Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

EIGHTH ASSEMBLY

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Thursday, 19 February 2015

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MADAM SPEAKER (Mrs Dunne) 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.

Petition
Ministerial response

The Clerk: The following response to a petition has been lodged by a minister:

By **Ms Burch**, Minister for Education and Training, dated 18 February 2015, in response to a petition lodged by Ms Lawder on 25 November 2014 concerning the ongoing funding Auslan courses at CIT.

The terms of the response will be recorded in *Hansard*.

Canberra Institute of Technology—Auslan—petition No 18-14

The response read as follows:

> In accordance with Standing Order 100, I provide you with the following response to the petition for presentation to the Assembly.
>
> Auslan interpreting is an essential service for Auslan users. The availability of accredited Auslan interpreters for the ACT deaf community has been raised as a significant concern in recent times. While many Auslan users may rely on family or friends to interpret for them due to a lack of availability of professional interpreters, there is a small but important need to increase the number of accredited Auslan interpreters.
>
> Encouraging more people to choose a professional career in Auslan Interpreting is an important first step to address this need. The language course alone does not qualify a person to become an interpreter - they need to become proficient in using Auslan first which usually takes years of informal practice outside of formal language studies. Language proficiency is the first step to becoming an interpreter.
>
> Gaining national accreditation through the National Accreditation Authority for Translators and Interpreters (NAATI) can be achieved through sitting a NAATI accreditation test or through completing a NAATl approved interpreting course (usually at a Diploma or Advance Diploma level offered through TAFEs and Universities across Australia). Both channels of accreditation require proficiency in the English language as well as the language to be interpreted.
>
> The Certificate II and Ill Auslan, courses currently offered through the Canberra Institute of Technology (CIT), develop Auslan language skills and provide a potential pathway for further study to become an interpreter. CIT Solutions also run a number of programs in conversational Auslan throughout the year which achieve similar outcomes.

> The demand for the certificate courses at CIT has remained low, which makes them financially unviable to run. Many students do not complete the full qualification indicating a lack of need for official certification. The short courses at CIT Solutions, in both Auslan 1 and Auslan 2, are fully subscribed anecdotally suggesting that the demand is in the development of conversational language skills in Auslan.
>
> The Auslan certificate courses offered at CIT were developed and accredited by the Kangan Institute of TAFE in Victoria. The nationally recognised Victorian Auslan program will expire in 2015. As a registered Training Organisation, CIT must comply with the teach-out requirements regulated by the Australian Skills Quality Authority for an expired course.
>
> CIT offered the Certificate II in Auslan in 2013 and 2014 and is offering the Certificate II in Auslan in 2015 for existing students to enable those students who have begun the Certificate II to complete the qualification, should they wish to do so.
>
> CIT is also offering the Certificate Ill in Auslan in 2015 for full-time students. However, this will require sufficient enrolments for the course to proceed.
>
> Until further information is available on the national reaccreditation of the Auslan certificate courses, CIT must plan for its cessation. CIT is examining how best to meet the needs of students and the community in future years. This may include ongoing and more flexible offerings through CIT Solutions.

University of Canberra Amendment Bill 2015

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

Title read by Clerk.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (10.02): I move:

> That this bill be agreed to in principle.

It is my pleasure to present the University of Canberra Amendment Bill 2015 and its explanatory statement.

The ACT government is committed to supporting our tertiary and research sector. This bill will help the University of Canberra to strengthen its foundations and secure a long-term future. This is despite the tough global and national economic environment and of course the looming pressures from the federal government's ill-informed reforms and cuts to higher education, which follow on from last year's federal cuts to education more generally.

In 2014 a Deloitte report found that Canberra has the highest percentage of its population studying full or part time compared to any other city in Australia and that higher education is the fifth largest industry in the ACT, contributing more than $1.7 billion worth of economic activity annually.

One in nine of our residents work or study at a university in the ACT, Madam Speaker, helping us to grow a well-qualified and skilled labour market and to successfully deliver high quality education to many interstate and overseas full fee-paying students.

This government has a strong and coherent vision for the sector, to be realised through close collaboration with our higher education providers. The government's vision for the university is that it build on its many strengths to become one of Australia's most innovative tertiary institutions, world-ranked and with national reach and international reputation.

By enhancing our status as a city-state with much to offer tertiary students, academics and researchers, we expect the clustering effect of many world-class universities here to help attract the best and brightest to live, to work and to study, and ultimately, Madam Speaker, to stay and invest in our vibrant and prosperous city.

The University of Canberra has a proud history of educating and helping to shape our community. It was established as a university in 1989, the same year as self-government was granted to the ACT. Prior to this, it was well regarded and known as the Canberra College of Advanced Education, providing practical education specifically for jobs and for life-long learning in the Canberra community.

Momentum and growth have been maintained by the University of Canberra and, with the collaborative support of the ACT government and the community, the university has established itself as Australia's capital university. As such it has continued to deliver a wealth of graduates and research benefiting our community. The University of Canberra has a world ranking for the second consecutive year in the QS World University rankings, cementing its position in the top five per cent of universities and research institutions internationally. The university is also ranked amongst the best in Australia by the Good Universities Guide for positive graduate outcomes and for successful employment outcomes.

Madam Speaker, my government is putting the needs of Canberrans first in supporting the growth and development of the University of Canberra Bruce campus. The University of Canberra will be bringing together professional partners and businesses, widening its sphere of activities for the community and becoming more prosperous through working collaboratively with business partners and better utilising its property and assets into the future.

I am concerned, and I know that many others are, about the unprecedented challenges for universities and other educational institutions under this current federal Liberal government's restructuring proposal for funding and student support arrangements. This bill will help to strengthen the University of Canberra's long-term position in the face of this uncertainty.

I am delighted the University of Canberra is taking a more entrepreneurial approach to its revenue base by engaging in commercial projects which will benefit it financially as well as through new teaching, training and research opportunities. By growing its sphere of operations the university will develop economies of scale and sustainability. Quite a few Australian universities will be under pressure to do likewise, Madam Speaker.

Consistent with my responsibilities as Minister for Urban Renewal, and through a series of bills, starting with this one, I am taking action to broaden the span of the University of Canberra's functions in a way that will provide significant economic, social and cultural benefits for this city and for the broader region.

By facilitating investment in the campus, we will grow jobs, we will boost the housing market and we will create new opportunities for wider research, teaching and commerce at the university. This will benefit students, staff and people working and living near the university, as well as older Canberrans likely to enjoy the convenience and quality of the new sub-acute hospital and other facilities around the campus.

The bill begins delivery on this government's commitment to renew the urban environment, to create economic opportunities, but, most importantly, Madam Speaker, to encourage economic growth. The bill will modernise the University of Canberra Act 1989 and is designed to support the university in developing its campus whilst updating provisions with respect to the operation of the council.

A modern legislative framework will support efficient and effective operations of the university council, better governance and enable the university to enter into commercial arrangements not hindered by unnecessary legislative restrictions.

In coming months, Madam Speaker, I will be bringing forward changes to land planning and unit titling arrangements to allow our great local university to work with others to develop more residences on the campus, to invest further in a sporting commons, to create a health precinct and to foster growth of an innovation precinct around the campus.

Madam Speaker, Canberra is becoming a place where people come together to collaborate on big ideas that can be shared with the nation and the world. The University of Canberra already has a well-deserved reputation for partnering with leading minds and companies.

The partnership with Ochre Health for the Belconnen GP superclinic, the development of the University of Canberra public hospital and the partnerships with the Brumbies Super Rugby team and the Canberra Capitals basketball team are prime recent examples of the University of Canberra's evolution.

By significantly expanding the university's role in our city, through cultural, sporting, professional and commercial services to the community, I am expecting this university to generate even more economic activity for our city and expand a set of services—its significant set of services—in Belconnen. By bringing forward a first

tranche of reforms through this amendment bill, the University of Canberra can get on with the business of growing and developing through improved clarity of purpose and better governance arrangements.

Madam Speaker, the bill presented today specifically makes provision for expanded functions for the university to include the provision of cultural, sporting, professional, technical and vocational services to the community and participation in public discourse; commercial use or development of property in which the university has an interest; authorising the University of Canberra council to determine remuneration for its members, with a determination by the Remuneration Tribunal setting the minimum threshold for minister-appointed members; clarifying appointment and vacancy arrangements for the council, chancellor and/or deputy chancellor; and authorising the council to delegate its functions to suitably skilled persons approved by the council in writing.

Madam Speaker, the close collaboration and cooperation between my government and the university will be further strengthened through an upcoming agreement of strategic intent which will draw together our shared commitments. This government is committed to helping the University of Canberra thrive over the long term. Whilst the university will always maintain its core role in delivering quality education to UC students, the university will be able to realise its potential to create a positive social influence to better serve the wider Canberra community and to build our city's reputation as a smart city. This bill will help encourage the university to participate in public discourse to ensure that its ability to create public value is shared more widely and not confined to UC students and alumni.

Amendments to section 6 allow for the University of Canberra to have greater control and flexibility over its commercial functions. In the pursuit of sustainable development, greater flexibility over property will allow the university to exploit its assets and grow its prosperity, flowing through to the delivery of education services and to research. Its ongoing public lecture series, various markets, competitions, involvement with the arts, with music, with social events clearly reach a broader Canberra community. This amendment bill will ensure that the University of Canberra has an even greater opportunity to engage with the community in ways that may sit outside what we currently conceive to be the conventional role for a university.

I made it clear in my statement on government priorities and I reiterate that today: my government colleagues and I will only legislate as a means to an end, to grow the economy, to help people stay healthy and smart, to keep our city livable but, most importantly, Madam Speaker, to spread opportunity. There is a tough economic climate nationally, worsened for Canberrans locally by the rampant cutting of jobs and services by the Abbott Liberal government.

In responding to these challenging economic times, with no friendly federal government to assist, it is up to this place, to this government, to make our own future. This legislation reflects this goal, Madam Speaker, for our university and for our city. We are working with the University of Canberra so that we can all share in the benefits of being home to the best tertiary study and research experiences available in this country. I commend this outstanding bill for the future of this city to the Assembly.

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

Dangerous Substances (Loose-fill Asbestos Eradication) Legislation Amendment Bill 2015

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

Title read by Clerk.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (10.15): I move:

> That this bill be agreed to in principle.

On 28 October 2014 the territory government announced the loose-fill asbestos insulation eradication scheme, under which the government is conducting a voluntary buyback of all houses in the territory affected by loose-fill asbestos insulation.

Today I present the Dangerous Substances (Loose-fill Asbestos Eradication) Legislation Amendment Bill 2015, which proposes a number of amendments to various acts. The amendments made by this bill are designed to assist in the administration of the scheme as well as assisting affected home owners with issues related to their property. They address the practicalities and needs of implementing the scheme.

Since the scheme was announced there have been discussions on whether and how a list of affected properties will be released to the public. These amendments articulate a mechanism for the release of this information in a way that is compatible with privacy legislation. The amendments also seek to address issues with the legislated feed-in tariff attached to solar panels on an affected property.

This bill primarily amends the Civil Law (Sale of Residential Property) Act 2003, the Dangerous Substances Act 2004, the Electricity Feed-in (Renewable Energy Premium) Act 2008, the Land Titles Act 1925 and the Residential Tenancies Act 1996. The bill also makes consequential amendments to the Dangerous Substances (General) Regulation 2004, the Information Privacy Regulation 2014, the Planning and Development Regulation 2008 and the Work Health and Safety Regulation 2011.

The bill amends the Dangerous Substances Act 2004 to require the minister to maintain a register of residential premises that contain or have contained loose-fill asbestos insulation. This register will be called the affected residential premises register. The details of the premises will be removed from the affected residential premises register once the affected residential premises have been demolished and the site has been remediated. The affected residential premises register will also identify those residential properties that have been acquired by the territory under the buyback program.

Having the affected residential premises register will help in the administration and processes surrounding Mr Fluffy homes in the post buyback period, as well as facilitating the mid to long-term management of premises where owners do not opt into the ACT government's buyback program.

The amendments also provide that the minister may make the affected residential premises register publicly available. Once a property is included on the affected residential premises register, this inclusion will be noted as an administrative interest on the title of the land. Under the Land Titles Act 1925 an "administrative interest" is a decision or notification made under territory legislation that affects a parcel of land. This will appear on the property's title and prospective buyers will have notice of the inclusion of the property on the affected residential premises register.

The new Land Titles Regulation 2015 provides that the minister is an authorised entity. The effect of this is to ensure that the minister tells the registrar-general about inclusions and removals from the affected residential premises register in the same manner as other territory entities are required to notify the registrar-general of other administrative interests.

The bill also amends the Residential Tenancies Act 1997 in relation to the termination of a tenancy agreement in relation to affected premises. Either a landlord or a tenant may terminate a residential tenancy agreement where the premises are affected premises. These changes will ensure that tenants may terminate a tenancy agreement without penalty where the premises are Mr Fluffy premises. The amendments will also facilitate the surrender of the lease to the territory by permitting a landlord to terminate a tenancy prior to surrender.

There will be safeguards provided to tenants, such as financial assistance through the task force if they are required to relocate at short notice. In addition, the bill ensures that the ACT Civil and Administrative Tribunal has similar jurisdiction to make appropriate orders in relation to the termination of a tenancy in these circumstances.

Further amendments made by the bill facilitate the buyback program through modifying the application of the Civil Law (Sale of Residential Property) Act 2003 to the sale of affected residential units to the territory under the buyback program. While the territory is using a lease surrender mechanism to obtain the majority of affected properties under the buyback program, the surrender mechanism is not suitable to acquire unit titled property. These properties are being purchased by the territory under normal contractual arrangements.

The Civil Law (Sale of Residential Property) Act is designed to reduce the incidence of the practice of gazumping and providing increased levels of consumer protection for both buyers and sellers of residential property. There are a number of requirements of that act that impose a cost on the seller in both monetary and time terms. While the territory would reimburse these costs, the reports would be of limited value to the territory in the context of the buyback program.

Lastly, the bill makes amendments to the Electricity Feed-in (Renewable Energy Premium) Act 2008. At the time the ACT government announced the feed-in tariff scheme it provided for the most generous feed-in tariff in Australia. Home owners that had their generators installed under this scheme have contracts for 20 years under which they will continue to receive a "premium rate" as stipulated in the act.

Since houses will be demolished, amendments to this act allow for a new or old generator affixed to a new property to continue to benefit from the legislated premium feed-in rate. The purpose of the amendment to this act is to place affected home owners in the same position they would have been in had their affected property not been demolished. This amendment will only apply to home owners who are currently entitled to the feed-in tariff under the act.

The amendments to legislation made by this bill will have a positive social impact on the ACT community in facilitating the transition and recovery from the Mr Fluffy legacy. The amendments affect specific groups of Mr Fluffy owners, as well as having implications for the wider ACT community.

I make this commitment, Madam Speaker: the government will continue to work closely with all stakeholders affected by loose-fill asbestos. This bill reflects the essential changes required to provide an enduring solution to the Mr Fluffy legacy. I commend this outstanding bill to the Assembly.

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

Courts Legislation Amendment Bill 2015

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

Title read by Clerk.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (10.23): I move:

> That this bill be agreed to in principle.

I am pleased to present this bill this morning. The Courts Legislation Amendment Bill makes minor technical and some more substantive amendments to various pieces of legislation to address a number of criminal and civil issues and makes key improvements to the criminal justice, civil and coronial systems in the ACT.

The bill will promote efficiency in court processes by introducing a series of procedural and technical amendments to improve the efficiency of some court processes, clarify certain provisions that are causing confusion and lead to more efficient court proceedings; improving the coronial process by simplifying the reporting and inquiry requirements for fires, and introducing clear investigation powers for police at coronial scenes; and clarifying certain definitions and practices relating to post-mortems and coronial matters.

These efficiencies will reduce delays in court proceedings, which will lead to faster resolution of civil and criminal matters and therefore reduce related costs for the parties involved. They will also assist to prevent backlogs from developing and allow the courts to better manage and deploy their resources.

The first key amendment I would like to highlight is to the Court Procedures Act 2004 to ensure that interlocutory orders made by the Supreme Court for the purposes of an indictable offence, which the court already has the power to make, are binding on subsequent judges.

During a pre-trial hearing the court may make orders, determinations or findings, or give directions or rulings as it thinks appropriate for the efficient management and conduct of the trial. These orders will be binding on the trial judge in the proceedings unless, in the opinion of the trial judge, it would not be in the interests of justice.

The amendment responds to a request by the Chief Justice and will support initiatives such as the Supreme Court "blitz" process by preventing interlocutory orders from being unnecessarily unwound at trial, which may then lead to re-argument of those issues. This can add unnecessary time to the trial and prevent the trial from being heard within estimated time frames.

The amendment includes a safeguard for defendants by allowing a trial judge to set aside an interlocutory order in circumstances where it is in the interests of justice to do so.

Another amendment to the Court Procedures Act will provide clarity and consistency around case management orders in criminal trials, which has been raised by the Director of Public Prosecutions as a serious issue. While the amendments will bring the ACT more into line with other Australian jurisdictions by requiring pre-trial disclosure of expert evidence, they do not go as far as jurisdictions such as New South Wales that require extensive disclosure of the defence case prior to the trial.

The new provisions in the bill require parties to provide each other written notice about whether they will present expert evidence in the proceeding. This will ensure criminal matters can be conducted fairly and expeditiously. The amendments will not prevent a defendant from raising new expert evidence at the trial. They preserve a defendant's right to silence, as they will only impact on expert evidence that will be relied on during the trial. The amendment only affects the timing of the disclosure of the expert evidence. It does not require the defendant to reveal anything that the defendant would not otherwise have revealed.

Codifying a "without prejudice pre-trial disclosure regime" for expert evidence provides certainty and clarity of processes and time frames to defendants and prosecutors. It also facilitates cases running more smoothly. Everybody wins from such mechanisms.

The bill also amends section 9 of the Supreme Court Act 1933 to require that appeals from interlocutory orders of the master are heard by the Court of Appeal, as is currently the case with orders of a single judge.

Part 6.4 of the Court Procedures Rules 2006 confers on the master the same civil jurisdiction exercisable by a single judge of the Supreme Court. This supports the proposed amendment and also promotes the efficient use of court resources. It is not a necessary or efficient use of court resources to require a single judge to hear an appeal of an interlocutory order made by the master and has the effect of diminishing the master's authority.

Minor amendments in this bill also change the title of Master of the Supreme Court to associate judge. This issue has arisen from discussions with the Chief Justice and will provide appropriate gender neutrality as well as recognising the expansive civil jurisdiction exercised by this office. The amendment will not have any impact on the current functions, powers or entitlements of the role or any existing administrative arrangements. This amendment will bring the title of associate judge into line with other jurisdictions such as New South Wales, Victoria and Tasmania.

Another amendment to the Supreme Court Act will abolish the role of President of the Court of Appeal. The position of President of the Court of Appeal has been vacant since 2011. Advice prepared by the ACT Government Solicitor in June 2012 confirmed that the executive is not obliged to appoint a president and, if no president is appointed, the "orderly and expeditious discharge of the business of the court" remains the responsibility of the Chief Justice under section 7 of the Supreme Court Act.

The position is not necessary and references to the president in the Supreme Court Act are redundant and cause confusion. The Chief Justice supports the abolition of the role of president. No legal or logistical complications would arise if this position were abolished, due to the existing overlap with the functions of the Chief Justice.

Another amendment will address concerns raised by Master Mossop in the 2014 judgement Carew v Heitanen, about the interpretation of section 268 of the Magistrates Court Act 1930. Section 268 relates to the transfer of proceedings to the Magistrates Court from the Supreme Court and was introduced in April 2014 to facilitate the transfer of proceedings because of the increase to the civil jurisdiction of the Magistrates Court to $250,000.

Currently the language in section 268 requires the Supreme Court to transfer proceedings to the Magistrates Court if they "could properly have been begun" there. This requires the court to look back to the time when the proceedings were commenced rather than the situation that exists at the time when transfer is being considered. In the Carew case the law had changed while proceedings were ongoing, raising confusion as to whether proceedings could "properly" have commenced in the Magistrates Court. The proposed amendment will alleviate this confusion and allow the Supreme Court to transfer relevant cases, if appropriate, on the basis of their particular circumstances.

Minor amendments to the Oaths and Affirmations Act 1984 are intended to bring it into line with section 24 of the Evidence Act 2011, which does not require the use of a religious text to take an oath, and also section 24A, which allows a person who does

not believe in the existence of a god to take an oath. This is a practical amendment that will not alter the substance of taking an oath under the Oaths and Affirmations Act but aligns with modern and accepted principles.

The bill proposes a number of amendments to the Coroners Act 1997. The first amendment will require a coroner to hold an inquiry into a fire only when requested by the Attorney-General. This will significantly reduce the workload of coroners but still allow for inquiries to be held in relation to serious fires.

The coroner will continue to be able to investigate a fire under the Coroners Act if the coroner considers it appropriate to do so, or on request. The proposed amendment will not impact on the coroner's powers to investigate deaths and disasters.

Further amendments will allow the coroner to establish a coronial investigation scene. They set out the powers that a police officer has within that scene to collect and preserve evidence. Coronial investigation scenes can be established when no obvious crime has been committed and it is inappropriate to use investigation powers under the Crimes Act.

A police officer may request an order creating a coronial investigation scene in writing or by telephone and is also able to establish the scene in any way that is reasonably appropriate in the circumstances. A scene can also be established in a public place to ensure the integrity of evidence, and to ensure that the deceased is treated with respect and integrity.

Further proposed changes to the Coroners Act are consistent with legislative recommendations flowing from the final report of the review of ACT coronial and post-mortem process and practice, prepared by Dr Charles Naylor, Chief Forensic Pathologist from Queensland, in August 2013.

The amendments include clarifying the definitions of inquests and hearings, and clarifying the types of death that a coroner is required to investigate. The amendments to the coroner's jurisdiction in relation to deaths will update the language and remove some ambiguities in the current provisions. They will not alter the scope of a coroner's jurisdiction or any of their powers or functions.

The bill also repeals the Mediation Act, bringing the ACT into line with the national accreditation processes for mediation and reducing red tape for mediators.

Overall, these changes will improve the operation of laws in the ACT to promote access to justice for members of our community and its effective administration. I commend the bill to the Assembly.

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

Domestic Animals (Breeding) Legislation Amendment Bill 2015

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

Title read by Clerk.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (10.35): I move:

> That this bill be agreed to in principle.

It is no great secret that Canberrans, and indeed Australians, love their pets. According to figures sourced from the RSPCA, Australia has one of the highest rates of domestic animal ownership in the world. Nationally approximately 36 per cent of households include a dog and 23 per cent of households include a cat. Obviously, then, a large number of Australian households consider at least one dog or cat, or both, are part of their family.

Multiple studies have found that there are many benefits to keeping an animal companion. These include positive impacts on the keeper's health and wellbeing, instilling a sense of responsibility in children and increasing participation in community life. It is understandable, then, that there has been much concern in the community in recent years about the animal welfare issues associated with the intensive breeding of dogs and cats for sale in the pet market.

The intensive breeding occurs in what are informally known as puppy and kitten farms or factories. I would suggest that these would be better recognised for what they truly are: intensive pet breeding operations which have little concern for the welfare of the animals involved. The intensive breeding of domestic animals can give rise to serious welfare issues. Unscrupulous intensive breeding facilities impose inadequate—some would say squalid—living conditions on the animals involved, particularly female animals and their offspring.

Put quite simply, intensive pet breeding operations which treat dogs and cats only as money-making machines place the operators' profit above their animals' health and welfare. Life for a female dog or cat in an intensive breeding facility must have an impact on the wellbeing of the animal. It is known that in such operations animals are often permanently housed in empty pens, deprived of social interaction, exercise and responsible health care for their entire lives.

In an effort to increase profits for the operators, female dogs and cats are continually impregnated and bred as often as possible, sometimes every time they go into heat. This intensive breeding must put enormous pressure on the health of the affected dogs and cats, causing painful and potentially permanent damage, and jeopardising their ability to provide proper care for their individual litters of offspring.

According to the RSPCA, the intensive breeding of dogs and cats leads to a range of health problems for the animals involved—not only the mothers but also their offspring. Over and above the welfare issues involved with their mothers, the offspring from intensive breeding operations can suffer from hereditary diseases and acute and chronic birth defects.

When female dogs and cats in intensive breeding operations can no longer produce litters they are often destroyed because they no longer have a commercial value to the operator. Their place in the breeding facility is then taken by another female animal which will be intensely bred her entire life until it is eventually her turn to be destroyed, and then the cycle continues.

The RSPCA in Queensland recorded dealing with 12 separate cases of intensive puppy breeding in the years from 2008 to 2010. The RSPCA further estimates that the prevalence of intensive puppy and kitten breeding operations is similar in other Australian states and that there appears to be a particular problem in regional areas of Victoria. Puppy farm operations have been uncovered in South Australia, Victoria, New South Wales and Queensland.

The ACT is an island surrounded by this cruel activity. It is important that we legislate to prevent it occurring here. Recent animal welfare investigations into the intensive breeding of domestic animals in the ACT have focused on hoarding issues rather than on intensive commercial breeding, although the two issues may be related in some cases.

There is, however, anecdotal evidence of intensive puppy breeding operations occurring just over the border in New South Wales for the Canberra pet market. The legislation I am presenting today will pre-emptively prevent the establishment of such facilities from operating in the ACT and will stop unscrupulous breeding operators from relocating their business into the territory.

Importantly, the changes I am proposing today take place in a context where jurisdictions across Australia are taking action to try and abolish the intensive breeding of dogs and cats for the pet market. It is an issue that appears to have the support of most political parties in Australia.

As members may be aware, over the past few years Victoria, New South Wales and Tasmania have either enacted legislation or adopted codes of practice to prevent or regulate intensive breeding operations. The Gold Coast City Council is currently trialling a pilot program to regulate the breeders of dogs and cats. The South Australian parliament is considering a bill that aims to close down puppy factories operating in that state and to introduce a breeders licensing scheme similar to that I am proposing.

In November last year the Victorian government was elected on a platform of, among other matters, strengthening the legislation in that state to phase out puppy farms. The bill that I am presenting today ensures that the ACT takes its place within the growing movement in Australian jurisdictions to legislate to ban the cruel and controversial intensive pet breeding industry.

A wide range of stakeholders were consulted in developing this bill, including animal welfare organisations, breeders and pet industry stakeholders. All of these stakeholders support this bill's aim of preventing intensive dog and cat breeding operations in the ACT. In the past, in managing intensive breeding operations,

jurisdictions have sought to regulate where and in what conditions breeding animals are kept, including by using the zoning of land. This option has unfortunately proven to be costly and resource intensive, relying on heavy regulation and compliance activity. Learning from these experiences, the breeding standard that I have proposed will directly target the harm to the victims of unscrupulous intensive breeding operations—that is, in particular, to female dogs and cats and their offspring.

The bill amends the Animal Welfare Act 1992 by inserting new section 15B and new paragraph 21(ea) which will create a new offence of breeding a dog or cat contrary to a breeding standard declared by the minister and create a new offence of breeding a dog or cat contrary to a breeding standard when the breeding is done with the intention of making a profit or commercial gain. The new sections also explicitly provide that the minister may declare a code of practice related to the breeding and selling of cats and dogs with heritable defects.

This legislation presents a significant and necessary expansion of the law regulating animal welfare in the territory. As I have indicated, the proposed amendments provide for a breeding standard declared by the minister. I will make this declaration following advice from the Animal Welfare Advisory Committee as to the exact detail of what should be included in it. I envisage that it will focus on the welfare of female breeding animals.

The bill also inserts an objects clause into the Animal Welfare Act. The objects clause reflects the general purpose of the act and the principles underlying the act. It assists readers to understand the aims of the legislation and can also assist with its interpretation. The new objects clause makes it clear that the objects of the Animal Welfare Act are to promote and protect the welfare, safety and health of animals, to ensure the proper and humane care and management of animals and to reflect the community's expectation that people who keep or care for animals will ensure that they are properly treated.

The bill that I am presenting today also inserts a new division 3.1 into the Domestic Animals Act 2000 to create a licensing scheme to regulate the breeders of dogs and cats. Importantly, this licensing scheme provides several new offences, including a new strict liability offence of engaging in breeding a dog or cat for profit or commercial gain without holding a breeding licence and providing that breeding licence holders must display their licence number in any advertisements for the sale of puppies and kittens that they have bred.

The purpose of this breeding licensing scheme is to ensure that licensed dog and cat breeders are well aware of their responsibilities for the welfare of their animals when conducting business. Administratively, it is envisaged that breeding licences will be linked to an application for a licence to keep sexually entire female dogs and cats, which is currently required by section 74 of the Domestic Animals Act.

One major benefit of the proposed breeding licence scheme is that it creates a level playing field for legitimate breeders by eliminating unscrupulous breeders from the industry who would seek to profit from animal cruelty. The scheme will give legitimate breeders the benefit of being able to clearly identify themselves to their potential customers through the display of a unique breeding licence number.

The introduction of breeding licences also means that authorised people under the Domestic Animals Act will be empowered to inspect breeding establishments to ensure that they are complying with the proposed breeding standard. I envisage that compliance activity in the first instance would target those operators who are breeding animals for profit without holding a breeding licence.

Of course, there is always the potential for controversy when introducing a licensing scheme to regulate an industry that has traditionally been self-regulating, if regulating at all. For this reason, the proposed breeding licensing scheme has been designed to minimise red tape and regulatory requirements on the ACT's legitimate pet breeding industry where possible.

