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RADIO BROADCASTS
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FORTY-SECOND PARLIAMENT
FIRST SESSION—THIRD PERIOD

Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

House of Representatives Officeholders

Speaker—Mr Harry Alfred Jenkins MP
Deputy Speaker—Ms Anna Elizabeth Burke MP
Second Deputy Speaker—Hon. Bruce Craig Scott MP

Members of the Speaker’s Panel—Hon. Dick Godfrey Harry Adams MP, Hon. Kevin James Andrews MP, Hon. Archibald Ronald Bevis MP, Ms Sharon Leah Bird MP, Mr Steven Georganas MP, Hon. Judith Eleanor Moylan MP, Ms Janelle Anne Saffin MP, Mr Albert John Schultz MP, Mr Patrick Damien Secker MP, Mr Peter Sid Sidebottom MP, Hon. Peter Neil Slipper MP, Mr Kelvin John Thomson MP, Hon. Danna Sue Vale MP and Dr Malcolm James Washer MP

Leader of the House—Hon. Anthony Norman Albanese MP
Deputy Leader of the House—Hon. Stephen Francis Smith MP
Manager of Opposition Business—Hon. Joseph Benedict Hockey MP
Deputy Manager of Opposition Business—Mr Luke Hartsuyker MP

Party Leaders and Whips
Australian Labor Party
Leader—Hon. Kevin Michael Rudd MP
Deputy Leader—Hon. Julia Eileen Gillard MP
Chief Government Whip—Hon. Leo Roger Spurway Price MP
Government Whips—Ms Jill Griffiths Hall MP and Mr Christopher Patrick Hayes MP

Liberal Party of Australia
Leader—Hon. Malcolm Bligh Turnbull MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Opposition Whip—Hon. Alex Somlyay MP
Opposition Whip—Mr Michael Andrew Johnson MP
Deputy Opposition Whip—Ms Nola Bethwyn Marino MP

The Nationals
Leader—Hon. Warren Errol Truss MP
Chief Whip—Mrs Kay Elizabeth Hull MP
Whip—Mr Paul Christopher Neville MP

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PARTY ABBREVIATIONS
ALP—Australian Labor Party; LP—Liberal Party of Australia; Nats—The Nationals; Ind—Independent

Heads of Parliamentary Departments
Clerk of the Senate—H Evans
Clerk of the House of Representatives—IC Harris AO
Secretary, Department of Parliamentary Services—A Thompson
Rudd Ministry

Prime Minister
Hon. Kevin Rudd, MP

Deputy Prime Minister, Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion
Hon. Julia Gillard, MP

Treasurer
Hon. Wayne Swan MP

Minister for Immigration and Citizenship and Leader of the Government in the Senate
Senator Hon. Chris Evans

Special Minister of State, Cabinet Secretary and Vice President of the Executive Council
Senator Hon. John Faulkner

Minister for Finance and Deregulation
Hon. Lindsay Tanner MP

Minister for Trade
Hon. Simon Crean MP

Minister for Foreign Affairs
Hon. Stephen Smith MP

Minister for Defence
Hon. Joel Fitzgibbon MP

Minister for Health and Ageing
Hon. Nicola Roxon MP

Minister for Families, Housing, Community Services and Indigenous Affairs
Hon. Jenny Macklin MP

Minister for Infrastructure, Transport, Regional Development and Local Government and Leader of the House
Hon. Anthony Albanese MP

Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Senator Hon. Stephen Conroy

Minister for Innovation, Industry, Science and Research
Senator Hon. Kim Carr

Minister for Climate Change and Water
Senator Hon. Penny Wong

Minister for the Environment, Heritage and the Arts
Hon. Peter Garrett AM, MP

Attorney-General
Hon. Robert McClelland MP

Minister for Human Services and Manager of Government Business in the Senate
Senator Hon. Joe Ludwig

Minister for Agriculture, Fisheries and Forestry
Hon. Tony Burke MP

Minister for Resources and Energy and Minister for Tourism
Hon. Martin Ferguson AM, MP

[The above ministers constitute the cabinet]
Rudd Ministry—continued

Minister for Home Affairs
Hon. Bob Debus MP

Assistant Treasurer and Minister for Competition Policy and Consumer Affairs
Hon. Chris Bowen MP

Minister for Veterans’ Affairs
Hon. Alan Griffin MP

Minister for Housing and Minister for the Status of Women
Hon. Tanya Plibersek MP

Minister for Employment Participation
Hon. Brendan O’Connor MP

Minister for Defence Science and Personnel
Hon. Warren Snowdon MP

Minister for Small Business, Independent Contractors and the Service Economy and Minister Assisting the Finance Minister on Deregulation
Hon. Dr Craig Emerson MP

Minister for Superannuation and Corporate Law
Senator Hon. Nick Sherry

Minister for Ageing
Hon. Justine Elliot MP

Minister for Youth and Minister for Sport
Hon. Kate Ellis MP

Parliamentary Secretary for Early Childhood Education and Childcare
Hon. Maxine McKew MP

Parliamentary Secretary for Defence Procurement
Hon. Greg Combet AM, MP

Parliamentary Secretary for Defence Support
Hon. Dr Mike Kelly AM, MP

Parliamentary Secretary for Regional Development and Northern Australia
Hon. Gary Gray AO, MP

Parliamentary Secretary for Disabilities and Children’s Services
Hon. Bill Shorten MP

Parliamentary Secretary for International Development Assistance
Hon. Bob McMullan MP

Parliamentary Secretary for Pacific Island Affairs
Hon. Duncan Kerr MP

Parliamentary Secretary to the Prime Minister
Hon. Anthony Byrne MP

Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion
Senator Hon. Ursula Stephens

Parliamentary Secretary to the Minister for Trade
Hon. John Murphy MP

Parliamentary Secretary to the Minister for Health and Ageing
Senator Hon. Jan McLucas

Parliamentary Secretary for Multicultural Affairs and Settlement Services
Hon. Laurie Ferguson MP
SHADOW MINISTRY

Leader of the Opposition Hon. Malcolm Turnbull MP
Deputy Leader of the Opposition and Shadow Minister for Employment, Business and Workplace Relations Hon. Julie Bishop MP
Leader of the Nationals and Shadow Minister for Infrastructure and Transport and Local Government Hon. Warren Truss MP
Leader of the Opposition in the Senate and Shadow Minister for Defence Senator Hon. Nick Minchin
Deputy Leader of the Opposition in the Senate and Shadow Minister for Innovation, Industry, Science and Research Senator Hon. Eric Abetz
Shadow Treasurer Hon. Malcolm Turnbull MP
Manager of Opposition Business in the House and Shadow Minister for Health and Ageing Hon. Joe Hockey MP
Shadow Minister for Foreign Affairs Hon. Andrew Robb MP
Shadow Minister for Trade Hon. Ian Macfarlane MP
Shadow Minister for Families, Community Services, Indigenous Affairs and the Voluntary Sector Hon. Tony Abbott MP
Shadow Minister for Agriculture, Fisheries and Forestry Senator Hon. Nigel Scullion
Shadow Minister for Human Services Senator Hon. Helen Coonan
Shadow Minister for Education, Apprenticeships and Training Hon. Tony Smith MP
Shadow Minister for Climate Change, Environment and Urban Water Hon. Greg Hunt MP
Shadow Minister for Finance, Competition Policy and Deregulation Hon. Peter Dutton MP
Manager of Opposition Business in the Senate and Shadow Minister for Immigration and Citizenship Senator Hon. Chris Ellison
Shadow Minister for Broadband, Communications and the Digital Economy Hon. Bruce Billson MP
Shadow Attorney-General Senator Hon. George Brandis
Shadow Minister for Resources and Energy and Shadow Minister for Tourism Senator Hon. David Johnston
Shadow Minister for Regional Development, Water Security Hon. John Cobb MP

[The above constitute the shadow cabinet]
SHADOW MINISTRY—continued

Shadow Minister for Justice and Border Protection; Assisting Shadow Minister for Immigration and Citizenship
Hon. Chris Pyne MP

Shadow Special Minister of State
Senator Hon. Michael Ronaldson

Shadow Minister for Small Business, the Service Economy and Tourism
Steven Ciobo MP

Shadow Minister for Environment, Heritage, the Arts and Indigenous Affairs
Hon. Sharman Stone MP

Shadow Assistant Treasurer and Shadow Minister for Superannuation and Corporate Governance
Michael Keenan MP

Shadow Minister for Ageing
Margaret May MP

Shadow Minister for Defence Science and Personnel; Assisting Shadow Minister for Defence
Hon. Bob Baldwin MP

Deputy Manager of Opposition Business in the House and Shadow Minister for Business Development, Independent Contractors and Consumer Affairs
Luke Hartsuyker MP

Shadow Minister for Veterans’ Affairs
Hon. Bronwyn Bishop MP

Shadow Minister for Employment Participation and Apprenticeships and Training
Andrew Southcott MP

Shadow Minister for Housing and Shadow Minister for Status of Women
Hon. Sussan Ley MP

Shadow Minister for Youth and Sport
Hon. Pat Farmer MP

Shadow Parliamentary Secretary Assisting the Leader of the Opposition and Shadow Cabinet Secretary
Don Randall MP

Shadow Parliamentary Secretary Assisting the Leader of the Opposition and Shadow Parliamentary Secretary for Northern Australia
Senator Hon. Ian Macdonald

Shadow Parliamentary Secretary for Health
Senator Hon. Richard Colbeck

Shadow Parliamentary Secretary for Education
Senator Hon. Brett Mason

Shadow Parliamentary Secretary for Defence
Hon. Peter Lindsay MP

Shadow Parliamentary Secretary for Infrastructure, Roads and Transport
Barry Haase MP

Shadow Parliamentary Secretary for Trade
John Forrest MP

Shadow Parliamentary Secretary for Immigration and Citizenship
Louise Markus MP

Shadow Parliamentary Secretary for Local Government
Sophie Mirabella MP

Shadow Parliamentary Secretary for Tourism
Jo Gash MP

Shadow Parliamentary Secretary for Ageing and the Voluntary Sector
Mark Coulton MP

Shadow Parliamentary Secretary for Foreign Affairs
Senator Marise Payne

Shadow Parliamentary Secretary for Families and Community Services
Senator Cory Bernardi
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Thursday, 18 September 2008

The SPEAKER (Mr Harry Jenkins) took the chair at 9 am and read prayers.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Drought

Mr BURKE (Watson—Minister for Agriculture, Fisheries and Forestry) (9.01 am)—Mr Speaker, I seek the indulgence of the chair to add to an answer.

The SPEAKER—The minister may proceed.

Mr BURKE—It was not the member for Gippsland seeking a briefing from my office yesterday but another of his National Party colleagues, who was constructively engaging with the office. I have subsequently offered to the member a departmental briefing, which I understand he has accepted. In addition, I have looked into his concerns about responses to correspondence which were raised in the House yesterday. I can assure him that I am responding to the now 43 letters he has sent to me about EC matters—the first of which arrived on 20 August—including the 13 which were received yesterday, six of them after question time.

FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (FURTHER 2008 BUDGET AND OTHER MEASURES) BILL 2008

First Reading

Bill and explanatory memorandum presented by Mr Griffin, for Ms Macklin.

Bill read a first time.

Second Reading

Mr GRIFFIN (Bruce—Minister for Veterans’ Affairs) (9.02 am)—I move:

That this bill be now read a second time.

This bill will provide the legislation for certain further budget and other measures affecting the portfolios of Families, Housing, Community Services and Indigenous Affairs, and Veterans’ Affairs.

The bill includes several amendments relating to the maternity immunisation allowance. This lump sum payment of $243.30 (from 20 September) encourages families to protect their small children by having them immunised. The allowance is currently paid for children aged between 18 months and two years if they are immunised to the recommended level or have a formal exemption.

In the first maternity immunisation allowance measure in the bill, the allowance will be restructured to bring it more closely into line with the National Immunisation Program and give parents an incentive to have their four-year-olds given the recommended boosters before they start school.

This will be done by paying the allowance in two payments for children who meet the 18-month and four-year-old immunisation requirements. The first payment will be paid when the child is aged between 18 months and two years and the second when the child is aged between four years and five years.

The change will apply from January 2009 to eligible families who have not already been paid the full allowance. The new half payment rate, initially $121.65, will vary with continued indexation of the full rate of the allowance twice a year. In practice, the second payment may be higher than the first because of any intervening indexation.

Among the important immunisations currently recommended for four-year-olds that will be encouraged by this measure are diphtheria, tetanus, whooping cough, measles, mumps, german measles and polio. This measure should result in many Australian children having a better overall level of im-
munisation, consistent with the recommendations of the National Immunisation Program.

In a second maternity immunisation allowance measure, the bill will extend eligibility for the allowance to children adopted from outside Australia who enter Australia before turning 16. Older adopted children will need to be immunised between 18 months and two years after arrival.

Currently, families must claim the allowance within two years of the child’s birth and must meet the recommended immunisation levels before the child turns two. Clearly, these age two requirements are not workable for older children adopted from overseas.

This measure extends the allowance for those older children to reinforce the message provided by this payment in support of immunisation for children in the Australian community.

This measure is an equity measure that gives effect to recommendation 10 of the 2005 House of Representatives Family and Human Services Committee inquiry into overseas adoption in Australia, which recommended:

… the Minister for Family and Community Services amend the eligibility criteria for the maternity immunisation allowance in the case of children adopted from overseas so the eligibility period is two years after the child’s entry to Australia.

The government is now implementing this important recommendation.

The amendments to the Veterans’ Entitlements Act included in this bill will cease eligibility for partner service pension for those partners who are separated but not divorced from their veteran spouse and who have not reached pension age. Under this measure, eligibility for partner service pension will cease 12 months after separation or if the veteran enters into a marriage-like relationship.

A spouse who is a member of an illness separated couple remains the partner of a veteran and therefore does not lose eligibility for partner service pension. A couple who are illness separated must be unable to live together in the matrimonial home because of the illness or infirmity of either or both of them. Certain assessment criteria must be met.

The amendments will also set the eligible age at 50 years for the partner service pension for the partner of a veteran who is in receipt of the equivalent of or less than special rate but above general rate disability pension or who has at least 80 impairment points under the Military Rehabilitation and Compensation Act. Partners of veterans affected by this measure under the Veterans’ Entitlements Act are those where the veteran is in receipt of:

- general rate disability pension that is increased by an amount specified in any of the items 1 to 6 of the table in subsection 27(1);
- extreme disablement adjustment disability pension;
- intermediate rate disability pension; and
- temporary special rate disability pension.

Lastly, the bill will make some minor amendments to the child support legislation. In particular, amendments are included to address some minor anomalies in relation to the child support formula reforms that commenced on 1 July 2008.

One such anomaly that was identified relates to Child Support Agency—CSA—decisions about care. The amendments to the legislation will ensure that, in all situations where parents agree on the level of care for a child, that level of care will be reflected accurately in the assessment.

Another amendment included in this bill will ensure that the CSA can make departure
prohibition orders—DPOs—which prevent parents with a child support debt from leaving the country without paying, or making arrangements to pay, those outstanding amounts. The recent amendments which moved the DPO provisions from regulations into primary legislation unintentionally removed the ability for the CSA to issue a DPO for certain registrable overseas maintenance liabilities. The proposed amendments would allow the CSA to issue a DPO for international parents on a similar basis as for domestic parents.

Debate (on motion by Mr Pyne) adjourned.

FINANCIAL TRANSACTION REPORTS AMENDMENT (TRANSITIONAL ARRANGEMENTS) BILL 2008

First Reading

Bill and explanatory memorandum presented by Mr Debus.

Bill read a first time.

Second Reading

Mr DEBUS (Macquarie—Minister for Home Affairs) (9.08 am)—I move:

That this bill be now read a second time.

The Financial Transaction Reports Act was Australia’s original anti-money-laundering legislation. Importantly, the act provided for the reporting of certain transactions and transfers to the Australian Transaction Reports and Analysis Centre, otherwise known as AUSTRAC. Many of the obligations in the FTR Act will soon be replaced with updated measures under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006.

The Financial Transaction Reports Amendment (Transitional Arrangements) Bill 2008 will enable regulated businesses to continue reporting important information to AUSTRAC as they make the transition to the new reporting regime.

The AML/CTF Act is being implemented over two years from 12 December 2006. The government has also provided a 15-month ‘policy principles period’ after the commencement of each set of obligations under this act. During that period, the AUSTRAC chief executive officer may only apply for a civil penalty order against a reporting entity for a contravention of the act if the reporting entity has failed to take reasonable steps to comply with its obligations. This staggered implementation, along with the policy principles period, is allowing business time to develop the necessary compliance systems in the most cost-effective way.

Items 1 and 2, and 7 to 11 establish transitional provisions under the FTR Act. These provisions authorise cash dealers to continue reporting suspicious transactions, international funds transfer instructions and significant cash transactions to AUSTRAC until 11 March 2010 or until they become compliant with the new obligations under the AML/CTF Act, whichever occurs first. The date 11 March 2010 accords with the day that the policy principles period expires.

Item 3 will allow regulated financial institutions to continue to place relevant transactions in their exemption register. Again, they will be able to do this until they either become compliant with the reporting obligations under the AML/CTF Act or, if they do not become compliant, up until the end of 11 March 2010. This will ensure that appropriate records can continue to be maintained by the financial institution until this date.

Items 4, 5 and 6 amend the reporting obligations imposed on solicitors. The amendments will enable solicitors who are reporting entities under the AML/CTF Act to continue to provide reports about significant cash transactions to AUSTRAC under the FTR Act. They will be able to provide these reports up until the end of 11 March 2010, or
until they become compliant with the reporting obligations under the AML/CTF Act, if that occurs first.

It is important to note that the amendments will not create any duplication in reporting obligations.

In summary, the bill contains several amendments to the FTR Act which will assist businesses to make the transition from regulation under the FTR Act to regulation under the AML/CTF Act. In particular, the amendments will ensure that those businesses can continue to report important information to AUSTRAC during the transitional period.

Debate (on motion by Mr Pyne) adjourned.

AUSTRALIAN ORGAN AND TISSUE DONATION AND TRANSPANTATION AUTHORITY BILL 2008

First Reading

Bill and explanatory memorandum presented by Mr Rudd, for Ms Roxon.

Bill read a first time.

Second Reading

Mr Rudd (Griffith—Prime Minister) (9.12 am)—I move:

That this bill be now read a second time.

Earlier this year we opened up the doors of parliament to the people of Australia for the Australia 2020 Summit.

We did so looking for new ideas for our nation’s long term future—ideas for tackling the nation’s future challenges.

Many constructive ideas came forward, and later this year the government will be responding to each of them.

One of the key ideas discussed for the future of Australia’s health and hospitals system was to establish a national organ donation scheme.

And that is why today I introduce, with some pride, to the House the Australian Organ and Tissue Donation and Transplantation Authority Bill 2008—to provide the national leadership that Australia needs to lift organ donation rates and make it possible for our expert transplant doctors and health professionals to save many more lives, and return many Australians to good health.

For too long, organ donation rates in Australia have lagged behind many other nations, despite high levels of community support for organ donation.

For too long, Australians have been left desperately waiting, month after month, for a transplant that could mean the difference between a normal, healthy life and debilitating chronic illness—and, in some cases, the difference between life and death.

For too long, people have talked about the need to lift organ donation rates but there has been no national leadership to take action on that goal.

And for too long, we have failed to act despite projections of a rising prevalence of chronic disease, an ageing population and, as a result, increased needs for organ transplants.

Last year, we made it clear that this government intends to end the blame game between the Commonwealth and the states and take responsibility for reforming our health and hospitals system.

That the government I would lead would get on with getting things right.

Today, the government delivers on that commitment.

Today, I stand before the House to move a bill that forms a central part of a national plan to reduce unnecessary suffering for thousands of Australians who are waiting for transplants.
Today, I move a bill that will help to honour our commitment to establishing Australia as a world leader for organ donation and transplantation.

**Organ transplants in Australia**

As Australians we are fortunate to live in a nation that has long been a world leader in the clinical outcomes we achieve for transplant patients—a nation where more than 90 per cent of people support organ donation.

Yet we are also a nation with a very long—far too long—waiting list for transplant procedures.

At any one time there are 1,800 Australians currently on waiting lists for an organ donation that could save or transform their life.

Last year, there were just 198 deceased organ donors in Australia.

This resulted in 657 transplants—meeting just one-third of demand.

We should not tolerate so many Australians languishing on waiting lists for want of national leadership to lift organ donor rates.

Despite the high quality of clinical care across our nation, we lag well behind many other developed countries in organ donations.

The International Registry of Organ Donation and Transplantation reports that, in Australia, there were just 9.8 donors for every one million people in 2006.

In contrast:

- Spain had 33.8 donors for every one million persons—more than three times higher than Australia.
- The United States had 26.9 donors for every million persons—more than 2½ times the rate in Australia.

While Spain and the United States are world leaders respectively, Australia’s ranking for organ donors per million population was behind Belgium, Austria, France, Italy, Ireland, Hungary, Czech Republic, Norway, Germany, Sweden, Canada, Poland, the Netherlands, Argentina, Denmark, Switzerland and the UK.

We need to do much, much better.

This is simply not good enough—not for today, and especially not for the future.

In the decades ahead of us we will have an older population, and a population with a much higher incidence of chronic diseases such as obesity and type 2 diabetes.

Several of those chronic diseases can result in the need for a transplant.

Consider kidney disease.

More than three-quarters of people waiting for an organ transplant are in need of a kidney.

Even now, one in three Australian adults face an elevated risk of developing chronic kidney disease.

And the incidence of kidney disease is almost certain to rise further, because of its link to other chronic diseases.

Australia also has a high prevalence of hepatitis C infection.

Hepatitis C infection causes increased rates of chronic liver disease, resulting in a greater need for liver transplants.

**Reducing costly waiting lists**

There are many other donor organs that are likely to be in greater need in the years ahead.

The long waiting list for transplants also imposes significant costs on our health and hospitals system.

For example, the cost for each person waiting on a kidney transplant is $83,000 per annum if they are receiving hospital based kidney dialysis.
In contrast, the cost of a kidney transplant is just $65,000 per recipient for the first year, and only $11,000 for each year thereafter.

Australians awaiting a transplant require extensive, expensive and time-consuming treatment.

That can make it harder for them to carry on work, to play an active role in their community and to enjoy a reasonable quality of life, all of which are important.

Lifting organ donor rates will help us build a more efficient health system and help sick Australians back to full participation in work and in the community.

Restoring healthy lives for recipients

But above all the reason why we must lift the number of organ donations is that, by doing this, we can help save and transform the lives of thousands of Australians of all ages.

Let me mention just one example.

A fortnight ago I informed the House that I had the privilege of meeting with Cordelia Whatman, her parents, big sister Octavia and grandparents.

Cordelia had just returned home to her family and to Canberra after four months in hospital.

For those of you who are not familiar with Cordelia’s story, she was diagnosed with biliary artesia at 10 weeks.

Biliary artesia is a chronic liver problem that affects vital body functions.

Having undertaken an unsuccessful procedure in July 2007, Cordelia had been suffering from severe jaundice, a broken leg, lethargy, debilitation and inability to gain weight.

But just a few weeks ago, that all changed.

And it all changed for one reason—a donor organ became available to her.

The transplant operation was performed at the Children’s Hospital at Westmead in Sydney. Cordelia had a 13-doctor medical team, headed by Dr Albert Shun and Dr Michael Stormon. Each member of that team is to be congratulated.

Shortly after, Cordelia was discharged from hospital, the transplant operation a success.

Cordelia had to wait more than a year on a transplant waiting list.

During that long wait, Cordelia was becoming increasingly sick.

Indeed, the doctors had declared an operation urgent, and Cordelia’s mother was only days from providing a liver donation herself.

That operation could have placed her mother’s life at risk.

But it was made unnecessary when a donor organ finally became available.

Today, Cordelia can look forward to a healthy life—because of the selfless act of a donor and their family. And we thank them.

Cordelia’s donor also provided six other organs, potentially saving the lives of others with their decision.

In Australia today there are some 30,000 people who like Cordelia have benefited from an organ or tissue transplantation in this country.

We have some of these people with us here today, as well as some who are among the 1,800 now waiting for a transplant.

I would like particularly to acknowledge some of them who are with us today in the gallery:

Felix Bulmer, aged 17, who benefited from a corneal graft that has dramatically improved his vision; Russell McGowan, who has had a bone marrow transplant; Marjorie Taylor, the mother of Annette Taylor who expressed her wish to become an organ do-
nor before her death at the age of just 13. Marjorie took it to then Prime Minister Whitlam to ensure that her daughter could go through with her wish—and so she became the first organ donor in the ACT. That was more than 30 years ago.

These are just three of the 30,000 Australians who can tell a story of how an organ transplant can transform your life.

Transplantation makes it possible for people of all ages to enjoy those things that we too often take for granted—the ability to live free of debilitating disease, the ability to live a fit and active life, the ability to continue as a healthy member of their family and community.

The government is determined to make transplants possible for many more Australians.

And that is why—and that is the only reason why—this bill is before the House today.

**A new nationally coordinated approach**

When we look at the nations that have enjoyed most success with organ donor rates, we learn one clear lesson.

National leadership is needed to drive the change necessary to improve rates of organ donation.

The nations that lead the world in organ donation and transplantation rates all have national systems to coordinate and drive this program actively within each individual hospital.

Those national frameworks are supported by ongoing community and professional education.

The bill that comes before the House today reflects international best practice.

It forms a core part of the reform package that the government announced on 2 July this year, to lift Australia to world’s best practice in organ and tissue donation for transplantation.

The government has committed $151.1 million towards this objective, including $136.4 million in new funds. This is not cheap. To do it well takes money, and we are determined to invest this money.

And this package was endorsed by the Council of Australian Governments when it met on 3 July.

The national plan consists of five key steps:

1. $46 million to introduce a coordinated, consistent approach and systems under the leadership of a new, independent national authority—the Australian Organ Donation and Transplantation Authority—that is established under the bill that is before the House today.

2. $67 million to employ trained medical specialists and other staff dedicated to organ donation who will work closely with emergency department and intensive care unit teams in selected public and private hospitals across Australia.

3. $17 million in new funding for hospitals to meet additional staffing, bed and infrastructure costs associated with organ donation.

4. $13.4 million towards raising community awareness and building public confidence in Australia’s donation for a transplantation system.

5. $1.9 million for counsellors to support donor families.

This is a comprehensive plan, based on international best practice, that aims in the long term to establish Australia as a world leader in organ donation for transplantation.

It will mean that:

- potential donors are properly identified at hospitals across the country;
• every family of a potential donor will be asked about organ donation;
• a dedicated specialist will work with the potential donor and their family to provide support through what is often a very, very difficult process;
• hospital staff will be able to focus on donor care knowing that the hospital has a separate budget to cover organ and tissue donation;
• families receive the support they need at the time of organ donation and afterwards; and
• there is an equitable and safe process for managing transplant waiting lists and allocating organs once they become available.

One of the most important parts of this plan is to tackle the point at which our organ donor system is currently failing.

That is in the emergency wards and intensive care units of our hospitals.

Currently—and this is the core, practical problem—we do not have dedicated staff trained to help families through the difficult circumstances which they confront at that point and under which they may consent.

And with the pressures placed on our hospitals—and they are great—it is often difficult for clinicians to have these sensitive and delicate conversations with the families of potential donors.

This problem is compounded by the lack of dedicated hospital resources to manage the clinical procedures necessary for an organ or tissue transplant.

This explains why, despite an increase of one million in the number of organ donor registrations since 2002 to a total of six million registrations, there has been no increase in the number of lives being saved through transplants. That is what we are trying to solve and deal with through this legislation.

The majority of resources in the national plan will be dedicated to addressing this particular practical problem.

The Organ Donation and Transplantation Authority

The Australian Organ Donation and Transplantation Authority will work with states, territories, clinicians, consumers and the community sector to build a world leading system for Australia.

The authority will:
• coordinate clinicians and other hospital staff dedicated to organ and tissue donation in hospitals across the country;
• train professional staff to do that;
• oversee a new national network of state and territory organ and tissue donation agencies;
• introduce and manage a national data and reporting system;
• lead ongoing community awareness programs about organ and tissue donation and transplantation; and
• work with clinical and professional organisations in developing clinical practice protocols and standards.

The authority will enable all families of potential donors to be asked about donation.

It will work with clinicians, hospitals and community organisations to educate people about donation, support families through this decision, and make sure that suitable patients will be considered as potential donors.

It will encourage Australians to discuss their wishes with their family—it is a very difficult conversation to have—and provide every family of a potential donor the information, knowledge and support to choose donation.
And, as a matter of reassurance, I note that the bill before the House today will in no way impede or restrict existing regulations for ensuring the safety of organ or tissue transplants.

**Recent progress**

Since making the announcement earlier this year, the government is getting on with the task of putting this system into practice.

All state and territory governments have signed up to the best practice national plan—and I thank them for it. Each of the states is working under the leadership of the Commonwealth Chief Medical Officer to implement this plan.

Work is on track to establish the national authority by 1 January 2009.

The positions of CEO and Medical Director of the new authority have been advertised.

Recruitment for new medical and nursing jobs in hospitals will commence as soon as possible.

Preparation for a national community awareness campaign for launch in early 2009 is underway.

**Conclusion**

I would like to conclude my remarks on this bill with a few additional points.

First, I would like to thank those organ donors and the members of families who have lost loved ones and who have assisted at a time of great personal distress and difficulty for them.

Second, I would like to say thank you to the organisations that have played such an important role in promoting awareness of the importance of organ donation and who have helped the development of the government’s national plan:

- The Transplantation Society of Australia and New Zealand;
- The Cognate Committee on Organ and Tissue Donation;
- Transplant Australia;
- Gift of Life;
- Zaidee’s Foundation; and
- ShareLife.

I would also like to acknowledge the contribution from the Chief Medical Officer, John Horvath, as well as Jane Halton, the Secretary of the Department of Health and Ageing.

Third, on a personal level as the recipient of a tissue transplant some years ago, I want to place on record my own debt of gratitude to the doctors, the health professionals and the community that has promoted organ and tissue transplants for so many years.

Finally, I would like to make an appeal to all Australians.

If you are not now on the organ donor list, please think about it and get your name on to it. Maybe that is a practical challenge for us all here: to make sure in the next few weeks that every member of this House and of the other place has made sure that they have made that decision with their family.

I would also make this appeal to the nation’s media: get behind this particular proposal. I thank the media for the work that they have already done. I have noticed that whenever our friends in the media get behind this, and we have good and positive stories of successful transplants, one thing happens: effective donation rates go up. This is a critical piece in the jigsaw. I thank the media for what they have done and I encourage them to continue to do it into the future. It really does help.

I appeal to all Australians to talk to their family about this matter. Your family makes critical choices if ever the day arrives when
it might be your organs that can save the lives of others.

It is an extraordinary gift of an individual and their family, made in often very tragic circumstances.

Lifting the level of organ transplants in Australia requires a cooperative and concentrated effort from the Australian government, from state and territory governments, from health professionals, from community organisations and most of all from the whole Australian community.

This bill is a major step forward in coordinating our nation’s efforts to save lives and restore quality of life for thousands of Australians.

I thank the officials for their work in preparing this bill, given that I have been more than usually demanding in making sure that this bill was ready on time. I thank them for it, because they have really worked up against it.

So my challenge to the nation is: let’s get on with it.

I commend the bill to the House.

Mr Turnbull (Wentworth—Leader of the Opposition) (9.32 am)—I move:

That the debate be adjourned.

In moving that the debate be adjourned on the Australian Organ and Tissue Donation and Transplantation Authority Bill 2008, and on indulgence, I congratulate the Prime Minister for bringing forward this bill. The coalition strongly supports the objectives of this bill. Promoting organ donation is a vital national objective. It is something we pursued when we were in government. We are delighted that it is being pursued with new measures under this government, and the Prime Minister can count on our support on this legislation and on other measures in the future. If this legislation proves to be inadequate, we will continue to work in a genuine bipartisan fashion to promote organ donation. Very briefly, on behalf of the opposition I add my encouragement to the media to promote organ donation. Awareness is absolutely vital. I acknowledge, too, the generosity and the courage of organ donors and their families and the powerful advocacy of the organisations that have promoted awareness throughout the community. They have done great work and, again, we are delighted to support this legislation.

Question agreed to.

OFFSHORE PETROLEUM AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008

Cognate bills:

OFFSHORE PETROLEUM (ANNUAL FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008

OFFSHORE PETROLEUM (REGISTRATION FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008

OFFSHORE PETROLEUM (SAFETY LEVIES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008

Second Reading

Debate resumed from 17 September, on motion by Mr Martin Ferguson:

That this bill be now read a second time.

Mr Rudd (Griffith—Prime Minister) (9.34 am)—The legislation that is before the House today is an important part of the government’s long-term strategy to tackle climate change. The Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 provides the world’s first comprehensive regulatory framework for carbon dioxide capture and geological storage. It will establish the foundations for the development of a greenhouse gas storage industry in Australia and it forms an important part of
Australia’s response to climate change. Climate change is one of the greatest challenges for the future for Australia, for our region and for both the industrialised and developing worlds. It is a challenge with enormous economic, national security, environmental and moral implications. How Australia responds to this challenge now will have a great impact on the future—our economy, our future prosperity, our environment and also our national security. The scientific evidence of climate change continues to accumulate.

The Intergovernmental Panel on Climate Change last year predicted rises of between 1.1 and 6.4 degrees over the next century relative to the period 1980 to 1999. As the government’s green paper on the Carbon Pollution Reduction Scheme noted in July:

Under a high emissions scenario, average temperatures across Australia are expected to rise by up to 5 degrees by 2070. The IPCC concluded that Australia’s water resources, coastal communities, natural ecosystems, energy security, health, agriculture and tourism would all be vulnerable to climate change impacts if global temperatures rise by 3 degrees or more.

The expert analysis points to severe global consequences and severe national consequences. These include rising sea levels, more extreme weather events, more frequent droughts, floods and water shortages, large-scale migration, increased threats to border security, the loss of infrastructure, civil unrest and regional conflict over increasingly scarce resources. Climate change will also have significant national security implications in our region, with many Pacific island nations exposed to severe and early impacts from rising sea levels.

Australia is more exposed to the impact of climate change than probably any other industrialised nation, particularly through its impact on our agriculture, water supplies, tourism industry and environment. The Intergovernmental Panel on Climate Change forecast last year that by 2020 significant loss of biodiversity will occur in some ecologically rich sites, including the Great Barrier Reef and the Queensland wet tropics. Climate modelling by the CSIRO and the Bureau of Meteorology suggests that rainfall in southern Australia could be reduced by up to 10 per cent by 2030 and by 20 per cent by 2050.

Acting now is the responsible thing to do, and that is what this bill is all about. We must prepare for a global transition to a low-carbon economy. To delay any longer, to stay in denial, as the climate change sceptics and some members opposite would have us do, is reckless and irresponsible. For our generation, for our kids and for future generations, we must act now. There is no alternative. The longer we take to act, the more Australia risks falling behind in the race to build the clean, green energy industries of the future, the industries that will drive a global economic transformation and create the high-paid, high-skilled jobs of the future.

The Australian government is determined to rise to the long-term challenge of climate change and the long-term challenge of threats to our water and our energy security. We have committed to the long-term target of reducing Australia’s carbon pollution by 60 per cent below 2000 levels by 2050. The government’s strategy to achieve that goal is based on three pillars that address immediate challenges while also preparing for the long-term future: (1) reducing Australia’s greenhouse emissions; (2) helping to shape a global solution; and (3) adapting to climate change that we cannot avoid.

On the first of those pillars, the best way to reduce carbon pollution while building long-term economic prosperity is through a Carbon Pollution Reduction Scheme. This forms part of the government’s overall ap-
approach to reducing greenhouse gas emissions. A further approach lies in what we will do on renewable energy. A third approach lies in what we will do to increase energy efficiency across Australia as well. Next year the government will introduce legislation to establish the Carbon Pollution Reduction Scheme for Australia. It will be the largest reform of the Australian economy in many decades. It is also the most important because, by helping to reshape the Australian economy, we can position ourselves to thrive in an increasingly carbon constrained world.

The government recognises that any restructuring of the economy will affect some sectors more than others. That is why we have made a number of key commitments to protect the most vulnerable in our community and to support the most affected. It is also why we propose to provide assistance to the most heavily emissions intensive, trade exposed activities in the economy. The government is consulting widely with the Australian community and with the business community on the design of this scheme.

The government is also committed to a range of policies and measures to complement the Carbon Pollution Reduction Scheme and help lower the costs in both the short and the long term, including energy efficiency measures, the support of clean coal, carbon capture and storage, as well as renewable energy technologies. Energy efficiency will not only lower the costs of production in carbon pollution; it will provide other benefits like improved energy security, innovation and productivity improvements, greater household comfort and lower costs of living. New low-emission technologies like renewable energy and carbon capture and storage will be critical in transforming our energy markets.

The legislation before the House today establishes the legislative framework to make carbon capture and storage activities possible in Commonwealth offshore waters and to provide a management system for ensuring that that storage is secure. This bill is therefore crucial to Australia’s overall response to the challenge of climate change. It will help make possible projects that will be supported by the government’s National Low Emissions Coal Fund. That fund will be supported by our half-billion-dollar commitment to the Renewable Energy Fund to support the development and commercialisation of advanced renewable energy technologies in Australia. We have also committed $150 million to the Energy Innovation Fund, a fund that will support the creation of an Australian solar institute to fund solar thermal and solar photovoltaic research and development.

Each of the programs established by this government aims to build links in what the Garnaut review describes as the innovation chain—the chain from early research to demonstration, and commercialisation to market uptake—to turn ideas into solutions. We recognise that addressing climate change will require a massive collaborative effort between our scientists, our research institutes, CSIRO flagships, the CO2 Cooperative Research Centre, private capital and energy businesses themselves. This collaboration will be particularly critical in developing clean coal technologies such as CCS.

The government believes that this legislation and these investments are important because Australia has the potential to be a world leader in CCS technology. If we succeed in demonstrating CCS technology, many other nations are likely to follow. The bill therefore contributes also to the second pillar of our long-term plan to tackle climate change: helping to shape a global solution on climate change ahead of the Copenhagen climate change summit in December 2009. Australia is continuing to work closely with the international community, including
China, the European Union, Japan, Indonesia and the United States, to develop an agreement that is effective and equitable. In the meantime, Australia is also working closely with Indonesia and Papua New Guinea to address deforestation, reduce greenhouse gas emissions and provide sustainable economic development here in our own region.

Regardless of our efforts to reduce Australia’s emissions and to shape an international solution, some impacts of climate change are now unavoidable, given the level of carbon pollution already in our atmosphere. That is why the third pillar of our climate change strategy is so important: adapting to the climate change we cannot avoid. The government is already investing significantly in initiatives to help those parts of Australia most exposed to the impacts of climate change, including our farming communities and coastal regions, as well as the Great Barrier Reef. We have also agreed to a National Climate Change Adaptation Framework with state and territory governments, which includes providing $50 million in funding for a national climate change research facility. Together, these initiatives represent a comprehensive plan to tackle the challenge of climate change—not to avoid the challenge of climate change.

The government is investing $2.3 billion over five years in reducing greenhouse gas emissions and investing in innovative technologies. This includes the National Low Emissions Coal Fund, half a billion dollars over eight years; the Renewable Energy Fund, half a billion dollars over six years; the Energy Innovation Fund, $150 million over four years; the Green Car Innovation Fund, half a billion dollars; and the Clean Business Australia Fund, $240 million over four years.

