra Liberals to be a future leader of the Canberra Liberals. I want it on the record—

Opposition members interjecting—

Ms Cody: On a point of order, Madam Speaker—

Ms Lawder: What is your point of order?

MADAM SPEAKER: I think it is that you are all interjecting from the opposition—

Opposition members interjecting—

Ms Cody: On a point of order, Madam Speaker, I think they are interjecting far too much. You have asked them several times to calm down. I cannot hear Mr Pettersson.

Mrs Jones: I think you can.

MADAM SPEAKER: Members, it is getting a bit repetitive having to call you to order, so can you please manage, Mrs Jones, to allow Mr Pettersson, who has been interrupted a number of times now, to get to the end of his comments without further interruptions.

Mrs Jones: Do you want me to?

MR PETTERSSON: Oh, please.

Mrs Jones: Right. I will probably do better than that if I do.

MADAM SPEAKER: Are we all finished, ladies and gentlemen? Mr Pettersson.

MR PETTERSSON: Thank you, Madam Speaker. I am not going to the gym tonight; I am getting a workout back here. Going back to Ms Lawder, the most shocking thing to me is that no-one has ever said that Ms Lawder should be the next leader of the Liberal Party. I want it on the record that I am on team Lawder. In the spirit of getting terrible hashtags going, I am suggesting we try the hashtag #teamLawder. Most people in the community seem to prefer the new kid on the block. Mr Parton could be a formidable opposition leader. I know how much you enjoy hearing that, Mr Parton.

Unfortunately for Mr Parton, Mr Parton seems only capable of running from controversy to controversy, not a government.

My point is that the Canberra Liberals have options. I want you all to take a moment, look around and think about who is coming up next. We are only 12 months into this term and we are already seeing this level of desperation from Mr Coe. It is clear that his leadership is terminal. It might not be this year or even the next, but sooner or later he is gone. You cannot come into the Assembly and move a no-confidence motion against the Chief Minister and, when asked to present real evidence, simply shrug your shoulders. It is not tenable. We see through it. The Canberra community sees through it. If you had any honour, you would do the right thing and resign.

MS CODY (Murrumbidgee) (12.26): What an incredible week it has been here in the Assembly: a week when we have seen the government deliver significant legislation on tackling crime, gaming, protecting our environment, planning and some really cool changes to the permitted uses of Lake Burley Griffin; a week when we have heard reports from ministers about their year of achievement, including improvements for female detainees at the Alexander Maconochie Centre, better access to justice and the protection of our very own little eagle; and a week when we have heard from the Select Committee on an Independent Integrity Commission, the most significant anti-corruption agenda since self-government.

And then we have this: a motion of no confidence, of no consequence. I would describe this as a distraction, except that I am pretty good at multi-tasking. I have quite enjoyed speculating all week as to which blind alley the opposition leader was going to run up. I see he has taken the advice of Mr Hanson and Mr Parton that if you throw enough mud, some of it will stick. Except, as we can see, they have left their boy in a hole, a muddy hole that they have encouraged him to dig.

I am not here to claim that this government is perfect at everything, but I do have confidence that it is not engaged in corrupt decisions. I also share with all right-minded Canberrans a rising curiosity as to how the Liberal Party have come to be so obsessed with trade unions, and the CFMEU in particular, that they are blinded not only to truth but also to self-preservation. I have always understood that Mr Coe leads a party of selfish individualism. I always thought that his highly ideological approach would extend to protecting his own credibility and acting in his own self-interest. His desire to be one of the big boys, like so many scandal-prone federal Liberals, has seen him following their mistakes.

After a century of royal commissions failing to find crimes, Mr Coe's Liberals still fantasise about a world where their party are the crime-busting comic book heroes a young boy reads about under the covers at night. After his Liberal mates diverted hundreds of millions of federal tax dollars from protecting vulnerable Australians to attacking unions, without finding the evidence of wrongdoing the Liberals dream of at night; after having to sack the bloke they employed to run the ABCC because he was bent; and after endless embarrassments of the Liberals' attack on unions and working people, Mr Coe's lack of maturity has been taken advantage of again by the old nags in his party. And here he is, stuck in his muddy hole, fantasising that the world is corrupt, as Liberal ideology has taught him.

I am not against boys having dreams, and most of the time I hope most boys' dreams come true. But, unfortunately, Mr Coe's dreams of corruption are not coming true, no matter how much Mr Hanson dreams of corruption and no matter how much Mr Parton dreams of corruption. If they are going to teach their boy to believe in something that does not exist, I suggest that unicorns, mermaids or hobbits would be a better option. At least they bring joy to people rather than just the boring misery that seems to be the universe the Leader of the Opposition is stuck in.

I have confidence in Mr Barr and I believe that this Assembly should have confidence in Mr Barr, because I know that the people of the Australian Capital Territory have confidence in Mr Barr. I will not be voting for this motion of no consequence.

Sitting suspended from 12.31 to 2.30 pm.

Chief Minister

Motion of no confidence

Debate resumed.

MR COE (Yerrabi—Leader of the Opposition) (2.30), in reply: The motion that we have moved today is, of course, a very serious motion, and we do not do it lightly. We do it because we are standing for integrity. We do it because we have had enough of corruption in the ACT and somebody has to take a stand. If those opposite are not going to take a stand, the opposition will continue to do absolutely everything in our power to expose the dodgy deals and to shed light on what is a bad government.

In my earlier speech I made mention of the valuation of the section 72 block in Dickson. There are a few things to note about this valuation. The valuation had two scenarios in it. Scenario 1 was vacant possession. Scenario 2 was an 18-month rent-back, a net rent-free rent-back. Scenario 1, vacant possession, had a value of \$3.55 million. With the rent-back, it had a value of \$3.25 million, meaning that in effect the 18-month rent-back was worth \$300,000. Instead, what the government did was to pay for vacant possession and then give them 42 months rent free. In actual fact, the 42-month rent-free period that the Tradies received is probably worth around \$700,000. So while you have community groups all across Canberra fundraising to pay for an old classroom in a disused school site for offices for their charity or community group, the Tradies and the CFMEU benefit to the tune of \$700,000 over the course of 42 months.

The arrangements that the labour movement have set up are interesting. The Labor Party and the union movement deal in smoke and mirrors. They have complex structures to mask their operations. If we look at the Labor Club and the Tradies-CFMEU, the following companies are engaged: the Canberra Tradesmen's Union Club Ltd; the Canberra Tradesmen's Union Club Community Fund Ltd; Hadwon Pty Ltd; Raymel Holdings Pty Ltd; Nedow Ltd; Two Peas In A Pod Pty Ltd; The Garden Unit Trust; Woden Tradesmen's Union Club; Construction Charitable Works Ltd; Creative Safety Initiatives Trust; Construction Employment Training & Welfare Ltd; Canberra Labour Club Ltd; 1973 Foundation Pty Ltd; 2,200 Nominees Pty Ltd; and S48 Investments Pty Ltd.

These are all structures within the CFMEU, the Tradies and the Labor Club. It just so happens that the Labor Party and their fellow travellers have made the most of the corporate rules and regulations in Australia. They have companies and entities everywhere, and I think many of them are paying handsome directors' fees as well.

The incestuous rorts in Canberra are out of control. The Canberra Liberals are proud to call them out. It is our duty to do that. We would be negligent if we had all the information that we have and we did not bring it to the Assembly's attention. When you have \$700,000 worth of rent being gifted, in effect, to the Tradies, it is up to us to call it out, because those opposite certainly are not. Recommendation 38 of this week's report from the Select Committee on an Integrity Commission stated:

The Committee recommends that an ... Anti-Corruption and Integrity Commission have the power to make findings of fact that corruption has occurred and that such a finding is not to be taken as a finding of guilt.

We have a gaping hole in our current system. We have the police, we have the standards commissioner, we have an Auditor-General, but there is a gaping hole, and that is why we need an ICAC. But when we do get an ICAC, if indeed those opposite ever come to the party, we hope that it will be able to determine corruption without having to prove it to a criminal standard, because, as we well know, there are so many masters of corporate structures, so many masters of wheeling and dealing, that they can get around so many of the criminal laws. An earlier paragraph in that same report states:

... an anti-corruption body (and its investigation process) does not have the accompanying requirements and safeguards of the judicial process. Accordingly, it can only make findings, however these findings are not findings of criminal guilt but findings of fact.

Madam Speaker, what I have presented today is fact. We do know that in 2010 the government were in direct negotiations with the Tradies. We do know that in 2012 they opened up an expression of interest; 20 people expressed an interest but only two ended up looking at that prime site.

We do know that they applied for a deconcessionalisation of the main site before they had even won that expression of interest. We do know that on 20 December 2012 the government awarded the Tradies the contract for the car park. We do know that in February 2013 Simon Corbell came into this place and said that the Tradies could deconcessionalise their site. And we do know that in April 2013 the government got a valuation done for two scenarios, and they paid for vacant possession but then they gave them 42 months. And what is more, that valuation seems to be 17 months out of date. It was done in April 2013 and the contract was exchanged in December 2014.

The fact is that the Labor Party has a form of control over the Labor Club, and the subsidiary, 2,200 Nominees Pty Ltd, are a property developer. They did not pay a lease variation charge for their 36-apartment development. It is a fact that the Labor Club have more than 10 per cent of Canberra's poker machines and they are also the

regulator. It is a fact that they have bought even more poker machines from another club in Canberra.

It is a fact that there is no strategy for rural lease purchases in Canberra. It is a fact that the \$10 million purchase of the Huntly estate was done on one valuation and probably exceeded the \$20 million cap. It is a fact that the Woden Tradies sold out for \$16 million. It is a fact that Andrew Barr said he was confused about the block and section, and there was an error in the block and section, at Glebe Park; but we now know, from a letter from the director-general, that in actual fact it was the right block and section and the casino did put a proposal to the government for that block and section. It is a fact that the government was planning to sell a car park to the Tradies for years. I believe that tender was geared towards the Tradies. Who else would build a licensed club next to another licensed club? The rough value of the windfall to the CFMEU is in the vicinity of \$700,000.

It is interesting that people would come into this place with a straight face and say that they do not take pokie money anymore, that they do not take money from the Labor clubs. What a sham. At the same time that Mr Ramsay is complaining about gaming revenue, since 2001 the Labor Party has received \$7.979 million in cash and gifts in kind and receipts from the Labor Club and also the 1973 Foundation. Let us not forget that the 1973 Foundation was set up to, in effect, put pokie money in, turn it into property investments and then spit it out so that it is clean again. It is a rort.

Transparency International goes to great lengths in describing forms of corruption. Some of the relevant ones might be beneficial ownership, conflicts of interest, collusion, petty corruption, political corruption and much more. When you have an organisation win a questionable tender and the government gives that organisation special treatment to then buy a property from them, we will unashamedly call that out.

We will also unashamedly call out the fact that that valuation was 17 months out of date. The whole thing was kept secret and it was only discovered because of an anonymous tip-off I got in a car park one day, after which I did a title search. That is the only reason that the Canberra community knows that the government paid \$3.9 million for the CFMEU-Tradies site in Dickson. The only reason we know is that I got an anonymous tip-off and then did a title search. If that had not happened, there is a fair chance this would all be flying under the radar; there is a fair chance nobody would know about it, because that is how they operate. They are so apathetic, they are so complacent and they are so arrogant that they think they can get away with these rorts.

We are going to keep calling them out. That is our job. Mr Barr and others can accuse us of wasting time; they can say that this is unparliamentary; they can say that they have a great agenda, but not one of them actually addressed the facts. Not one of them spoke about whether the Tradies had been in direct negotiations with the government in 2010. Not one of them spoke about the valuation that was 17 months old. Not one of them spoke about the valuation that was based on vacant possession, not 42 months. Not one of them spoke about the Labor Club acquiring more poker machines. Not one of them spoke about the 1973 Foundation.

The rorts go on and on, and they are all complicit—every single one of them. They all benefit from gambling money; they all benefit from the fellow travellers of the labour movement and they all depend on them by way of their preselection. We have seen what happens when the union bosses meddle in preselections in the Labor Party. And that is, of course, when it is done overtly. How many are done just through implication? How many are done by fear? That is, in effect, what we have in Canberra now—we have intimidation. This is a government that facilitates intimidation. It is a government that is more than willing to just give in to these vested interests. This is a government that governs for certain property developers.

I certainly have lost one or two acquaintances by raising these issues. I have certainly received my fair share of criticism for bringing to light some of these concerns, but I have no regrets whatsoever. I have no regrets about moving this no confidence motion because the facts I have put on the table today are true. The facts about the money that is changing hands from the ACT government to vested interests are appalling, and nobody opposite is willing to stand up.

I expect the Labor Party and perhaps the Greens are going to come to an ICAC kicking and screaming. They do not want an ICAC, for good reason. They are very concerned about an ICAC. They are very concerned about the findings that an impartial body would no doubt make.

Who else has the sort of information that these vested interests have? Who else knew that there was going to be a change in the lease variation charge system in a matter of months “so you’d better get your DA in fast”? Who else knows exactly what the government’s agenda is for poker machine licences? Who else has control of zoning and what land the government buys? The Labor Party in Canberra have vested interests and they govern for vested interests. I have no confidence in this government because of the corrupt decisions that they have engaged in.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 9

Noes 12

Mr Coe

Mr Milligan

Mr Barr

Mr Gentleman

Mr Hanson

Mr Parton

Ms Berry

Ms Le Couteur

Mrs Jones

Mr Wall

Ms Burch

Mr Pettersson

Mrs Kikkert

Ms Cheyne

Mr Ramsay

Ms Lawder

Ms Cody

Mr Rattenbury

Ms Lee

Ms Fitzharris

Ms Stephen-Smith

Question resolved in the negative.

Petitions—ministerial responses

The following responses to petitions have been lodged:

ACTION bus service—petition 15-17

By **Ms Fitzharris**, Minister for Transport and City Services, dated 1 November 2017, in response to a petition lodged by Ms Lee on 1 August 2017 concerning ACTION bus services between Deakin, Kingston and Manuka.

The response read as follows:

Dear Mr Duncan

Thank you for your letter of 1 August 2017 regarding petition No 15-17 lodged by Ms Elizabeth Lee MLA regarding a bus service from Deakin to Kingston and Manuka.

The provision of new routes in the public transport network needs to be considered as part of the overall network design. This ensures that the public transport service is efficient and connects as many people and places as possible.

I am pleased to inform you that Transport Canberra will soon be undertaking community consultation on local bus services across Canberra to complement the Rapid Network that has been announced for implementation in mid-2018.

This will provide an opportunity for the community to let the ACT Government know how their local bus services should connect to the Rapid Network and other important destinations.

Under the current network, customers can travel between Deakin, Kingston and Manuka by making a connection at the Barton Bus Station. This connection will improve under the Rapid Network in 2018, with the service between Deakin and Barton increasing to a Rapid frequency of 15 minutes or better between 7 am and 7 pm. The services will also run seven days a week, making connections between these areas much easier on weekends.

I understand that there are also members of our community who cannot access the public transport system and some of these people may be eligible to use the Flexible Bus Service. The service is designed specifically for residents such as the aged or people with a mobility difficulty. It is a free service which picks up residents from their home and takes them to local community services, such as local shopping centres and hospitals.

Passengers can contact the Community Transport Coordination Centre on 6205 3555. Bookings are generally to be made two days prior to travel, but can be made as little as 24 hours prior to the journey. Further information on the Flexible Bus Service is available on the Transport Canberra and City Services website.