I am advised that there are currently about 100 dog or cat breeders operating in the ACT. If enacted, this legislation will obviously affect those breeders. To ensure the broadest possible acceptance of the proposed breeding licensing scheme, I asked the Territory and Municipal Services Directorate to conduct a targeted consultation with industry stakeholders on this legislation. This consultation occurred in November and December 2014.

Many thoughtful and practical comments were received from stakeholders, which helped to shape the final bill that I am presenting today. I sincerely thank the Pet Industry Association of Australia, the ACT Animal Welfare Advisory Committee, Dogs ACT, Capital Cats, the Australian Veterinary Association and the RSPCA, both the ACT and Australian branches, for their comments and valuable contributions to this bill.

As I mentioned, all of the consulted stakeholders support the bill's aim of preventing intensive dog and cat breeding operations in the ACT. Despite current legislation and the work of animal welfare organisations like the RSPCA, unscrupulous intensive animal breeders can be successful in hiding their maltreatment of animals. The Canberra community therefore also plays an important role, along with government, in helping to stamp out irresponsible pet breeding.

The passage of this legislation will allow members of the public to participate in stopping intensive dog and cat breeding in a number of ways. Some of the ways that members of the public can assist in this goal are by avoiding the purchase of a puppy or kitten from an unlicensed breeder and by reporting suspicious pet breeding activities to Domestic Animal Services for investigation.

Madam Speaker, I truly believe that the Canberra community expects that domestic animal breeding practices are undertaken within appropriate welfare standards. I wholeheartedly agree with the community on this point. The legislation that I have presented today will ensure that legal action can be taken against irresponsible dog and cat breeders who seek to operate within the ACT. I commend the bill to the Assembly.

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

Estimates 2015-2016—Select Committee
Establishment

MR SMYTH (Brindabella) (10.48): I move:

That:

(1) a Select Committee on Estimates 2015-2016 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2015-2016, the Appropriation (Office of the Legislative Assembly) Bill 2015-2016 and any revenue estimates proposed by the Government in the 2015-2016 Budget and prepare a report to the Assembly;

(2) in keeping with Continuing Resolution 8A, the committee be composed of:

(a) two Members to be nominated by the Government; and

(b) three Members to be nominated by the Opposition;

to be notified in writing to the Speaker by 4 pm today;

(3) an Opposition Member shall be elected chair of the committee by the committee;

(4) funds be provided by the Assembly to permit the engagement of external expertise to work with the committee to facilitate the analysis of the Budget and the preparation of the report of the committee;

(5) the committee is to report by Tuesday, 4 August 2015;

(6) if the Assembly is not sitting when the committee has completed its inquiry, the committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and

(7) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

Madam Speaker, this is the standard motion we move at this time in most years to set up the committee to enable the secretariat to start booking the ministers' diaries for their appearances before the committee. I commend the motion to the house.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (10.48): I move an amendment to Mr Smyth's motion:

Omit subparagraph (2)(b), substitute:

"(b) two Members to be nominated by the Opposition;

to be notified in writing to the Speaker by 4pm today;".

Nice try, Mr Smyth, to stack the committee, but the government will not be supporting any attempt from the Canberra Liberals to politicise the estimates process even more than it has, particularly under the leadership of this shadow treasurer and this Leader of the Opposition.

In relation to the matter of substance, the committee should have two members of the opposition and two members from the government. There is no way that a three-member opposition committee would provide in any way a fair or objective assessment of the territory's budget. I do not anticipate that from the two opposition members anyway, and I put that on the record now. We know what to expect. This amendment to provide for an evenly balanced committee will at least give some hope of proper scrutiny of the territory's annual budget, but I am not holding my breath.

MR HANSON (Molonglo—Leader of the Opposition) (10.50): I am disappointed by the Chief Minister's words that this is a stack and somehow improper. I refer the Chief Minister to the Clerk's advice that was provided with regard to the balance of members on committees. That was provided to me and I have tabled it previously in this place. In accordance with the Latimer House principles, committees should have a balance of non-government members. Mr Smyth's motion reflects that; it reflects the Latimer House principles. Let us be very clear: based on that advice from the Clerk about the balance being non-government members, Mr Smyth is endeavouring to follow the Clerk's advice and the Latimer House principles and it is Mr Barr's amendment that seeks to shut down scrutiny of this government and make sure this committee, as we have seen with so many other committees, is restricted from carrying out its purpose—that is, to scrutinise the government, in this case through the government's budget appropriation.

Let us not have this high and mighty sneering from the Chief Minister; let us acknowledge what Mr Barr is doing with this amendment. Once again, he is seeking to shut down scrutiny of the executive and his budget. I would be disappointed if Mr Rattenbury, the ex-champion of Latimer House principles—the former Speaker who introduced the Latimer House principles, the man who has always said, "Let's follow the Latimer House principles, unless they impinge on me, guv"—does not accept the Clerk's advice and the Latimer House principles and accepts this amendment from Mr Barr that is simply aimed at closing down scrutiny.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (10.52): I note the concerns raised by the Leader of the Opposition in relation to the composition of the committee proposed by the Chief Minister. I simply make the point that the composition is neither unusual nor unfair; it reflects the balance of members in this place. I draw the attention of the Leader of the Opposition to the report on the implementation of Latimer House principles in the ACT undertaken by the University of Canberra and commissioned by the Speaker. In particular, I draw his attention to the conclusions reached on the composition of Assembly committees:

> The ACT Assembly has a well-established committee system, including the Public Accounts Committee. Issues of committee structure and membership were

> raised in the Review, with a concern being raised that with an equally balanced Assembly (both major parties have 8 members) equal representation on committees reduces their effectiveness in holding the Executive to account, or in pursuing investigations that might raise concerns for the government of the day.

But the review went on to say further:

> It must however be recognised that it is in no way exceptional for parliament committees in any parliamentary system to reflect the composition of the chamber.

Indeed, the committee concluded:

> It would be unusual in the extreme to see a committee system dominated by non-government members who could theoretically establish a de-facto alternative government to the one with the confidence of the parliament. In the ACT's balanced committees it is possible for the non-government members of committees to provide dissenting reports for consideration of the Assembly and to publicly raise concerns with committee processes.

That is the conclusion of the independent review of Latimer House principles: it is not unusual or extraordinary for committees to represent the composition of the parliament as a whole. Indeed, the review's conclusions are that it would be "unusual in the extreme to see a committee system dominated by non-government members".

What the Chief Minister proposes is not unusual. It is reasonable, it reflects the composition of the parliament, and it allows for this important scrutiny function to get underway.

MR RATTENBURY (Molonglo) (10.55): I will be supporting Mr Barr's amendment. We have had this debate several times now—we have it at this time each year and it feels a little like groundhog day—but it reflects the debate we have had on previous occasions: with an eight-eight balance in the Assembly, this is an appropriate way to proceed.

It is clear the opposition will have the chair of the committee, as is appropriate, and I have commented on that before. Mr Hanson gave quite a dissertation—one we have heard him give before—but he fails to acknowledge that the balance of the committee in previous years has not curtailed the opposition members saying exactly what they want to say. That is the truth of this matter. The opposition members on that committee have been able to ask any questions they want of government and write whatever they want in the report. His observations that somehow this is a curtailing of scrutiny of government simply do not hold water. He is simply crying wolf. There is no basis in fact in the observations Mr Hanson has made, and it is embarrassing that he continues to make them despite the clear evidence to the contrary.

MR SMYTH (Brindabella) (10.56): Mr Rattenbury points out that apparently things have been working well. The Chief Minister, in his surly and aggressive response, said it has all been politicised, it is not working properly and this is somehow a sneaky

attempt by the opposition to get control of the committee. It is very sneaky to put it on the notice paper so that all can read it! It is virtually the same motion I move every year. The tradition in this place until just recently, when this government clearly did not want scrutiny, was always for a five-member estimates committee.

It is interesting that the Treasurer seems to think the process is politicised. I note that last year's estimates report was without dissent. That can hardly be a politicised process. But we all know the government have the numbers. The amendment will get through and the estimates process will begin. I am sure everybody will enjoy it as much as they did last year and the previous year.

Amendment agreed to.

Motion, as amended, agreed to.

Executive business—precedence

Ordered that executive business be called on.

Order of Australia

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (10.58): I move:

> That this Assembly:
>
> (1) notes that since its establishment in 1975 the Order of Australia honours system has:
>
> (a) appropriately recognised eminent Canberrans' volunteering, scientific, fund-raising, sporting and other contributions to their community;
>
> (b) become widely respected as reflecting modern Australia's qualities of high achievement, inclusiveness and egalitarianism; and
>
> (c) ensured a proper assessment process for the conferring of such recognition;
>
> (2) further notes that the imperial designation of Knights and Dames was abolished by Prime Minister Hawke in 1983 as an anachronism that did not properly reflect a modern, confident and diverse Australia, and that Prime Minister Abbott's resurrection of the awarding of Knights and Dames has:
>
> (a) proven extremely divisive within the community;
>
> (b) effectively devalued the awards previously conferred under the existing Australian honours system; and
>
> (c) led to concerns that recipients have been selected without a full and proper assessment process;

(3) opposes the perceived devaluation of Canberrans' Companion, Officer, Member and Medal Order of Australia awards by the resurrection of Knights and Dames as the most senior level of award;

(4) reaffirms its recognition of those Canberrans who have been rightly honoured, on their merits, under the pre-existing Australian honours system; and

(5) calls upon the Speaker to write to the Prime Minister to convey the Assembly's position on this matter, and recommend he abolish the award of Knight and Dame of the Order of Australia.

This morning I have in front of me a list of some Australians who have made an exceptional contribution to their community, to their nation and to people around the world: Peter Doherty, John Coates, Michael Kirby, Faith Bandler, Colin Thiele, Fiona Stanley and Yunupingu. Closer to home, I add to this list some of the people who have called Canberra home during their lives, and some who continue to do so: Professor Ian Chubb, the Reverend Professor James Haire and Professor Manning Clark.

These are just a few of many names I could read out this morning, whose extraordinary achievements stretch from helping to secure and host the Sydney Olympic Games to community activism on behalf of Indigenous Australians, contributing to business and charitable causes, enriching our literary and cultural life, leading important scientific discoveries, advancing public and maternal health, and making Australia's legal system more equitable for all.

Despite these very different fields of endeavour, these people all share one thing in common. They were each awarded Australia's highest honour: Companion of the Order of Australia. Who can argue that they do not deserve this highest recognition for their efforts on behalf of others?

Well, it was Australia's highest honour until recently. With no prior warning, their awards were arbitrarily demoted in March last year. Suddenly they held only one of Australia's lesser honours. The same goes for the very worthy recipients of the officer, medal and member classifications of the Order of Australia awards.

Before I turn to the spectacular misjudgement, verging on insult, that led to the diminution of these awards, it is worth briefly outlining how the Order of Australia awards came to be and how they have become so well recognised and so strongly supported within our community.

It was the Whitlam government in early 1975 which finally—finally—ended Australia's reliance on the imperial honours system. Up until that point, we had abdicated our ability to honour our own, instead effectively sending our list of worthy Australians overseas for judgement. Over decades, that judgement was inherently conservative, clearly discriminatory and arguably overtly political. For example, 18 members of the first Menzies cabinet were knighted or appointed privy counsellors. I am not sure that the first Menzies cabinet was of such singular quality that its members warranted recognition at the expense of the wider Australian community.

Prime Minister Whitlam recognised that this system was hardly one reflecting a modern, confident, inclusive, egalitarian and proudly diverse nation, and so the Order of Australia honours system was born, assessed by Australians and awarded to those who have served Australia and humanity with distinction.

There was a small stutter back to imperialism in 1976 under the Fraser government, notably causing some order recipients, such as Patrick White, to resign from the order in protest. But by the election of the Hawke government way back in 1983, time was ripe for a change. It was something Bob Hawke and Labor took as a policy to that election, and one it implemented quickly on coming to office.

For his "Out of the cabinet" series of articles, journalist Ian Warden conducted some fascinating research on the cabinet papers that ended the award of knights and dames in Australia. The records show cabinet deciding, in December 1983, to abolish the existing practice of creating Australian knights and dames and to strengthen and enhance the "utterly Australian" honours system. "The aim," the responsible minister, Kim Beazley, stated in his submission, "is to ensure that Australian honours and symbols appropriately reflect Australia's identity and status as an independent nation." Since that time the Order of Australia has clearly lived up to this expectation.

This is clear from the very assessment and selection process for the awards. Nominations for the four levels of awards in the General Division of the Order of Australia come directly from the community. Anyone can nominate an Australian citizen for an award in the Order of Australia. The nomination may come from an individual or it may come from a group. Nominations are considered by the Council for the Order of Australia, which then makes recommendations to the Governor-General.

You cannot better capture the Australian mindset. Unlike in the United Kingdom, since their creation Order of Australia nominations have come not mysteriously from on high or on the whim of a powerful politician but from the very community to which the nominee is making a contribution. They are not filtered through a partisan political process or office. The award has not been a reward for political mates. It has never been the exclusive preserve of old white men.

It is these qualities of high achievement, inclusiveness and egalitarianism that have made these awards so respected, because they properly and appropriately reflect our diverse community. And they have effectively recognised people, often in the prime of their contributions, not just as a bauble handed out towards the end of a distinguished life but as something that effectively assists those still active in their endeavours to make Australia a better place.

Given the resounding success of our very Australian honours system, I was astounded—I know many Canberrans were astounded—at the sudden decision by Prime Minister Abbott to resurrect the anachronism of knights and dames in 2014, an award personally selected by the Prime Minister and recommended to the Queen herself for awarding. Whether he intended to do so or not, the effect was to degrade and devalue the Australian honours awarded over the past 32 years.

I was further shocked, frankly, in only the second year of these resuscitated awards, and on Australia Day no less, that the Prime Minister overlooked thousands of worthy Australian recipients in favour of the Queen of England's husband, the Duke of Edinburgh.

Mr Hanson: Madam Deputy Speaker, just on a point of order.

MR BARR: Can you stop the clock please, Madam Deputy Speaker?

MADAM DEPUTY SPEAKER: Would you stop the clock and—

Mr Hanson: I refer you to—

MADAM DEPUTY SPEAKER: Just a moment. Are you raising a point of order?

Mr Hanson: Yes, I am.

MADAM DEPUTY SPEAKER: Right.

Mr Hanson: It relates to standing order 53, "Use of Queen's, Governor-General's or Governor's name". It says:

> A Member may not use the name of Her Majesty or her representatives in Australia disrespectfully in debate, nor for the purpose of influencing the Assembly in its deliberations.

The minister has made reference to this, and I ask you to rule on it now.

Mr Corbell: On the point of order.

MADAM DEPUTY SPEAKER: Yes, Mr Corbell?

Mr Corbell: Madam Deputy Speaker, standing order 53 provides that a member may not use the name of Her Majesty or her representatives in Australia disrespectfully in debate or for the purpose of influencing the Assembly in its deliberations. The Chief Minister did not refer to Her Majesty; nor did he refer to her representatives in Australia—that is, the Governor General or state governors. He referred to the Duke of Edinburgh. The Duke of Edinburgh is not the Queen of Australia; nor is the Duke of Edinburgh a representative of Her Majesty in Australia. There is no point of order.

Mr Hanson: On the point of order, you may need to check the record, but my understanding is that the Chief Minister referred to "the husband of the Queen" or words to that effect—did not refer directly or solely to the Duke of Edinburgh. I would ask that the Chief Minister—

Mr Corbell: How is it disrespectful? He is the husband of the Queen.

Mr Hanson: That is right, but referring to Her Majesty is, according to standing orders, whether you like it or not, something that you are not to do.

Mr Corbell: On the point of order.

MADAM DEPUTY SPEAKER: Yes, Mr Corbell.

Mr Corbell: The standing order provides that the name of Her Majesty or her representatives not be used disrespectfully in debate. I do not believe—

Mr Hanson: Or to influence.

Mr Corbell: I do not believe—

Mr Hanson interjecting—

MADAM DEPUTY SPEAKER: Take your seat, please, Mr Corbell, just for a moment. Mr Hanson, Mr Corbell is making a point of order. I do not want you to interpret anything from where you are sitting. You have already stood in your place and raised two points of order. Mr Corbell is now raising his point of order. Will you remain silent. Mr Corbell.

Mr Corbell: It is not disrespectful of Mr Barr to point out that the Duke of Edinburgh is married to Her Majesty; it is a statement of fact. Further, Madam Deputy Speaker, such a mention cannot be construed in any way as influencing the Assembly in its deliberations. It is a statement of fact; the Duke of Edinburgh is married to Her Majesty Queen Elizabeth the Queen of Australia.

MADAM DEPUTY SPEAKER: Thank you, Mr Corbell. There is no point of order. Mr Barr, you may continue.

MR BARR: Thank you, Madam Deputy Speaker. It may be appropriate at this point to in fact read out the Duke of Edinburgh's full title:

> HRH The Prince Philip, Duke of Edinburgh, Earl of Merioneth and Baron Greenwich, KG (Knight of the Garter), KT (Knight of the Thistle), OM (Order of Merit), GBE (Knight Grand Cross of the Order of the British Empire), AC (Companion of the Order of Australia), QSO (Companion of The Queen's Service Order), PC (Privy Counsellor).

This, of course, leaves off a number of the other dozens of honorifics granted to him, such as: Knight Grand Cross of the Order of the Condor of the Andes, from Bolivia; Member of the Most Distinguished Order of Izzuddin, from the Maldives; Knight of the Order of the Elephant, from Denmark; and Knight Grand Cross with Chain of the Order of the Queen of Sheba, from Ethiopia.

On my count, that makes the Duke of Edinburgh a knight at least seven times over. The award of a knighthood of Australia was, as they say, on Australia Day, the ultimate barbecue stopper on the biggest barbecue day of the year.

Canberrans I talked to on the day and in the weeks following did see this as an insult to eminent Australians receiving awards on the same day, to the Australian of the

Year, Rosie Batty, and to those who have received honours in the past. Perhaps just as unfortunately, it was seen by everyone I have talked to as a shocking monument to the cultural cringe that we all thought we had left behind decades ago.

Like many Australians, I found the decision to bring back this archaic honours system a step backwards for our country. The reaction of the community towards the decision to bring back the system and award a knighthood to Prince Philip clearly shows that modern Australians do not accept the concept of titling eminent persons as a knight or a dame, no matter how distinguished their lives or careers. It harks back to a forelock-tugging bygone era, not the Australia of 2015 or even an Australia of 30 years ago. It is very divisive, and, frankly, ridiculous—even more so when the selection was made by one man, who brings with him significant cultural baggage and strange preconceptions about who is deserving of our nation's highest honour.

I know that many Canberrans and many Australians share this view, which is why I am raising it in the Assembly today. I am calling on all members to support this motion and to send a clear signal to our national government that in our modern, multicultural and forward-thinking city, in a forward-thinking nation, we do not support this resurrection. I believe this is the right thing to do, as it reflects the fundamental position of the overwhelming majority of constituents that we represent. Without the unanimous support from the Assembly for this motion, I think Canberrans would be justified in wondering if this place was able to recognise and appropriately convey their horror at the current standing of our Australian honours system.

Canberrans have always been over-represented in Australian honours. It is a mark of our city's culture, our intellectual strength and our community mindedness. Just in the last 10 years, people like Rob De Castella, Paul Bongiorno, Carolyn Forster, Carrie Graf, Sally Richards, Fae Yeatman, Jean Macaulay and many others have been recognised for their efforts to make this city and this country a better place. We owe it to these recipients of our very own Australian honours system, past, present and future, to return their awards to the status they deserve.

I note that, under significant pressure from his own party room and from the country as a whole, the Prime Minister has agreed to relinquish his "captain's picks" for the council selection process. That is a good step, but it does not go far enough. It is nowhere near good enough.

From speaking to many Canberrans, I am convinced, and I hope this place is convinced, that the most appropriate course of action is to simply and quickly abolish the knights and dames award classification in Australia. I hope the rest of the Assembly shares this view and that we can make a collective decision to approach the Prime Minister requesting that this anachronism be removed entirely and that the honours system revert to its previous strongly supported structure. I commend this motion to the Assembly.

MR HANSON (Molonglo—Leader of the Opposition) (11.13): I think I am correct in saying that this is the first time I have ever seen a member of the Labor Party speak to executive members' business. I do not recall it.

Mr Corbell: It is not; it is executive business.

MR HANSON: Executive business? Well, raise a motion of this sort in executive business. It seems odd to me that the highest priority that the Chief Minister has in bringing this motion before the Assembly today is that he wants to talk about an issue that is clearly within the federal domain. We should all understand what is occurring here. Let us be quite realistic about it. This is an attempt at a political wedge by the Chief Minister. He thinks there is some opportunity here. The Prince Philip decision by the Prime Minister did not go down well so he thought, "Let's try and conflate this and make it a local issue."

It is a pretty cheap, tawdry thing to do, and there are certainly people who may be collateral damage out of this. This is the sort of behaviour that you would expect from someone at university, perhaps from the Labor right, debating university politics. It is the sort of thing that we would have seen from Mr Barr back in his student politics days: "Let's have a bit of a wedge issue. Let's try and get a political battle going."

This is not the sort of thing I would contend is going to help the people of the ACT in their day-to-day lives. It is not going to fix the budget. It is not going to address the fact that in our health system we have the lowest, in Australia, satisfaction from health consumers. It is not going to fix the kids that are in schools that do not have adequate schooling and so on.

I would compare this deliberate attempt at a political wedge, which is clearly a nonsense, wally motion—and that is what it is—with some of the issues of concern that the opposition have been putting forward over the last couple of weeks. We have seen Mr Doszpot in this place talking about issues that really matter to Canberrans and really matter to schoolchildren.

Mr Corbell: On a point of order—

MR HANSON: Can you stop the clock, please?

MADAM DEPUTY SPEAKER: Stop the clock, please. Mr Corbell, on a point of order.

Mr Corbell: Madam Deputy Speaker, the point of order is on relevance. The motion before us is in relation to the Order of Australia and how the decision by Prime Minister Abbott to create the imperial designation of knights and dames has proven extremely divisive within our community and devalued the awards previously conferred under the existing system to many Canberrans. Whilst I appreciate that Mr Hanson would like to distance himself from his federal political leader on these points, he still has to remain relevant to the motion and he has to address the points set out in the motion. You just cannot—

Ms Jones: I think this is a speech, actually. Is this a speech by Mr Corbell?

MADAM DEPUTY SPEAKER: Excuse me, Mrs Jones.

MR HANSON: This is a debate, Madam Deputy Speaker.

Mr Corbell: He cannot seek to ignore the motion and speak on other things. He has to remain relevant to the motion.

MADAM DEPUTY SPEAKER: Thank you, Mr Corbell.

MR HANSON: On the point of order, Madam Deputy Speaker, the Chief Minister's speech was wide ranging and, indeed, provided a critique on the federal government more broadly and its impact on Canberra. I think that talking about the issues that matter to Canberrans and the urgency of this motion is directly relevant. I appreciate that those opposite want to shut me down from highlighting the fact that this is a nonsense motion that is not actually a matter for this Assembly or part of our jurisdictional responsibility, but I think it is entirely relevant to this debate.

MADAM DEPUTY SPEAKER: Whilst I appreciate, Mr Hanson, what you are trying to point out, I think that we could talk about every single motion we have had in this place and that would be a very long list. Rather than go down that long list of the kinds of motions that we have had on various topics, I would just ask you to remain relevant and go straight to the particular subject of the motion, which has clearly been set out by Mr Barr.

MR HANSON: Thank you, Madam Deputy Speaker. With direct reference to the motion put out by Mr Barr, I wonder how this motion today will help those who are waiting on housing lists for public housing. How will Mr Barr's motion and this debate today help those who are on public housing lists?

MADAM DEPUTY SPEAKER: Would you sit down, please? Stop the clock.

MR HANSON: I was talking about the motion.

MADAM DEPUTY SPEAKER: Mr Hanson, you well know that the motion today is not about those things. You are using all those examples which we referred to before. As I said, you could go through a long list, but it is not going to be helpful and it will not progress the debate, I do not believe. You have made your point. Would you now address the subject matter of the motion?

MR HANSON: On the point of order, Madam Deputy Speaker, I think that pointing out that this matter is not within the jurisdictional remit of the ACT is an entirely relevant debating point. We have seen it in other debates in this place. When we debated, for example, the same-sex marriage bill, there was significant debate that was not ruled out of order with regard to whether or not we had jurisdictional responsibility. It is common in this place that that would be a debate. To rule that wide-ranging debate out of order, Madam Deputy Speaker, would be unnecessarily and incorrectly punitive.

MADAM DEPUTY SPEAKER: Thank you very much, Mr Hanson.

Mr Corbell: Madam Deputy Speaker—

MADAM DEPUTY SPEAKER: Mr Corbell, on the point of order.

Mr Corbell: Thank you, Madam Deputy Speaker. I understand that the Leader of the Opposition does not want to have to defend his federal leader on this embarrassing matter. However, standing order 58 requires:

> A Member shall not digress from the subject matter of any question under discussion:

It is quite clear what the subject matter is. As much as he dislikes it, he has risen to speak in this debate and he has to address the subject matter under discussion. That is what the standing order requires.

MADAM DEPUTY SPEAKER: Thank you, Mr Corbell. Mr Hanson, I stand by my ruling before. I would like you to become relevant to the actual subject matter which is before you.

MR HANSON: Thank you, Madam Deputy Speaker. I will, in accordance with your ruling, move to limit my speech only to the matters, unfortunately, related to this. When you hear the debate, the interjections and the points of order from those opposite you get a flavour of what the Labor Party are trying to achieve here with their juvenile, immature, high school debating tactics. As Mr Corbell says, "We want you to talk about how it is embarrassing for you. Come on, Mr Hanson! That's what we're trying to do here. We think we've got something embarrassing. That's what we're going to spend this Assembly's time doing." He was thinking, "He might be embarrassed by his Prime Minister. Let's have that as the debate."

That is what those opposite are trying to do. It is pretty unedifying from the Chief Minister and the Deputy Chief Minister—and no doubt the Minister for Territory and Municipal Services will join in as well—that this is essentially an attempt to try and run a high political wedge motion through this place rather than focus on issues that are of import to the people of Canberra. But there is collateral damage in this, of course, because in Mr Barr's press release "Knights and dames have no place in modern Australia" he is neglecting the fact that a number of very eminent Australians have accepted the award of Knight of the Order of Australia.

According to what Mr Barr is saying, Peter Cosgrove has no place in modern Australia. He is a knight. Mr Barr, the Chief Minister, is saying, "He's got no role, no place, in modern Australia." Peter Cosgrove, who accepted this award, according to Mr Barr, has no place in modern Australia. Marie Bashir, the former Governor of New South Wales and a great advocate for some of the underprivileged in this country, according to Andrew Barr, according to his press release, has no place in modern Australia. This is an attack on Angus Houston's reputation. This is an attack on the status that has been accorded him, which he has accepted. He has accepted this award. He has said, "Yes, I take this award; I accept this award." What we see today from those opposite is that they are collateral damage. "Let's tarnish the reputation of those

that have accepted those awards"—the Angus Houstons, the Peter Cosgroves, the Marie Bashirs and the Quentin Bryces—"Let's trash their reputation. Let's trash the fact that they accepted their awards and say that knights and dames have no place in modern Australia."

Mr Barr has not made clear—and I invite him to do so—his intent to strip them of their awards. Is that what he is calling for? In his press release he says that these Australians can still be appropriately recognised under the pre-existing system. I would invite Mr Barr to make it clear if that is what he is intending to do, that those awards should be stripped. Is that what he is calling for today? He is not indicating one way or the other. I would invite him to do so. Is that what he is saying today to our community? Whether you agree with it or not, a number of very eminent Australians have been presented with an award, which they have accepted, and it seems from what is happening today that Mr Barr—and he can clarify it—is saying, "Let's strip them of those awards." There is no response from those opposite.

Mr Barr: We will respond in the debate.

MR HANSON: You will respond in a minute.

MADAM DEPUTY SPEAKER: Mr Hanson, I believe the—

Mr Barr: Do you support knights and dames?

MADAM DEPUTY SPEAKER: Mr Barr!

Mr Barr: What's your position?

MADAM DEPUTY SPEAKER: Mr Barr! Those members on the government benches will have an opportunity to respond to your question when it is appropriate, not in the middle of your presentation, thank you, Mr Hanson.

MR HANSON: I think we can see this motion for what it is. Observers in the media have titled it as an attempt for a wedge, an attempt to play university politics, an attempt to conflate a federal issue in the ACT. It must be pretty demoralising that you are not able to present enough of your own agenda or indeed a critique of the local opposition that you have to try and look for things outside this jurisdiction. I take it as a bit of a feather in the cap, to be honest, for my team that, rather than trying to critique anything that we have done locally, as I was trying to get to earlier, Madam Deputy Speaker—

Members interjecting—

MADAM DEPUTY SPEAKER: Members!

MR HANSON: we have been in this place advocating for the people of Canberra on important social issues.

Mr Barr: Where do you stand on knights and dames?

MADAM DEPUTY SPEAKER: Mr Barr! Continue, Mr Hanson.

MR HANSON: Thank you. If they feel that there is nothing that they have to say of merit about their own agenda in this place that would take precedence, or if they have got nothing they can say to critique of any of the opposition members who have been running good motions aimed at improving the lives of Canberrans, I take that as a feather in the cap. I say, "Well done, Mrs Jones, for advocating for local mothers and playgrounds and children." They cannot critique that. They have got nothing to say about that.

Government members interjecting—

Mr Corbell: On a point of order—

MADAM DEPUTY SPEAKER: Mr Hanson, resume your seat. Stop the clock, please. Mr Corbell, do you have a point of order?