Through COAL21, the coal industry will be contributing an additional $1 billion to our Clean Coal Initiative—and I thank the industry for that. Direct beneficiaries of funding provided under the National Low Emissions Coal Fund will include the research community, technology developers, operators of demonstration projects and developers of CO2 storage sites and associated infrastructure.

CCS technologies are important because coal is such an important part of Australia’s economy both for domestic energy generation and export revenues. Eighty per cent of Australia’s electricity comes from coal-fired power generation. While we build our renewable energy and gas capacity, coal will continue to provide most of Australia’s electricity for decades to come. That also means it will continue to be a major source of greenhouse gas emissions. Right now, more than 30 per cent of our total greenhouse gas emissions comes from the use of coal. That is why the development and deployment of low-emissions coal technologies are so important to achieving substantial reductions in Australia’s greenhouse gas emissions.

Meeting our greenhouse target will require substantial greenhouse gas reductions from the operation of Australia’s coal-fired power stations. CCS technology is also important for the long-term future of our coal exports. Coal is now Australia’s largest source of export earnings, earning an estimated $43 billion in 2008-09. If Australia can play a role in developing low-emissions coal technologies, we can secure the long-term future of the coal industry in a world that in coming decades must transition to low-carbon energy sources. Carbon capture and geological storage is a key component of the government’s strategy to reduce carbon pollution from the operation of Australian coal-fired power stations. Through the National Low Emissions Coal Fund, the government will support the demonstration of postcombustion capture at coal-fired power stations and also the carbon storage aspects of CCS.
The passage of this legislation is an important step forward in advancing the large-scale development of CCS and making sure that we in Australia are prepared for the future. This legislation will mean that the Australian government will offer exploration acreage for carbon storage sites as early as next year. At the same time, the national carbon storage mapping project will identify the nation’s most prospective areas and match them with demand locations. That way, we can prioritise the carbon storage exploration infrastructure task which lies ahead of us. This work will be carried out by a carbon storage task force led by Keith Spence and including representatives of industry, the labour and environmental movements and the research community—we are determined to get this right. The carbon storage task force will also work closely with the National Low Emissions Coal Council.

As I have mentioned, this legislation will help position Australia as a world leader on CCS. Internationally, carbon capture and storage is recognised as a critical technology in reducing the emissions of CO2 into the atmosphere from both power generation and other activities. The recent G8 meeting in Hokkaido endorsed seven particular recommendations made by the International Energy Agency and the Carbon Sequestration Leadership Forum, which focused on two areas: firstly, demonstrating CO2 capture through a commitment to 20 industrial-scale CCS projects by 2010 to allow the broader development of this technology by 2020; and, secondly, taking concerted international action to partner financially, support and share information to build the development of CCS.

CCS has the potential to be a major low-emissions technology. That is why we need legislation that can create the certainty to underpin investments in large-scale demonstration projects into the future. The legislation before the House will help Australia to develop technologies that have the potential to make a major contribution towards reducing greenhouse gas emissions in Australia and around the world. It is a critical element of creating an environment for investment in the low-carbon energy industries of the future. The Australian government believes we cannot continue with a do nothing approach—the do nothing approach which characterised the government which preceded us. Acting now is our responsibility. Acting for the long-term interest of the Australian economy is our responsibility. Acting now for the long-term interest of the planet is our responsibility.

The market for low-carbon energy technologies is growing rapidly and it will be worth hundreds of billions of dollars in the future. Australia has the choice to be a hub of clean-energy technologies and businesses or to simply become a follower, an importer of technologies developed elsewhere. We do not intend to do that. We intend to be on the front foot. That is what this legislation is about. And there is more to come. But we will only achieve the critical mass of research, innovation and investment in Australia if we begin to move to a low-carbon economy ourselves. That is why carbon capture and storage technologies, alongside the Carbon Pollution Reduction Scheme and the government’s comprehensive response to climate change, are so critical to Australia’s future.

Some in the community caution us against acting. Some say it is better that we just do nothing on climate change—that we just wait until other nations act, until other nations develop these technologies, until other nations show us the way forward. That is not the attitude of this Australian government. Some say we are only a small country so whatever we do does not really matter for the rest of the world. That is not the attitude of
this Australian government. I believe those arguments that have been advanced are just wrong. They are unprincipled, they are shortsighted and they are absolutely reckless in relation to this nation’s economic future. They are also out of step with the best Australian traditions—the traditions of innovation, initiative and being among the first to raise our hand when the world is looking for leadership.

This bill is about Australia providing that leadership. It is about preparing for the future with the world’s first comprehensive regulatory framework for carbon capture and storage projects. It is about building a strong foundation for the future and seizing a potentially very large market opportunity for the future. The government believes that Australia should not be a follower on climate change; the government believes Australia should be a leader on climate change. That underpins the legislation before the House. I commend the bill to the House.

Mr SIDEBOTTOM (Braddon) (9.51 am)—It is always nice to follow the Prime Minister. I am very pleased to be able to discuss this legislation, the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 and related bills, for a number of reasons and I would like to highlight those as I go. Most especially, I want to commend this legislation for its pioneering element and I want to commend the Minister for Resources and Energy, who is at the table, for the excellent work that he, his advisers and the department have done in producing what is fundamentally a framework piece of legislation to allow for what will be a very important part of our whole approach to carbon pollution reduction. In this instance we are talking of course about the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008, which will establish a framework to allow people to prepare with certainty into the future to capture and then store carbon dioxide in our offshore reservoirs safely and securely, and we will be able to share with the rest of the world the technologies that are going to be encouraged by this. It is absolutely essential that we take the lead in this pioneering role which we share with others throughout the world, and I would like to discuss some of those a little bit later on.

Also, as the Prime Minister has just mentioned, this is part and parcel of a suite of legislation and schemes by which Australia, led by this government—so under this government—will attempt both to reduce carbon pollution in Australia and to make its contribution to reducing carbon pollution throughout the world. I think it is really important to note that by just about any measure the Australian population believe in this thing called climate change, even though it is rather amorphous at times, and that they believe climate change is occurring.

Yesterday I was in this House listening to the member for Tangney, who essentially repudiated the whole argument and the science for the rationale behind climate change. I was absolutely aghast because I regard the member for Tangney as having intelligence and articulation particularly in areas that I am particularly interested in, such as education. But I was staggered by the member for Tangney’s claim. But it was part and parcel of a contrary day for me yesterday.

I came across contrariness everywhere I went yesterday. It started with the member for Tangney then I picked up my newspapers and I came across the contrariness of others. As you know, Mr Deputy Speaker Bevis, along with you I have a passion for education, so I read in the newspaper comments by Mr Kevin Donnelly, Mr Contrary himself on education. It is Kevin Donnelly versus the rest of the world—and the rest of the world is wrong and he is right on education! I thought yesterday I would do a bit of histori-
cal reading and I came across Keith Wind-
schuttle. Of course here we go again with
this contrarian view of history that I was
served up yesterday. So I thought I would go
back for a bit of political comment and I
came across Janet Albrechtsen’s work. Here
was another contrary view of life. Of course
you have to have contrary views once in a
while, but yesterday the member for Tangney
was completely contrary as if nothing was
happening with climate change and it was all
just seasonal—and I was staggered. He was
supposed to be talking on this legislation—
that is what I found extraordinary—and I do
not think we ever got to the detail of this leg-
islation.

This legislation is our attempt to do what
we should do anyway: seek to attempt to
reduce our carbon pollution. This framework
seeks to do that, and I am very proud to be
part of all this. I am very proud to have been
part of the excellent inquiry which we have
just conducted on the inquiry brief that we
were given by the Minister for Resources
and Energy. I think the report of the House of
Representatives Standing Committee on
Primary Industries and Resources is great
reading for anyone who is struggling to sleep
at night! It is called Down under: greenhouse
gas storage. It is beautifully named—and I
do not know which member of the commit-
tee suggested that! Anyway, one does not
want to claim too much credit.

This is a significant piece of legislation
and I was pleased to see that the minister
directed this to a House of Representatives
parliamentary committee—I thought that
was fantastic—and I know that everyone on
our committee was very pleased about that,
and perhaps this process should be replicated
more often in this place: put things in the
House of Representatives parliamentary
committees where we can do the robust in-
vestigation that we would like to do and
hopefully arrive at consensus. I believe from

the minister that, of all of our recommenda-
tions, there are perhaps two that we are going
to discuss further—but that was a tremen-
dous result and I do recommend this report
to all my colleagues. I was very proud to be
part of the inquiry and I congratulate the
chair, my colleague the member for Lyons,
for his work.

So what does this legislation do? I am a
simple man and I like things to be simplified
for me and I hope that I can go through and
look at some aspects of this legislation and
simplify them. Most specifically, the legisla-
tion establishes access and property rights
for the safe and secure injection and storage
of greenhouse gases into stable subsurface
geological reservoirs in Commonwealth wa-
ters. In other words, we want to try to cap-
ture and store the carbon dioxide that is pro-
duced, most especially in the electricity pro-
duction industries, through coal in particular
and then transport and inject it into the
ground and under the ground offshore. That
is the heart of it. It sounds like scary science.
But in actual fact our understanding of geo-
logical formations is quite extensive, having
been gained over many decades, so we do
have a very good knowledge of the geologi-
cal structures that these gases are going to be
jected into. We also look forward to these
processes encouraging other technologies.

What else do we want to do? We want to
provide project developers with certainty,
because this is going to cost a lot of money.
We want to be able to provide project devel-
opers with certainty. This is required to
commit to major low-emissions energy pro-
jects involving CCS, carbon capture and
storage. The legislation also allows for the
establishment of an effective regulatory
framework—we must have that—to ensure
that projects meet health, safety and envi-
ronmental requirements. Whatever we do has
to be good science, good engineering, good
technology and good for the environment.
That means it will be good for all of us, and that is what this framework legislation seeks to do. What else will it do, simply? We want to create an environment in which industry can invest in CCS projects with confidence and to encourage the commercialisation of technologies which have the potential to play a vital role in reducing global greenhouse gas emissions in the future. It is not just here; it is worldwide. The great thing is that we will be able to offer our technologies to the world so that others can use them and our small footprint will become a larger footprint throughout the world.

The legislation also provides for appropriate consultation and multiple use rights with other marine users. We are going into an environment that many people use, including fishing and petroleum industries, and we have to ensure pre-existing property and use rights are properly preserved. They have rights there, and we have to ensure that those rights are respected. This regulatory framework sets out to create a mechanism so that people can use and co-use locations for a variety of reasons, and we need to do that safely and legally.

In effect, the proposed legislation recognises the need to, firstly, provide greenhouse gas injection and storage proponents with the certainty needed to bring forward investment; secondly, as I mentioned, preserve pre-existing rights of the petroleum industry as far as practicable to minimise sovereign risk to existing titleholders’ investment in Australian offshore resources; and, finally, provide assurance to the community that CO2 is stored in a safe and secure manner.

What is the context for this? I come from the renewable capital of Australia, Tasmania, which is based on renewable energy. It is excellent that the relevant minister is at the table, the Minister for the Environment, Heritage and the Arts, and I am really looking forward to hearing more about MRETs and the regulations involved with expanding the MRETs so that wind energy, particularly in Tassie, will continue to roar ahead—so much so that we will have so many wind turbines in Tassie that it will take off! I look forward to that. But I realise that we are a fossil fuel dependent economy. I am not used to brown and black coal; I thought they were racehorses where I come from.

However, it is a reality that we are a fossil fuel dependent economy. Indeed, 80 per cent of Australia’s electricity is generated from coal. That is a reality. So what do we do about it? First and foremost you face that reality and then you set out to clean it, and that is what this legislation is involved with, along with other policies of this government. Eighty per cent of our electricity is generated from coal. I also understand that some 40 per cent of the world’s electricity needs are based on coal and this will grow to some 44 per cent by 2030. I also understand, as the Prime Minister just updated the figures for us, it will be a $43 billion export industry in 2008-09. We are the largest exporter of coal in the world. Thirty thousand direct jobs are associated with this industry, so it is not something that you can walk away from. Others would have us close it down. I talked about the contrariness of the member for Tangney. We have contrariness in other places. Coal is absolutely essential to our economy and to our future. We can certainly lead the world in what we can do with carbon capture and storage.

So, for the non-scientific amongst us, what is involved with this carbon capture and storage, particularly in our offshore petroleum areas? CCS involves capturing greenhouse gas emissions, predominantly from coal-fired power stations, before they are released into the atmosphere, thus preventing the gases from entering the atmosphere and contributing to climate change—not easily
done technologically, I might say, but a fairly simple concept. The gas is then injected and stored deep under the ground in geological formations similar to those which have stored oil and gas for millions of years. The original term for CCS was carbon dioxide geosequestration, but we call it CCS because we live on acronyms—you have them for breakfast in this place. The only other place I know that has more acronyms is Centrelink. They have extraordinary memories for acronyms. Anyway, CCS it is. That is what we use so that is what it will be. That is a technology that involves combined processes of capture, transport and geological storage of CO₂, carbon dioxide, and/or other greenhouse gases.

For my simple brain, greenhouse gases may be produced by the combustion of fossil fuels or co-produced as a result of oil and gas extraction or some industrial processes. Instead of allowing the gases to be released into the atmosphere, because they are dirty, they are captured at the emission site where they are separated from other substances. The separated stream is then compressed into a concentrated volume and transported from the source location to the injection location. Geological storage comprises the injection of the compressed stream into the geological formation in the deep subsurface, its migration away from the immediate vicinity of the injection point and its subsequent trapping in geological formations.

I did a little bit of research, because the member for Tangney, the contrarian, yesterday was telling me how unsafe this practice could be. In that research I asked: are there other experiments with this? Is there some evidence to say that this can happen? I noticed that in Saskatchewan, Canada, CO₂ is being used for enhanced oil recovery in the Weyburn field—there is a trip!—and in Poland CO₂ is being used to help extract methane from coal beds that are too deep to mine, and, very interestingly, in the Norwegian North Sea, in the first direct sequestration project, naturally occurring CO₂ is being stripped out of methane from the Sleipner field and reinjected into a deep saline formation for storage 900 metres below the seabed. Since that project started, over 10 years ago, one million tonnes of CO₂ per year has been injected, and seismic techniques have monitored the successful dispersion and trapping of the gas within the formation. I believe that in BP’s In Salah project in Algeria naturally occurring CO₂ is being removed from natural gas and reinjected into the gas reservoir. Injection is at a rate of up to a million tonnes a year.

There is experimentation going on in Australia. The Otway project in south-west Victoria, operated by CO2CRC, is the first CCS project in Australia and is the world’s most advanced demonstration project based solely on storage without associated CO₂ production. The project aims to demonstrate that up to 100,000 tonnes of CO₂, extracted from a nearby natural accumulation, can be safely transported via a pipeline and injected and stored, while trialling a significant number of potential monitoring and verification techniques. To date, the Australian government has contributed in excess of $25 million to this important project.

To find out a little bit more—if I may share this with you to conclude—I looked to Rick Cousebrook in AusGeo News, No. 76, December 2004. In answering the question: ‘How long will CO₂ be trapped in the storage areas?’ Rick Causebrook wrote:

The petroleum industry is over a hundred years old and during this time geologists and other scientists have been studying the conditions under which oil and gas are generated and trapped in the subsurface.

For over 100 years they have been studying it. Further, he wrote:
The importance of oil to the world economy since the middle of the twentieth century has meant considerable resources have been directed at understanding the environment in which hydrocarbon accumulations occur and how they are preserved.

He went on to say:

Research in hydrocarbon-bearing basins worldwide has shown that it is possible to determine the time that the source rocks started to generate oil and gas, and show how long these fluids have been held securely in the adjacent traps. In almost all cases this is tens to hundreds of million years. The fact that the sealing rocks have held naturally generated oil and gas accumulations over such a period, often with naturally occurring carbon dioxide, demonstrates that they can contain carbon dioxide that is purposefully injected into them for a very long time.

I am very pleased to speak on this legislation. It is part and parcel of a suite of schemes and projects that Labor want to introduce to help to reduce carbon pollution.

(Time expired)

Mr GEORGANAS (Hindmarsh) (10.11 am)—I too rise to speak in support of the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 and related bills. Let me start by congratulating the previous speaker, the member for Braddon, for his great explanation of what this bill will do and how we are combating climate change. As I said, I am here to speak on this legislation and to support the efforts of my parliamentary colleagues on the House of Representatives Standing Committee on Primary Industries and Resources, who worked so hard to bring this bill to the House. I would also like to support the efforts of the Minister for Resources and Energy and Minister for Tourism, the Hon. Martin Ferguson, who has taken the tremendous step of putting forward groundbreaking legislation aimed fairly and squarely at combating climate change and the contribution of greenhouse gases to climate change, both in Australia and potentially around the world, while maintaining Australian jobs and economic prosperity.

We have had a number of statements over the years from members opposite, and over the last 24 hours, whilst I have been following this debate very closely, I have seen that those statements and arguments have not changed. The opposition continue to be climate change sceptics. If we go down that path we will achieve zilch. We have heard those opposite, both in this place and in the media, discounting the science that continues to accumulate and mocking anyone who takes the issue of global warming and dangerous climate change with the seriousness that they clearly deserve. We have had senior members of the former government making their positions crystal clear, saying, ‘It’s all too ambiguous; it’s all too hard’. We have heard these arguments again over the last 24 hours; arguments like: ‘We’re simply too small a player to be involved in any global attempt to limit the proportion of carbon dioxide and other gases in our atmosphere.’ Over the last 24 hours they have said that it is not real, promoting broadcasts that cast the science and responsible leaders’ reactions to the situation as a swindle. Yet virtually in the same breath they have attempted to swindle the Australian public by characterising their support of a non-viable nuclear power industry within Australia as their responsible policy towards tackling the very climate change they discount.

The Australian public certainly believe the scientific consensus. We saw that last year as the average Australian voter showed their support for responsible government at the general election. They showed their support for federal Labor developing and implementing policies to combat the unsustainable polluting of our environment with ever-increasing volumes of carbon dioxide and other greenhouse gases.
The Australian public continue to show their support for the Labor government’s policies in this area. Recently, within the context of the Garnaut and Carbon Pollution Reduction Scheme debate, the overwhelming majority of Australians voted yes, that we need to take these responsible and necessary steps to combat climate change. The bills before us today, the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008, the Offshore Petroleum (Annual Fees) Amendment (Greenhouse Gas Storage) Bill 2008, the Offshore Petroleum (Registration Fees) Amendment (Greenhouse Gas Storage) Bill 2008 and the Offshore Petroleum (Safety Levies) Amendment (Greenhouse Gas Storage) Bill 2008, in total, are designed to establish the context within which Australian industry can get on with the job of investigating options for the safe and secure storage of carbon dioxide within geological structures for many, many years to come.

The Minister for Resources and Energy and the Minister for Tourism, in his second reading speech, called for the parliament to await the outcome of the House of Representatives Standing Committee on Primary Industries and Resources inquiry into such matters and, in particular, whether the bills before us establish the best balance between the rights of players within the extraction industry and the needs of the sequestration industry. As I said earlier, I commend the minister for willing the committee to report to the parliament for his and the parliament’s fair and balanced considerations of the committee’s recommendations towards matters, including those addressing the balance of respective players’ rights and access. I note that in its report the committee congratulated the minister for his efforts in bringing the legislation to the House. It said:

The Committee would like to congratulate the Minister for Resources, Energy and Tourism, the Hon Martin Ferguson MP, for this pioneering legislation. This legislation sets the groundwork for the establishment of a national GHG— that is, greenhouse gas— industry in Australia. If we grasp the opportunity provided, it will allow us to lead the world in the implementation and development of CCS— that is, carbon dioxide capture and storage.

Some within the community question the wisdom of investing our support in geosequestration as a partial solution to increasing concentrations of global greenhouse gases. Some in the community believe that the government should limit our support in tackling climate change to possibilities that literally would be the best of all possible power generation technologies and systems. The position of the government is very clear: the government are encouraging the development of a suite of power-generating technologies utilising a range of resources. Not all of these technologies are totally waste free, not all of them are perfect in being fully sustainable, not all of them are likely to be systems fully accessible by all Australians and not all of them will be satisfactorily economical, nor even functional. But options that are being actively pursued around this nation have absolutely breathtaking potential. The federal Labor government have established the target of Australia, sourcing 20 per cent of our needed power for renewable sources by 2020.

Within my own home state of South Australia we are currently very well positioned to take up opportunities to harness the power of wind, being in the roaring forties. More wind farms are being built from Cape Jervis to the Flinders Ranges. If South Australia has not already met the 20 per cent renewable target, we will be very shortly. This is a very realistic target. It is a target that we must meet to achieve Labor’s longer term target of a 60 per cent reduction in emissions by 2050. South Australia is also blessed with natural
resources in the form of hot rocks or radioactive granite under the ground in the mid- to far north of the state. Within my electorate office I have met with players from the geothermal industry and I am highly interested in this industry’s developments, as I think we all should be.

Geoscience Australia reportedly estimates that just one per cent of Australia’s geothermal energy is equivalent to 26,000 times Australia’s total annual energy consumption. Geothermal power generation has the potential to supply Australia with clean energy for hundreds, if not thousands, of years to come. The potential for this industry is really breathtaking. It is an industry that is receiving very real assistance from this federal Labor government in the form of a $50 million Geothermal Drilling Program, which will provide grants of up to $7 million on a matched funding basis to support the high cost of drilling deep geothermal wells for proof-of-concept projects. The Geothermal Drilling Program, launched by the Minister for Resources and Energy on 20 August this year, is the first program to be launched under the government’s $500 million Renewable Energy Fund. This fund is designed to accelerate the development, commercialisation and deployment of renewable energy technologies in Australia. Which technologies will emerge as clear winners over the next decades? That will be up to the market and the industries which seek to take advantage of this amazing period of change within Australia and around the world. The responsible policy of this federal Labor government is to cut overall carbon dioxide and other greenhouse gases within Australia through the Carbon Pollution Reduction Scheme. This scheme will be the vehicle that drives investment in cleaner energy generation technologies and waste minimisation technologies, such as those required for geosequestration.

With bills such as these before us today, the government can and is willing to set the framework for doing business in a fair and reasonable manner. The government continues to provide encouragement with innovative technology development before letting the competing interests work out their own destiny over the longer term within the private sector. I expect that most Australians would conclude that this federal Labor government is taking the problem of climate change very seriously indeed and is pursuing the right mix of policies for us to meet our objectives in the short, medium and long term, and at the same time maintaining Australian jobs and economic prosperity. I would like to congratulate the committee that worked so hard on bringing this bill to the House and recommending it to the parliament. I commend this bill to the House.

Mr BIDGOOD (Dawson) (10.22 am)—I rise to speak in full support of the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 and cognate bills. This bill will establish a new range of offshore titles providing for the transportation by pipeline and injection and storage in geological formations of CO2 and, potentially, other greenhouse gases. The Offshore Petroleum Act 2006—otherwise known as OPA—as amended by the bill will continue to apply only in the Commonwealth offshore jurisdiction. The new titles will therefore be located in the area between the outer limits of the states and the Northern Territory—three nautical miles of coastal waters—and the outer limit of the Australian continental shelf. Under the proposed greenhouse gas legislative model, the Australian government will be primarily responsible for administering the regulation in Commonwealth waters, rather than the current joint authority of state, Northern Territory and Commonwealth government arrangements applying to the petroleum industry.
The responsible Commonwealth minister, known as RCM, will have ultimate regulatory responsibility. This approach is consistent with the industry’s preference for a consistent and harmonised national approach and will improve the efficiency of project approvals and minimise administrative duplication. The government referred this bill to the House of Representatives Standing Committee on Primary Industries and Resources, of which I am a member, for inquiry and report on 19 May 2008. The committee’s bipartisan report, *Downunder: greenhouse gas storage*, was tabled on 1 September and strongly endorsed the government’s CCS framework.

With 80 per cent of Australia’s electricity generated from coal, no serious response to climate change can ignore the need to clean up coal. The establishment of a carbon capture and geological storage framework represents a major step towards making low-emissions coal a reality. CCS is essential for the long-term sustainability of coal-fired electricity generation and to realise the potential of new industries such as coal-to-liquids, which could improve Australia’s liquid transportation fuel security.

The coal industry is highly significant not only to my electorate of Dawson and Australia’s economic prosperity but also to the world’s current and forecast energy supply. Coal currently provides almost 80 per cent of Australia’s electricity generation capacity, and also some 40 per cent of world electricity needs. While coal’s share of future power generation in Australia will decline in favour of renewable energy and less greenhouse intensive fossil fuels, such as gas, coal will continue to provide much of Australia’s electricity generation requirements well into the future. This view is supported by the International Energy Agency. This monitors and forecasts global energy supply and demand. The IEA estimates that the world’s future energy needs will be met primarily by fossil fuels, forecasting that coal will provide around 44 per cent of world electricity needs in 2030—an increase on its current share. It is therefore vitally important that domestic and international greenhouse gas abatement solutions include policies that support the development and deployment of low-emissions coal technologies. Against this reality, it would be irresponsible for the Australian government to close down Australia’s coal industry and forsake the economic opportunity that the global demand for coal represents for all Australians.

Coal is Australia’s largest export commodity, generating some $24 billion in export income in the years 2005 and 2006. This is to the nation’s economic bottom line. According to the Queensland Resource Council, it generated some $18 billion in income in 2007 for the Queensland economy alone. Just this morning, we were honoured with the presence of the Prime Minister talking to this bill. He informed the House of the latest figures, which say that our exports will be worth $43 billion in the year 2008-09. Australia truly is the world’s largest exporter of coal. The coal industry is also the lifeblood of many of our rural and regional communities, and this is especially the case in my seat of Dawson. The industry employs some 30,000 people and one in four of those jobs are in the Bowen Basin. Low-cost coal supports Australia’s high living standards and is the foundation for Australia’s energy intensive industries. The success of CCS technology will guarantee the long-term future of the coal power industry and the job security for power industry workers.

If Australia were to stop exporting coal, countries like China and India would simply find other suppliers to meet their demand. Therefore, any response to climate change pressures must also take into account the need to maintain adequate and reliable en-
ergy supplies by making fossil fuel use cleaner. The government recognises that new clean energy technologies, including both fossil fuels and renewable energy sources, are the key to a sustainable climate change solution. The Rudd government is providing leadership and policies that reduce or eliminate greenhouse gas emissions, while at the same time ensuring that we continue to prosper from our abundant energy resources. In this context, and as a fossil fuel dependent economy, the Australian government has a pivotal role to play in driving technology outcomes that reduce or eliminate greenhouse gas emissions. A key part of this effort is the need to establish a framework to allow for the capture and geological storage of greenhouse gases emitted from fossil fuel use, both domestically and in countries which purchase Australian coal.

The centrepiece of the government’s climate change policy is its commitment to establish the Carbon Pollution Reduction Scheme, known as CPRS, in 2010. The scheme will establish a forward price for carbon within the Australian economy. Placing a cost on carbon will encourage industry to develop and deploy low-emission technologies over time. In addition, the government has established the $500 million National Low Emissions Coal Fund to support the National Low Emissions Coal Initiative and deliver breakthroughs in clean coal technologies, of which CCS is a key part. The NLECI is being matched by the coal industry’s COAL21 initiative. The industry has set up a $1 billion fund to support clean coal projects, to combat climate change and to reduce our emissions. This initiative will showcase practical ways to reduce emissions from coal use to our key major trading partners, such as China.

The government’s legislation will establish access and property rights for the safe and secure injection and storage of greenhouse gases into stable subsurface geological reservoirs in Commonwealth waters more than three nautical miles offshore. The legislation aims to provide project developers with the certainty required to commit to major low-emission energy projects involving CCS. It also allows for the establishment of an effective regulatory framework to ensure that projects meet health, safety and environmental requirements. The legislation will create an environment in which industry can invest in CCS projects with confidence and will encourage the commercialisation of technologies which have the potential to play a vital role in reducing global greenhouse gas emissions in the future. The legislation provides for appropriate consultation and multiple use rights with other marine users, including the fishing and petroleum industries, and ensures pre-existing property and use rights are properly preserved.

The government’s framework comprises four bills which were introduced into the House on 18 June 2008: the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008, which is the principal bill to establish the Commonwealth’s CCS framework; the Offshore Petroleum (Annual Fees) Amendment (Greenhouse Gas Storage) Bill 2008; the Offshore Petroleum (Registration Fees) Amendment (Greenhouse Gas Storage) Bill 2008; and the Offshore Petroleum (Safety Levies) Amendment (Greenhouse Gas Storage) Bill 2008. The bills will establish a new range of offshore titles providing for the transportation by pipeline and injection and storage in geological formations of carbon dioxide and, potentially, other greenhouse gases. The legislation deals primarily with the provision of access and property rights for greenhouse gas injection and storage activities in Commonwealth offshore waters and provides a management system for ensuring that storage is safe and secure while balancing the rights of this new indus-
try with the petroleum industry in a manner that encourages investment in both industries. The proposed legislation recognises the need to (a) provide greenhouse gas injection and storage proponents with the certainty needed to bring forward investment, (b) preserve pre-existing rights of the petroleum industry as far as is practicable to minimise sovereign risk to existing titleholders’ investment in Australia’s offshore resources and (c) provide assurance to the community that CO2 is stored in a safe and secure manner.

In his second reading speech introducing the legislation, the Minister for Resources and Energy, Minister Martin Ferguson, noted the need for urgent action in addressing climate change and the significant role that these amendments may play in developing one of the available methods for reducing greenhouse gas emissions. The minister also noted that several large-scale projects have been considering their requirements for geological storage for some years. The proponents are eager to gain access to areas so that they can commence detailed assessment of storage formations. In conclusion, Minister Martin Ferguson, who has visited my electorate on two occasions and has seen first-hand the service industries that have developed to support the coal industry, noted that this bill provides proponents with access to potential storage formations and ‘will play a key role’ in accelerating the development of the carbon capture and storage industry. In doing so, this bill provides a significant opportunity to tackle climate change in a way which protects jobs in Dawson and maintains our economic prosperity. Indeed, it will add to the nation’s bottom line in this economy. We have the potential in this House today to be world leaders, not followers. We have the potential to show to the world the way of new technologies and new research, and we should go forward with confidence, not with denial. Because of this, and the leadership of the Rudd Labor government in carbon capture and storage, I commend the bill to the House.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I thank the honourable member for Dawson. While I do not want to be pedantic I draw to his attention the provisions of standing order 64. I think on at least two occasions the member for Dawson referred to the minister as ‘Minister Martin Ferguson’. Under that standing order he should refer to the minister by his ministerial office or alternatively by the division he is privileged to represent in the House. I did not want to interrupt the honourable member at the time.

Mr Bidgood—I apologise, Mr Deputy Speaker.

The DEPUTY SPEAKER—I thank the honourable member.

Ms Livermore (Capricornia) (10.38 am)—The Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 aims to provide the regulatory framework for greenhouse gas storage activities and the further investment in carbon capture and storage technologies that we hope to see in this country in the near future. The purpose of the bill itself is to enable carbon dioxide to be stored safely and securely in geological storage formations deep underground in Australian offshore waters under Commonwealth jurisdiction.

Specifically, the bill seeks to provide greenhouse gas injection and storage proponents with the certainty needed to bring forward investment; to preserve pre-existing rights of the petroleum industry as far as is practicable to minimise sovereign risk to existing titleholders’ investment in Australia’s offshore resources; and to provide assurance to the community that carbon dioxide is stored in a safe and secure manner. The
This bill is significant, and I know that the Minister for Resources and Energy has made it one of his priorities to complete the consultation process with industry and other stakeholders and bring it before the House for debate. I had the pleasure of working with my colleagues on the House of Representatives Standing Committee on Primary Industries and Resources a couple of months ago as we worked through the issues raised in the inquiry into the bill. The inquiry was a great opportunity to talk to those involved in both the oil and gas industries and carbon dioxide injection operations. Through that process committee members gained a very good insight into what is needed to facilitate investment in carbon capture and storage at the same time as recognising that our national interest is served by ensuring that existing oil and gas operators have certainty with respect to their considerable investments in those other important resources: oil and natural gas. I am very pleased to see that the minister has accepted 17 of the 19 recommendations made by the committee. Some of those recommendations have been incorporated into the amendments that will be moved later in the third reading of the bill.

As I said in the debate on the committee report a few weeks ago, the committee sought to provide common-sense recommendations based on the evidence received—common-sense recommendations to facilitate the uptake of carbon capture and storage technologies and to encourage cooperation between oil and gas producers and prospective greenhouse gas storage operators. As we have heard from the speakers in this debate—and certainly from the Prime Minister in his contribution earlier this morning—there is a great deal of support within the government for Australia to continue to lead the way in the development and widespread application of carbon capture and storage technologies. This bill and the priority it has been given by the minister is another indication of that support. We recognise that carbon capture and storage is a necessary part of this country’s response to climate change and the urgent need to reduce our carbon emissions.

In dealing with the challenges presented by climate change and the imperative to act, we have to face the reality of the role that coal and other fossil fuels play in our economy. No serious response to climate change can ignore the need to clean up coal. To start with, as we have heard from other speakers in this debate, 80 per cent of Australia’s electricity is generated from coal. In addition, Australia is the largest exporter of coal in the world, something that I and my colleague the member for Dawson know only too well as representatives of a very large coal producing area. Black coal accounts for over $25 billion of Australian exports annually. The coal industry is also the lifeblood of many regional communities, employing over 30,000 people. Low-cost coal supports Australia’s high living standards and is the foundation for Australia’s energy intensive industries, many of which are also major exporters and of course major employers in our country.

While coal’s share of future power generation in Australia will decline in favour of renewable energy and less greenhouse intensive fossil fuels such as gas, we have to acknowledge that coal will continue to provide much of Australia’s electricity generation requirements well into the future. It is just not realistic or responsible to advocate the shutting down of the coal industry. Instead,
the government is providing funding and support for initiatives to develop low-emission technologies. We believe that the answer for Australia is to perfect the technology that will allow us to benefit from our coal reserves while reducing our carbon emissions. The success of carbon capture and storage technology will guarantee the long-term future of the coal industry and job security for those thousands of Australians employed in the coal and energy sectors.

Of course, whenever you talk about the challenge of climate change you have to acknowledge that this is a problem on a global scale. While we take steps here in Australia to reduce our emissions we also have to be mindful of the global perspective. And when you are you realise that the need for a breakthrough on CCS technologies is even more urgent. You also realise that the opportunities for Australia are even more valuable. The Centre for Low Emission Technology submission to the inquiry of the House of Representatives Standing Committee on Science and Innovation a couple of years ago tells us that, internationally, carbon dioxide emissions are expected to grow by over 50 per cent, from 24 billion to 37 billion tonnes per year in 2030.

The International Energy Agency, which monitors and forecasts global energy supply and demand, also estimates that the world’s future energy needs will be met primarily by fossil fuels, forecasting that coal will provide around 44 per cent of world electricity needs in 2030—an increase on its current share. It is clear from those figures that the work we do in Australia to perfect and commercialise carbon capture and storage technology has enormous potential to reduce global emissions if it can be exported to other countries, especially developing countries like India and China. Demand for our coal and other resources will continue to grow. If we can continue to take the lead on clean energy technologies, we can also export those technologies and play a crucial role in reducing not only our own but also global carbon emissions.

As this bill demonstrates, the Labor government is getting behind efforts to develop and commercialise clean energy. We have established the National Clean Coal Initiative, backed up by a $500 million Clean Coal Fund. This will be matched by $1 billion from industry through its COAL21 initiative. All in all, that is an available investment of $1½ billion to go towards the development and deployment of clean coal technologies.

Much of the work on clean energy to date has been in the area of carbon capture. This bill enables work to proceed in the important area of carbon dioxide injection and storage. The government is also supporting that work through the recent establishment of a carbon storage task force. One of the first jobs of that body is to develop a national carbon mapping and infrastructure plan. This recognises that we are now at the point where we need to identify storage sites for carbon dioxide. We particularly need to find potential storage sites that match up with significant new energy projects, such as coal to liquids and gas to liquids.

As we learned in the House of Representatives Standing Committee on Science and Innovation inquiry into geosequestration technology, some of the sites with the most valuable storage potential are located in areas, like the Gippsland Basin, that are already under petroleum titles. The focus of this bill, therefore, is to provide access and property rights for greenhouse gas injection and storage activities and, very importantly, to balance the potential conflict of interest between the offshore petroleum and gas industries and an emerging greenhouse gas storage industry in a way that encourages investment in both industries.
Another important aspect of the bill is the sections dealing with the regulation of this new industry to ensure that the government and the public can have confidence that carbon dioxide once injected is safely and permanently stored. It is easy for us to forget, when we have been engaged in discussions and debates about emissions trading, geosequestration and carbon capture and storage, that these are very new concepts for most of the community. The terminology is unfamiliar, and we are asking people to accept technology that is completely alien to most of them. It is important, therefore, that the public is informed about the science involved and that we can point to very strong and effective legislation to say that this emerging industry will be properly managed and regulated.

A lot of people I have spoken to about this technology have been surprised to learn that the science surrounding the injection and storage of carbon dioxide in geological formations is actually well established and widely employed in the oil and gas industries. In fact, the Intergovernmental Panel on Climate Change, in its 2005 *Special report on carbon dioxide capture and storage*, confirmed that the injection of CO2 in deep geological formations involves many of the same technologies that have been developed in the oil and gas exploration and production industry. Well-drilling technology, injection technology, computer simulation of storage reservoir dynamics and monitoring methods from existing applications are being developed further for the design and operation of geological storage.

I note that in the report by the science and innovation committee, *Between a rock and a hard place*, BP estimated that currently there are around 35 million tonnes of carbon dioxide each year injected into geological formations around the world, mainly for the purposes of enhanced oil recovery. For example, there are around 150 sites in the United States already using that process. The Sleipner project in the Norwegian North Sea strips methane from natural gas and re-injects it into a deep saline formation 900 metres beneath the sea floor for storage. This project has been running now for 10 years, and one million tonnes of CO2 has been injected each year. Over that time, seismic techniques have monitored the successful dispersion and trapping of the gas within the geological formation. We heard during the course of our inquiry into the bill that in that project the greenhouse gas is behaving as predicted in those models.

Here in Australia, the Otway project conducted by the CO2CRC has this year begun injecting CO2 into the Naylor gas field. The project includes extensive monitoring of the CO2’s behaviour, and new monitoring and verification technology will be developed with the aim of demonstrating that the injection and storage is safe and that any leakage of CO2 can be detected. The committee heard from the head of the CO2CRC, Dr Peter Cook, that the Otway Basin is the most comprehensive monitoring verification system anywhere in the world. So, once again, Australia is leading the way in this vital technology. It is expected that the results of the Otway project will confirm the IPCC’s findings that the risks associated with CO2 capture and storage are low. The IPCC has stated that well-selected geological formations are likely to retain over 99 per cent of their storage over a period of 1,000 years. Overall, the risks of CO2 storage are comparable to the risks in similar existing industrial operations, such as underground natural gas storage and enhanced oil recovery. The existing science and experience in industry gives us confidence that it is indeed safe to proceed with the development of this technology and to encourage industry to deploy CCS technology on a commercial scale. The
bill and supporting regulations will make sure that companies know what standards are expected of them and give the government powers to oversee and enforce these strict standards.

One of the key mechanisms in the bill when it comes to reassuring the government and also the community about the long-term safety of these processes, and of storing CO2 in these sites, is the site closing process. When a greenhouse gas operator has finished injecting CO2 into their site, they apply to the minister for a site closing certificate. As part of that application, they must set out the modelling that they have already done—and we are talking about timelines of 30, 40 or 50 years when it comes to the point of applying for a closing certificate, so by then there would have been a very good opportunity for the proponent to know exactly what had been going on and the behaviour of the CO2 in the subsurface.