Thank you for raising this matter. I trust the information provided is of assistance.

Billboard advertising—petitions 14-17 and 17-17

By **Mr Gentleman**, Minister for Planning and Land Management, dated 1 November 2017, in response to petitions lodged by Ms Lee on 1 August 2017 concerning billboard advertising in the ACT.

The response read as follows:

Dear Mr Duncan

Thank you for your letter of 1 August 2017 regarding petitions Nos 14-17 and 17-17 lodged by Ms Lee MLA on behalf of certain Australian Capital Territory residents.

I understand the petitions bring to the attention of the Assembly that billboards have been prohibited in the ACT since the early 20th century, a move which was designed to protect the new capital's national significance and preserve its nature character and bush setting. The petitioners note that Canberra's unique status as the "bush capital" is not threatened by a proposal to relax the regulations that prohibit fixed billboards in the ACT.

The petitioners therefore requested the Assembly maintain the prohibition on billboard advertising in the ACT, and properly enforce the current rules that regulate public advertising in the ACT, and properly enforce the current rules that regulate public advertising in the territory.

The Standing Committee on Planning and Urban Renewal (the Standing Committee) received 166 submissions on its Inquiry into Billboards - including an ACT government submission - and held hearings on the submissions during August and September 2017. The Standing Committee tabled its report on 26 October and the government will now carefully consider all of the recommendations made by the committee and will provide a response in due course.

Papers

Mr Gentleman presented the following paper:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Civil Law (Wrongs) Act—Civil Law (Wrongs) Institute of Public Accountants Professional Standards Scheme 2017—Disallowable Instrument DI2017-254 (LR, 19 October 2017).

Environment Protection Act—Environment Protection (Fees) Determination 2017 (No 3)—Disallowable Instrument DI2017-252 (LR, 12 October 2017).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2017 (No 8)—Disallowable Instrument DI2017-253 (LR, 20 October 2017).

Reportable Conduct and Information Sharing Legislation Amendment Bill 2017

Mr Barr, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (2.48): I move:

That this bill be agreed to in principle.

The government has put in place a reportable conduct scheme for the ACT which is actively improving oversight of investigations of employee misconduct involving children. This ensures that allegations of abuse, neglect or sexual misconduct are properly reported and investigated and appropriate action is taken. This scheme, which commenced on 1 July 2017 after receiving unanimous support in this place, has expanded the jurisdiction of the Ombudsman to include matters of child protection and allows for scrutiny of the way employers investigate misconduct involving children. Fundamentally it ensures that the Ombudsman is aware of every allegation of certain types of employee misconduct involving children. The scheme's value is already apparent in a relatively short period of time. I can advise the Assembly that the Ombudsman has already received a number of reports, along with a number of organisations that made inquiries as to how to make their organisations more child safe.

When I presented the bill to the Assembly in 2016 establishing the scheme, I noted in my introductory speech that it is critical that information about protecting children from abuse is shared more effectively than it is at present. The ACT is not alone in this, and information regarding allegations of reportable conduct, by its very nature, is likely to be protected or sensitive. We have already made a number of changes that mean a greater number of people are able to access particular pieces of sensitive information. However, there are still a number of substantial restrictions on the circumstances in which this information may be requested and provided.

Improving information sharing for child protection was a recommendation of the *Report of the Inquiry: Review into the system level responses to family violence in the ACT*—or the Glanfield report as it is otherwise known—which proposed wide information-sharing powers similar to those available in New South Wales under chapter 16A of the Children and Young Persons (Care and Protection) Act 1998. Implementing the reportable conduct scheme represented an important step in addressing this recommendation. But we need to keep pushing the envelope to ensure that information on the welfare and safety of children is available to the child protection, law enforcement and oversight bodies that need it.

This bill will amend the Ombudsman Act 1989 to ensure that the Ombudsman is empowered to disclose any reportable conduct information it receives and is reasonably satisfied that it relates to the health, welfare and safety of a child or class of child under any section or function of the act to the Chief Police Officer, a law enforcement agency, the Commissioner for Fair Trading, the Human Rights Commission, the directors-general of the Community Services Directorate and the Education Directorate; and the Chief Executive Officer of the ACT Teacher Quality Institute.

The bill also makes a number of technical amendments, including amending the definitions of “administrative entity” and “employee”. The bill also places a positive obligation on a head of entity to have systems in place preventing the commission of reportable conduct by an employee; enabling the notification of an allegation; investigating and responding to an allegation; and satisfying obligations for the receipt, handling and provision of reportable conduct information, including sensitive information.

In moving forward with changes to the reportable conduct scheme, the government will bring forward a second bill for introduction by April 2018 which will expand the scope of the scheme to include religious organisations that provide pastoral and religious instruction services. Currently religious organisations are only included in the scheme where they provide services to children such as, for example, through a childcare centre or a school. It is intended that religious organisations providing pastoral and religious instruction will be included in the scheme by 1 July 2018.

Yesterday I announced a consultation process to support policy development on how the scheme will apply to religious organisations. This consultation process will engage with religious organisations to understand their capacity to operate within the scheme. The ACT Ombudsman has also been provided with additional funding in the 2017-18 fiscal year to support religious organisations to prepare for the introduction of the scheme.

The government is also seeking community views on expanding the reportable conduct scheme to other organisations identified and examined by the Royal Commission into Institutional Responses to Child Sexual Abuse that have been assessed as posing a high risk to vulnerable individuals. These include sporting facilities, organisations, Scouts and Girl Guides, instruction in a particular activity such as piano or swimming, and residential camps. These organisations have typically not been required to comply with child safety oversight and monitoring functions administered through or provided by government. As part of this process, the government welcomes community views on whether the scope of the reportable conduct scheme should be expanded to these organisations or whether other measures, monitoring or oversight would be more appropriate. I commend this important bill to the Assembly.

Debate (on motion by **Ms Lawder**) adjourned to the next sitting.

Racing (Greyhounds) Amendment Bill 2017

Mr Ramsay, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (2.55): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Racing (Greyhounds) Amendment Bill 2017 into the Assembly today. This bill addresses matters that fall within my responsibilities for racing and gaming policy. The bill will give effect to the government's decision to end greyhound racing in the ACT and must be read in conjunction with the Domestic Animals (Racing Greyhounds) Amendment Bill 2017, which will shortly be introduced by the Minister for Transport and City Services.

Together, the two amendment bills provide for greyhound racing and trialling in the ACT to cease from 30 April 2018. The greyhound industry transition task force will accept applications for assistance until 30 June and will be able to provide support packages with funding until 30 September in the same year. The ownership, breeding and training of greyhounds in the ACT for racing outside this jurisdiction will be allowed to continue but only on the basis that it is at no cost to the ACT community and complies with strict animal welfare standards.

The government has been clear and consistent in this decision since the outcome of the election. At its core the decision to end the greyhound racing industry is about protecting animal welfare. The McHugh report published on 16 June 2016 provided an extensive and thorough analysis of the greyhound racing industry in New South Wales. It was conducted over a period of 16 months with a dedicated team of staff, legal expertise and wide powers to interview witnesses under oath and to compel the production of documents. The McHugh report identified an extensive range of serious animal welfare issues, including its observation that:

... the greyhound racing industry has been exposed as an industry that: has implicitly condoned as well as caused, the unnecessary deaths of tens of thousands of healthy greyhounds; has failed to demonstrate that in the future it will be able to reduce the deaths of healthy greyhounds to levels the community could tolerate; has engaged in the barbaric practice of live baiting; has caused and will continue to cause injuries to greyhounds that range from minor to catastrophic;

The McHugh report identified a litany of concerns for such practices as: live baiting—using live animals for training greyhounds, for example, by tying them to a mechanical lure while greyhounds are released to pursue and catch them; live blooding—feeding live animals to greyhounds to prime them prior to racing and coursing meetings; wastage—mass slaughter of young and older greyhounds bred for the purpose of greyhound racing which are subsequently destroyed either prior to being named or raced or on retirement from racing; and injury, death and euthanasia, and rehoming—McHugh noted a poor record in New South Wales of finding alternative homes for greyhounds at the end of their racing careers or when they are otherwise unable to race.

The government and the industry across the border have both acknowledged that the McHugh report documents failures to protect animal welfare. In speaking on the industry there, the now New South Wales Deputy Premier, John Barilaro, said in relation to the decision to ban the industry:

The decision of this government will, in time, be judged as to whether it was right or wrong. I genuinely believe it is right ... The decision is based on the need to stop animal cruelty and to assist society to change its attitude to animal welfare.

This community will not accept the risk that these documented and acknowledged failures in New South Wales could come here, and our examination of greyhound racing in the ACT showed conclusively that if we allowed the industry to continue we would be taking that risk. An independent consultant, Ms Mary Durkin, was engaged to provide an analysis of options to support the transition away from racing here in the ACT. Ms Durkin consulted with the greyhound racing industry as well as the animal welfare sector and provided me with her report on 15 May 2017.

The Durkin report found that the ACT greyhound racing industry is small and intimately linked with the broader regional network of greyhound racing activities. The Durkin report showed us that in 2016 approximately 71 dogs that raced were based in the ACT, while 1,107 were from New South Wales. That means that 94 per cent of the dogs that raced here were from New South Wales.

Clearly, it is impossible to divorce the ACT greyhound racing industry from the industry across the border; they are inextricably linked. Here in the ACT we can have no certainty that dogs being brought in from other jurisdictions to race have not come from breeders and trainers engaging in practices that are abhorrent from an animal welfare perspective. That risk is more than just theoretical. The winning trainer of the most recent Canberra greyhound racing cup, and winner of three previous Canberra cups, has been disqualified from racing by Greyhound Racing NSW three times since 2005 over the discovery of prohibited substances in her greyhounds, including cocaine. She is also one of 178 trainers who have been charged by Greyhound Racing NSW with the unauthorised export of dogs to Macau, where healthy Australian dogs are kept in appalling conditions and used for barbaric entertainment. Her husband was disqualified for a year for presenting a dog affected by amphetamines in December 2015. As I noted in the Assembly this week, these are drugs that are of interest to not just animal welfare regulators.

The cessation of greyhound racing in the territory will ensure that greyhounds from other jurisdictions whose animal welfare arrangements are outside of the control of the ACT will not be brought here to race. For those greyhounds that are based in the ACT and will continue to race elsewhere, this package of amendment bills provides for specialist regulation and control that will enable an appropriate level of protection. The Minister for Transport and City Services will shortly introduce that aspect of these amendments.

This amendment bill removes from the Racing Act the legal framework for the administration and control of greyhound racing in the ACT. The Canberra Greyhound Racing Club Incorporated is currently the controlling body for greyhound racing in the ACT, under section 27 of the Racing Act. Under the amendment bill there will no longer be provision for a controlling body for greyhound racing in the ACT, nor will it be possible for an entity to become an approved racing organisation for race

meetings involving greyhound races. The definition of “race” in the Racing Act will be amended so that it no longer includes greyhound racing.

To be clear, the amendment bills do not interfere with the ability of ACT residents to engage in or bet on greyhound racing interstate. They also preserve the ability for ACT residents to own, train or breed greyhounds for racing elsewhere. However, this will be on the basis of strict animal welfare controls and at no cost to the community.

This bill includes consequential amendments to a number of acts and regulations as a result of ending greyhound racing in the ACT. A number of these amendments are necessary to continue to allow betting on greyhound races held outside the ACT. The government is aware that ending greyhound racing in the ACT will have an impact on those people who are actively involved in the industry, and that is why we established the greyhound industry transition task force.

The task force is there to assist people and racing dogs involved in the industry to transition out of it. The task force is already accepting applications for transition support and will continue to do so until 30 June 2018. With these amendments taking effect on 30 April 2018, those in the industry will have two months from the cessation of racing in the ACT to consider their future in the industry in other jurisdictions and, if they will not be participating, to register for transition support. In addition, the government has decided to extend the availability of the \$1,033,000 transition funding to allow the finalisation of transition support packages by 30 September 2018.

As a package, today’s legislation will deliver our commitment to end the greyhound racing industry. For workers in the industry, we are committed to a just and supportive transition process. Individually tailored assistance, including training, counselling and financial help is available. For animals, we are making every effort to ensure that the resources and the support that they need for rehoming are available.

The government has been unambiguous and steadfast in working to bring an end to this industry in the territory. Today’s bill gives certainty to all who are affected so that they can make an informed decision about how and when they engage with this government for support. We will continue to work with those in the industry, with the unions who represent workers and with the animal welfare organisations to implement this critical animal welfare reform. I commend the bill to the Assembly.

Debate (on motion by **Mr Parton**) adjourned to the next sitting.

Domestic Animals (Racing Greyhounds) Amendment Bill 2017

Ms Fitzharris, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (3.07): I move:

That this bill be agreed to in principle.

I am proud to introduce the Domestic Animals (Racing Greyhounds) Amendment Bill 2017 to support the government's commitment to ending greyhound racing and trialling in the ACT. Together with the Racing (Greyhounds) Amendment Bill 2017, which has just been introduced by the Attorney-General, the two bills represent a key step in the implementation of the recommendations in the Durkin report.

The welfare of greyhounds is at the centre of this initiative. The government has a strong commitment to best practice in animal management and welfare, as espoused in the animal welfare and management strategy. I had the pleasure of announcing the adoption of this important and innovative document in my statement to the Assembly on 21 September. The strategy includes, as a centrepiece, the concept of responsible pet ownership and acknowledges the primary role that pet owners have for the welfare and wellbeing of their pets. It also highlights the value of pets to our community and the wide range of benefits they bring. While in future we will not see greyhounds racing around a track in competitive pursuit in the ACT, we will continue to see greyhounds in our streets and parks, as well-managed and much-loved pets.

The bill will make it an offence to conduct or facilitate the conduct of a greyhound race in the ACT. It will also be unlawful for a person to allow a greyhound to take part in a greyhound race in the ACT. For the purposes of these reforms, greyhound racing is defined broadly and includes racing for trialling or training purposes. The prohibition does not capture the ordinary play of a non-racing dog.

Greyhound racing, for the purposes of this bill, means greyhounds racing in competitive pursuit. For those who decide to conduct or take part in illegal greyhound racing in the ACT, the maximum penalty will be the same as for existing offences in the Animal Welfare Act relating to illegal participation in rodeos, circuses and game parks. Despite the ban on greyhound racing, ACT residents will still be able to own, breed and train greyhounds for racing elsewhere.

This bill introduces a range of new measures to protect and monitor the welfare of these dogs. All greyhounds remain subject to the existing general dog registration requirements in the Domestic Animals Act 2000. For those greyhounds who will continue to race, train or breed puppies who may grow up to race in other jurisdictions, we will see a new framework of monitoring and regulation that will ensure the highest level of protection we can offer.

An owner of a greyhound that is to be used for racing will be required to apply for an annual racing greyhound registration for that dog from the age of six months at a higher cost than general registration. People who have control of racing greyhounds for training, handling or rearing purposes will be required to obtain a racing greyhound controller licence. This licence is also annually renewable and will track the greyhounds under the licence holder's control.

When granting racing greyhound registration or racing greyhound controller licences the registrar will consider the conditions that the dog will be kept in, together with any

previous animal welfare or racing offences. A breeding licence will be required for those who breed racing greyhounds. Breeders will be required to notify the registrar of the details of any greyhound litters within seven days of their birth. Breeding racing greyhounds in a way that contravenes the breeding standard will be an animal welfare offence whether or not that breeding is for profit.