Mr Corbell: I do, Madam Deputy Speaker, on standing order 58:

> A Member shall not digress from the subject matter of any question under discussion:

We heard a little bit about what Mr Hanson thought about this motion, but he is back to his theme: "I don't want to talk about this motion. I will talk about other things." If he did not want to speak on this motion he did not have to, but he has risen and he needs to remain relevant and not digress from the subject matter under discussion.

Mrs Jones interjecting—

MR HANSON: Madam Deputy Speaker—

MADAM DEPUTY SPEAKER: Mrs Jones, could you be silent? I want to hear from Mr Hanson. Apparently he has another point of order.

MR HANSON: No, I do not.

MADAM DEPUTY SPEAKER: Well, could you wait until I have actually made a ruling on the point of order before you jump to your feet? Mr Hanson, you do need to remain relevant. You have over five minutes to remain relevant. Would you do so, please?

MR HANSON: I will. Clearly those opposite are a little bit sensitive about this issue.

Mr Barr interjecting—

MADAM DEPUTY SPEAKER: Mr Barr!

MR HANSON: No doubt they will be bringing in a long succession of issues that they can get from another jurisdiction. Mr Barr does not want to talk about his budget blowout. He does not want to talk about the state of the health system. He does not want to talk about playgrounds. He does not want to talk about long housing wait lists. What he does want to talk about is federal issues—

Mr Corbell: On a point of order—

MADAM DEPUTY SPEAKER: Sit down. Stop the clock. Mr Corbell.

Mr Corbell: Madam Deputy Speaker, on standing order 57. He is ignoring your ruling. He has to remain relevant to the subject matter that we are discussing. He has to address the terms of the motion. It does not matter what the motion is. There are plenty of motions in this place that the government do not enjoy talking about, but we do, and we defend our position and we state what it is. Mr Hanson did not have to speak on this motion, but he has risen and he has to remain relevant and not digress from the matter under discussion.

MADAM DEPUTY SPEAKER: Mr Hanson, please do not refer to matters other than the subject matter that we are dealing with now. As I said before, we do not want to have a history lesson about all the motions that we have dealt with in this place. We are now dealing with this one.

Mrs Jones interjecting—

MADAM DEPUTY SPEAKER: Mrs Jones! Mr Hanson.

MR HANSON: Madam Deputy Speaker, given that I have been somewhat restricted in my ability to speak today, what I will do is just foreshadow no doubt a long list of issues from other jurisdictions, because they have got nothing on us and they have got nothing on themselves that they are going to bring forward to this place. I look forward to seeing this long succession of issues—

Mr Corbell: On a point of order—

MR HANSON: Madam Deputy Speaker, come on.

MADAM DEPUTY SPEAKER: Mr Corbell.

Mr Corbell: Standing order 58 states:

> A Member shall not digress from the subject matter of any question under discussion:

Madam Deputy Speaker, you have repeatedly called Mr Hanson to order and asked him to remain relevant to the question before the chair. He is ignoring your rulings, and I ask you to warn him that he has to remain relevant to the question under discussion.

MR HANSON: On the point of order, Madam Deputy Speaker, I said I would expect to foreshadow a number of other similar motions coming into this place. If that is a phrase that members in this place are no longer able to utter because it is somehow not relevant to talk about this motion and foreshadow there may be others coming, that would be an extraordinary limitation on debate in this place that is not consistent with the standing orders.

MADAM DEPUTY SPEAKER: Mr Hanson, I have no problems with the phrase that you just uttered; what I do not want is for you to bring me a list of foreshadowed motions in your speech. I do not think this is the place for that. Nor should you be foreshadowing motions the government might bring to this place. I do not think that is appropriate either. I do not think it is your job to foreshadow government motions nor your own at this juncture. The subject matter is what we want to deal with. We are quite a long way into the debate now. Continuing to discuss the subject matter would be a very good idea, Mr Hanson. Let us not continue with this toing and froing; frankly, it is a waste of time.

MR HANSON: Thank you, Madam Deputy Speaker. I will finish by simply highlighting where I started—the motive and intent behind this debate. I point to the impact of what is being done today on a number of very eminent Australians who have accepted this award. Mr Barr, for his own base political motives, has used them as collateral damage to further what he thinks might be a bit of a political wedge. Shame on you.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (11.33): Canberrans are genuinely concerned about this decision of the Prime Minister to reinstate imperial honours. As the Chief Minister said, many Canberrans have been appropriately recognised through the wonderful merit-based achievement which is the Order of Australia, a scheme which has gradations of recognition all the way up to companion, until recently, and by which so many prominent Canberrans have been well and truly recognised—great Canberrans like Rob de Castella, Paul Bongiorno, Carolyn Forster, Carrie Graff, Sally Richards. You, Madam Deputy Speaker, are a recipient through the Order of Australia. So many great Australians.

It is a great honour to be recognised in this way, but it diminishes that honour extraordinarily when, without any merit-based process, there is a reversion to an archaic, antiquated and un-Australian concept like a knight or a dame. That undermines the standing, the recognition and the merit of the awards that were so properly granted to all those wonderful Canberrans. Those opposite know it. They do not want to acknowledge it, but they know that this was the wrong call. The decision of the Prime Minister was wrong because it had that impact on all those great Canberrans and those great Australians who received recognition through the Order of Australia scheme.

Whilst those opposite clearly do not have the courage to say it, there are many Liberals who do. Indeed, there are Liberals in the federal parliament who are proposing a bill to amend the relevant legislation to abolish the office of knight and dame in the Order of Australia. Dr Andrew Laming has said it is not enough simply to refer the decision on appointments as knights and dames to the council of—

Mr Hanson: A point of order, Madam Deputy Speaker.

MADAM DEPUTY SPEAKER: Stop the clock, please.

Mr Hanson: You ruled me out of order for foreshadowing possible motions or further work in this place as not being relevant to the debate. The minister is foreshadowing potential motions or bills in another parliament. That is a further stretch of the relevance of the debate than foreshadowing—

Mr Barr: It's directly related to the motion we're debating.

Mr Hanson: I was specifically ruled out of order because apparently I am now not allowed to foreshadow what might be coming in this place, but apparently you are allowed to foreshadow what is coming in another place.

MR CORBELL: On the point of order, Madam Deputy Speaker, it is a statement of fact; it is on the public record. I am referring to it because it is relevant to the debate about knights and dames and it is about how other parliaments view this question and how this parliament should do the same. It is entirely relevant.

MADAM DEPUTY SPEAKER: There is no point of order. Mr Corbell.

MR CORBELL: Thank you, Madam Deputy Speaker. The Liberals should live by the credo that they profess. They profess that they will stand up for Canberra. They do not care what their federal colleagues do; they will stand up for Canberra. Well, stand up for all those Canberrans who have received awards under the Order of Australia and tell the Prime Minister that it is wrong for those awards to be diminished by the appointment of knights and dames. Stand up for them.

The Leader of the Opposition has been outstanding in his ability to avoid that question. He has not in any way said what his position is on whether or not these awards should be retained. That stands in marked contrast to Liberals in other places. Dr Andrew Laming has said that he had no other option but to introduce a private member's bill to try and stop any future titles. He said:

> The direction that we're looking for in 2015 had to include the removal of these awards.

He went on to say:

> I don't see a point in awarding English royals with what are fundamentally imperial awards, and using Australia as the intermediary.

He said:

> I don't think it works, it undermines the awards system and I think that is an absolutely unacceptable position to be in.

I agree, Madam Deputy Speaker, and I think most Canberrans agree. The question now is: does the Liberal Party in Canberra agree? We saw Mr Hanson in an extraordinary attempt to duck and weave through his 15 minutes and avoid the substance of the question that Mr Barr, the Chief Minister, has put before the chair this morning. We do not want the awards of officer, companion, member or medal made to so many great Canberrans diminished by this anachronistic captain's pick from Tony Abbott. We do not want to see it. It is extremely divisive.

We have an opportunity this morning to say unanimously to the federal government and the Prime Minister, "This has no place in contemporary life here in our city or in our nation." That is the opportunity we have this morning. Many Canberrans feel very strongly about this and it is entirely a legitimate matter to debate in this place. I do not want all of those awards to all of those Canberrans diminished by the continuation of this imperial anachronism, this bunyip aristocracy that the Prime Minister seeks to impose on us.

In response to the assertions made by the Leader of the Opposition about the appointments as knights and dames being accepted by a number of very prominent Australians, I have no beef or argument with them. They have accepted an award which is legally granted by the government. My argument is not with them; nor is the suggestion that they should no longer have those awards. They have been legally and properly granted and they have accepted them. I do not want to see any more granted. I do not want to see the continuation of an award scheme that undermines the merit-based framework within which we recognise contribution within our community and across our nation.

This is the opportunity for us to come together as an Assembly to write to the Prime Minister to convey our position on this matter and recommend that he abolish the award of knight and dame and recommend that he restore the full integrity of the merit-based Order of Australia scheme and that he continue to recognise the contributions of so many eminent Canberrans who, through their volunteering, their scientific work, their fundraising efforts, their sporting contributions and through so many other ways, have created a more egalitarian, inclusive and achieving Australia.

That is the opportunity today. Where are the Canberra Liberals on this question? Will they stand with all of those Canberrans who say this is the wrong way to go and who are insulted by a restoration of imperial values in modern, democratic 21st century Australia? Or will they simply duck and weave and dodge the question because they are embarrassed by their own political leader?

MR RATTENBURY (Molonglo) (11.42): I am very happy to support Mr Barr's motion today as I agree with the sentiments he has expressed. Like many people, I was deeply disappointed with the reintroduction of the knights and dames category in the Australian honours system when it was announced last year. Frankly, I was incredulous, and I think we saw that through the reaction of the community in the mainstream media and particularly social media where, to be honest, there was considerable ridicule of the decision and certainly a lot of criticism and surprise from people who felt it was a throwback from a time Australia had moved on from.

I saw that in many places—letters to the editor, on Facebook discussion and on Twitter discussion. All sorts of people had a lot to say about this. Because these sorts of matters are important to people because of how they represent our culture and our values, it was significantly discussed by our community and was something people really were engaged in as an issue both here in Canberra and right across the country. The community sentiment was that this was a poor decision that should not have been made.

For a lot of people it was a throwback to an earlier time, to a connection we have moved on from, but it was also a reflection of the fact that we had a perfectly good Australian honours system that celebrated the significant contributions and achievements of Australians to our community through an enormous range of fields, be it science, medicine, community service or military service. All these sorts of things were celebrated by the Australian honours system in a way that was Australian. It celebrated our culture, the culture we have developed in this country over the course of its history, and most Australians saw this as quite an odd decision. In some ways I think many people were generous enough to think of it as odd and slightly quirky and perhaps dismissed it in that space.

The appointment this year of the Duke of Edinburgh under this system has reignited the discussion and for many Australians confirmed their worst fears about the reintroduction of this sort of model as being not relevant in modern Australia. To my mind, it has underlined the need for Australia to move to a republic because it has emphasised the fact that we need to define very clearly our own Australian identity, and becoming an Australian republic is part of that. In many ways this will give new impetus to that discussion, which continues to be relevant for many people in Australia. A number of prominent Australians have commented to that effect.

We cannot and should never lose sight of our cultural connection to the United Kingdom; it is something that is obviously very dear to many Australians' hearts, but we also need to acknowledge that Australia is much more than that. Many people from many other places have come here, and as this country has moved through its history we have started to define a uniquely Australian character, a uniquely Australian system of government, a uniquely Australian political culture and, frankly, a uniquely Australian culture. That is what we should be celebrating.

This move to reintroduce knights and dames harks back to the United Kingdom part of our history that limits the definition of what it is to be Australian. It is a move we should reject, and I am very happy to support Mr Barr's motion today and his call on this Assembly to write to the federal parliament and the Prime Minister that this decision should be reversed and we should revert to an Australian honours system, which is a very satisfactory system for recognising the considerable achievements of many fine Australians.

I listened to the debate this morning, and it has not been a particularly edifying experience. However, I was particularly struck by the fact that Mr Hanson did not put a position on this issue. Not once did he comment on the merits of the discussion. We saw him talk about everything else, and I have seen him do this on motions I have

brought forward. I am able to respect those I disagree with; you can have a decent discussion. But what I find abhorrent and struggle to respect is those people who cannot take a stance on an issue and do not have the courage to state their position.

It is difficult sometimes; members yesterday sought to explore the fact that I had expressed a controversial view about a sponsorship matter. At least I was able to express my views and put them on the table, even if they are not popular or if perhaps some people do not share them. I like to think people respect the fact I am willing to put those views even if it leads to criticism from some quarters. Those who will not even express a view simply lack courage, and that is something I have taken from today's discussion.

As I said, I am happy to support Mr Barr's motion. I think it is important that this Assembly states this, because we know Canberrans have engaged in this issue. They have views on it, and most Canberrans are quite surprised and disappointed to see this backward step. It is right for this Assembly to make a statement on this matter.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (11.49): I rise to support the Chief Minister on this motion. I will be brief and I will base my comments on extracts from the press of that day. I will start with a comment in the *Sydney Morning Herald* by Andrew Bolt, under the heading "Andrew Bolt attacks Tony Abbott over 'pathetically stupid' Prince Philip knighthood", which says:

> Tony Abbott continues to take friendly fire over the Prince Philip knighthood, with conservative commentator Andrew Bolt declaring the decision as "pathetically stupid" …

He went on to say:

> … the decision to honour Prince Philip on Australia Day was "friendless" and one that made Mr Abbott's own allies look stupid if they tried to defend it.

He then went on to say:

> I defy anyone to put to me a case that says Prince Philip should be made a knight of Australia above all the other choices that would [have been] in front of Tony Abbott when he went to sit down behind his desk. It is just inconceivable.

Then there were other comments from, I believe, the *Age* on 26 January this year. Under the banner "Knighthood for Prince Philip: MPs question Abbott's judgment" the paper said:

> Liberals contacted on Monday questioned Mr Abbott's political judgment in making Prince Philip … a knight in the Order of Australia.
>
> They said the pre-dawn press release from Mr Abbott's office was a bombshell which had taken MPs entirely by surprise and had been "near impossible" to explain to voters.

> "We're expected to go out and defend it," said one MP.

He said it was "beyond the call of duty to defend some things". The article went on to note:

> MPs across the progressive and conservative wings of the party also complained that the surprise "palace knighthood" had politicised Australia's national day, had brought ridicule on the government, and had drawn attention from the Australian of the Year, anti-domestic violence campaigner, Rosie Batty.
>
> Former government whip and Liberal National MP … said "for the life of me, I can't understand why" …
>
> And a second Queensland MP … said he "didn't see the point".
>
> The Chief Minister in the Northern Territory—

I think it was the then Chief Minister—possibly the now Chief Minister. Only in the Northern Territory! The article goes on:

> The Chief Minister in the Northern Territory Adam Giles also weighed in against his own side of politics.
>
> "I woke up this morning and read the wires and was confused between Australia Day and April Fool's Day," he said.
>
> Federal Liberals expressed frustration that the decision had made the government—

the Liberal government—

> look as though it was as "out of touch" …

An MP said that he had "not agreed with the Prime Minister's decision to revive knights and dames" in March last year and that he suspected that if "it had gone to the party room it would have been rejected".

The article went on:

> Another Liberal MP, who asked not to be named but identified as a strong supporter of Mr Abbott and a monarchist, said the decision to honour Prince Philip was "embarrassing".

I go now to the *Daily Telegraph*, which stated:

> Galaxy Poll reveals support for Prime Minister Tony Abbott and the Coalition plunges dramatically.

An extract from that article confirmed:

> … Mr Abbott's personal support has also undergone a savage hit after his disastrous decision to award Prince Philip a knighthood …
>
> Voters' outrage over Mr Abbott's knighthood folly is underlined by the Galaxy finding that 70 per cent of Australians disapprove of the decision.
>
> Just 14 per cent of Australians support his "captain's call" which horrified his own … backbenchers.

Madam Deputy Speaker, I now go to the local *Canberra Times*, which, under the heading "Abbott's knighthood decision for Prince Philip adds fuel to the republican debate", said:

> At worst it shows hubris rather than mature collaboration with colleagues; ideology rather than pragmatism; unreconstructed old-fashioned values rather than being open to modern Australia.

The question that the Chief Minister, through this motion, puts forward is quite simple. It simply asks this Assembly, through the Speaker, to write to the Prime Minister to convey the Assembly's position on this matter. It is a simple question. With 70 per cent of Australians, according to this article, disapproving of that decision, it is fair and reasonable to assume that many fellow members of this community, fellow Canberrans, also disapprove of this decision. And it is right and proper for the Canberra Liberals to have a view, the same as it is for other members of the community. But it is also right and proper for the community to be very clear and to know what that view is.

Through this motion we may get an understanding of the views of Mr Hanson and the Canberra Liberals on this matter. I ask him to support this because, according to one Galaxy poll, 70 per cent of Australians disapprove of this decision. So it is right and proper to understand that people in our community are unhappy with that decision and call on this Assembly to express their views. I call on members of this Assembly to support without hesitation the motion moved by the Chief Minister.

Visitor

MADAM DEPUTY SPEAKER: Mr Lamont, a former Deputy Chief Minister of this place, is with us. We welcome him to this place this morning.

Order of Australia

Debate resumed.

MR SMYTH (Brindabella) (11.55): It is great to hear Ms Burch quoting favourably from the *Canberra Times* to start her speech. Yesterday I thought it was the instrument of evil—the devil's words—but now, apparently, when it suits her purpose, the *Canberra Times* gets it right. So there is a curiosity there. What Ms Burch in her speech has done is simply confirm what Mr Hanson said: this is just a wedge issue; we all get this. *CityNews* got it right with their headline, "Barr moves to wedge Hanson on knighthoods".

If the Chief Minister wanted credibility on this issue he would have brought it up last week. We were hardly overburdened with executive work last week. If this is such an overriding issue and such a passionate thing that the Chief Minister believes in, you would have thought he might have brought it up last week. But we all know what is happening here. That said, if those opposite had let Mr Hanson finish they would have heard—

Mr Barr interjecting—

MR SMYTH: It is interesting. Mr Hanson sought to speak with Mr Barr before the debate but he fobbed him off; he did not want to speak to him. Mr Hanson asked a reasonable question in the debate. You can read it in *CityNews*. The implication in *CityNews* and in Mr Barr's press release is that those who have received honours—people like Angus Houston, Marie Bashir, Dame Quentin Bryce and Sir Peter Cosgrove—would be stripped of these titles.

Mr Hanson asked about that. Mr Barr said, "You will find out how we feel about that later in the debate." And now we have found out because Mr Corbell wisely stood up and said, "No, that is not the intention," so we will agree to the motion.

I am quite aware of a lot of animosity from people about this decision and I have spoken to some of those notable Australians, Companions of the Order of Australia, who have said, "Where does this leave us?" Certainly, Sir Angus Houston is a bit of a personal hero of mine. He is a great man and he is a great servant to this country and I am not worried by him being Sir Angus at all.

That said, I think they have had their day and I think we need to move on and make sure that we have a system of honours that represents us as a country and represents us as a people, and with that we agree with the motion.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (11.58), in reply: There we have it: leadership from the bloke who should have won the party room ballot—

Opposition members interjecting—

MR BARR: It is the nicest thing I am going to say about you all year, Mr Smyth. Thank you for doing in about seven seconds what the Leader of the Opposition could not do in 15 minutes.

Let me say two things in closing the debate. Yes, it is important that this Assembly have a unanimous view on this matter. I am delighted that we have just got that indication from the shadow treasurer, and I thank him for that. I know it would be difficult for some on that side of the chamber to support this today, simply because I have moved it. I understand that that as a starting point would make it very difficult for them, but it is good to see that on this issue—

Mr Hanson: I would not disagree with that.

MR BARR: I know; I understand that. That is your starting point. We saw that in that tortuous 15-minute performance by the Leader of the Opposition in relation to the individuals who are of greatest concern to the Leader of the Opposition.

Mr Hanson: Of interest, of concern, relevant to the debate.

MR BARR: Yes, indeed. What summed up for me just how ridiculous this whole thing was is the headline of the article recognising Angus Houston's great contribution, where he says, "Don't call me sir." Whilst accepting what was the highest honour, he did not want to be called sir. At no point have I made that suggestion. That was a fiction invented by the Leader of the Opposition.

Given the moves by Andrew Laming, and I understand to be seconded by Warren Entsch, to introduce a private member's bill into the federal parliament to abolish this anachronism, the support today of the Assembly in a unanimous sense will give strength to those Liberal backbenchers to have the courage to move the private member's motion in the federal parliament. I put on the public record my best wishes to Mr Laming and Mr Entsch in their attempts to have the federal parliament address this issue. I hope that they are successful in their private member's bill.

I say very clearly, Madam Speaker, to this place that I have no qualms at all about putting my personal position on these issues on the public record. I have done so today. I am a republican. I am a founding member of the Australian National University's republican club that goes back to the early 1990s. I have stood next to Malcolm Turnbull, arguing in support of an Australian republic, and I am prepared to have the courage of my convictions.

Mr Smyth: On what side? Where were you standing?

MADAM SPEAKER: Mr Smyth, come to order.

MR BARR: On both sides of Mr Turnbull over the years, Madam Speaker. So I am prepared to have the courage of my convictions and to put forward my personal values in this debate and other debates. As Mr Rattenbury very clearly highlighted, it is a very clear point of difference, and we have seen that writ large in the contributions to this debate. So congratulations, Mr Smyth, on your courage in supporting this and thank you for leading the Canberra Liberal Party to this important outcome. All power to you on progressive issues, as I know—

MADAM SPEAKER: Address the chair, Mr Barr.

MR BARR: All power to Mr Smyth on progressive issues because I know it is a difficult fight within the Canberra Liberals on those matters. I thank members for their support of this motion today.

Motion agreed to.

Electoral Amendment Bill 2014 (No 2)

Debate resumed from 27 November 2014, on motion by **Mr Corbell**:

> That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (12.03): The Canberra Liberals will be supporting this bill. It makes a number of important reforms to our democratic process. Indeed, when you are looking for the right balance between representation, engagement, the ability to participate in the electoral process and the very important mechanisms required to provide for scrutiny and to provide for culpability, these are issues that are ever evolving. They are ever evolving and they have been a matter for debate in this parliament.

They certainly were in the last term. I recall, Madam Speaker, that you were a contributor to that debate then and we have had a number of debates subsequently. But we also had a committee, a tripartite committee, that examined this issue. I acknowledge that Mr Gentleman was on that committee, as were Mr Rattenbury and Mr Coe.

A significant number of people contributed to that debate. They came forward as witnesses. I would commend to people the committee report that was then provided, the bulk of which was a unanimous view from this place. I note that there were elements that Mr Rattenbury dissented from. By and large there was consensus on the matters involved, but often there was disagreement, I guess, on some of the levels to which we would go, one way or another.

The subject of this bill is always difficult. I think it has been informed in many parts not just by the committee but by recent High Court decisions that we have seen in New South Wales with regard to unions and the ability to participate in the democratic process. It has also been informed by, sadly, the lessons learned from New South Wales. There is no doubt that there have been problems in New South Wales, often referred to as the New South Wales disease, that we certainly do not want to see come into this place.

We never want to see what happened in New South Wales come into the ACT. What we are doing here today is taking an important step towards that. I think that it is a very important step. I do not know if we have got it exactly right. I guess that that will be tested. I imagine that this will evolve as we see how it takes effect, but there are a number of important elements to this legislation.

What it does is reduce the cap on expenditure in an election campaign. That is a very important mechanism. It stops the arms race of political donations, political expenditure, on campaigns by reducing that cap in real terms but also in percentage terms. Noting that the Assembly is expanding to have 25 members, essentially it is reducing the amount per candidate from $60,000 to $40,000.

What that means is that particularly the major parties, often those engaged in a desperate attempt to outspend each other, simply will not be able to do that. They will not be able to do that. That is an important element of providing more space for minor parties and individuals.

It also means that those major parties are not in an arms race and a desperate attempt to raise more money to fund ever increasing electoral campaigns. In the United States, where there are fewer restrictions, we have seen this dreadful situation emerge where there is an ever increasing expenditure on campaigns. Parliamentarians in the US have spent an inordinate amount of time raising funds for campaigns.

Balanced with that, Madam Speaker, is an increase in public funding. I know that that is controversial, but that does seem to have broad support from those who have observed the process, those who have participated in the committee hearings, to make sure, again, that political parties are not beholden in any way to those people that they need to seek donations from.

There will be donations. People are allowed to participate in the democratic process. The High Court has made that very clear. The people who reported to the committee made that very clear. It is a very important, fundamental part of our democratic process that people not be excluded, and that includes donations. All sorts of people donate to political campaigns. Unions do, businesses do and individuals do. I would say that my mother probably has donated much of her time.

Mr Gentleman: Not to mine.

MR HANSON: Family members have donated—not to yours, Mr Gentleman, no. But in many campaigns family members do. It is a grassroots, participative process. Many people do not want to stand as candidates. They do not want to or are unable to go and leaflet drop or do something, but they may want to buy a raffle ticket. They may want to participate.

We should not be putting punitive restrictions on those people's ability to do so, because when that occurs, firstly, it is a restriction on their rights, as outlined by the High Court. Secondly, we have seen them attempt to circumvent the system. One of the elements that went so wrong in New South Wales was that the grip was too tight. What happened was that people tried to circumvent the process.

We will have a fundamental cap on what parties can expend by having an element of increased public expenditure, by making sure that we have a process that is very open to scrutiny and by declaring what is provided. I welcome these amendments. I thank the committee members for the work they did. I acknowledge the work that has been done in this place.

I have had meetings with both Mr Corbell and Mr Rattenbury in good faith to discuss these issues, to make sure that we do come to a position that ultimately means that elections can be run and that we engage in the political process but that we do so in a way that is fair, that has integrity and that is honest so that members of our

community can be assured that donations made to political parties are visible and are not going to be used in any way to coerce any of us as members in the conduct of our duty, either as ministers or as members. Accordingly, I indicate that we will be supporting this bill.

I note that there are a number of amendments. There is one from the government which arises from comments made by the Electoral Commissioner, which really is a technical clean-up element. There are a number that have been put forward by the Greens. We will be supporting the government's amendment.

I indicate that we will not be supporting the Greens' amendments. By and large, they are an attempt to tailor this legislation to fit the Greens. In the majority of cases that is the endeavour, but in my view there is no benefit to the democratic process from the amendments being put forward. The only benefit really would be personally to Mr Rattenbury and to his colleagues. Therefore, we will not be supporting those amendments put forward by the Greens.

MR RATTENBURY (Molonglo) (12.12): Today the Greens will be the only party in this place who will be voting to keep the integrity in our electoral laws. Today the Labor Party and the Canberra Liberals will team up to deliver more cash into their pockets, allowing corporate and union donors to give unlimited amounts during election campaigns. At the same time they will team up to increase the bill to the ACT taxpayer for party spending on election campaigns.

They will team up to ensure that they can spend what they wish on elections but that independents running for office can spend less. They will increase administrative funding coming into their party coffers. Perhaps the most perplexing and offensive of these is that this bill will seek to make the ACT taxpayer fund election campaigns while simultaneously allowing corporations and unions to give unlimited amounts to political parties during election campaigns, leaving politicians more open to the influence of corruption. How they will be able to look the ACT community in the eye and say that this is justifiable I simply do not understand.

I suspect that if there were independents on the crossbench in this Assembly, if there were more voices speaking out about this, then the Labor Party and the Canberra Liberals would not be proceeding down this path. Unfortunately, this is not the case. So the Greens are the only people in this place speaking out. We will be putting forward amendments today to make it clear that we do not support some of the changes that are being proposed here. However, we will likely be outvoted by the big parties today as they seek to line their own pockets and hope that the Canberra community does not notice.

The Greens do support some parts of the Electoral Amendment Bill 2014 and recognise the need for changes to the Electoral Act, both to accommodate the increase in the size of the Assembly and to tweak some of the changes that were made in 2012. The Electoral Amendment Bill arose from the Assembly committee inquiry that was established after the increase to the size of the Assembly was agreed to by the ALP and the Liberals.

For the record, the Greens did not support the configuration of five electorates of five members for the new size of the Assembly as we did not believe that it was the best outcome for improving representative democracy in the ACT. Those are arguments that we prosecuted when we voted against the five-by-five model to the Electoral Act last year. I will not repeat them again now in detail. Suffice to say that an increase to a 25-member Assembly is the context we found ourselves in for the select committee. So further amendments to the Electoral Act were viewed through that lens.

I was on the select committee looking into the Electoral Act and I proposed amendments. I was pleased with the way that the committee worked collaboratively to reach a number of points of agreement and to discuss ideas that were put on the table. I did, as members would be aware, also release a dissenting report. I will be tabling today a number of amendments that reflect those dissenting comments as well as some that I believe are contingent on the issues raised in the dissenting report. I will also be putting forward some amendments that reflect the view of the committee but that the government did not address in their bill.

Perhaps the key issue that I should touch on in this speech, as it will impact on the amendments that I will table later, is the issue of the removal of caps on donations. Indeed, this bill removes the entire section 205I, which deals with the limits on gifts, and the offence clause 205J, which outlines offences of indirect gifts to avoid the statutory limit.

I want to talk about this first as it affects a number of other clauses in the bill that the Greens cannot support in the context of the limit on gifts being removed. It speaks to what I believe should be the right framework for electoral reform and the levers that should be in place. Political donations made to political parties from organisations or businesses are something that we should be trying to avoid in our democracy. There is no doubt that donations to political parties leave politicians at risk of corruption or undue influence and that donors believe that they are indeed purchasing a degree of influence.