So the application to the minister must set out the modelling that the proponent has developed for the behaviour of the greenhouse gas. It must also set out the expected migration pathways—so what the CO2 is doing and is expected to do—in the geological formation. And it must also include suggestions for post-site-closing monitoring and verification by the Commonwealth. So, at the point where the minister is satisfied that it is appropriate and safe to award a site closing certificate to the greenhouse gas operator, there are also negotiations around an amount of security to be paid by the company to the Commonwealth to cover the costs of long-term monitoring undertaken by the government. So it is a very rigorous process that greenhouse gas storage operators must go through.

One of the things that the committee suggested in our recommendations to give the community an extra bit of reassurance about this process is contained in recommendation 18:

The Committee recommends consideration be given to making monitoring data associated with GHG storage project publicly available.

I am pleased to see that the minister has indeed accepted that recommendation, and that is reflected in the amendments that will be moved later on in the debate.

As I have said, public confidence in this technology is crucial. We have heard from speaker after speaker that both the economic interests of Australia and the future of our environment depend on getting this technology operating very soon and operating effectively. Part of that is going to be the public having confidence in this process. So what we do not need is for members of this House to be out there running scare campaigns about this technology, like the one that the member for Herbert has been conducting. And in his contribution to the debate yesterday he continued to perpetuate the myth that this is somehow going to impact on the Great Barrier Reef, when he well knows—or, if he does not know, then he should know, if he is serious about doing his job in this place—that in fact the government moved amendments to the Great Barrier Reef Marine Park Act a couple of months ago to explicitly and absolutely rule out any greenhouse gas storage operations on the Great Barrier Reef. That is consistent with the government’s policy and the provisions of that same act, which rule out mining and drilling operations on the Great Barrier Reef.

So, as I say, public confidence in this technology is important, and our task as a government and as members of this place in supporting this technology is not helped when members put their own political interests first and run around with very irresponsible and completely inaccurate scare campaigns. So I encourage the member for Her-
bert to try and keep up with legislation which goes through this House and to understand that the amendments to the Great Barrier Reef Marine Park Act explicitly rule out any kind of greenhouse gas storage operations on the Great Barrier Reef. Of course, as a member whose electorate is adjacent to the Great Barrier Reef, I completely support the government’s moves in that way to protect that beautiful natural icon.

Mr Acting Deputy Speaker, in closing, I commend the government for this bill. I commend the minister for making this bill such a priority so that we can get carbon capture and storage beyond the R&D stage that it is currently at, and really start being able to commercialise this technology and make it a widespread part of our energy sector in Australia. As someone who represents an electorate that has a great reliance on the coal industry, I understand that this is absolutely vital for the future of that industry and that Australia can take the lead and can continue to maintain the lead that we have in developing this technology to secure the future of the coal industry, to do that in a way that acknowledges the need for reduced emissions, and to create opportunities for Australia to export this technology to the rest of the world.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Before I call the honourable the minister, I would just like to remind the member for Capricornia that the correct means of reference to the occupant of the chair is ‘Mr Deputy Speaker’, or ‘Madam Deputy Speaker’—unless of course Mr Speaker himself is here. The terminology ‘Acting Deputy Speaker’ is inappropriate. To sum up I call the honourable the minister.

Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (10.58 am)—in reply—Thank you, Mr Deputy Speaker. It is always a pleasure to follow the member for Capricornia because I very much appreciate not only her support for this bill but also her great appreciation of the significance of the coal industry, especially to the area which she represents and also to Australia as a nation.

On 18 June 2008, I had the pleasure to introduce the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 and associated bills, going to annual fees, registration fees and safety levies, into this parliament. As I outlined when I introduced the bills, this government is committed to comprehensive action to tackle climate change whilst maintaining Australian jobs and economic prosperity. We are committed to the widest possible portfolio of responses, of which the geological storage of greenhouse gases is an important avenue being explored. Other activities include the development of renewable energy sources and a focus on improving efficiency in energy consumption. The consideration of a Carbon Pollution Reduction Scheme is also part of this armoury. And we are going through a detailed green paper process at the moment, leading to a white paper and legislation in 2009.

We believe carbon dioxide capture and geological storage—or CCS, as it is commonly known—holds great potential as a method of avoiding emissions of carbon dioxide and other greenhouse gases into the atmosphere. Geological surveys have indicated that the storage formations in offshore waters made available by these amendments have the potential to securely store hundreds of millions of tonnes of carbon dioxide. These quantities represent a significant proportion of Australia’s greenhouse gas emissions, and carbon capture and storage has the potential to substantially reduce Australia’s emissions.
The amendments I intend to introduce today enable a key component of the carbon capture and storage process—namely, geological storage—to be actively developed by industry proponents. Companies are keen to identify suitable storage sites to match their parallel development of carbon dioxide capture from coal or gas powered electricity generation and from other industrial and extraction processes. The bill focuses on the provision of access and property rights for greenhouse gas injection and storage activities in Commonwealth offshore waters and provides a management system for ensuring that storage is safe and secure.

On 19 May I was pleased to refer the exposure draft of the bill to the House of Representatives Standing Committee on Primary Industries and Resources for inquiry and report. The committee, chaired by the member for Lyons, Dick Adams, with the deputy chair, the member for Hume, Alby Schultz, received submissions and heard testimony from a broad range of stakeholders, including the petroleum industry, coal producers, governments and non-government organisations. The committee publicly released its final report, which included 19 recommendations, on 15 August 2008. On behalf of the government and the Australian community, I express my sincere appreciation to the committee for their hard work and insight. The committee’s final report, *Down under: greenhouse gas storage*, did a superb job of distilling the key positions of the various stakeholders into a format that provides greater clarity of the government’s legislative framework. It also speaks volumes for the committee structure of the House of Representatives and the need for all of us to consider referring detailed bills to the House of Representatives committee structure for consideration and report to the parliament. The process undertaken by the Standing Committee on Primary Industries and Resources with respect to these bills clearly indicates the capacity of members to improve legislation, and I commend the process to the House.

Most of the recommendations made in the report either endorse existing principles which are currently within the provisions of the bill—or which are part of the general policy framework—or refer to matters that are to be addressed in regulations and guidelines. These are supported by the government; however, I contend that a number of amendments, which I am tabling today, are required to the draft bill to give effect to the committee’s recommendations, to remove ambiguities and to clarify processes. These amendments will contribute meaningfully to a robust and effective regulatory framework. I also note that the Senate Standing Committee on Economics is considering this bill—specifically, the question of liability. The government will consider the committee’s report when it becomes available.

Yesterday I had the pleasure of tabling the government’s formal response to the report of the Standing Committee on Primary Industries and Resources. I am pleased to note that the government supports 15 of the committee’s 19 recommendations. A further two recommendations were partially supported. A number of recommendations required careful consideration to address underlying issues. These include recommendations 1, 8, 9, 11, 12 and 14. Amendments to the legislation are required to give effect to the matters raised by recommendations 1, 6, 8, 9 and 12. In relation to recommendation 1, which the government supports, a high-level objects clause has been included as part of the amendments. A more detailed objects clause along the lines suggested by the committee is not recommended, as it has the very real potential to impact on the interpretation of the detailed contents of the bill, including the balance of objectives relating to the interac-
tions between petroleum and greenhouse sections of the bill.

The government supports recommendation 6—renewal of greenhouse gas assessment permits. The current proposed term for greenhouse gas assessment permits—six years non-renewable—may not provide sufficient time for assessment works in a situation where demand for equipment such as drilling rigs is booked for an extended period into the future. However, to ensure that renewals are not used to warehouse areas, the renewal will be subject either to proposed work programs having been fully met but further work being required on them or to work programs having been subject to unavoidable delays.

The government partially supports recommendation 8—recognition of integrated petroleum developments. The government recommends amending the bill to allow activities across different petroleum title areas to be permitted, subject to the normal approval processes where these are consistent with good oilfield practice, protection of the environment and occupational health and safety. It is not proposed, however, that the disposal of greenhouse gas substances consisting overwhelmingly of carbon dioxide be permitted across multiple petroleum title areas. If such an operation were to be undertaken, it should be subject to the greenhouse gas requirements of this bill and hence should be done under a greenhouse gas title. If injection of by-product greenhouse gases from multiple sources were to be permitted under a petroleum title, there is the possibility that the amount of the greenhouse gas to be injected will exceed the quantity of fluids produced from the reservoir with no requirement for the operator to monitor the behaviour of the stored substance or to ensure that it does not migrate outside the boundaries of the title area. There is a need, therefore, to ensure that such injection projects be regulated under the requirements of the greenhouse gas provisions of the act.

The main underlying issue is to give petroleum operators reasonable certainty that they will be able to obtain the greenhouse gas titles needed for an integrated operation. Giving these industries increased certainty is critical because they are likely to be early movers in the Australian greenhouse gas storage industry. This can best be managed by adopting the committee’s recommendation 12, which would make the availability of a carbon dioxide stream for imminent injection a criterion when assessing bids for the award of acreage.

The government partially supports recommendation 9, allowing ministerial intervention in negotiations between greenhouse gas and petroleum operators. The underlying concern that led to this recommendation relates to the potential for petroleum titleholders to effectively block greenhouse gas activities in an area by claiming that there is a ‘significant risk of a significant adverse impact’ on their petroleum operations. While the government does not believe the recommendation can be adopted in its current form, there are a number of amendments that can be made to address the concerns of the committee. The government believes that the responsible Commonwealth minister having power to direct the parties to negotiate in good faith would be unlikely to assist the parties to reach a negotiated settlement. This is because each party will, albeit in good faith, inevitably continue to act in pursuance of their own commercial interests.

Giving the responsible Commonwealth minister the power to direct an outcome needs to be given separate consideration in relation to pre-commencement and post-commencement petroleum titles. In pre-commencement petroleum titles, the government considers that a power for the re-
sponsible Commonwealth minister to direct an outcome would be a substantial en-
coachment on pre-existing petroleum rights and would represent a major policy shift in
the policy balance of this bill in its current form. Regarding post-commencement petro-
leum titles, there is already a circuit-breaker mechanism in place where parties fail to
agree. In the absence of agreement between parties, or if the responsible Commonwealth
minister is not satisfied with the terms of the agreement, the responsible Commonwealth
minister has power to decide the outcome in the public interest.

As I have already mentioned, a number of amendments to the bill are recommended to
address the concerns of the committee. Regard-
ing the 'significant risk of a significant adverse impact test', the government rec-
ommends that the test criteria be strength-
ened and handled by regulations rather than in legislation. On that note, I have also given
the committee an undertaking that we will present to them for consideration the regula-
tions once they have been drafted. I appreci-
ate their offer to also assist in that process.

To strengthen the treatment of the 'signifi-
cant risk of a significant adverse impact test', the government is proposing to provide the
responsible Commonwealth minister with the power to establish an expert advisory
committee to provide technical advice. This proposal goes beyond the recommendations
of the House of Representatives committee, but the government believes that it will help
address the committee's underlying concerns about the balance between petroleum and
greenhouse gas storage rights. The advisory committee would be convened on a 'needs'
basis. The amendments also cover such mat-
ters as membership, remuneration and con-
flicts of interest.

The government also recommends that the bill be amended to give the responsible
Commonwealth minister the power to re-
quest parties to report on any negotiations
that have taken place and the outcome of
those negotiations. The recommended
amendments to the bill require parties to ex-
change information on their proposed activi-
ties. While the existing framework of the
legislation has been prepared with the inten-
tion of providing incentives for commercial
negotiations, explicit provisions such as these will provide further encouragement.

Another area where regulations can contrib-
ute to addressing the underlying issues re-
lates to data. The government recommends
an amendment to the bill to allow the re-
sponsible Commonwealth minister to request
production of any relevant information as an aid in decision making. The proposed
amendment also makes provision, and app-
propriately so, for confidentiality.

The government does not support recom-
mendation 11, which provides for a one-off opportunity for petroleum operators to apply
for and incorporate a greenhouse gas as-
essment permit over their exploration or production licence. While adoption of this
recommendation would, as the committee
suggest in their report, likely lead to in-
creased exploration activity and knowledge
of Australia's storage resource, it could alter-
atively delay implementation of some pro-
jects by locking out early movers which do
not have existing petroleum rights. Another
major drawback is that storage sites are very unlikely to match petroleum title boundaries.
The underlying geology will be a crucial factor when selecting acreage for release for a
greenhouse gas assessment permit because of the need to take migration paths into ac-
count, which is not a factor in determining petroleum title areas. As a result, areas that
would be selected to give the best utilisation
of potential storage sites would almost cer-
tainly be very different from the areas cov-
ered by existing petroleum titles.
There is, however, one area where the Commonwealth has proposed that rights be extended. The bill provides for the holder of a petroleum production licence to apply for a greenhouse gas injection licence. Additional certainty will be provided by the mirroring of these rights to allow petroleum retention leaseholders to apply for a greenhouse gas holding licence. Only greenhouse gases derived from petroleum operations in the production licence area could be stored under an injection licence awarded under this provision. This need was highlighted in several submissions to the committee. There is also a need to include an amendment to ensure that if the holder of a petroleum production licence holds a greenhouse gas title through this mechanism then the titleholder should not be able to sell one title separately from another. This provision was aimed at promoting synergies between the petroleum and greenhouse gas industries, and allowing them to pass into several hands could result in these synergies being largely lost. Moreover, allowing separate sale could simply be ‘gifting’ the petroleum licensee with a valuable asset that could be sold without public benefit.

The government supports recommendation 12. The government recommends including the demonstration of a readily available carbon dioxide stream for imminent injection as a criterion in the amended criteria for assessing bids for acreage.

The government does not support recommendation 14, which recommends a process for formal transfer of long-term liability to the government. This is an area which has critical implications for the public acceptability of the framework. The practical effect of the current legislative framework is that, after statutory obligations cease and when a closure certificate is issued, common law will apply. The existing bill sets out requirements that have to be met before a closing certificate can be issued. In particular, it requires the responsible Commonwealth minister to be satisfied that the injected substance is behaving as predicted and does not pose a significant risk to the conservation of natural resources, the environment, human health and safety or other matters that the responsible Commonwealth minister considers relevant.

One possible impact of taking over all liability, as recommended by the committee, could be to lengthen the closure period and increase the complexities of the closure processes. This could occur because such a transfer of liability would likely lead to the responsible Commonwealth minister requiring a higher degree of certainty concerning long-term liability issues. As a result, the reduced uncertainty for industry as a result of transferring long-term liability to the Commonwealth could be offset by increased uncertainty concerning the requirements of the closure processes. Under certain provisions, which remain silent on long-term liability and hence leave the matter to common law, a greenhouse gas operator would likely only be liable if damage arose and there was fault or a failing of some kind, such as negligence on the part of the operator. The government therefore recommends that the existing framework remain unchanged.

I also note that the Senate Standing Committee on Economics is considering the bill. The government will consider the report when it becomes available. I would again like to express my appreciation and the government’s appreciation to the House of Representatives Standing Committee on Primary Industries and Resources for its contribution to this pioneering legislation. This bill is a world first and will play a significant role in developing one of the key available methods for reducing greenhouse gas emissions, thereby assisting Australia to address the challenges of climate change. Large-scale
projects for capturing and concentrating greenhouse gases involve potential investments of many hundreds of millions, or billions, of dollars. Several large-scale projects in Australia have already been considering their requirements for geological storage for some years. While they recognise the complexities that need to be addressed by this bill, the proponents are also eager to gain access to areas so that they can commence detailed assessment of storage formations. It is the government’s belief that this bill provides that access and will play a key role in accelerating the development of the carbon dioxide capture and geological storage industry. In so doing, it provides a significant opportunity to tackle climate change in a way that protects Australian jobs and maintains our economic prosperity.

In closing, I wish to thank all members for their positive contributions to the debate on the bills. I appreciate the spirit in which contributions have been made. Members of the opposition have indicated in their speeches that opposition senators may wish to move amendments once the bills have been introduced in the other place. The government has already commenced detailed discussions with Senator Johnston and the member for Groom, Mr Ian Macfarlane, on these matters of concern. I look forward to continuing those constructive discussions so as to reach consensus on this vital piece of legislation. I commend the bills to the House.
(2) Schedule 1, page 9 (after line 15), after item 2, insert:

**2A After section 2**

Insert:

**2A Object**

The object of this Act is to provide an effective regulatory framework for:

(a) petroleum exploration and recovery; and

(b) the injection and storage of greenhouse gas substances; in offshore areas.

(3) Schedule 1, page 13 (after line 11), after item 14, insert:

**14A Section 6**

Insert:

*designated agreement* has the meaning given by section 15J.

(4) Schedule 1, page 13 (after line 25), after item 15A, insert:

**15B Section 6**

Insert:

*expert advisory committee* means a committee established under section 435A.

**15C Section 6**

Insert:

*expert advisory committee member* means a member of an expert advisory committee, and includes the Chair of an expert advisory committee.

(5) Schedule 1, page 21 (after line 16), after item 49, insert:

**49A Section 6**

Insert:

*original greenhouse gas assessment permit* means a greenhouse gas assessment permit that was granted otherwise than by way of renewal.

(6) Schedule 1, item 79, page 27 (line 12), after “in relation to a”, insert “greenhouse gas assessment permit or”.

(7) Schedule 1, item 81, page 27 (line 20), omit “15E”, substitute “15F”.

(8) Schedule 1, page 27 (after line 28), after item 83, insert:

**83A Section 6**

Insert:

*spatial extent* of an eligible greenhouse gas storage formation has the meaning given by subsection 15B(3).

(9) Schedule 1, page 28 (after line 21), after item 87, insert:

**87A Section 6**

Insert:

*tied*, in relation to a greenhouse gas holding lease or greenhouse gas injection licence, has the meaning given by section 11A.

(10) Schedule 1, item 98, page 31 (line 6), omit “holding lease”, substitute “titles”.

(11) Schedule 1, item 98, page 31 (before table item 1), insert:

**1A the renewal, or the grant of a greenhouse gas assessment permit over all of the blocks in relation to which the permit mentioned in column 1 was in force, to begin on the day after the expiry date of the permit mentioned in column 1.**

(12) Schedule 1, page 32 (after line 5), after item 100, insert:

**100A After section 11**

Insert:

**11A Tied titles**

**Scope**

(1) This section applies if a greenhouse gas holding lease (the *greenhouse gas lease*) is granted under section 249BSI to the registered holder of a retention lease (the *petroleum lease*).
Tied titles

(2) For the purposes of this Act, each of the following:

(a) the greenhouse gas lease;
(b) a greenhouse gas holding lease granted by way of renewal of the greenhouse gas lease;
(c) a greenhouse gas injection licence derived from a lease referred to in paragraph (a) or (b);

is tied to each of the following:

(d) the petroleum lease;
(e) a retention lease granted by way of renewal of the petroleum lease;
(f) a production licence derived from a lease referred to in paragraph (d) or (e).

(13) Schedule 1, item 101, page 32 (table item 11), after “was in force”, insert “but has not been renewed”.

(14) Schedule 1, item 109, page 36 (line 27) to page 37 (line 1), omit subsection 15B(3), substitute:

Spatial extent

(3) For the purposes of this Act, the spatial extent of an eligible greenhouse gas storage formation is the expected migration pathway or pathways, over the period:

(a) beginning at the start of the particular period referred to in whichever of paragraph (1)(a) or (b) is applicable; and
(b) ending at the notional site closing certificate time;

of the particular amount of the particular greenhouse gas substance injected as mentioned in whichever of paragraph (1)(a) or (b) is applicable.

(3A) In determining the spatial extent of an eligible greenhouse gas storage formation, regard must be had to:

(a) the fundamental suitability determinants; and
(b) such other matters as are relevant.

(15) Schedule 1, item 109, page 37 (lines 8 to 11), omit subsection 15B(5).

(16) Schedule 1, item 109, page 37 (line 13), omit “subsection (5)”, substitute “this section”.

(17) Schedule 1, item 109, page 38 (line 1), omit “subsection (5)”, substitute “this section”.

(18) Schedule 1, item 109, page 40 (lines 17 to 23), omit section 15F, substitute:

15F Significant risk of a significant adverse impact

Impact of petroleum operations

(1) For the purposes of sections 79A, 79B, 114A, 114B, 138A and 138B and paragraph 435B(2)(a), the question of whether there is a significant risk that a key petroleum operation will have a significant adverse impact on:

(a) operations for the injection of a greenhouse gas substance; or
(b) operations for the storage of a greenhouse gas substance;

is to be determined in a manner ascertained in accordance with the regulations.

(2) For the purposes of sections 145 and 146, the question of whether there is a significant risk that any of the operations that could be carried on under a production licence will have a significant adverse impact on operations that are being, or could be, carried on under:

(a) a greenhouse gas assessment permit; or
(b) a greenhouse gas holding lease; or
(c) a greenhouse gas injection licence;

is to be determined in a manner ascertained in accordance with the regulations.

Impact of greenhouse gas operations

(3) For the purposes of sections 249AF and 249BD and paragraph 435B(2)(b), the question of whether there is a significant risk that a key greenhouse gas operation will have a significant ad-
verse impact on petroleum exploration
operations, or petroleum recovery op-
erations, that are being, or could be,
carried on under:
(a) an existing exploration permit; or
(b) an existing retention lease; or
(c) an existing production licence; or
(d) a future exploration permit; or
(e) a future retention lease; or
(f) a future production licence;
is to be determined in a manner as-
certained in accordance with the
regulations.

(4) For the purposes of sections 249CI and
249CR and paragraph 435B(2)(c), the
question of whether there is a signifi-
cant risk that any of the operations that
could be carried on under a greenhouse
gas injection licence will have a sig-
nificant adverse impact on operations
that are being, or could be, carried on
under:
(a) an existing exploration permit; or
(b) an existing retention lease; or
(c) an existing production licence; or
(d) a future exploration permit; or
(e) a future retention lease; or
(f) a future production licence;
is to be determined in a manner as-
certained in accordance with the
regulations.

(5) For the purposes of section 249CZC
and paragraph 435B(2)(d), the question
of whether there is a significant risk that
any of the operations that are be-
ing, or could be, carried on under a
greenhouse gas injection licence will
have a significant adverse impact on:
(a) operations to recover petroleum; or
(b) the commercial viability of the re-
cover of petroleum;
is to be determined in a manner as-
certained in accordance with the
regulations.

(19) Schedule 1, item 109, page 41 (after line
27), after section 15H, insert:

15J Designated agreements
For the purposes of this Act, a desig-
nated agreement is an agreement of the
kind referred to in any of the following
provisions:
(a) paragraph 79A(5)(f);
(b) paragraph 79A(6)(d);
(c) subsection 79A(10);
(d) paragraph 114A(5)(f);
(e) paragraph 114A(6)(d);
(f) subsection 114A(10);
(g) paragraph 138A(5)(f);
(h) paragraph 138A(6)(d);
(i) subsection 138A(10);
(j) paragraph 249AF(5)(d);
(k) paragraph 249AF(6)(d);
(l) subsection 249AF(11);
(m) subsection 249AF(12);
(n) paragraph 249BD(5)(d);
(o) paragraph 249BD(6)(d);
(p) subsection 249BD(11);
(q) subsection 249BD(12);
(r) subparagraph 249Cl(1)(d)(iii);
(s) subparagraph 249Cl(1)(e)(iii);
(t) subparagraph 249Cl(2)(d)(iii);
(u) subparagraph 249Cl(2)(e)(iii);
(v) paragraph 249Cl(3)(a);
(w) subparagraph 249CR(d)(v);
(x) paragraph 249CR(e);
(y) paragraph 249CR(f);
(z) paragraph 249CR(g);
(za) paragraph 249CZC(1)(e).

(20) Schedule 1, page 41 (before line 28), before
item 110, insert:

109A Section 21
Insert:

greenhouse gas title means:
(a) a greenhouse gas assessment permit; or
(b) a greenhouse gas holding lease; or
(c) a greenhouse gas injection licence; or
(d) a greenhouse gas search authority; or
(e) a greenhouse gas special authority.

109B Section 21
Insert:

petroleum title means:
(a) an exploration permit; or
(b) a retention lease; or
(c) a production licence; or
(d) an infrastructure licence; or
(e) a pipeline licence; or
(f) a special prospecting authority; or
(g) an access authority.

109C Section 21 (definition of title)
Repeal the definition, substitute:
title means:
(a) a greenhouse gas title; or
(b) a petroleum title.

(21) Schedule 1, page 43 (after line 23), after item 117, insert:

117A After subsection 78(1)
Insert:

(1A) Express references in this Act to the injection or storage of a substance do not imply that subsection (1) does not operate so as to authorise the permittee:
(a) to carry on operations to inject a substance into the seabed or subsoil of an offshore area; or
(b) to carry on operations to store (whether on a permanent basis or otherwise) a substance in the seabed or subsoil of an offshore area.

(1B) The regulations may provide that an exploration permit authorises the permittee, in accordance with the conditions (if any) to which the permit is subject:
(a) to explore in the permit area for a potential greenhouse gas storage formation; and
(b) to explore in the permit area for a potential greenhouse gas injection site; and
(c) to carry on such operations, and execute such works, in the permit area as are necessary for those purposes.

117B Subsection 78(2)
Omit “subsection (1)”, substitute “or under subsection (1) or (1B)”.

(22) Schedule 1, page 49 (after line 15), after item 120, insert:

120A After subsection 113(1)
Insert:

(1A) Express references in this Act to the injection or storage of a substance do not imply that subsection (1) does not operate so as to authorise the lessee:
(a) to carry on operations to inject a substance into the seabed or subsoil of an offshore area; or
(b) to carry on operations to store (whether on a permanent basis or otherwise) a substance in the seabed or subsoil of an offshore area.

(1B) The regulations may provide that a retention lease authorises the lessee, in accordance with the conditions (if any) to which the lease is subject:
(a) to explore in the lease area for a potential greenhouse gas storage formation; and
(b) to explore in the lease area for a potential greenhouse gas injection site; and
(c) to carry on such operations, and execute such works, in the lease area as are necessary for those purposes.

120B Subsection 113(2)
Omit “subsection (1)”, substitute “or under subsection (1) or (1B)”.
Schedule 1, item 125, page 54 (line 30) to page 55 (line 2), omit the item, substitute:

125 After subsection 137(1)

Insert:

(1A) Express references in this Act to the injection or storage of a substance do not imply that subsection (1) does not operate so as to authorise the licensee:

(a) to carry on operations to inject a substance into the seabed or subsoil of an offshore area; or

(b) to carry on operations to store (whether on a permanent basis or otherwise) a substance in the seabed or subsoil of an offshore area.

(1B) The regulations may provide that a production licence authorises the licensee, in accordance with the conditions (if any) to which the licence is subject:

(a) to explore in the licence area for a potential greenhouse gas storage formation; and

(b) to explore in the licence area for a potential greenhouse gas injection site; and

(c) to carry on such operations, and execute such works, in the licence area as are necessary for those purposes.

(1C) The regulations may provide that, if:

(a) petroleum is recovered in the licence area of a production licence (the first licence); and

(b) operations for the recovery or processing of the petroleum are carried on using a facility located in the licence area of another production licence (the second licence); and

(c) a prescribed substance (which may be a hydrocarbon) is recovered as an incidental consequence of the recovery of the petroleum;

the second licence authorises the licensee of the second licence, in accordance with the conditions (if any) to which the second licence is subject:

(d) to inject the substance into the seabed or subsoil of the licence area of the second licence; and

(e) to store (whether on a permanent basis or otherwise) the substance in the seabed or subsoil of the licence area of the second licence; and

(f) to carry on such operations, and execute such works, in the licence area of the second licence as are necessary for those purposes.

(1D) Subsections (1B) and (1C) do not limit subsection (1).

125A Subsection 137(2)

Omit “subsection (1)”, substitute “or under subsection (1), (1B) or (1C)”. 

Schedule 1, page 87 (before line 8), before item 165A, insert:

165AA At the end of Part 2.10

Add:

226A Responsible Commonwealth Minister may require information about negotiations for a designated agreement

Scope

(1) This section applies to the following applications:

(a) an application under subsection 79A(1) for approval to carry on one or more key petroleum operations under a declared exploration permit;

(b) an application under section 114A for approval to carry on one or more key petroleum operations under a declared retention lease;

(c) an application under subsection 138A(1) for approval to carry on one or more key petroleum operations under a declared production licence;

where either or both of the following are relevant to the responsible Commonwealth Minister’s decision on the application:
(d) the existence or non-existence of a designated agreement;

(e) the terms of a designated agreement.

Report about negotiations

(2) The responsible Commonwealth Minister may, by written notice given to the applicant, require the applicant to give to the responsible Commonwealth Minister, within the period specified in the notice, a written report about negotiations, or attempts at negotiations, relating to:

(a) the entering into of the designated agreement; and

(b) the terms of the designated agreement.

Consequences of breach of requirement

(3) If the applicant breaches the requirement, the responsible Commonwealth Minister may, by written notice given to the applicant:

(a) refuse to consider the application; or

(b) refuse to take any action, or any further action, in relation to the application.

(4) Subsection (3) has effect despite any provision of this Act that requires the responsible Commonwealth Minister to:

(a) consider the application; or

(b) take any particular action in relation to the application.

(25) Schedule 1, item 169, page 97 (lines 2 to 6), omit subsection 249AH(1), substitute:

<table>
<thead>
<tr>
<th>Duration of greenhouse gas assessment permits</th>
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<tr>
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(26) Schedule 1, item 169, page 97 (after line 10), after note 1, insert:

Note 1A: For a special rule about the extension of the duration of a greenhouse gas assessment permit pending a decision on a renewal application, see subsection 249ASA(6).

(27) Schedule 1, item 169, page 102 (after line 9), after subsection 249AL(3), insert:

(3A) Criteria under subsection (3) must consist of, or include, criteria relating to proposals for work and expenditure in relation to the block or blocks concerned.

(3B) Criteria under subsection (3) may include criteria relating to any or all of the following matters:

(a) economic matters;

(b) commercial matters;

(c) public interest matters.

(3C) Subsection (3B) does not limit subsection (3).

(28) Schedule 1, item 169, page 102 (line 20) to page 103 (line 11), omit subsections 249AL(6), (7) and (8), substitute:
Applicants who are equally deserving of the grant of the greenhouse gas assessment permit

(6) If the responsible Commonwealth Minister:

(a) has considered the information accompanying the applications; and

(b) is of the opinion that 2 or more of the applicants are equally deserving of the grant of the greenhouse gas assessment permit;

the responsible Commonwealth Minister may, by written notice given to each of those applicants, invite them to give the responsible Commonwealth Minister:

(c) details (the work/expenditure details) of their proposals for additional work and expenditure in relation to the block or blocks concerned; and

(d) any other information that is relevant in determining which of the applicants is most deserving of the grant of the greenhouse gas assessment permit.

(7) A notice under subsection (6) must:

(a) specify the kinds of work/expenditure details that the responsible Commonwealth Minister considers to be relevant in determining which of the applicants is most deserving of the grant of the greenhouse gas assessment permit; and

(b) specify the kinds of other information that the responsible Commonwealth Minister considers to be relevant in determining which of the applicants is most deserving of the grant of the greenhouse gas assessment permit; and

(c) specify the period within which the work/expenditure details and the other information must be given to the responsible Commonwealth Minister.

(8) If an applicant gives work/expenditure details or other information to the responsible Commonwealth Minister, and those details or information is:

(a) of a kind specified in the notice; and

(b) given within the period specified in the notice;

the responsible Commonwealth Minister must have regard to the details or information in determining which of the applicants is most deserving of the grant of the greenhouse gas assessment permit.

(29) Schedule 1, item 169, page 111 (after line 16), after Division 3, insert:

Division 3A—Renewal of greenhouse gas assessment permits

249ASA Application for renewal of greenhouse gas assessment permit

Application for renewal

(1) The registered holder of a greenhouse gas assessment permit may apply to the responsible Commonwealth Minister for the renewal by the responsible Commonwealth Minister of the permit.

(2) A greenhouse gas assessment permit cannot be renewed more than once.

(3) An application to renew a greenhouse gas assessment permit must be made:

(a) not more than 12 months before the expiry date of the permit; and

(b) at least 180 days before the expiry date of the permit.

(4) Despite subsection (3), the responsible Commonwealth Minister may accept an application to renew a greenhouse gas assessment permit if the application is made:

(a) later than 180 days before the expiry date of the permit; and

(b) before the expiry date of the permit.

(5) An application to renew a greenhouse gas assessment permit must be accompanied by details of:
(a) the permittee’s proposals for work and expenditure in relation to the permit area; and
(b) such other information (if any) as is specified in the regulations.

Note 1: Part 2A.8 contains additional provisions about application procedures.

Note 2: Section 249JB requires the application to be accompanied by an application fee.

Note 3: Section 249JD enables the responsible Commonwealth Minister to require the applicant to give further information.

Extension of duration of greenhouse gas assessment permit pending decision on application

(6) If:
(a) a greenhouse gas assessment permittee makes an application to renew the permit; and
(b) the permit would, apart from this subsection, expire:
   (i) before the responsible Commonwealth Minister grants, or refuses to grant, the renewal of the permit; or
   (ii) before the application lapses as provided by section 249JF;
the permit continues in force:
(c) until the responsible Commonwealth Minister grants, or refuses to grant, the renewal of the permit; or
(d) until the application so lapses; whichever happens first.

(7) Subsection (6) has effect subject to this Chapter but despite section 249AH.

Note: See the notes at the end of section 249AH.
(ii) the provisions of this Chapter, Chapter 3A, Chapter 4 and Part 5A.1; or

(iii) the provisions of the regulations; have not been complied with; and

(b) in a case where:

(i) the permit is a work-bid greenhouse gas assessment permit; and

(ii) the permit is subject to one or more conditions of the kind mentioned in subsection 249AE(5); and

(iii) one or more of those conditions have not been complied with;

the responsible Commonwealth Minister is satisfied that the non-compliance is attributable to unavoidable delays caused by the unavailability of essential services or essential equipment, or both; and

(c) the responsible Commonwealth Minister is satisfied that there are sufficient grounds to warrant the granting of the renewal of the greenhouse gas assessment permit;

the responsible Commonwealth Minister may give the applicant a written notice (called an offer document) telling the applicant that the responsible Commonwealth Minister is prepared to renew the permit.

Note: Section 249JE sets out additional requirements for offer documents (for example, a requirement that an offer document must contain a summary of conditions).

Offer document—no section 249NA notice

(4) If:

(a) each of the following has been complied with:

(i) the conditions to which the greenhouse gas assessment permit is, or has from time to time been, subject;
249ASC Refusal to renew greenhouse gas assessment permit

Scope

(1) This section applies if an application to renew a greenhouse gas assessment permit has been made under section 249ASA.

Refusal to renew

(2) If:

(a) any of:

(i) the conditions to which the greenhouse gas assessment permit is, or has from time to time been, subject; or

(ii) the provisions of this Chapter, Chapter 3A, Chapter 4 and Part 5A.1; or

(iii) the provisions of the regulations; and

(b) in a case where:

(i) the permit is a work-bid greenhouse gas assessment permit; and

(ii) the permit is subject to one or more conditions of the kind mentioned in subsection 249AE(5); and

(iii) one or more of those conditions have not been complied with; and

(c) the responsible Commonwealth Minister is not satisfied that there are sufficient grounds to warrant the granting of the renewal of the greenhouse gas assessment permit;

the responsible Commonwealth Minister must, by written notice given to the applicant, refuse to renew the permit.

Note: Consultation procedures apply—see section 249JH.

Work program condition

(4) For the purposes of this section, if:

(a) the greenhouse gas assessment permit is subject to a condition requiring the permittee to carry out work in, or in relation to, the permit area during a particular period; and

(b) the application for renewal of the permit was made during that period;

then, in determining whether the condition has been complied with, assume that the period had ended immediately before the application for renewal was made.
249ASD Renewal of greenhouse gas assessment permit

If:

(a) an applicant has been given an offer document under section 249ASB; and

(b) the applicant has made a request under section 249JF in relation to the offer document within the period applicable under that section; and

(c) if the offer document specified the form and amount of a security to be lodged by the applicant—the applicant has lodged the security within the period applicable under section 249JGAA;

the responsible Commonwealth Minister must renew the greenhouse gas assessment permit.

Note 1: If the applicant does not make a request under section 249JF within the period applicable under that section, the application lapses at the end of that period—see sub-section 249JF(4).

Note 2: If the applicant has not lodged the security within the period applicable under section 249JGAA, the application lapses at the end of that period—see section 249JGAA.

(30) Schedule 1, item 169, page 111 (line 23), after “greenhouse gas injection licence”, insert “, retention lease”.

(31) Schedule 1, item 169, page 112 (after line 14), after subsection 249AU(3), insert:

(3A) An estimate of spatial extent must comply with such requirements as are specified in the regulations.

(32) Schedule 1, item 169, page 115 (line 1), at the end of subparagraph 249AU(3)(a)(iv), add “or”.

(33) Schedule 1, item 169, page 115 (after line 1), after subparagraph 249AU(3)(a)(iv), insert:

(v) the lease area of a retention lease;

(34) Schedule 1, item 169, page 115 (line 28), omit “licensee.”, substitute “licensee; or”.

(35) Schedule 1, item 169, page 115 (after line 28), at the end of subsection 249AU(6), add:

(e) if the part is wholly situated in the lease area of a retention lease—the lessee.

(36) Schedule 1, item 169, page 116 (line 27), omit “licensee.”, substitute “licensee; or”.

(37) Schedule 1, item 169, page 116 (after line 27), at the end of subsection 249AUB(4), add:

(e) if the part is wholly situated in the lease area of a retention lease—the lessee.

(38) Schedule 1, item 169, page 119 (lines 10 to 18), omit the dot-point beginning with “A greenhouse gas holding lease may be granted to”, substitute:

• A greenhouse gas holding lease may be granted to:

(a) the holder of a greenhouse gas assessment permit; or

(b) the holder of a greenhouse gas injection licence, where no greenhouse gas injection or permanent storage operations have been carried on under the licence; or

(c) an unsuccessful applicant for a greenhouse gas injection licence; or

(d) the holder of a retention lease.

(39) Schedule 1, item 169, page 125 (after line 34), after note 2, insert:

Note 2A: For a special rule about the cancellation of a greenhouse gas holding lease granted to the holder of a retention lease, see section 249BZC.

(40) Schedule 1, item 169, page 132 (line 4), omit “each”, substitute “at least one”.

(41) Schedule 1, item 169, page 132 (line 7), omit “each”, substitute “at least one”.

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(42) Schedule 1, item 169, page 135 (line 27), omit “formation or formations”, substitute “formation, or at least one of the identified greenhouse gas storage formations.”.

(43) Schedule 1, item 169, page 135 (line 30), omit “formation or formations”, substitute “formation, or at least one of the identified greenhouse gas storage formations.”.

(44) Schedule 1, item 169, page 142 (after line 10), at the end of Division 2, add:

Subdivision D—Application for greenhouse gas holding lease by the holder of a retention lease

249BSG Application for greenhouse gas holding lease by the holder of a retention lease

(1) If:

(a) a retention lease is in force over a block or blocks; and

(b) one or more identified greenhouse gas storage formations are wholly situated in the lease area;

the lessee may apply to the responsible Commonwealth Minister for the grant of a greenhouse gas holding lease over the block or blocks.

(2) An application under this section must be accompanied by such information (if any) as is specified in the regulations.

Note 1: Part 2A.8 contains additional provisions about application procedures.

Note 2: Section 249JB requires the application to be accompanied by an application fee.

Note 3: Section 249JD enables the responsible Commonwealth Minister to require the applicant to give further information.