The government is committed to working with those ACT residents who continue to be involved in greyhound racing to ensure that they understand their obligations under the new monitoring framework, which will include a mandatory code of practice developed in consultation with industry and animal welfare experts. The increased costs associated with enhanced monitoring of owning, breeding and training greyhounds for racing elsewhere will be recovered through fees for racing greyhound registration and racing greyhound controller licences. Owners of pet, rescue or retired greyhounds will not be liable for these additional registration requirements or costs.

The welfare of greyhounds is at the centre of this important initiative. I am pleased to inform the Assembly that, as well as meeting industry participants, the greyhound industry transition task force has met with animal welfare and greyhound rehoming organisations to discuss the industry transition from the perspective of those involved in rehoming or caring for racing greyhounds. We are fortunate to have a pool of dedicated and skilled community members who have the best interests of the dogs at heart and who are prepared to foster and rehome greyhounds that are retired as a result of this transition process. In addition, the staff of domestic animal services are, as always, prepared to assist the rehoming of greyhounds and, indeed, all dogs in need of this service.

The government recognises the impact that these measures will have on those who have had greyhound racing as an important part of their economic and social lives, sometimes for generations. The government made the decision to end greyhound racing in the ACT because it came to the view that it was necessary to do so to protect the welfare of greyhounds. These bills reflect the community's expectations that we provide strong protection for the welfare of the animals under our control. I commend the bill to the Assembly.

Debate (on motion by **Mr Parton**) adjourned to the next sitting.

Legislative Assembly Legislation Amendment Bill 2017

Debate resumed from 14 September 2017, on motion by **Ms Burch**:

That this bill be agreed to in principle.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (3.13): I thank Madam Speaker for bringing this bill to the Assembly, and I am pleased to advise that the government will be supporting it. Many of the proposed amendments in this bill arise from the 2016 strategic review of the Auditor-General. The strategic review included recommendations that certain Assembly committees review legislation affecting the

Auditor-General specifically, and officers of the Assembly more generally, as well as the Speaker's role in these matters.

In August 2016 the Eighth Assembly Standing Committee on Administration and Procedure presented its report *Inquiry into provisions of the Legislative Assembly, (Office of the Legislative Assembly) Act 2012*. In particular, that report included a recommendation that the Assembly consider certain amendments in relation to the provision of advice and support to the Speaker in the exercise of her functions. I note that the bill directly reflects this recommendation but with relevant amendments proposed across individual acts establishing the Clerk and the officers of the Assembly. In view of the breadth of the Speaker's responsibilities in relation to the officers of the Assembly, the government fully endorses the provision of advice and support to assist the Speaker in meeting these responsibilities.

Also in August 2016 the Eighth Assembly Standing Committee on Public Accounts presented a report on the strategic review of the Auditor-General. The report specifically considered a term of appointment for the Auditor-General and recommended a legislative seven-year, non-renewable term. The government agreed to this recommendation, which is reflected in the bill before us today.

The bill also addresses Assembly standing committee considerations of appointments of the Clerk and the officers of the Assembly. This matter was not explicitly raised as part of the strategic review but is certainly worthy of consideration in the context of other matters relating to the officers of the Assembly.

The government supports these amendments, noting that they further strengthen the relevant appointment processes. I thank the Speaker for her work on the bill, and I am pleased to support it.

MR WALL (Brindabella) (3.15): Mrs Dunne did have carriage of this bill for the opposition, but as she and Mr Steel are away at the annual CPA conference I will take carriage on behalf of the opposition. The opposition will be supporting the Legislative Assembly Legislation Amendment Bill. The need for these amendments arose when Mrs Dunne was Speaker in the last Assembly. They emerged after the amendments which were made to establish the officers of the Legislative Assembly came into effect on 1 July 2014. The officers of the Legislative Assembly are the Clerk of the Assembly, the Auditor-General, the ACT Electoral Commissioner and the ACT Ombudsman.

During Mrs Dunne's tenure in the Speaker's office she became responsible for the appointment of an electoral commissioner, the chair of the Electoral Commission, a member of the Electoral Commission, a strategic reviewer for the Audit Office and an independent auditor of the Audit Office. In following the process involved it became apparent that some changes were needed to clarify the role of the Speaker vis-a-vis those of relevant Assembly committees. Mrs Dunne therefore put in place a process to identify and consider those matters as well as some other tangential matters that emerged in that period. This bill, which the Speaker introduced to the Assembly on 14 September, brings together those matters. Hopefully, these amendments will help to clarify the Speaker's job both now and into the future.

In summary, these amendments will make it clear that the Speaker cannot appoint the officers of the Legislative Assembly unless satisfied that the applicants meet relevant legislative criteria and until a relevant committee has agreed with the appointment. They also enable the Speaker to seek administrative support and advice either from the Office of the Legislative Assembly, except for matters relating to itself, or from a suitably impartial and independent entity.

Also in these amendments is the reinstatement of the fixed, non-renewable term of seven years for the Auditor-General. This had dropped out inadvertently in the introduction of the officers of the Legislative Assembly provisions. Importantly, the provision was in place when the current Auditor-General was appointed, so there is no impact on that appointment. I note that the scrutiny committee considered this element, regarding it as having no human rights consequences.

A very important amendment is made to the Financial Management Act 1996. The primary purpose of establishing the officers of the Legislative Assembly was to put them at a level that is not governed or influenced by either ministers or the bureaucracy. For them to be effective they must be truly independent and be seen to be so. In this bill there is an amendment that cements this separation of powers and puts beyond doubt the independence of the officers of the Assembly. It removes the requirement in the Financial Management Act that officers of the Legislative Assembly manage their agencies in a way that “is not inconsistent with the policies of the government”. In this connection I note that the Speaker will be introducing some amendments to this bill, and I thank her for the advice she has provided in relation to those amendments thus far.

In considering the bill the ACT Auditor-General drew to the Speaker’s attention an inadvertent restriction on the status of privilege that was intended for the officers of the Assembly. This status was removed inadvertently in the drafting of the original legislation establishing the officers of the Assembly legislation in 2013. The amendments that the Speaker will propose today clarify and enshrine that status of privilege for the officers of the Assembly, and the opposition will also be supporting those amendments.

An opportunity to streamline the Speaker’s functions under the Legislative Assembly Precincts Act 2001 was also taken in these amendments. The Speaker will be able to delegate the role of approving licences for community use of the Assembly facilities. OLA SOGCs and above will be able to give these approvals. It will make the process more efficient for many community organisations to use the Assembly’s facilities. Many of the people involved in the organisations are volunteers, who should not be bound up in too much or unnecessary process and red tape. Hopefully, this amendment will make their interaction and engagement with the Assembly and its facilities easier and more enjoyable. Of course, if there is any doubt about whether a licence should be issued, OLA will be able to refer the matter to the Speaker for consideration and a decision.

On the very rare occasion when someone comes into the building and engages in anti-social behaviour, OLA will not have to run up to the Speaker’s office to see if the

Speaker will agree to the person being removed. This bill will enable the Speaker to delegate this power to certain specified OLA staff so that the quick action that inevitably would be required can be taken.

Finally, a very minor amendment in this bill removes from the precincts act the reference to the members' entrance canopy, which, as members may be aware, does not exist. Indeed, it was removed many years ago. So members need worry or wonder no more.

Mrs Dunne was pleased to be able to initiate the works now reflected in this bill. I thank the Speaker, particularly on Mrs Dunne's behalf, for bringing forward these changes. The Canberra Liberals, as I have outlined, are pleased to support it.

MR RATTENBURY (Kurrajong) (3.21): The Greens will also be supporting this bill today. Mr Gentleman and Mr Wall have given, I think, quite thorough and detailed commentary on the bill, so I do not intend to repeat that. Also having been part of the administration and procedures committee, I have been involved in the discussion prior to the tabling of the bill. A good part of this process is that the Speaker has undertaken that consultation with members of the committee. I consider that this bill presents a series of useful clarifications, tidy-ups and the fixing of anomalies that have already been outlined by other members. The Greens will be pleased to support both the bill and the subsequent amendments that the Speaker has advised will be moved in the detail stage.

MS BURCH (Brindabella) (3.22), in reply: Just very briefly, I want to thank Mr Gentleman, Mr Wall and Mr Rattenbury for their detailed and not so detailed responses but, more importantly, for their support for these amendments. As has been indicated, I will be moving some further amendments shortly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS BURCH (Brindabella) (3.23), by leave: I move amendments Nos 1 to 3 circulated in my name together [*see schedule 1 at page 4967*].

I move these amendments following the receipt of advice from the Auditor-General, an officer of the Assembly, concerning doubts about the operation of parliamentary privilege in relation to the functions of the Auditor-General.

As members would be aware, the privileges of the Assembly derive from section 24 of the Australian Capital Territory (Self-Government) Act 1988 and are expressed as being equivalent to those of the House of Representatives until the Assembly makes a law on that subject matter.

The Parliamentary Privileges Act 1987 confirms the extension of privilege to all words spoken and acts done for the purposes of, or incidental to, “proceedings in parliament”. Documents prepared by the Auditor-General for the purposes of, or incidental to, proceedings in parliament have been taken to receive the protection of parliamentary privilege. The same would apply to the other officers of the Assembly.

The Auditor-General received advice to suggest that section 6A of the Auditor-General Act, by setting out exhaustively the immunities of the audit office, could possibly be characterised as a law with respect to parliamentary privilege and that the terms of section 6A, by limiting reference to territory laws, might be construed as displacing these commonwealth laws.

The language that has been used in section 6A of the Auditor-General Act is replicated in section 6A of the Electoral Act and section 4A of the Ombudsman Act, meaning that any doubt about the application of commonwealth laws to the work of the Auditor-General would also extend to the Ombudsman and members of the Electoral Commission, who are also officers of the Assembly.

There is no suggestion that the Officers of the Legislative Assembly Legislation Amendment Bill 2013, which introduced these provisions, set about to displace those commonwealth laws. However, that such an interpretation could be available is reason enough that the Assembly consider amendments placing the matter beyond any doubt.

The amendments provide that the functions, powers, rights, immunities and obligations enjoyed by officers of the Assembly arise not just by virtue of territory laws but by virtue of all laws in force in the ACT. This would, of course, include both the self-government act and the Parliamentary Privileges Act. To achieve this end the amendments that I have just moved seek to amend the relevant provisions in order that the words “other territory laws” are replaced with the words “any other law in force in the ACT”.

I want to thank members for the support of all in this chamber. They are sensible amendments—those circulated today and those from the last sitting. I commend the amendments to the Assembly.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Papers

Mr Gentleman presented the following papers:

Planning and Development Act, pursuant to subsection 242(2)—Statement of leases granted for the period 1 July to 30 September 2017.

Loose Fill Asbestos Insulation Eradication Scheme—Update on the ACT Government response—Quarterly report—1 July to 30 September 2017.

Executive members' business—precedence

Ordered that executive members' business be called on.

Recreational cycling tourism

MR RATTENBURY (Kurrajong) (3.27): I move:

That this Assembly—

(1) notes:

- (a) recreational forest trails in Kowen Forest, and across Canberra, are highly valued by the community, are popular recreational venues for cycling events, and are a cycling tourism attraction for the ACT;
- (b) logging operations in Kowen Forest have recently destroyed a high quality network of trails and further planned logging operations in Kowen and Majura Pines will destroy further trails, significantly impacting the areas as riding and recreational destinations;
- (c) protecting and enhancing the network of recreational forest trails, in combination with investment in urban cycling, is critical for making Canberra the genuine “cycling capital”; and
- (d) several other Australian regions are currently investing heavily in mountain biking infrastructure with a view to building a mountain bike tourism industry; and

(2) calls on the Government to:

- (a) investigate options to retain existing trails in Kowen Forest and Majura Pines;
- (b) conduct an analysis of the value of recreational trails across Canberra (including Kowen Forest), including their social, health, economic and recreational value;
- (c) produce an ACT Cycling Tourism Strategy, and Mountain Biking Strategy, with the goals of growing tourism and recreational cycling opportunities and participation, better managing cycling resources, and improving relationships with cycling stakeholders;
- (d) work with stakeholders to identify further areas for additional trail development to provide long term opportunities and certainty; and
- (e) report back to the Assembly on progress in the first sitting week of 2018.

Canberra has an excellent network of recreational forest trails and they attract thousands of people every year who engage in a variety of sports and activities. We are privileged to have these trails and they have helped Canberra to grow very active sporting communities, who make use of the trails for recreation and for organised events.

The trails are an important factor contributing to some of the great outcomes we are getting in the city. We have high levels of participation in recreational activities, we are the most active city, the healthiest city, a very livable city, and, as we all know, it was recently declared one of the best cities to visit in the world.

An activity like mountain biking is increasingly popular in Canberra, and this is basically attributable to the fact that we have great access to recreational trails. Talk to someone from Sydney or Melbourne, for example, and they will tell you that there is very little opportunity to do something like mountain biking there. You pretty much have to wait until a weekend and then make a special trip out of the city to some distant destination. In fact many Sydney-siders travel to Canberra for a weekend of mountain biking.

Here in Canberra we have a good number of local, accessible, high quality forest trails. That in turn spawns great sporting and social organisations and clubs, such as Canberra Off-road Cyclists—better known as CORC—the Canberra One Gear Society, Stromlo night riders, Kowalski Brothers Trailworks and the Majura Pines Trail Alliance. These are organisations with hundreds of members that support countless events and help get kids and adults into healthy, recreational activities.

Not surprisingly, Canberrans over-perform in off-road cycling competitions. Cyclists such as Caroline Buchanan, the world BMX champion, or Brendan Johnson, the national mountain bike marathon champion, live in Canberra and train on our trails.

The point of my motion today is to draw attention to, firstly, the fact that the recreational trails in Canberra are, unfortunately, being diminished quite severely; and, secondly, to the fact that we need to better value and manage these trails. These are both issues that the government can and should address.

The immediate case in point is Kowen Forest. Kowen Forest is used as a commercial pine plantation. However, over many years volunteers have created over 100 kilometres of high quality mountain bike trails in two particular sections of the forest.

I suspect that not all MLAs here are fans of mountain biking, so I need to clarify that these are not just dirt trails scraped into the ground, like kids might make on a spare block near their house. They are constructed to high standards with thousands of hours of work, signposted, reinforced with rocks, featuring wooden bridges and other features, logs, jumps, berms, climbs; it really is a professional facility, and the kind that people who like mountain biking will travel long distances to use. For people who mountain bike—and there are a lot of them—this is a very valuable asset. We should be thankful to the community of trail builders that spent so long volunteering to construct this asset for Canberra without asking for anything in return.

Not only do thousands of people use these trails, they host high profile biking events such as the Mont 24 and the Kowalski Classic. The Mont 24 is the largest mountain bike race in the country. The latest Kowalski Classic event occurred in September this year and was sold out, with over 1,200 participants and a waiting list. These are big, popular events in a well-used and highly valued recreational area.

These are some of the reasons it is particularly problematic that all of these trails are flagged for destruction due to planned logging in the pine forest. Some logging has already occurred in the past couple of months and has destroyed 32 recreational trails in Kowen Forest. One of the particularly unfortunate outcomes was that, as I understand it, the mountain biking community was promised that the logging would be done “sensitively” and that trails could—at least to some extent—be retained. This does not seem to have occurred. The first parcel of forest hosting these trails is completely destroyed, the trails are completely destroyed and there appears to have been no sensitivity shown at all. It looks like a wasteland where the large logging machinery has just rolled in, in the same way as always, trails or no trails. It is actually a very sad outcome.