The Greens advocated in 2012 for the current provisions in the Electoral Act that restricted donations to individuals on the roll for the election in 2012. It was a workable process. While we acknowledge that the High Court decision, in the eyes of many, would appear to render the ACT's provision unconstitutional, the Greens would have been content to have let those provisions stand and be tested.

However, now that the offending paragraph 205I(4) in the Electoral Act is to be removed, political parties will be able to receive donations from corporations, unions and any other organisations. One would have thought, given that this now opens up donations from corporations and unions, that any MLA in this place who believed in improving our democratic institutions and reducing the risk of corruption would be supporting measures that reduce the potential influence that can be bought, and especially bought by these donors.

The Director of the Gilbert and Tobin Centre of Public Law at the University of New South Wales, George Williams, described this perfectly in an interview he gave on ABC TV last year:

> Money is an inescapable part of politics, it costs money to campaign and it costs money to win elections …
>
> But on the other hand money usually comes with strings attached, particularly large donations can come with an expectation of involvement or even a hope that someone might see decisions fall their way.

He went on to say:

> I think it does go beyond perceptions, we have clear evidence that people are donating, not because they're altruistic people who just want to support the democratic process but because they may see it as a business expense, money they need to pay in order to carry favour and I think it's only human nature that if somebody's funded your political campaign and helped you win an election, then you don't forget that person when it comes to how you govern.

Professor Williams was, at the time, talking about New South Wales, but there is no reason to assume that the same thing should not apply in the ACT. Sure, we do not have the history of exposed corruption that New South Wales does, but on these issues surely prevention is better than cure. And as the ACT already has a cap on donations in place, why would we now seek to remove it?

Current limits on donations in New South Wales sit at $5,000 to parties and $2,000 to individual candidates, and there are some who would say they should be even lower, and yet here in the ACT we are thinking about removing them altogether.

For the record, the Select Committee on Amendments to the Electoral Act did not recommend the removal of the $10,000 donation limit. The report indicated that the Assembly should debate the merits of the $10,000 limit. When the Attorney-General tabled this bill back in November last year his rationale for removing the limit on donations was this:

> By abolishing the $10,000 limit on donations, the government is removing an unintended incentive for donors to circumvent the electoral funding laws and therefore reduce transparency.

So, in the Attorney-General's words, the primary rationale for the government removing this part of the regulation on electoral funding is that if we remove the provision we will not have people trying to circumvent the provision. That is, "Let's not regulate in case people are inspired to break the law more creatively. Let's just let them give." I and the Greens do not buy that because, let's face it, the conversations that go with donations will never be transparent, even if the amounts of money are.

I appreciate that, as the attorney laid out, expenditure caps are crucial in reducing the so-called "usefulness" of large donations—that is, you may not be able to spend them all—and that transparency is crucial—that is, the timely and accurate reporting of donations. However, I cannot understand why one measure negates the usefulness of another. Surely strong electoral reform is about utilising all the levers available to us to deliver a complete package that has better democratic outcomes. Yet the irony of

this situation is that while the ALP and the Liberals support opening up unlimited donations to corporates and unions, they are also going to vote for a proposal today to dig deeper into the public purse and increase the public funding per vote from $2 to $8—and all in the name of better democracy.

I would like to be clear about our position on this. In principle, the Greens support increasing public funding as one of a suite of measures to improve the democratic process around elections—not this exact model or the amount being proposed today, but we support it in principle. But we cannot support it while at the same time other provisions to improve democracy are removed. We cannot support it when there is a concurrent proposal to remove the limit on gifts.

What is the plan here? Thanks to the ACT taxpayer, 70 to 80 per cent of party campaign expenses will be paid for from the public purse, and the ALP and Canberra Liberals would then also like to source unlimited donations from whomever they see fit to take them. It is quite astounding that the other parties in this place, and in this jurisdiction where our electoral laws are already quite progressive, are taking this backward step. I was interested to see that the public funding debate has also been running in the Northern Territory, and I was amused to note that even David Tollner, that rather infamous Country Liberal Party member, had advocated public funding hand in hand with donation caps of $1,000.

The policy objective of public funding is to reduce influence or the risk of corruption, and, as such, should only be increased when there is a corresponding decrease in the influence that could be brought through making political donations to candidates and parties. There is little benefit in increasing public funding when there is still significant opportunity for corporations or wealthy individuals to buy influence through making sizeable donations. Public funding of this order would result in a net financial gain to political parties without any net increase to democratic protections. This could reasonably be interpreted by the public as an unjustifiable transfer of public wealth to the political class and serve to compound the cynicism that the public have in politicians and the electoral process.

I was interested to see today what the Liberal Party rationale might have been for defending this removal of the donation limit, as I had been led to believe they may support improvements to our democratic institutions through increased public funding, campaign expenditure limits and fewer big donations. But it seems they will be supporting the removal of donation limits today as well, which can only mean that they, too, have both hands out for the cash.

Electoral expenditure caps are also an important consideration when looking at a public funding model. It was fairly clear from when this bill was tabled that the two old parties were likely to support this package that delivers financial windfalls for them. Under this bill the total party expenditure cap for parties running 25 candidates in the 2016 election will be $1 million, a much bigger expenditure cap than the Greens will be putting forward here today. If the party cap was smaller, then all the parties would spend less and would therefore require less public funding for electoral campaigning.

It is fairly clear that the Greens would disagree with the Labor Party and the Liberals about the quantum of both the campaign expenditure caps and the quantum of any public funding. But without a limit on donation amounts, debating that quantum in any detail would have been a waste of the Assembly's time.

If we could have persuaded the Labor Party and the Canberra Liberals to leave the limits in place and indeed reduce the limits then we could have had a discussion about the amount of public funding that would have been suitable, and the Greens would likely have supported a modest increase. However, the fourfold increase in public funding in this bill is untenable. It will take the approximate amount of public funding for ACT elections from around $400,000 to around $1.6 million every four years, and for that ACT voters are not getting any better democracy for their money.

While at the heart of campaign finance reform is ensuring that our political system is not susceptible to inappropriate influence from large corporations or wealthy individuals who seek to influence political outcomes through making donations to candidates, there is another consideration—to ensure a diversity of individuals and parties are represented in our political and electoral processes and are able to campaign for election on a level playing field. Electoral expenditure caps are an important way to help create that level playing field, and while they need to be considerate of not putting limits on political freedoms, they can be used to good effect to reduce the advantages of big players such that independents and smaller players have a reasonable chance to contest elections.

The Greens are proposing that expenditure caps be reined in significantly. There is no doubt that parties running five candidates across all electorates in the ACT will draw a cumulative benefit from the expenditure caps. Advertising spends, polling, design, campaign managers and efficiency in printing costs will all make it cheaper per candidate to run at the election.

Given that Labor and the Liberals will not consider a significant reduction in their spending caps, the Greens will be moving an amendment today that increases the expenditure caps for independents or ungrouped candidates once again. It may have been a reasonable consideration to drop their expenditure cap to $40,000 if the bigger parties were to take a proportional cut, but in the context of the ALP and Liberals getting such cumulative benefits, it is not fair to impose such a limit on an independent candidate who, if they can raise the funds, will not be able to get the same economies of scale or efficiencies per candidate that large parties will be able to.

I will speak further on some of these issues as I table our amendments, but I will briefly flag the nature of the Greens' other amendments today. We will propose an amendment that sets an expenditure cap for parties running 25 candidates at $500,000, indexed. We will propose that ungrouped candidates and third-party campaigner expenditure caps remain at $60,000, given that candidate expenditure caps are to be reduced to $40,000, and it is highly likely that we will lose the amendment, as I discussed.

We will not support associated entities being removed from the party grouping expenditure cap. We will propose that a limit be applied to the amount of administrative funding that is payable to a party. We will propose an amendment, based on the committee report, to change the 100-metre rule to provide a bigger buffer around a polling place where canvassing cannot occur.

We will propose 24-hour reporting of gifts made in the final week before an election. We will put in an amendment that implements the committee recommendation that penalties and fines for not voting be doubled. And we will put in an amendment that implements the committee recommendation to change the text on the ballot paper in regard to numbering boxes.

I would like briefly to touch on some of the other things this bill will do if it is passed today. There are a range of administrative amendments recommended by Elections ACT, such as definitions of an "Australian government body". The bill also seeks to remove the requirement for political parties to have an ACT election account. I must admit, we were in two minds about whether removing the need for an ACT election account was a good idea, especially as parties would now have them set up. But I am sure the ACT Electoral Commission is diligent in its duty of auditing accounts, and it has confirmed that the account is no longer necessary and that auditing can be done across accounts.

Clause 11 ensures that there is only one reporting agent for a party, MLA or candidate at any one time by ensuring that the appointment of one reporting agent ends on another being appointed. The bill tidies up some language around anonymous gifts, clarifying that anonymous gifts are those gifts made anonymously but that are less than $1,000.

Clause 32 of the bill tightens up the reporting requirements for donations in an election year, with a seven-day reporting time frame after 30 June in the capped expenditure period. As I mentioned earlier, the Greens will be tabling an amendment to tighten this up even further by requiring a 24-hour turnaround on reporting in the final week before an election.

Clauses 54 and 56 ensure that people's home addresses are not listed on the return made public by the Electoral Commissioner. Clause 57 modernises the act in regard to commentary made on social media in an election period. Under section 292, on dissemination of unauthorised election matter, it extends the exception for news publications to personal views on social media.

The final part of this bill, clauses 58 to 60, makes changes about how the vote is counted after an election when two or more candidates are tied. This is a complex amendment about distributing surpluses—far too complex to attempt to explain today and one perhaps best left to the Electoral Commissioner. But I thank the Proportional Representation Society and Elections ACT for presenting this issue for resolution. There was clearly a place for the law to be amended.

In summary, the Greens are concerned about many aspects of this bill. We will be putting forward a series of amendments to try and stop the other parties in this place watering down what we believe are good electoral laws—laws that made the ACT one of the most progressive jurisdictions in Australia on campaign finance reform.

The Greens call on the ACT Labor Party and the Canberra Liberals to think through what they are proposing today and to consider our amendments with an open mind. We have been clear and open about the amendments we are proposing today. There is no doubt that other parties have had the opportunity to reconsider their positions and, given that we will not deal with this until after the lunch break, there is still more time to consider them.

Should this bill proceed without amendments in significant areas such as donation caps, administrative funding and changes to expenditure caps, I think that the Canberra community will rightly be outraged that once again politicians are seeking to smooth their own path without actually delivering a better outcome for democracy in the ACT.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Sitting suspended from 12.31 to 2.30 pm.

Questions without notice

Crime—motorcycle gangs

MR HANSON: My question is to the Attorney-General. Attorney-General, on 1 April 2009 I introduced an amendment to a motion, in which I acknowledged that a number of jurisdictions, including New South Wales, had implemented or were in the process of implementing legislation targeting organised criminal networks to safeguard the community. I said at the time:

> The impact on the ACT of these legislative changes will be significant. If we sit here vainly hoping that the ACT will be isolated from the worst elements of organised crime, then we are failing in our duty …

I called on the government to act. At the time Mr Corbell called for more consultation and said:

> I do not accept the assertion as a given that, because New South Wales legislates in one way, we will be swamped, to use Mr Hanson's language on radio this morning, by bikie gangs from New South Wales.

Minister, given the recent spate of shootings across Canberra, some allegedly linked to bikie gangs, do you stand by your comments that laws in other jurisdictions, and particularly New South Wales, with regard to outlaw motorcycle gangs, have had no impact on the ACT?

MR CORBELL: I thank Mr Hanson for his question. Yes, I do stand by those comments. We are not swamped by organised crime. Indeed, the level of organised crime in the ACT continues to be low, and that is the advice from ACT Policing. That is the advice from the Australian Crime Commission and others. But obviously we need to continue to make sure that we take a strong approach to any incidents of unlawfulness, particularly ones that are involved with organised crime.

That is why ACT Policing has established Taskforce Nemesis, a very important response to organised criminal groups. That is why the government continues to take prudent and proportionate responses to changes to the law where that is needed, to ensure that our police continue to keep the foot on the throat of organised crime. That has been our approach to date. It remains our approach. Certainly, it also remains our approach that we will not introduce types of bills and laws that we have seen in other jurisdictions that proscribe people on the basis of their membership of an organisation. We will tackle it based on the offending behaviour, based on the offence, based on the criminality, not based on the membership of any particular organisation or group.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Attorney, what actions are you taking to monitor the impact of New South Wales laws, and can you guarantee to this Assembly that the recent spate of shooting did not involve any bikies from New South Wales?

MR CORBELL: On the second point, those matters are matters for the police investigation; it is not appropriate for me to comment on behalf of the police. No charges have been laid. The investigation is ongoing. It would be entirely improper for me to speculate on those matters.

Sorry, what was the first part of your question?

Mr Hanson: The first part of my question was: what actions are you taking to monitor the impact of the New South Wales laws?

MR CORBELL: In relation to those matters, I receive regular briefings from the Chief Police Officer, from ACT Policing and from other organisations as appropriate, like the Australian Crime Commission, in terms of their data holdings and their assessments of criminality here in the ACT.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what actions did you take to ensure that the bikie gangs did not establish in the ACT, given the new bikie gang laws in New South Wales?

MR CORBELL: The government at that time that Mr Hanson refers to, in a previous debate on his substantive question, actually adopted a whole range of responses in the Criminal Code designed to ensure that police had the necessary tools. ACT Policing has engaged a dedicated task force to tackle criminality here in the ACT. The government has been proactive and always alert on these matters.

The advice from ACT Policing has not fundamentally changed. The level of outlaw motorcycle gang activity here in the ACT is low. The level of organised crime activity here in the ACT is low, but we have seen a number of disturbing incidents in recent weeks. Police are responding appropriately to those. As I have indicated in other places, the government keeps its options—

Mr Hanson: Instead of being progressive, you are going to be reactionary.

MADAM SPEAKER: Order, Mr Hanson!

MR CORBELL: The government keeps its options open. I note Mr Hanson would appear to be alluding to the comments attributed to me, accurately, in the *Canberra Times* I think last week or earlier this week. All I would say in relation to those matters is that I have, as attorney, remained proactive. Last year—

Mr Hanson interjecting—

MADAM SPEAKER: Order, Mr Hanson! You have asked your question.

MR CORBELL: Last year, prior to these most recent events, I asked my directorate to commence the development of options for law reform in relation to further legislative responses to ensure that police are able to remain proactive in their response to organised crime. That was well before the shootings that the member has referred to. *(Time expired.)*

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what advice do you give to the community who may be fearful of bikie gang activity in their neighbourhoods?

MR CORBELL: Twofold. First of all, I would acknowledge their concerns. Any level of criminality, no matter how infrequent or low level, is a concern. Therefore, the government and police are reacting very proactively with a dedicated task force and dedicated investigations to deal with these matters.

The other point I would make to Canberrans is that the advice from ACT Policing—

Ms Berry: A point of order.

MADAM SPEAKER: Stop the clock, please. A point of order, Ms Berry.

Ms Berry: Thank you, Madam Speaker. I just heard a member of the opposition refer to the minister as Sheriff Simon and I would ask that you ask him to withdraw.

MADAM SPEAKER: I do not think it is unparliamentary to refer to someone as sheriff. It is not according to the form and practice of this place, but it is not something that I would ask anyone to withdraw. I would remind people again that the form and practice of this place is to refer to people by their proper titles. But it is not something that I would ask to be withdrawn. Mr Corbell, on the answer to the question.

MR CORBELL: Thank you, Madam Speaker. The other point I would make to Canberrans is that the advice from ACT Policing and the Australian Crime Commission is unchanged. The level of organised criminal activity in the ACT is low. In the last 12 to 18 months ACT Policing have taken over 100 illegal firearms off the streets as a result of their dedicated task force activities. In addition, the level of gun crime in the ACT declined by 45 per cent over the past couple of years. So all indicators are of an increasingly safe community.

Sport—sponsorship

MRS JONES: My question is to the Minister for Economic Development. Minister, what advice did the directorates under your ministerial control working on facilitating the Aquis deal with the Brumbies provide to the Minister for Sport and Recreation prior to the deal being announced?

MR BARR: I will need to check that record, but it would be unlikely that there was any because the relationship with the Brumbies is my responsibility under the administrative orders and has been now for nearly nine years. It was when I was Deputy Chief Minister, under Katy Gallagher. Regarding the major sporting teams, the Brumbies, the Raiders, the Giants and the Capitals, who have performance agreements with the ACT government that involve, for example, playing at our venues—Canberra stadium and Manuka Oval—I am the responsible minister as Minister for Tourism and Events, along with the Territory Venues and Events group. Together with the other elements of their performance agreements, which include in some instances payroll tax concessions, the major sporting teams are my responsibility.

Let me be clear: the Minister for Sport and Recreation does not have portfolio responsibility for the performance agreements for the Raiders, Brumbies, Giants and Capitals. It is my responsibility as Minister for Economic Development and has been for years. In the instance of this particular sponsorship and, indeed, any other matter that relates to the operation of those elite teams with their performance agreements, I have ministerial responsibility.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, have you received any correspondence from Mr Rattenbury raising concerns about the Aquis sponsorship of the Brumbies? If so, what did he say?

MR BARR: No. I am aware of a tweet and I am aware, obviously, of subsequent media coverage. Minister Rattenbury and I have had a conversation in relation to the matter. As I said in my media commentary, we agree to disagree on this point. It is as simple as that.

It is perfectly legitimate for Minister Rattenbury to express the views he has expressed. I commend him for having the courage to put his views on the public record, because, frankly, that is quite a contrast with what we saw from the Leader of the Opposition earlier this morning in relation to a debate before this place.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, can you outline what the benefits are of the Aquis sponsorship to the Brumbies and the broader ACT community?

MADAM SPEAKER: Are you the minister responsible for the sponsorship of the Brumbies?

MR BARR: Yes.

MADAM SPEAKER: You have—

MR BARR: I have responsibility for the Brumbies' performance agreement, yes.

MADAM SPEAKER: responsibility for the Brumbies' performance agreement. Do you have responsibility for the sponsorship?

MR BARR: We are their major sponsor, yes.

MADAM SPEAKER: Okay, I will allow it.

MR BARR: The ACT government is the largest contributor to the Brumbies, both in cash and in kind, obviously through use of Canberra stadium, through the performance agreement that we have and the various payroll tax concessions. But we do, of course, encourage the Brumbies, as we do our other national league teams, to seek corporate sponsorship, and they do so in the marketplace, competing with other sports, and indeed other forms of entertainment and activity, for the corporate dollar.

The benefits, clearly, for the Brumbies from this particular arrangement are the longevity of the sponsorship arrangement, going over, I understand, six years, which is the single longest sponsorship deal that they have been able to secure. I am pleased because it signals a long-term commitment from Aquis to investing in Canberra. It provides significant financial support to the Brumbies to allow them to achieve their elite sporting goals and also to undertake the significant amount of community work that they do as part of their performance agreement with the government.

There are also benefits for other sports in the fact that it is a new sponsor from outside the pool of usual suspects of team sponsors for Canberra sport. This frees up capacity within the sporting sponsorship market for other Canberra sporting teams to benefit. I think that, overall, it is a positive outcome for the city, and I certainly look forward to our other sporting teams being able to attract significant additional sponsorship, because that will help to grow sport in Canberra.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Have you received any correspondence or other feedback from Aquis or the Brumbies about Mr Rattenbury's tweet?

MR BARR: Not in a written form. Obviously there was some media discussion. I understand that Minister Rattenbury and the Brumbies CEO were on ABC radio together and discussed the issues. I also had the opportunity to attend the first Brumbies game of the season as a guest of the Brumbies, and it certainly was not an issue that was raised.

Minister Rattenbury has expressed a view; the Brumbies have expressed a view. I think everyone can move on and get behind the Brumbies to be successful in 2015. I think the most exciting thing out of the first game was their ability to comprehensively defeat the Queensland Reds. It would seem that is another challenge that confronts the new Queensland Premier—to restore their state's rugby team as well as their state's economy.

Economy—asset recycling

DR BOURKE: My question is to the Chief Minister and Treasurer. Minister, can you outline the details of the agreement that the territory and the commonwealth announced today about asset recycling?

MR BARR: I thank Dr Bourke for the question. Earlier today I was pleased to be able to announce that the territory will be the first state or territory in the country to benefit from a partnership under the commonwealth government's national partnership on asset recycling. This initiative is a significant boost to the territory. I am pleased that in this instance we have been able to reach across the political divide to get a good outcome for Canberra. That, I think, is an important thing that people want to see. What it means is $60 million, or thereabouts, in commonwealth funding being invested in the capital metro project—

Opposition members interjecting—

MR BARR: I appreciate the enthusiasm from those opposite.

Opposition members interjecting—

MADAM SPEAKER: Order, members!

MR BARR: Can I say that the government is working to stimulate the territory economy through our prudent infrastructure investment.

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson!

MR BARR: It is terrific that the commonwealth government have endorsed that today, because this project will create new jobs, because the light rail project is the right project for Canberra and because we are committed to renewing—

Mr Coe interjecting—

MADAM SPEAKER: Mr Coe!

MR BARR: our public housing stock.

Mr Corbell interjecting—

MADAM SPEAKER: Mr Corbell!

MR BARR: Our goal, very simply—

Opposition members interjecting—

MADAM SPEAKER: Would you stop the clock, please? I have called Mr Coe, Mr Hanson and Mr Corbell to order. I know there was a nice little theatrical flourish there, but I have called you to order and I expect you to come to order. The Chief Minister has the floor.

MR BARR: Thank you, Madam Speaker. Our goal is very simple. We signed up to this partnership because we want to deliver better transport for Canberra and because we want to renew our city's public housing asset base. I am pleased to say that today's announcement is a great victory for social inclusion and equality. It will drive economic growth and it means more jobs for Canberra.

The commonwealth will make a contribution to the territory's light rail project under the asset recycling initiative. Under the scheme, the territory is eligible for a 15 per cent bonus from the commonwealth government when we sell a surplus asset to pay for new infrastructure. The sale of these surplus assets, together with the support of the federal government, will see an estimated investment of up to $450 million, including $60 million from the commonwealth, into the capital metro project.

Let me be clear: asset recycling is supported only when it is used prudently so that we can raise the money necessary to acquire new public infrastructure for the city. There will be no crazy fire sales, no Campbell Newman "sell everything that isn't bolted down" approach, just prudent asset sales to deliver prudent new infrastructure for our city.

That first such asset sale, I am pleased to say, had unanimous support in this place, and that was the sale of ACTTAB. That will earn the territory a bonus of nearly $16 million alone for the $105.5 million sale price—so the bonus, plus the sale price, will be invested into new productive infrastructure for this city.

Similarly, the ACT government will look at other government buildings that are scheduled to be replaced. When these become surplus they can also be sold and attract bonuses. We are committed—and let me be very clear—that our replacement of public housing is a roof-for-roof replacement. Surplus land will be sold under the scheme and that will attract further bonuses. We are required under the agreement to maintain our public housing stock and, indeed, to deliver new housing before old housing can be disposed of.

MADAM SPEAKER: A supplementary question, Dr Bourke.

Mr Hanson interjecting—

MADAM SPEAKER: Hang on; before I call Dr Bourke, can I call members to order? I know that everyone seems to be quite transfixed by this as an issue, but when I call you to order, I expect you to come to order or I will start naming people—probably warning you first. Dr Bourke.

DR BOURKE: Chief Minister, what are the benefits of this agreement for the territory?

MR BARR: As I said in this place yesterday, as part of our urban renewal program, we are embarking on the single largest renewal of our city's public housing in the history of self-government. We are committed to replacing the old and tired public housing that has reached the end of its useful life with the largest investment in new public housing in this city's history under self-government. We will deliver quality modern accommodation that our tenants deserve.

As old housing is replaced and the old properties become surplus to requirements, under this agreement with the commonwealth we will sell this land and reinvest the proceeds, plus the 15 per cent bonus from the commonwealth, in better transport for this city through the capital metro project. This additional investment is especially welcome at this difficult economic time for the territory. This agreement brings together existing ACT government initiatives—

Mr Hanson interjecting—

MR BARR: into a comprehensive program—

MADAM SPEAKER: Mr Hanson, you are testing my patience.

Mr Hanson interjecting—

MADAM SPEAKER: I warn you, Mr Hanson.

MR BARR: This agreement brings together existing ACT government initiatives into a comprehensive program and provides momentum to accelerate these projects when our economy needs them most, through these incentive payments.

The government will ensure that any sales of government assets represent a positive financial outcome for the territory and that benefits from any asset sales flow through to the Canberra community in the form of the creation of new jobs and productive growth in our economy. This partnership will improve our capacity to maintain our economy's productive activity. *(Time expired.)*

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what project has the commonwealth agreed that funds unlocked from the asset recycling be invested in?

MR BARR: An important aspect of the asset recycling scheme is that it requires the agreement of the state or territory and the commonwealth on the schedule of assets as well as the productivity enhancing infrastructure project to be progressed. So let us be clear. Capital metro has been agreed by the commonwealth and the territory as the productivity enhancing infrastructure project that will attract commonwealth investment in the territory. Capital metro is a vital project for our city's economic future. It will deliver a billion dollars in benefits for our city and create 3½ thousand jobs in the construction phase alone.

Let me say today: thank you to Joe Hockey. It is great to have the commonwealth on board with this project. It is a world-class piece of public transport infrastructure. It will reduce congestion along Canberra's busiest corridor and it will assist in our city's sustainable urban development. It will also provide business and investment certainty along the Northbourne corridor, stimulating economic activity as the land surrounding light rail increases in value, is used more efficiently and stimulates the much-needed transformation of the entrance to the national capital.

Today is an important day in our city's history and it is very significant that we have been able to reach across the political divide with the federal government to do something positive for Canberra—jobs, better transport and better housing for our city. It is a good day for Canberra.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Chief Minister, why did you, as per Mr Hockey's media release—which said that the selection of assets to be sold and the new infrastructure to be built with the proceeds of asset sales are solely matters for state and territory governments—only give the commonwealth the option of light rail?

MR BARR: It is a clear requirement that for infrastructure investment to be approved by the commonwealth under this national partnership agreement it needs to be economic infrastructure. Social infrastructure would not be considered. Hence, hospitals, courts, schools, sports stadiums and convention centres were not within scope. Infrastructure had to be new or meet a requirement of additionality. It could not be in the nature of business as usual. Hence, routine road upgrades would not have been within scope either.

The commonwealth wanted a quick or accelerated injection of capital to promote productive economic activity. In the context of the five-year program, construction needed to be commenced before June 2019 and applications were only open until 30 June 2016. A project that had not had some level of conceptual planning undertaken would be difficult to advance, given the long lead times in infrastructure projects.

Addressing all of these criteria was a balance and a process of negotiation with the commonwealth that indicated the most likely infrastructure project in the territory was indeed capital metro. I am pleased, delighted, that we have been able to work with the

federal government to achieve this outcome. It is—as I said earlier, and I repeat it again—good for Canberra, good for our economy. We get better public transport, we get better public housing, we get jobs and we get investment. This is unambiguously a good day for Canberra, and I am delighted to have been able to deliver on this for the people of our city.

Roads—safety

MS LAWDER: My question is to the Minister for Roads and Parking. Minister, I draw your attention to the article in the *Canberra Times* of 10 February entitled "Revealed: Canberra's worst roads for crashes", which lists four roads in the Brindabella electorate that feature in the worst 20. I have written to the previous minister on behalf of constituents, seeking clarification on the potential widening of Sternberg Crescent, Gowrie, to two full lanes between the Bugden Avenue roundabout and the Erindale Drive roundabout, to which the answer was that there would be no widening. In light of Sternberg Crescent appearing twice on the top 20 worst roads list, will the minister now revisit this decision?

MR GENTLEMAN: I thank Ms Lawder for her question on roads. Especially in the Brindabella electorate I am very keen to ensure we have the safest roads in our territory. I note the rating of the particular roads Ms Lawder mentioned—Sternberg, Bugden and Erindale. As Ms Lawder would be aware, we have a traffic warrants system across the ACT and it is really important to ensure that work goes ahead in the appropriate manner. All road intersections across the territory are in receipt of a warrant number and those with the highest number of warrants get the detail first. I will certainly look at that area and talk to the directorate to see whether that warrant number comes up in the system ahead of where it is placed at the moment.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, what monitoring has taken place of the effectiveness of the newly installed pulse lights at the Sternberg Crescent-Erindale Drive roundabout, and will you make these results available?

MR GENTLEMAN: Monitoring for road changes occurs right across the territory by looking at data that comes through traffic light signalisation and the uptake from the system that switches the traffic lights. Monitoring takes place with people out on the street actually surveying car movements, and monitoring also takes place from interactions with the community. In regard to this specific monitoring, I do not have the detail in front of me, but I am happy to come back to the member with that detail.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what action will you now take with regard to Hambidge Crescent, Chisholm, and Ashley Drive, Wanniassa, which also appear on this list?

MR GENTLEMAN: I thank Mr Smyth for his question. We have already begun actions on those particular streets with the community. Some traffic calming installations have occurred across those suburbs and we have invited the community to give us their feedback on those changes.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: When will the next phase of the Ashley Drive roadworks take place?

MADAM SPEAKER: Is that likely to be ministerial policy? Has a decision been made about Ashley Drive?

MR SMYTH: There is a whole plan out there.

MADAM SPEAKER: If a decision has been made about Ashley Drive, I presume that is an announcement of ministerial policy and I have to rule it out of order.

Mr Coe: On a point of order, if the government have already decided to go ahead with these works and it is in effect common knowledge that they are doing works, then surely the detail of it, which is what Mr Smyth is asking, is a legitimate question.