Variation of application

(3) At any time before an offer document relating to the application is given to the applicant, the applicant may, by written notice given to the responsible Commonwealth Minister, vary the application.

(4) A variation of an application must be made in the approved manner.

(5) A variation of an application may be made:

(a) on the applicant’s own initiative; or

(b) at the request of the responsible Commonwealth Minister.

(6) A variation of an application may set out any additional matters that the applicant wishes to be considered.

(7) If an application under this section is varied, a reference in this Act to the application is a reference to the application as varied.

249BSH Grant of greenhouse gas holding lease—offer document

Scope

(1) This section applies if an application for a greenhouse gas holding lease has been made under section 249BSG.

Offer document

(2) The responsible Commonwealth Minister must give the applicant a written notice (called an offer document) telling the applicant that the responsible Commonwealth Minister is prepared to grant the applicant a greenhouse gas holding lease over the block or blocks covered by the application.

Note 1: Section 249JE sets out additional requirements for offer documents (for example, a requirement that an offer document must contain a summary of conditions).

Note 2: If the applicant breaches a requirement under section 249JD to provide further information, the responsible Commonwealth Minister may refuse to give the applicant an offer document—see subsection 249JD(3).
Grant of greenhouse gas holding lease

If:

(a) an applicant has been given an offer document under section 249BSH; and

(b) the applicant has made a request under section 249JF in relation to the offer document within the period applicable under that section; and

(c) if the offer document specified the form and amount of a security to be lodged by the applicant—the applicant has lodged the security within the period applicable under section 249JGAA;

the responsible Commonwealth Minister must grant the applicant a greenhouse gas holding lease over the block or blocks specified in the offer document.

Note 1: If the applicant does not make a request under section 249JF within the period applicable under that section, the application lapses at the end of that period—see subsection 249JF(4).

Note 2: If the applicant has not lodged the security within the period applicable under section 249JGAA, the application lapses at the end of that period—see section 249JGAA.

Retention lease transfer—transferee to be treated as applicant

Scope

(1) This section applies if a transfer of a retention lease is registered under section 262:

(a) after an application has been made under section 249BSG for the grant of a greenhouse gas holding lease over a block or blocks in relation to which the retention lease is in force; and

(b) before any action has been taken by the responsible Commonwealth Minister under section 249BSH in relation to the application.

Transferee to be treated as applicant

(2) After the transfer, sections 249BSH and 249BSI and Part 2A.8 have effect in relation to the application as if any reference in those sections and that Part to the applicant were a reference to the transferee.

(45) Schedule 1, item 169, page 144 (line 11), omit “formation or formations”, substitute “formation, or at least one of the identified greenhouse gas storage formations,”.

(46) Schedule 1, item 169, page 144 (lines 14 and 15), omit “formation or formations”, substitute “formation, or at least one of the identified greenhouse gas storage formations,”.

(47) Schedule 1, item 169, page 144 (line 16), omit “15”, substitute “10”.

(48) Schedule 1, item 169, page 145 (line 2), omit “formation or formations”, substitute “formation, or at least one of the identified greenhouse gas storage formations,”.

(49) Schedule 1, item 169, page 145 (lines 5 and 6), omit “formation or formations”, substitute “formation, or at least one of the identified greenhouse gas storage formations,”.

(50) Schedule 1, item 169, page 145 (line 7), omit “15”, substitute “10”.

(51) Schedule 1, item 169, page 146 (line 6), omit “formation or formations”, substitute “formation, or at least one of the identified greenhouse gas storage formations,”.

(52) Schedule 1, item 169, page 146 (line 9), omit “formation or formations”, substitute “formation, or at least one of the identified greenhouse gas storage formations,”.

(53) Schedule 1, item 169, page 149 (after line 32), at the end of Part 2A.3, add:
Division 6—Cancellation of certain greenhouse gas holding leases granted to the holders of retention leases

249BZC Cancellation of certain greenhouse gas holding leases granted to the holders of retention leases

Scope

(1) This section applies if:

(a) a greenhouse gas holding lease is tied to a retention lease; and

(b) the retention lease is cancelled, surrendered or wholly revoked.

Cancellation of greenhouse gas holding lease

(2) The responsible Commonwealth Minister must cancel the greenhouse gas holding lease.

(54) Schedule 1, item 169, page 154 (after line 28), after subsection 249CE(7), insert:

(7A) If a greenhouse gas injection licence is granted under section 249CRB to the registered holder of a production licence, the origin or origins specified under paragraph (3)(f) of this section must be situated in the licence area of the production licence.

(7B) If a greenhouse gas injection licence is tied to a production licence, the origin or origins specified under paragraph (3)(f) of this section must be situated in the licence area of the production licence.

(55) Schedule 1, item 169, page 159 (after line 33), after subsection 249CH(6), insert:

Limit on application

(6A) If a greenhouse gas holding lease was granted under section 249BSI (or was granted by way of renewal of such a lease), the lessee is not entitled to make an application under this section unless:

(a) the greenhouse gas holding lease is tied to a production licence; and

(b) the lessee is the registered holder of the production licence.

(56) Schedule 1, item 169, page 183 (line 34), omit “and”, substitute “or”.

(57) Schedule 1, item 169, page 183 (after line 34), at the end of paragraph 249CXB(1)(c), add:

(v) an exploration permit; or

(vi) a retention lease; or

(vii) a production licence; or

(viii) a special prospecting authority; and

(58) Schedule 1, item 169, page 190 (line 15), omit “and”, substitute “or”.

(59) Schedule 1, item 169, page 190 (after line 15), at the end of paragraph 249CZAA(1)(c), add:

(v) an exploration permit; or

(vi) a retention lease; or

(vii) a production licence; or

(viii) a special prospecting authority; and

(56) Schedule 1, item 169, page 197 (line 15), omit “and”, substitute “or”.

(60) Schedule 1, item 169, page 197 (after line 15), at the end of paragraph 249CZCA(1)(c), add:

(v) an exploration permit; or

(vi) a retention lease; or

(vii) a production licence; or

(viii) a special prospecting authority; and

(61) Schedule 1, item 169, page 201 (after line 4), at the end of section 249CZE, add:

Mandatory application—greenhouse gas injection licence tied to a retention lease or production licence

(12) If:
(a) a greenhouse gas injection licence is in force; and

(b) the greenhouse gas injection licence is tied to a retention lease or production licence; and

(c) the retention lease or production licence ceases to be in force as a result of being surrendered, cancelled, terminated or wholly revoked;

the licensee of the greenhouse gas injection licence must, within the application period, make an application under subsection (1) for a site closing certificate in relation to the identified greenhouse gas storage formation, or each of the identified greenhouse gas storage formations, specified in the greenhouse gas injection licence.

(13) The **application period** for an application referred to in subsection (12) is:

(a) the period of 30 days after the day on which the cessation referred to in paragraph (12)(c) occurred; or

(b) such longer period, not more than 90 days after that day, as the responsible Commonwealth Minister allows.

(14) The responsible Commonwealth Minister may allow a longer period under paragraph (13)(b) only on written application made by the licensee within the period of 30 days mentioned in paragraph (13)(a).

(15) A person commits an offence if:

(a) the person is subject to a requirement under subsection (12); and

(b) the person omits to do an act; and

(c) the omission breaches the requirement.

Penalty: 100 penalty units.

(16) An offence against subsection (15) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the **Criminal Code**.

(64) Schedule 1, item 169, page 201 (lines 27 to 30), omit paragraph 249CZF(1)(b), substitute:

(b) either:

(i) the responsible Commonwealth Minister is satisfied that operations for the injection of a greenhouse gas substance into the identified greenhouse gas storage formation concerned have ceased; or

(ii) the responsible Commonwealth Minister is satisfied that there have not been any operations for the injection of a greenhouse gas substance into the identified greenhouse gas storage formation concerned;

(65) Schedule 1, item 169, page 205 (after line 23), at the end of section 249CZGAA, add:

(6) Subsection (1) does not apply if the responsible Commonwealth Minister is satisfied that there have not been any operations for the injection of a greenhouse gas substance into the identified greenhouse gas storage formation concerned.

(66) Schedule 1, item 169, page 205 (line 28), before “the applicant”, insert “if subsection 249CZGAA(1) applies—”. 

(67) Schedule 1, item 169, page 221 (after table item 2), insert:

(68) Schedule 1, item 169, page 221 (line 24), after “grant”, insert “or renewal”.

(69) Schedule 1, item 169, page 222 (line 17), at the end of paragraph 249JC(1)(a), add “(otherwise than by way of renewal)”.

(70) Schedule 1, item 169, page 223 (line 5), after “grant”, insert “or renewal”.

(71) Schedule 1, item 169, page 224 (line 5), after “grant”, insert “or renewal”.

(72) Schedule 1, item 169, page 226 (after table item 2), insert:
2A the renewal of a greenhouse gas assessment permit

30 days after the offer document was given to the applicant;

(73) Schedule 1, item 169, page 228 (before table item 1), insert:

1A section 249ASC refusal to renew a greenhouse gas assessment permit

(74) Schedule 1, item 169, page 229 (after line 13), at the end of Part 2A.8, add:

Schedule 1, item 169, page 229 (after line 13), at the end of Part 2A.8, add:

249JHA Responsible Commonwealth Minister may require information about negotiations for a designated agreement

Scope

(1) This section applies to the following applications:

(a) an application under subsection 249AF(1) for approval to carry on one or more key greenhouse gas operations under a greenhouse gas assessment permit;

(b) an application under subsection 249BD(1) for approval to carry on one or more key greenhouse gas operations under a greenhouse gas holding lease;

(c) an application under section 249CH for the grant of a greenhouse gas injection licence;

(d) an application under section 249CQ for the grant of a greenhouse gas injection licence;

where either or both of the following are relevant to the responsible Commonwealth Minister’s decision on the application:

(e) the existence or non-existence of a designated agreement;

(f) the terms of a designated agreement.

Report about negotiations

(2) The responsible Commonwealth Minister may, by written notice given to the applicant, require the applicant to give to the responsible Commonwealth Minister, within the period specified in the notice, a written report about negotiations, or attempts at negotiations, relating to:

(a) the entering into of the designated agreement; and

(b) the terms of the designated agreement.

Consequences of breach of requirement

(3) If the applicant breaches the requirement, the responsible Commonwealth Minister may, by written notice given to the applicant:

(a) refuse to consider the application; or

(b) refuse to take any action, or any further action, in relation to the application.

(4) Subsection (3) has effect despite any provision of this Act that requires the responsible Commonwealth Minister to:

(a) consider the application; or

(b) take any particular action in relation to the application.

(75) Schedule 1, item 169, page 230 (after table item 4), insert:

4A a greenhouse gas assessment permit

(76) Schedule 1, item 169, page 257 (after line 18), at the end of Part 2A.12, add:

249NL Monitoring information may be made publicly available

Scope

(1) This section applies to information that:
(a) is held by the Commonwealth; and
(b) relates to the monitoring of the behaviour of a greenhouse gas substance stored in a part of a geological formation, where the part is wholly or partly situated in one or more offshore areas.

**Information may be made publicly available**

(2) The regulations may authorise the responsible Commonwealth Minister to make the information publicly available.

(77) Schedule 1, item 191, page 267 (after line 25), after subsection 298-261(2), insert:

(2A) If:

(a) the application is for approval of a transfer of a greenhouse gas holding lease or a greenhouse gas injection licence; and

(b) the greenhouse gas holding lease or the greenhouse gas injection licence is tied to a retention lease;

the responsible Commonwealth Minister must not approve the transfer of the greenhouse gas holding lease or the greenhouse gas injection licence unless:

(c) a transfer of the retention lease has been approved by the Designated Authority under section 261; and

(d) the transfer of the retention lease is registered under section 262; and

(e) both:

(i) the instrument of transfer of the retention lease; and

(ii) the instrument of transfer of the greenhouse gas holding lease or greenhouse gas injection licence;

were executed at or about the same time; and

(f) the transferee or transferees of the retention lease are the same as the transferee or transferees of the greenhouse gas holding lease or greenhouse gas injection licence.

(2B) If:

(a) the application is for approval of a transfer of a greenhouse gas holding lease or a greenhouse gas injection licence; and

(b) the greenhouse gas holding lease or the greenhouse gas injection licence is tied to a production licence;

the responsible Commonwealth Minister must not approve the transfer of the greenhouse gas holding lease or the greenhouse gas injection licence unless:

(c) a transfer of the production licence has been approved by the Designated Authority under section 261; and

(d) the transfer of the production licence is registered under section 262; and

(e) both:

(i) the instrument of transfer of the production licence; and

(ii) the instrument of transfer of the greenhouse gas holding lease or greenhouse gas injection licence;

were executed at or about the same time; and

(f) the transferee or transferees of the production licence are the same as the transferee or transferees of the greenhouse gas holding lease or greenhouse gas injection licence.

(78) Schedule 1, item 207, page 310 (lines 23 and 24), omit “caused by any person engaged or concerned in those operations”, substitute “(whether or not caused by any person engaged or concerned in those operations)”.

(79) Schedule 1, item 207, page 312 (line 27), omit “and”, substitute “or”.

(80) Schedule 1, item 207, page 312 (after line 27), at the end of paragraph 316-311B(1)(c), add:

(v) an exploration permit; or

(vi) a retention lease; or

(vii) a production licence; or
(viii) a special prospecting authority;

and

(81) Schedule 1, page 335 (after line 4), after item 253, insert:

253A Section 353 (definition of facility)

Repeal the definition, substitute:

facility means:

(a) a facility (within the meaning of Schedule 3) located in Commonwealth waters; or

(b) if there are provisions of a State or Territory PSLA that substantially correspond to Schedule 3 to this Act to the extent to which that Schedule relates to offshore petroleum operations—a vessel, structure or other thing that:

(i) is located in the designated coastal waters of the State or of the Northern Territory, as the case may be; and

(ii) would have been a facility (within the meaning of Schedule 3 to this Act) if subclauses 4(5A) to (5E) of that Schedule had not been enacted and the vessel, structure, or thing had been located in Commonwealth waters; or

(c) if there are provisions of a State or Territory PSLA that substantially correspond to Schedule 3 to this Act to the extent to which that Schedule relates to offshore greenhouse gas storage operations—a vessel, structure or other thing that:

(i) is located in the designated coastal waters of the State or of the Northern Territory, as the case may be; and

(ii) would have been a facility (within the meaning of Schedule 3 to this Act) if subclauses 4(1) to (5) of that Schedule had not been enacted and the vessel, structure, or thing had been located in Commonwealth waters.

For the purposes of paragraphs (b) and (c), assume that a reference in Schedule 3 to this Act to a pipeline licence includes a reference to a pipeline licence under a State or Territory PSLA.

(82) Schedule 1, item 274, page 347 (table item 1), after “grant”, insert “(otherwise than by way of renewal)”.

(83) Schedule 1, item 274, page 347 (table item 1), omit “or greenhouse gas injection licence”.

(84) Schedule 1, item 274, page 347 (after table item 1), insert:

1A The renewal of a greenhouse gas assessment permit.

(85) Schedule 1, item 274, page 347 (after table item 3), insert:

3A The grant of a greenhouse gas injection licence.

(86) Schedule 1, page 351 (after line 20), after item 274A, insert:

274B After Part 6.1

Insert:

PART 6.1A—EXPERT ADVISORY COMMITTEES

435A Establishment of expert advisory committees

(1) The responsible Commonwealth Minister may, by writing, establish committees, to be known as expert advisory committees.

Note: For variation and revocation, see subsection 33(3) of the Acts Interpretation Act 1901.

(2) An instrument made under subsection (1) is not a legislative instrument.

435B Function of expert advisory committees

(1) An expert advisory committee has the function of advising the responsible Commonwealth Minister about matters
referred to it by the responsible Commonwealth Minister.

(2) A matter referred under subsection (1) must be:

(a) whether there is a significant risk that a key petroleum operation in an offshore area will have a significant adverse impact on:
   (i) operations for the injection of a greenhouse gas substance; or
   (ii) operations for the storage of a greenhouse gas substance; or
(b) whether there is a significant risk that a key greenhouse gas operation in an offshore area will have a significant adverse impact on petroleum exploration operations, or petroleum recovery operations, that could be carried on under:
   (i) an existing exploration permit; or
   (ii) an existing retention lease; or
   (iii) an existing production licence; or
   (iv) a future exploration permit; or
   (v) a future retention lease; or
   (vi) a future production licence; or
(c) whether there is a significant risk that any of the operations that could be carried on under a greenhouse gas injection licence will have a significant adverse impact on operations that are being, or could be, carried on under:
   (i) an existing exploration permit; or
   (ii) an existing retention lease; or
   (iii) an existing production licence; or
   (iv) a future exploration permit; or
   (v) a future retention lease; or
   (vi) a future production licence; or
(d) whether there is a significant risk that any of the operations that are being, or could be, carried on under a greenhouse gas injection licence will have a significant adverse impact on:
   (i) operations to recover petroleum; or
   (ii) the commercial viability of the recovery of petroleum; or
   (e) whether a serious situation exists in relation to an identified greenhouse gas storage formation specified in a greenhouse gas injection licence (see section 249CZ); or
   (f) a matter that relates to the exercise of any of the following powers:
      (i) the making of a declaration under section 249AU;
      (ii) the variation or revocation of a declaration under section 249AU;
      (iii) the giving of a direction under section 249AV;
      (iv) the giving of a direction under section 249BZ;
      (v) the variation of a matter specified in a greenhouse gas injection licence (see section 249CT);
      (vi) the giving of a direction under section 249CXA;
      (vii) the giving of a direction under section 249CZA;
      (viii) the taking of action under section 249CZC;
      (ix) the issuing of a pre-certificate notice (see section 249CZF); or
      (x) the giving of a direction under section 316-311A; or
   (g) a matter relating to the exercise of a power that:
      (i) is conferred on the responsible Commonwealth Minister by this Act or the regulations; and
      (ii) is specified in regulations made for the purposes of this subparagraph.

435C Appointment of expert advisory committee members etc.

(1) Each expert advisory committee member is to be appointed by the responsi-
An expert advisory committee member holds office for the period specified in the instrument of appointment. The period must not exceed 3 years.

Note: For re-appointment, see subsection 33(4A) of the *Acts Interpretation Act 1901*.

An expert advisory committee member holds office on a part-time basis.

The responsible Commonwealth Minister may terminate the appointment of an expert advisory committee member.

**435D Procedures of expert advisory committees**

(1) The responsible Commonwealth Minister may give an expert advisory committee written directions about:

(a) the way in which the committee is to carry out its function; and

(b) procedures to be followed in relation to meetings.

Note: For variation and revocation, see subsection 33(3) of the *Acts Interpretation Act 1901*.

(2) A direction given under subsection (1) is not a legislative instrument.

**435E Remuneration and allowances**

(1) An expert advisory committee member is to be paid the remuneration that is determined by the Remuneration Tribunal. If no determination of that remuneration by the Tribunal is in operation, the member is to be paid the remuneration that is prescribed by the regulations.

(2) However, an expert advisory committee member is not entitled to be paid remuneration if he or she holds an office or appointment, or is otherwise employed, on a full-time basis in the service or employment of:

(a) a State; or

(b) a corporation (a public statutory corporation) that:

(i) is established for a public purpose by a law of a State; and

(ii) is not a tertiary education institution; or

(c) a company limited by guarantee, where the interests and rights of the members in or in relation to the company are beneficially owned by a State; or

(d) a company in which all the stock or shares are beneficially owned by a State or by a public statutory corporation.

Note: A similar rule applies to an expert advisory committee member who has a similar relationship with the Commonwealth or a Territory. See subsection 7(11) of the *Remuneration Tribunal Act 1973*.

(3) An expert advisory committee member is to be paid the allowances that are prescribed by the regulations.

(4) This section (other than subsection (2)) has effect subject to the *Remuneration Tribunal Act 1973*.

**435F Leave of absence**

The responsible Commonwealth Minister may grant leave of absence to an expert advisory committee member on the terms and conditions that the responsible Commonwealth Minister determines.

**435G Resignation**

(1) An expert advisory committee member may resign his or her appointment by giving the responsible Commonwealth Minister a written resignation.

(2) The resignation takes effect on the day it is received by the responsible Commonwealth Minister or, if a later day is specified in the resignation, on that later day.
435H Disclosure of interests to the responsible Commonwealth Minister

An expert advisory committee member must give written notice to the responsible Commonwealth Minister of all interests, pecuniary or otherwise, that the member has or acquires and that conflict or could conflict with the proper performance of the member’s functions.

435J Disclosure of interests to an expert advisory committee

(1) A person who:
   (a) is an expert advisory committee member; and
   (b) has an interest, pecuniary or otherwise, in a matter being considered or about to be considered by an expert advisory committee of which the person is a member;

must disclose the nature of the interest to a meeting of the committee.

(2) The disclosure must be made as soon as possible after the relevant facts have come to the expert advisory committee member’s knowledge.

(3) The disclosure must be recorded in the minutes of the meeting of the expert advisory committee.

(4) Unless the responsible Commonwealth Minister otherwise determines, the expert advisory committee member:
   (a) must not be present during any deliberation by the expert advisory committee on the matter; and
   (b) must not take part in any decision of the expert advisory committee with respect to the matter.

(5) The responsible Commonwealth Minister may terminate the appointment of an expert advisory committee member if the member fails, without reasonable excuse, to comply with this section.

(6) Subsection (5) does not limit subsection 435C(4).

435K Other terms and conditions

An expert advisory committee member holds office on the terms and conditions (if any) in relation to matters not covered by this Act that are determined by the responsible Commonwealth Minister.

435L Protection of information

Disclosure

(1) A person (the first person) commits an offence if:
   (a) the first person is or has been an expert advisory committee member; and
   (b) the first person has obtained information in the course of performing duties or functions as an expert advisory committee member; and
   (c) the first person discloses the information to another person; and
   (d) the disclosure could reasonably be expected to prejudice substantially the commercial interests of a person other than the person to whom the information was disclosed.

Penalty: Imprisonment for 1 year.

(2) Subsection (1) does not apply if:
   (a) the first person is performing duties or functions as an expert advisory committee member; or
   (b) the first person is required by:
      (i) this Act or any other law of the Commonwealth; or
      (ii) a prescribed law of a State or Territory;

   to disclose the information.

Note: The defendant bears an evidential burden in relation to a matter in subsection (2)—see subsection 13.3(3) of the Criminal Code.

Use

(3) A person (the first person) commits an offence if:
(a) the first person is or has been an expert advisory committee member; and

(b) the first person has obtained information in the course of performing duties or functions as an expert advisory committee member; and

(c) the first person uses the information; and

(d) the use could reasonably be expected to prejudice substantially the commercial interests of another person.

Penalty: Imprisonment for 1 year.

(4) Subsection (3) does not apply if:

(a) the first person is performing duties or functions as an expert advisory committee member; or

(b) the first person is required by:

(i) this Act or any other law of the Commonwealth; or

(ii) a prescribed law of a State or Territory;

to use the information.

Note: The defendant bears an evidential burden in relation to a matter in subsection (4)—see subsection 13.3(3) of the Criminal Code.

(87) Schedule 1, page 351 (before line 21), before item 275, insert:

274C Before Part 6.2

Insert:

PART 6.1B—INFORMATION RELEVANT TO THE MAKING OF DESIGNATED AGREEMENTS

Division 1—Information-gathering powers

435N Responsible Commonwealth Minister may obtain information and documents

Scope

(1) This section applies to the following applications:

(a) an application under subsection 79A(1) for approval to carry on one or more key petroleum operations under a declared exploration permit;

(b) an application under section 114A for approval to carry on one or more key petroleum operations under a declared retention lease;

(c) an application under subsection 138A(1) for approval to carry on one or more key petroleum operations under a declared production licence;

(d) an application under subsection 249AF(1) for approval to carry on one or more key greenhouse gas operations under a greenhouse gas assessment permit;

(e) an application under subsection 249BD(1) for approval to carry on one or more key greenhouse gas operations under a greenhouse gas holding lease;

(f) an application under section 249CH for the grant of a greenhouse gas injection licence;

(g) an application under section 249CQ for the grant of a greenhouse gas injection licence;

where either or both of the following are relevant to the responsible Commonwealth Minister’s decision on the application:

(h) the existence or non-existence of a designated agreement;

(i) the terms of a designated agreement.

Requirement

(2) If the responsible Commonwealth Minister believes on reasonable grounds that a person has information or a document that is relevant to the responsible Commonwealth Minister’s decision on the application, the responsible Commonwealth Minister may, by written notice given to the person, require the person:

(a) to give to the responsible Commonwealth Minister, within the pe-
(b) to produce to the responsible Commonwealth Minister, within the period and in the manner specified in the notice, any such documents; or

(c) to make copies of any such documents and to produce to the responsible Commonwealth Minister, within the period and in the manner specified in the notice, those copies.

(3) A period specified under paragraph (2)(a), (b) or (c) must not be shorter than 14 days after the notice is given.

(4) A person commits an offence if:

(a) the person has been given a notice under subsection (2); and

(b) the person omits to do an act; and

(c) the omission contravenes a requirement in the notice.

Penalty: 100 penalty units.

Notice to set out the effect of offence provisions

(5) A notice under subsection (2) must set out the effect of the following provisions:

(a) subsection (4);

(b) section 435T;

(c) section 435U.

Note 1: Section 435T is about giving false or misleading information.

Note 2: Section 435U is about producing false or misleading documents.

435P Copying documents—reasonable compensation

A person is entitled to be paid reasonable compensation for complying with a requirement covered by paragraph 435N(2)(c).

435Q Self-incrimination

(1) A person is not excused from giving information or producing a document under section 435N on the ground that the information or the production of the document might tend to incriminate the person or expose the person to a penalty.

(2) However:

(a) the information given or the document produced; or

(b) giving the information or producing the document; or

(c) any information, document or thing obtained as a direct or indirect consequence of giving the information or producing the document; is not admissible in evidence against the person:

(d) in any civil proceedings; or

(e) in criminal proceedings other than:

(i) proceedings for an offence against subsection 435N(4) or section 435T or 435U; or

(ii) proceedings for an offence against section 137.1 or 137.2 of the Criminal Code that relates to this Division.

435R Copies of documents

The responsible Commonwealth Minister may inspect a document produced under this Division and may make and retain copies of, or take and retain extracts from, such a document.

435S Responsible Commonwealth Minister may retain documents

(1) The responsible Commonwealth Minister may take possession of a document produced under this Division, and retain it for as long as is reasonably necessary.

(2) The person otherwise entitled to possession of the document is entitled to be supplied, as soon as practicable, with a copy certified by the responsible Commonwealth Minister to be a true copy.

(3) The certified copy must be received in all courts and tribunals as evidence as if it were the original.
(4) Until a certified copy is supplied, the responsible Commonwealth Minister must provide the person otherwise entitled to possession of the document, or a person authorised by that person, reasonable access to the document for the purposes of inspecting and making copies of, or taking extracts from, the document.

435T False or misleading information
A person commits an offence if:
(a) the responsible Commonwealth Minister requires the person to give information under subsection 435N(2); and
(b) the person gives information; and
(c) the person does so knowing that the information is false or misleading in a material particular.
Penalty: 100 penalty units.
Note: The same conduct may be an offence against both this section and section 137.1 of the Criminal Code.

435U False or misleading documents
A person commits an offence if:
(a) the person has been given a notice under subsection 435N(2); and
(b) the person produces a document to the responsible Commonwealth Minister; and
(c) the person does so knowing that the document is false or misleading in a material particular; and
(d) the document is produced in compliance or purported compliance with the notice.
Penalty: 100 penalty units.
Note: The same conduct may be an offence against both this section and section 137.2 of the Criminal Code.

Division 2—Protection of information etc.

435V Protection of information
Scope
(1) This section applies if:
(a) either:
   (i) information was given by a person to the responsible Commonwealth Minister under section 435N; or
   (ii) a document containing information was produced by a person to the responsible Commonwealth Minister under section 435N; and
(b) the person claims that the information is commercial-in-confidence information.

Protection of information
(2) The responsible Commonwealth Minister, or a delegate of the responsible Commonwealth Minister, must not disclose the information to another person except:
(a) for the purposes of this Act or the regulations; or
(b) if the disclosure is to a member of an expert advisory committee for a purpose relating to the function of the committee; or
(c) the disclosure is required by:
   (i) this Act or any other law of the Commonwealth; or
   (ii) a prescribed law of a State or Territory.

435W Disclosure of information to title-holder etc.
Scope
(1) This section applies if:
(a) either:
   (i) information was given by a person to the responsible Commonwealth Minister under section 435N; or
   (ii) a document containing information was produced by a person to
the responsible Commonwealth Minister under section 435N; and

(b) the person has not claimed that the information is commercial-in-confidence information.

Disclosure

(2) The responsible Commonwealth Minister may disclose the information to another person for the purposes of:

(a) the consideration by the other person of whether to enter into a designated agreement; or

(b) the consideration by the other person of the terms of the designated agreement.

(88) Schedule 3, page 389 (line 26), omit the heading.

(89) Schedule 3, items 14A to 14D, page 389 (line 27) to page 390 (line 15), omit the items.

(90) Schedule 4, page 400 (lines 3 and 4), omit the heading.

(91) Schedule 4, item 1A, page 400 (lines 5 to 22), omit the item.

(92) Schedule 4, page 400 (line 23), omit the heading.

(93) Schedule 4, items 2 to 4, page 400 (line 24) to page 401 (line 9), omit the items.

I clearly foreshadowed these amendments to the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 in my speech closing the second reading debate. Having gone into detail on those remarks, I would like to briefly summarise the main matters covered by these amendments. The commencement table in the bill has now been simplified, which became possible with the commencement of the Offshore Petroleum Act 2006 on 1 July this year. As foreshadowed in my second reading speech, the amendments include a high-level objects clause to give effect to recommendation 1 of the House of Representatives Standing Committee on Primary Industries and Resources. The proposed wording is as follows:

The object of this Act is to provide an effective regulatory framework for:

(a) petroleum exploration and recovery; and

(b) the injection and storage of greenhouse gas substances;

in offshore areas.

A number of amendments are aimed at addressing concerns raised by the committee in regard to the potential for existing petroleum titleholders to block greenhouse gas operations. These amendments will give the responsible Commonwealth minister the power to, firstly, be able to request parties to report on any negotiations that have taken place and any outcome of these negotiations; secondly, establish expert advisory committees to provide advice—the committees would be convened on a ‘needs’ basis; and, thirdly, make regulations for the ‘significant risk of significant adverse impact’ test. The amendments identify the circumstances when this test should be applied and provide for decisions to be made ‘in a matter ascertained in accordance with the regulations’. The amendments also cover such matters as membership, remuneration and conflicts of interest. This form of words will provide the flexibility needed to deal with differing circumstances.

With regard to the renewal of greenhouse gas assessment permits, the amendments provide for a single renewal of three years after the initial six-year period is complete. The amendments provide that any such renewal will be subject either to proposed work programs having been fully met but further work being required or to work programs having been subject to unavoidable delays. The amendments provide for wider criteria in assessing bids submitted for the award of greenhouse gas assessment permits. The amendments will specifically allow criteria to take into account economic, commercial or public interest matters as well as
proposals for work and expenditure. This will allow the criteria to include giving preference to proponents who can demonstrate a readily available carbon dioxide stream for imminent injection, as recommended by the House of Representatives Standing Committee on Primary Industries and Resources.

The amendments provide for the integration of certain operations across different petroleum title areas to be approved under regulations. The amendments mean that integrated petroleum operations involving storage of greenhouse gases will be permitted, subject to the greenhouse gas storage element of the project being undertaken under a greenhouse gas title. However, the storage of other substances derived from other titles in an integrated operation, such as formation water, will be permitted, subject to approvals under petroleum legislation.

The amendments enable the holders of petroleum retention leases to apply for greenhouse gas injection licences under the area of the retention lease. This is an extension of the right already in the original bill for the holders of production licences. This would provide those existing petroleum retention leaseholders who have discovered large accumulations of natural gas with high natural carbon dioxide content with increased certainty. As I foreshadowed previously, the amendments will tie greenhouse gas holding leases and injection licences to the retention leases and production licences if the greenhouse titles have been obtained through this route. In this context the amendments provide that, if a greenhouse gas injection licence is granted to the holder of a production licence, any greenhouse gas stored under the injection licence must have its origin in the area of the production licence. Amendments have been included to ensure that consultation takes place between petroleum operators and greenhouse gas operators in the event that a greenhouse gas operator needs to undertake any activities outside their title area and in the area covered by a petroleum title.

Further amendments clarify the situation where more than one storage formation is included in a single greenhouse gas area. (Extension of time granted) In effect, these amendments allow the closure process to apply to individual formations and to allow operations which do not use all the formations in the title area. Another amendment allows for making regulations for the public release of monitoring data collected during greenhouse gas operations.

The amendments also address a number of technical matters. Firstly, they add clarity to the concept of the spatial extent of greenhouse gas storage formations. The proposed amendments will leave the detail of that process to regulations. Secondly, they extend to greenhouse gas titles provisions in the Offshore Petroleum Act that deal with future changes in the datum. The datum is used to determine the location of greenhouse gas title areas. Thirdly, they allow regulations to be made authorising holders of petroleum titles to explore for greenhouse gas storage sites under their title. These amendments will not provide the petroleum title holders with any additional rights in terms of obtaining a greenhouse gas title but will allow them to seek potential storage sites that may become necessary if high carbon dioxide petroleum exists in the area. Fourthly, they expand the definition of ‘facility’ to include greenhouse gas facilities so that these can fall under the National Offshore Petroleum Safety Authority for occupational health and safety purposes. Fifthly, they simplify the process for issuing a closure certificate if injection has not occurred. Finally, they delete items that are now redundant.

I commend the amendments to the House and again express my appreciation for the constructive way in which this complicated
bill has been considered by all members of the House. It is to be hoped that, as a result of further discussions, we can resolve any outstanding issues with the opposition so as to facilitate the passage of this very important bill—very important from a greenhouse gas point of view, to the coal industry, both domestically and internationally, and to the future of Australia. I commend the bill and the amendments to the House.

Mr HUNT (Flinders) (11.27 am)—Let me make a series of points in relation to the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 and amendments (1) to (93) as moved by the Minister for Resources and Energy. Firstly, the opposition endorse and strongly support the intention of the bill and the supporting cognate bills. It flows in fact from material which we commenced whilst we were in government. Secondly, we do appreciate, as the minister outlined, the work of the House of Representatives Standing Committee on Primary Industries and Resources and their inquiry into the exposure draft of the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008. It was an excellent example of House committees working to improve a bill, working on a bipartisan and constructive basis across this chamber on an issue of genuine resource security and national environmental importance. Thirdly, we also appreciate the minister’s willingness to provide the exposure draft and to engage in genuine discussion with our representative in the Senate.

That brings me to the fourth point. We have foreshadowed that we will be moving amendments in the Senate. They will be subject to debate, and I am hopeful that we will receive the support and agreement of the government on those amendments. The fifth point is a respectful point of disagreement in relation to these 93 amendments, not in relation to the content; we will scrutinise that carefully. I have been advised, and therefore my understanding is, there was an agreement that such amendments would be held back until after the Senate Standing Committee on Economics, which is also conducting an inquiry, had reported. I remain to be corrected on that, but it would certainly have been our preference in any event that the Senate committee, which is conducting a parallel inquiry and is due to report to the Senate on 16 October 2008, would have been allowed to present its findings before these amendments were moved.

Nevertheless, the opposition will not be opposing these amendments at this point. We will consider them carefully as part of the process. We have a respectful view—to the minister and to the government—that perhaps these amendments were called forward to deal with a gap in the government’s legislative agenda, which is not so much to say it is the minister’s fault as to make a broader criticism about the government’s absence of legislative material more generally.

With all of those elements, we acknowledge the intention of the bill. We appreciate the work of the House of Representatives committee. We acknowledge the minister’s general consultation on this. We foreshadow our right—and our intention, in fact—to present amendments in the Senate. Whilst not opposing the bill, we note our concern about the failure to wait until after the Senate committee had reported. I believe it would have been sensible, prudent and reasonable to have waited until after 16 October 2008 and after the Senate committee’s material and advice was on the table. Nevertheless, for those reasons we support the intention of the bill and we choose not to oppose these amendments at this point as they pass through the House.

Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (11.30 am)—Can I firstly
indicate my appreciation of the constructive comments of the opposition spokesperson. With respect to the debate, the bills were brought on because of their importance. The Australian government regard the intent of this legislation as fundamentally important to our economic and environmental future. They are therefore, in our minds, matters that require urgent and proper consideration by both houses. Hence, we wanted to facilitate this debate sooner rather than later because our desire is to endeavour to get them through both houses to enable us, sooner rather than later, to release acreage for proper consideration from a greenhouse gas point of view in a commercial sense.

Secondly, can I say that I have no knowledge of any undertaking that the House of Representatives should delay its work to await the work of the other place. In this instance, the House of Representatives has finally started to seize the opportunities to consider legislation in its own right. Historically, this House has all too often not utilised its own committee structure to its advantage and has deferred to the other house. The House has been given an opportunity on this occasion to consider a bill in detail and to express a point of view that the government has responded to, and we all appreciate the huge amount of work that went into the preparation of that report. I indicated that we would respond to the House report to enable members to consider our response in the debate in the House of Representatives, because the report represents the consideration of the bill by fellow members of the House and therefore members of the House are entitled to know the government’s view on the recommendations of the House committee.

With respect to the opposition, there have been and will continue to be consultations about any outstanding issues. Our desire is to reach agreement with the opposition because we appreciate that in the context of this bill they are absolutely supportive of the endeavours of the government to put in place greenhouse gas storage opportunities in offshore areas of Australia, the responsibility of the Australian government. I know that was the desire of the previous minister, the member for Groom, who sat down on a number of occasions in detailed discussions with me and my staff, and we will continue those discussions, the last meeting having been as late as this morning.

I commend the amendments to the House and simply express my appreciation to all members on both sides for their assistance in considering what is a very complex and difficult bill but one of major significance to our future in the 21st century.

Mr IAN MACFARLANE (Groom) (11.33 am)—Can I endorse the words of the minister and thank him for the assistance that he, his office and his department have offered to the opposition on what is, as he said, an extraordinarily complex issue, an issue which will underpin by far the biggest proportion of the low-emissions strategy for the Commonwealth government of Australia as we go forward from here.

As the minister said and as I am sure my colleague said, this is an extraordinarily complicated process. It is a process that spans back to the time when I was the Minister for Industry, Tourism and Resources. It is a process that, if we are not careful, will span into the time of the next minister for resources. The member for Batman and I do not know when that will be—

Mr Martin Ferguson—I hope it is a long way into the future!

Mr IAN MACFARLANE—I will be doing my best to make sure it is not. With due deference and total respect to you, may your time as minister be short!
The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The love-in appears to be evaporating.

Mr IAN MACFARLANE—Okay, back to the issue. This issue has the potential not to be resolved, not because of any loss of goodwill from our side of parliament or loss of determination or goodwill from the government. It needs to be managed precisely as we go forward. There are complexities in the legislation which, as the minister said, as late as this morning were still not resolved, and there are going to be issues between the shadow minister for resources, Senator Johnston, me as his representative in this House and the minister opposite and, I assume, the Senate economics committee as well. I understand their report may be released today but will not be formally reported to the Senate until 16 October.