The community that built and uses these trails is aware that the forest is used for commercial logging. They were under the impression, however, that there could be a more nuanced approach, and that the trails and logging could coexist in a happier way.

One of the key asks in my motion is for the government to investigate options for retaining the existing trails in Kowen Forest. This needs to occur immediately, before they are permanently destroyed. Once that happens, as has happened with 32 trails already, a valuable community resource is gone forever.

One of the ways this can happen is for the government to properly establish the true value to the community of the trail network in Kowen Forest, both as a stand-alone trail network and in combination with the other recreational venues around Canberra, such as Stromlo Forest Park and Majura Pines. Of course, this value is not just an economic value. There is an economic value from tourism and other commerce related to recreational activities, but there are also the broader benefits such as the social and health benefits to the community.

As yet the government have not properly assessed the real value of the recreational trails. They know how much money they will get from logging, but they have not valued the broader recreational value of the trails. I do not think a decision to destroy the trails should be taken without first properly looking at their value.

Numerous other jurisdictions have done work to determine the broader value of their planted forests. As just one example, a study of the recreational value of a planted forest on the fringe of Rotorua in New Zealand estimated its value at about \$5.2 million annually from walking and \$10.2 million annually from mountain biking. The value of the mountain biking alone is actually five times the annual timber revenue from that forest. We have to do the same work here in the territory. The authors of the Rotorua study summed it up well. They said:

Recreation is an important environmental service provided by many planted forests. The value of this service, however, is not well known. For policy makers and land managers to make informed decisions on planted forest management for multiple benefits, they need to recognize the value of the environmental services provided.

The government here currently sees its pine plantations as a logging resource that supports some recreation. The logging always takes precedence. I think we can view this issue through an entirely different prism. In the future we might see plantations first as a valuable recreational resource which also happen to support some logging.

It is not just Kowen Forest's trail network that is under threat. Majura Pines is also scheduled for logging that is likely to destroy the existing network of trails. The trails in Majura Pines actually received a significant revamp in 2014. I was the TAMS minister at the time, so I am very aware of this. It had to be done after the Majura Parkway was cut through the middle of what was the previous Majura Pines recreational area. The community showed a strong interest in maintaining the area for recreation, with over 680 people contributing to a public consultation process. The government contributed almost \$300,000 to revamp the trails, and the Majura Pines Trail Alliance was formed, a fantastic network of volunteers who help create and maintain the trails. This was a great outcome, as the facility was saved from the brink after the Majura Parkway was constructed through the middle.

Majura Pines is going brilliantly and is a highly used community resource. The Majura Pines Trail Alliance has collected data on its use, both from public information available through GPS logs, such as the web application Strava, and from their own installation of infrared counters on the trails themselves. In a single year they have tracked over 26,000 rides on the Majura Pines trails. Most riders are from the ACT but thousands of riders have also come from other states and territories, as well as a range of countries, including the US, UK, New Zealand, Canada, Switzerland and various other parts of Europe, and Asia. This is a highly used and valued recreational facility. Tracking at Kowen Forest has shown similar impressive statistics.

It was especially disappointing when this year the government proposed logging in Majura Pines, which would have damaged and destroyed trails it had just helped create. This kind of episode unfortunately confirms the worst stereotypes about government: that on one hand it helps create a facility and on the other hand it proposes to knock it down. As a minister I can say that, unfortunately, we do not always get this information ourselves, which is why it is valuable that the community bring this information to us, and that is why I want to bring this to the attention of the Assembly today.

Fortunately, after the government released this logging schedule, the concerned community responded and managed to negotiate at least a more sensitive and staggered approach to the logging. It is problematic that this occurred only because of a community intervention. I would have hoped that the directorate would have taken this on board, knowing the value of these spaces and the money we just spent on it, and actually given the minister clearer advice about the possible options.

I should also mention Stromlo Forest Park, a fantastic facility for mountain biking, as well as other activities such as running and horse riding. Unfortunately, the current master plan proposes to remove a significant amount of Stromlo's beginner mountain bike trails at the base of the mountain, and replace them with ovals. Ovals are also a good community facility, of course, and the new communities in Molonglo will need such facilities, but the removal of the tracks is problematic. These are the tracks particularly used by beginner riders: kids and families. The change reduces the number of trails at Stromlo, even though its user base is growing, especially as the Molonglo Valley population is increasing.

Consider the situation that, of the three major off-road cycling areas in Canberra, we now have all of the Kowen Forest trails flagged for destruction from logging, trails in Majura Pines flagged for destruction from logging, and tracks at Stromlo proposed for removal. We should be going in the other direction: improving and protecting the trails, taking advantage of the fact that Canberra already has an excellent reputation as a destination for off-road riding, as well as on-road. We could become Australia's mountain biking capital.

There are real economic opportunities that come with such a reputation. It is not surprising that we see developers in places like Denman Prospect, Wright and Coombs advertising with mountain biking imagery. Similarly, some Canberra hotels advertise themselves as mountain bike friendly. It is because this is a popular sport and Canberra has already established a good reputation. We are in danger of wasting this instead of harnessing it. At the moment you can come to Canberra for a week and ride different trails virtually every day. We must not undermine the terrific natural advantage that we have.

Other parts of Australia are embracing this opportunity. Parts of Australia such as Warburton in Victoria, Mount Buller, the Snowy Mountains Shire and the north-east of Tasmania are currently investing up to \$10 million each in the development of specific mountain bike infrastructure, with a view to building a tourist destination specifically targeting mountain bike tourists. Currently, we are ahead of these places, but they will soon leave us behind, and if we are actively diminishing our mountain biking assets it will happen twice as fast.

We need a positive, long-term approach to managing recreational trails, as well as a positive plan to improve recreational cycling in the territory. This motion asks the government to do that. It asks for a proper analysis of the value of recreational trails and the associated networks across Canberra, including their social, health, economic and recreational value. It also asks the government to produce a cycling tourism strategy and mountain biking strategy, in order to grow the amount of cycling for both recreation and as a means of travel, to harness tourism opportunities, and to actually properly manage the resources we have for the long term, including by working with cycling stakeholders.

I expect one of the important outcomes from this exercise will be the identification of new areas in Canberra where the community and the government can build recreational trails and where they can remain for the long term as a valued and

well-managed resource. There are many opportunities for this, such as other parts of Kowen Forest or certain areas out in the Cotter and Uriarra regions.

To conclude, I urge all members to support this motion. It asks the government to ensure a successful and viable future for recreational trails in the ACT and to recognise they have value in a whole range of ways. It asks the government to find ways to preserve the existing trails before they are destroyed by logging, with their true value never even being recognised. It also asks for a positive, forward-looking cycling strategy, to ensure that we are taking advantage of the excellent assets we already have, as well as finding new opportunities. I think this will have great benefits for Canberra and the community long into the future, and I commend my motion to the Assembly.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (3.41): The government will be supporting the motion with a minor amendment. I move:

Omit paragraph (2)(c), substitute:

“(c) produce an ACT Cycling Tourism Strategy that covers all cycling disciplines, including mountain biking. The strategy should be financially, socially and environmentally sustainable, be developed in consultation with community interest groups, and outline how government, the private sector and community groups can work together to create a cycling destination with world-class trails and urban cycleways;”.

The ACT protects more of its bushland than any other Australian state or territory. Over 66 per cent of the territory’s 236,000 hectares is reserved to ensure that our unique natural, cultural and recreational heritage is protected for the benefit of all. If we include our pine forest plantations, that figure jumps to almost 70 per cent.

It is also true that the ACT community has unmatched access to some of the most scenic and rare landscapes in the country. Namadgi National Park and Tidbinbilla Nature Reserve are part of the Australian Alps National Parks, a network of protected area that stretches from Mt Baw Baw in Victoria’s Gippsland all the way along the roof of eastern Australia to Namadgi and Tidbinbilla in the ACT. In a warming climate, the protection of our alpine areas takes on fundamental importance, remembering that these areas provide us with the water we need to survive. Our small jurisdiction is also entrusted with the preservation of the largest patch of nationally endangered yellow box woodland in public hands and the largest patches of temperate native grassland left in Australia.

The challenge for our land managers is to protect these special areas but not to lock them up. After all, parks are for people as much as they are for the environment. The motion before us today is essentially about recreational access and the value one particular segment of the community rightfully places on access to mountain bike trails. I will share with the Assembly some pertinent facts related to recreational opportunity in Canberra’s green space areas.

It is estimated that no Canberran lives further than 3.5 kilometres from a nature reserve, national park or pine forest, with the average distance being only 977 metres. Our survey results suggest over three million visits annually to just the 38 units that make up the urban bushland of Canberra Nature Park. Our city can be more accurately described as the accessible bush capital, and Canberrans and visitors find ways to enjoy our green backyard in many and varied ways, the most popular being running, walking and cycling, whether as part of a daily commute, a morning stroll or a strenuous training session. Canberrans have access to thousands of kilometres of formed trail, and a good proportion of trail is contained within our working softwood plantations scattered along the margins of the urban area. Is it any wonder that cycling continues to appeal as the most popular recreational activity? Indeed, I agree with Mr Rattenbury that Canberra is Australia's cycling capital.

The territory supports approximately 400 kilometres of trail marked as mountain bike trail, noting of course that much more opportunity exists to cycle our wider management trail network. Particularly popular with mountain bikers are the Centenary Trail, Majura Pines, Stromlo Forest Park, Bruce Ridge, Isaacs Pines and of course Kowen Forest with its 120 kilometres of purpose-built trail. These places are a mix of pine plantation areas, purpose-built recreation facility and nature reserve.

The 2003 bushfires destroyed large tracts of plantation to the city's west, leaving the 4,500 hectare Kowen Forest as the largest area of commercial pine plantation left in the territory. The Kowen plantation returns around \$5 million per annum in timber sales to the territory. In 2015-16 the territory negotiated contractual arrangements with the Forestry Corporation of New South Wales that will look to supply 70,000 tonnes of timber per annum to the market through 2019-20. Over this period, ACT pine will find its way into five regional sawmills as well as a small export market to China where it is utilised in construction. Our local sawmill, Auswest Timbers, employs 24 people at its Fyshwick facility. The mill has a high reliance on the flow of timber from the Kowen plantation. Furthermore, estimates from the forest industry suggest that for every person directly employed in forestry operations, a further three jobs are created in related support industries.

Our pine plantations are not just a renewable source of timber providing employment opportunity for the territory and the region. The operating model in place in the ACT also embraces the recreational potential of these working forests. I agree that our pine forest areas are popular across Canberra. In fact, 30 recreational groups use Kowen Forest alone and there are hundreds of organised recreational activities annually ranging from mountain biking to bushwalking, orienteering, equestrian uses, athletics, rallying and dog sledding. Each of these groups successfully works with our forest managers to fit their recreational activities around the commercial operations of growing and substantially harvesting pines.

This is an important point, as the very model that derives a return to the territory from plantation timber also funds the upkeep of the management trails, maintenance of the signage and fences and the control of pest plants. With this infrastructure funded and managed, recreation can thus be safely supported in working plantations. The land manager recognises another important role played by pine forests: they enable the

diversion of activities that might not be as suited to nature reserves or national park, and allow for the diluting of recreational impact across the landscape.

I mentioned that Kowen Forest supports about 120 kilometres of purpose-built mountain bike trails. At this point I acknowledge a small dedicated group of volunteers who passionately give of their time to build and create mountain bike trails in our pine forests. They have created such gems as the “Crazy Horse”, the “Drunken Noodle”, the “Dunny Back Door” and “Extra Nooky”; trails that are colourfully named, and designed to challenge all levels of mountain bike expertise.

I have met with the representatives from groups who use trails in Kowen Forest, Majura Pines and elsewhere as well as the track builders themselves. My commitment was that forest managers would consider ways of minimising the impact forest harvesting and replanting operations have on the mountain bike trail networks and to consider and advise on additional areas that can be opened up for mountain biking.

At times the sustainable harvest of an allotment will impact on trails. While new trails can be rebuilt relatively quickly with the aid of machinery, mountain bikers do not value a section of trail through a cleared landscape as highly as one running under the canopy of pines. Where harvesting operations can be delayed in preference to other parts of the forest, this will and has been done in the past. In fact, many of the trails in Kowen have persisted for many years as harvesting schedules have been staggered. However, as alternative allotments are exhausted and the east Kowen pines begin to push the boundaries of marketable age, these areas are required to come on line for harvesting.

Forest managers have engaged with all track builders for a number of years, and formally since 2012, regarding a sustainable harvesting scheduling for Kowen. The aim is to keep dialogue open with track builders and to be clear about the potential life of trails thus enabling track builders to understand the risks of building new tracks in certain parts of the forest estate.

I add that as part of its recreational use planning, the parks and conservation service is currently undertaking a recreational landscape analysis for the entirety of land under its management, including nature reserves and pine forests. The aim is to produce a considered policy position on what recreation can be supported where. This process will be a public one guided by a community steering group, and it is anticipated that the mountain biking community will have representation.

Returning to the concept of making Canberra the cycling capital, I agree with Mr Rattenbury that much could be done to leverage our natural advantage to keep and attract more cycling tourism to our city. This government has committed to the development of the cycling tourism strategy. In fact, Visit Canberra has been leading an inter-directorate effort to produce a draft of this document together with key stakeholder groups.

The strategy and accompanying action plan will look to adopt a whole-of-government approach to ensure that the key decisions relating to infrastructure, transport, parks

and forests, and strategic land-use planning, are all working collaboratively to strengthen the range of cycling opportunities.

The strategy will look to outline practical options for building Canberra's reputation as Australia's cycling destination of choice, attractive to domestic and international visitors alike with flow-on economic benefits for the community and businesses of the ACT and region. I expect the strategy would be launched in the first half of 2018.

In closing, we are, indeed, fortunate to have easy access to so much recreational opportunity in the ACT, and this government's commitment is to work closely with the community to ensure a balance in the management of open space and forest areas to cater for a wide range of recreational enjoyment whilst ensuring natural and cultural values are best protected.

The value of Kowen Forest as a cycling destination can continue to co-exist within a program of commercial sustainable harvesting. In the short term I have requested the forest manager work with the recreational groups to determine how mountain bike trail builders can be assisted to establish new trail alignments through appropriate areas in Kowen and other pine forests. The development of a cycle tourism strategy expected in 2018 will provide the policy platform and outlying practical initiatives to truly make Canberra both the bush capital and the cycling capital of Australia.

MR MILLIGAN (Yerrabi) (3.52): I thank Mr Rattenbury for moving this motion. We will not be opposing this motion as it speaks to a matter about which I have previously written to the Minister for Sport and Recreation. This matter was raised with me back in June this year. I contacted the minister in early July and again at the beginning of October in the hope of some intervention if not some answers. But, like the minister's response, which we are still waiting on, this motion comes too late.

The final bell has tolled for the Kowalski brothers' trails on Sparrow Hill and at Kowen Forest; 15 October was the last opportunity for rides at the Kowen Forest, the home to mountain biking since the Canberra bushfires of 2003 that demolished the original tracks on the slopes of Mount Stromlo. The area has been home to the race known as the BentSpoke Kowalski Classic, which celebrates the achievements of local trail builders Paul Cole, Alan Anderson and the Kowalski brothers. Together, these men hand built over 120 kilometres of cycling trails in east Kowen and across Sparrow Hill. But they are no more. The photos on Facebook show the empty space where once there were trees.