MADAM SPEAKER: I will stand corrected, but I asked Mr Gentleman: has there been an announcement on the next stage of Ashley Drive and he said there was not. Is there any planning to—

Ms Berry: A point of order, Madam Speaker.

MADAM SPEAKER: Sorry, let me just get this. Is there any planning to do any work on stage 2 of Ashley Drive?

Mr Gentleman: There has been some study to progress from stage 1 of Ashley Drive, but no decision has been taken yet.

Mr Coe: On a point of order, Madam Speaker, the sheer fact that it is called stage 1 suggests that there is a stage 2 planned. Therefore, I think it is right and proper that we ask for the detail of what they have planned.

MADAM SPEAKER: The minister cannot answer a question which is the announcement of previously unannounced policy. As far as I can tell—if someone wants to disabuse me of this—what I understand is that the executive have not announced whether or when they will build Ashley Drive stage 2. And if they have not announced that I cannot ask Mr Gentleman to announce that here today.

Canberra Institute of Technology—Auslan

MR DOSZPOT: My question is to the Minister for Education and Training. Minister, in question time last week, in answer to a question about whether CIT was offering cert II and cert III in Auslan in 2015, you replied that CIT was teaching level II and level III in Auslan. You further said that, through CIT Solutions, access was to a level almost like a community awareness level of Auslan training. Minister, are you confusing the accredited certificate courses being offered through CIT with the non-accredited short community courses being offered by CIT Solutions? If not, how many new enrolments are there in cert II in Auslan at CIT this year?

MS BURCH: I thank Mr Doszpot for his question. Certainly CIT and CIT Solutions are both offering training in Auslan—to different capacities, absolutely. It is my understanding—and I do not have it in front of me—that they were teaching out the certificate II, so those that were enrolled will go through. Certainly certificate III is on offer. The enrolment numbers are low. I think they are 20 and under.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, will new enrolments for cert II in Auslan and re-enrolment for cert IV be offered by CIT in 2016, given that CIT is not offering new enrolments for cert II in Auslan this year?

MS BURCH: Mr Doszpot is correct in that we are not offering new enrolments for cert II; we are teaching that out and we are offering certificate III in Auslan. The enrolment starter for that is very low and, as I indicated when we spoke about this, the numbers are very low. I am looking to CIT enrolments. While some people say there is more demand, it is not coming through in the numbers of enrolments. I hope Mr Doszpot would recall that last week I indicated that, through the National Disability Insurance Agency and the plans that have been finalised, I am trying to get some intelligence or information around the numbers that could be interested. That will determine offerings for the outyears.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, where will ACT students wishing to become proficient in Auslan train, in the event CIT ceases to offer such courses?

MS BURCH: I think that is hypothetical, because at the moment CIT continues to offer training.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, is the absence of adequate Auslan courses in the future a breach of the Human Rights Act or the UN Convention on the Rights of Persons with Disabilities?

MS BURCH: Again, CIT has indicated that there are Auslan offerings now and there is nothing in front of me to say that there will not be offerings in the future.

Disability services—national disability insurance scheme

MS PORTER: My question is to the Minister for Disability. Minister, can you inform the Assembly of the progress of the national disability insurance scheme in the ACT?

MS BURCH: I thank Ms Porter for her continued interest in those who are vulnerable in our community and those in our community who are living with a disability. The NDIS has now been operating in the ACT for eight months. It is transforming the lives of people with a disability and renewing the disability sector so that it is better placed to provide vital supports and services to participants.

I was pleased to be able to provide an update to the Assembly this week on the NDIS. Progress has been steady and we have been working with people with a disability, their families and their carers, and the sector more broadly, to make sure that we get this right. The NDIS means a doubling of investment across our disability sector. We will see more people enter the workforce and it will give people with a disability more choice over their services than ever before. Now, as I have indicated, over 100 organisations have registered to provide services and supports under the NDIS. This is a good outcome so far and reflects the long-held desire for people with a disability to have a greater choice here in the ACT.

Many of those services who have registered with the National Disability Insurance Agency are well-respected organisations and sole traders who are providing specialised services and carving out a niche for themselves here in Canberra. There are a lot of new services being offered for the first time and this provides exciting new options and opportunities both for people with a disability, their families and carers but also for the growth of the sector. Our early intervention sector has grown substantially, and families are now starting to access the new services that they have chosen for their children.

We have been supporting organisations to make the transition to the NDIS, and this year the commonwealth and ACT governments have invested $1.5 million to help service providers have a better understanding of their internal businesses and how they can adapt to the NDIS.

This record investment has supported 45 organisations so far, and the government has received excellent feedback from the organisations that have received this funding and support. To this end, I am pleased to say that we will fund another round of grants to further support sector development this year. I believe that by supporting our organisations to prepare for the NDIS we are supporting a more robust and effective sector here in the ACT.

This year we will see additional investment of $6.3 million from the commonwealth community sector development fund come into the ACT's disability sector. This investment will provide more capacity-building initiatives for people with disability and grants to support organisations that want to host NDIS-related activities and events.

I am also excited to announce that the first ACT NDIS conference will be held at the National Convention Centre on 23 and 24 March. This will be a great event, with something for everyone who is interested in the NDIS. I am very proud of the progress towards the NDIS that we are taking here in the ACT. Make no mistake: we are unique because we will be the first jurisdiction to achieve full rollout across our community and our service system for people with a disability, their families and carers. I am very proud of being that jurisdiction.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what current projects through Disability ACT will support growth and renewal in the disability sector in the ACT?

MS BURCH: The ACT government is supporting the disability sector during this time of change. We want to make a difference in the lives of people with a disability to assist them to participate in their community and strive to build an inclusive and supportive community.

The government is proud to support Project Independence, a housing initiative for people with disability that represents a new model of ownership. It will give people with disability the opportunity to build up equity in their home and live as independently as possible. It is an innovative social housing model based on up to 10 people living in three separate homes. Support services can also be provided to meet their individual needs.

Project Independence is being spearheaded by the 2015 ACT Australian of the Year, Glenn Keys. I am proud to be joining him very soon to progress this project to the next stage. The project is a positive way for business, government and community organisations to work together. It is the first of its kind in the ACT and Australia and has already garnered interest from other states and jurisdictions.

In addition to Project Independence, the purpose-built respite centre for children with a disability aged five to 12 years is proceeding at Chifley, in partnership with the Ricky Stuart Foundation. Construction is about to commence and it is expected to be completed by November this year. This, again, shows the very strong partnership between the private sector and government and shows, in partnership and by working as a community, the benefits we can provide to all.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, how is the ACT government working to support renewal for our community, in particular clients in receipt of disability services and support in the ACT?

MS BURCH: I thank Ms Fitzharris for her interest in this area of our community.

Since 2013, the government has been working to support renewal for our disability community, with the NDIS. All clients of disability services delivered by both the government and community organisations are being supported through this transition. As part of this, the ACT government has listened and consulted with the community. It is the people and organisations who know and understand what is most needed.

To support people through this change, we have sought to invest in initiatives that increase the skills of people with a disability in exercising their choice and control and support people to transition from program models of support delivered by government to individually funded packages under the NDIS. This is a large cultural shift, but it is also about investing in practical initiatives that support people with a disability. The enhanced service offer, for example, which I have spoken about in this place, saw an investment of $7.7 million to support people with a disability to prepare for the NDIS.

Along with a self-directed funding pilot, this initiative has enabled people to experience choice and control over their services and supports in a very practical way. It has enabled organisations to respond to the choices of clients when they have their own funding—something that has never been done in the ACT to the extent that it is being done now. We have invested in new housing initiatives and we have been working with organisations so that they better understand the needs of their clients through the sector development fund. We will continue to support people with disability through the NDIS trial and beyond.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, how are staff within Disability ACT being supported to embrace change and prepare for renewal within the disability sector?

MS BURCH: I thank Dr Bourke for his question. We recognise that for some people who have been employed with the government for some time this will be a change. The government is supporting experienced and skilled staff to move into the community sector. Staff are able to trial working in a community organisation while continuing employment in the ACT public service. Disability support officers can take unpaid leave to work full time with a non-government organisation for a set period of time. We have encouraged staff to attend workshops about how to set up private practices or businesses and also offered personal mentoring. Lighthouse Business Innovation Centre is leading this work.

We have a capable and valued workforce within the ACT, and for many people this reform represents a significant opportunity to further develop their skills, undertake additional study, consider business opportunities and look to this time as an opportunity for the market to grow and, in turn, for their opportunities within the sector to grow.

The government is supporting disability support officers to access training, and this commitment has been negotiated as part of the memorandum of understanding with the unions. Staff can access career advisers and develop their interviewing and application writing skills. The government has hosted numerous information sessions and continues to work with staff through this time. Permanent staff may be redeployed in the ACT public service or they can self-nominate for a voluntary redundancy.

We are fortunate to have a motivated and skilled staff who recognise the need for the move to the NDIS. We are working as one to provide support to the community.

Visitor

MADAM SPEAKER: Before I call the next question, I would like to acknowledge the presence in the gallery of the ACT's first Deputy Chief Minister, Mr Paul Whalan. Welcome to the Assembly.

Questions without notice
Gaming—policy

MR SMYTH: My question is to the Minister for Racing and Gaming. Minister, I refer to the recommendation by the ACT Gambling and Racing Commission in February 2010. The commission said:

> The Memorandum and Articles of Association give the Secretary of the ACT Branch of the ALP the power to veto proposed changes to the Memorandum and Articles of Association and the power to remove any of the six Directors of the Club that are nominated by the ACT Branch of the ALP … In order to lessen the possibility that conflicts with the *Gaming Machine Act 2004* will arise in the future, the Commission recommends that the relevant authorities give urgent consideration to amending the Memorandum and Articles of Association of the Canberra Labor Club to remove powers the exercise of which would or could give rise to a conflict with the Act.

Minister, what action have you taken to ensure that the Labor Party and the clubs have amended their memorandum and articles of association to avoid a conflict with the act?

Mr Corbell: A point of order.

MADAM SPEAKER: Point of order.

Mr Corbell: Madam Speaker, the minister is not responsible for decisions made by the Canberra Labor Club Group. She is responsible for the regulation of gaming—

Mr Smyth interjecting—

MADAM SPEAKER: Order!

Mr Corbell: but the question Mr Smyth asked was specifically about the internal governance of the Canberra Labor Club Group. The minister is not responsible for the internal governance of the Canberra Labor Club Group and the question is out of order.

MADAM SPEAKER: The minister is clearly not responsible for the internal governance of the Canberra Labor Club, but she is responsible for the governance of the Gaming Machine Act. I understand, on the basis of Mr Smyth's question, that there was a recommendation. I think it is reasonable that he can ask whether she, as the minister responsible, has done anything to see that the recommendation has been implemented. I call the Minister for Racing and Gaming.

MS BURCH: It is my understanding that the commission has not raised any concerns with me on this matter.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, why have you and the government failed to take appropriate actions, given the importance of enforcing the Gaming Machine Act 2004?

MS BURCH: We have not failed.

MADAM SPEAKER: A supplementary, Mr Coe.

MR COE: Minister, how will you deal with the growing perception of a conflict of interest with the Labor clubs?

MS BURCH: I have no conflict of interest.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, what steps are you taking to distance yourself and the government from the Labor clubs?

MS BURCH: I have no conflict of interest.

Planning—draft variation 304

MR COE: My question is to the Minister for Planning. Minister, draft variation 304 was released for consultation in March 2013. What is the status of this variation?

MR GENTLEMAN: I thank Mr Coe for his question. As members are aware, variations go through a process. Draft variation 304 talked about floor limits on shops, including supermarkets in local centres and mixed use zones. It was released for public comment for six weeks from 23 March to 6 May. A report of the consultation, together with the recommendation of the final version of the draft, was referred to the minister on 24 September 2013. On 2 April, the minister returned 304 to the directorate. On 8 September 2014, I signed the directorate's letter which required EPD to omit changes to GFA limits and, on 19 October, clarified that shops in local areas should be limited to a maximum of—

Mr Coe: When you said "I", did you mean yourself?

MR GENTLEMAN: Yes; that is correct, Mr Coe. At this stage, the variation was signed by me on 12 November 2014. EPD is now preparing the approval variation.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, will further changes be made to draft variation 304 before it is formally approved?

MR GENTLEMAN: I will talk to the directorate and my colleagues on those changes and come back to the member.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, what will be the benefits of these changes?

MR GENTLEMAN: They allow the supermarkets to operate in a more convivial manner—I think that is the best way of explaining it—to ensure that there is a reasonable level of competition between supermarkets across the territory.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, does the approved variation include a cap of 1,000 square metres gross floor area?

MR GENTLEMAN: I thank Mr Smyth for his question. That is the current level, Mr Smyth.

Tourism—events

MS FITZHARRIS: My question is to the Chief Minister and Minister for Tourism and Events. Chief Minister, can you update the Assembly on Canberra's recent program of major events?

MR BARR: I thank Ms Fitzharris for the question. It has been a fantastic major events calendar for the city in the past six months. We have taken our place on the global sporting and festival stage. Going back to spring of 2014, Australia's premier springtime festival, Floriade, was an outstanding success. It recorded its largest ever attendance figure and a record of $37 million in direct visitor expenditure. The final attendance figure was just short of 482,000, a seven per cent increase on the previous year, and included around 103,500 interstate and international visitors who came to Canberra specifically for Floriade. Over five nights, Floriade NightFest attracted 34,500 people, its second highest attendance since its inception.

Mr Coe: It seems to always rain.

MR BARR: It does, of course, on occasion suffer from rain, yes.

Our bumper season of cricket fixtures at Manuka Oval kicked off in November with Australia taking on South Africa in a one-day international match that attracted just short of 11,00 people. As I understand it, that was a crowd pretty much equal to what was attracted in Melbourne and larger than at least one of the crowds in Perth in that same series. It certainly showed our city's appetite for international cricket.

The PM's XI game against England on 14 January attracted a crowd of a little over 8,000, a strong crowd for that match. Of course, there was a sell-out crowd of nearly 12,000 for the KFC T20 Big Bash final on 28 January. That proved to be one of the most exciting matches of the season, coming down to the final ball.

Bumper crowds look set to continue for our three Cricket World Cup matches. Last night around 11,000 fans packed into Manuka, creating a magnificent atmosphere courtesy of some of the most exuberant cricket fans I have ever seen in the Bangladeshi and Afghan supporters.

Of course, the Asian Cup was a magnificent success, contributing significantly to the territory economy. Our seven matches as part of that tournament attracted a combined attendance of nearly 82,500—nearly 12,000 attendees per match. That is an outstanding result that exceeded all expectations, particularly considering our seven matches were staged across a 13-day period and did not feature an appearance by the Socceroos.

The Asian Cup provided local and visiting fans alike with the opportunity to witness world-class football at Canberra stadium in, again, a vibrant and magnificent atmosphere that culminated in arguably the match of the tournament—the quarterfinal between Iran and Iraq. That is widely considered to be one of the greatest games in Asian Cup history. Canberra stadium was openly lauded by the Asian Football Confederation officials as having the tournament's best playing surface. Canberra matches were also successful in generating strong levels of international and interstate visitation and community support.

It shows that this city can stage major international events and that the Canberra community, the region's community and people from Australia and around the world will come to our city for major events. It gives us great confidence to go into the marketplace for more in the years ahead.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, how did the ACT government contribute to the large attendance at these events?

MR BARR: We worked very hard, through Visit Canberra, our destination marketing agency, to target as many national media channels and partnerships as possible, with a particular focus on our largest markets, being Sydney and surrounding New South Wales, but with a secondary focus on the rest of the eastern seaboard and a broader national audience. We targeted particular demographics. Floriade NightFest was targeted towards a younger audience through both online and magazine placements.

Visit Canberra led a $325,000 integrated marketing campaign over the 2014-15 summer period, just in those few months, and this campaign activity targeted regional New South Wales and Sydney-based audiences. Commencing in November and running through until the end of March, the campaign also extended our partnership with both the Asian Cup and Cricket World Cup local organising committees to promote these events for Canberra. The success is there in terms of the attendance and atmosphere at these events. They have been fantastic for our city.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, why is it important for the ACT government to support major events?

MR BARR: Our centenary year provided an excellent example of the value of investing in events and the infrastructure necessary to support those events. It was a

highly successful year from a tourism perspective, and it has left us with an infrastructure legacy that allows us to continue to attract major events to the city. This is helping our engagement with South-East Asia, particularly through the Asian Cup and the Cricket World Cup. It has provided a very strong platform from which to further raise the profile of the city.

I am pleased to be able to report to Assembly members that a recent community survey identified that 87 per cent of Canberrans support the ACT government's involvement in attracting and securing major events, and 92 per cent of Canberrans believe it is important for Canberra to host major events in any given year.

Since I established the special event fund in 2011, nearly $2½ million in funding has been shared across seven completed exhibitions with our national partners—the National Gallery, the National Library and the National Portrait Gallery, amongst others. These exhibitions have attracted nearly one million attendees and have delivered approximately $222 million in economic return to the territory. So a $2½ million investment in events has delivered a $222 million return to the territory economy.

Our latest blockbuster, *James Turrell: A Retrospective*, is being staged over an extended period of six months, from December 2014 through to June this year. Many elements of that exhibition are sold out well into the future, but there are of course opportunities for people to get tickets before this particular blockbuster leaves town. Having had the opportunity to view it, I strongly encourage members to encourage their constituents to attend. It is a great event for Canberra.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Chief Minister, how have these events demonstrated the best of Canberra to a broad audience?

MR BARR: Given the very significant string of major event opportunities our city has hosted, the eyes of the sporting world and the artistic world have been on our city. As a city, we have consistently proved our readiness and our capacity to make the most of these opportunities and to showcase Canberra.

The Asian Cup tournament was the largest football tournament ever held in Australia. The preliminary figures indicate that it reached a worldwide television audience in excess of one billion people. It attracted tens of thousands of tourists to Australia and boosted our country's GDP by around $23 million. Our reputation as a major events destination of course received that further boost when the Asian Football Confederation confirmed us as having the best playing surface in the tournament.

Manuka Oval is now established as the best boutique cricket ground in the country. The state-of-the-art lighting, supported by my government and by Prime Minister Gillard, has been a game changer for this city, paving the way for increased numbers of high profile international and domestic cricket fixtures.

The recent Big Bash final achieved a peak viewing audience over the course of the game of around 1.4 million. During that final over, nearly two million Australians were glued to their television sets watching the action unfold at Canberra's Manuka Oval, under lights—under the Barr-Gillard lights. We are delighted that we have been able to deliver that for this city.

I ask that all further questions be placed on the notice paper.

Supplementary answers to questions without notice

Roads—safety
Planning—delays

MR GENTLEMAN: Earlier I took a question from Ms Lawder in regard to monitoring of new lights at Sternberg Crescent near Erindale Drive. I can advise that officers from Roads monitor all new traffic lights by attending the site at peak times, and the light systems are adjusted to ensure that the timing of the lights is accurate, allowing good traffic flow through the intersection. In regard to reporting, this is an operational action matter, and no reports are generated in those instances.

Yesterday I took a question from Mrs Jones in regard to a property in Delegate Street in Kaleen. I can advise Mrs Jones that the regulator for crown leaseholds is the Chief Planning Executive, under the Planning and Development Act 2007. The enforcement powers are exercised by Access Canberra. In 2010, the regulator issued a controlled activity order, and the leaseholder appealed the order to the ACT Civil and Administrative Tribunal. The regulator's decision was affirmed, and the block was cleaned up. In 2012 the property deteriorated, and another controlled activity order was issued. The order was appealed again to the tribunal. The litigation on the matter carried over until 2013, and the block was cleaned up. In early 2014 the block became unruly again. The regulator issued a warning letter and the block was tidied up. In late 2014 the block again became unacceptable, and the regulator has commenced the process for making a formal order.

Leave of absence

Motion (by **Mr Smyth**) agreed to:

> That leave of absence be granted to Mr Wall for this sitting to enable him to attend a funeral.

Supplementary answer to question without notice

Gaming—poker machines

MR RATTENBURY: Yesterday in question time I was asked by Mr Doszpot whether I had met with Mr Barr, the Chief Minister, on 13 January, and what the outcome of that meeting was. I deferred answering the question at the time in order to check my notes. I have now been able to confirm that I had a discussion with Minister Barr about those issues on 13 January. I think the outcomes of that meeting are a matter of public knowledge.

Papers

Mr Barr presented the following papers:

> Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with statements for:
>
> ACT Civil and Administrative Tribunal—Determination 4 of 2013, dated May 2013.
>
> Full-time Statutory Office Holders—
>
> Determination 3 of 2013, dated May 2013.
>
> Disability and Community Services Commissioner—Amended Determination 3 of 2013, dated November 2014.
>
> Head of Service, Directors-General and Executives—Determination 2 of 2013, dated May 2013.
>
> Master of the Supreme Court—Determination 5 of 2013, dated May 2013.
>
> Members of the ACT Legislative Assembly—Determination 1 of 2013, dated May 2013.

Mr Corbell presented the following paper:

> Health Act, pursuant to subsection 19F(2)—Review of the ACT Local Hospital Network Council—Australian Capital Territory Government: Health Directorate, dated 1 August 2014, prepared by Nous Group.

Ms Burch presented the following papers:

> Climate Change and Greenhouse Gas Reduction Act—Climate Change and Greenhouse Gas Reduction (Climate Change Council Membership) Appointment 2015 (No 1)—Disallowable Instrument DI2015-25 (LR, 18 February 2015), together with its explanatory statement.
>
> Petitions which do not conform with the standing orders—Mr Fluffy loose-fill asbestos issues—
>
> Mr Smyth (1089 signatures).
>
> Mr Smyth (1283 signatures).

MR SMYTH (Brindabella), by leave: I want to bring the petitions to the attention of all members of this place. There is a written petition with 1,089 signatures, plus an electronic petition. The petitions are about the treatment of the owners of the homes designated as Mr Fluffy homes. I will just read the introduction to the petition. It says:

> This petition calls for the Australian Capital Territory Legislative Assembly to:
>
> 1. Increase the flexibility of the ACT Government's current approach to managing Mr Fluffy issues, responding to the recommendations made by through the *Inquiry into the Proposed Appropriation (Loose-Fill Asbestos Insulation Eradication) Bill 2014-2015*.

> 2. Undertake a full review of the handling of the Mr Fluffy loose-fill asbestos issue through a Board of Inquiry as a matter of urgency. This should include the management of the issue by the ACT Government and elected officials since 2004, noting that information obtained at this time influenced the development of the ACT Government's 2005 asbestos management report.

It goes on to say:

> Those experiencing and suffering because of the ongoing saga of mismanagement of the Mr Fluffy loose-fill asbestos issue call for your support. Join us as we stand as a united Canberra calling for the Legislative Assembly to deliver a fair approach to resolving this issue and calling for accountability and transparency in a matter which affects thousands of innocent Canberrans.

This is an important issue, and it will be an important issue for a long time. For a large number of our fellow residents, there will not be peace until there are answers to these questions, and there will not be peace for them until they get a more flexible approach from their government. The 1,089 signatures show that they have a great deal of support throughout the community. Then there is the electronic petition as well.

It is important that we get this right. It is important that there is fairness for all, and we do have a way that we can pay for it. We need to make sure that we do not make these mistakes again in the future. That is why the call for a board of inquiry as a matter of urgency is still relevant and still very important; it should not be delayed simply because the government wants to avoid this as an issue.

I would like to acknowledge that a number of the residents who organised the petition are with us in the gallery today. I thank them for their efforts. I notice that already the bill tabled this morning in regard to the Mr Fluffy issue has drawn some interesting comments about whether it really helps all of those affected. For instance, will all those who have solar units be able to move those units or not?

This issue is not going to go away. This is an issue that the government has to respond to. I look forward to the minister's response when it is tabled here in the Assembly.

Canberra—urban renewal
Discussion of matter of public importance

MR ASSISTANT SPEAKER (Dr Bourke): Madam Speaker has received letters from Dr Bourke, Mr Doszpot, Ms Fitzharris, Mr Hanson, Ms Porter and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Ms Porter be submitted to the Assembly, namely:

> The importance of urban renewal to the cultural, economic and social identity of our city.

MS PORTER (Ginninderra) (3.40): I am very glad to be able to talk about urban renewal in this growing city, which is also an evolving city. The city began many

years ago, as we know, and now is a very different place. People are beginning to demand more choice, more options, about the kinds of homes they want to live in, the sorts of communities they want to live in and the kind of work they want to do. Urban renewal is, in part, about responding to this new demand.

Providing housing choice to a growing community is a central element of the government's economic and social strategies. A wide range of housing choice is crucial, not only to relieve pressure on housing affordability but also to cater for the diverse mix of family types and communities that exist now across the territory. The many urban renewal projects that are planned, under construction or recently completed provide exactly this—places that provide better access to services and employment and facilitate different types of families engaging more actively with the space around them.

It is our diverse community, with our individual and collective needs, that has expressed a clear desire to see Canberra change—to change from suburbia to proximity to employment and services; from single purpose zones to mixed use developments; and from the old ways of doing things to the revitalisation of existing urban areas. By embracing these changes, we will make better use of unproductive land and create a city that truly reflects the needs and demands of our residents and businesses.

Urban renewal is about providing housing choice to all Canberrans who do not want to travel long distances to work, providing choice to Canberrans that no longer want to maintain large homes and large gardens, and providing the opportunity for families, individuals and friends to live within vibrant communities.

In addition to the housing choice, urban renewal provides the dual benefits of catering to the needs of a diverse and growing population while at the same time easing the environmental and economic pressures that come from the spread of our city. These pressures include high car reliance, extended travel times and high infrastructure costs. These pressures highlight the necessity to protect Canberra's environmental assets.

Urban renewal is a key part of the solution to address these challenges. The government's target of a fifty-fifty mix of land released for urban renewal and greenfields development has put Canberra on the path to a more sustainable future and has eased pressure on housing affordability. The fifty-fifty release target is creating a more compact, efficient city by focusing urban intensification in town centres, around group centres and along the major public transport routes. By balancing where greenfield expansion occurs and arresting our urban sprawl, we are stewarding well the resources we have. Good stewardship is required now to ensure the sustainability of our city for future generations.

As Canberra moves into its second century, the city's metropolitan structure is well suited to intensification that is focused on centres and public transport routes. It is well suited to providing more cost-effective and sustainable living options by improving existing housing stock and establishing more choice in housing types in a variety of locations.

Importantly, the government is committed to improving access and choice in how we live while retaining most of Canberra's suburban areas. With new, vibrant communities created through urban renewal projects, there are many economic opportunities that deliver tangible benefits to our community. These opportunities include encouraging more affordable commercial accommodation for new enterprises and medium and small businesses as part of the mixed use developments along the rapid public transit corridors and in group centres. This will further help distribute employment opportunities to allow people more choice to live close to work, with convenient, direct transport connections.

Urban renewal plays a pivotal role in activating underutilised spaces and driving economic activity in and around shopping precincts. Urban renewal arrests population decline and makes more efficient use of existing infrastructure.

By way of example, north Canberra's population fell from 53,100 in 1971 to 38,500 in 2001 as children grew up and established their own homes in other districts. This decline led to lower school enrolments and reduced support for local shops. The urban renewal that occurred over the period 2001 to 2010 saw the population rise again, to 48,000, largely due to a significant level of urban renewal in Turner, Watson, Braddon and the city. It is this reactivation of suburbs that has created a network of shared public spaces, new housing types and many viable small businesses. It has also brought new employment opportunities within walking distance and cycling distance of where the local communities live and play.

When I arrived in Canberra in 1977, our town centres—indeed, the Civic centre and Canberra as a city—were totally different from now. But with the continuing urban renewal and infill initiatives, we are seeing more and more people moving into our town centres and preferring to live in townhouses, and apartments in high-rise buildings—for instance in the Belconnen town centre.

People who are moving into our town centres are obviously attracted to the convenience of a CBD, which, as you know, means being close to public transport corridors, taxis and shops. In the case of Belconnen, we see thriving nightlife and we see more and more people eating out at the restaurants and using the beautiful Lake Ginninderra as their backyard. And as more people move into the CBD they generate greater demand for commercial and cultural services and entertainment, which, in turn, contributes to cultural, economic and social identity. In the case of Belconnen, I look forward to the eventual completion of the second phase of the Belconnen Arts Centre, which will be an important addition to this wonderful cultural centre, providing a much-needed expansion of arts and community services in Belconnen and its environs as well as enhancing the lake foreshore.

Only today the government introduced a bill to help the University of Canberra secure its long-term future while at the same time continue to drive the renewal we are witnessing in Belconnen. It is a very exciting development, I think you would agree, Mr Assistant Speaker. The bill will see further new jobs created, and more housing choices, which in turn will create new commercial opportunities in the Belconnen area.

However, as I stated last week in this place, the progress we are seeing in Belconnen is now very uncertain due to the not well thought out proposal by the Liberal federal government to move the Department of Immigration and Border Protection from Belconnen. If this goes ahead, as you can imagine, it will be a concern not only for residents and the staff of the department but also for business owners, investors and those who shop, work, dine and recreate in Belconnen. It is my hope that common sense will prevail.

As we can see, urban renewal has improved Canberra's livability and reputation by capitalising on our local community assets, inspiration and potential to ultimately create high quality public spaces and promote people's health, happiness and wellbeing. This improvement has seen Canberra ranked number one on the list of most livable cities, both nationally, by the Property Council of Australia, in March 2014, and internationally, by the OECD, in October 2014.