All those processes need to take their full time. We cannot afford to rush this because, if we get it wrong, whilst we may have legislation in place we will have actually gone backwards. We are trying to do in Australia what no-one else has done. We are trying to lay down a framework also, on behalf of the Commonwealth, which will be adopted, we hope, by a majority of the states. Some states will choose a separate process, but if they are smart, quite frankly, they will choose this process. We need to get it right. We need to ensure the holders both of petroleum exploration leases and, perhaps, of leases that have gone past that into retention leases and production leases are satisfied with the process. They may not welcome this occurrence but they understand the reason it is happening. At the same time we need to ensure that legal entitlements are maintained.

This issue is of crucial importance, so I seek an undertaking from the government that they will ensure that all processes are given full run and that the debate and discussions that go on in the Senate are not forced through in such a way that the Senate Standing Committee on Economics is not able to present its report before the legislation is finalised. I commit the opposition to ongoing support of and dialogue with the government on this matter. I hope that we can bring about a satisfactory resolution for all parties involved.

Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (11.37 am)—I appreciate the comments of the member for Groom. Like the opposition, we await the Senate report to see if there are any other thoughtful proposals that can improve this bill. I give the member for Groom and the opposition an undertaking that in the lead-up to that Senate report and after it is received we will continue discussions. Our proposal to have this considered in the Senate as soon as possible will not stand in the way of seeking to conclude those discussions and of reaching an accommodation with the opposition. My office has commenced discussions with two Independent senators because of the importance of also consulting those senators who have taken an interest in these matters and are generally supportive of them, as is the opposition.

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (11.39 am)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.
OFFSHORE PETROLEUM (ANNUAL FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008
Second Reading
Debate resumed from 18 June, on motion by Mr Martin Ferguson:
That this bill be now read a second time.
Question agreed to.
Bill read a second time.

Third Reading
Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (11.40 am)—by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

OFFSHORE PETROLEUM (REGISTRATION FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008
Second Reading
Debate resumed from 18 June, on motion by Mr Martin Ferguson:
That this bill be now read a second time.
Question agreed to.
Bill read a second time.

Third Reading
Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (11.41 am)—by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

COMMITTEES
Treaties Committee
Report
Mr KELVIN THOMSON (Wills) (11.42 am)—On behalf of the Joint Standing Committee on Treaties, I present the committee’s report, incorporating a dissenting report, entitled Report 94—treaties tabled on 14 May 2008.
Ordered that the report be made a parliamentary paper.

Mr KELVIN THOMSON—by leave—Report 94 contains the committee’s findings on two treaty actions tabled on 14 May 2008.

After a careful and extensive sifting of evidence both for and against ratifying the treaty which would open up uranium sales to Russia, the treaties committee recommends that the Australian government not proceed with ratification of the treaty until:

(a) Russia’s reform process to clearly separate its civilian nuclear and military nu-
clear facilities is completed and independently verified;

(b) IAEA inspections are implemented for Russian facilities that will handle Australian obligated nuclear materials;

(c) the government is satisfied that the Russian Federation is complying with its obligations under the Treaty on the Non-proliferation of Nuclear Weapons (NPT) noting that this treaty is scheduled for review in 2010;

(d) the government is satisfied that Russia will not subsequently abandon this treaty or other nuclear treaties;

(e) further consideration is given to the potential ramifications for this agreement of recent political events affecting Russia;

(f) further consideration is given to article IX of the agreement, ‘State Secrets’, and the government is confident that this article will not undermine the intent of this agreement;

(g) further consideration is given to the justification for secrecy of ‘material unaccounted for’; and

(h) the Australian government discusses with the United States, United Kingdom, European Union, Canada and Japan, whether the problems of the past in relation to Russian nuclear material being stolen, have now been addressed satisfactorily.

Clearly we have set the bar high, but each of the conditions represents a considered response to the evidence before the committee. Some Liberal Party members of the committee have dissented from the committee majority, arguing that we should ratify the treaty now and that our conditions are unnecessary. They say we can have confidence in the International Atomic Energy Agency. But when we went to war in Iraq, the Liberal Party insisted that we were at risk from weapons of mass destruction and advanced the notion of preventive war. This was a massive vote of no confidence in the IAEA. But now this same Liberal Party says the IAEA will ensure that nothing goes wrong—and this despite the IAEA not having carried out any inspections in Russia since at least 2001, and probably longer.

The Liberal Party is so hungry for the uranium export dollars that they want to believe nothing can go wrong. They are prepared to turn a blind eye to what happens after we sell the uranium to Russia. If this sounds familiar, that is because it is. Remember the AWB scandal? Liberal and National Party ministers received numerous warnings that AWB was paying kickbacks to Saddam Hussein. They turned a blind eye to them. The present Leader of the National Party, for example, was warned by wheat grower Ray Brooks. His response was that the AWB blokes were good blokes who would not do a thing like that. They were hungry for the wheat export dollars. This hunger blinded them to the need to be thorough, the need to check things out properly. It is the same here. The Liberal Party’s hunger for the uranium export dollars blinds them to the need to be thorough, the need to check things out properly.

I suspect there are those who will seek to portray the committee’s recommendations as the product of left-wing, anti-uranium prejudice. Such a portrayal is without foundation. In the United States, both Republicans and Democrats alike have joined forces and withdrawn an agreement for civilian nuclear cooperation with Russia. It is in many respects a parallel treaty to this one. Are the United States Republicans and Democrats left-wing, anti-uranium zealots? No, they are simply reacting to the facts before them. That is what the treaties committee has done. We are not opposing the export of uranium. What we are saying is that uranium is an
unusual product, dangerous to human health and the environment for thousands of years and capable of inflicting massive carnage in the hands of terrorists or rogue states. Accordingly, it requires great care.

So concerned was the Liberal Party about the risk to us all from weapons of mass destruction that they took us into war in Iraq, with its death toll of thousands of innocent lives and its never-ending misery. Yet they are now so unconcerned about the risk of materials being diverted, stolen or ending up in the hands of rogue states like Iran that they are not even prepared to sign up for a set of recommendations which guarantees inspections, which asks hard questions and which challenges secrecy provisions—in short, which accepts our responsibilities. If you sell uranium, there are responsibilities that come with that. The committee majority has accepted these responsibilities. The committee minority has abdicated them. They would take the money and run. We owe the world, and ourselves, better than that.

The committee has also recommended that binding treaty action be taken in relation to the treaty between Australia and the United States of America concerning defence trade cooperation. I thank the House.

The DEPUTY SPEAKER (Ms JA Saffin)—Does the member for Wills wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr KELVIN THOMSON (Wills) (11.45 am)—I move:

That the House take note of the report.

The DEPUTY SPEAKER (Ms JA Saffin)—In accordance with standing order 39(c), the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.
and safety system, it would be difficult to imagine a body better designed to fail in achieving this objective than the body proposed under this bill. Unlike the Australian Safety and Compensation Council, Safe Work Australia reduces the number of social partners—that is, the industry and union representatives—from three to two for each partner. That is, there will be a total of four, not six, industry and union representatives. This is a reduction by one-third of representatives for each social partner. Compare that with the representation on the Australian Safety and Compensation Council, which is essentially being rebranded, albeit in a way that compromises the tripartite approach traditionally required for occupational health and safety regulation to effectively operate in workplaces.

The government’s proposed structure for Safe Work Australia will create an imbalance whereby workplaces directly impacted by the development and formulation of occupational health and safety will be denied the opportunity to genuinely participate in the decision-making process underpinning the formulation of such policy. Labor talks—often—about its commitment to occupational health and safety, yet Labor does not appear to understand that a process that does not seek to actively engage employers and workers in a meaningful way will not produce the improvements in workplace health and safety that are necessary for Australian workers. When it comes to effective safety in the workplace there can be no contest that improving and sustaining OH&S performance in the workplace from both an employer and an employee perspective is achieved by doing ‘with’ people, not by doing ‘to’ people.

This is particularly the case where achieving outcomes involves significant changes, costly changes or changes to culture. Once again, Labor has failed Australian workers and workplaces with the proposed establishment of Safe Work Australia. The current composition of Safe Work Australia fails to have proper regard for the views of industry and employees, which will undermine its credibility and the outcome it seeks to achieve prior to the bill even being passed. For many years, Australian workplaces, particularly those operating across state boundaries, have been forced to endure seven separate jurisdictions with seven sets of occupational health and safety laws and workers compensation requirements. The costs to business are prohibitive. Funds that could have been better spent by business on training, employee development or additional safety mechanisms are required to be spent understanding, complying with and implementing numerous OH&S and workers compensation systems across every state and territory. In contrast, those companies fortunate enough to secure self-insurance under the coalition government have saved literally millions of dollars and yet have still delivered safe and healthy workplaces for their employees. In the case of Safe Work Australia, we are now witnessing a common Labor trait, where they cross their fingers behind their backs and tell Australian workers and business that they are doing one thing but, instead, make decisions and create ineffective regulations that actually create more problems than they solve.

Labor is limiting the involvement of social partners, and this is just inconceivable. Why would Labor want to limit the number of representatives from employers and employees? This is no doubt going to lead to a situation where government representatives will be able to repeatedly override legitimate concerns raised by the social partners during OH&S harmonisation discussions, including concerns relating to increased costs, or to impractical safety proposals for workplaces. You have the bureaucrats outnumbering those who are actually working in the work-
places across Australia. With limited capacity to oppose various proposals there is no doubt Safe Work Australia will be used by the government to develop other codes, policies and regulations under the guise of safety to achieve certain industrial outcomes on behalf of minority interests that would otherwise need to be discussed with stakeholders at a state level.

Clearly, the government has borrowed this approach from its Labor counterparts at a state level, where workplaces are already in many cases overwhelmed with impractical and unworkable occupational health and safety laws. Now federal Labor wants to introduce a body to achieve harmonisation which will be dominated by those same Labor governments, their bureaucrats and their advisers who have already failed to establish in many cases workable occupational health and safety and workers compensation systems in their own states. Remarkably, the Minister for Employment and Workplace Relations is determined not to listen to stakeholders, not to listen to the representatives of employers, and of employees—the unions—with significant involvement in workplaces. Instead, the minister has chosen to reduce their representation and rely on state governments, who have already failed in their own backyards.

The foundation upon which Safe Work Australia has been established is fundamentally flawed, with the direction and success of Safe Work Australia also being contingent on the cooperation and participation of the ministerial council to which it is required to directly report. Members of the ministerial council have repeatedly failed to attend and/or cooperate with the Commonwealth in these meetings, which raises legitimate concerns about just how effective Safe Work Australia will be in an environment where state Labor governments have not been willing to cooperate and genuinely contribute to discussions about the harmonisation of occupational health and safety laws across Australia—particularly the New South Wales state Labor government, which has been reported by many as having the least effective and most costly OH&S system in this country.

Where the ministerial council fails to meet or refuses to cooperate and to consider the Safe Work Australia issues, the work of Safe Work Australia comes to a halt—that is it. Just last year we witnessed the New South Wales Minister for Industrial Relations refusing to cooperate in a national discussion on occupational health and safety. He refused to cooperate! If anything, this Safe Work Australia Bill, in its current form, will make it easier for uncooperative state Labor governments to undermine the harmonisation process for their own political gain. Further, the proposed structure creates an unjustifiable imbalance. Improving OH&S performance is critically dependent on a collaborative effort and the buy-in of all stakeholders. A process that does not seek to engage workers and employers in a meaningful way does not lead to improvements in workplace health and safety.

Labor’s duplicity is further highlighted by its unwillingness to report back to the parliament on the progress of Safe Work Australia. This is extraordinary. The bill currently proposes a process for reporting back to parliament on the progress of Safe Work Australia every six years. Every six years! It is incomprehensible that Labor wants to introduce a state dominated independent authority that has no requirement to report back to the federal parliament for six years. I would have thought that annual reporting on an issue as important as occupational health and safety and workers compensation would be appropriate. But every six years? Beyond the term of a government? This is a nonsense.
Safe Work Australia is just another botched policy—when it would have been so easy to get it right—on top of the failed Fuelwatch, the failed GroceryWatch, the proposed abolition of the Office of the Australian Building and Construction Commissioner and, in the past week, the failure of the award modernisation process, which industry says could potentially lead to significant job losses and inflationary outcomes. There is one common thread running through all of these botched Labor policies: the Labor government does not have a plan and is incapable of listening to Australians and delivering credible and acceptable policy solutions.

An example of this is the Office of the Australian Building and Construction Commissioner. It is under threat from the Labor government. Last year the construction industry contributed 6.7 per cent to Australia’s GDP and employed approximately 940,000 workers, or nine per cent of the Australian workforce. The coalition’s reforms and hard stance on lawlessness and corruption within the building and construction industry from 2002 onwards directly contributed to a significant reduction in the number and cost of strikes, increasing output and productivity. In comparison to the $76 million being spent by the Rudd Labor government to maybe, just maybe, achieve a 0.8 per cent increase in GDP, the Office of the ABCC, for a fraction of that cost—an average of $30 million a year—has already achieved a 1.5 per cent increase in GDP—

Mr Zappia—At the expense of people’s lives.

Mr Keenan—What rubbish! Protecting crooks like Kevin Reynolds and Joe McDonald.

Ms JULIE BISHOP—yet Labor has placed this dark cloud over the Office of the Australian Building and Construction Commissioner at the behest of its union bosses—and I take the interjection from the member for Stirling.

By watering down the compliance powers of the Australian Building and Construction Commissioner and the national building code and then subsuming the body into some superbureaucracy, Fair Work Australia, Labor is opening the door wide and allowing the lawlessness, the corruption, to once again become the norm rather than the exception in the building and construction industry. If Labor were genuinely committed to ensuring the safety of workplaces, employees and employers, it would hold firm on the retention of the Office of the Australian Building and Construction Commissioner and the national building code—the two elements that have provided some degree of protection and safety for participants in that industry from the thuggish bullying tactics engaged in by certain elements of the building and construction unions.

There is already reported and widespread misuse of safety powers on building sites, and now Labor is proposing a body that may well water down any capacity workplaces have to control or address the misuse of such powers by watering down the powers of the ABCC and establishing Safe Work Australia, a state controlled safety authority. You can just imagine the representatives that the state Labor governments around the country will put on this body.

In their quest to appease the union movement and abolish the Office of the Australian Building and Construction Commissioner as it is currently constituted, members of the Labor government are disregarding the reason for the establishment of the Office of the ABCC and the introduction of the building code in the first place. This is reflected in the terms of reference of the Wilcox inquiry, where once again Labor appears to be rewrit-
ing history, pretending the Cole royal commission never, ever happened. There is no reference to the Cole royal commission or the reasons for the establishment of the Office of the ABCC in any aspect of the new terms of reference. In fact, the final terms of the inquiry contain no reference to considering the importance of retaining the independence of the Australian Building and Construction Commissioner, nor the decline in industrial disputation in the construction sector since its establishment, nor the increase in productivity since the creation of the commissioner and the national building code.

Even worse, this month the head of the inquiry, Murray Wilcox QC, raised concerns about subcontractors being banned from tendering because they are non-compliant with code guidelines—non-compliant because they are, in many cases, breaking the law. Is the head of inquiry suggesting there is something wrong with employers being required to comply with the law? The purpose of the code and the building industry reforms in the first place was to prevent laws from being broken by union officials, contractors and employees. Why are we now hearing of concerns because the same parties are required to follow the law under the building reforms? Labor’s terms of reference for the Wilcox inquiry contain not one reference to how it will ensure the rule of law will be maintained and not overridden once more by industrial might. There is only one reason for this: Labor has no intention of maintaining the rule of law in the building and construction industry. For its payback to the union movement and its attempts to undermine the effective operation of workplaces in the building industry, the Labor government should be condemned.

The flawed policies all contributing to the demise of a once outstanding economic position keep on coming from Labor, with last week’s release of a draft exposure award from the Australian Industrial Relations Commission in response to a direct award modernisation request from the Minister for Employment and Workplace Relations. Not only are there 1.88 million small businesses staring down the barrel of significant costs in the form of extended redundancy obligations but the retail and hospitality industries are predicting labour costs will increase by up to 20 per cent as a direct result of the employment minister’s award modernisation request. The Australian Industrial Relations Commission has been unable to comply with the employment minister’s pledge to not increase costs for employers and not disadvantage employees. It was an impossible position that the employment minister placed on the AIRC.

The national retailers association has said employers will have no choice but to pass increased costs on to consumers and reduce staff levels as a direct result of the employment minister’s award modernisation request. The restaurant and caterers association of Australia has submitted that Labor’s award modernisation request will add up to $40 million in additional labour costs, leading to excessive closures and job losses—another botched policy decision leading to job losses and inflationary outcomes.

A close inspection of recent ABS statistics shows that there has been an 800 per cent increase in working days lost in the first six months of the Rudd government compared with the first six months of last year. When the Minister for Employment and Workplace Relations was asked about this very serious issue that affects workplaces across Australia—

Mr Dreyfus—Madam Deputy Speaker, I rise on a point of order on relevance. We have been waiting for the honourable member to return in some way to the subject mat-
ter of this bill, which is safety. We have just endured about 10 minutes—

The DEPUTY SPEAKER (Ms JA Saffin)—Would the honourable member for Isaacs please resume his seat. I am aware of the standing order on relevance. This is a robust chamber where we do engage in wide-ranging debate, but I would ask the Deputy Leader of the Opposition to direct her comments to the bill.

Ms JULIE BISHOP—Thank you, Madam Deputy Speaker. And when the minister for employment was asked about the number of strikes that had occurred under the new government—the industrial action that inevitably affects safety in the workplace, if the member for Isaacs has not ever understood that connection—the minister said in response that it was all to do with new agreement making. Yet the same Australian Bureau of Statistics figures show that 74 per cent of the working days lost had nothing to do with new agreement making. We are still waiting to hear from Labor as to the cause of this massive increase in industrial disputation since Labor came to office.

Labor came to office vowing to turn back the Liberal and National Party workplace relations reforms, albeit that they had delivered benefits such as low inflation and the lowest unemployment rate in more than 30 years. Labor must now manage economic problems such as inflation and slowing growth. It must now also seriously look at its workplace relations policies. What is at stake was made clear a few months ago by the Reserve Bank governor, Glenn Stevens, discussing why 1970s style stagflation—that is, high inflation and low growth—should not occur today in Australia. He said:

A key difference today, thus far, has been the behaviour of labour costs … If you go back to the mid-1970s, you had the government leading the charge in pushing wages up, you had a very different balance of power between the unions and business, a different quasi-judicial industrial relations system, and we had a serious wage-price problem back then … We don’t have that at the moment, and we must make sure we don’t get it.

The importance of efficient and flexible labour markets to achieving macroeconomic objectives has been made clear in a series of OECD economic surveys of Australia. While the Labor government is very good at trying to suggest that the Reserve Bank gave warnings about inflation, when you look at those statements you see that that is complete fallacy on the part of Labor. They are rewriting history once more. They ought to take note of the OECD comments about a decentralised industrial relations system, less adversarial labour relations and greater labour flexibility. The coalition understood the central importance of workplace relations to the economic wellbeing of the country. The Rudd Labor government clearly does not.

The Deputy Prime Minister and her department have made it clear that, in the 10 months since taking office, no analysis has been undertaken on the effects of Labor’s workplace relations policy on unemployment, inflation or economic growth. Incredibly, the minister has not requested a detailed, rigorous analysis of Labor’s workplace relations policy from her department nor sought assistance from Treasury. And the minister shows no intention of commissioning any serious analysis of the policies she is introducing. Instead, like the ostrich in the fable, the minister has buried her head in the sand, hoping to avoid any uncomfortable truths from the world around her.

Labor’s aversion to evidence is typical of its approach to policy. The Prime Minister promised evidence based policy but has delivered evidence-free policy. Labor ignored the advice of the Department of Prime Minister and Cabinet, Finance and other departments on Fuelwatch. The
Department of the Prime Minister and Cabinet has stopped preparing written comments on cabinet submissions—at whose command is unclear. The fact is that the government is refusing to take advice, and the establishment of Safe Work Australia is yet another example of this. How could it possibly set up a body that reduces the voice of employers and employees if it were serious about improving occupational health and safety in this country?

This lack of attention to evidence and the views of stakeholders does not end there. Yesterday the Minister for Employment and Workplace Relations revealed her deep ignorance about a very fundamental economic issue: productivity and the measurement of productivity in Australia. In a speech at the National Press Club the minister said:

... Work Choices was neither a recipe for fairness nor for prosperity. In fact, after its introduction annual productivity fell by two-thirds. I will repeat that. The Minister for Employment and Workplace Relations said: ‘In fact after its introduction annual productivity fell by two-thirds.’ Now, if that were actually the case, and Australia’s annual productivity had fallen by two-thirds, GDP would now be closer to $370 billion than to $1.1 trillion. It is disturbing that the Minister for Employment and Workplace Relations does not understand such a basic economic concept as productivity. The minister also confirmed that the Rudd government’s proposed new workplace relations regime will be a Trojan horse for the union movement to resume practices such as pattern bargaining—which the minister supported at the Press Club yesterday—unrestricted access to workplaces and compulsory unionism.

The fact is that Labor’s workplace relations changes—and this bill is part of this consideration—are going to cause a great deal of concern in workplaces across Australia. One serious concern is that Labor’s introduction of so-called good-faith bargaining will result in situations where employers are dragged before Labor’s industrial umpire and where unwanted conditions and wages can be imposed on workplaces. The Minister for Employment and Workplace Relations also said yesterday that pattern bargaining was not such a bad idea. We on this side of the House know that wage claims in one area of the economy which can absorb an increase should not be passed on and spread to other sectors of the economy which cannot absorb one. That is the type of environment for a wage-inflation spiral that can lead to the types of recessions we have seen under Labor governments before—and yet, astonishingly, the minister said yesterday that she supported pattern bargaining. The minister also confirmed that the Rudd government’s proposed new laws will allow unions to force employers into deducting employee union dues on their behalf.

The establishment of Safe Work Australia is another botched policy by Labor that reduces the voice of, incredibly, the unions, but also employers, effectively taking away the influence of those who know best when it comes to the issue of occupational health and safety in the workplace and putting it in the hands of state government bureaucrats—another job for Labor mates. What we are seeing is a watering down of the influence of the people who are best positioned to improve occupational health and safety in this country. Labor’s workplace relations changes, like its emissions trading scheme, are major policies which, if poorly conceived and implemented, will add greatly to the nation’s economic challenges. With the tumultuous international financial markets and the global financial insecurity we are now witnessing across the world, Australia cannot afford to embrace policies that cause job losses or job insecurity, but that is what we
are seeing under this government’s so-called ‘reforms’ of workplace relations.

Mr MARLES (Corio) (12.15 pm)—I rise to speak in support of the Safe Work Australia Bill 2008, which is a bill to create an independent national body which will oversee occupational health and safety and workers compensation in this country, to be known as Safe Work Australia. This represents the first major legislative step by the Rudd government to create in our nation one single occupational health and safety and workers compensation system.

Occupational health and safety is an issue which is very dear to my heart. In my previous life at the ACTU, and also as a member of the National Occupational Health and Safety Commission and then the Australian Safety and Compensation Council—both of which will be predecessor bodies to Safe Work Australia—I made many speeches around occupational health and safety to try and promote the issue of OH&S in the nation’s public discussion. So it is a real joy—indeed, an honour—for me to be standing here in what is really the heart of our nation’s public debate, the House of Representatives, to repeat some of those words today.

Before I talk about occupational health and safety, I would like, with your indulgence, Madam Deputy Speaker, to take a moment to talk about an event which at first may seem unrelated but whose relevance will become clear very quickly. It is a significant event in Australia’s history and one which is central to our national identity, and that is the ANZAC campaign at Gallipoli.

Gallipoli is a story which is very much at the heart of our nation’s culture. You can see that in all the Lone Pine Streets around our suburbs. The spirit of Anzac is evoked on many occasions. Even the film Gallipoli is an icon in our Australian film history, starring, as it does, Mel Gibson and directed by Peter Weir.

Why Gallipoli is so important to the Australian culture is not entirely obvious, but partly it must be that it is the story which embodies Australia’s participation in the First World War. There can be no doubt as to why that conflict was so important in Australia’s history. The loss of life of Australians in that conflict was staggering. Proportionately as many lives were lost by Australia in that conflict as by any of the allies who fought in it. That such an event happened so early on in our nation’s history makes it clear why it should be seared onto our national consciousness. You cannot go into a country town or a city in Australia with a population of more than one or two hundred without finding in it a monument to those who died in the First World War. For the record, in the nine-month campaign at Gallipoli, 8,000 Australians lost their lives. In the greater World War I conflict, 60,000 Australians lost their lives and 156,000 Australians were injured.

As I say, that may seem to be an odd way to start a discussion about occupational health and safety. So it is worth thinking about the situation of occupational health and safety in Australia today. The most conservative estimates say that well in excess of 2,000 Australians die each and every year as a result of work, and there are many estimates far larger than that. To put that figure in context, with all its accumulated heartache, trauma and tragedy, the national road toll to the month of August this year was 1,510. In the 12 months leading up to September 2000, 477,800 Australians were injured at work, and it is estimated that, when all is said and done, something in the vicinity of 40,000 to 60,000 Australians will die as a result of work related exposure to asbestos. These figures are staggering and they beg the question of whether or not we should simply accept these figures as the price of doing business in a modern market.
The human tragedy and misery that those accumulated figures represent for me completely answers that question: we must never accept it.

When I first heard those figures, the only comparison that I could think of in terms of Australian life was indeed the loss of Australian life and injury during World War I. But, whilst the figures may be similar, the place that occupational health and safety holds on the one hand and World War I holds on the other in the national psyche could not be further removed from each other. There are no monuments in all those country towns to those Australians who have died as a result of work related exposure to asbestos. There is no film directed by Peter Weir and starring Mel Gibson which tells the tragedy of Australia’s occupational health and safety record. While I completely understand that films and monuments are not going to save lives, that does say a little to me about the lack of priority that our nation places upon occupational health and safety. Given the lack of priority that we place on occupational health and safety, it should be little wonder to any of us that by international standards our OH&S record is found wanting.

I have made that comparison on many occasions over the last few years, and, to me, something of an improvement in the profile of occupational health and safety has occurred in those few years, I think by virtue of two events. First was the tragedy of the death of Larry Knight at Beaconsfield and the accompanying drama of the rescue of Todd Russell and Brant Webb, which absolutely held our nation spellbound for the better part of two weeks. I think what we need to remember about the heroic rescue in that case was that underlying it was an occupational health and safety incident, and a major one at that.

I also think one of the reasons we find it difficult to digest the effects of occupational health and safety injuries and deaths is the nature of the injuries and deaths. In fact, traumatic deaths are a small proportion of those who die as a result of their work. Far and away the majority of people who die as a result of their work do so by virtue of having contracted some disease. They die an often lonely and unnoticed death many years later in their homes or in a hospital. For those people, a story in the last couple of years has highlighted their situation, and that of course was the heroic life of Bernie Banton, who maintained a magnificent struggle against James Hardie in winning a landmark settlement with that company.

In these two events, I think we have seen the profile of OH&S beginning to be raised in our national discussion. We are seeing this great untold Australian story beginning to be told, and that is very welcome. But it has not come too soon, because there are many statistics which indicate that the situation is getting worse. I said that in the 12 months to September 2000, 477,800 Australians were injured at work. In the financial year 2005-06, that figure rose to 689,500. Over that five-year period, whilst the workforce grew by 12 per cent, accidents in the workplace grew by 44 per cent, with an additional 200,000 Australians being injured in that year compared to five years earlier. Of the many indictments that exist of the Howard government years, for my money, this is amongst the worst.

How we improve our occupational health and safety record is actually a difficult and complex question. Certainly it does involve telling the story of occupational health and safety in this country. But when you drill down to it there are a couple of issues which I think we do need to improve on if we are going to see changes in the workplace. For example, all too often, it seems to me, we
regulate the symptoms of occupational health and safety hazards rather than the causes. For example, there is myriad regulation out there aimed at preventing people from tripping and falling at work, and of course that is a good thing. The single biggest reason why a person would trip or fall at work is that they were tired or fatigued at the time. However, there is barely any regulation around fatigue in occupational health and safety. Indeed, the great causes of occupational health and safety hazards in this country—fatigue, stress and bullying—go almost entirely un-regulated, and in that we are a country mile behind the leading nations in Europe.

Another issue, which is related to the first, is the manner in which we keep statistics in this country. We keep very good statistics around workers compensation. But if you take a moment to look at those statistics, you will find they are a measure of the symptoms. They are describing the kinds of injuries that have occurred; they are not describing the causes which gave rise to the injuries. As a result, when that is the base data that we are working with when we try and formulate policy, it should be no surprise that the regulation that evolves is regulation around symptoms rather than causes. But underlying all of that is this: to solve these issues and to take the kinds of decisions that we need to around those two issues that I have highlighted, and to raise the profile of occupational health and safety in this country, we need to have a proper apparatus for occupational health and safety and workers compensation in Australia. That is why the bill that we are debating today is so important and why it is so critical to giving us the machinery to solve these issues.

The first point to be made about what is wrong with our public policy architecture around occupational health and safety is that instead of having a single system in Australia we have nine systems—six states, two territories and the Commonwealth jurisdiction. Whilst there is a great deal of consistency between each of those jurisdictions, there are differences as well. In all my time in occupational health and safety, it was never obvious to me why a Victorian set of ears was more sensitive to noise than those in Western Australia. To be fair to the Howard government, they did understand this issue, but their response to it was a knee-jerk response which made the whole field of occupational health and safety and workers compensation even more complex, and in fact did the wrong thing in terms of providing a safety framework.

Through an old regime of licences, which ultimately were an incident of competition policy, which in a sense is another story, the Howard government allowed a number of companies to access Comcare—the Commonwealth workers compensation scheme—and then, via that, the Commonwealth’s occupational health and safety jurisdiction. It was a cobbled together idea. There was no preparation in there. The single biggest issue is this: the Commonwealth jurisdiction is simply not set up to enforce occupational health and safety laws in environments that are heavily blue-collar like construction sites or transport yards. If you look at the enforcement indicators that exist, in the financial year 2005-06 there were 70 prosecutions in the state of Victoria and none in the Commonwealth jurisdiction. In terms of provisional improvement notices, there were 11,168 in Victoria and 12 in the Commonwealth jurisdiction. Taking account of the relative sizes of the jurisdictions, if you were an employer in Victoria in that year you were 24 times more likely to be the subject of an inspection than if you were an employer in the Commonwealth jurisdiction. That is not a marginal difference; that is a situation where on the one hand a system is being enforced and on the other it is not. And it is absolutely
fair to say that Commonwealth occupational health and safety under the Howard years represented the Wild West of occupational health and safety law. It was to that scheme that they tried to attract national employers through what was essentially a federal power grab. It was confrontational federalism at its worst. Today, in this place, the legislative process has begun to rectify all of that.

The Rudd government are approaching this in an entirely different way. We are engaging in cooperative federalism by putting in place Safe Work Australia, a body which is being established with the cooperation of all the states and territories in Australia. Importantly, Safe Work Australia will, for the first time, unlike its predecessors, be a body which is jointly funded by the Commonwealth and the states so that the states have a real sense of ownership in what Safe Work Australia ultimately does. Safe Work Australia will be charged with the responsibility of developing national policy around occupational health and safety and workers compensation and, importantly, of guiding us down the path of harmonising our occupational health and safety laws to a more consistent regime of workers compensation in this country. It will look after the standards and codes which traditionally have been looked after by NOHSC and the ASCC.

To be frank, the drivel that we just heard from the Deputy Leader of the Opposition about the kinds of people who are going to be on this body was astounding. It demonstrates that she has not the faintest idea about how those bodies worked or how this body works. In fact, the best experts in occupational health and safety and workers compensation are, without a doubt, those people in Australia who are actually running these jurisdictions. This body will be a tripartite body, as NOHSC and the ASCC have been, which is very important because you then get the expertise of both the union movement and the employer movement involved in the deliberations.

Safe Work Australia will also have responsibility for collecting data and, given the issue that I raised before, this offers real hope for actually getting statistics and information properly orientated around occupational health and safety in this country. Safe Work Australia will also be charged with the responsibility of developing a communications strategy. As I said at the outset of my contribution, raising the profile of occupational health and safety in our national discussion is very important. Safe Work Australia will have an independent chair. I have worked under the independent chairs of NOHSC and the ASCC, Jerry Ellis and Bill scales, both of whom have made an enormous contribution to occupational health and safety in this country in what I might say were very difficult circumstances for both of them. They have taught me the importance of having a strong, independent chair leading an organisation such as this. As I say, there will be representatives from each of the jurisdictions, from employers and employees, giving the body a proper tripartite basis.

This legislative initiative today, together with the Rudd government’s review of the Comcare scheme, together with the establishment of an independent panel which is looking at the national occupational health and safety framework in Australia, and together with the landmark intergovernmental agreement between all the states and territories and the Commonwealth around harmonising our occupational health and safety laws, represents a very significant forward program to rectify what is, by international standards, a very poor occupational health and safety record. We absolutely need to do that and as quickly as we can. Occupational health and safety affects everyone. Every year, hundreds of thousands of Australians have their lives changed because of an injury
in the workplace. That means that every year Australia’s poor occupational health and safety record breeds a well of misery which is unmatched in its scale in almost any other part of Australian life. It is time to start the process of changing Australia’s occupational health and safety performance. That start begins with this bill.

Mr HARTSUYKER (Cowper—Deputy Manager of Opposition Business) (12.34 pm)—At the outset, let me say that I fully support moves towards the rationalisation of workers compensation and occupational health and safety and towards making our workplaces safer. We need to do all we can to ensure that workplace accidents are kept to an absolute minimum and that, when accidents do happen, those affected can easily access financial support while they are unable to work and the physical support necessary to achieve a return to work whenever possible. Safe Work Australia is tasked with developing national policy, monitoring legislation and codes of practice, developing consistent enforcement policies and raising awareness of health and safety at work. It will report to the Workplace Relations Ministers Council. If Safe Work Australia achieves these aims, it will be a step forward.

However, the government should be aiming higher and trying to overcome the obstacles to reform that have existed for many years. The Safe Work Australia Bill 2008 will not do that. After looking more closely at what we should be trying to achieve, I would like to raise some issues with the structure of Safe Work Australia and then examine the political obstacles that will provide a test for the government and its good intentions. At the heart of this bill is the need to reform Australia’s systems of workers compensation and occupational health and safety with the overarching problem that each state and territory maintains its own regime, with Comcare operating at a federal level. This multiplicity of regimes imposes an unnecessary burden on any company operating interstate, without any corresponding benefit for employees. Indeed, in terms of the competitiveness of our economy, one could argue that employees are disadvantaged by reduced job security. For instance, Optus has calculated that a single national self-insurance scheme for occupational health and safety alone would save up to $2 million of its $6 million annual workers compensation costs. Insurance Australia Group estimates that multiple schemes added some $10.1 million to the cost of setting up its national IT platform and cost about $1.7 million annually to run.

As long ago as 2006, the Productivity Commission calculated that a reduction in regulatory compliance costs could result in a saving of $8 billion a year—0.8 per cent of GDP—through developing a national approach to policy making in a range of areas. Australia has a population of just 21 million, and we are trying to compete with countries like China and India, which have huge and potentially profitable internal markets and vast export potential, yet we handicap ourselves with these unnecessary costs. The European Union, with its population approaching 500 million and its diversity of languages and cultures, is continually rationalising across national boundaries.

We have been slow historically in dealing with inconsistencies between our states, and we continue to drag our heels. Our failure to rationalise, to put aside state and sectional interests for the national good, is holding Australia back. The benefits to the health service, say, of saving nearly one per cent of GDP, as I mentioned, would be substantial. What if these resources were diverted to our schools? What if savings of that order could be offset against the cost of an emissions trading scheme or invested in clean and renewable energy production? It is high time...
we put the national interest above state interests.

Of course, this kind of reform has been on the agenda of the Council of Australian Governments for some time, but it has to be said that there has been little progress to date. The cynic might suggest that the coalition government was never going to make any headway in transferring powers from Labor run states, even if it was good for the nation—and I would suggest they were right. Turkeys do not vote for Christmas—and don’t we have some turkeys running our states and territories! In the last few weeks, however, the cosy position of wall-to-wall Labor administrations has been looking less secure, as voters have indicated their desire that the turkeys should be plucked and stuffed. Western Australia is certainly a notable example. In the meantime, as we await further opportunities at the ballot box, we surely have the right to expect some progress.

I acknowledge that the aims of Safe Work Australia do represent some progress—but do they go far enough? I note that Safe Work Australia will ‘prepare, monitor and revise model occupational health and safety legislation and model codes of practice’ and ‘develop a compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions’. The adoption by all states and territories of model legislation would at least mean that companies operating interstate would only have to comply with one set of requirements in the workplace. However, it would still mean dealing with a different jurisdiction in each state and territory. Any changes to the model legislation would have to be enacted in each state or territory, with the distinct possibility that differences would again arise between jurisdictions because of different legislative timetables.

Consistent enforcement policies would also be welcome. I am sure that we have all heard stories of how inspections on one side of a state border can result in a warning, advice and a follow-up visit, whilst, on the other side of that border, the same set of circumstances results in immediate prosecution. Any move towards consistency is welcome, but how much better it would be if federal legislation were enforced by a single federal enforcement agency, with presumably some saving on cost to the taxpayer in addition to benefits to business.

Turning to the composition of this new body: of 15 members, nine will represent the Commonwealth and states and territories. The remainder would be made up of two representing employers, two representing employees, an independent chair and the chief executive officer. It would make recommendations to the Workplace Relations Ministers Council, as I said previously. Its composition is, therefore, heavily political, and those members who one would hope would have some practical industry experience will be severely outnumbered. This is of particular importance when one looks at the voting arrangements. It transpires that they will not merely be outnumbered; they will in effect be marginalised. I quote from the explanatory memorandum to the bill with regard to clause 38—Decisions at meetings etc.

This clause provides for a two-thirds majority of the votes of the voting members present and voting to determine a question at a meeting other than a question relating to the model OHS legislation or model OHS codes of practice. It goes on:

… any decisions concerning model OHS legislation and model OHS codes of practice must be made by an absolute majority of all the voting members representing the Commonwealth, States and Territories.
So any proposal on OH&S legislation and codes of practice, no matter how beneficial or practical, that fails to meet the vested interests of the states and territories will fail to get before the Workplace Relations Ministers Council. The explanatory memorandum continues with reference to clause 40 of the bill:

This clause requires all members (including the CEO and substitute members) to disclose any pecuniary or other interest in matters under consideration by SWA.

Members declaring an interest:

… must not be present during any deliberation by SWA on the matter and must not take part in any decision on the matter.

Then we come to the crunch, and again I quote:

However—

and this is a very important ‘however’—

this requirement does not apply to any decision with respect to the model OHS legislation or model OHS codes of practice. This ensures that the requirements of an absolute majority of the Commonwealth, States and Territories—as provided for by subclause 38(2)—are not undermined by ‘conflicting out’ those members.

This amounts to a political fix—to avoid causing the council any embarrassment by having to veto proposals it knows it cannot deliver. In the matter of model legislation and codes of practice, it seems Safe Work Australia will not be an independent body at all, merely a creature of the state and territory representatives. On the one hand, the government is paying lip-service to the principles of conflict of interest and then, on the other hand, it chooses to ignore them. So much for the independence of Safe Work Australia. It is only independent up to the point at which the interests of the states and territories are threatened, at which point the views and advice of those members with practical industry experience can be virtually ignored. It is the vested interests of the states and territories—and one state in particular—that have resulted in the existing plethora of different rules, regulations and enforcement practices in the first place.