The areas of Sparrow Hill and east Kowen have been home to some of the finest mountain biking in Australia. Sparrow Hill was home to four well-maintained well-signposted loops ranging from five to 50 kilometres and engaging a full-time caretaker. What has been particularly galling and disappointing is that these tracks, which they built themselves, were destroyed by ongoing harvesting of the timbers in the pine forest. They called on the government to intervene on their behalf, not thinking that a few million dollars to be made from harvesting was anywhere near the value of health and economic benefits to be gained from retaining mountain biking trails in their current format at Sparrow Hill.

They have raised the concern with me and the minister that more and more mountain bike tracks are being encroached upon in the ACT. With the amount of housing construction going on, they firmly believe that it will not be long until it will feel like they are riding through people's backyards. Stromlo Park is a case in point. One aspect they were particularly keen to engage the minister on was the development of a policy which would protect some of these wilderness-type areas that survived the fires of 2003. This would have added benefit to bringing in tourism, as well as increasing opportunities for recreational cycling by locals. But it seems they reached out to the government in vain. Just as the minister did not respond to my letters, so she has not responded to them.

The last event has been held and the forest harvested again. As a result of such short-sighted attitudes, the community is left with few options but to ride away to other places in Australia, and they do not have far to go to be honest. They ride in my old stomping grounds just across the border, the Bright-Wangaratta-Wodonga area, mainly because it is brilliant for cycling. They also travel to Adelaide and Brisbane. All these places are mountain bike destinations. And where the bikers go, the cash goes also in tourism dollars and sponsorship deals. Mountain biking equals cash in our economy.

Perhaps the biggest and brightest growing star is Tasmania where a far-sighted government has set their sights on becoming the leading destination for cycle tourism in Australia. The Tasmanian government have a clear strategy and vision of showing great leadership, and they have backed it up with even more funding. They have set the priority for building infrastructure—more tracks, routes and trails—having already invested \$1 million for the St Helen's mountain bike trail network and \$800,000 on the blue derby mountain bike trails. They have set a priority for education and support that leads industry and community development, committing \$6 million to establish a cycle tourism fund to make this happen. They have set as a priority development which will position Tasmania, not Canberra, as Australia's best cycling destination.

They have done this through the new Tasmanian cycle tourism strategy which aims to guide the development of Tasmania's cycling tracks and trails; grow and promote experiences and events; and improve safety for all cyclists. Already they have received in the past year 38,000 visitors, a number that is growing steadily. Tasmania, not Canberra, have grown their economy drawing more visitors to their state across the regions and creating more jobs.

What will this government do in response? Will they continue to ignore the needs of this section of the community, a section that has the potential to grow and bring in tourism dollars as well as supporting social, health and community values? Will this government continue to ignore stakeholders who have reached out to them through a number of avenues, including my office? Or will they respond positively to the motion put by Mr Rattenbury and work out ways to engage with the cyclists to keep the tracks open, to add new infrastructure, produce an ACT cycling tourism strategy, and fund its development and growth in the ACT?

MR RATTENBURY (Kurrajong) (3.58): I thank members for their support for this important sporting and recreational activity here in Canberra and its enthusiasm for making it successful and helping to grow Canberra's reputation as a great place to be. I am happy to support Mr Gentleman's amendment. It is a clarification that helps the ministry in working through this, and I appreciate that he approached me prior to have a discussion about that amendment.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Education, Employment and Youth Affairs—Standing Committee

Statement by chair

MR PETTERSSON (Yerrabi) (3.59): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Education, Employment and Youth Affairs relating to the 2016 annual report of the University of Canberra, tabled on 9 May 2017.

I advise the Assembly that at a private meeting on 19 October 2017 the committee resolved to conduct an inquiry into the 2016 annual report of the University of Canberra.

In its *Report on Annual and Financial Reports 2015-2016*, tabled on 11 May 2017, the committee noted its belief that the University of Canberra's annual reports should be subject to scrutiny by an Assembly committee. The committee recommended that the Minister for Higher Education, Training and Research advise the Assembly as to the appropriateness or otherwise of the committee's future consideration of the annual report and financial statements of the University of Canberra.

The government response to that report, tabled on 21 September 2017, stated:

The University of Canberra (UC) operates under the University of Canberra Act 1989, which requires UC to provide an annual report for presentation to the Legislative Assembly each calendar year. Neither the University of Canberra Act nor the Financial Management Act 1996 require the UC Annual Report to be referred to committee for formal examination. The Government considers the current reporting requirements provide sufficient oversight and transparency.

The committee also wrote to the Minister for Higher Education, Training and Research, as well as the manager of government business, to request that the 2016 annual report of the University of Canberra be included in this Assembly's next annual reports referral. The minister reiterated in correspondence to the committee that the government considers that the current reporting requirements provide sufficient oversight and transparency.

On 24 August 2017 the resolution of 16 February 2017 referring 2016-17 annual and financial reports to committees for inquiry and report was amended to remove all references to the University of Canberra. This was done in order to allow time for the government response to the committee's *Report on Annual and Financial Reports 2015-2016* to be tabled and in light of ongoing correspondence between the committee and the minister.

Despite the government's position on this matter, the committee maintains that it would be of value for the University of Canberra's annual and financial statements to be subject to scrutiny and reporting by a committee of this Assembly.

The committee has therefore resolved to self-refer the 2016 annual report of the University of Canberra for inquiry and report. The committee intends to run this inquiry concurrently with its inquiry into other annual and financial reports for the 2016-17 financial year, as referred by this Assembly on 26 October 2017.

Financial integrity and compliance

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (4.01): I move:

That this Assembly:

- (1) notes the importance of financial integrity and compliance controls in procurement; and
- (2) commits to:
 - (a) investigating the feasibility of improving the linkages between our contract and financial management systems and processes to enable reporting on contracts associated with invoices on the notifiable invoices register; and
 - (b) reporting back to the Assembly on the outcomes of this assessment by 1 July 2018.

I will be brief, as I foreshadowed this yesterday. This motion commits that the government will look at opportunities to improve the connections between our contracts and financial systems and processes to improve reporting and compliance controls. As part of the analysis, we will assess the costs and impacts associated with this work to enable us to make an informed decision on the best way forward. We will report the outcomes of this assessment back to the Assembly by the date in the motion.

MR COE (Yerrabi—Leader of the Opposition) (4.02): I move:

Omit paragraph (2)(b), substitute:

- “(b) reporting back to the Assembly on the outcomes of this assessment by no later than the first sitting day of June 2018;

- (c) investigating the obstacles in changing the current notifiable invoice register threshold of \$25 000 when exporting data for publication and reporting back to the Assembly by the last sitting day of 2017; and
- (d) investigating whether the contract number is, or can be, entered into the Oracle Financials system and reporting back to the Assembly by the last sitting day of 2017.”.

The motion today is a direct response to the concerns I raised through the Government Procurement (Financial Integrity) Amendment Bill 2017, which was mostly gutted last sitting day. The situation, I think, is quite straightforward. I believe that changing a query from \$25,000 to \$12,500 should be relatively straightforward. For some reason it seems that the government thinks it is in the too-hard basket.

I note that in the motion as proposed by the Chief Minister they are looking to do far more than simply change that query from \$25,000 down to \$12,500. However, I do not think it is acceptable that we should have to wait until June to get a response on whether they can change that query.

In effect, the amended motion would read that we commit to investigating the feasibility of improving the linkages between our contract and financial management systems and processes to enable reporting on contracts associated with invoices on the notifiable invoices register, to reporting back to the Assembly by the first sitting day in June, to investigating the obstacles in changing the current notifiable invoice register threshold of \$25,000, and to reporting back to the Assembly by the last sitting day of 2017. It is, in effect, asking for the Chief Minister to come back to us in a few weeks time, having had a preliminary look to see whether this is going to be possible. In light of that, I ask that the Greens and the government consider that amendment.

MS LE COUTEUR (Murrumbidgee) (4.05): There has been a bit of email correspondence on these issues. I have a problem with Mr Coe’s amendment, which I have just received; it is excellent timing. The idea of reporting back on the substantive body of work a bit earlier is a good idea. It has obviously the major advantage that it means that this can be discussed as part of the estimates process. On the other two, as I said to Mr Coe, while no doubt it would be possible to get them done by that time—

Mr Coe: No, it is reporting back. It is an update. It is not actually doing it; it is reporting back to see whether it is possible.

MS LE COUTEUR: My concern is that by putting in such a tight deadline, the reporting back would be a very cursory affair. Obviously you can report back and say something but if we want any useful information as part of this reporting back then we probably, in all fairness to the government, need to give them a bit longer than about three weeks. So I have problems with (c) and (d). That timing is a bit unfair on the government, who, let us face it, before the beginning of this week were not planning to do this work any time soon. If this were in two motions, which it is not, I would be supporting (b), but (c) and (d) are, I think, too challenging.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (4.07): Mr Coe gave no warning to the government of this amendment. I heard through Ms Le Couteur that there might be something coming. This is different from the conversation that Ms Le Couteur and I had about 15 minutes ago. So it is not—

Mr Coe: No, it is not.

MR BARR: You do not know. You were not even here for the discussion that I had with Ms Le Couteur, so do not tell me about that, Mr Coe. I know about that conversation.

In relation to this, I do not have a problem with bringing forward the reporting back to the Assembly by a few weeks to June 2018. But, as I have discussed with Ms Le Couteur, and we are of one mind in relation to this, the government will not be supporting the second and third parts of Mr Coe's amendment.

If Mr Coe seeks leave to split his amendments to change the reporting date from 1 July to the first sitting day in June, which of course is budget day, then the government is happy to support that amendment. But we will not be supporting amendments (c) and (d). I think Mr Coe has indicated that he is happy to split his amendment.

Mr Coe: I do not think I need leave. I think we should just let this happen.

MR BARR: If that is the case then I think we can be in agreement to support amendment (b) but not (c) and (d), Madam Speaker.

Ordered that the question be divided.

Paragraph (2)(b) agreed to.

Paragraph (2)(c) and (d) negatived.

Original question, as amended, resolved in the affirmative.

Casino (Electronic Gaming) Bill 2017

Debate resumed from 24 August 2017, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MR PARTON (Brindabella) (4.10): The Canberra Liberals will oppose this bill for a number of reasons. What an absolute debacle this has become. Consider how it started with the unsolicited bid, the stunning video, wonderful graphics, the amazing artist's impression of a revamped Canberra city centre, and this amazing retail and food precinct. And what do we have now? I would suggest we have two-fifths of nothing.

How amazing that the holier than thou Greens will clearly be voting for this bill. I know we have an amendment coming. Is it not amazing that the Greens, who are so worried about people doing harm to themselves in gambling houses, are voting for poker machines to go into the casino?

But not just poker machines. In this gambling harm awareness week, the Greens are not voting just for poker machines in the casino; they are voting for a completely new form of gambling to be introduced in the form of fully automated table games. We have never seen them here in the ACT. This form of gambling has never been available here in Canberra. But, thanks to Ms Le Croupier—thanks to Caroline Le Croupier and Roulette Rattenbury; thanks to the Greens and our good friend, Mr Ramsay—everyone will now have the ability to play fully automated table games. They have never been here before.

James Packer would be very pleased with this. This is half-baked legislation. So many of the finer details that would be required to make an informed decision on matters as important as these are simply left out to be determined by bureaucrats at a later date.

One of the most absurd things that the minister said in this chamber—let us face it, we have quite a number to choose from—was in regards to this bill. Mr Ramsay suggested that the bill had nothing to do with the unsolicited bid from Aquis to redevelop the casino precinct. Suggesting that this bill has nothing to do with the Aquis bid is like suggesting that Floriade has nothing to do with spring or that the Mardi Gras has nothing to do with the LGBTIQ community.

The bill relates to the unsolicited bid from Aquis to redevelop the casino precinct in return for access to poker machine licences. You cannot separate the two. When the Chief Minister met with Aquis at 2.45 pm on 21 May 2015—when Tony and Jason Fung and others from Aquis walked through the casino's unsolicited bid proposal; when they showed that swish video and detailed exactly what would be built on the site—they made it abundantly clear that all of this grandeur, all of these jobs, all of this development would be commercially viable only if gaming machines were approved for operation in the casino. This is how business works in the real world. Enterprising people come up with scenarios whereby they invest a certain amount of money; they take a risk; they make a judgment on how much they can get in return.

I was asked by the media to respond to the casino bill on the day it was tabled. I said—I cannot remember the exact quote—words to the effect that, if I were a bookmaker, I would be offering 10 to one against the casino redevelopment going ahead. I am sure that Mr Ramsay and his staff googled “10 to one against” after I made that statement to get their heads around what I was saying. I say that because time and time again in this portfolio Mr Ramsay and his staff make it clear that they have no understanding of the gambling or the racing space, none whatsoever. This is shown again in this bill.

If you think that Mr Ramsay has no idea what is going on in this space, you want to have a chat to Mr Rattenbury and Ms Le Couteur. Mr Rattenbury and Ms Le Couteur are so clueless in this space, they make Mr Ramsay look like Tom Waterhouse!

Far be it from me to give political advice to ACT Labor on matters such as this, but I cannot resist. I have a suggestion for ACT Labor. When it comes to trying to gain any benefit out of this unsolicited bid from Aquis—when it comes to trying to salvage anything out of the wreckage of this idea—my message to the Labor government is this: you made your bed; you lie in it.

You guys are running this town together. You have got this very cosy arrangement with the Greens, so sort it out with them. See whether you can come to any arrangement which would give any glimmer of hope to this glittering city redevelopment. See if you can come to any agreement which would allow any form of business case to survive. We wish you all the best of luck with that.

The Canberra Liberals have long supported the community gaming model in the ACT. Poker machines came to the ACT back in the 1970s. It must be said that for some it was a reluctant introduction. It was in part based on the large sums of money that were leaving the ACT and going straight across the border to Queanbeyan.

The poker machines were established here in the ACT for the right reasons. This was about supporting community clubs. As a community, we have all reaped the benefits. The sporting infrastructure that has been established in the ACT by our community clubs is staggering. By and large, the community contributions on so many levels make Canberra a much better city.

Of course, this government have been hell bent on seeking revenge against ClubsACT since the election last year. They did whatever they could to make it difficult for clubs, particularly under that peak body umbrella. The behaviour of the Chief Minister and the minister in this place has been deplorable. I urge them both to grow up.

So reiterating: the Canberra Liberals support the ongoing community gaming model here in the ACT. We see no need to change it. I refer to some specific parts of this bill. Part 5, section 21, states:

(1) The casino licensee—

having already gone through the process of acquiring the restricted authorisation—

may apply to the commission to have a restricted authorisation converted to an authorisation to operate a casino gaming machine ...

(3) For subsection (2) (c), the *required documents* are the following:

... written evidence that the planning and land authority has—

(i) approved a development proposal ... in relation to the redevelopment of the casino and ... casino precinct ...

The bill does not specify how grand or otherwise the redevelopment must be. As is the case with a number of things attached to this bill, it is left up to our imagination.

By the letter of the law, if this bill is passed in its current form, the casino could convert restricted authorisations into authorisations to operate the machines by simply getting the planning and land authority to approve a redevelopment of the women's toilets at the casino and by putting up a drinking fountain within the casino precinct.

If anyone believes for a single moment that Aquis is going to continue with the original casino and precinct development, they have got another think coming. At the time of the original proposal, Aquis made it clear to the government that the redevelopment relied upon income from those poker machines.