There has also been a marked increase in the pride that residents have for Canberra as their city, as their home. The post-centenary survey shows that nine out of 10 respondents had positive feelings about the national capital and that they had discussed the city positively with family, friends, colleagues and people living elsewhere or overseas. Mr Assistant Speaker, I am sure that you have noticed that gone are the days when people continually referred to Canberra as being a boring place. Definitely that is behind us, I would suggest. There is a real sense that, through the many urban renewal projects, Canberrans are feeling more connected to their city and proud to call Canberra home.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (3.50): Urban renewal is critical to improving our city's competitiveness, our productivity, the livability of Canberra and our economic liability in the long term. Urban renewal is about building communities and making places. It is also about delivering new jobs for our city. It is about shaping our built environment to reflect who we are: a confident, bold and ready city and one that has earned its position amongst the great places in the world to live. Urban renewal is about capitalising on our local community's assets, inspiration and potential, to create high quality public spaces that promote people's health, happiness and wellbeing. Urban renewal means shaping our environment to facilitate social interaction and to improve our community's quality of life.

My government are dedicated to urban renewal—just as we are dedicated to maintaining the amenity of our suburbs and getting the most from our existing assets as our population grows. Making places and building our community through urban renewal is more than just new buildings and new construction dollars. The time to talk Canberra 2030 extensive consultation reached out to our entire community and helped all of us in this place to understand just what it is that the people of our city want as we grow.

The consultation found that what Canberrans want from their city has changed. Almost no-one wanted suburbs that sprawl further and further from the city centre.

Canberrans wanted to live close to employment and services. Instead of single-purpose zones, Canberrans wanted to live in communities where buildings have a mix of uses. Canberrans wanted to revitalise our existing urban areas, make better use of our unproductive land and create a city that truly reflects the needs and demands of city residents and businesses.

These changes, and the benefits that flow from them, are exactly what urban renewal will provide. It will continue to drive urban productivity through mixed use development and regional hubs. Urban renewal creates employment opportunities, both through capital works and creating more spaces for small business to take seed and grow. Urban renewal capitalises on our existing infrastructure and attracts increased investment by creating new markets for new businesses, to service new facilities and their occupants and residents.

We are seeing the benefits of urban renewal in our city already in projects like the City West/ANU Exchange, which, in addition to the direct benefits of the shops and facilities at City West, has created an important nexus between the commercial activity in the city and the research and educational activity in the ANU. This part of the city, which was once desolate, barren surface car parks, has now come alive with people, with jobs and with opportunity.

Earlier today I introduced one of the most significant bills this Assembly will debate this year, to allow the University of Canberra to begin a similar process of renewal. That bill will not just strengthen the university's long-term position. The urban renewal that the bill will trigger will create jobs, will deliver more housing options and will create commercial opportunities for our city.

Projects like these support and encourage the free and seamless movement of people, ideas and capital throughout the city. These projects play a critical role in attracting visitors from around Australia and other countries, underpinning movement, connections and collaboration between Canberra and the rest of the world.

Just as there are benefits from urban renewal, there are also challenges. There is no one-size-fits-all approach. Every site and every opportunity is unique. Every one of Canberra's suburbs and every single community in this city has its own character—a character that we must strive to preserve and strengthen. The government understands the importance of our city's unique characteristics and natural assets, traditional built forms and iconic landmarks.

Often, these characteristics can be leveraged to complement the unique identity of a place. At the same time, we respect the legacy of planning and development that we have inherited, but we must always—always—look to the future. We cannot let our city become an epitaph of outmoded mid-20th century thinking. We must have a clear idea of the city we want to become and be mindful that this, at times, will require a paradigm shift in how our city works, how it grows and how it changes to meet today's challenges—but, importantly, to take hold of the brilliant possibilities the future offers this city.

In doing so, the government will ensure that this context is at the centre of our decisions, vision, design and planning. Implementing a vision for urban renewal will require cooperation between the public sector, the private sector and the community to make sure that projects are delivered in a way that meets the needs of all.

Urban renewal is an opportunity for Canberra to test and showcase a range of new environmental, social and financially sustainable practices and technologies. It is an opportunity for us to cement our city as a city of the future. Our increasing global connectedness makes where we live even more important. Cities compete globally for people, their talent, their knowledge. This means that how Canberra develops as a "place" is so significant to our future.

We are a complex mosaic. Our suburbs, our parks and our open spaces all contribute to the rich tapestry that is Canberra—a city that is confident, bold and ready. However, the fact remains that how much people like a place does influence their daily activities and their long-term decisions. Everything from where to have coffee to where to meet with friends, where to exercise, where to work, where to play and where to live is influenced by whether we like or dislike a place.

Through urban renewal across Canberra, my government's goal is to design and develop places that continue to attract people, invigorate activity, inspire innovation and act as a magnet for visitors, students and businesses from across the nation and around the world. Canberra will be a place where people across the generations are compelled to stay because there is a vibe, there is life and there is opportunity. I thank Ms Porter for bringing this matter of public importance to the Assembly today.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (3.57): I am pleased to rise in the discussion this afternoon on this matter of public importance. I thank Ms Porter for bringing it forward: the importance of urban renewal for our city and the vital role that public transport, in particular investment in new infrastructure like light rail, will play in achieving positive urban renewal outcomes for our community.

It is perhaps worthwhile, Mr Assistant Speaker, to start by noting the importance of our cities to our country's economic future. The Council of Australian Governments' review of capital cities noted that we should "ensure Australian cities are globally competitive, productive, sustainable, livable and socially inclusive and are well placed to meet future challenges and growth".

The OECD, in reviewing compact city policy, found that, by 2050, 70 per cent of the world's population—and 86 per cent in OECD countries—will live in urban areas. Globally, 3.5 billion people live in cities, and by 2050 that figure will rise to 6.4 billion. The world's cities produce between 70 per cent and 75 per cent of global greenhouse emissions and they are responsible for driving the GDPs of most economies. Never before, therefore, has it been more important to focus on the future of our cities. As the ACT administration, it is our responsibility to think strategically about how our city, Canberra, the nation's capital, develops.

As with many cities around the world, Canberra's population growth and car dependence have led to a low-density urban sprawl. In particular, we can see the similarity with US cities, where about half of the suburban spread has stemmed from population growth but the other half is the result of increases in land consumption, the dominance of single-family housing and reliance on, and easy availability of, the private motor vehicle.

When we look at how this has played out in the United States we see that towards the end of the 20th century land was being consumed at the rate of 50 acres every hour, every day—an unprecedented rate in human history. And, as populations have become dispersed due to the availability of cars, the numbers of cars increased twice as fast as the human population. This was unsustainable. Since the turn of the century, and the collapse of the housing bubble, we have seen an increasing focus on inner city urban renewal in countries like the United States.

So, as a city not unlike other 20th century cities in other places like the US, we need to learn these lessons to ensure the competitiveness of our city upon the global stage. Urban sprawl is unsustainable. It leads to higher per capita costs of providing services and utilities to our community. It costs more to develop as large expanses of roads, water and sewerage are required, and other government services are needed to service the growing population. Research has indicated that urban infill can cost up to 130 per cent less than greenfield development.

Urban sprawl also threatens social equity, convenient accessibility, livability and environmental quality. We are a landlocked territory. As we begin to run out of easily developable land within our constrained borders, it makes sense to look at how we can maximise the use of our already developed urban areas. It is common sense that growing outwards is expensive; we do not have limitless land.

Canberra's population will hit 400,000 residents in just two years, projected to reach over 600,000 by the middle of this century. This growth must be directed by a vision which includes high quality transport connections, more active lifestyles and urban revitalisation and renewal. The traditional approaches applied over the last century will not meet the demands of this projected growth.

The most effective tool for stopping urban sprawl is a shift from investment away from new roads and, instead, investment into public transport, particularly in rail as a proven technology that can shape effective and well-functioning cities. In the last decade, as a territory we have spent over $1.2 billion on road infrastructure, with very little public debate. It is time to change our approach and start investing in a public transport network that is accessible to all and helps us to create that more compact and sustainable urban pattern of development.

The introduction of light rail to the city's transport infrastructure will fundamentally change the way that the city grows and develops. It is a city-shaping project. It helps bind together the city's urban renewal plans, including city to the lake, which will extend the city centre towards the beautiful lakefront address, creating a world-class recreational facility for all residents and visitors to enjoy. We can take the lessons from across the world on high quality urban design and apply them to our own urban renewal plans.

Light rail is part of this Labor administration's vision for a more sustainable Canberra, and capital metro stage 1, from the city to Gungahlin, will play a significant role in supporting changed settlement patterns and transit-oriented development. The city centre and Northbourne corridor are in need of revitalisation to attract increased economic activity, and this will help support the long-term viability and vibrancy of all of our town centres.

Capital metro is pivotal to the much-needed rejuvenation of the gateway to our city, Northbourne Avenue. This avenue really does have potential to be one of the country's premier addresses. It already hosts over 40 per cent of the city's larger hotels, many businesses and other institutions and has fantastic surrounding precincts, but it is still overwhelmingly characterised by relatively low densities and relatively slow rates of development. It can be much more of a human-focused urban boulevard.

There is room for at least another 45,000 residents along the light rail corridor and room for another 10,000 residents in the city centre itself. This highlights an existing opportunity for densification and urban renewal, helping to protect our green spaces and bush capital character. We intend to use light rail to unlock the potential of the city centre, and this important avenue, catalysing urban renewal and creating livable and accessible communities, is part of that agenda.

We know, Mr Assistant Speaker, that light rail has the goods to support urban renewal and corridor revitalisation. We know that light rail can provide business and investment certainty along the corridor, stimulating significant economic activity as land surrounding the light rail line increases in value and is used more efficiently and at a higher level of economic productivity. It is exactly why the federal government today has agreed that capital metro light rail is productive infrastructure that brings forward investment beyond the business-as-usual environment.

Urban renewal and transformation along the transport corridor can create new opportunities for Canberra as a whole, such as employment opportunities and investment. It will provide a range of wider economic benefits. Improvements in the network will expand economic productivity and growth, and this means jobs and increasing the diversity and sustainability of the local economy.

We know that, during construction, capital metro stage 1 will support over 3,500 jobs at a time when our city needs those jobs most. The Capital Metro Agency has developed a local industry participation policy to make sure that locals and local businesses can benefit from stage 1. Local firms have already benefited through the planning and early investigation phases of the projects. The corridor development and increased economic activity stimulated by the light rail infrastructure, along with flow-on jobs from industry and consumption effects, are anticipated to create an additional 50,000 jobs long term in our city.

There are many other benefits from this project, aside from economic. Significant health and social benefits accrue: less time in cars, less pollution and more social interaction. This type of infrastructure brings people together, connects them with their destinations and supports a more active lifestyle, reduces emissions and encourages Canberrans to get out and engage more day to day in the urban form of their city.

Urban renewal will remain a key priority for the government. Light rail is a catalyst to help make it happen. It is vital that we achieve more sustainable growth for our city to ensure that it remains one of the most livable in the world. I thank Ms Porter for bringing this matter forward today.

MR SMYTH (Brindabella) (4.07): Simon Anholt, the world expert on places, identity, image and reputation, says that to develop and keep your image, you must have three elements: strategy, substance and symbolic action. He has a number of equations in his book where he says that if you have a deficit of one, it will lead to a certain outcome. Some of those outcomes are anonymity, incoherence, spin or propaganda.

There is one that probably applies most to the ACT over the last 14 years under this Labor government. Remember, members, that today we are discussing the importance of urban renewal in the context of what has occurred over the last decade or so. This has just been a government of announcements. Call it symbolic action. But what they have genuinely lacked is substance and strategy. According to Mr Anholt, that equation gives you failure. I think the motion today says that this government has failed to deliver urban renewal over the last decade.

It is interesting that Mr Corbell said, "Look, we have spent $1.2 billion on roads in the last decade. We need to change." Mr Corbell, your government was in charge of that $1.2 billion of roads expenditure. So if you are now admitting that you got it wrong, it shows failure at a catastrophic level. But the problem before you is that there is not a clear vision for this city from this government.

We have got lots of glib lines and cliches: "transformational" did not last long; "renewal" has come in and we will see how long it lasts; the Chief Minister talks of "brilliant possibilities". But what they do not talk about is how they deliver it. You only need to go to the plans that the government has put in place. Let us go to Mr Corbell's "City Hill … a concept for the future". There are some 16 major initiatives inside London Circuit, none of them delivered. Nine years later, none of them delivered. That is the record of this government.

We know they have plans. We have got the city plan; we have got the city to the lake plan; we have got the light rail plan. In respect of the city plan, we heard the former Chief Minister, before she jumped ship, say, "That's off the agenda because we can't afford it and city to the lake is off the agenda because we cannot afford it." They will go ahead with the land sales because this is a government that is addicted to land.

This is because they have not done their job to diversify the ACT economy. I look forward to the minister's statement about diversifying the economy that will come on later this afternoon. The reality is that the job has not been done because this government refuses to listen to the business community and it does not have a grand vision for where business might take this city.

You only need to look at the issue of the convention centre. What is one thing that will drive urban renewal almost immediately in the city centre? It is a new convention centre. We know that a new convention centre is the preferred project by 54 of the

leading business organisations in this city. We know that it will bring new hotels to the inner city. We know that that will help with the retail sector, which is suffering, and it will bring some life and activity. It will actually give us a city centre.

Ms Porter talked about renewal in her 10-minute speech. It is interesting that there is no city centre because this government has consistently avoided it for the last 14 years. How will we have a cultural and social identity for our city? The best way to get that is to work on the CBD. So frustrated was the business community with this government they set up their own body—Canberra CBD Ltd—to do the work that the government failed to do.

This motion is a sad indictment of the last 13 years. It is a sad indictment of Mr Corbell's two terms as planning minister, the only minister to lose the portfolio twice. It is a sad indictment of Mr Barr's years as planning minister and Treasurer, and it is a condemnation of the Stanhope and Gallagher failed years because they failed to arrest urban sprawl.

There is Mr Corbell preaching like the prophet. But it is interesting that Charles Landry, the author of *The art of city making*, is an individual recognised around the world for how to make cities work. He talks about urban sprawl. He says on page 25 of his book, "Cityness sprawls into every crevice of what was once nature."

What does he have as a picture to illustrate that? It is the CBD of Canberra. This was written when Mr Corbell was the planning minister. Mr Corbell is the architect of our woes because he did not do this job properly. There is no point saying that capital metro will fix this, because it will not.

Imagine somebody saying, "Yes, I am going to get a plane to the Canberra international airport so I can get on the tram to Gungahlin," as opposed to a group of individuals who say, "We are taking the plane to Canberra international airport so that we can attend a conference in the Australia forum." I know which one is more likely. I know which one brings greater economic benefit to the city, creates more jobs in the long term and adds to the identity and the prestige of our city.

It is interesting that the motion talks about the cultural, economic and social identity of our city. You only need to look at the cultural identity of our city to see that we have got an arts minister who released an arts framework two years ago and nothing has happened with it. Not a thing. Now we are reviewing it. They could not tell us last year who was doing the review or how the review was happening. Everybody was in the dark until we prodded the minister into some action. But when quizzed about the outcomes of the arts framework, she could not detail a single outcome.

We talk about economic identity. The economic identity of this city is that it is hard to do business with this government. They are not interested in densification because they simply wish to tax it. It is this dichotomy that we have here: this is a government that run a land-based economy and they balance their budget with sales of land—"Oh, we are short of cash; let's sell another block of land"—without taking into regard what are the higher order uses of the land. It is a case of "Let's just flog another block and get the bucks." The problem is that they say they are interested in density but then they put a tax on density.

They have actually put a tax in place, ably supported by Mr Rattenbury, that mitigates density. We all know about the lease variation charge. The latest quarterly report says that the lease variation charge was meant to bring in $7.29 million in the first half of the year. How much did it raise? It raised $2.79 million. It was $4.5 million short. Indeed, that is against a target of $14.58 million. But the original target when the tax came in was $26.3 million for this financial year.

This is Andrew Barr's mining tax. It had all the promise of raising a fortune and has delivered nothing, yet has hindered the renewal of Civic. It has worked against the very policy position that Mr Corbell took—we needed densification because they need the bucks from the land sales. Indeed, we heard the Chief Minister yesterday say, "We will just release more land." That is an answer; just release more land. Do you want density or not?

Let us face it: what city of this size in the world has 10 development fronts? The government is currently pushing land sales in Gungahlin, Molonglo and Kingston foreshore. We have got the city plan on or off the agenda—who knows? We have got city to the lake on and off the agenda—who knows? We have got the Northbourne corridor. We hear that 50,000 people are going to live there. The government is pushing Riverview. The government is pushing the Yarralumla brickworks. We know that East Lake, which was launched with great fanfare in 2002, still has not occurred. We have got the proposal of west Tuggeranong on the books. And of course we have got infill. So which is it?

This is a government that does not know what it wants. This is a government that, through that, has failed people of the ACT. Of course, that brings us to the social identity of Civic. Mr Corbell said in his document back in 2005 that we needed a city gateway. Now, in 2015, the answer to the city gateway is capital metro. In 2025, no doubt, Mr Corbell, it will be a different answer, because Mr Corbell does not deliver. In respect of his reputation for delivering capital works in this place, he has been flogged mercilessly in Auditor-General's reports on all the projects that he touches. God alone knows what damage he will do to something like capital metro.

We know that around the world these metro projects very rarely come in on time or on budget. We saw Wellington just abandon theirs. We have seen Edinburgh just deliver half of their light rail for double the cost. So what will it be in the ACT, given Mr Corbell's record? The GDE was started at $55 million. It came in close to $200 million. Who knows what he can do with something on the scale of capital metro, at $800 million-odd?

In terms of the social, what we still lack is a city heart. The things that the government claims success on are things that the private sector or non-ACT government bodies have done, despite the government. New Acton is a great success but the government did not help. They stood in the way and it took far longer than it should have done.

We were all talking about how hip and groovy Braddon is becoming. That is happening despite the government, which, in many cases, has just stood in the way. Mr Barr lauded the progress at ANU on city west. I think that is largely the work of the ANU, because it is certainly not a vision that the government had. *(Time expired.)*

Discussion concluded.

Electoral Amendment Bill 2014 (No 2)

Debate resumed.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.18), in reply: I thank members for their comments on this bill. The bill implements the government's response to the recommendations made by the Select Committee on Amendments to the Electoral Act 1992 in its report *Voting matters*, June 2014, and the Electoral Commission in its report to the ACT Legislative Assembly *Proposed changes to the Electoral Act 1992*, September 2014.

The bill, as members have observed, amends the act in relation to campaign finance, including expenditure caps, donations and public funding. It makes several changes to improve reporting requirements. The bill also maintains the currency of the act by addressing developments in privacy law and technology and makes a number of technical amendments to the act to remove ambiguity and achieve consistency.

Two key developments have occurred since the campaign financing provisions of this act were last amended. First, there was the 2013 decision of the High Court in Unions NSW v New South Wales, which found certain New South Wales campaign financing laws were invalid. This case has significant implications for the constitutional validity of electoral finance regulations, particularly within the state and territory context, as it makes it clear that the freedom of political communication provisions contained within the commonwealth constitution also apply at a state and territory level.

The case demonstrates that state or territory regulations limiting donations or expenditure can be struck down in circumstances where they effectively burden the implied freedom of political communication found to exist in the constitution and are not reasonably appropriate and adapted to serve a legitimate end in a manner compatible with the maintenance of representative and responsible government.

The second key development, which also has significant ramifications for electoral reform, is the New South Wales Independent Commission Against Corruption inquiry into alleged corruption involving political donations and members of the New South Wales parliament.

These ICAC hearings have, as we know, revealed that New South Wales laws that prohibit or limit political donations have been systematically circumvented through a series of secret and illegal donation schemes. These revelations call into question the ability of such laws to provide a meaningful constraint on donations. The efficacy of these laws is also under further question, with a High Court challenge to New South Wales political donation caps currently underway. These key developments show that those undertaking electoral reform must be careful not to create undue restrictions on participation in political communication. To do otherwise clearly risks creating ineffective or invalid legislation.

The package of amendments to campaign financing contained within this bill ensures a transparent and accountable electoral system. Restricting the amount that may be spent on election campaigns, together with an increase in public funding and robust reporting requirements, is a balanced approach in maintaining the rights of candidates, campaigners and ordinary citizens.

This deliberate policy decision by the government is a result of increasing evidence from New South Wales that prohibitions and limitations on donations have not worked, instead leading to nefarious schemes to circumvent the law, as well as challenges to their constitutionality in the High Court. As I have mentioned previously, there is currently a High Court challenge afoot proposing to strike down as invalid provisions that cap donations or prohibit donations in New South Wales.

It is against this policy background that the government's package of amendments has been developed. The government is confident that the bill strikes the right balance of maintaining a strong system while facilitating the participation of voters and other people and entities in the political process. The government considers that the best way to avoid the risk of corruption is to have a robust and transparent system of disclosure, supported by partial public funding and caps on how much can be spent in election campaigns.

It is interesting to note the public opposition by the Greens to the removal of donation caps, particularly in light of their receipt of large political donations in recent years, both nationally and locally. Their acceptance of $1.6 million from the founder of wotif.com in the lead-up to the 2010 federal election campaign is well known. It remains the largest single private donation ever made to a political party in Australia. If Mr Rattenbury's concerns about large donations are to be taken at face value, perhaps he could explain what influence was wielded by such a massive donation to the Greens party in 2010.

On a local level, the Greens were happy to receive $50,000 from the ACT division of the Construction, Forestry, Mining and Energy Union before the last federal election, and they received $12,000 from the same union before the most recent ACT election. These are significant donations willingly accepted by the ACT Greens party.

I would like to now turn to the key amendments contained in the bill. As recommended by the select committee, the bill repeals section 205I(4) of the act, which prohibits gifts being accepted in respect of territory elections from people other than individuals enrolled to vote in the ACT. This section is likely to be constitutionally invalid, as it is very similar, if not the same in effect, to the provisions that were determined to be invalid by the High Court in Unions NSW v New South Wales.

The bill also amends provisions of the act that deal with the aggregation of electoral expenditure for the purposes of determining aggregation caps. In 2013 similar provisions were held to be constitutionally invalid by the High Court. Consequently, in order to avoid uncertainty about the validity of these provisions, the bill amends the aggregation aspects of sections 205F and 205G. It also repeals section 205H, which aggregates the expenditure of a third-party campaigner acting in concert with others.

Removing the aggregation provisions will remove any uncertainty about their constitutional validity with no reduction in transparency. Associated entities, party groupings, non-party MLA groupings and third parties will still be subject to electoral expenditure caps and will still be required to give the Electoral Commissioner a return stating all the details of their expenditure.

The bill also removes restrictions on the amount that can be donated to a party or a candidate by repealing sections 205I and 205J of the act. As I said earlier, the experience of New South Wales shows that these provisions are highly vulnerable to a challenge on the grounds of constitutional validity, with the present High Court action targeting prohibitions on donations and donation caps currently underway. Regardless of the outcome of this High Court challenge, it should be emphasised that the removal of donation caps does not reduce the robust framework that exists for reporting political donations in the ACT. Moreover, the government's reforms in relation to electoral expenditure and public funding provide an effective counterbalance to the removal of these caps by limiting the usefulness of excessive donations.

The bill amends the expenditure cap for election spending by candidates to $40,000 for an individual candidate and $1 million for party expenditure. These changes will reduce the current limits for both candidates and parties in accordance with the recommendations of the select committee.

With the number of territory MLAs increasing to 25, imposing an expenditure cap on a party of $1 million will assist in preventing disadvantage to smaller parties and independents. If the current expenditure cap of $60,000 were retained, the expenditure cap for a party contesting all seats in an election would exceed $1.5 million. The $40,000 expenditure cap for individuals will also apply to third-party campaigners and associated entities. Penalties will continue to apply for electoral expenditure that exceeds this cap.

The Electoral Act currently mandates the establishment of an ACT election account out of which all electoral expenditure must be paid. Section 205I, which is being repealed in line with the High Court decision, limited the amount of gifts from a person that could be deposited into this account. With the abolition of donation caps and the availability of more sophisticated accounting systems, the use of this mechanism is no longer required. Therefore, the bill abolishes this requirement.

The current act also limits to $10,000 payments that may be made to a party by a related political party for the purposes of expenditure in relation to an ACT election. While it is the government's intention to retain this limit, feedback I have received is that the amendments in the bill as currently constructed could result in some ambiguity. Therefore, as I have foreshadowed to members already, I will be moving a government amendment to section 205K to clarify that a party can only use $10,000 of funds received from a related party for the purposes of incurring ACT electoral expenditure. This amendment will preserve the policy intent of this section and ensures that the act does not inadvertently seek to constrain other expenditure such as in federal elections. I will be tabling a supplementary explanatory statement addressing this proposed amendment.

The scrutiny of bills committee has noted that the cap on electoral expenditure is a burden on political communication because it places a ceiling on the amount of political donations which may be made and on the amount which may be expended on electoral communications. The government does not agree with this conclusion of the committee. In fact, we are removing the cap on donations, not maintaining it. In relation to expenditure caps, there is clear policy justification for such a measure. There is a clear connection between any limitation on freedom of expression, or burden on political communication, and the purpose of this particular limitation.

By limiting the expenditure of individuals, parties and third parties, we are maintaining a level playing field where no one candidate can gain an advantage, or monopolise the election debate, by excessive expenditure on advertising. Limiting electoral expenditure also reduces the risk that candidates and parties will be beholden to their financial supporters. This issue has been explored in more detail in the revised explanatory statement that I am tabling today.

The bill also increases the amount by which elections are publicly funded from $2 to $8 per eligible vote, which was also recommended by the select committee. The government agrees with the committee findings that full public funding of elections would not be appropriate. However, increasing existing public funding will help to level the playing field between the various parties and individual candidates, thereby allowing more meaningful exposure of candidates' election platforms and better informing voters,

I note that there have been some observations that this level of public funding is much higher than that received in federal elections. That observation is only correct if you look at the public funding for votes received by House of Representatives candidates. If you combine House of Representatives candidates and votes received by Senate candidates, per party the amount is largely similar, and that should be taken into account.

I turn now to the enhancements that the bill makes to the reporting framework. The bill amends the period for lodgement of returns of gifts to require quarterly reporting, except in the two quarters leading up to an election, when more frequent reporting is required. Establishing quarterly reporting with a lodgement period of 30 days from the end of the quarter, together with more frequent reporting in the lead-up to an election, ensures transparency and accountability without imposing an unnecessary administrative burden.

As recommended by the Electoral Commission, the bill enhances the reporting framework by amending the act to ensure that gifts given to MLAs in their capacity as a minister are treated as gifts for the purposes of the campaign finance provisions, therefore ensuring that they are disclosed.

The Electoral Commission has also recommended that consideration be given to whether some categories of gifts in kind, such as free room hire, should be exempt from disclosure under the act on the basis of practical difficulties encountered with meeting the current reporting requirements for free room hire. Accordingly, the bill makes changes to ensure that the free use of facilities for routine meetings is included in the definition of "gift" for the purposes of quarterly disclosure.

Madam Assistant Speaker, the government's package of amendments represents a considered and pragmatic response to the current policy environment. It strikes a balance between improving the transparency and accountability of the system while facilitating appropriate participation in political communication. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.33): Madam Assistant Speaker, I seek leave to later move amendments to this bill that have not been considered by the scrutiny of bills committee.

Leave granted.

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4.

MR RATTENBURY (Molonglo) (4.35): I move amendment No 1 circulated in my name *[see schedule 1 at page 664]*.

This amendment reinstates the offence clause for the limit on gifts, which I talked about extensively in my in-principle speech. This is a consequential amendment in this space, but, due to the construction of the act and the way the amendments are being moved, it comes up first. So I will make my remarks about this issue generally now.

The Greens will not be supporting removing the limits on donations to political parties. As I commented earlier, we believe this is a backward step that all the experts in the field I have seen indicate we should not be doing. It is at odds with the general direction of the debate around Australia, even in the context of public funding increasing—or, should I say, especially in the context of public funding increasing.

The ACT currently has a donations cap of $10,000 and a restriction that these donations can only be made by people enrolled on the electoral roll in the ACT. The committee has recommended, and the government has supported, that section 205I(4) of the Electoral Act be repealed as it is considered to be vulnerable to High Court challenge.

The consequence is that this will allow corporations and individuals inside and outside the ACT to make donations rather than just those who are enrolled on the ACT electoral roll, as is currently the case in the legislation. Under the circumstance of section 205I(4) being repealed, I believe it is appropriate to lower the donation on

the caps further. A donation of $10,000 can carry significant influence, and the policy intent of the campaign finance reform undertaken in the last Assembly was ostensibly to reduce undue influence or the risk of corruption, perceived or real, on those elected to the ACT Legislative Assembly.

It is worth reflecting on the comments that have been made by some of the experts. I refer to an article published in the *Canberra Times* on 4 February this year under the headline "Concerns over ACT government plan to scrap party donation cap". The article says:

> Constitutional lawyer Professor George Williams said he didn't understand the surprise move to abolish the $10,000 cap, which would mean there was no limit on how much people or groups could donate each year.

It then quotes Professor Williams as saying:

> "It's accepted that donation caps are important to ensure that no one individual has an undue influence upon the political process"… "Frankly, I was very surprised to hear of it given in NSW the movement, if anything, is to reduce these caps."

The article then says:

> Labor argues there is no need for a donations cap if there is a cap on spending.

It then goes on to say:

> However, Professor Williams said a spending cap was not enough.

It quotes him as saying:

> "It retains the possibility that an individual or a corporation might give an enormous sum of money in the hope of favours or benefits" …

Mr Hanson: You would know about that.