If the government is serious about reform, then how about this as an alternative: a body comprised entirely of employers and employees’ representatives, reporting not to the Workplace Relations Ministers Council but to the Minister for Employment and Workplace Relations, who oversees federal legislation and enforcement? At this point, I acknowledge that some states and territories have gone further down the road of reforming OH&S matters than others. But, as we have seen with prolonged discussions over the fate of the Murray-Darling, it may only take one state to block the reform process, however critical the circumstances.

In order to see how the interests of the states and territories are likely to be represented on Safe Work Australia, we need to look at their record of reform under the present arrangements. The international benchmark for modern OH&S practices in legislation was set following the UK parliamentary inquiry by Lord Robens in 1972. The Robens report noted the apathy that existed with regard to OH&S and made the following statement:

… safety awareness industry and commerce can only be developed by an accumulation of influences and pressures operating at many levels—that of the boardroom, the senior manager, the supervisor, the trade unions, the worker on the shop floor.

The solution was to establish the principle that every individual involved in the work should be held responsible and liable for what they can practically and reasonably control. This principle of practical and reasonable control has become an international benchmark since it was put forward in 1972. Yet, when we look at the duty of care descriptions in the various Australian jurisdictions, we find that two states have still not
yet caught up. In New South Wales, the employer has a total obligation to safety while the employee has only to take reasonable care. In Queensland, the employer again has a total obligation to safety while an employee only has to follow the employer’s instructions. In all other jurisdictions, the duties of care are similar, as suggested by Lord Robens.

I remind the House that Safe Work Australia can put forward changes to model legislation and codes of practice only on the basis of an absolute majority of Commonwealth, state and territory members. To make progress, it will have to rely on the goodwill of the minority in accepting the position of the majority. This may be optimistic, particularly in the case of New South Wales. The position was tipped even further against employers with the passage of a new OH&S act in 2000 in that state. This provided for a presumption of guilt against the legal employer but not against the employee, and for prosecutions to be carried out by the Industrial Relations Commission of New South Wales, where there is no avenue of appeal and no trial by jury. Therefore, although criminal convictions are recorded, the principles of criminal justice do not apply. Also, unions have the ability to bring prosecutions and can receive half the fines imposed in a successful prosecution. They may also have their legal fees paid. Clearly, it is right that prosecutions should be brought against negligent employers, but surely they should be brought by an independent agency and one which does not stand to benefit financially from the prosecution. It goes against the principles of justice that the person bringing the prosecution stands to gain from it. How would we feel if parking officers took a cut from every parking fine imposed? What impact would that have on the independence or the perceived independence of such officers?

Last year, the Business Council of Australia, the Minerals Council and other business groups and individual companies produced a paper entitled *Making work safe*. This reported that, with one-third of the national workforce, New South Wales conducted 63.4 per cent of all OH&S prosecutions between 1989-99 and 2002-03. Some 96 per cent of all New South Wales prosecutions resulted in a conviction in 2002-03. What we have in New South Wales is not a regime designed to deliver the best OH&S outcomes and safe workplaces but a punitive system—one heavily weighted against employers, with few obligations placed on employees to take reasonable care for their own safety—and also a cash cow for unions. Is it any wonder that New South Wales, with one-third of our national workforce, the largest state in Australia by virtue of population, is lagging badly behind in terms of economic growth and prosperity? Why on earth would anyone want to do business in New South Wales when they could do business elsewhere? To quote the *Making work safe* report again:

For any business of size in New South Wales, it is only a matter of time, and luck, before managers, executives and directors face prosecution for incidents where they did not exercise control. It cannot be quantified, but it is fair to assume that this is adversely affecting the New South Wales economy as business views investment in New South Wales as carrying an unacceptably high, unfair and unjust risk of OH&S conviction for their personnel.

The legislation has also had the effect of shifting the focus of OH&S management from the prevention of injuries to the mitigation of legal risk. The fact of the matter is that the New South Wales state government is controlled by the unions and, until that control is broken, New South Wales will be an obstacle to change on this and many other issues. There can be no clearer example of the malign influence of the unions than the fate of the New South
Wales government’s own attempts to reform. In 2006, with the support of employers, the government put forward draft legislation moving towards harmonisation with other states and territories and going some way to removing the presumption of guilt. First, the consultation period was extended. Then the legislation was referred to the Stein review, which conducted further consultation. The review concluded—surprise, surprise!—that the existing legislation should be retained, though the report of the review was not released until some months later. In response to this, the New South Wales opposition put forward the government’s own draft legislation as a private member’s bill, but it was then voted down. So, after two rounds of consultation, including with New South Wales WorkCover, which was overwhelmingly in favour of reform, there will be no reform of OH&S in New South Wales. I should also point out that the proposed changes did not affect the unions’ ability to profit from prosecutions that they brought, so the cash cow under this legislation was still retained.

There are only a few groups benefiting from the kind of archaic class warfare still taking place in New South Wales and those are the unions, interstate business competitors and international business competitors to those operating in New South Wales. The unions are not making the workplace any safer for their members, and in fact they are just putting their own jobs at risk. By all means, let us harmonise our workers compensation and OH&S legislation, but the dead hand of the trade unions lies over proposals that the government has put forward. If this government is serious about reform, then it will set up a truly independent Safe Work Australia and it will commit to enacting its proposals, whatever the views of the teetering New South Wales state government.

Mr CHEESEMAN (Corangamite) (12.52 pm)—I have certainly noted the contribution just made by the current member for Cowper. I am appalled that the coalition would suggest that liability for workplace injuries ought to be pushed onto employees. The Safe Work Australia Bill 2008 brings together two core themes that the Rudd government has. There is the issue of reform of the Australian federation through cooperative federalism and there is the issue of better workplace laws, of which perhaps the most important one is worker safety.

Cooperative federalism is one of our major reform areas. Cooperative federalism is about reducing duplication. It is a way we can improve consistency. It is a way we can improve efficiency. It is a way we can improve national productivity. It is a way we can simplify rules and improve public knowledge and understanding of rules. The Safe Work Australia Bill is about exactly that. This bill is good for workers as it will establish better national safety standards. It is good for workers as it will establish simpler, standardised, better understood, workplace safety rules. Safe Work Australia, as an independent national body, will have the role of improving occupational health and safety and of improving safety outcomes and workers compensation arrangements across Australia as a whole. These aims will be good for business, good for government and good for workers. These reforms are a part of the Rudd Labor government’s goal of creating a seamless national economy that is not being dragged down by duplications and border disputes.

Of course there is more to this than economic efficiencies. More than 300 Australians are killed each year at work. Many more die as a result of work related diseases. Each year, over 140,000 Australians are seriously injured at work. The cost to our economy has been estimated at $34 billion per
year. The cost to those injured and to their families, workmates and friends cannot be measured. My view is that 300 Australians dying each year is completely and totally unacceptable. We should not accept it. We should never accept that it is the way of the world that every year some fathers and mothers will walk out the front door while off to work, wave goodbye to their kids and families, and never come home. My view is that we have to raise the bar on workplace safety rules, raise the bar on knowledge of workplace safety procedures and raise the bar on adherence to those rules.

Let us look at this comparatively. No, we are not the worst-off country in the world when it comes to workplace safety—not by a long way. We have indeed built a workplace system, thanks in large part to the efforts of the Australian trade union movement, that is one of the best in the world. Our workplace safety systems are some of the most advanced in the world. We have come a long way. But we still have a long way to go.

Let us think of where Australia is today, broadly speaking—and Australia is one of the best countries in the world. Our workers compensation schemes are of course still very problematic. Workers compensation has been the source of major disputes between governments, businesses and unions for a long time. The schemes are very complicated and they are often very costly. There are all sorts of inconsistencies between jurisdictions. There is a long way to go in this area of workers compensation.

Then there are safety standards. Safety rules and regulations are a mishmash from one state to another. There are different rules and different standards, making it very difficult for workers, businesses and governments. Workers who move from one state to another are often confused or ignorant about workplace standards and procedures, leading to noncompliance and then accidents. There are many reasons why workplace accidents occur. Two central reasons are a lack of knowledge of and a lack of adherence to workplace safety procedures. If you have six different systems, of course you are going to have more confusion, a lack of knowledge, often indifference and a reduced inclination towards compliance with our safety rules. As they say, knowledge leads to action; confusion leads to inaction. In the workplace, confusion often leads to accidents. The establishment of Safe Work Australia will ultimately lead to simpler, universal rules and a better understanding of rules by workers and their employers. And that will lead to action.

Australia today has the opportunity to set a whole new standard in workplace safety. The establishment of Safe Work Australia is an essential part of the government’s strategy to facilitate improvements to safety outcomes and workers compensation arrangements across Australia. Since we have come to office, the Rudd government have undertaken a review of the Comcare system, set up an independent panel of experts to conduct a national occupational health and safety review, and developed a landmark intergovernmental agreement with our state and territory counterparts to harmonise occupational health and safety legislation nationally. This bill, along with the intergovernmental agreement, brings a new era of cooperation between the state and federal governments on this matter. It addresses another key area of cooperative federalism that will save lives, simplify rules and reduce the cost of doing business. Safe Work Australia will replace the Australian Safety and Compensation Council, which was established by the Howard government and was a narrowly focused body with limited powers. Safe Work Australia will provide new benchmarks. It will be yet another example of why Labor is the party of reform.
Safe Work Australia is being tasked with some important jobs. Safe Work Australia will develop a national policy relating to occupational health and safety and workers compensation; prepare, monitor and revise model occupational health and safety standards and model codes of practice; develop a compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions; develop proposals relating to the harmonisation of workers compensation arrangements; collect, analyse and publish occupational health and safety data and undertake and publish research; drive national communications strategies to raise awareness of health and safety in the workplace; further develop the National Occupational Health and Safety Strategy; and advise the Workplace Relations Ministers Council on occupational health and safety and workers compensation matters. It is a big, big job. When this is achieved it will be seen as one of the great reforms within Australian workplaces and Australian industry. Safe Work Australia, in short, will be a big step forward for workers, their employers and their communities. It will be a body which will take Australian workplace safety laws to the next level to simplify safety laws and make them more effective and efficient.

I ask all members to think about this. There are four shires within my electorate. One of those shires—one of the smallest shires, the Colac Otway Shire—has had more than 900 work related injuries in the past five years, costing more than $18 million in rehabilitation and compensation payouts. That is a cost to local families, a cost to local businesses and a cost to government. Of course we always need to put things into some sort of absolute perspective. When the industrial world first came to Australia there were no workplace safety laws at all. In bits and pieces each colony, then state, put in place its own rules. These rules and regulations developed in their complexity in different ways in different states. Today, for the first time in Australian history, the states are committing to harmonising occupational health and safety legislation through this mechanism. This is essential and is a very productive reform.

I would also like to pay tribute to some of my former friends and colleagues within the trade union movement who for many years have championed occupational health and safety within their workplaces and have contributed substantially to making workplaces much, much safer. Their efforts have led to many more families being able to enjoy safe workplaces. When incidents occur they are looked after through the necessary compensation arrangements that have been put in place. I commend this bill to the House as a very substantial improvement in workers’ occupational health and safety.

Mr CIOBO (Moncrieff) (1.02 pm)—I rise to speak to the Safe Work Australia Bill 2008 and the Safe Work Australia (Consequential and Transitional Provisions) Bill 2008. What we see in front of the House today is another example of Labor’s botched policy when it comes to so-called harmonisation of occupational health and safety across Australia. I know, as shadow small business minister, that the Minister for Small Business, Independent Contractors and the Service Economy, Dr Emerson, travels around Australia highlighting how this proposal will herald a new dawn and how this proposal will be a key part of Labor’s plans to bring harmonisation across Australia and to ensure that red tape is reduced.

But, like so many aspects of what Labor does, the bills that are before the House today are bills that execute, in traditional Labor fashion, its great plans to centralise power, to centralise regulation and to ensure
that, where possible, those who do not have knowledge about occupational health and safety—who, it must be concluded from the legislation, are employers and employees—should, rather, turn to those who do have knowledge about occupational health and safety—who, it must be concluded again from the legislation, are in fact state government bureaucrats—to find out which is the best way forward. Because, like so many of Labor’s policies, the execution of this policy, which the minister will talk about across Australia and say is one of those key 27 areas where Labor intends to harmonise legislation to save red tape, will in fact introduce Safe Work Australia as the overarching body with responsibility for Australia’s national OH&S system as devised by the Australian Labor government. And in this case a number of key changes are being made.

Most concerning for me is that the core of this bill sees a reduction in the number of social partner representatives—that is, industry and union representatives—from three to two for each of the partners. Labor does not hold a monopoly on concern for the welfare of employers and employees when it comes to safe workplaces. Labor does not hold a monopoly, even though it is a trade union dominated political body that says it is the only one in this chamber concerned about whether or not Australia’s workplaces are safe. It is well and good to talk about having safe workplaces, but the execution of a policy designed to implement the best regulatory structure to achieve a safe workplace is a whole separate question, and that question is not best answered by the establishment of Safe Work Australia and a concurrent reduction in the number of social partner representatives. We see a one-third reduction in the representatives for the social partners when compared to the composition of the old Australian Safety and Compensation Council, which, through this bill, is effectively being replaced and rebranded—albeit in a way, as I have outlined, that compromises the tripartite approach traditionally required for OH&S regulation to effectively operate in workplaces.

We now see, as a result of the execution of this bill, the creation of an imbalance whereby workplaces directly impacted by the formulation and development of OH&S will actually be denied the opportunity to genuinely participate in the decision-making processes that underpin the entire formulation of such policy—and that point cannot be stressed enough. This Labor Party policy, despite it being sold—or perhaps a better phrase would be ‘despite the minister spinning it’—as being a step in the right direction, will actually see the massive centralisation of power here in Canberra and an increase in percentage and proportional terms of bureaucrats and not of groups like ACCI or, indeed, of the trade union movement.

It is worth noting that we should not easily sideline groups like ACCI. The Australian Chamber of Commerce and Industry is a very influential organisation—and rightly so, because ACCI represents over four million employees and hundreds of thousands of employers. From my perspective, it is very clear that a group that specifically advocates for and represents hundreds of thousands of employers—and, through those employers, four million employees—should be listened to. To have a watering down of their role in this process seems to me absurd. But it does not seem absurd to the Labor Party, because we know, as I said, that Labor’s approach in this bill is not to have a belief that employers and employees should have a place at the table in the same proportions as they did previously, but rather that the best decisions when it comes to OH&S are of course made by the bureaucrats. So that is the theme that we see woven throughout this legislation, and that is the outcome that will be achieved.
There would be many employers and employees, I am sure, especially in Australia’s small-business sector—which, of itself, represents about 2.4 million small businesses employing around four million Australians—who would be scratching their heads at this proposal by the Labor Party. They would be scratching their heads because we saw, up until last weekend, the Labor Party in power in every single state across our federation. They were glorious days for the Australian Labor Party. But, thankfully, that wall of trade union and political apparatchiks has now been broken. It is like the busting of the dam. And there is a new sunlight over in Western Australia. But the dam wall has been breached, and we look forward to more of it coming down in due course. But, that notwithstanding, small businesses across Australia would be scratching their heads today because they would be wondering why it is that the Rudd Labor government believes the best way forward on OH&S is to ensure that maximum power is given to state government bureaucrats and representatives when they themselves are responsible for the mess of OH&S laws that exist across Australia today.

The federal minister stands up and says how Safe Work Australia is a step in the right direction, through the centralisation of power here in Canberra—one step removed from the state based OH&S systems that we had—and that that is a step forward. But, by the way, it will actually be the state based bureaucrats that have the majority say when it comes to the operation of Safe Work Australia. It is little wonder then that I have had small-business owners, employers and employees talk to me about their concerns about what this bill will actually mean. At the end of the day, it is well and good for the minister to stand up and make a comment, and it is well and good for the Rudd Labor government to claim that this is a step in the right direction, but the execution and the implementation of it are fundamentally different. I have genuine concerns that, when the coalition explores this further in the other place, the actual result of the implementation of this legislation will be that we will see employers and employees effectively sidelined from the formulation of OH&S policy development—and that would certainly be a step in the wrong direction.

The key reason, as I said, is because of the actual composition of SWA. It will, without a doubt, lead to a situation where government representatives will be able to repeatedly override legitimate concerns raised by those social partners in the union movement and, for example, ACCI. During OH&S harmonisation discussions, including concerns relating to increased costs or impractical safety proposals for workplaces, we will see state government representatives saying, ‘Well, sorry; you are just going to have to cop that. That is just going to be part of it, because this is what we need because it will no doubt suit the bureaucracy, even though in practical application employers and employees could in fact be much worse off.’ We see many examples of this in practice at a state government level today. We have seen many examples of Labor’s botched handling of OH&S at a state government level—examples where, at a state government level, we have seen the encroachment of ridiculous attempts to ensure compliance and execute so-called safety concerns to actually achieve other outcomes that state Labor governments have sought.

There are issues such as right of entry. How many instances exist in Australia where we see right of entry requirements executed through OH&S laws? How many times will Australians—both employers and employees—now be subjected to encroachment by unions into workplaces under the guise of OH&S? My concern is that, with SWA effec-
tively subject to ministerial direction, we could see this Rudd Labor government, which owes a very big debt to the trade union movement, making sure that they do their bidding. Let us not lose sight of the fact that this side of the House is not owned by any one organisation, unlike the Australian Labor Party. And the Australian Labor Party, we know, is the political wing of the trade union movement of Australia. I see members opposite shaking their heads—members of the government are saying that that is not the case. You cannot be a member of the Labor Party unless you are in a trade union.

We know that the Australian government is only there today because about $100 million of trade union funds flowed into an advertising campaign to help get Kevin Rudd elected. The member for Griffith knows that he has a very big debt to pay back to Australia’s trade union movement. There can be no doubt—and it should be of especially great concern to Australia’s 2.4 million small businesses—that the government’s rush to bring in SWA will actually see all sorts of opportunities created down the track, under this new, centralised, you-beaut, Labor policy, under ministerial direction, for unions to have access to workplaces, pretending to have, or being spun as having, genuine concern and regard for occupational health and safety.

We see as well that the Minister for Employment and Workplace Relations, Minister Gillard, appears to be determined not to listen to stakeholders—those representatives of employers and employees with significant involvement in workplaces—because, through the reduction of their representation and the reliance on state representatives who have already repeatedly failed, as I have outlined, we see that that seems to be the strategy for the execution of this legislation and the development of Safe Work Australia.

In addition, the foundation upon which Safe Work Australia has been established is also fundamentally flawed because it requires the direction and success of SWA to be contingent on the cooperation and participation of the Workplace Relations Ministers Council, to which it directly reports. We know that members of the ministerial council have repeatedly failed to attend or, at times, cooperate with the Commonwealth in these meetings in which there have been issues and legitimate concerns raised about just how effective SWA will be in an environment where state Labor governments have traditionally been unwilling to cooperate and genuinely contribute to discussions about the harmonisation of OH&S laws across Australia.

Where the ministerial council fails to meet or refuses to cooperate and consider Safe Work Australia issues, the work of SWA will effectively come to a halt. That is another key concern that the coalition has about the proposed legislation. It will ensure that we see the creation of an unjustifiable imbalance. Improving OH&S performance will be critically dependent on there being an effort and buy-in from all stakeholders, and a process that does not seek to engage workers and employers in a meaningful way will not lead to improvements in workplace health and safety. Labor’s duplicity in this regard is further highlighted by its failure to report back to parliament on the progress of SWA. How extraordinary that this bill proposes that SWA report back to this parliament only once every six years. Once every six years is what the Labor Party is putting forward as its plan to ensure that Safe Work Australia remains accountable to this parliament.

We have the sidelining of employer representatives, the sidelining of employee representatives, the centralisation of power in Canberra and control being given to the state representatives who have failed in the past
but who will now have the casting and controlling number of votes on SWA—representatives who are also now being required to report back to the parliament only once every six years. This is potentially a recipe for a great deal of pain, problems, increased red tape, additional compliance costs and lower employment. That very reasonably is the expected outcome as a result of the creation of SWA.

I say to all of Australia’s small businesses—and also, of course, the large businesses—and to those employees who are genuinely concerned about the safety of their workplaces: keep a very close eye on the execution, implementation and development of OH&S laws under SWA. It is my concern that we will see a body that will be dominated by state bureaucrats, a body that will execute the same kinds of botched and failed policies that we have seen all over this country under the raft of Labor governments that existed—and still do exist in large part. We will also see a Prime Minister and a minister who are so indebted to Australia’s trade union movement that, under ministerial direction, we see the thin end of the wedge getting driven into Australian workplaces.

All of these concerns are the reason why the coalition will ensure that this bill is properly scrutinised, is thoroughly investigated and has its consequences fully explored in the other place. The coalition will not oppose this bill in this place, but we certainly reserve the right to examine it much more closely. Whilst in principle we support the notion of less red tape, we also have those very specific and genuine concerns about what this bill will actually result in for Australia’s 2.4 million small businesses and, more importantly, across all workplaces in this country.

Mr BIDGOOD (Dawson) (1.19 pm)—Before I start to talk about the Safe Work Australia Bill 2008 and the Safe Work Australia (Consequential and Transitional Provisions) Bill 2008, I would like to acknowledge a few schools and students who are present in parliament today. I welcome the teachers and 52 students from Mackay West State School in the seat of Dawson. It was a pleasure to talk to them this morning and to give them insights into how this great democracy works. I also wish to acknowledge the students from Claremont Meadows Public School who are in the gallery today. I also wish to acknowledge the presence in the chamber of my colleague the member for Lindsay, who is a long-time resident of the Claremont Meadows community. It is always good to welcome students and teachers to this House and to set a good example of how our democracy works.

I rise to speak in favour of the Safe Work Australia Bill. The government has set itself the task of creating a seamless national economy unhampered by unnecessary state duplications, overlaps and differences. We do this because we care about building a better Australia now and into the future. Occupational health and safety is a prime candidate for this sort of reform. It is a fact that more than 300 Australians are killed at work each year. Many more die as a result of work related disease. Each year over 140,000 Australians are seriously injured at work. The cost to our economy from death or injury has been estimated at $34 billion per year. The cost to those injured and to their families, workmates and friends is inestimable. The establishment of Safe Work Australia is an essential part of the government’s strategy to improve safety outcomes and workers compensation arrangements across Australia. Since coming to office we have (1) undertaken a review of the Comcare scheme, (2) set up an independent panel of experts to conduct a national occupational health and safety review and (3) developed a landmark intergovernmental agreement with our state
and territory counterparts to harmonise occupational health and safety legislation nationally.

This bill, together with the intergovernmental agreement, ushers in a new era of cooperation and collaboration between the Commonwealth and the states and territories in this important area—a collaboration which will improve the health and safety of workers across Australia and reduce the complexity of regulation for businesses. Safe Work Australia will replace the Australian Safety and Compensation Council, established by the Howard government as an advisory council, whose functions were confined to coordinating, monitoring and promoting national efforts on health and safety and workers compensation. Safe Work Australia will (a) develop national policy relating to occupational health and safety and workers compensation; (b) prepare, monitor and revise model occupational health and safety legislation; (c) develop a compliance and enforcement policy to ensure that a nationally consistent approach is taken to compliance and enforcement; fourthly, develop proposals relating to the harmonisation of workers compensation arrangements across all jurisdictions and proposals for national workers compensation arrangements for employers with workers in more than one jurisdiction; fifthly, build expertise across OH&S laws and workers compensation schemes that will be readily accessible across jurisdictions and industries and will reduce the complexity and costs for businesses, including businesses that operate across state boundaries; and, sixthly, undertake data collection and research and publish findings to ensure that all jurisdictions and industries have access to up-to-date and industry-specific information that will enable employers and workers to adopt practices that will reduce instances of risk and injury in workplaces across Australia.

Safe Work Australia will be a reform focused body with the power to make recommendations directly to the Workplace Relations Ministers Council. Safe Work Australia will be 50 per cent funded by the Commonwealth and 50 per cent funded by the states and territories. The bill will also create and
maintain mechanisms for review and revision of the effectiveness of Safe Work Australia in performing its functions. This will ensure that the body is active and operating efficiently and responsively in meeting its strategic and operational goals. One of Safe Work Australia’s primary functions will be to develop national policy relating to OH&S and workers compensation. National policy developed by Safe Work Australia will be used to drive harmonisation initiatives, such as the adoption and implementation of model OH&S legislation and consistent enforcement and compliance strategies, and the harmonisation of workers compensation arrangements across the Commonwealth, the states and the territories. I commend this bill to the House.

Mr HAWKE (Mitchell) (1.27 pm)—I rise to speak on the Safe Work Australia Bill 2008 and the Safe Work Australia (Consequential and Transitional Provisions) Bill 2008. The primary purpose of the Safe Work Australia Bill is to establish Safe Work Australia as an independent Commonwealth statutory body to oversee occupational health and safety—OH&S—outcomes and workers compensation arrangements in Australia.

I want to note my grave concern about this legislation as it stands before this House today, in the sense that the bill proposes a reduction in the level of industry and union representation in the mix of Safe Work Australia. Indeed, it seems to be harking back to that principle espoused by so many Labor governments around Australia that government knows better than the industry. I find it ironic that in this chamber we have heard speakers representing the ACTU—the Australian Council of Trade Unions—speak on how it is a good thing that there will be a reduction in the ACTU and Australian Chamber of Commerce and Industry representation on the Safe Work Australia body through the specific reduction in social partner representation. This, of course, will have the undesired outcome of enhancing state governments’ involvement in the decision-making process on the presumption that somehow these state governments will produce better OH&S outcomes around the country.

I do not think it stands up to a great deal of scrutiny that the states have done a superior job on occupational health and safety and will therefore do a great job as part of a national body. I acknowledge that some states have performed well on reforming OH&S legislation, but my own state of New South Wales is not one of them. For example, in 2006, New South Wales introduced some legislation to harmonise occupational health and safety with some of the other states. What we saw was a litany of delays—committees, reviews and consultation. A report was produced after many months of uncertainty, proposed changes, discussion, consultation and so on. The end result was a recommendation not to proceed with this legislation which would have harmonised and produced a better result in the area of occupational health and safety. This was in spite of the fact that WorkCover New South Wales was in favour of this reform. Indeed, there is a need for reform. We do need to have a federal body to reform and improve national standards of occupational health and safety for the future. We need to take away the presumption of guilt that is thrown at employers. We need to ensure that we have not only a presumption of innocence but also rigorous mechanisms for delving into cases where employers might not be doing the right thing. At the moment, that balance has not been properly struck.

The government has proposed in this bill that the composition of Safe Work Australia will include the Australian Chamber of Commerce and Industry and the Australian Council of Trade Unions. But there are real
concerns that the states, with their vested interest in not changing this legislation, will dominate the decision making of this body. It is the case that the states around Australia have been captured by unions and are beholden to unions. We have seen that at so many levels. It would be a poor outcome for Australia if we had a national body, formed under the guise of reform, that did not produce real reform—a body that could spend many months discussing and disseminating ideas but would have the voting power to vote down anything that may be meaningful or substantial.

The Australian Chamber of Commerce and Industry and the Australian Council of Trade Unions are serious bodies. They represent their members and workers well. With their respective responsibilities and roles, they do a great job for Australia. I would much prefer to have their input strengthened, because occupational health and safety is essentially about the relationship between the employer and the employee and ensuring that they are cooperating to produce great outcomes in occupational health and safety. The experience of the Australian Chamber of Commerce and Industry and the Australian Council of Trade Unions will be valuable on this body. We should be seeking to increase and enhance their representation rather than reducing it in favour of state governments.

I think it is quite accepted around Australia today that the states do not have a brilliant record on many things, particularly New South Wales. Certainly, in terms of infrastructure, they do not have a great record of providing public transport in my electorate. My electorate has the highest dependency on cars of any electorate in Australia. We have heard today that the $12 billion metro line that has been promised by the New South Wales government since 1999 is going to be scrapped—again—in favour of a heavy rail option potentially in the next 20 years. My electorate has the highest proportion of car ownership in Australia and it has no train line running through it anywhere. So I certainly do not accept the contention that the states dominating this body will produce a better outcome for occupational health and safety in Australia. I think it will give governments an undue influence over outcomes.

I want to pay tribute to the Australian Chamber of Commerce and Industry and the Australian Council of Trade Unions. I also note that the member for Corangamite mentioned Bernie Banton. Bernie Banton resided in my electorate of Mitchell, and one of my first sad duties as the member-elect was to attend his funeral. He was a great campaigner for occupational health and safety. His funeral at Homebush was a fitting and moving tribute to his life. I felt very privileged to represent the people of my electorate in recognising his service and his contribution to occupational health and safety. I note also that he was a great friend and long-time associate of my predecessor Alan Cadman.

One of the difficulties with having a single federal enforcement agency that has nine Commonwealth, state and territory reps and only two employer reps and two employee reps is that, more often than not, you get a heavily politicised outcome. Industry experience is outnumbered. If you examine clause 38 of the explanatory memorandum you will see the way that voting is conducted. It requires a two-thirds majority of members on occupational health and safety matters—other than the model occupational health and safety legislation—and an absolute majority of the Commonwealth, states and territories.

This again highlights one of the deficiencies of this bill, which is that we require an absolute majority of Commonwealth, states and territories to be present to achieve reform. Essentially, if even half of the states
and territories do not agree on reform, we are not going to get reform—which again will lead to a domination by the states and territories, with their vested interests. It begs the question: where is the bold reform? Where is the new era of cooperative federalism? That is a term that has been bandied about in this debate. Cooperative federalism really produces cooperative bureaucracy—and cooperative bureaucracy does not produce outcomes; it produces bureaucracy. That is my fear in relation to the model that the government is proposing.

I do feel that, if you examine some of the provisions, there is a good case for saying that a body that represents 350,000 businesses and 280,000 enterprises that employ fewer than 20 people, that has a national network through industry associations and chambers of commerce and that has been formed virtually since Federation ought to have a strong say in the occupational health and safety policies and procedures of this nation. But I also stand up, ironically, for the Australian Council of Trade Unions. It represents two million workers and their families. It has been in place for almost 100 years as well. Look at the campaign in relation to James Hardie. Some great outcomes have been achieved over the years on behalf of workers. But this outcome is not a good one for either body in the sense that they will have a reduced say in future legislation and in harmonising OH&S legislation.

The fact is that New South Wales has worked to stymie reform in occupational health and safety. It has worked to delay legislation that was looking to ensure that the presumption of guilt was examined and removed, even when WorkCover was in favour of this reform. I think that highlights that there are some flaws in this model and that there could be a case for some strong reform. I think the limitation of the involvement of the social partners will, without a doubt, lead to a situation where government reps override legitimate concerns that are raised by the social partners during their discussions.

If we are really going to be serious about reform we should look at the notion raised by one of my colleagues—that is, to have a federal body where industry and the unions are the main partners, where they tackle the real issues and recommend a model directly to the Minister for Employment and Workplace Relations. I think that is a much better model than going through the ministerial council. It is another layer of bureaucracy that will, I think, stymie what may well be legitimate attempts at reform by the government and reform that we would all like to see in relation to occupational health and safety to ensure better workplaces. That is the approach that is adopted by this government too often: if we are in doubt, we may send something to a committee. If we are in doubt about the committee, we will have a review. If we have a review then we will need a report. We will take time to look at the report and then we may be able to produce an insubstantial and weak policy response that will not do very much to address the core problems that we are having. That is not a good way to run government, and over time that may well produce some poor results here.

I do not think this model, as it stands, will produce the results that the government is seeking. The states and their vested interests are set to dominate. We may well be back here at some time in the future to revisit this body in order to ensure that industry and the unions have a greater say at the table and are able to work together to propose new and meaningful reform. I find it a concern that the Minister for Employment and Workplace Relations is determined not to listen to the stakeholders. I think the representatives of employers and employees with significant involvement in workplaces really need to be
listened to on this. We should come back here, revisit this legislation and ensure that we have a body that has much more input from industry and the unions.

The foundation upon which Safe Work Australia has been established does appear to have that flaw in it. With the direction and success of Safe Work Australia being contingent on the cooperation and participation of the ministerial council, it certainly raises some questions about whether, if the ministerial council is not meeting or not operating well, we can again move forward with reform. Safe Work Australia will be required under this model to report directly to the ministerial council. The fact is that there may be members of the ministerial council who repeatedly fail to attend or cooperate with the Commonwealth in these meetings, which raises some concerns about how effective it will be when state governments are unwilling to cooperate or genuinely contribute to harmonisation questions.

As I stated previously, I think it is an acknowledged fact and maxim at the moment that most state governments are captive to the unions. Very little can be done in any of the states without getting a union seal of approval or a tick-off from the unions. Certainly a balance has not been struck between achieving good economic outcomes and good outcomes for members of unions. When we have states that are beholden to unions and captive to their policies and will not change their outlook on things that need modernisation and reform, we really have a blockage and an impediment to achieving reform in Australia that we do need to take steps towards removing. I think having all those partners that are so beholden to unions means that the whole structure of Safe Work Australia is out of kilter. If the ministerial council fails to meet or refuses to cooperate, there will be a concern that the operation of Safe Work Australia’s reform program and its policies may well come to a halt. I do not think that will be a good development.

Improving occupational health and safety, I might add, is a critically important area. It is critically dependent as well on a collaborative approach and a collaborative effort. If we are really serious about achieving some improvement in occupational health and safety, we want a process that engages workers and employees in a meaningful way. That is my essential criticism of this legislation. Many of the states have already rejected attempts at meaningful reform. Many of them have tied up reform in bureaucracy, committees and reports and then have ultimately rejected that reform. I do not think we are going to see much movement in terms of having states come to the federal table for more discussions, more debate, when they still have those vested interests and those blockages to achieving real and meaningful reform.

The bill currently proposes an inadequate process for reporting back to parliament every six years on the progress of Safe Work Australia. I do not think it is acceptable that Labor wants to introduce a state dominated independent authority that has no requirement to report to this place for six years. That is an important point for us to make a contribution on. If you are serious about achieving real reform, I do not think setting a six-year time frame for a report to this place is really a meaningful time frame in which to say, ‘Look, we’ve got states that want some reform and we’ve got a Commonwealth that wants some reform. We’re going to get a new body, Safe Work Australia, together. We’re going to have a discussion about reform and we’re going to set a report date to the Commonwealth in six years time.’ I really do not see that as a genuine time frame for us to make a contribution.
I do believe that this government sometimes has some reasonable objectives—and occupational health and safety does require some examination and, hopefully, cooperative federalism. But we are really getting a very weak policy response and we are really setting ourselves up for failure by setting up a body that is dominated totally by the states, without industry and genuine national union representation—without their input and without their ability to vote down or vote up proposals. In my view it falls into the category of some of the other failed government policies of GroceryWatch, Fuelwatch, the abolition of the ABCC—

Mr Ramsey—Whale watch.

Mr Hawke—Yes, ‘whale watch’, as the member for Grey said.

Mr Dutton—Pension watch.

Mr Hawke—Yes, ‘pension watch’. I could go on but I will not. I will spare the House the continued examination of failed Labor policies. But there is a sense with this government that, in attempting reform, we get a weak response that is designed to make people think that something is happening when, actually, very little will change. Meaningful reform will be held up and the vested interests of the states will continue to dominate in this vital area of occupational health and safety, and that will not be a good outcome.

We really should be examining ways of enhancing the input of the industry and the Australian Chamber of Commerce and Industry—the peak body representing businesses in Australia. We should be finding ways to ensure employers and employees are making a meaningful contribution to OH&S policies at a national level and collaborating to produce better results. That would be one way of ensuring there is real reform in the next five or six years. In summary I would say that, until we get a model that is cognisant of those facts, I think we need to pause and reconsider some of the mechanisms in this legislation.

Mr Hayes (Werriwa) (1.46 pm)—Before I turn to this very important piece of legislation, I would like to acknowledge the students from Claremont Meadows Public School who are in the gallery. They are constituents of my colleague, the member for Lindsay. Hopefully, they are furthering their education and seeing how we conduct ourselves here in the House. So I am assuming that they will not be here for question time.

As I said, the legislation before the House, the Safe Work Australia Bill 2008 and associated bill, is very important. There are risks associated with any job, and far too often people get hurt or even killed in their places of employment. Injuries sustained at work can cause physical and emotional damage which may extend for lengthy periods of time or throughout a person’s career. A large number of deaths occur in workplaces all over the world—and supporting working families should be near and dear to all of us. The statistics show that in Australia alone more than 300 people lose their lives during the course of their work and many more die as a result of a work related disease.

A government member—Bernie Banton.

Mr Hayes—I thank my friend for acknowledging Bernie Banton. His situation typifies the case of a lingering injury that affects not only the person concerned but also their family—and, ultimately, in Bernie’s case, resulted in him losing his life.

Over 140,000 Australians are seriously injured in the workplace each year. I was talking to the CFMEU recently and they advised me that in 2006-07 there were 40 reported fatalities on building sites alone. That was up from 33 the year before. I know it is a very dangerous industry. I have two sons who work in the industry, so I personally have
some knowledge of it. One of my boys only recently came back from working in Western Australia, out at Port Hedland. He was due to stay there for some time working as an electrician. He rang me one morning to confirm what we would be doing at Phillip Island, as we were both going down to see the motorcycle races this year. He called me back some time that afternoon and, in a distressed state, told me that one of the people he worked with, Andrew McLaughlin—a 52-year-old—unfortunately was crushed to death on the site.

My sympathies certainly go to the family of Andrew McLaughlin, who had family in Port Hedland, and his work colleagues. I certainly saw how his death affected my son. It resulted in him deciding that it was time to come home—which for a father is always good news. Notwithstanding that my son is 28 years old, you still care about your kids. That is why this legislation is so important. We all care about our kids and our families. Importantly, this legislation will ensure that we limit the risk for people who go about that normal, everyday function of going to work. It should be a normal, everyday function, with minimal risk of losing your life or sustaining a serious injury.

Recently the RTA of New South Wales indicated to me that, in New South Wales alone, there were 95 fatalities from crashes involving heavy vehicles. Again, these are work related. We might put them down to being a road based statistic but they are nevertheless work related fatalities. It should also be noted that there were 1,658 serious injuries that occurred as a result of those heavy vehicle accidents. As a matter of fact, Tony Sheldon, of the TWU, indicated to me that one in five fatalities on our main roads involves heavy vehicles. So one in five of those fatalities can be considered work related.

That is one of the reasons that I have exercised a lot of time in this House talking in support of the widening of the F5 freeway. The Hume Highway, which passes through my electorate, sees about 365,000 movements of freight per year involving heavy vehicles. For the people involved in driving these heavy vehicles there is a risk of work related injuries due to tiredness, fatigue or speed related accidents. That is why I supported, earlier this week, the AusLink bill, which contains provisions for this government to invest in rest and decoupling areas for heavy vehicle drivers, to ensure that when they are on the roads they are at a maximum level of alertness.

I should acknowledge that I have just had lunch and a meeting with Barry Dawson and Gerry Ping-Nam from the National Electrical and Communications Association, NECA. This group spearheads the training of apprentices. In New South Wales alone there are 350 apprentices who go through this training agency. As a matter of fact my son Nicholas, whom I referred to a little earlier, was a product of their training regime. He became an electrician’s apprentice after leaving school and went on to become an electrician. NECA does a fabulous job in training our apprentices.

One thing that Barry Dawson and Gerry Ping-Nam indicated to me today was the time and effort they put into ensuring that these young people develop not only a work ethic but a safety ethic, which they take to any job they go to. It is not one based on one employer being more vigilant about safety than another. Every graduate of the NECA training system has ingrained in them right from the outset the need to be specifically engaged in looking out for the safety not only of themselves but of their work colleagues. I congratulate Gerry Ping-Nam and Barry Dawson on what they are doing for young people in New South Wales in ad-
vancing a training regime and agenda which has the issue of safety front and centre.