The harm minimisation measures that appear in this bill are absurd. They are absurd in a casino space. When you line them up against any other casino in the world, they are absurd. Under the absurd harm minimisation measures, it is very clear that the casino would fall well short of the proposed income figures from those machines, and that is not to mention the enormous cost imposts to comply with the measures in the set-up phase.

Aquis sent a submission re this bill to my office and, I am assuming, to others in this place, where they spell this out. They say:

The revenue and cost implications of the pre commitment system and lower bet limit are likely to have significant implications for the viability of a business case for any redevelopment and more broadly the sustainability of a business that makes significant contributions to employment and tourism in the ACT.

The other great problem is access to the actual hardware. It is possible that Aquis or any other operator would be able to access the hardware if we were at a \$5 level. But this bill does not set it at \$5. Instead, the government has put it out to the community, asking people who have never ever been into a casino in their entire lives what they think the maximum bet level should be.

We understand that we have some amendments coming. I do not know where we will end up. The Gaming Technologies Association of Australia and Aristocrat have confirmed to me—I am sure they have confirmed it to those on the other side—that, if the government arrives at a number lower than \$5, there simply will not be machines available. Nobody makes them. When you consider the small size of this mini-harm minimisation jurisdiction, it is not viable. I guess there is a price for everything. You can get anything for a price—just look at Northbourne Avenue. It is not viable for any manufacturer to develop the product.

We have not even started with a mandatory pre commitment system. No such system exists in Australia for this form of gambling. The cost of developing one for such a small mini-jurisdiction, again, would be prohibitive.

I know that Gaming Technologies Australia have already indicated to the government that setting up a mandatory pre commitment system without a centralised monitoring system is simply not possible. I heard Mr Rattenbury in the media saying that they were spruiking for their own industry. They are talking themselves out of business. There is all this stuff that could be made here. They would make a fortune out of it,

because it will cost a fortune. This is pie in the sky, wowser-ish, nanny state, fairy tale stuff, none of which will work in the real world. And Mr Barr knows it.

Canberra Casino would become the only casino in the world with such draconian measures imposed. Other international examples of mandatory pre commitment have failed. This is just another example of this government meddling in areas that it has no understanding of.

In closing, I will think out aloud. If the government has already conceded that Aquis is leaving and if they have set up the framework for these changes, I can only wonder whether one of our licensed clubs might step forward to purchase the casino. Who would like to hazard a guess which club that might be? I do not know; let us pick a club out of the blue: the Tradies club, for argument's sake.

Is there anyone who thinks the Tradies club might step forward to purchase the casino, grab the opportunity to get the fully automated gaming tables, and perhaps get around any of these harm minimisation measures and development clause measures by "redeveloping the casino precinct"? They could redevelop a section next door to the casino into a licensed club. Perhaps you could walk straight through, from the casino gaming floor to the club, where you could play the pokies without any of the harm minimisation rules in this bill.

It is not the casino; this is Tradies in the city. But the Tradies would still get their FATGs to run in the casinos. What a bonus. And you think that any deal to set this up is not one that any government would agree to? You would have thought that about the Dickson car park and building arrangement there. On the face of it, it would be very difficult to jump through the regulatory hoops when it comes to setting up such an operation. But this government and the CFMEU are very good at finding inventive and creative ways to jump through regulatory hoops. We look forward to Tradies in the city.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (4.22): We will come back to planet earth now. As the attorney noted in introducing this bill, it provides the legislative framework for access to different gaming products at the casino. Whether the casino should or should not have access to gaming machines has been the subject of community debate in this city for about three decades. This bill seeks to settle that question and makes clear the government's expectations about the conditions for access to electronic gaming products.

This bill also establishes the most significant harm minimisation measures in the country and important controls on access for electronic gaming products. Further provisions will cover a range of additional matters, including taxation and community contribution rates and a range of other technical, administrative and operational matters. The government is making a significant decision to enable the licensee of the casino, whoever that licensee should be, to apply to operate a limited number of gaming machines on the condition that they provide a significant benefit to the community in return.

The bill contributes to the government's broader agenda to reduce gambling harm as a core component of the casino accessing electronic gaming products. The harm minimisation measures include that the casino licensee must undertake a social impact assessment that outlines the social and economic implications of the new electronic gaming products. Findings of the social impact assessment will determine the number of gaming machines and fully automated game terminals that can be operated up to a maximum of 200 gaming machines and 60 fully automated table game terminals. The Gambling and Racing Commission must be satisfied there are sufficient harm minimisation measures in place taking into account the social impact assessment findings.

The casino will be required to forfeit one in three authorisations acquired from clubs and hotels, which will contribute to the significant reduction in the overall number of electronic gaming machine authorisations in the territory. The casino will only be able to operate gaming machines and fully automated table gaming terminals that they are able to connect to a central monitoring system and are capable of supporting other prescribed harm minimisation measures.

The casino gaming machines must provide for mandatory precommitment to a net loss limit and a voluntary precommitment to a time limit. A maximum bet limit will apply to casino gaming machines, which can be reduced by regulation. This limit was subject to review by an expert panel incorporating community engagement from the your say web portal and has helped inform the government in determining the final bet limit figure for this legislation.

Combined, these measures represent one of the toughest harm minimisation frameworks for electronic gaming at a casino in Australia. The harm minimisation benefits alone, however, are not enough in the eyes of the government or the broader Canberra community to enable the casino licensee to operate a broad range of gaming products.

As the shadow minister for racing and gaming, Mr Parton, put it when he was not under the mind control of the Liberal Party:

You think about the Melbourne couple who are holidaying in Canberra. They decide to go to [the] casino for a Friday night. He wants to play the tables, she is going to have a go on the pokies. They don't get it once they get there and for some reason there are not machines.

We should have poker machines at Casino Canberra. Unfortunately, I can't see them winning this fight.

No, not when you completely backflip on positions that you have taken previously. The opportunity is here now. Whilst this bill is proponent neutral, it does allow for the government to consider proposals from the casino licensee where there is a broader benefit to the community. The current licensee may choose not to take up the option outlined in this legislation of up to 200 gaming machines and 60 fully automated game terminals. However, it will remain open to the current licensee in future or future licensees to consider the option subject to an approved development proceeding.

This debate follows shortly after Canberra was deservedly awarded by *Lonely Planet* the accolade of being one of the best cities to visit in 2018. My government will continue to advocate for the growth of our city's tourism industry. It employs 16½ thousand people in this city. Our city also needs more investment in five and six-star accommodation where there is currently a gap in the market. Diversification is at the heart of both the government's economic strategy and of Canberra's tourism offerings. A proposal that boosts our economy and our attraction as a tourist destination is worthy of consideration.

A redeveloped casino and resort-style shopping and entertainment precinct could provide enhanced public realm and outdoor spaces for the community. Improvements in food, entertainment and retail options would stimulate urban renewal and further investment in our city centre. An increased visitor presence would have flow-on benefits to other hotels, tourism and hospitality-related businesses, including the provision of new jobs.

The bill provides that access to electronic gaming will only be available once a prescribed stage of development has been reached. Accessing the full suite of gaming products will only occur once any redevelopment is complete. Subject to commercial negotiations between the government and the proponent of any redevelopment, we will consider providing access to a limited number of authorisations as development milestones are achieved. Under the bill's provisions these milestones will be set out in regulation, for transparency.

I acknowledge there is a wide variety of views in the community on this policy decision. There is, of course, a degree of sensitivity about any debate around gaming and gaming venues. The government took this policy to the last election and was re-elected. We believe there are significant benefits for Canberra that can flow from a redevelopment of the casino but we also believe that we can implement strict controls to reduce gambling harm. For these reasons, I believe the government has struck the right balance between support for a project that should be given due consideration and harm minimisation.

That the shadow minister has completely changed his position reflects really only one thing, and that is his now membership of the Canberra Liberals. I acknowledge that the statement I quoted earlier was made when he was more independent in his thinking. He has now obviously fallen into line with his colleagues.

Mr Hanson: How long have you been supporting it?

MR BARR: I do note, Madam Speaker, that it was only in 2013 that the then Leader of the Opposition was asking you in this place, in your role at that time as Minister for Racing and Gaming, about how unfair it was that the casino did not have access to poker machines. Four years ago the then Leader of the Opposition was so concerned about this inequity that it was the subject of a series of questions in question time. The shadow minister is on the public record as saying, "We should have poker machines in Casino Canberra."

Mr Parton: But you live and learn, don't you?

MR BARR: You do. You live and learn and you can change your mind. There we go. This government took a policy position to the last election and we were re-elected. We are simply enacting that now, in this place, and we have sought, in the development of this legislation, to strike the right balance between both the economic development of this city and the opportunities for the tourism and hospitality sector. The arrival of direct international flights to our city has clearly been a game-changer. Canberra is growing up as a city. It is time to address an anomaly. We are doing so in an entirely socially responsible way, with the strictest harm minimisation requirements to apply to any casino in the country.

Mr Hanson: What changed your mind, Andrew?

MR BARR: I have just outlined the reasons. The government sought to strike that balance between economic development and harm minimisation. I believe this bill achieves those ends. It supports a reinvestment in the Canberra Casino. It does so in a responsible way. I commend the Attorney-General for his work in this area.

MR RATTENBURY (Kurrajong) (4.33): I do love hearing Mr Parton talk about poker machines. He makes them sound like one of the great inventions of humanity. It is all roses! I get this mental image of Dorothy skipping down the Yellow Brick Road, as he talks about poker machines as this glorious invention. I am the first to admit that I am not a great fan of poker machines, but I at least have the self-awareness to admit that our clubs make a positive contribution to our community, whilst I also talk about my reservations about gaming machines. They are not that one-sided thing.

After Mr Parton's speech, I cannot work out the position of the Liberal Party because on one hand they are outraged at the apparent undermining of the community clubs model but on the other they are also worried that the legislation we are putting in place will not let the casino be viable. So which is it? Which do they actually want? I cannot tell, from the position that has been put, and I suspect that is because they are trying to walk both sides of the road and not offend anybody in this process.

The Greens have given careful consideration to this legislation and what its impacts would be for the ACT. The issues we have considered are the effects on our gambling model, on development, on the life and entertainment options in the city precinct and, most importantly, on minimising gambling harm.

While I cannot say that the idea of spending a night out at a casino is attractive to me personally, I accept that it is appealing to some people, and it is a legitimate entertainment choice for those who like it. I also recognise that this legislation is being brought forward in the context of a larger proposal which would include a range of other facilities such as a hotel, restaurants and shops as part of the development. This part of the proposal would be of economic benefit to the ACT and could bring more people and activity to the Civic area, with a flow-on benefit for other surrounding businesses.

Of course, these benefits cannot be separated from the casino component of the proposal, and I will speak to the harm minimisation issues shortly. However, I note that there are some benefits to having gambling occurring in a casino rather than in community venues. As a designated gambling venue, patrons are very clear about what service is being offered. In particular, the access for children, particularly to the lights and sounds of poker machines, is much more restricted and for me this is an appealing aspect of having poker machines in a casino environment rather than in a community club in the suburbs, billed as a family-friendly venue.

While these factors are all relevant, the main consideration for the Greens is how we can reduce the impact of gambling harm in our community. The proposal before the Assembly is an opportunity to introduce a new model of best practice harm minimisation to reduce or prevent the negative social, emotional and financial impacts of people at risk of problem gambling behaviour.

Since this proposal was put forward, the Greens have been very clear that any legislation to introduce poker machines into the casino needs to have strong harm minimisation measures to ensure that gambling harm in the community will not increase as a result of this change. We support the Productivity Commission's findings that a bet limit of \$2 or less is needed to make some useful inroads into reducing harms, and the commission's recommendation that a limit of \$1 per spin is best practice. We have repeatedly said that we will not support the introduction of poker machines in the casino with a \$10 or a \$5 bet limit, and we want to see a bet limit proposed that aligns with the available evidence.

Of course, the introduction of bet limits and mandatory precommitment into the casino is only one important part of a broader suite of harm minimisation measures that the Greens have campaigned for. Our community has been having a conversation over the past year about understanding the human impacts of gambling harm, and several members of our community, as I said yesterday, have shared their personal experiences of harm from poker machine addiction. As a result of these conversations most Canberrans are no longer willing to dismiss this as a minor issue that should be left up to each individual to deal with. Instead we accept that this is an issue we can do something about by improving the protections that exist on poker machines and in gambling venues.

I quoted some figures in my speech on Mr Parton's motion yesterday, and I will repeat them briefly again today, because it is important to understand the scale of impact that this issue has. The *Australian gambling statistics* report reveals that people in the ACT spent over \$167 million on the pokies in 2014-15. Almost 20 per cent of ACT adults played the pokies at least once in that period, with losses totalling \$37.48 million.

The key point to note on this issue is that while anecdotally we are told that the number of people playing the pokies is decreasing, we continue to see a significant percentage of those losses coming from people who can least afford it. Of the over \$37 million in losses in the ACT, 63 per cent came from people with at least some problem gambling symptoms. Twenty-eight per cent of losses came from people at

moderate risk or people identified as problem gamblers. This means that \$10.59 million was lost by people with some level of gambling addiction. It is no longer acceptable to suggest that this is a fringe issue of little concern or that it is simply a matter of people taking personal responsibility for their actions.

The other fact we know is that poker machines are designed to ensure that people play for as long as possible and spend as much as possible. Poker machines cultivate addiction by teaching the brain to associate the sounds and flashing lights that are displayed when a punter wins with pleasure. The machines are then designed to trick players into thinking they are winning when really they have lost money.

The two common features which cause this manipulation are called “near misses” and “losses disguised as wins”. For players experiencing this phenomenon, brain imaging has shown that the pattern of dopamine release that occurs is strikingly similar to that of cocaine use. Poker machines are essentially addiction machines that have been developed over a long period of time to be as attractive to their users as drugs are.

With all of this in mind, the Greens are committed to real reforms that will reduce the impacts of gambling harm on the ACT community. We know that Canberra has too many poker machines, with one of the highest rates of pokies per capita across all states and territories. We have already secured a commitment to decrease the number of pokies from nearly 5,000 to 4,000 by 2020.

In line with this commitment, the Greens said we would not accept any proposal to introduce poker machines into the casino if it would lead to an overall increase in machines in the ACT. Regardless of the venue, being granted a poker machine authorisation is not simply a licence to print money. It is a privilege. It comes with expectations that those machines will be used in a way that is safe and does not put vulnerable people at risk of significant harm.

The Greens believe that this legislation includes a number of important safeguards to make sure that those expectations are met. Through this legislation, we can achieve a worthwhile decrease in the number of poker machines in the ACT, because the legislation requires the casino to participate in a trading scheme at a rate of one machine forfeited for every three purchased. This is a higher forfeit rate than applies currently for the clubs, and this makes sense as the casino will operate as a for-profit entity.

Another important point is that while the casino does have the option of purchasing a number of fully automated table games, or FATGs, the legislation is clear that the licence must be purchased for each terminal on the FATG. These licences will also be counted under the ACT’s cap of 4,000 machines and will also be subject to the conditions of the trading scheme, leading to a further reduction in the number of machines across the territory.

Additionally, the casino will be required to purchase at least 50 per cent of its machines from small and medium clubs, giving those clubs with a smaller number of poker machines an opportunity to divest and use the income to diversify into other

business areas. Overall, through this mechanism, we will have fewer machines in Canberra and those clubs that want to divest will have an opportunity to do so.