MR RATTENBURY: I will come to that, because it was only a matter of time before Mr Corbell, Mr Hanson or somebody mentioned the donations that the Greens have received, and I make no bones about the fact that we have received those donations. We will operate within the existing rules. We are campaigning to win seats. But the difference between us and the Labor and Liberal parties is that we are prepared to come in here and try and change the rules. We are not so naive that we are going to tie one hand behind our back to compete against the might of the Labor and Liberal parties. But for all the snide sniggers that have been made around this place, we are the only ones who are prepared to come in here and say, "Let's change the rules. Let's all operate under the same set of rules." But no; these guys would rather operate under the existing rules because they like it that way. That is the difference. We are prepared to come in here and argue for a different system.

Mr Corbell: Now you've got the cash in the bank it is all right.

MR RATTENBURY: No, we spent the cash, Mr Corbell, I can assure you.

Mr Corbell: You spent it?

MADAM ASSISTANT SPEAKER (Ms Lawder): Order, members!

MR RATTENBURY: We spent it on the federal election. That is well known; it is in the disclosures. That does not mean we should not be arguing for a better system. I also mention in this context that this morning my office delivered to both Mr Barr and Mr Hanson an open letter that had been signed by 690 people expressing their concerns about these changes.

Mr Hanson: The Greens membership list, is it?

MR RATTENBURY: Some of them are Greens members; some of them are members of the public—as you will. There are now over 700 signatures on it; people have continued to engage in it today because they have seen this debate in the public domain and they are concerned about it. It is fair to say that this is an issue of concern in the community. We see experts like Professor Williams making these comments. But the Labor and Liberal parties are prepared to come into this place and ignore all of those comments, in what I think is a surprising and retrograde step. Therefore, I commend my amendment to the Assembly.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.40): The government does not support this amendment. Clause 4 of the bill already omits these references and a further reference to section 205J. So it is unclear to the government what the point of this amendment is. The amendment is misconceived if the intention is to retain the ACT election account, as it does not keep the references to the election account provisions.

Amendment negatived.

Clause 4 agreed to.

Proposed new clauses 4A and 4B.

MR RATTENBURY (Molonglo) (4.41), by leave: I move amendments Nos 2 and 3 circulated in my name together, which insert new clauses 4A and 4B *[see schedule 1 at page 664]*.

These amendments relate to the penalties for failing to vote. This was an issue that was considered by the committee that did the investigation prior to this legislation. The committee actually recommended that it was time to increase the penalties for not voting. They have not been changed for some time. Certainly the penalty for failing to vote, at $20, was considered by the committee to not reflect the seriousness with which we expect members of the public to engage in the voting process.

As a community we have a compulsory voting scheme and penalties should reflect the fact that we expect members of our community as part of their citizenship to participate. It has not been changed for a long time and I think the committee saw that very clearly. I am surprised that it was not carried through. It is unclear to me what the government's argument is as to why this would not be supported, given that the committee gave this some thought.

These penalties get updated all the time. We see this through the change in penalty units. I know, for example, that Mr Corbell has increased the level of penalty units consistently over recent years, as is appropriate. With the passage of time these matters should be updated, and that is what the committee sought to do here. I have moved these amendments to reflect the committee's findings.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.43): The government does not support these amendments. Amendment 2 would double the penalty for failing to vote where the matter is determined in court. Amendment 3 would similarly double the penalty for failing to vote where the matter is dealt with by default. It is the government's view that the current default penalty for failing to vote is appropriate as it is in line with the penalty applied by the commonwealth for federal elections. This matter was canvassed in the government response to the *Voting matters* report. So the government has made its position clear previously.

There is no evidence to suggest that doubling of these penalties will change community behaviour. All it will do is make the ACT inconsistent with the commonwealth penalty regime. Quite frankly, if we have to rely on fines to compel people to vote, we have a problem. I would much rather encourage people to vote through education and by building an understanding of the importance of citizens' participation in the democratic process than by increasing the amount they have to pay if they fail to attend.

MR HANSON (Molonglo—Leader of the Opposition) (4.44): We will not be supporting these amendments. We are comfortable with the rates as they are at the moment. Maybe Mr Rattenbury believes there is some advantage for him if more members of the community are compelled to vote Green or something, but the case for increasing the penalty rates, beyond what I am speculating about, simply has not been made.

MR RATTENBURY (Molonglo) (4.45): I am particularly surprised by Mr Hanson's comments, because this came through in the committee report. This is not some initiative of the Greens particularly. The committee considered this carefully. I remind members of this place that the committee was made up of a member of the Labor Party, a member of the Liberal Party and me, representing the Greens. It is an interesting question. I would like to have been a fly on the wall in the Liberal party room when these matters were discussed, because clearly there are issues when the Liberal member of the committee was not able to carry the argument with his own party colleagues.

On a number of occasions the Liberal Party member of the committee supported some of these initiatives in the committee process, and now we are seeing that not carried through. Rather than taking cheap shots at me, Mr Hanson might reflect on the discussions that have gone on in his own party room.

Proposed new clauses 4A and 4B negatived.

Clause 5 agreed to.

Clause 6.

MR RATTENBURY (Molonglo) (4.46): The Greens will be opposing this clause. We cannot see any overwhelming evidence to suggest it is a good idea to allow incorporated associations to be set up to potentially circumvent expenditure caps on parties. That is what this clause will allow. This clause changes the definition of party groupings and removes associated entities from party expenditure caps and gives them the same cap as third-party campaigners and ungrouped candidates. So they are no longer included in the expenditure cap for a political party. Other clauses in this bill put the category of associated entities under the same expenditure cap as the third-party campaigners and ungrouped MLAs, and the Greens will be opposing these consequential amendments also.

An "associated entity" is defined under section 198 of the Electoral Act as an entity that:

> (a) is controlled by one or more parties or MLAs;
>
> (b) operates completely or to a significant extent for the benefit of one party or MLA.

If there were organisations that met the above criteria that engaged in election campaigns and expended significant amounts of money on election campaigns, why would you not want them included in the party grouping cap? The definition is very clear. It is very clear that these are entities controlled by parties or MLAs.

In removing this, we are actually making a farce of the expenditure cap. You can go out and set up as many associated entities as you want and just keep adding to expenditure capability. I simply do not understand why this would be allowed under this legislation. The two experts who presented to the Electoral Act committee agreed with this, and my understanding is that the Electoral Commissioner agrees. Speaking about the intention of "associated entities", he said it is "to prevent parties and non-party MLAs from setting up legally separate but nevertheless closely related entities with the purpose of assisting the primary political entity". He gave the examples of the ACT Labor Club and the 1973 Foundation as being the only two entities currently active in the ACT and also mentioned the previously active 250 Foundation. He said:

> In the Commission's view, if associated entities are not included within a party or non-party MLA grouping, it is arguable that this could be a vehicle for circumventing the cap on expenditure to an unacceptable extent.

The attorney may well argue here today that the aggregation of expenditure caps was under threat by the High Court decision in New South Wales v Unions NSW and that for this reason they should be removed. However, the evidence presented to the committee indicates that this is not the case and that he may well be the only person who thinks so.

The definition of an "associated entity" is far narrower than the New South Wales definition of an "affiliated organisation", which was found not to be legal by the High Court. We are talking about organisations that are controlled by or established for the sole or significant purpose of benefiting a party. An affiliated organisation under the New South Wales legislation required only that the body be authorised to appoint delegates to the relevant party or participate in the preselection of candidates for the party. An affiliated organisation could have a purpose entirely unrelated to the party in question.

Constitutional law experts who gave evidence to the select committee thought that the ACT's provisions in regard to the definition of an "associated entity" had a good chance of surviving any High Court challenge. Professor Anne Twomey indicated clearly that she thought part (a) of the definition would definitely survive and that part (b) was "probably okay".

Professor George Williams indicated:

> … there are sound reasons to say why these provisions are distinguishable from those struck down in the New South Wales legislation. They do operate much more narrowly and, critically, they do forge a strong link between the aggregated entities and the MLA or the political grouping. And that does mean you knock out the biggest concern to the court …

He went on to say:

> There is certainly doubt about it, but I think there is certainly a real prospect that your aggregation provisions could survive.

The committee reached this view:

> … there are valid reasons to include associated entities in caps on electoral expenditure by parties and non-party MLAs, in order to prevent the limits being avoided through the setting up of an entity with the sole purpose of assisting in the election of an MLA or candidates from a political party.

The committee expressly noted that even if paragraph (b) of the definition of an "associated entity" was problematic, paragraph (a) should be included—something that JACS acknowledged could be done. But this bill removes associated entities not from the act itself but from under the expenditure cap. If the government really thought there was a problem with the definition of part (b), they could have potentially wound that back. Rather, I believe it suited them to remove the provision altogether. It seems rather opportunistic to have done so.

The Greens oppose this clause and all the clauses associated with this change because it undermines the very expenditure cap that has been talked about by other members in this place as being the key protection in this system. It means that anybody can go out and set up a string of associated entities that can spend money to benefit another party. MLAs in this place or candidates or their party officials will be pulling the strings on those associated entities. It makes a mockery of the expenditure cap that is being used to justify other positions taken in this place.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.52): This clause reflects the High Court decision in Unions NSW v State of New South Wales, which, despite everything Mr Rattenbury says, is still acknowledged as casting doubt on the validity of provisions contained in sections 205F, G and H of the act related to aggregated electorate expenditure. I note that even the quotes that Mr Rattenbury refers to in support of his argument acknowledge that there is doubt. There is doubt about the validity of these provisions because of the High Court decision in Unions NSW.

Mr Rattenbury may disagree with the government about which side of the line you go, but, from the government's perspective, I am not going to turn a blind eye to possible constitutional invalidity in relation to these provisions. We are amending the provisions, and that reflects our judgement as to the implications of the Unions NSW ruling.

MR HANSON (Molonglo—Leader of the Opposition) (4.53): We agree with the government's position on this. Again, this is a matter of judgement, but the advice and the arguments as we see them are that we do not want to end up back here with elements of our law that are not constitutionally valid. I think the arguments made by the government are valid.

Question put:

> That clause 6 be agreed to.

The Assembly voted—

Ayes 14		Noes 1
Mr Barr	Ms Fitzharris	Mr Rattenbury
Ms Berry	Mr Gentleman	
Ms Burch	Mr Hanson	
Mr Coe	Mrs Jones	
Mr Corbell	Ms Lawder	
Mr Doszpot	Ms Porter	
Mrs Dunne	Mr Smyth	

Question so resolved in the affirmative.

Clause 6 agreed to.

Clause 7 agreed to.

Clause 8.

MR RATTENBURY (Molonglo) (4.57): I will be opposing this clause, as discussed earlier.

Clause 8 agreed to.

Clauses 9 to 13, by leave, taken together and agreed to.

Clause 14.

MR RATTENBURY (Molonglo) (4.58): I move amendment No 6 circulated in my name *[see schedule 1 at page 665]*.

This amendment relates to the changes in the expenditure cap. The committee report indicates my support for the $40,000 expenditure cap for MLAs at the election. However, I did so in the context of reducing the maximum party cap to $500,000. I have to admit that it has become clear that the other parties will not support a reduction in the cumulative party cap, and I have had to revisit this question with an eye to not disproportionately disadvantaging ungrouped independent candidates.

My amendment restores the expenditure caps for ungrouped candidates and third-party campaigners to $60,000. I made some remarks during the in-principle stage about the fact that big parties will gain significant financial efficiencies running campaigns for 25 people or even 15, as some parties may do. Those efficiencies will not translate equally to somebody running as an independent in the ungrouped column.

Even for a party of two candidates, there is already an efficiency saving in the sense that they will have a cap of $80,000 and obviously some shared campaigning tools and the like. It is appropriate that we recalibrate this to ensure that there is not a disproportionate impact on those who run as ungrouped candidates.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.00): Amendment No 6 would increase the expenditure cap for independent candidates and result in third-party campaigners enjoying a higher expenditure cap than some MLAs. The government does not support this amendment. The amendment would increase complexity and also the influence of third-party campaigners. There does not appear, in the government's view, to be any good case for treating different entities in elections differently when it comes to how much they can spend in an election campaign. The government will not support the amendment.

MR HANSON (Molonglo—Leader of the Opposition) (5.00): We will not be supporting the Greens' amendment. In essence, the case that has been put forward, as Mr Corbell alluded to, is that if you are an independent candidate you get a certain provision but if you happen to be in the Labor Party, the Liberal Party or perhaps the Greens you are treated differently. If you are a candidate, you are a candidate and the rules should be the same.

Amendment negatived.

Clause 14 agreed to.

Clause 15 agreed to.

Proposed new clause 15A.

MR RATTENBURY (Molonglo) (5.01): I move amendment No 7 circulated in my name, which inserts a new clause 15A *[see schedule 1 at page 665]*.

This amendment seeks to include a new party cap of $500,000 and therefore limit party expenditure for parties running campaigns with more than 13 candidates to $500,000 as being a sufficient amount to run an effective and visible campaign without restricting political expression. Reducing campaign expenditure is an important way to ensure a more level playing field in election campaigning and also reduces the pull on the public purse for funds.

In the proposed 25-member Assembly, the committee has recommended that the expenditure cap for candidates be reduced to $40,000 per candidate, delivering a party expenditure cap of $1 million for parties that run 25 candidates. Large parties are therefore offered a significant advantage in their spending as they are able to pool multiple candidate allocations of $40,000 and reap an efficiency benefit. They are already entrenched in the political system. They will continue to be able to outspend smaller parties and dominate the election landscape. Smaller parties and independents that do not have the advantage of pooling resources will be significantly disadvantaged.

I note Mr Corbell earlier made reference to wealthy individuals who may seek to use their considerable personal wealth to run a particular campaign. This would apply to them, whether that be certain Queensland mining magnates or people who have set up websites to offer hotel accommodation. This levels out the playing field and puts a limit on these things. For all the smug comments that come across the chamber, again there is a lack of conviction in actually doing anything about it. But we have seen that several times today, and it is a theme that is clearly developing in this place.

Election campaigns in the ACT can effectively run with smaller budgets. The Hare-Clark system is all about that; it is all about candidates getting out and meeting people in their communities. Particularly with the move to smaller electorates there is scope for us to meet proportionately more of our electors than we have in the past. That further justifies this sort of initiative, and I commend this amendment to the Assembly as a way of limiting the arms race, levelling the playing field and giving those who are not entrenched in the political system an equal or at least fairer chance.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.04): It always astounds me that the Greens profess commitment to transparency and then willingly accept a $1.6 million donation. It is "say one thing and do another". Quite extraordinary.

Amendment No 7 would result in a maximum expenditure cap of $500,000 for a party. For a party contesting all seats in an election, this would amount pro rata to $20,000 per candidate. That is one-third of what Mr Rattenbury thinks independent candidates should be allowed to spend. Apparently, independent candidates can spend $60,000, but party candidates can spend only $20,000.

We do not support this amendment; it is not a level playing field. It adds complexity, and there is no clear benefit or rationale for the change. The maximum expenditure cap of $1 million proposed by the government will be sufficient to prevent a significant increase in campaign expenditure because we are increasing the size of the electorate to 25 members. The government's proposal, reflected in the bill, decreases how much can be spent per candidate for all candidates, whether they are in a big party, a smaller party or an independent. They are all treated the same.

Mr Rattenbury wants to see big parties spend even less than the proposed reduction in the bill but increase the amount that can be spent by smaller parties or independents. All that provides is an incentive for more small parties, but there is no clear rationale for that policy change. The government's position is consistent with the one recommended by Mr Rattenbury and other members of the select committee, and we will not be supporting his amendment.

MR HANSON (Molonglo—Leader of the Opposition) (5.06): I said in the in-principle speech that a number of the amendments being put forward by the Greens are tailored to suit the Greens, and I think this perhaps is the most stark of those. The explanation for it is not that there will be a change to the amount per candidate but that we should all aim to run fewer candidates.

As Mr Rattenbury would know, and as anyone would know, it is the form for the major parties—who will form government—to run the full suite of 25 candidates. That is expected. As Mr Corbell has outlined, the real effect of this would be to put a significant restriction on each individual candidate running for those party groupings. There would be a real incentive to set up candidates—the Corbell independents, the Gentlemen independents—to run as independents. You would then essentially run to a cap of $1.5 million under Mr Rattenbury's rules. The system he is proposing would directly suit the Greens and it would hamper the running of campaigns for the major parties that are likely to form government.

We will not be supporting this amendment. It is aimed at limiting the ability of candidates in major parties to campaign and proportionately increasing the relative advantage of the Greens. As Mr Corbell pointed out, per capita, because of the increase in the size of the Assembly, there is already a significant reduction from $60,000 to $40,000 for party candidates regardless. In light of that, we will not be supporting this amendment.

MR RATTENBURY (Molonglo) (5.09): For the sake of clarity for members, I certainly was not suggesting a difference between $60,000 and $20,000 for members. Because of the way this act is constructed and the way it has come, the proposal for $60,000 was as a result of the fact that I felt I was going to lose this item. If we had

reduced the cap to $500,000, I think it would have been appropriate for everybody to stay at $40,000 as a maximum per candidate. I realise that is probably confusing on the face of it, but it is because of the order in which this bill is taken. These were a series of conditional amendments and they have come up in a strange order.

I made no attempt to comment on how many candidates a party should run. I was attempting to make the observation that I think it is better for the system overall if we curtail the spending on elections and focus on people meeting their communities. I am struck by the irony of Mr Hanson's comment that this is tailored to suit the Greens when, in fact, the party that gains the most out of this entire package will be the Liberal Party.

At the end of the day, at the last election the Liberal Party spent in the order of $650,000. Under this new system, based on their vote from last time—and it will probably go down a bit, but with population growth it will be about the same—they will end up getting in the order of $700,000-plus in public funding. They will already be ahead of where they were last time. Because we have removed the donation caps, presumably they will go off and raise another couple of hundred thousand dollars out of donations, member contributions and those sorts of things—that is fair enough, that is normal—so the Liberal Party will go to the next election campaign with a budget spend close to $1 million, a 50 per cent increase on what they spent last time.

If we want to talk about who this package is all about suiting, it will most suit the Liberal Party. The Labor Party already have $1 million. They have got their sources of income, and members will comment on that as they will. This makes no difference to the Labor Party; it is about what they spent last time. The Liberal Party will see a 50 per cent increase in expenditure at the next election as a result of this package. I look forward to a response to that. That is the truth of this package. The Liberal Party have driven the key changes in this package because it suits them the most. That is the truth of this package of reforms.

MR COE (Ginninderra) (5.11): It is important to note, in contrast to what Mr Rattenbury just said, that we are advocating for a level playing field for candidates, a level playing field for parties and a level playing field for third-party activists as well. Mr Rattenbury is proposing a situation which favours parties which only run half the number of allocated candidates as per seats. Therefore, what he is saying in effect is that there should be a system geared specifically towards a party such as the Greens, which has form for running three or two members in Brindabella and Ginninderra and three or four members in Molonglo. That is how you get the most efficient cap under Mr Rattenbury's scheme.

The opposition and the government are advocating a system which will ensure that the cap is derived in a fair way. In contrast to what Mr Rattenbury said about this system favouring the Liberals, that is absolute nonsense. There is nothing requiring the Liberal Party to spend $1 million next time. We may choose to spend $650,000 again. We may spend less; we may spend more. That is our decision as a party, just as it was our decision as a party last time. We could have spent more; we could have spent less, but we chose $650,000. The fact that the Liberal Party is efficient and got more votes and spent less money than the Labor Party is a credit to the campaign team and the wonderful 17 candidates we ran.

Let us be honest, the Greens stand to gain a great deal here, yet they claim to be against public funding, against big donations and against this entire bill. Are they going to be writing a cheque back to consolidated revenue for the difference between the $8 and the $5? Are they going to be writing a cheque back with regard to the administrative funding? Are they going to be capping themselves at $500,000 next time? Of course they are not.

It is very important that the record show that Mr Rattenbury is notionally arguing for his side, with the full benefit that they are going to reap all the rewards of the heavy lifting being done by the government and opposition here. I think it is very important *Hansard* reflect that.

Proposed new clause 15A negatived.

Clause 16.

MR RATTENBURY (Molonglo) (5.15): I will be opposing this clause.

Clause 16 agreed to.

Clause 17.

MR RATTENBURY (Molonglo) (5.15): I will be opposing this clause also.

Clause 17 agreed to.

Clauses 18 and 19, by leave, taken together and agreed to.

Clause 20.

MR RATTENBURY (Molonglo) (5.16): I will be opposing this clause as well.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.16): I move amendment No 1 circulated in my name and table a supplementary explanatory statement to this amendment and a revised explanatory statement in response to the scrutiny of bills committee report *[see schedule 2 at page 667]*.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21.

MR RATTENBURY (Molonglo) (5.17): I move amendment No 11 circulated in my name *[see schedule 1 at page 665]*.

I have spoken about this matter at some length already. Mindful of the time, I will not go into great detail but will simply outline the purpose of this amendment. It does several things. It restores the limits on the gifts section in the legislation. It amends the limit of a gift to ensure that the limit is reduced from $10,000 to $5,000, which is the same cap as in place for parties in New South Wales. It makes sense, in the face of corporations and unions now being able to donate, that we move to reduce the amounts that are involved. Our amendment also removes paragraph 205I(4), the paragraph that currently requires donors to be on the electoral roll, reflecting the outcomes of the High Court case.

I have spoken about this matter extensively, I have indicated the level of public concern, I have highlighted to the Assembly the expert commentary on this and I implore members to reflect on that and support this amendment.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.18): Briefly, the government will not support this amendment. The government does not support it because it halves the current $10,000 donation cap.

Mr Rattenbury cites the New South Wales donation cap limit as the justification for his proposal, but the experience of New South Wales shows that these provisions are vulnerable—vulnerable both in terms of circumvention, as we have seen extensively through recent ICAC inquiries, and also vulnerable on constitutional grounds. There is currently a High Court case involving a challenge to similar general cap donations in New South Wales of $5,000 for a party and $2,000 for a candidate. The removal of donation caps will not reduce the robust framework that exists for reporting political donations in the ACT, and our reforms are a balance of public funding and removal of donation caps to limit the usefulness of excessive donations through ensuring that we have strong caps on electoral expenditure.

MR HANSON (Molonglo—Leader of the Opposition) (5.19): The opposition will not be supporting this amendment. Indeed, as Mr Corbell alluded to, a number of the problems that we have seen in New South Wales that we are endeavouring to prevent ever occurring here are because of caps that were at a point where people then tried to work around them. As Mr Corbell has alluded to, based on various court cases, it is quite likely, in my view, that we would be back here, as we are today, to unpick elements of the existing bill that have been found to be unconstitutional.

The point I would make to the Greens is that if they do not like big donations or donations over $5,000 they do not have to take them. There is nobody forcing the Greens to take $50,000 from the CFMEU. They do not have to take it. They could have taken $5,000. That could have been their choice. So it is an untenable position to come into this place, when you have accepted donations of $50,000, of $12,000, of well over $1 million, to argue that it is somehow inappropriate or an undue influence on the process to accept donations over $5,000.

If the Greens had previously not taken donations over $5,000, they may have an argument. They may have some ethical stance that would be worth listening to. But

you cannot grab the money, take all the money, and then come into this place and put forward an argument such as you have without being so utterly conflicted that your argument falls apart in tatters.

If you want to make a statement in this place, Mr Rattenbury, that you will, from here on, guarantee that any donation over $5,000 will not be accepted by the ACT Greens, I encourage you to make that statement so that we can see if you are prepared to put your money where your mouth is. If you are not prepared to make that statement, let us see this for what it is.

As Mr Coe alluded to in his speech, this is a matter of the Labor Party and the Liberal Party doing what is right to get a suite of measures that are going to be good for democracy in the ACT. The ACT Greens have seen some opportunity here to take the gain from what the Labor Party and the Liberal Party are doing but just get to the left, just pick them up to the left of where the Liberal Party and Labor Party are and confect some outrage around that so that they can be seen as the pure ones and mount an attack on what he would describe as the old parties. Well, put your money where your mouth is. Stand up here and say that you will not take any donation over $5,000 so that we know that you are as morally pure as you make out to be, so that we know that you are putting your ethics forward and you are not playing cheap politics with this matter, as would appear to be the case. I would like you to say that.

MR RATTENBURY (Molonglo) (5.22): I will not be making that pledge, because the Greens play by the rules as they are. If this were a soccer match, Mr Hanson would be saying, "Hey, why don't you come onto the pitch with five players and take on my team of 11?" Well, it does not work like that. I have said it earlier in the debate today: we think the system should be different and we will play by the rules that are set. But if you guys are going to get together and set the rules to suit you then that is the way it is going to have to be, and we will play as hard as we can within the rules that you are going to set. That is how it goes. Let us be honest about it.

MR HANSON (Molonglo—Leader of the Opposition) (5.23): The argument that Mr Rattenbury has been making about the caps is about undue influence. If he is saying that the Greens will accept amounts over $5,000 then he is saying, based on what he believes, that the Greens are quite prepared to take donations that are undue influence. So, rather than coming into this place and saying, "No, any donation over $5,000 would constitute undue influence, therefore we won't take it," he is trying to mount a moral argument while still taking the money. His failure to make it clear that the Greens would not take donations over $5,000 makes it very clear to everybody in this place and anyone listening that the Greens do not believe what they are saying. They are simply trying to be just under the Labor Party and the Liberal Party so that they can play the moral card, play the political card. But they still have said that they will take donations which, by what Mr Rattenbury has said and what the Greens have said, are undue influence. That is an untenable position.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.24): I have listened to Mr Rattenbury's commentary on these matters and I simply do not accept the proposition that the Greens play by the rules as set. Of course you have to—that is

the law—but the Greens choose to go beyond that already. They have a donations policy; it is set out on their website. It is quite clear that the Greens choose to put in place other requirements that go beyond what the law requires.

So there is nothing to prevent the Greens from adopting such an approach. They do so now in relation to issues about how they perceive conflicts of interest. They do so now in terms of the size of donations. They have review mechanisms. Those are all commendable things, but the point to be made, of course, is that they already choose to apply a range of rules that go beyond what electoral finance law requires. There is just no reason why they could not choose to do otherwise in relation to the matters that Mr Hanson raises. I am not suggesting they necessarily should, but it would be wrong simply to say that they cannot or should not, because they do now through their own donations policy in relation to other aspects of donations made to their party.

MR COE (Ginninderra) (5.26): It is interesting when you trawl through the list of declarations which the Greens have received and you look at just how many of those are over $5,000. I could just rattle through the ones that are over $5,000 or exactly $5,000. That is an immoral one, $5,001. In fact, there is one here: $5,500 donated by EthicalJobs. EthicalJobs donated over $5,000. What do you make of that, Madam Assistant Speaker? Did EthicalJobs make an ethical contribution to the Greens?

It is interesting: $5,000 is the ethical figure, however paid, by the law. As Mr Corbell said, if you actually do have an ethical standard which differs from the law there is no reason whatsoever why you cannot apply it.

Further, for completeness it is important in this debate today to point to a speech I made in the adjournment debate on 7 August last year which went into some detail about the Greens' centralised online national fundraising database, called CIVI. The Greens' national fundraising procedure, as updated in 2012, states:

> It takes a lot of time and resources to generate donations, and unless we acknowledge our supporters appropriately, we run the risk of losing them … It is also important that people are recognised in a manner consistent with their level of giving.

So, in effect, it means that if they give more you treat them better. And then it goes on to say:

> All new regular donors should be contacted with a phone call from the home state.

It is a nationalised database, but "from the home state". It goes on:

> These are highly valuable gifts, as such, it is strongly advised that each state develop a good relationship with them. Regular Donors should also be invited to supporter events, and should receive end of financial year thank you letters with combined receipts for the year. It's also a good opportunity to give them a call and possibly uplift their regular contribution.

It goes on:

> Those tagged as major donors are subject to specific approaches, eg. those up to $10k still get appeal approaches unless other conditions are specified. Those who donate over $10k only receive personal approaches.

I wonder whether Mr Rattenbury will hit the phone and say, "EthicalJobs, whilst $5,000 may or may not be the ethical amount, perhaps you could consider going a little bit higher."

The speech that I gave last year goes into a lot more detail about the ins and outs of the very orchestrated campaign machine which Mr Rattenbury tries to deny. It is interesting that they have got this orchestrated machine inside but they like to put up the myth that they are running on the back of lamington drives. They like to put up the myth that it was a second-hand book sale in the lead-up to the 2012 election which generated their funds. It is a myth. They have a red-hot campaign team who have worked extremely hard to bring in the revenue.

Whilst you may well say the "entrenched parties" or the "old parties", I think you need only look at the adjournment speech I gave in August last year which details the level of sophistication regarding their financial drives to realise that this party is perhaps more sophisticated and more hard-nosed when it comes to fundraising, perhaps more so than any other party in the Australian commonwealth.

Question put:

> That amendment No 11 be agreed to.

The Assembly voted—

Ayes 1	Noes 14	
Mr Rattenbury	Mr Barr	Ms Fitzharris
	Ms Berry	Mr Gentleman
	Ms Burch	Mr Hanson
	Mr Coe	Mrs Jones
	Mr Corbell	Ms Lawder
	Mr Doszpot	Ms Porter
	Mrs Dunne	Mr Smyth

Question so resolved in the negative.

Clause 21 agreed to.

Clause 22.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.34): I move amendment No 2 circulated in my name *[see schedule 2 at page 668]*.

Amendment agreed to.

Clause 22, as amended, agreed to.

Clause 23.

MR RATTENBURY (Molonglo) (5.35): I will be opposing this clause. The intent of public funding of election campaigns is to ensure that parties are able to run an effective election campaign without relying on large private donations. The Greens have long held the position of supporting an increase in public funding to reduce the risk of corruption and undue influence in politics and we support public funding at a level that allows parties to run an effective campaign.