A recent report of the Australian Safety and Compensation Council shows that workplace fatalities were 16 per cent higher in 2006-07 than they were in 2003-04. I know many will put that down to the fact that there were more people in the workforce. But we are talking an overall percentage, which is something that is critical to the way in which we advance training and safety procedures in workplaces. We do not want to have a regime that simply produces work at any cost. The value of life and the value of safety in the workplace are things that just cannot be compromised.

The ABS survey Work-Related Injuries, Australia, 2005-06 indicates that 689,500 workers experienced a work related injury or illness, a 44 per cent increase from the year 2000. That is an extraordinary increase. These are not just statistics; these are mums and dads or kids like my own or yours, Madam Deputy Speaker, who go to work each day. We should never look at these numbers as just statistics. They represent real people and they underpin our commitment to a safe, efficient and practical workplace. This fight, I understand, can never totally be won, but there are things that we must stay fixed on if we are ever going to reasonably address what should be a fundamental fairness in the workplace.

Monday fortnight, 29 September, is National Police Remembrance Day. This is a day on which to remember all those police officers who have lost their lives during the course of their employment. They too are workers. They too deserve safe workplaces. We expect the police to be the thin blue line that protects society from anarchy, but at the end of the day we have responsibilities to them. For that reason I have given notice that in the House next Monday I will move that we support and recognise the role of our police and recognise that many of their number put themselves in life-threatening positions on a daily basis and that many, unfortunately, have lost their lives in just causes on our behalf.

Reducing work related deaths and injuries is a formidable task. What we are looking for is a seamless transition to incorporating safe practices through education, through monitoring the way in which employers run workplaces and through people simply being able to do their jobs in a fair and safe manner. One thing that should be apparent to everyone in this place is that there have been numerous inconsistencies between the various state and territory jurisdictions on issues of work related health. These inconsistencies unfortunately lead to poorer safety standards in the various states and territories.

There is also an economic cost—if I could appeal to the economists amongst those on the other side—to doing this and getting it right. These inconsistencies and complexities increase the paperwork and costs of some 39,000 Australian businesses that operate in more than one state or territory. The estimated cost to our community is $34 billion per year. When you add to that the costs of injuries or deaths—including the cost to their families, friends and work colleagues—the figure is incalculable, and one that needs to be addressed. If anyone here has been unlucky enough to experience losing someone in the workplace they will know what I am talking about. As I said, my own son lost a work colleague. I know how it impacted on him. For those reasons we should stay fixed on this. Safe Work Australia is a critical first step in improving safety outcomes for all Australian workers.

The SPEAKER—Order! It being 2 pm, the debate is interrupted in accordance with standing order 97. The debate may be re-
sumed at a later hour and the member for Werriwa will have leave to continue speak-
ing when the debate is resumed.

MINISTERIAL ARRANGEMENTS

Mr Rudd (Griffith—Prime Minister) (2.00 pm)—I inform the House that the Min-
ister for Defence will be absent from ques-
tion time today. The Minister for Foreign
Affairs will answer questions on his behalf.

BEIJING PARALYMPIC GAMES

Mr Rudd (Griffith—Prime Minister) (2.00 pm)—Mr Speaker, on indulgence, last
night the 2008 Paralympic Games in Beijing
came to a close. Our Australian team, the
largest we have ever sent to an away games,
continued the tradition of doing Australia
proud. Our team brought home 79 medals in
total, including 23 gold medals. Those med-
als included inspirational victories like the
men’s basketball team victory over Canada
to clinch the gold medal. They included tre-
mendous individual performances as well,
like that of Kurt Fernley, winning gold in the
wheelchair marathon, mirroring his feat four
years ago in Athens; like that of Matthew
Cowdrey with his extraordinary haul of eight
medals and five world records in the pool;
like that of Lisa McIntosh, who won gold in
the sprint double, the 100 metres and the 200
metres; and like that of Tim Sullivan, who
took Australia to victory in the four-by-100-
metre relay on the track and won the 10th
gold medal of his career, making him Austra-
lia’s most successful paralympian ever—
what an extraordinary achievement.

Over the 11 days of competition, our team
showed the determination and commitment
that we have come to expect from our world-
beating athletes. They proudly wore the
green and gold, and we cheered them on
from back here at home. Their performance
in Beijing was absolutely outstanding. Their
challenge now is to do the same in London—
and it is only four years to go. After some
well-deserved rest I am sure that the team
will be back in training again with their
sights set firmly on the next Paralympic
Games.

Any sporting team that aims for world
success also requires dedicated support from
professional trainers and other support staff.
The success of our Paralympic team is test-
ament to the determination not only of the
athletes and their families but also critically
of the support staff who made it possible. It
is also testament to the direct, personal and
continuing support of individual family
members. Australia’s paralympians have
done the nation proud. On behalf of the gov-
ernment, and I am sure all members of the
House, we offer them our heartfelt congratu-
lations.

Honourable members—Hear, hear!

Mr Turnbull (Wentworth—Leader of
the Opposition) (2.03 pm)—Mr Speaker, on
indulgence, the opposition joins the Prime
Minister in complimenting and congratulat-
ing the Australian Paralympic team at the
13th Paralympic Games, which finished last
night in Beijing. The Prime Minister has
spoken of some of the outstanding perform-
ances, including those of Matt Cowdrey and
Tim Sullivan. He has reminded us, and we
agree with him, of the way in which these
people triumph over adversity—adversities
which most of us will never face in our
lives—achieving athletic performances that
most of us of sound limb with no disabilities
would be unable to achieve. This is a real
triumph of the human spirit over adversity.
Above all, it shows the great spirit and the
great humanity of Australia, and not just
from the courage of the athletes.

I make a special note of the group of Aus-
tralian technicians who volunteered their
time in the athletes’ village, along with their
counterparts from Germany and other coun-
tries, and provided free prosthetic limbs to
competitors from poorer countries who cannot afford new ones. That is a true embodiment of the Olympic spirit. All of them—the supporters, the managers, the athletes and the technicians who are providing new prosthetic limbs to those athletes from countries too poor to buy them—have done Australia proud. They have been great ambassadors for Australia, for the Olympic spirit and for the triumph of the human spirit over adversity. We wish them well.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Age Pension

Mr Turnbull (2.05 pm)—My question is addressed to the Prime Minister. Given that the Prime Minister has said that he would find it impossible to live on the pension of $273 a week, why won’t the Prime Minister support the coalition’s plan to increase the pension by $30 a week before he jets off to address the United Nations in New York next week?

Mr Rudd—The Leader of the Liberal Party indicated only a few months ago he had no policy to increase the pension. That is the first point.

Mr Turnbull—We didn’t have one then but we’ve got one now.

Mr Rudd—The interjection from the Leader of the Liberal Party is, ‘We didn’t have one then but we’ve got one now.’

Opposition members interjecting—

Mr Rudd—The further interjection from the Leader of the Liberal Party is, ‘We don’t make policy on the run.’ I would have thought that when you deliver the budget reply, which was then delivered on behalf of the opposition, that is the formal response to the government’s position. In that government budget we outlined our proposal to increase the allocations to pensioners through the utilities allowance and the telephone allowance, which actually represented something like a doubling, almost, of the additional payments to pensioners made in the previous Liberal budget. That is the first point.

Dr Jensen—Mr Speaker, on a point of order: can’t you get the Prime Minister to give a straight answer? The question was about $273.

The Speaker—The member for Tangney will resume his seat. That was not a point of order, and I warn the member for Tangney.

Mr Rudd—The second part of the answer is that, consistent with the position again adopted by the Liberal Party in support of the Senate inquiry on pensions and retirement incomes, that review is underway. That is the review which you also called for, and the government will deliver a comprehensive package of reform based on it.

The third part is this: the proposal put forward by the Liberal Party excludes 2.2 million pensioners—carers, widows, and others. We, therefore, do not believe in that sort of policy on the run. We believe in comprehensive reform. That is what is necessary for all pensioners and carers out there—not the single, opportunistic call on domestic party politics which has been made by those opposite.

Economy

Mr Sidebottom (2.08 pm)—My question is to the Prime Minister. Will the Prime Minister outline the government’s response to developments overnight on global financial markets?

Mr Rudd—The Australian economy faces tough global economic times. The developments in US financial markets during the course of this week have underlined that fact. There was more uncertainty in financial markets in the United States overnight.
Stocks fell in the US, with the S&P 500 down nearly five per cent. Financial stocks were particularly weak, with the S&P financial index losing nearly nine per cent. Approximately US$4.4 trillion of market value has been erased from global stocks this week.

This is a very significant global financial crisis that we are in the midst of. Honourable members will be, in part, familiar with the US regulators’ response, including the action by the Federal Reserve to lend up to US$85 billion to the American International Group, AIG, the significant global insurer which was the subject of some discussion in the House yesterday. The Fed said:

The Board determined that, in current circumstances, a disorderly failure of AIG could add to already significant levels of financial market fragility and lead to substantially higher borrowing costs, reduce household wealth, and materially weaker economic performance.

The US Treasury also issued a statement overnight announcing that it will sell more debt to enable the Federal Reserve to expand its balance sheet to accommodate any subsequent bailouts. The program will start immediately with a US$40 billion auction of 35-day bills. The proceeds will provide cash for use by the Fed as it seeks to boost liquidity in credit markets.

Furthermore, in another development in the last 24 hours—and the government welcomes this particular development—the US Securities and Exchange Commission has taken action to strengthen investment projections against naked short selling. The SEC actions apply to the securities of all public companies, including all companies in the financial sector. The SEC chairman, Christopher Cox, has said:

These several actions today make it crystal clear that the SEC has zero tolerance for abusive naked short selling.

The IMF managing director, Dominique Strauss-Kahn, has said in relation to future developments in global financial markets, ‘We continue to anticipate a gradual global growth recovery in 2009.’ I note, in particular, that the IMF’s managing director has been very, very balanced with his remarks about the state of US and global financial institutions over the course of the last 12 months.

Australia is not immune from these developments in the global economy, but we are better placed than most to weather the current economic and financial storm. I have been in contact with our regulators, including APRA, the RBA and the Treasury. We are, in fact, closely monitoring the situation on a daily basis. APRA today advised me of their assessment of developments around AIG, HBOS and other relevant financial institutions. Their advice is as follows:

Australian deposit taking and insurance companies supervised by APRA are well-capitalised, profitable, and well-regulated, and are weathering the turmoil well. Australian depositors and insurance policy holders can be confident in the soundness of Australian financial institutions.

That was from John Laker, the chairman of APRA.

The government has already taken action to advance the financial claims scheme, which was recommended by the Financial Stability Forum in April this year and had also been the subject of domestic recommendation here in Australia five years ago. The government has also been actively implementing other Financial Stability Forum recommendations concerning strengthening the prudential oversight of capital, liquidity and risk management; enhancing transparency and valuation; implementing changes in the roles and uses of credit ratings; strengthening the authority’s responsiveness to risks; and establishing robust arrangements for dealing with stress in the financial system. It
is not just Australian national action which is required in these areas but also appropriate international action.

The Australian government and the Australian economic regulators have been in daily contact with their American counterparts in recent days, given this most recent spate of developments in financial markets. Earlier this year, in March, I met with Secretary of the Treasury, Hank Paulson; the Deputy Secretary of the Treasury, Robert Kimmitt; the Chairman of the Federal Reserve, Ben Bernanke; the Chairman of the Securities Exchange Commission, Christopher Cox; and the Managing Director of the IMF, Dominique Strauss-Kahn. Also on that occasion, when in the United Kingdom, I met with the Governor of the Bank of England, Mervyn King. When I am in the United States next week my intention is also to continue contact with the US regulators at this difficult time. I will be meeting with the head of the Federal Reserve Bank of New York. I will also be meeting with the President of the World Bank and other representatives of the critical regulating agencies of the US financial system.

These levels of contacts are necessary in the current environment for the simple reason that we face a series of global developments in global financial institutions which are, of themselves, significant in terms of confidence across the global economy. For our regulators and for the government to be aware of likely future actions on the part of the US regulators is of paramount importance to the continued health of Australia’s financial institutions as well. If I could conclude with this remark, it is important at times like this—

Mr Rudd—This seems to be the subject of some hilarity on the part of various members on the front bench. We do not regard these developments as faintly unserious; they are of a deeply serious quality. It is important on occasions such as this that, in fact, we have a responsible economic and political commentary from the heads of political parties in this country.

I noticed earlier today some loose commentary on the part of the alternative Prime Minister of Australia concerning the Governor of the Reserve Bank of Australia and remarks which he had made. I say to the Leader of the Liberal Party that, whether he approves or disapproves of the language of a particular speech given by the Reserve Bank governor, the most important thing is that, at times like this, at times of great global financial crisis, no-one—repeat: no-one—including the Leader of the Opposition, cast any doubt over the authority of the public statements by the Reserve Bank governor about the health of this nation’s financial institutions.

Economy

Mr Turnbull—My question is addressed to the Prime Minister. I refer to my remarks made this morning, to which he was referring in his previous answer, where I said, ‘I would say our economy—’

Mr Turnbull—I am putting to the Prime Minister—

Honourable members interjecting—

Mr Albanese—Mr Speaker, on a point of order: is it in order for the Leader of the Opposition to ask himself a question?

The Speaker—Order! There is no point of order. I will judge whether or not the question is in order.

Mr Turnbull—My question is addressed to the Prime Minister. He referred to some comments of mine earlier today and I
ask the Prime Minister whether he agrees with these comments:

... our economy ... is stronger, it is more resilient. Our lending practices have been more prudent, our banks are profitable and better capitalised than those in other markets, in particular than in the United States. Having said that we are not immune from the impacts of this crisis and it has already had an impact on interest rates, on the availability of credit, on business activity around the world, including within Australia.

Does the Prime Minister agree with those remarks of mine and, if he does, why did he leave them out of his press conference today?

Mr Rudd—The honourable member, the Leader of the Opposition, has drawn my attention to his remarks earlier today, and I indeed will respond to his remarks earlier today where, in commenting on the Reserve Bank governor’s statement about Australia’s strength and resilience, the Leader of the Opposition said, ‘It’s just a question of language.’

Mr Turnbull—Mr Speaker, a point of order on relevance: I have put to the Prime Minister propositions about the stability of the Australian economy and he is not prepared to respond to them.

The Speaker—The Prime Minister has commenced his response. I am listening carefully.

Mr Rudd—The honourable member’s question referred to his remarks this morning. The question he was asked this morning was as follows:

Do you take comfort from the words of the Reserve Bank Governor yesterday that ‘... conditions in Australian banks are light years away from what’s happening in other banking systems around the world’?

Mr Turnbull said:

Yes, I do take comfort from that. I don’t know that I’d use the word ‘light years’, I think.

He was asked:

Is he wrong?

Mr Turnbull said:

... I’d express it slightly differently.

My point is that, at a time of significant, global financial crisis, the challenge here is not to provide rolling literary commentary on the content of the Reserve Bank governor’s speech but is this: either you support the authority of the governor’s statements on the robustness of Australia’s financial institutions or you seek to separate yourself from them. You chose the latter, trying to make a political point, and you are rightly condemned for so doing.

Economy

Mr Bradbury (2.20 pm)—My question is to the Treasurer. Will the Treasurer update the House on the importance of responsible economic management at this time of global economic turbulence and on developments in global markets?

Mr Swan—I thank the member for Lindsay for his question because honourable members would be aware that it has been a very difficult week in global financial markets. Of course, stock markets have fallen substantially in the last few days. We have seen the fourth largest investment bank in the US go bankrupt and the third largest bought out by the Bank of America. And, of course, we have seen that lifeline given by the Federal Reserve to AIG. Overnight we have seen the UK’s fifth and sixth largest banks in merger talks. So this is a serious time in global financial markets—a very serious time—and that is why the Prime Minister and I have been in regular contact with our regulators. And, of course, we have been in regular contact with our counterparts internationally as well. As the Prime Minister said before, we have been advised by APRA that Australian deposit-taking institutions and insurance companies, supervised by APRA,
are well capitalised, profitable and well regulated, and they are weathering this storm pretty well. It is the case that our banks are well capitalised; it is the case that our banks are well regulated.

Let us consider this one fact. Australia’s largest four banks are among only 12 of the world’s top 100 banks with a AA credit rating or more. That is what we mean when we say that our banking institutions are well regulated and well capitalised. What it does mean is that the situation in this country, when it comes to our banking sector, is light years away from what is happening in the United States. What the Leader of the Opposition did today, when he was commenting on the speech of the Reserve Bank governor, was to fundamentally question the Reserve Bank governor’s assessment of our banking system. That is what he did. It is not a very smart thing to do; in fact, it is an unwise thing to do in the circumstances in which we find ourselves. He will begin to learn that this motormouth approach to politics does not serve him well in these circumstances. This was the Treasury spokesman who, before the budget, said inflation was a fairytale. This was the Treasury spokesman who, before the budget, said there was no need for spending cuts and no need for a significant surplus. This was the Treasury spokesman who, after the budget, said that we had not cut hard enough. This was the Treasury spokesman who said we should have had a bigger surplus—and this is now the Leader of the Opposition who was raiding that surplus. He is consistently inconsistent, because he is out there all the time promoting himself. He is not out there promoting the national interest.

All members could see it here before, when he asked the question of the Prime Minister. You could see his sense of self-satisfaction just waft out; he was quoting himself. The problem is that when you are the Leader of the Opposition you have to be responsible. I say this to the member for Wentworth: the Leader of the Opposition has to be responsible in the language they use. And they have an obligation to be even more responsible at a time of global financial turbulence. That is why those opposite should not be raiding the surplus to the tune of $20 billion. It is a surplus we need, at a time of global uncertainty, to act as a buffer against that global uncertainty. What we do not need is those irresponsible statements from the Leader of the Opposition undermining confidence in our banking sector.

DISTINGUISHED VISITORS

The SPEAKER (2.24 pm)—I inform the House that we have present in the gallery today the former member for Prospect and former New South Wales state minister, Janice Crosio. On behalf of members, I convey to her a warm welcome.

We also have members of a delegation from the National Minority Supplier Development Council from the United States, led by their president, Ms Harriet Michel. I thank them for appearing before the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs and for helping with the inquiry into developing Indigenous enterprises. I offer them a warm welcome.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Private Health Insurance

Mr HOCKEY (2.25 pm)—My question is to the Minister for Health and Ageing. Given that more than 50 per cent of the income for major private health insurance companies comes from their investment portfolios, and given that Treasury advice notes that more than half a million Australians will drop out of private health insurance as a direct result of the government’s changes to the
Medicare levy surcharge, will the minister—
as a responsible minister for prudential regu-
lation—guarantee that private health insurers
are in sound financial condition?

Ms ROXON—I thank the shadow minis-
ter for the question. It is a serious question
and a serious issue. I do not think it is appro-
priate in the House for us to be doing any-
thing that would be unnecessarily scaring the
markets. We on this side of the House take
very seriously that the regulation not just of
the health insurance industry but of a range
of other insurance and banking industries
needs to be taken care of in this difficult
time.

I am not going to try to answer this on the
run, because I think that it is far more impor-
tant to make sure that we dignify what is a
serious question, in difficult financial cir-
cumstances, with a careful response. I will
consult with both the Treasurer and our min-
ister responsible for prudential regulation in
the other place to see if there are any issues
that are of current concern to the health in-
dustry.

Local Government

Mr GIBBONS (2.27 pm)—My question
is directed to the Prime Minister. I ask: how
is the government working to forge a new
alliance with Australia’s system of local gov-
ernment?

Mr RUDD—I thank the honourable
member for his question. I know that in his
community the role of local government is
particularly important, as the role of local
government is across our nation. Today the
Minister for Infrastructure, Transport, Re-
gional Development and Local Government,
and the President of the Australian Local
Government Association, Paul Bell, and I
announced that here, in late November, we
would convene the first meeting of the Aus-
tralian Council of Local Governments. That
will be an important gathering, because we
hope it is going to bring together representa-
tives from each of this nation’s 565 local
councils.

The reason we are doing this is that local
government is one of the critical arms of the
fabric of this country’s administration. We
talk about reforming the federation; that is
important. That is the relationship between
Canberra and the states. But the missing
third arm of this administrative arrangement
in Australia is local government. That is why
we need to make sure that we have a proper
consultative arrangement with local govern-
ment into the future. We need to make sure
that the infrastructure responsibilities of local
government can be delivered at the local
level. There was a report in recent times by
the accounting firm PricewaterhouseCoopers
which found that there was a $1.13 billion
annual underspend on infrastructure renewal
at the local government level and a $14.5
billion backlog in infrastructure renewal
work. We regard local governments as part-
ners with the Australian national govern-
ment’s nation-building program for Aus-
tralia, because state governments are critical in
this respect; and local governments also have
a critical role to play. That is why we wish to
bring the heads of local government to Can-
berra to engage them on our future strategy.

Local government across Australia per-
forms a critical function. The numbers speak
for themselves: 657,000 kilometres of road
across Australia; $150 billion-plus worth of
invested infrastructure across Australia, un-
der the control of local government; activi-
ties worth some $22 billion a year, employ-
ing some 168,000 people. Local government
has to become much more of a central part of
the national affairs of this country. The gov-
ernment, through the Minister for Infrastruc-
ture, Transport, Regional Development and
Local Government and through others, in-
tend to take that challenge seriously. There-
fore, prior to the election we committed our-
selves to the establishment of an Australian Council of Local Governments. We now, with the statement today, honour that commitment. Come the end of November we will convene in the Great Hall of this parliament representatives from each of those 565 local authorities. Two specific matters, and possibly a third, will be on the agenda. One is: how do we the national government now partner with local authorities in their local infrastructure needs in the future? This is a critical area for the future. It is a critical area needing reform; it is a critical area needing extra financial assistance to underpin that reform. That is agenda item No. 1.

Agenda item No. 2 is the particular needs—the planning needs, the development needs, the urban design needs—of our major cities. As I travelled across the country, as I am sure my colleague the Minister for Infrastructure, Transport, Regional Development and Local Government has, and saw the state of public transport across Australia and the other critical urban design needs of our major cities, I acknowledged that it is a crying shame what needs to be done, what needs to be invested and that is why, in part, we have our nation-building fund as well.

The third item is this: prior to the last election we undertook to provide constitutional recognition for local government. In doing so, we intend to get the direct views of local government about what form that should take. Rather than Canberra handing down to the states a form of language to be put to a referendum we would much rather engage with local government on the most appropriate language to be considered for inclusion, by way of amendment, in our Constitution.

This is a significant new area of national reform for the government: firstly, to ensure that we have a regular, annual national Australian Council of Local Governments meeting here in Canberra with the full cabinet of the Commonwealth; secondly, to use that as a means to reform the way in which the national government delivers infrastructure funding and assistance to local government; and, thirdly, to look particularly at the language—

Mr Morrison interjecting—

The SPEAKER—The member for Cook is warned!

Mr Rudd—that we will then subsequently put to the people by way of constitutional change. This is an important area of national reform for the nation. Nation building is the business of this government, including what we do out of Canberra, what we do with the states, whether they be Labor or Liberal, and what we also do with local government, whether they be Independent, Labor or Liberal. Nation building transcends party politics.

Private Health Insurance

Mr Hockey (2.32 pm)—My question is to the Minister for Finance and Deregulation. Will the minister advise the House how much money Medibank Private has lost on its investment portfolio over the last six months and how this will affect the premiums for almost three million members over the next six months?

Mr Tanner—the opposition is on a very slippery slope here. There are thousands of Australian businesses and families out there which depend on the confidence in the financial institutions and other institutions in this country to ensure that their economic circumstances are in reasonable shape.

Mr Hockey—Answer the question.

Mr Tanner—Don’t worry, I’ll get to the question.

Mr Tuckey—Mr Speaker, I rise on a point of order going to relevance. When is this
parliament going to get answers to such important questions—

The SPEAKER—The member for O’Connor will resume his seat. I am not sure whether or not he wants the early flight; that is the problem. He will behave. I will be listening very carefully to the minister’s answer, but the minister is addressing the question.

Mr TANNER—I did mention this in passing in an answer to a question yesterday, but it is something that the opposition needs to think very carefully about—that is, we face very difficult circumstances in this economy as a result of the financial situation in the United States. That has a significant potential impact on a range of things in Australia, but we are very well placed—

Mr Hockey—The Medicare levy surcharge—

Mr TANNER—I will get to the specific point if you will just hold off for a moment. We are very well placed in this country to ride out these very difficult circumstances. But one of the critical factors in this is confidence in our institutions and in our major organisations, and the opposition is getting onto a very slippery slope by deliberately seeking to undermine confidence in the—

Mr Hockey interjecting—

The SPEAKER—Order! The member for North Sydney! Minister, resume your seat. A very serious question has been asked. The minister is addressing the question.

Mr TANNER—Thank you, Mr Speaker. As the shareholder minister for Medibank Private I have had recent direct contact with Medibank Private in the ordinary course of events with respect to their corporate plan and financial circumstances. At the time that occurred, which was very recent—I cannot give you a specific date—their finances were in entirely robust shape. I cannot give a specific answer to the question that the shadow minister asked about the six-month period. I am happy to go back to Medibank Private and examine the situation again. But I can assure you that at the most recent time, which was within the last couple of weeks, Medibank Private were in perfectly respectable shape financially. I would also suggest to you that you and your colleagues think very carefully about where you are heading with this line of questioning.

Mr Dutton interjecting—

The SPEAKER—The member for Dickson will withdraw.

Mr Dutton—Mr Speaker, I withdraw.

Mr Tuckey—Mr Speaker, I rise on a point of order. It is normal practice in the circumstances just mentioned that the minister promises to bring the answer back to the House at the first possible opportunity. Mr Speaker, could you ask him to give that promise to the House.

The SPEAKER—I think the minister indicated that he will be getting back to the questioner and I am happy to allow that to transpire.

Local Government

Mr TREVOR (2.36 pm)—My question is to the Minister for Infrastructure, Transport, Regional Development and Local Government. Will the minister outline for the House the importance of partnering with local government to meet the infrastructure needs of local communities?

Mr ALBANESE—I thank the member for Flynn for his question and for his interest in these issues, the latest instance of which was his hosting of my visit to Gladstone just last week. Today the Prime Minister announced that the government will forge a new partnership with local government, that level of government that is often closest to our communities. That partnership will begin
with the inaugural meeting of the Australian Council of Local Governments here in November. We are bringing local government into the heart of the national government, right here in Parliament House. And we are fulfilling a Labor election commitment—another Labor election commitment being fulfilled by this government—because in recent times there has been a disengagement between the Commonwealth and local government.

Today we set a new direction. Today we give communities a real voice in the nation’s future—a future that is based upon respect for and recognition of the important role that local government plays as the third tier of government, not just in providing local roads and bridges but, most importantly, in terms of service delivery, libraries, child care, environmental and health services, which is why the government is committed to taking steps to recognise local government in the nation’s Constitution. That is why we will establish next year the Regional and Local Community Infrastructure Program.

The government recognises that infrastructure is critical to our economic prosperity, and that is why we have a whole-of-government approach. We have established Infrastructure Australia and the Building Australia Fund for nationally significant infrastructure. But we also recognise that local community infrastructure is also important for quality of life, regardless of where Australians live, whether it be in regional communities or in our cities, whether it be in the area of the Brisbane City Council, which has a million people in a growing community, or whether it be in the Shire of East Pilbara, which takes in some 378,000 square kilometres in some of the most remote parts of Australia. That is one of the reasons why already, this year, in the budget, we have delivered record assistance to local government—some $1.9 billion in financial assistance grants. That is why we have extended the Roads to Recovery program for another five years and increased funding by one-quarter of $1 billion over that period of time.

Today’s announcement has been worked through with the Australian Local Government Association, in meetings that I have had as local government minister, with the various state and territory local government associations, with individual councils—and all of them have said to us, ‘Why is it that in the past we have not had that direct relationship?’ Well, we are going to give them that direct relationship, beginning with a meeting to be attended by all of the government ministers here in Parliament House, one which will enable us to move forward in this new partnership, today forging that missing link in our federation in terms of the reform that is necessary.

Local Government

Mr WOOD (2.41 pm)—My question is to the Prime Minister. I refer the Prime Minister to his announcement today of a local government summit on Friday, 28 November, involving all 565 local councils across Australia. Is the Prime Minister aware that on Saturday, 29 November, all 79 local governments in Victoria go to the polls? Why has the Prime Minister sought to disenfranchise Victorians by holding this summit on the eve of our local government election day, when many council representatives will be likely to change the following day?

Opposition members interjecting—

The SPEAKER—Order! The Prime Minister has the call.

Mr RUDD—If the honourable member had actually looked at what I said in my press conference today, he would have noted that, depending on the availability of certain mayors, that date could be shifted. That is what I said.
Opposition members interjecting—
The SPEAKER—Order!
Mr RUDD—And that is exactly what we have—
Opposition members interjecting—
The SPEAKER—Order!
Mr RUDD—Can I suggest—
Opposition members interjecting—
The SPEAKER—The Prime Minister will resume his seat.
Opposition members interjecting—
The SPEAKER—The Prime Minister has the call.
Mr RUDD—When 29 November was advanced it was said at the same time that, depending on the availability of certain mayors, the actual date could be shifted by a few days. Furthermore, I said in my response to the question today that the event would be held in late November. We will ensure that that continues. But you know something? The key thing here is the reform of the relationship between Canberra and local government. The key thing here is the reform in the relationship between the national government and those who deliver infrastructure services at the local level. The key thing here is as follows: whether you are going to reform the delivery of funding to local government to deliver local infrastructure services.

Opposition members interjecting—
The SPEAKER—Order!
Mr RUDD—And so, in the riotous celebration on the part of those opposite—led by the member for Higgins, who has come back to life, I notice, all of a sudden—about whether we are going to have the first meeting of the Australian Council of Local Governments on 28 November or a few days either side of it—big point!—the key thing is whether in fact we have any such engagement with local government at all. And I would say to those opposite: if they were faintly engaged in serious national reform, if they were faintly engaged in the need for local government to have constitutional recognition or faintly engaged in the local funding needs of local government, what they would do is endorse what the government is doing rather than seek to make cheap political points.

Taxation
Mr CHEESEMAN (2.44 pm)—My question is to the Treasurer. Will the Treasurer outline for the House the reasons the luxury car tax should be passed in the Senate as part of a responsible approach to economic management?
Mr SWAN—I thank the member for his question, because at a time of global economic uncertainty it is important that we have a strong budget surplus. This is not understood by the Leader of the Opposition. The Leader of the Opposition said at his first press conference that he was going to provide new economic leadership. What does that amount to? It amounts to the same old Liberal Party economic leadership—vandalising the surplus in the Senate, economic irresponsibility. I am pleased to tell the House that so far we have seen some responsibility from the minor parties in the Senate. We have seen a lot more economic responsibility from those minor parties—from the Greens, from the Independent, Senator Xenophon, and from Family First—than we have seen from the Liberal Party because they do understand the importance of a budget surplus. They understand the importance of having a strong surplus at a time of global uncertainty and they also understand the importance of that in terms of giving the Reserve Bank room to move when it comes to interest rates.
What do we get from the other side? The Leader of the Opposition had his first press conference. It went for 20 minutes, and he spent $20 billion. This is the same spendathon that the member for Higgins introduced the country to in the previous few years. There is absolutely no difference between the member for Wentworth, the previous Leader of the Opposition or the member for Higgins. They are all old-style, big-spend liberals who want interest rates higher for longer. We on this side of the House stand for responsible economic management. Those on that side are utterly irresponsible.

Emissions Trading Scheme

Mr HUNT (2.46 pm)—My question is to the Treasurer. I refer the Treasurer to reports from the Australian Food and Grocery Council that the government’s carbon tax will undoubtedly result in significantly higher food and grocery prices for Australian mums and dads and pensioners. Given this impact on families and given the worsening turmoil in international financial markets, will the Treasurer reconsider his rushed timetable for the introduction of an emissions trading scheme?

Mr SWAN—I thank the member for his question. That was just a completely dishonest question. We have put out a green paper which canvasses all of the issues for a Carbon Pollution Reduction Scheme. We are proud of the fact that in that green paper we put forward a compensation scheme for both households and businesses, particularly those that are strongly affected. For the member not to acknowledge that at all in his question just shows how desperate he is now that there has been a change of leadership in the Liberal Party, and they now do not have any responsible approach to climate change either. We are going to approach this issue in a measured way and in a responsible way, and we are going to do it in a timely way. For 12 long years we had inaction from all of those on that side of the House. The member for Higgins could not even bother to mention the words ‘climate change’ in any of his budget speeches. What we are getting now is simply more irresponsibility from the new Leader of the Opposition. Desperate to cobble together the numbers, he is now going to walk away from climate change and he is now going to walk away from emissions trading. They are utterly irresponsible and they should be condemned.

Taxation

Mr PERRETT (2.48 pm)—My question is to the Minister for Finance and Deregulation. How might threats to the government’s budget surplus undermine fiscal policy?

Mr TANNER—I thank the member for Moreton for his question. The Rudd government is committed to delivering long-term, sustainable growth in the Australian economy. That is the central focus of our economic policy. While we are dealing with the implications of the international financial crisis centred in the United States, it is very important that we not take our eyes off the longer term—investing for the future of all Australians—and, indeed, the reform task that is associated with that objective. We must not overlook the important structural challenges that we face: a high current account deficit; exports that have been underperforming over a number of years; relatively low savings; inefficient regulation, particularly as between states; and, of course, inadequate infrastructure and skill formation. These are the big issues that the Rudd government is seeking to tackle. The budget, the budget settings and the surplus are the rock on which these policies are based.

It is extremely challenging to be dealing with these issues in the international financial circumstances that we face, but the government remains firmly committed to pursu-
ing the long-term reform agenda to build prosperity for the future. The budget surplus puts downward pressure on inflation and interest rates, it delivers money for long-term infrastructure investment through the three infrastructure funds and, of course, it is a buffer against the potential effects of the international financial crisis on the Australian economy.

The Liberal Party, the opposition, have been intent upon blowing very substantial holes in the budget surplus through their actions in the Senate. We have seen them attempting to valiantly defend the interests of Porsche, Rolls-Royce and Ferrari buyers; fortunately, with some modifications, it now appears likely that the luxury car tax measure will get through the Senate. But they are still there fighting valiantly for cheaper alcohol for teenage girls for the benefit of big distilling companies, they are still there fighting for tax breaks to continue for big oil companies and, of course, they are still endeavouring to block tax relief for middle-income earners from the impact of the Medicare levy surcharge, which was originally put in place by the former government to apply to higher income earners, not middle-income earners.

I note there has been something else by the Liberal Party going on in the Senate today—something that may have implications for the budget surplus—and that is that the Senate Select Committee on State Government Financial Management has handed down a report, recommendation 7 of which is that state governments have the power to impose income tax. This recommendation, I understand, was opposed by the Labor members of this committee. Were state governments, in addition to the federal government, to have powers to impose income taxes, that would have significant implications for the structure of the federal government’s finances in ways that are perhaps unpredictable. It might be interesting to know exactly what the Liberal Party has in mind in proposing this particular policy, and no doubt we will hear more of this from the Leader of the Opposition in due course. I will be interested to know his view.

Finally, can I reiterate that the government is committed to delivering a very strong budget surplus and to maintaining sound fiscal management. The previous Liberal government left us with inflation at a 16-year high, 10 interest rate increases in a row, government spending growing at five per cent per annum in real terms in the middle of mining boom and, of course, enormous waste and profligacy in government programs and government spending generally.

The government is working to sustain the fiscal settings to ensure that we have sustainable long-term growth for the future, that we can improve our export performance, that we can improve our skills basis and that we have better infrastructure for Australian businesses to use. It is about time that the Liberal Party stopped its sabotage in the Senate and got on with the business of thinking about what it actually stands for.

Workplace Relations

Ms JULIE BISHOP (2.53 pm)—My question is to the Minister for Employment and Workplace Relations. Given that the budget forecasts that 134,000 jobs will be lost in the next 12 months and that the Reserve Bank has forecast an additional 100,000 job losses, can the minister inform the House how many jobs are forecast to be created by the government’s proposed workplace regime? Can the minister explain why she failed to mention job creation once during her hour-long address at the National Press Club yesterday?

Ms GILLARD—I thank the Deputy Leader of the Opposition for her question. What, of course, underlies the question is that the Liberal Party remains committed to
Work Choices, whereas the government is introducing exactly what it—

Ms Julie Bishop interjecting—

The SPEAKER—Order! The Deputy Leader of the Opposition has asked her question.

Ms GILLARD—promised the Australian people, which is Forward with Fairness. Forward with Fairness is a way of finding the appropriate balance between prosperity on the one hand and fairness on the other hand.

Mr Pyne interjecting—

The SPEAKER—Order! The member for Sturt!

Ms GILLARD—The Deputy Leader of the Liberal Party’s question is premised on the false choice that the Liberal Party tried to present to the Australian community in 2007 and which the Australian people rejected. It is premised on the false choice that when you are making workplace relations arrangements you need to choose between prosperity and fairness, between jobs and fairness at work. There is no such false choice alive in our economy. And the Australian people saw right through the Liberal Party’s cant about this at the last election. Modern, simple workplace relations is good for workers and it is good for business. Of course, if you are doing things that are good for business, you are doing things that are good for employment.

Let me tell you what was bad for business. What was bad for business was the system set up by the former government where agreements went to the back of a 100,000-long queue so businesses did not know what was happening for three months, four months, five months, six months or seven months. Screaming abuse in defence of Work Choices is not going to make that right. Having small businesses wait five, six, seven or eight months under Work Choices to be told what had happened to their agreement—

Mr Pyne interjecting—

The SPEAKER—Order! The member for Sturt!

Ms GILLARD—after it had gone into a black hole is just one example that shows that proper workplace relations—

Mr Pyne interjecting—

The SPEAKER—Order! The member for Sturt is warned!

Ms GILLARD—simple, modern, flexible, fair workplace relations—are good for business, good for jobs and good for working people. The Australian people understand that and the government understands that; the only people in the country who do not understand that are the Work Choices supporters over there.

Ms Julie Bishop—Mr Speaker, I rise on a point of order. As the minister did not answer the question, I was wondering if I could have leave to table the speech which does not mention job creation.

The SPEAKER—Is leave granted? Leave is not granted. The Deputy Leader of the Opposition will resume her seat.

Climate Change

Mr ZAPPIA (2.57 pm)—My question is—

Dr Southcott interjecting—

The SPEAKER—Order! The member for Makin will resume his seat and the House will come to order. I am not sure what conversation the member for Boothby is in, but the member for Makin has the call.

Mr ZAPPIA—My question is to the Prime Minister. Will the Prime Minister outline what action the government is taking to combat climate change and Australia’s water crisis?
Mr Rudd—I thank the member for Makin for his question. I know he has a particularly strong focus on the interests of his local community, as a former mayor. In fact, I have visited various projects which the honourable member has had running in his former municipality on local water conservation.

Climate change is a challenge for us all. It is a challenge for the future. It is a challenge which requires the nation to act nationally and internationally. That is why this government’s approach to climate change rests on three core pillars. Firstly, how do you reduce greenhouse gas emissions? Secondly, how do you shape a global solution which means being part of the Kyoto process, not pretending that it does not exist? Thirdly, how do you also adapt to climate change, which is of such a critical concern to so many out there in rural and regional Australia as well?

Our response to this—on the reduction of greenhouse gas emissions—is what are the practical ways forward? The Treasurer has spoken to one in the parliament already today: a Carbon Pollution Reduction Scheme. This is a very significant reform both for the environment and for the economy. It will be tough. It will be hard. It will require difficult decisions, but this government is determined to take those difficult decisions. The second way forward is: how do we go about boosting energy efficiency in our country? The government is developing an energy efficiency strategy to that effect. The third way forward is: how do we also boost the renewable energy role within the overall national electricity grid? Once again, the government is developing a strategy on that as well.