The other two key features that the Greens wanted to see as part of this package were mandatory precommitment and bet limits. The exploration of these features is a parliamentary agreement item. While it is not ideal to have different conditions on poker machines in different venues across clubs and a casino, the question we are presented with today is specifically about the casino, and we want to see the best harm minimisation there that we can. I also understand that the clubs are currently engaged in discussions about their own approach to harm minimisation and diversification, and I look forward to seeing the outcomes of those discussions in coming months. I guess it is open to them to align themselves with the conditions that the casino will face.

The introduction of mandatory precommitment is an Australian first but is not without an evidence base. The intentionally addictive features of poker machines that I described earlier make it harder for people to make informed and rational choices about their spending. The Productivity Commission found that around 70 per cent of poker machine players report exceeding their spending limits sometimes while 12 per cent exceed those limits often or always. We also know that higher risk gamblers exceed their limits more often and report greater harm when they do.

Precommitment means that when a person plays the pokies they have to nominate how much they are willing to lose, and their session will cease if they reach that level. There are many varieties of precommitment systems and further detail on how this will be implemented will be outlined in the regulation. But the purpose of mandatory precommitment is to help high-risk gamblers control their spending and ensure that the limits they set for themselves are not exceeded. The other key measure that I mentioned is bet limits, and I will speak more on this issue when I move my amendment.

The proposal before the Assembly today will lead to a significant change in how we regulate gambling and poker machines in the ACT. Whilst we are moving away from pokies only being available in our clubs, this legislation provides strong protections to limit harm from problem gambling in the Canberra casino.

Ultimately, the Greens have come to the conclusion that we can support this bill with the inclusion of a lower bet limit. The legislation will reduce the number of poker machines in the ACT and will move 200 machines into a new environment with much higher harm minimisation standards than we currently have.

The legislation will introduce mandatory precommitment. It will also see a reduced bet limit in line with the available evidence. These measures combined will set a new bar for best practice in poker machine regulation, which is an opportunity we cannot and should not ignore. We have come to this position after seeking advice from academic experts and people with lived experience of gambling harm, and we believe it will go some way to improving harm minimisation in the territory.

Of course, there is no silver bullet when it comes to reducing gambling harm, but the Greens believe we must continue to do all we can to better support addicted gamblers

and their families. We are committed to continuing to work with the government to improve harm minimisation and reduce the impact of gambling harm both in the casino and across our city.

Finally, I would like to thank the Attorney-General for the discussions that have taken place in the preparation of this legislation. It is a challenging issue for all of us in this Assembly but through some considered conversations we have been able to come to a place where we get the best possible outcome for the Canberra community.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (4.44), in reply: I thank members for their contributions and I also thank at this stage the scrutiny committee for its comments. I table a revised explanatory statement responding to a number of the matters in there to which I will return shortly.

As the Chief Minister has noted, there is a wide variety of views on this matter and, as we have heard today, Mr Parton seems to hold many of them. It was quite unclear whether the Liberals' problem is that this creates the possibility that electronic gaming machines can operate potentially in the casino or whether it makes it too difficult for them along with the harm minimisation restrictions. What that reveals is that there is very clear internal conflict within the Canberra Liberals, and Mr Parton has managed to argue for both positions; I would not necessarily say effectively but at least loudly. What we have is a position that shows that there is no view even within the Canberra Liberals.

What I am pleased to speak on as we draw this debate to a close, as I told the Assembly when I introduced the bill in August, is that this bill does provide a framework to enable the casino in Canberra to operate electronic gaming products subject to the redevelopment of the casino and its precinct. As the Chief Minister has noted, this bill is not about any one company or the owner of the casino; it is about the principle of having electronic gaming machines at the casino and under what conditions. Of course, in line with the principle that gaming machines should be regulated for community benefits, this bill requires a significantly revamped venue and surrounds at the casino.

Today's bill represents the position that electronic gaming machines can be allowed at the casino and can be operated there in a way that is nation leading in terms of minimising gambling harm. The bill provides the most robust harm minimisation measures for any casino in Australia. This is a strong message to our community and to the industry that this government is focused on gaming regulations that protect against harm.

The bill establishes a process for the casino to apply to the Gambling and Racing Commission for authorisation certificates to operate up to 200 gaming machines and up to 60 fully automated table game terminals. An application must be accompanied by a social impact assessment, or SIA. As with the existing process that applies to clubs wishing to operate a new or expanded venue, the SIA must outline the social and economic implications of the proposed electronic gaming products. The casino

SIA must be made available for public comment for eight weeks rather than the six week-consultation that applies to clubs.

If the casino is issued with an authorisation certificate for gaming machines or for fully automated table games, the casino will then need to acquire authorisations from within the existing maximum number of authorisations in the territory, that is, the casino will need to buy the authorisations from clubs and hotels. No new authorisations will be issued.

The bill applies forfeiture of one authorisation for every three acquired, which is higher than the one in four forfeiture that currently applies to trading between clubs. Should the casino be approved for and acquire the maximum number of authorisations allowable under the bill, forfeiture will reduce the overall number of authorisations in the ACT by 130.

We know that some of our smaller venues are currently seeking to diversify their income streams away from gaming. As part of the government's support of small and medium clubs, the bill specifies that the casino must acquire at least 50 per cent of the authorisations from small or medium clubs or hotels. Once the casino has acquired authorisations from clubs or hotels, those authorisations will be restricted. Before a gaming machine or FATG terminal can be switched on, the casino will need to convert those restricted authorisations into the relevant type of authorisation, whether that is an authorisation for a casino gaming machine or a casino FATG terminal.

Conversion will happen only where specific requirements have been met. Those conditions include the casino meeting a prescribed redevelopment stage and the commission being satisfied that there are sufficient rules, procedures and harm minimisation strategies in place to operate that type of gaming product.

There has been media commentary that the bill does not specify the scale of the redevelopment necessary to permit the operation of electronic gaming products. The bill does make it clear that the ability to operate any new gaming products will be contingent on meeting development milestones which will be set out under a regulation. Those development milestones will be the subject of commercial negotiation between the government and the proponent of a redevelopment proposal. It may be that staged access to authorisations will be permitted as a redevelopment proposal proceeds, with access to the full number of authorised electronic gaming products available only on the completion of the entire product. But let me be clear about one thing: the government will not be authorising the operation of any additional gaming products without a redevelopment that benefits the broader community and visitors to our city.

Consistent with the government's commitment to gambling harm minimisation, the framework established by the bill includes a suite of measures designed to minimise harm from any new electronic gaming products at the casino. Gaming machines and fully automated table games must be able to be connected to a centralised monitoring system, a CMS, that monitors their operation and performance. This is a common feature required in most jurisdictions, which provides enhanced integrity, including in relation to the territory's taxation revenue. A CMS can also assist in the provision of

more advanced harm minimisation features such as dynamic messaging to players and precommitment.

The bill provides that the ACT will be the first state or territory in Australia to require mandatory precommitment. Players will need to set the amount that they are prepared to lose in a playing period, with the option of also setting a time limit on their play. Making precommitment mandatory takes away the stigma of setting limits. Everyone will have to engage with the precommitment system before they can play.

The \$5 bet limit in the legislation tabled by the government was already lower than the current maximum in the territory by half. I am aware that Minister Rattenbury will be moving amendments to this figure, and we will consider that in detail at a later stage.

Turning to Assembly matters, again I would like to thank the Standing Committee on Justice and Community Safety for its review of the bill and the comments contained in scrutiny report 9. As I have advised, I have tabled the revised explanatory statement that takes into account the committee's comments that relate to the creation of offences by regulation, the penalty units applicable to certain offences in the bill, justification of strict liability offences and the operation of various defences under the Criminal Code.

There are a range of operational matters that will be addressed in future provisions including, importantly, taxation and community contribution requirements as well as specific rules and control procedures for operating gaming machines and FATG terminal approval processes, certification and technical standards for electronic gaming products, the centralised monitoring system and the precommitment system.

I will conclude by saying that this bill provides the framework for the introduction of electronic gaming products at the casino, subject to two key elements. Firstly, access to such products will be provided only in connection with a redevelopment proposal for the casino and its precinct that delivers benefit to both the Canberra community and visitors. Secondly, the electronic gaming products at the casino will be subject to some of the most stringent harm minimisation measures in the country.

This government will continue to regulate all gambling products in this territory to maximise community benefits. Support for today's bill is support for a regulatory scheme that promotes development and revitalisation in our city centre, while introducing the strongest protections against gambling harm in Australia. The bill is not about a company; it is not about an unsolicited bid process. It is about the community's expectations of our gambling laws and our commitment to growing Canberra's economy through investment.

The bill will reduce the overall number of electronic gaming machines in the territory by 130. It will introduce for the first time in Australia mandatory precommitments for machines. Today's legislation is a key component of our comprehensive approach to reforming the gambling industry and it redefines our rules for the casino in a way that is considered, safe and beneficial to the community. I commend the bill to the Assembly.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 10		Noes 7	
Mr Barr	Ms Le Couteur	Mr Coe	Mr Milligan
Ms Berry	Ms Orr	Mr Hanson	Mr Parton
Ms Burch	Mr Pettersson	Mrs Jones	
Ms Cheyne	Mr Ramsay	Mrs Kikkert	
Ms Cody	Mr Rattenbury	Ms Lawder	

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR RATTENBURY (Kurrajong) (4.58), by leave: I move amendments Nos. 1 and 2 circulated in my name together [*see schedule 2 at page 4968*]. One of the key issues in this discussion has been the issue of bet limits. I alluded to it briefly in my earlier remarks but saved the bulk of my comments on it for now. Poker machine bet limits are recommended by experts as one of the most effective ways to reduce gambling harm in the community. The majority of Australian jurisdictions are moving towards reduced bet limits, with the maximum bet lowered from \$10 to \$5 in clubs and hotels in all states and territories other than the ACT and New South Wales. New Zealand have introduced a \$2.50 bet limit and in Sweden a \$1 bet limit is in place.

At the moment, with a \$10 bet limit per spin in the ACT, players can lose up to \$1,200 per hour. This exposes people with a gambling addiction to an unacceptably high risk of huge losses in short amounts of time. Based on the findings of the Productivity Commission, the Greens believe the \$5 bet limit proposed in this legislation is unacceptably high. A \$5 bet limit can still lead to losses of up to \$600 per hour and will not be effective at reducing harms. The Greens cannot support anything less than the Productivity Commission's finding that a bet limit of \$2 or less is needed to make some useful inroads into reducing harms.

As an alternative to the \$5 bet limit proposed in the bill, I am proposing an amendment to set the bet limit at \$1, which is in line with the Productivity Commission's recommendations for what constitutes best practice. I have heard some arguments put that a \$1 bet limit places an unfair restriction on recreational gamblers, and I want to respond to that point. Research has found that the vast majority—around 80 per cent—of recreational gamblers make bets at or below \$1. That is why we believe a \$1 bet limit is a reasonable measure that will not reduce the enjoyment for casual gamblers but will provide strong protections for those at risk of gambling harm.

I am pleased to bring this forward today. I am not sure if I am going to receive the support of the Assembly, but I must put these things on the table and we will continue to work with this Assembly to get an outcome on this bill.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (5.01), by leave: I move amendments Nos 1 and 2 circulated in my name together and table a supplementary explanatory statement to the government's amendments [*see schedule 3 at page 4969*]. The debate shows that the government is living up to its commitment to bring forward innovative, robust harm minimisation reforms. The decision to allow electronic poker machines at the casino came from the belief that gaming should be regulated to benefit our community as a whole.

There are clear economic benefits from promoting redevelopment at the casino, but we also know from the evidence that electronic gaming machines create a serious risk of harm to people who gamble. It was an important decision, and the government convened a panel of experts to provide advice. What the experts found was that because no jurisdiction currently has a per spin bet limit below \$5, definitive conclusions about the impact of a \$1 limit are hard to draw. At the same time the panel advised that the other key measure in this legislation—mandatory precommitment—is one of the strongest protections available.

Based on the expert panel and in light of the strong protections in addition to a bet limit in this bill, the government believes a bet limit of \$2 is the most reasonable outcome for this Assembly to arrive at. This change draws together the principles of economic benefit, consumer choice and gambling harm minimisation in a way which is nation leading. Today's debate on bet limits and, indeed, on the principle of having electronic games at the casino resolves conclusively that gaming in the territory at any venue will be regulated in the best interests of the community as a whole.

MR PARTON (Brindabella) (5.03): I will respond with some of the research evidence in this space. In one of the only empirical studies to specifically research the effects of reducing Australian EGM bet limits to in this instance \$1, the authors—Blaszczynski, Sharp and Walker—found that 7.5 per cent of problem gamblers were betting above the dollar limit in this study. The implication remained that 92.5 per cent of the problem gamblers—those experiencing the greatest harm from gambling—were betting below \$1.

In addition, Park, Park and Blaszczynski, last year evaluated the evidence base for a proposed stake size reduction to £2 on some machines in the UK, and I think it is valid in this debate. Their research showed that problem gamblers are distributed across the full range of staking behaviours, but there are significant numbers of problem gamblers at lower staking levels and significant numbers of non-problem gamblers at higher staking levels. Therefore, the measure would fail to reach many problem gamblers and would impact on many non-problem gamblers. So I just ask: what is the point?

I think there is some confusion over what harm minimisation measures would apply to fully automated table games. In parts of the legislation it is somewhat unclear as to which harm minimisation measures would apply to the FATGs and if they would be the same as with the poker machines. Although it appears Mr Rattenbury believes in his heart they would apply to the FATGs, in practical reality they cannot. I would like to run through this for the benefit of Mr Rattenbury and perhaps Mr Ramsay himself.

A fully automated table game replicates a casino game in the form of a machine. Let's take, for example, roulette. The FATG would present a roulette table on the screen and enable the player through a touchscreen facility to place bets on the roulette table in the same way they could on a real table. The biggest single difference is no actual staff are required. Strangely enough, these two parties over here have spent all morning carping about how we do not care about workers and these fully automated gaming tables, as they say in their name, are fully automated; no staff required.

But back to the crux of the matter—the bet limits. How can you possibly have a \$1 maximum bet level on FATG? So you are down playing roulette on this fully automated table game. You move to put a \$1 chip on your favourite number, number seven, and that is it. You cannot do anything else on that spin, because that would exceed the limit. That is clearly completely unworkable. The only way that could be even marginally possible is with one cent chips, and nobody is going to play a roulette machine with one cent chips.

Although the legislation suggests that the FATGs must be compatible with this mythical central monitoring system, I am still unsure of the practicalities of that. We will be asking international visitors who probably attend other casinos in other locations to go through this process of giving all their personal details and—I don't know—their licence, their bank account details and many other things. We will be getting them to put pen to paper and pledge their precommitment to allow them to play a fully automated table gaming machine with one cent gaming chips. What is that even about?

Unlike most of those opposite, I have run a small business and I understand basic profit and loss. So let's do the maths on this. Under the legislation the casino would be purchasing 390 authorisations. They have been going for an average of \$15,000 per licence, so we start at \$5,850,000 to purchase the authorisations. Gaming manufacturers have come up with a very conservative figure as to what each actual machine will cost. Bearing in mind that no gaming manufacturer actually makes \$1 or \$2 machines these machines have to be developed from scratch and then manufactured just for this mini jurisdiction.