We may have been able to support this proposal for public funding but for the context in which it is occurring, and that is the context of removing the cap on donations, which we have spoken about today. I have made my point on this. I think there is little benefit in increasing public funding when there is still significant opportunity for corporations or wealthy individuals to make significant donations, so I cannot support this clause today.

Clause 23 agreed to.

Clause 24 agreed to.

Proposed new clause 24A.

MR RATTENBURY (Molonglo) (5.36): I move amendment No 13 circulated in my name, which inserts a new clause 24A *[see schedule 1 at page 666]*.

Administrative funding is currently paid to parties and non-party MLAs to cover the costs of administering the reporting requirements for political expenditure. What this amendment seeks to do is to put a cap on that. At the moment there is an amount of $20,000 per MLA. That has been indexed, so it is slightly above $20,000 now.

With an increase in the size of the Assembly, there is obviously going to be an increasing number of MLAs. It seems likely that the bulk of those new seats will go to the Labor and Liberal parties. So at the moment in our current 17-member Assembly the total amount spent is around $340,000, but in the 25-member Assembly this amount will climb to $500,000, plus the indexation.

The reason I am proposing a cap on administrative funding is because there is only so much administration you need to meet the electoral requirements. Basically, the idea when this funding was put in place was to enable the parties to have a dedicated bookkeeper—

Members interjecting—

MADAM DEPUTY SPEAKER: Members, can we have a little bit of hush, please? Mr Rattenbury.

MR RATTENBURY: It was designed to provide the parties with a level of resourcing so that they could get a bookkeeper, work with an accountant, to fulfil the disclosure requirements and the auditing requirements of the Electoral Commission. That was deemed fair enough.

However, after the election it is likely that the Labor and Liberal parties will at least have 10 members each and possibly some more, depending on how things go. So what that is going to mean is that as a minimum they will be receiving $200,000-plus in administrative funding, plus indexation.

This is simply a windfall gain. It is a windfall gain. There is not going to be any extra administrative requirement. In this place we always need to be mindful of ensuring that we pay for a reasonable level of services, but this is simply a windfall gain to larger parties. I cannot support it on that basis.

I think that we should put a cap on administrative funding for parties. I am proposing a cap at the value of five MLAs. That would be the equivalent of $100,000 plus indexation. It is about where the parties are at at the moment. It speaks to a true and fair amount of money to fulfil the intention of the provision, which is to enable the parties to address the administrative and auditing requirements they are expected to deal with under this act.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.39): This amendment proposes to reopen the issue of administrative expenditure. This was previously debated extensively by the Assembly before the last ACT election and, really, the position has not changed. The size of the administrative requirement is driven by the number of MLAs you have to provide for, provide administrative support to and report to the Electoral Commission on. So I do not think it is appropriate to re-litigate administrative expenditure, given the previous debates we have had in this place about it.

MR HANSON (Molonglo—Leader of the Opposition) (5.40): We will not be supporting this amendment. Again, this amendment is one of those that are tailored to the Greens. Mr Coe referred to one of his adjournment speeches before. I will reflect on another speech he made. I remembered a Greens speech on peak oil. Mr Coe wrote a speech about peak Greens. It would appear that Mr Rattenbury has picked the figure of five. They decided the maximum figure that they are going to go for at the next election and it was decided to cap it at that.

I think we can see that there is no argument that is logical that has been put forward other than the fact that he wants to restrict the amount of funding to an amount that he thinks would suit his party at a peak level, rather than an argument that I think has been well made, as Mr Corbell said, often in this place and is an established way now of providing administrative funding under the act.

Proposed new clause 24A negatived.

Clauses 25 to 28, by leave, taken together and agreed to.

Clause 29.

MR RATTENBURY (Molonglo) (5.41): I will be opposing this clause, Madam Deputy Speaker.

Clause 29 agreed to.

Clauses 30 and 31, by leave, taken together and agreed to.

Clause 32.

MR RATTENBURY (Molonglo) (5.42): I move amendment No 15 circulated in my name *[see schedule 1 at page 666]*.

This amendment relates to the timing of the declaration of donations. The amendment proposes to change the position so that in the last week of the election there is a 24-hour notification period. This is to maximise the transparency that is available to voters in the run-up to an election day. We believe that this is simply an enhancement in transparency and we believe that it is a practical way to ensure that voters have the maximum information, should they choose to access it.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.42): The government opposes this amendment. The ACT's laws concerning disclosure of donations are already some of the best in the country. As a panel of election reform experts noted last year, the ACT is already the only jurisdiction that provides for real-time disclosure of political donations over the $1,000 threshold in addition to annual and post-election reporting.

The amendment proposed by Mr Rattenbury to provide for disclosure within 24 hours of receipt of a gift is simply not practical from a technological perspective. You already have real-time disclosure, but the 24-hours requirement is simply impractical and cannot be supported.

MR COE (Ginninderra) (5.43): I would like to highlight that this is potentially a false sense of security Mr Rattenbury is putting forward here. Whilst the opposition and I am sure the government firmly believes in disclosure, and that is why we have got these more onerous requirements, the fact is, even if you have a 24-hour disclosure period in the week leading up to the election, what is stopping someone from making a donation on the Friday and banking it on the Monday, making a donation on the Saturday and banking it on the Monday or on Sunday and banking it on the Monday?

I think we have to be very careful that we do not have a perception of transparency, when, in actual fact, there are always going to be threshold issues and date issues. Therefore, Mr Rattenbury's proposal should not be seen as being a silver bullet for transparency. There are always going to be issues. The best we can do is try and manage them in a way that is actually practical.

Amendment negatived.

Clause 32 agreed to.

Clause 33 agreed to.

Clause 34.

MR RATTENBURY (Molonglo) (5.45): I oppose this clause.

Clause 34 agreed to.

Clauses 35 to 57, by leave, taken together.

Proposed new clauses 57A and 57B.

MR RATTENBURY (Molonglo) (5.46): I move amendment No 17 circulated in my name, which inserts new clauses 57A and 57B *[see schedule 1 at page 667]*.

This relates to the issue of canvassing within 100 metres of a polling place. This was a matter that, without disclosing committee deliberations, I think I can say received some considerable discussion in the Assembly committee. I think there is a view that this has been a logistically problematic clause for some time. The way ACT polling places work, there are certainly some where the 100-metre rule creates an almost half pregnant situation, which is clearly not a good place to be.

The view I am putting forward is that the 250-metre rule would simply define that a bit more clearly. It would mean that the Electoral Commission could not be faced with some of the borderline issues that have arisen where activists or party helpers have perhaps sought to position themselves right by a school boundary, in the driveway, approaching moving cars as they come into a car park—these sorts of matters.

It is a very practically oriented thing. A range of options was considered by the committee. This was the recommendation that was ultimately got to after quite a bit of discussion. I think it is a practical one that I commend to my colleagues.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.47): The government will not support this amendment today. However, I note that this is a live issue. The government has effectively not yet reached a settled position on what the most effective arrangement is in relation to a ban on canvassing and how far it should extend from a polling place or, indeed, whether there should be a ban on canvassing full stop on polling day.

I think the matter can be revisited before the next election. It is not time critical in the same way that perhaps some of the other changes to the Electoral Act are in that it only applies on polling day itself. There is still sufficient time, I believe, to work through the options.

The 250-metre proposal has its own problems. The government looked at this following the committee report. In particular, one of the difficulties is that it creates a perimeter that, in quite a large number of instances, bisects existing retail shopping centres in the ACT. So you would have parts of local or district shopping centres where canvassing was not allowed on polling day and you would have others where canvassing was allowed on polling day. Logistically, I think it is even more of a nightmare than the current 100-metre rule.

The government does not rule out bringing this matter back to the Assembly. Indeed, we would welcome further discussion across the parties on the question. But we do not believe this proposal is the answer either and we will not be supporting the amendment.

MR HANSON (Molonglo—Leader of the Opposition) (5.49): Our position is not dissimilar. There are a number of views that have been expressed about this matter. It is an ongoing issue. There is one alternative at the end of the spectrum, which is the federal rules. The other end of the spectrum is perhaps the way they do it in Tasmania, where there is no campaigning activity at all, and then there are measures in between. There is no perfect solution to this. The measure that we have at the moment of 100 metres does have problems associated with it. But, as Mr Corbell outlined, moving to 250 metres or to another amount—say, 500 metres—has equal problems.

From the Liberal Party point of view, we would be very happy to continue this discussion. In many ways, it is not connected to the other elements of this bill. It is not connected to the finance elements, which need to be in a package, in my view. They need to be discussed in a suite and agreed on today. This is something that we can, in essence, put a pin in. I am open to those discussions with Mr Rattenbury and Mr Corbell with representatives from my party.

We will have these ongoing discussions, but ultimately the problem with this is that in the Hare-Clark system there is no perfect answer. It is not like the federal campaigns, where you have a single candidate for each of the parties. When you have, as will be the case, five candidates from each of the parties, it can become problematic. So it is a balance between making sure that candidates have the ability to get their message out but preventing it becoming what could be pretty disorderly at the site of the polling booth.

MR RATTENBURY (Molonglo) (5.51): I welcome the comments made today. I think this is one of those practical issues that we can potentially keep working on to try and find a better solution. I think everyone recognises the current situation is unsatisfactory. I guess we will keep at it.

Proposed new clauses 57A and 57B negatived.

Proposed new clauses 57C and 57D.

MR RATTENBURY (Molonglo) (5.51): I move amendment No 18 circulated in my name, which inserts new clauses 57C and 57D *[see schedule 1 at page 667]*.

This goes to the issue of the wording on the ballot paper. This is another one of the matters that the committee looked at, and it recommended a change to the wording on the ballot paper. The rationale for this, in our view, was to make the instructions to people who are voting clearer, to maximise people's understanding of the Hare-Clark electoral system and to ensure they voted in a way that most effectively utilises that system so that voters have the maximum impact with their vote.

I think this is a worthwhile change. We believe it offers clarity to voters. I commend this amendment to the Assembly.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (5.52): This amendment proposes to change the wording shown on the ballot paper as to instructing people on how they should cast a valid vote. The government has sought the advice of the Electoral Commissioner on this suggested wording. His advice is that the proposed wording could lead to confusion and that there is not a problem with the existing wording. The government agrees and will not be supporting this amendment.

MR HANSON (Molonglo—Leader of the Opposition) (5.53): I understand what Mr Rattenbury is trying to achieve here, but I do also understand the advice that I believe has been put forward by the Electoral Commissioner. I again say that this is one of those areas that are not related to campaign finance. It is separate. It is not something that will become live until closer to the election. It is something that I would be happy to continue with further discussions on. I would like to understand, perhaps, what the concerns may be from the Electoral Commissioner in more detail.

I express that we are, again, happy to put a pin in this one, come back to it and treat this as a separate issue from the package of finance reforms which we need to enact together. This one and the one we discussed previously with regard to the distance from the polling place are two that could be discussed and brought back separately after those discussions. We have not been convinced at this stage that it should happen, but we are certainly open to those further discussions.

Proposed new clauses 57C and 57D negatived.

Remainder of bill, by leave, taken as a whole and agreed to.

Bill, as amended, agreed to.

Estimates 2015-2016—Select Committee
Membership

MADAM DEPUTY SPEAKER: Madam Speaker has been notified, in writing, of the following nominations for membership to the Select Committee on Estimates 2015-2016: Dr Bourke, Ms Fitzharris, Ms Lawder and Mr Smyth.

Motion (by **Ms Burch**) agreed to:

> That the Members so nominated be appointed as members of the Select Committee on Estimates 2015-2016.

Adjournment

Motion (by **Ms Burch)** proposed:

> That the Assembly do now adjourn.

Territory and municipal services—urban maintenance

MRS DUNNE (Ginninderra) (5.56): I will revisit some of the Belconnen issues we did not get an opportunity to finalise in yesterday's debate. I welcome the admission from Mr Rattenbury that Belconnen is not a very pleasant sight at the moment with the long grass around the place, but it might be worthwhile for him to visit parts of his and other electorates to see how well or badly maintained the urban parks, median strips and the like are.

As I did not have the opportunity yesterday, I draw to his attention the median around Gungahlin Drive at the Aranda overpass, which is verdant with weeds and has been for many years. There needs to be a reassessment of weed management. We have seen across Belconnen and most of Canberra a ridiculous amount of weed growth this year. To say the weeds will be sprayed once in spring and once in summer and that that should be enough is not sufficient. Mr Rattenbury should know what when weeds drop their seeds they have a substantial life in the soil around them—in excess of seven years. Every time a weed goes to seed there is seven years more weed growth. This is not being addressed by the current policy of spraying twice every year to stop weeds growing. Once the weeds are there, they will keep coming back for seven to 10 years even if you do something about it. If you do not do something about it, it will get worse and worse, and this is what we have seen in Belconnen.

What used to be grass median strips have turned into weed median strips. After the weed median strips are mown, grass areas somewhere else are mown and you transfer the weeds to that area as well. There are many pockets of weeds along the Ginninderra Creek foreshore and along the bicycle and shared paths that were not there three or four years ago, and they have come from median strips in the areas around there.

Much can be done about this. Mr Rattenbury spent a lot of time yesterday reading out the policy, but the big admission was that when he went to Belconnen and saw for himself, he was not happy. If Mr Rattenbury is not happy, imagine how unhappy the people of Ginninderra and Belconnen are, the people who live there and have to put up with that all the time. If the minister is not happy, he should be more vigilant so that the next time he does a spot visit he will not see such a horrendous array of weeds in the suburbs. I commend him for being proactive and going out to have a look, and I encourage him to do it more often. We might get better service and better urban amenity out of the department of urban services.

Sport—tennis

MR DOSZPOT (Molonglo) (5.59): Last Thursday evening, 12 February, I was amongst the 230 people who attended the inaugural Tennis ACT gala dinner fundraiser held at the QT Hotel. The dinner was a fundraiser for Tennis ACT in order to raise funds to complete the additional upgrades for the Canberra tennis centre required to increase the numbers of international events that may be held at the venue. Australian tennis legends Wally Masur, John Fitzgerald and Todd Woodbridge were the special guest speakers at the dinner, and we were treated to some interesting insights into their individual experiences as well as some hilarious shared exploits between the three friends—the new Australian captain, Canberra product Wally Masur, John Fitzgerald and Todd Woodbridge. They also related their views on this year's Australian Open and the form of some of the current Australian players. Nick Kyrgios also attended, along with his parents Nil and George Kyrgios.

Congratulations to Tennis ACT CEO Ross Triffitt, President John Cattle and his board and the MC, Phil Lynch, for an interesting and productive evening. Congratulations also to Maxim Chartered Accountants. Through their initiative, the Maxim invitational charity fundraising event, which was established in 2011, has now raised over half a million dollars for worthwhile charities in the Canberra community.

On the morning and afternoon of the Tennis ACT dinner the 2015 Maxim invitational tennis charity day was held, with 120 players from 32 teams competing at the north Woden tennis centre. The tennis legends worked hard all day, as Wally Masur, John Fitzgerald and Todd Woodbridge played with various teams throughout the day and then backed up as the special guest speakers in the evening. I understand the 2015 Maxim invitational tennis charity day raised $150,000 for the two featured charities—Kulture Break and Technical Aid to the Disabled ACT, TADACT.

Sport—International Children's Games

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (6.01): I would like to take this opportunity to give members an update on a recent effort by ACT athletes who went to the 48th annual International Children's Games, which were held in Newcastle from 6 to 11 December 2014 and were hosted by Lake Macquarie council. Eleven ACT track and field athletes participated, all of them between 14 and 15 years of age. Some 1,500 young athletes participated overall in the event, from 70 cities and from 40 countries.

This was the first time that the games have been held in the Southern Hemisphere and only the third time that any Australian cities have participated. The games go back to the Cold War in 1968, when a physical education teacher living in Slovenia, then part of Yugoslavia, had a vision to encourage peace and goodwill amongst children of different cultural backgrounds. It has grown into the largest multisport youth games in the world and is a recognised member of the International Olympic Committee.

There were seven sports taking place at the meet, with track and field, swimming, yachting, BMX, water polo, golf and gymnastics. Canberra was invited to attend, and fielded a team which was managed by Little Athletics ACT. It was an impressive group of athletes. All the team performed to a high level and there were a number of personal bests.

The team had two notable successes. Kieran Reilly from the Calwell club took bronze in the 1,500 metres, behind athletes from China and New Taipei. He achieved a five-second PB for that result, a very impressive effort. Another Calwell athlete, Ashleigh Lawrence, achieved a unique distinction at the closing ceremony in being awarded the fair play award by the ICG committee for the most impressive act of sportsmanship across all seven sports. Ashleigh is a shot-putter who shared her shoes with a Polish athlete whose shoes were lost in transit on the way and who would otherwise have been unable to compete. It was actually a great story. The two young female athletes reportedly had to swap shoes between each of them throwing to enable them to continue in the competition. I thought this was a marvellous story and I was very impressed by Ashleigh's efforts in supporting the competitor from Poland.

The vision of promoting peace and goodwill among children of different cultural backgrounds is working, assisted by social media internationally. Two months later, all of our athletes are still in regular contact on Facebook with friends that they met from around the world.

I was pleased to have met the athletes and their families before they left for Canberra to travel to Newcastle and to wish them well in their endeavours. I hosted them here at the Assembly to wish them well on their way. All of the athletes were very excited. All of them were looking forward to the event and hopeful of a PB. I was very pleased to hear their results.

I would like to congratulate the team on representing the ACT at the International Children's Games, and for all the hard work and training done in preparing for the event, not just by the athletes but also by their families, coaches, managers and the support team at Little Athletics ACT.

I-Care Australia
Jesus is Lord Church

MR COE (Ginninderra) (6.04): I rise this evening to speak about I-Care Australia. I-Care Australia is a charity which came out of the Canberra congregation of the Jesus is Lord Church. The purpose of the charity is to help people in need and to change lives through the caring power of the community. I-Care Australia was set up following the success of the Haiyan-Yolanda appeal which was launched in November 2013. The board hopes that the new charity will continue to support Filipinos through community partnerships in Australia and the Philippines. This is indeed a worthy goal. As is well known, the Philippines is prone to natural disasters. Through I-Care Australia's support it will help those most in need, which, unfortunately, is too often an occurrence.

I was pleased to attend the launch of I-Care Australia in December. The launch was a wonderful opportunity to see the compassion and enthusiasm of the Filipino community in action. The attendees were united in their desire to help others and extend compassion to those who are less fortunate.

The launch was attended by a number of honoured guests, including Her Excellency Belen Anota, the Philippine Ambassador to Australia; Eric Marquez and his executive from the I-Care Australia team; Pastor Nonoi Condat from the Hope Queanbeyan congregation; Javad Mehr and Jacqui Dillon from ACT Community Language Schools; and Cecilia Flores, representing FCCACT, along with numerous other delegates from her organisation.

On another note, the Jesus is Lord Church is currently looking for land suitable to build its new centre. The church is currently in temporary accommodation. However, with a growing congregation it is now time for them to find permanent and more suitable accommodation to meet their needs. This would be a massive boost for their community, and it would only help them in the many ways they serve Canberra. I look forward to helping them in their endeavour and I hope they are able to find suitable land for a building shortly. I also hope the government will be able to help them in their endeavours.

I would like to place on the record my congratulations to all those involved in establishing and supporting I-Care Australia. I wish them all the best in their continuing efforts to support those in need. I know they will do a lot of good work for the community and I encourage all members to get behind them when they can.

Communities@Work

MS FITZHARRIS (Molonglo) (6.07): Just over a month ago I took my seat here in the Assembly and in the time since I have been meeting with many community organisations doing great work across Canberra, particularly in Gungahlin. Today I would like to take the opportunity to thank Communities@Work for hosting me at the Gungahlin community centre earlier this month.

As many members know, Communities@Work are a local Canberra organisation doing good work, particularly in Tuggeranong and Gungahlin. They do some amazing work for children, seniors, disability services and other community development services.

While I was there I met with Lynne Harwood, CEO; Lee Maiden, Deputy CEO; Judith McDonnell, executive director of disability and mental health; Kim Bool, director of social programs; Brooke Unger, the social programs coordinator; Elaine Smith, operations facilitator for disability and mental health; and Chelsea Greck, executive support officer.

I had the opportunity to visit the care and share program run by Communities@Work in the Gungahlin town centre. Care and share provides food and essential services to people in Canberra experiencing hardship. These programs provide essential help to

vulnerable and disadvantaged people in Canberra. Interestingly, and a bit worryingly, I learnt that just in this calendar year alone an extra 100 people have visited the care and share program, most notably seniors. This was a new experience for Communities@Work and they are doing a lot to understand why there has been this increase particularly in the seniors cohort.

I also visited the holiday program for children and young adults with a disability. It was tremendous to see young people playing basketball, doing art, doing craft, working on the computer and learning essential life skills—and also some pretty magnificent breakdancing. The Gungahlin community centre also provides meeting facilities for community groups and not-for-profit organisations. Communities@Work and the facilities and services they provide, particularly in Gungahlin and Tuggeranong, mean there is greater collaboration with the local community.

Communities@Work also enables the private sector to give back to the community, as do many other community organisations, with many businesses around Canberra helping to sponsor programs. In Gungahlin the private sector is partnering to help build community gardens and also shade structures. Services for seniors are also important. Next week I will be visiting their seniors program, largely based out of Ngunnawal. This includes the men's shed. In particular, I would like to thank Minister Yvette Berry for the grant from the ACT government for $15,000 recently provided to the Gungahlin Men's Shed. So for the first time they have storage at their shed in Ngunnawal.

Communities@Work will also be hosting the upcoming inaugural Celebrate Gungahlin Festival, which will be held on 11 April between 11 am and 4 pm. This will be a great initiative to build a sense of community in Gungahlin and I encourage all locals to get along.

Question resolved in the affirmative.

The Assembly adjourned at 6.10 pm until Tuesday, 17 March 2015, at 10 am.

Schedules of amendments

Schedule 1

Electoral Amendment Bill 2014 (No 2)

Amendments moved by Mr Rattenbury

1
Clause 4
Page 2, line 9—

omit clause 4, substitute

4 Offences against Act—application of Criminal Code etc
Section 3A, note 1

omit

- s 205A (Financial representatives to keep ACT election accounts)
- s 205B (Offence—loans to be repaid from ACT election accounts)
- s 205C (Financial representative to ensure electoral expenditure paid from ACT election account)

2
Proposed new clause 4A
Page 2, line 16—

insert

4A Compulsory voting
Section 129 (1), penalty

omit

0.5 penalty units

substitute

1 penalty unit

3
Proposed new clause 4B
Page 2, line 16—

insert

4B Default notice
Section 161 (2)

omit

$20

substitute

$40

4
Clause 6
Page 3, line 5—

[oppose the clause]

5
Clause 8
Page 3, line 14—

[oppose the clause]

6
Clause 14
Proposed new section 205D (a)
Page 4, line 24—

omit proposed new section 205D (a), substitute

(a) for an election held in 2016—

(i) $40 000 for a party grouping; or

(ii) $60 000 for an expender mentioned in section 205G (1); or

7
Proposed new clause 15A
Page 5, line 6—

insert

15A Limit on electoral expenditure—party groupings
Section 205F (2)

substitute

(2) The electoral expenditure must not exceed the expenditure cap for the election multiplied by the lesser of—

(a) the number of candidates for the party for election; and

(b) 12.5.

8
Clause 16
Page 5, line 7—

[oppose the clause]

9
Clause 17
Page 5, line 11—

[oppose the clause]

10
Clause 20
Page 6, line 1—

[oppose the clause]

11
Clause 21
Page 6, line 4—

omit clause 21, substitute

21 Section 205I (2)

substitute

(2) The receiver must not, in a financial year, receive for the purpose of electoral expenditure in relation to an election, 1 or more gifts from a person that total more than $5 000.

21A Section 205I (3)

omit

deposited in the ACT election account

substitute

received

21B Section 205I (4)

omit

21C Section 205I (5) and (6)

omit

$10 000

substitute

$5 000

21D Section 205I (9) (b) to (e)

substitute

(b) if the receiver is a non-party candidate grouping—the non party grouping; or

(c) for any other receiver—the receiver.

21E Offence—give indirect gift to avoid statutory limit Section 205J (1) (c)

omit

$10 000

substitute

$5 000

12
Clause 23
Page 6, line 12—

[oppose the clause]

13
Proposed new clause 24A
Page 6, line 22—

insert

24A Payment to eligible parties for administrative expenditure New section 215C (2A)

insert

(2A) However, if 5 or more MLAs were members of the party in the quarter, the commissioner must pay the party 5 times the quarterly entitlement.

14
Clause 29
Page 7, line 19—

[oppose the clause]

15
Clause 32
Proposed new section 216A (4) (ba)
Page 8, line 26—

insert

(ba) for all elections—if the gift is an amount of $1 000 or more and is received in the 7-day period before the election—24 hours after the time the gift is received; or

16
Clause 34
Page 9, line 19—

[oppose the clause]

17
Proposed new clauses 57A and 57B
Page 16, line 10—

insert

57A Section 303 heading

substitute

303 Canvassing within 250m of polling places

57B Section 303 (7), definition of *defined polling area*

omit

100m

substitute

250m

18
Proposed new clauses 57C and 57D
Page 16, line 10—

insert

57C Form of ballot paper
Schedule 1

omit

Number [1] boxes from 1 to [1] in the order of your choice

Then you may show as many further preferences as you wish by writing numbers from [3] onwards in other boxes.

substitute

Write numbers from 1 onwards, up to as many numbers as you wish.
Use numbers only and use each number only once.

57D Schedule 1

omit

Remember, number at least [1] boxes from 1 to [1] in the order of your choice.

Schedule 2

Electoral Amendment Bill 2014 (No 2)

Amendments moved by the Attorney-General

1
Clause 20
Proposed new division 14.2C heading
Page 6, line 3—

omit the heading, substitute

Division 14.2C Limit on spending—payments from related party

2
Clause 22
Page 6, line 6—

omit clause 22, substitute

22 Section 205K

substitute

205K Limit on spending—payments from related party

(1) This section applies to a payment or payments received by a party from a related political party (other than a payment or payments made to the party under this Act, or a corresponding Act of the Commonwealth, a State or another Territory).

(2) The party must not, in a financial year, spend more than $10 000 of the payment or payments on electoral expenditure in relation to an election.

Note ***Election***—see the dictionary.

(3) If the party contravenes subsection (2), an amount equal to twice the amount by which the spending exceeds $10 000 is payable to the Territory.

(4) However, if the party returns the amount by which the spending exceeds $10 000 within 30 days after the amount is spent, no amount is payable to the Territory.

Answers to questions

Business—registered brothels (Question No 362)

Mrs Jones asked the Minister for Workplace Safety and Industrial Relations, upon notice, on 4 December 2014:

> In relation to page 56 of the Justice and Community Safety Directorate 2013-2014 annual report which states during 2013-2014, WorkSafe ACT inspectors visited 16 registered brothels, conducting a total of 18 workplace visits and 35 Improvement Notices were issued, (a) what were each of the 35 improvement notices for, (b) how many of the 35 issues that were identified for improvement have been resolved, (c) if any have not been resolved, why not and (d) where are the locations of the 16 brothels.

Mr Gentleman: The answer to the member's question is as follows:

(a) The Improvement Notices were issued requiring improvement in the following areas:

1.	Provision and maintenance of safe systems of work – 1
2.	Fire Safety – 6
3.	Entry and Exit – 1
4.	Emergency procedures – 3
5.	Adequate information, training and instruction – 1
6.	Slips, trips and falls – 1
7.	Provision of First Aid – 4
8.	Safety Data Sheets – 4
9.	Amenities – 1
10	Cleaning – 1
11	Testing and tagging – 3
12	Sharp Disposal – 1
13	Cracked Tiles, Showers and Mould – 2
14	Unsafe Electrical Equipment – 2
15	Duress Alarm – 1
16	Examination Lamps – 1
17	Cracked leather on massage table – 1
18	Hazardous Manual Tasks – 1

(b) All identified issued have been resolved.

(c) Not applicable.

(d) 14 were located in Fyshwick and 2 were located in Mitchell.

Alexander Maconochie Centre—upgrade (Question No 365)

Mr Wall asked the Minister for Justice, upon notice, on 12 February 2015:

(1) How much in total has been expended on the Alexander Maconochie Centre (AMC) upgrade to date.

(2) When is the expected completion date of the AMC upgrade.

(3) Has there been any variation to the scope of the AMC upgrade; if so, what are the details of any variation.

Mr Rattenbury: The answer to the member's question is as follows:

(1) In relation to the AMC Additional Facilities project (including the AMC Additional Facilities Design project), $10,411,782.47 had been spent at 31 January 2015.

(2) As previously stated in public announcements in regard to this project, it is expected to be completed by mid-2016. The first new accommodation building, a 30 bed special care facility, will come on-line in the second half of this year.

(3) An additional sally port to facilitate construction traffic into the site has been constructed from within project funding. Ease of site access was identified as a risk in construction planning and contingency funding to manage such risks is included in the overall project funding. Once it was identified that a sally port would be necessary it was then approved for construction from the project contingency funding.

Questions without notice taken on notice

Business—investment

Mr Barr *(in reply to a supplementary question by Mr Smyth on Thursday, 12 February 2015)*: The ACT Government does not generally receive 'preliminary Austrade requests for market information' as I think the question is trying to describe. All leads received by Invest Canberra from Austrade are vetted, by both Austrade and Invest Canberra, to ensure there is a genuine intent to invest and are responded to appropriate to their level of development. Accordingly, all leads received from Austrade by Invest Canberra are counted.