I am told that if you were buying 200 of the machines available now it would probably cost you 20 grand each, \$20,000 per unit. But these being totally new machines developed from scratch they would be, conservatively, \$60,000 per machine. We are talking 200 times 60,000, which equals \$12,000,000. So we are just shy of \$18,000,000 before we even start with purchasing FATGs and the development of a precommitment system from scratch.

It is highly likely that none of the current manufacturers will accept the job of developing such a system because those in the space tell me that is not something they are keen on developing. They tell me it would cost at least another half a million dollars. We are talking about starting this process \$22,000,000 in the red. When you combine that starting point with a mandatory precommitment system which, experience shows, will just stop recreational gamblers from participating, and \$2 maximum bets—a bet limit which is far under what clubs less than half a kilometre away are offering—when you do the maths does anyone believe we would see any development proceed here? That is all I have.

MR RATTENBURY (Kurrajong) (5.09): Briefly on Mr Ramsay's amendment, it is no secret that that is not everything we wanted but, as I touched on earlier in line with what the Productivity Commission has told us, a \$2 limit will certainly make some useful inroads into reducing harms. In terms of where we started this discussion this is a major breakthrough in harm minimisation and bet limits in the territory. The \$2 limit is an 80 per cent reduction from the current limit. It cuts the maximum loss rate from \$1,200 an hour to \$240 an hour and it provides protection for those most vulnerable in the system. Combined with the mandatory precommitment, this will set the best standard for harm minimisation in Australia. That is something the ACT community can be proud of and it is something members in the chamber who will support this package can be proud of in terms of making serious steps when it comes to harm minimisation.

As we have discussed many times in this place before, there is no single solution to problem gambling, but you can take concrete steps. Mr Parton asked the question: what is the point? I have a couple of thoughts on that. The point is that we can make a difference for some of the most vulnerable in our community—people who have gambling addictions and problems that see them losing money they cannot afford to lose. To be honest, the better question is: why wouldn't you do this? You have the chance, why wouldn't you seek to make a concrete difference for some people in our community? That is the basis on which the Greens will support the amendment brought forward by Mr Ramsay, the attorney.

Question put:

That **Mr Ramsay's** amendments to **Mr Rattenbury's** proposed amendments be agreed to.

The Assembly voted—

Ayes 10

Noes 7

Mr Barr	Ms Le Couteur	Mr Coe	Mr Milligan
Ms Berry	Ms Orr	Mr Hanson	Mr Parton
Ms Burch	Mr Pettersson	Mrs Jones	
Ms Cheyne	Mr Ramsay	Mrs Kikkert	
Ms Cody	Mr Rattenbury	Ms Lawder	

Question resolved in the affirmative.

Mr Ramsay's amendments agreed to.

Mr Rattenbury's amendments, as amended, agreed to.

Bill, as a whole, as amended, agreed to.

Question put:

That the bill, as amended, be agreed to.

The Assembly voted—

Ayes 10

Noes 7

Mr Barr	Ms Le Couteur	Mr Coe	Mr Milligan
Ms Berry	Ms Orr	Mr Hanson	Mr Parton
Ms Burch	Mr Pettersson	Mrs Jones	
Ms Cheyne	Mr Ramsay	Mrs Kikkert	
Ms Cody	Mr Rattenbury	Ms Lawder	

Question resolved in the affirmative.

Bill, as amended, agreed to.

Paper

Mr Barr presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2016-2017—Chief Minister, Treasury and Economic Development Directorate—Corrigendum, dated October 2017.

City Renewal Authority—land acquisitions quarterly report Paper and statement by minister

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (5.17): For the information of members I present the following paper:

City Renewal Authority and Suburban Land Agency Act, pursuant to subsection 13(2)—City Renewal Authority—Land acquisitions quarterly report—1 July to 30 September 2017.

I ask leave to make a statement in relation to the paper.

Leave granted.

MR BARR: In July this year the government established the City Renewal Authority under the City Renewal Authority and Suburban Land Agency Act 2017. The City

Renewal Authority was established to encourage and promote a vibrant city through the delivery of design-led, people-focused urban renewal.

In accordance with the act the authority is to prepare, and I am to report to the Legislative Assembly, after the end of each quarter details of any land acquired by the authority during the quarter, all valuations of the acquired land that the authority considered in relation to the acquisition and any other information prescribed by regulation for the report.

I have received the first quarterly report from the authority. This report states that the authority did not undertake any land acquisition during the period 1 July to 30 September 2017. I commend the report to the Assembly.

Financial Management Act—consolidated annual financial statements

Paper and statement by minister

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (5.19): For the information of members I present the following paper:

Financial Management Act, pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2016-2017 financial year, dated 27 October 2017.

I ask leave to make a statement in relation to the paper.

Leave granted.

MR BARR: I present to the Assembly the consolidated 2016-17 fiscal year annual financial statements for the territory. I am pleased to report to the Assembly that the consolidated statements received an unqualified audit opinion from the Auditor-General on 30 October. The final 2016-17 headline net operating balance for the GGS is a deficit of \$26.7 million, \$47.2 million lower than the estimated outcome deficit of \$73.9 million. Moreover, the key financial indicators in the balance sheet remained strong. The next update to the territory's financial position will be released with the 2017-18 budget review by the middle of February 2018.

The financial statements I present today have been prepared in accordance with Australian accounting standards and are in line with the requirements of the Financial Management Act 1996. I commend the 2016-17 consolidated annual financial statements for the territory and the accompanying audit opinion to the Assembly.

Papers

Mr Rattenbury presented the following paper:

Official Visitor Act, pursuant to subsection 17(4)—Summary report—July 2016 to June 2017—Mental Health Official Visitors.

Adjournment

Motion (by **Mr Ramsay**) proposed:

That the Assembly do now adjourn.

Sport—women’s participation

MS CODY (Murrumbidgee) (5.21): Here we are in the first week of November, and for the sporting types amongst us, the 2017-18 season of women’s sport is here. For those of us who have grown up being on the sidelines or being part of a team, these are the weekends we cherish: the weekends when the cheers of a crowd filter through streets and playing fields; the weekends that fill us with enthusiasm; the weekends where mothers, daughters, sisters and friends get to be heroes.

We know that when women’s sporting participation is enabled and where sport is a constant feature of women’s lives, our community is rewarded. Their social networks grow, their health improves and their confidence is boosted. Women’s sport, whether promoted by government or supported by the wider community, inspires young girls to dream big and work hard.

While I know many of us are gearing up for an exciting W-League season, it is also rewarding to see similar excitement for the Canberra Capitals, not to mention the anticipation for the 2018 season of the AFLW, the women’s league, months before the first bounce. For those who have not been paying attention, the drafts have been confirmed, the meme generators are working overtime and memberships are now for sale. It is going to be a brilliant summer for women who play sport, and it is also a reminder of the need to keep building up women’s sport at the local level.

The success of professional women’s sport has helped to positively shift the conversation for women in sport, but we still have a long way to go. I want to see support for local women’s sport grow. Women who play have earned their support and celebration because what they achieve is remarkable.

Many young girls and women engage in sport throughout their lives. They may change codes or clubs to find the right fit, find new social networks, learn new skills or have their confidence boosted. But it is their commitment to having sport in their lives that is constant and inspiring.

Finally, I would like to acknowledge some women from my electorate who competed in the Australian Masters Games in Tasmania last week. The Weston Creekers—clearly a pun—put together a team comprising local Murrumbidgee women who took part in the 40-plus age bracket for soccer, which just happens to be my age bracket. They were competitive and are an example of the type of teamwork, health and passion that sport can generate.

Women who continue to play as they get older set a positive example for their children. They give back through volunteering. They provide a valuable service to our sporting community. They are giving young girls someone to look up to—a local hero.

I encourage everyone to show their enthusiasm for the summer of sport that awaits, in whatever code they follow. But they should make sure that they follow the women's and girls' teams, because they will also be playing a role in building the next generation of confident young women.

Protest rallies

MS LE COUTEUR (Murrumbidgee) (5.24): The ACT is a proud leader in support of human rights and a strong and active civil society, so I will take a moment to talk about a few of the active citizen rallies that have been happening in Canberra, in particular since the last sitting period.

Ones I have personally been involved in include the stop Adani movement. This is an Australia-wide movement that is working collaboratively to protect our environment, particularly the Great Barrier Reef; to protect our water resources; to prevent a tax-avoiding and environmentally destructive group from trampling over traditional custodians and digging up fossil fuels, thereby destroying the local environment and contributing significantly to global warming and negative impacts on all of our environment. On 7 October there was a national day of action where over 20,000 people literally spelled out #StopAdani at over 60 community events. As a result of this we have seen that all four major Australian banks have refused to fund the mine. I am hopeful that there is more to come.

On 8 October I joined a rally for refugees, where there was a very positive mention of the motion that was passed in the Assembly on 24 August which called for the ACT government to write to the federal government to bring the refugees from Manus Island and Nauru here. Unfortunately, as we have all seen in the papers in the past couple of days, that is the last thing the federal government has done. The men on Manus and Nauru still languish in indefinite detention with ever-decreasing provisions of medication, water and food. The citizenship voice in Australia has been loud and consistent ever since the implementation of an offshore detention regime for asylum seekers and refugees. While clearly the situation has not yet improved for the better, it is nonetheless providing some comfort to those people who are suffering from it.

On 2 September I attended and spoke at the rally for marriage equality. The ACT government, including many of us here in the Assembly, have made it clear that we want equality for LGBTI people in our community. It was great. Thousands of Canberrans came out in support of a yes vote, and this was repeated on Sunday the 22nd.

I also went to the annual reclaim the night rally on 27 October. I have been to quite a number of these. It was both really wonderful to be there with a group of women and really sad that we still have to do it. I think someone said that it was the 37th such march in Canberra. We were all a little unsure as to how long it had been going for. The point is that women claim the right to walk alone at night. We should have that right. We should be safe. We should not have to challenge, again, sexual violence.

One of the interesting things in social media in the last little while has been the #MeToo hashtag. I have seen a lot of it in my social media, such that I actually put it up and said, "I'm wondering is there anybody out there whom it does not apply to?" Only one of my friends replied that she felt it did not apply to her. I must admit I was a bit amazed by even one saying that. I would suggest that there is probably not one young woman who has not experienced some degree of sexual harassment, at the least unwanted attentions and catcalling.

Today I joined Ms Cheyne at a rally outside the Assembly. It was the dying with dignity rally. This was particularly poignant for me as I had just attended a funeral of someone who died in pain from cancer.

I conclude by reiterating that a fundamental pillar of the Greens is upholding grassroots democracy. There was Greens representation at all of these rallies. This is because it is central to our purpose. The right of assembly in a public place is a cornerstone of our liberty. The right to bear witness and bring pressure to bear on politicians and other parts of the public in support of a cause is an important and necessary function of society, and I am really pleased that in this society and in this place I am in a position to be part of it.

Greyhound racing industry

MR PARTON (Brindabella) (5.30): I wish to bring to the attention of the Assembly—and I am most pleased that Mr Ramsay is here in the chamber; it saves me making a video—the fact that the Canberra Greyhound Racing Club received a letter from Minister Gordon Ramsay at 5.47 last night. That letter was to inform the club of the bills to ban racing to be introduced today, as they have been. In response the chair, Alan Tutt, wrote a letter back to Mr Ramsay. I want to share some of that letter with the Assembly and put it on the record. He said:

When we met for the first ... time on 23 December last year you shook my hand & promised to hear our concerns & establish a relationship based on honesty & communication. You recognised the previous few months of announcements on racing by Chief Minister Barr & former Minister Gentleman had completely omitted the participants & staff in the local industry.

As you were a lawyer and church leader before entering the Assembly, I took you at your word. I believed you would honour your promise & demonstrate the principles of natural justice & honesty associated with your past careers. How wrong I was.

Instead of another meeting, as you promised, your door has been shut.

You have not attempted to hear the voices of the people who will be deeply hurt by the ban. You have not met with the board, nor have you attempted to explain to the hard-working staff why they deserve to lose their jobs.

The Canberra community deserves strength and informed decision-making from their elected leaders. Unfortunately your role as Minister with responsibility for racing has been marked by cowardice, a hard heart & a closed mind.

The CGRC has operated for almost four decades with an unblemished animal welfare & integrity record. Despite the smears & unfounded attacks by our opponents there has never been a single complaint, let alone an adverse finding against us for any reason.

We have adhered to or exceeded every regulation & law applied to racing since our inception. The Australian Veterinary Association (AVA) supports our ongoing operations because of our excellent record. It is little more than a year since former Minister Gentleman also stated ACT Labor supported funding & racing because of our excellent record, contributions to the community & positive economic impact.

I am not going to read the whole thing but it goes on to say:

The rudeness & dismissal of the AVA this week by refusing to meet with them & directing them to the Transition Taskforce typifies the treatment of the greyhound industry & community. The Taskforce has no policy formulation role & is irrelevant to the discussions the AVA wished to have with you.

Given the role of veterinarians in animal welfare, it is clear that you did not wish to hear what they had to say because it does not align with your political agenda.

You have had to acknowledge our unblemished record publicly. You now simply offer a shallow rationale of greyhound racing being no longer in line with “community values”—

although I do note that in the minister’s speech while tabling the bill today community values was left out completely. That phone polling must have been pretty bad.

... as the reason to trade off our jobs & livelihoods for those of Andrew Barr and Shane Rattenbury as outlined in the Parliamentary Agreement.

That is from Alan Tutt. I think it is despicable, cowardly, shameful and absolutely unforgiveable.

Question resolved in the affirmative.

The Assembly adjourned at 5.33 pm until Tuesday, 28 November 2017, at 10 am.

Schedules of amendments

Schedule 1

Legislative Assembly Legislation Amendment Bill 2017

Amendments moved by the Speaker

1

Proposed new clauses 3A to 3C

Page 3, line 1—

insert

**3A Officer of the Legislative Assembly
Section 6A (2)**

omit

other territory laws

substitute

any other law in force in the ACT

3B Section 6A (2), new note

insert

Note A law in force in the ACT includes a territory law and a Commonwealth law.

3C Section 6A (4)

omit

other territory laws

substitute

any other law in force in the ACT

2

Proposed new clauses 7A to 7C

Page 5, line 1—

insert

**7A Officer of the Legislative Assembly
Section 6A (2)**

omit

other territory laws

substitute

any other law in force in the ACT

7B Section 6A (2), new note

insert

Note A law in force in the ACT includes a territory law and a Commonwealth law.

7C Section 6A (4)

omit

other territory laws

substitute

any other law in force in the ACT

3

Proposed new clauses 18A to 18C

Page 11, line 1—

insert

**18A Officer of the Legislative Assembly
Section 4A (2)**

omit

other territory laws

substitute

any other law in force in the ACT

18B Section 4A (2), new note

insert

Note A law in force in the ACT includes a territory law and a Commonwealth law.

18C Section 4A (4)

omit

other territory laws

substitute

any other law in force in the ACT

Schedule 2

Casino (Electronic Gaming) Bill 2017

Amendments moved by Mr Rattenbury

1

Clause 26 (2) (a) (i)

Page 24, line 21—

omit

\$5

substitute

\$1

2

Clause 26 (5) (b) (i)

Page 25, line 11—

omit

\$5

substitute

\$1

Schedule 3

Casino (Electronic Gaming) Bill 2017

Amendments moved by the Attorney-General to Mr Rattenbury's amendments

1

Amendment 1

Clause 26 (2) (a) (i)

omit

\$1

substitute

\$2

2

Amendment 2

Clause 26 (5) (b) (i)

omit

\$1

substitute

\$2