In the period ahead, however, we have got this huge challenge with coal-fired power stations. What are we going to do about emissions now from coal-fired power stations and into the period ahead? We have more than a passing interest in this—not just in terms of our domestic reliance on coal-fired electricity generation but, beyond that, in the critical role of coal exports for this country. We are the largest coal-exporting country in the world. We, therefore, have a particular responsibility given our national energy requirements, as well as our national export requirements, to deal with this challenge of ensuring that coal-fired stations in the future are as clean as possible.

That brings us to the question of clean coal technology and carbon sequestration. How do we deal with this effectively? Earlier today I spoke on legislation which has been introduced by the Minister for Resources and Energy concerning the regulatory regime for offshore sequestration sites for Australia. This is a world first. This is something which those opposite fiddled around with, but they never actually got their act together to bring the legislation through.

Opposition members interjecting—

Mr Rudd—They did not. They had a lot of time to act on this but failed. Legislation has been put forward by us. It has been introduced into the parliament, and I commend the actions of the minister for energy in what he has done on this in making sure we have got something which works for industry but, critically, works for the national economy as well. CCS technologies are critical for the future.

Opposition members interjecting—

Mr Rudd—I would say this to those opposite, as they howl in interjection: we have an opportunity for Australia to be the world leader in CCS technologies. The question is whether the government is going to get behind industry on this or push industry to one side. This government intends to get right behind industry and work with them, because we believe it is absolutely critical for CCS to work. The G8 recently in Hokkaido came up...
with a proposal to have 20 demonstration projects, up to 250 megawatts each, in operation by 2020, capable of demonstrating that this technology works. The practical question for all of us is: how is that going to happen?

Opposition members interjecting—

Mr RUDD—Those opposite find this enormously amusing. As Australia is the world’s largest coal exporter—I really find it interesting that those opposite find this so amusing—we are interested in protecting Australia’s long-term coal industry. We are interested in protecting Australia’s long-term coal exports. We are aimed at doing this both for our own economic interests and to make sure that we are doing the right thing by the global environment.

Mr Morrison interjecting—

The SPEAKER—Order! I remind the member for Cook of his status.

Mr RUDD—That is why CCS technologies are so critical. Our government’s ambition is to become the world leader in this technology and its application. We will have more to say about this in the days ahead. I suggest to those opposite that, rather than carping and being critical about it, they should get on with the process of supporting the government’s actions.

The other part of the honourable member’s question goes to the impact of climate change on water. Here again we are confronted with a dilemma in terms of the posture of those opposite. We know that the Murray-Darling is suffering from enormous stress. That stress, contrary to what the previous Leader of the Opposition said, is partly the product of climate change. It is also the product of historical overallocation of water entitlements. Our challenge is: what are we going to do about it? Therefore, what we have done since coming into government—and I say ‘done’ since coming into government; we have not dreamt about it like those opposite did for so long—is begin to buy back water entitlements.

Mr Turnbull interjecting—

Mr RUDD—The interjection from the Leader of the Liberal Party is that they brought in the Water Act. Twelve years it took you to bring in the Water Act. How many gigalitres of water did you buy back?

Mr Turnbull—Mr Speaker, I rise on a point of order. My interjection to the Prime Minister was: was the Water Act a dream?

The SPEAKER—There is no point of order, but there is a lesson about interventions and interjections.

Mr RUDD—Thank you, Mr Speaker. And how did that rainmaking grant proceed—which was so enthusiastically embraced by the then Minister for the Environment and Water Resources? The Leader of the Liberal Party, when he was minister for water, had ample opportunity to buy back water entitlements. How many gigalitres did he buy back?

Government members—None!

Mr RUDD—How many gigalitres did the Liberal government ever buy back?

Government members—None!

Mr RUDD—They had 12 years to buy it back and how much did they buy back?

Government members—None!

Mr RUDD—None. What we have done in nine months is begin the process of buying 35 gigalitres through the initial $50 million purchase which has been exercised by the Minister for Climate Change and Water and, secondly—and this is where the rubber hits the road for those opposite—Toorale station. Together with New South Wales, we have taken a decision to buy back the water entitlements associated with the purchase of that station—20 billion litres of water to the Darling, peaking up to 80 billion litres in flood
times. What do we have from the shadow minister for water security on behalf of the National Party? His statement is that this is an ‘anti-rural Australia act’. So the view of the coalition—because he is the shadow minister for the coalition—is that they are opposed to our buying back 20 billion litres worth of water entitlements to the Darling and up to 80 billion litres in flood time.

I would say to the shadow minister and to the Leader of the Opposition: how does that square with people like the member for Sturt and the South Australian members here in this parliament who day in, day out call upon the government to buy back water entitlements in order to provide environmental flows down the Murray and to ensure that we can act in time to save the lakes at the mouth of the Murray? My challenge to the Leader of the Opposition is this: do you back the shadow minister for water or do you back the member for Sturt? Where does the Liberal Party stand on buying back water entitlements? In nine short months, we have acted on this. We have purchased 37 gigalitres. We have now purchased a station which possesses a potential to buy back another 20 and up to 80. Where does the—

The SPEAKER—Order! The Prime Minister will resume his seat. The Prime Minister has concluded.

Ms Ley—Mr Speaker, I rise on a point of order. The Prime Minister misleads the House. He has bought back not 35 gigalitres but empty space in the dam.

The SPEAKER—That is not a point of order. The Prime Minister has said that he has bought back 37 gigalitres. The Speaker cannot rule against what the Prime Minister has said.

Ms Ley—Mr Speaker, I rise on a point of order. The Prime Minister has misrepresented the number of gigalitres that have been bought back. He has bought back 37 gigalitres, not 35 gigalitres.

The SPEAKER—That is not a point of order. I will just get comfortable before I call the member for Kennedy! Has he got two pages?

Grocery Prices

Mr KATTER (3.06 pm)—Mr Speaker, you are taking advantage of my kind nature here. My question without notice is to the Minister for Competition Policy and Consumer Affairs. Is the minister aware that food retail margins in Britain, as published in Food Statistics 2007, show a mark-up of only 163 per cent over farm gate price and that, on a basket of selected households items produced in the parliament on 28 August, the Australian mark-up was found to be 267 per cent? Would he not agree that this should be expected, since in Great Britain the two top retailers hold under 40 per cent of market share, whilst in Australia the two top retailers hold over 86 per cent? Finally, would he not agree that the last government had to know the average farmer was getting 30 per cent less than his OECD counterpart, whilst the average housewife, according to these figures, should have been paying, similarly, $100 less per week for her groceries? Would he not agree that that government should be condemned?

The SPEAKER—I call the Minister for Competition Policy and Consumer Affairs. The last aspect of that question was bordering on opinion, but I get the point.

Mr BOWEN—I thank the honourable member for his question. He certainly holds these views passionately. We have had the chance to discuss similar items outside the House in some detail. It is important to note that the ACCC’s report recommended significant changes to the horticultural code, which have been widely welcomed by farmers and which are being worked through by my colleague the Minister for Agriculture, Fisheries and Forestry. It is also important to note that the ACCC’s report into grocery prices found that the margins of Australian retailers by and large match the comparable margins of nations with similar concentration levels.

It is also the case that the ACCC did recommend, and the government agrees, that there should be substantially more competition in the Australian retail grocery market,
which not only benefits consumers but would also give farmers and wholesalers more opportunity to choose to whom they sell their products. The government certainly agrees with the honourable member that the former government needs to be condemned for lack of action in relation to competition in the grocery market. We certainly hold the view that there needs to be more competition in the grocery market. That is why we have freed up the foreign investment laws. That is why we have made planning a priority in relation to the COAG process, ensuring that the planning process in Australia is used to promote competition, not inhibit competition. That is why we are moving on creeping acquisitions, to limit the ability of large and powerful players in the market to increase their market power even further. That is the program of reform by the government in relation to competition in the grocery market, which will not only benefit retailers and consumers but will also benefit farmers and wholesalers.

Mr Katter—Mr Speaker, I seek leave to table the document from which I quoted—

The SPEAKER—Is leave granted?

Mr Katter—which proves Mr Samuel is a liar.

Honourable members interjecting—

Leave granted.

Workplace Relations

Ms JACKSON (3.09 pm)—My question is to the Minister for Education, the Minister for Employment and Workplace Relations, the Minister for Social Inclusion and the Deputy Prime Minister. Yesterday the Deputy Prime Minister provided details on how the government was delivering on its election promise to replace the Howard government’s Work Choices with a fairer, simpler workplace relations system. Will the Deputy Prime Minister advise the House on the response to this announcement? And will the Deputy Prime Minister advise the House on progress in processing employment agreements?

Ms GILLARD—I thank the member for Hasluck for her question. Of course, she chairs the House of Representatives committee that is conducting an inquiry into pay equity. As a result she would be well aware that the workers who suffered the worst under Work Choices, as the statistics undoubtedly show, were women workers—rip-offs of women workers, working Australians, that were endorsed by the Liberal Party, by the Leader of the Opposition and by every member of the Howard government, and that are still endorsed by those people.

Apart from their endorsements of the rip-offs of working Australians, of course, they endorsed a shambolic system that was bound up in red tape. The member for Hasluck has asked me to provide an update to the House on the question of the processing of employment agreements. I am pleased to do so, because Work Choices was bad for Australian workers, enabling them to be ripped off, and bad for business, which had to intersect with a red-tape nightmare. As a result of changes that the Howard government made to Work Choices last year, the Workplace Authority started with a backlog of 54,000 agreements—54,000 agreements sitting in a ginormous pile, unable to be processed because of the shambles and red tape of the Howard government under Work Choices. Small businesses and big businesses—businesses that employ people—were waiting desperately for an answer but, because of the shambles of the Howard government and its Work Choices laws, they could not get one. That queue blew out to more than 100,000. It fell to this government to clean up the mess that the Liberal Party created for business with this huge backlog.
Mr Hockey interjecting—

Ms GILLARD—I know that the member for North Sydney believes in Work Choices. He defends Work Choices every day. He did it every day in government at this dispatch box, and he is doing it now. He is doing his defence of Work Choices. Maybe the member for North Sydney, in defending Work Choices, might like to defend the shambles that happened under his administration, which needed to be resolved by this government.

I am pleased to report to the House that we are resolving the Liberal shambles. Of the 337,000 agreements lodged under the previous government’s so-called fairness test some 281,000 have now been finalised and 15,500 are back with employers for them to provide further information or amendment to meet the requirements of the act. So the Liberal Party that said to the Australian people, ‘You should be able to be ripped off at work’ also said to Australian employers, ‘Here is a mountain of red tape to tie you up in.’ We are fixing both.

I am asked about responses to my announcement yesterday about further details of Labor’s Forward with Fairness plans to ensure that Australian working people get treated with fairness while businesses are able to get on with the job with a simple workplace relations system. I am pleased to advise the House that there has been a positive reaction to this announcement. For example, the National Farmers Federation gave an endorsement to the government’s Fair Dismissal Code, which is showing a new way to balance fairness at work for working Australians with the needs of small business. The National Farmers Federation said of the Fair Dismissal Code—

Ms Julie Bishop—Tell them about the Telstra announcement!

Ms GILLARD—I know that the Deputy Leader of the Opposition cannot stand it when people are not engaging in Work Choices and industrial relations extremism, but she might like to show some simple respect to the National Farmers Federation. I am trying to read their words.

Ms Julie Bishop—What about the 800 Telstra workers sacked today?

Mr Hockey—800 jobs slashed today!

Mr Truss interjecting—

The SPEAKER—Order! Members on my left! Leader of the Nats!

Ms GILLARD—Obviously she does not want to listen to the National Farmers Federation. The National Party might want to think about that. But the National Farmers Federation said that the government’s code is ‘striking a sensible, practical balance for employers and employees’. And the endorsements did not stop there. The Council of Small Business Organisations of Australia’s CEO, Mr Tony Steven, said about the fair dismissal code that it is providing ‘a simple checklist to follow’ and he congratulated the government on this achievement. The Australian Industry Group welcomed the ‘positive progress’ that the government has made in developing the new workplace relations laws. Here we have a Liberal Party that professes a concern about jobs—maybe it wants to listen to the organisations that represent people who create jobs and reflect on what they have said.

What we know from yesterday’s reaction to the government’s announcement on Forward with Fairness is that the government is getting rid of Work Choices and going on with Forward with Fairness. There are positive reactions from the business community to Forward with Fairness. The only people who support Work Choices in this nation are the industrial relations extremists sitting over there as members of the Liberal Party. We
are asking them, despite their extremism, despite their love of Work Choices, to actually let the government get on with the job and deliver what the Australian people voted for. Business has had a positive reaction to that. It is time that the Liberal Party actually listened to the people who create jobs instead of just screaming abuse out.

**Murray-Darling River System**

Mr WINDSOR (3.16 pm)—My question is to the Prime Minister and relates to comments made by the Prime Minister, senior ministers and scientists that a major part of the Murray-Darling crisis is caused by climate change. Could the Prime Minister quantify how many gigalitres of lost inflows in the Murray-Darling system are caused by climate change? Given Professor Garnaut’s admission that his recommendations of five or 10 per cent emission reduction targets by 2020 will not alleviate the Murray-Darling crisis, would the Prime Minister initiate a cost-benefit analysis of potential intercatchment transfers of water to cancel out the climate change components of the reduction in inflows?

Mr RUDD—I thank the honourable member for his question. I know his deep concern for the state of the Murray-Darling. His questions are always properly framed and they go to the whole question about what we can practically do about the challenge which is faced there, given the history of overallocation and the scientific consensus about the impact of climate change in making that system more stressed than it has been in previous times.

The scientific consensus most recently reflected, from memory, in a CSIRO report, which also involved the Bureau of Meteorology, was that climate change was a factor in bringing about the current stress of the Murray-Darling system. Therefore, in our response to it, the key challenge is dealing with the long-term measures: how do you act on climate change nationally and globally and how do you take off water pressures now? That goes to what the government is doing on the overall allocation of water entitlements, which are the points contained in the answer I gave earlier to the member for Makin. Thirdly, what do you do to increase the efficiency of the irrigation system? I will come back to the question which the honourable member has asked about a cost-benefit analysis. These are the three practical measures which are necessary in the here and now to deal with the stress which is currently being experienced by the system. That is why in the meeting most recently with the Council of Australian Governments we allocated billions of dollars to the states and their respective irrigation systems, to do one thing—increase the efficiency of the irrigation system, which, we are advised, if properly invested in, could result in 30 per cent greater efficiency as against the current water loss from often antiquated systems. That is the first point. The second is: what do you also do to draw down the overall take of water from the river system? That goes back to what I said before to the honourable member for Makin’s question about the investments we have made in buying back water entitlements. They are the two practical measures which are currently underway.

On the cost-benefit analysis which the honourable member has asked about, I will seek to come back to him in terms of what we can do practically on that question, because, unlike those opposite, who simply howl in response to any question on the Murray-Darling, I take the member for New England’s questions seriously because they are seriously intended. I believe he deserves a response on that question of the cost-benefit analysis.
Alcohol Abuse

Mr TURNOUR (3.20 pm)—My question is to the Minister for Health and Ageing. Will the minister bring the House up to date on community concerns about alcohol and why urgent action is needed?

Ms ROXON—I thank the member for Leichhardt for his question. Alcohol abuse is an issue of concern across the whole community, but it has been of particular concern in Cairns following some particularly violent incidents. I wanted to take this opportunity to talk about some of the very worrying statistics about alcohol abuse in our community, to highlight some of the action that governments and community organisations are starting to take across the country and to invite the Liberal Party to consider whether they might want to be part of tackling this serious problem rather than standing on the sidelines.

I want to share a couple of the worrying statistics about in our community. On alcohol consumption in any given week, approximately one in ten 12- to 17-year-olds is binge drinking or drinking at risky levels. This is not young adults; this is 12- to 17-year-olds. High levels of alcohol consumption are leading to alarming levels of hospitalisation. The number of young women, young adults, aged 18 to 24 being admitted to hospitals because of alcohol has doubled in the last eight years. And we know that binge drinking leads to violence. Last year, more than three-quarters of a million Australians were physically abused by persons under the influence of alcohol.

That is why I wanted to take the opportunity to draw to the attention of the House campaigns being run by two local papers. One by the Cairns Post is called ‘Just Think’ and is why the member for Leichhardt was particularly interested in raising this issue. The campaign called ‘Just think’ actually commenced in Geelong. On this front page from the Geelong Advertiser there is a photo of the result of some violence—violence which has been highlighted in their community. I know that the members for Corio and Corangamite have been actively involved in this campaign. I want to congratulate those newspapers for being prepared to take a lead within their community to raise this issue, particularly for the sake of young people. It is not a message that says, ‘You can’t go out and have a good time’; it is a message that says, ‘Just think about what you are doing and make sure you take care in the circumstances when you are drinking.’ I think they are running a really good campaign. I understand from conversations with the member for Corio that a Facebook campaign that has been set up by the Geelong Advertiser has something like 40,000 members—an enormous sign that the community is worried about this issue, that young people themselves understand that there are risks. We need to do all we can to raise awareness that these sorts of issues can cause harm in the community.

While talking about this issue, I want to also raise a report that was released yesterday. Members of the House might have read some coverage of this. It is a report by David Collins and Helen Lapsley. This report was actually commissioned by the Howard government. It is entitled The avoidable costs of alcohol abuse in Australia and the potential benefits of effective policies to reduce the social costs of alcohol. This report, commissioned by the Howard government, states:

that increasing the tax rate on alcoholic drinks which are specifically targeted at the youth market (for example, alcopops) is likely to be effective.

It further states:

There would appear to be strong justification for the April 2008 increase in the Australian tax on pre-mixed drinks (alcopops) by 70 per cent.
In other words, we have independent experts, in a report commissioned by the Howard government, backing the action that the Rudd government is taking. I want to lay down a challenge to the new Leader of the Opposition: stop playing politics on this, join with the rest of the community and start working with us on finding serious solutions to these very serious problems.

Mr Rudd—Mr Speaker, I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Grocery Prices

Mr BOWEN (Prospect—Minister for Competition Policy and Consumer Affairs, and Assistant Treasurer) (3.24 pm)—Mr Speaker, I seek the indulgence of the chair to add to an answer.

The SPEAKER—The minister may proceed.

Mr BOWEN—At the conclusion of my answer, the member for Kennedy tabled a document and made a statement in relation to the integrity of the chairman of the ACCC. On behalf of the government, I want to put on the record the government’s support for the integrity not only of the chairman of the ACCC but of all the staff and employees of the ACCC.

DOCUMENTS

Mr ALBANESE (Grayndler—Leader of the House) (3.25 pm)—Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings.

MINISTERIAL STATEMENTS

Dementia Awareness Week

Mrs ELLIOT (Richmond—Minister for Ageing) (3.25 pm)—by leave—Today I was very pleased to join Alzheimer’s Australia and the Parliamentary Friends of Dementia to launch Dementia Awareness Week, which will run from 19 to 26 September. Parliamentary Friends of Dementia is a bipartisan group led by Senator Marise Payne and the member for Newcastle.

The Australian government is the principal sponsor of Dementia Awareness Week and provides more than $370,000 to Alzheimers Australia under the National Dementia Support Program to run the event. Dementia Awareness Week provides an opportunity to raise the profile of dementia related issues and to help promote wider understanding of dementia in the community. The theme for this year is ‘Mind your mind—and reduce your risk of dementia’.

The events will focus on this theme and some of the events across the country will include:

- displays in local libraries and information centres in Townsville,
- a brain fitness program launch in Perth,
- an open day at Alzheimers Australia historic buildings in Melbourne,
- a tea dance in Darwin,
- a photographic display in Adelaide,
- a dementia awareness expo on the Sunshine Coast,
- a symposium on risk reduction in Western Sydney and
- seminars on prevention across the ACT.

We all recognise that there is growing evidence that healthy eating, intellectual stimulation, exercise and the prevention of cardiovascular risk factors reduce the risk of developing dementia. Prevention is a clear priority as we face the impending challenges of the ageing of our population.

More than 200,000 Australians currently live with dementia. That figure is expected to increase to almost 465,000 by 2031. There
are also 10,000 people with younger onset dementia. Alzheimer’s Australia says nearly a million people are involved in caring for a family member or friend with dementia and there will be around 57,000 new cases diagnosed in Australia this year. That is more than 1,000 new cases a week. In 50 to 70 per cent of these cases, the diagnoses will be Alzheimer’s disease.

That is why more than $120 million a year from the Australian government is provided through the dementia initiative. This includes:

- $90 million a year for extended aged care at home dementia packages
- $24 million a year for dementia research, prevention, early intervention and improved care, including research grants offered through the National Health and Medical Research Council and funding for three dementia collaborative research centres
- $7 million for training for aged and community care staff, carers and community workers such as police.

Our investment in dementia research includes $16 million over three years for the Dementia Research Grants program and $7.2 million over three years for the dementia collaborative research centres. Through the National Framework for Action on Dementia, the Australian government is committed to working with state and territory governments to help improve the quality of life for people with dementia and their carers.

Also, the Australian government formed an advisory group to provide advice to me and the Department of Health and Ageing on issues relating to the monitoring and evaluation of the dementia initiative. Members of the Dementia Advisory Group are drawn from peak body groups for people living with dementia and their carers and from nursing and medical professionals and academia. All have particular expertise and knowledge about dementia. It also includes people directly affected by dementia. The 16-member advisory group is co-chaired by former Brisbane Lord Mayor, Ms Sallyanne Atkinson, and by Ms Sue Pieters-Hawke, author of the bestselling book Hazel’s Journey. The other members of the advisory group consist of experts drawn from dementia peak organisations, the aged-care sector and the nursing and medical professions.

Earlier today I was very pleased to launch three new $600,000 dementia training resources. These resources are designed to support the training provided to aged-care workers, community workers, volunteers and carers who are caring for people with dementia. These were developed for communities with specific needs to ensure greater equity in the care of those with dementia. The first of these resources is ‘Local knowledge: a dementia care e-learning resource for rural and remote aged care workers’. A consortium led by Alzheimer’s WA produced this e-learning resource which will enable rural and remote care workers and volunteers to undertake self-paced, on-demand dementia care training. The second resource is ‘Strangers in a strange land: cultural competence in dementia care’. This CD-ROM resource focuses on people from culturally and linguistically diverse backgrounds and was produced by Workplace Learning Initiatives. It features interactive learning materials about people from diverse backgrounds presenting scenarios based on real stories and characters which span all environments of dementia care. The third in the series is ‘2 young 4 dementia: meeting the needs of people with younger onset dementia’.

Younger onset dementia is used to describe any form of dementia diagnosed in people under the age of 65. Dementia in younger people is much less common than
dementia affecting people over the age of 65 and can be difficult to diagnose. However, correct diagnosis is very important. The most common cause of younger onset dementia is Alzheimer’s disease. Other types of dementia, such as frontotemporal dementia, vascular dementia, acquired brain injury and alcohol related dementias, are more common in those with younger onset dementia than in those with dementia who are over the age of 65. Several types of younger onset dementia are hereditary. Genetic screening may therefore be considered by family members in certain situations. Of course, the person with younger onset dementia and their family and carers face additional challenges to those faced by older people with dementia due to the stage of life that they are in. This training resource was produced by Alzheimer’s Australia ACT to support improved dementia awareness and care for younger people.

I note that in the ACT alone there are 2,660 people with dementia. All three resources will be made available across Australia over the next three months. The Department of Health and Ageing will be sending these resources to training providers, particularly those funded by the government to provide Certificate IV in Aged Care, and to health and aged-care services as well as volunteer carers. They will also be available free of charge. In keeping with this week’s theme, Alzheimer’s Australia is also publishing a new paper, Dementia risk reduction: what do Australians know? Source material for this paper was produced through the Dementia Collaborative Research Centres, which are funded through the Dementia Initiative.

Survey findings revealed that few people are currently taking steps to reduce their dementia risk. The paper suggests that there is poor knowledge of the current evidence to actually reduce the risk of developing dementia. The Dementia Initiative has achieved a great deal since 2005. To keep its work current and relevant, it is presently being independently evaluated. Together with advice from my Dementia Advisory Group, this evaluation will inform future directions for the program. Together, we are making great progress in raising the level of overall understanding about how to improve the quality of life for people living with dementia, their carers and families. But there is certainly much more to do in the future.

I ask leave of the House to move a motion to enable the member for McPherson to speak for eight minutes.

Leave granted.

Mrs ELLIOT—I move:

That so much of the standing and sessional orders be suspended as would prevent Mrs May speaking for a period not exceeding eight minutes.

Question agreed to.

Mrs MAY (McPherson) (3.34 pm)—I, too, was pleased to join Alzheimer’s Australia and the Parliamentary Friends of Dementia at the launch of Dementia Awareness Week. Both the Minister for Ageing and I were there at this important occasion this morning. Alzheimer’s and other dementias are expected to increase dramatically in the coming years as our population ages. We certainly heard a little bit about that this morning. It is estimated that approximately 26 million people around the world currently live with Alzheimer’s. I think that is a staggering statistic. It is certainly very frightening to think of the impact that is having on the world and, indeed, Australia. We understand that the prevalence of Alzheimer’s is expected to increase to more than 100 million cases by 2050 around the world. That will mean that one in every 85 people will be living with Alzheimer’s. The cost to our healthcare system will be enormous. The personal cost to families will be even greater.
Many of us know of someone with dementia, but in a few short years it will be one or both of our parents. It might be a sibling. Madam Deputy Speaker, even you or I could be living with dementia.

But the future does not have to be all grim. This year’s theme, as the minister has indicated today, for Dementia Awareness Week, ‘Mind your mind’, places emphasis and focus on awareness. I cannot stress enough how important this is. My own electorate of McPherson has a large number of senior citizens, and I place great stock in encouraging awareness of dementia in my electorate. It is incredibly important, and it will become even more important in the future, that we start to help ourselves. It is time for Australians to stop and take stock of their lives. I often speak about taking responsibility for one’s choices in one’s life in this place, and we can do something about Alzheimer’s and dementia by taking stock of our lives.

One thing that did hit home this morning from the launch of Dementia Awareness Week is that few people are actually taking steps to prevent the onset of Alzheimer’s and other dementias; yet, as the Minister for Ageing said, research consistently shows that there are a number of modifiable risk factors associated with dementia. These include mental and social activity, eating healthy foods and regular exercise. I think we all know what we should be doing. Alzheimer’s Australia’s paper Dementia risk reduction: what do Australians know? has the following to say:

There is general consensus in the literature that public health interventions to modify risk factors have the potential to reduce dementia incidence by reducing risk or delaying onset. To design and implement effective interventions, an understanding of the current awareness of, and attitudes to, dementia risk reduction in the community is required.

I support this unreservedly. The Minister for Ageing rightly asserts that governments have a role to play in supporting organisations like Alzheimer’s Australia. I commend the minister for providing funding to Alzheimer’s Australia, under the National Dementia Support Program, to run Dementia Awareness Week. It is, I am sure we all agree, money well spent. The minister highlighted the funding her government has given to dementia research and initiatives but she seems to have overlooked that the previous government had an outstanding record in aged care. It was the Howard government that made dementia a national health priority and provided funding of $320.6 million in the 2005-06 budget to make it happen. The last budget of the Howard government provided funding of $1.6 billion over five years for the Securing the Future of Aged Care for Australians package.

But government support and government funding should not be a replacement for or an alternative to individuals taking responsibility for their own lives. Surveys by Alzheimer’s Australia reveal that 20 per cent of Australians believe nothing can be done to reduce the risk of dementia and 28 per cent are unsure what, if anything, can be done. The surveys also reveal—and this was highlighted during the launch this morning—that few people are actually taking steps to reduce the risk of dementia and, alarmingly, too many people lack the motivation to do something about it. This must change.

Earlier today, in the adjournment debate in the Main Committee, I gave a speech about the prevalence of depression in older Australians living in nursing homes. I spoke of the need for better training of nursing and medical staff to improve their ability to detect depression among low-level-care residents. As would be expected, there is a high rate of dementia amongst nursing home residents. Dementia and depression can often occur
together. As I highlighted in my adjournment speech, it is often difficult to diagnose depression in nursing home residents, but when the two occur together it is even more difficult to distinguish between them because the signs and symptoms are similar. These symptoms include confusion, memory disturbance and impaired ability to concentrate. Misdiagnosis of dementia could mean a person with depression does not get the support and treatment they need. Likewise, incorrectly diagnosing dementia as depression could lead to inappropriate treatment and, more so, unrealistic expectations of improvement.

It is a lamentable fact that dementia is incurable. I hope—and I am sure every member of this House hopes—that one day a cure will be found for those people suffering from dementia. Until that day it is up to all of us to take responsibility for our lives and futures and address the risk factors that could reduce the prevalence of dementia. The social and economic costs require us to act now. We must take the necessary action now to raise awareness of ways to reduce the risk of dementia.

I congratulate Alzheimer’s Australia and the Parliamentary Friends of Dementia for a successful launch of Dementia Awareness Week. As the minister noted, there are many activities taking place right across Australia during Dementia Awareness Week from 19 to 26 September, and I encourage all Australians to get involved and learn more about dementia.

Finally, I would like to thank the minister for advising my office of her intention to make a ministerial statement on this important week and for affording me the opportunity to say a few words in support of Dementia Awareness Week.

MATTERS OF PUBLIC IMPORTANCE
Water

The DEPUTY SPEAKER (Ms AE Burke)—Mr Speaker has received a letter from the honourable member for Flinders proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The Government’s mismanagement of water as shown by its approval of the disastrous North-South pipeline.

I call upon those members who approve of the proposed discussion to rise in their places.

More than the number of members required by the standing orders having risen in their places—

Mr HUNT (Flinders) (3.42 pm)—This is a government of water walllys. They have been silent as the states have wasted 1,800 billion litres of water a year off our coasts by a failure to support recycling and by an agreement with the approach of pumping pollution off our coasts, and all the time they have adopted a simple approach. Their simple approach has been to take from the country to give to the city, whereas our approach has been to look at recycling, stormwater and water efficiencies so the city finally gives back to the country. That is what water reform is about, that is what water efficiency is about and that is why we as the previous government put in place a once-in-a-century water revolution. What we have seen by comparison is a white flag on water. Before I begin in detail, let me turn to what Tim Flannery said about that plan.

Over a year ago, on 2 February 2007, the then Australian of the Year said:

I think it’s an excellent plan; it really is. It’s the best we could hope for and I applaud the Prime Minister—

John Howard, the then Prime Minister—and Malcolm Turnbull on that plan …
They were Tim Flannery’s words. That was what he said about the plan—and I am delighted that the Minister for the Environment, Heritage and the Arts has seen fit to join us on this matter of public importance.

What have we seen by comparison? We have seen no money for infrastructure, we have seen no real power to the national authority and we have seen no money for rural communities as the structural adjustment funding has been stripped away. One and a half billion dollars which was intended to help rural communities to adjust has gone, and there is a disastrous pipeline plan to take water from the communities of the Goulburn, from the communities of McEwen and, ultimately, upstream from the Murray. At the end of the day to take that water is to defeat the very purpose of the national plan on water—for which, as Tim Flannery said, credit is due to the then Prime Minister and to the now Leader of the Opposition. They have defeated that plan because they have dropped the ball, they have raised the white flag, by taking away the money for infrastructure and by taking away the money for rural communities, and instead of having a plan which focused on three parts: (1) most importantly, water efficiency for the farmers to help them and to share the benefits with the rivers; (2) to allow for water trading—we believe in water trading and its role but only where there are wise choices and not where the water efficiencies have been denied from the outset; and (3) where you have traded, to have support for the communities. Parts one and three have gone. The water efficiencies have gone. The money for the community has gone. What they have is a plan to buy water from farmers which is not real and which has not been effective. They paid $50 million for 35 gigalitres, the Prime Minister told us. The reality is they paid $50 million for 10 swimming pools. There are people around this country who would love to sell this mob a bridge or two because, when it comes to sensible purchasing, they are kidding.

What we want to present to the House today is a very simple proposition: that this is a government of mismanagement, or water wallies, when it comes to water. The example of the disastrous north-south pipeline highlights, in a way which is absolutely clear to Australians, that instead of saving water in the city to share with the country they have a simple plan: take the water from the farmers and from the country, take it to the cities, make no changes in water efficiency in the country and make no changes to this disastrous waste of water, which is dropping 1,800 gigalitres off our coasts, polluting our coasts—

Mr Gibbons—That is totally wrong. Try telling the truth!

Mr HUNT—If you believe in polluting our coasts, good for you, mate. Pollute our coasts and do not recycle. They are a disgrace when it comes to water.

I want to do this in three parts. Firstly, we will deal with the question of the water revolution. Secondly, the member for Calare will deal with the particular problems that rural communities have faced through this theft of water from the country to the city without giving the farmers the chance of water efficiencies. The Minister for Climate Change and Water said the Lower Lakes will not get a drop from the purchase of Toorale. Thirdly, the member for McEwen will deal with the impact of Pete’s pipeline on the people of the Goulburn and on the Murray. This is the reality of Pete’s pipeline.

While everybody is here, let us look at what the local people are saying about this pipeline: ‘This week Peter Garrett betrayed our communities—No savings; no water; no meeting.’ That is about the future of water. It is about the future of the communities. At the
end of the day this government has sold out rural communities, failed to make the water efficiencies there and gone soft on the state governments, who continue to pump off our coasts 1,800 billion litres of waste water, which the rest of the world is recycling.

The member for Cook witnesses that 400 billion litres of waste water, primary treated sewage, goes off the coast of Sydney. As the member for Wentworth and Leader of the Opposition has previously said, basically they take out the sandshoes. It is a nightmare and a disgrace in terms of environmental pollution. It is water which the rest of the world recycles for industry and agriculture. It is water which comes off the member for Kingsford Smith’s own electorate and yet is not recycled—and I am not aware that he has stood up in protest at the nearly 100 billion litres of polluted waste water dumped off his coast every year by Sydney Water and that he has called for that water to be recycled now and for this pollution nightmare to stop.

Let us look then at the question of what should occur. We put in place a once-in-a-century water revolution. There was $6 billion in money for infrastructure, there was $3 billion in money for communities—of which half would help to assist in purchasing water, but after the infrastructure was put in place so the farmers could make the savings—and $1½ billion dollars to help fund rural communities. That money for rural communities, as the member for Calare will tell us, has gone—and that is what the people of Bourke and the surrounding districts will face. If we talk about evaporative losses, that is money which has evaporated. And the people of Bourke, who look set to lose 100 jobs from Toorale alone—and however many more from the region—will suffer as a result of not having a real rural adjustment plan and as a result of this bad purchase.

Secondly, we had $1 billion for the Bureau of Meteorology and other elements to do with monitoring and with making predictions on the effects of climate change—and we never, ever make the mistake of having a fundamental problem of misallocation and a fundamental underlying drought. We need to recognise that these are real and happening and we also need to make real assessments as to what might occur in the future.

The other critical thing that we put in place and which, in this once-in-a-century revolution, the member for Wentworth, the Leader of the Opposition, oversaw was the creation of a true national authority. It was a program which was intended to say to the states: ‘You cannot continue to mismanage.’ But what we have seen from the member for Kingsford Smith and from the new Prime Minister is the waving of the white flag on national water reform. The reason they have done that is very simple: they are weak. They have sold out to the state premiers. The state Labor premiers have seen them coming. They have apologised for the premiers. Instead of ending the blame game they have begun the apology game. When they talk about the blame game what they are doing is apologising for the mismanagement of state Labor premiers—and the apology for state Labor premiers on water continues because they have put off real reform. They had a chance; they had a blueprint; they had a plan; they had money; and they had an outcome—and they failed on all of them.

Let us look at what others have said about this once-in-a-century water reform. The President of the National Farmers Federation, David Crombie, said:

It was a strong announcement and I think there are probably few issues that are more important to all Australians than the efficient management and certainty relating to water and water supply.
The New South Wales Irrigators Council, through Doug Miell, said, ‘The plan is breathtaking in its scope.’ Simon Ramsay, the President of the Victorian Farmers Federation, said, ‘We certainly welcome the announcement of a significant investment in water management and infrastructure.’ It is that infrastructure component which has gone begging under this government. Instead of helping the farmers to make savings and water efficiencies which could be shared fifty-fifty with the farmers and the environment, they have said, ‘Sorry, guys; the money hasn’t gone to the farmers.’ What they are going to do is buy the farmers out, take the water away, not make the efficiency savings and not make the savings which could be good for the environment and good for the farmers.

And they have completely forgotten about something which the member for Calare talks about, the member for Murray talks about, the member for McEwen talks about, and so many others on our side of the House talk about: food security. They have a one-only approach, and that is: ‘Buy the lot. It doesn’t matter if we’re buying empty space in dams. It doesn’t matter if we’re simply buying rights without water. It doesn’t matter if we are spending $50 million on 10 swimming pools. We want to look as if we are doing something, and we don’t care if we are not actually doing something.’ At the end of the day, it is the farmers and the environment that miss out—from people who do not care about the country and do not care about our coasts.

That brings me to the fact that the government have dropped the ball on water reform on a truly national Murray-Darling Basin Authority with real powers at the national level. What they have also done is to put in place Pete’s pipeline. What this minister for the environment did was to make a decision on Pete’s pipeline which is based on no evidence, no environmental impact statement and no concern for the rural community. That is what the member for McEwen, the member for Murray and many others have said. It was an election promise that no water would be taken from the north; no water would be taken across the divide. That promise has been broken by both state and federal governments and, in their heart of hearts, they know it and they should feel ashamed. It is a misallocation, because if you do make these savings, as we proposed making savings, the savings should be shared first to the farmers and second to the environment—to the Goulburn, which is one of the most stressed rivers in Australia, or to the Murray, which we know is stressed. But these rivers miss out; instead, the farmers and the rivers will both be the poorer from a plan which is misconceived, misguided and a misallocation of water.

There is an alternative. We would not be able to stand up here and criticise if we did not have an alternative. On the one hand, we have their approach: water from the country to the city, the breach of the promise, the pipeline. On the other hand, we have our approach: water from the city to the country. Firstly, there is the potential for recycling and a water revolution. Eighteen hundred gigalitres of water—1,800 billion litres of water—is washed off our coasts by state Labor governments every year around the country. Four hundred billion litres of primary treated sewage gets dumped off Sydney’s coastline every year and is not recycled. It is too hard for the Carr, Iemma, Rees, Tebbutt governments—or whoever it is in the future. We see it in Victoria: 300 billion litres, including 150 billion litres of effluent at the shoreline at Gunnamatta Beach in my own electorate.

If we go to South Australia, which admittedly is the best in the country, we still see the best part of 100 billion litres off the
coast. If we go to Perth, we see another 100 billion-plus litres off the coast and in Brisbane we see 200 billion-plus litres—but, fortunately, we put $400 million into ensuring that there will be a recycling scheme, which means that the water that comes out at Luggage Point will no longer be wasted. We see in the South Australian Liberal Party a plan to save 75 gigalitres of water by harvesting the stormwater, which is also wasted and sent down the gully traps and into the ocean.

We have a plan which is real, and that is a plan based on two things: firstly, recycling and stormwater for our cities and, secondly, real water savings in the country—savings which go to the farmers first and then go to the environment, but which are based on real action and real investment in infrastructure, not a meaningless pipeline. That is why this government should be condemned.

Mr GARRETT (Kingsford Smith—Minister for the Environment, Heritage and the Arts) (3.57 pm)—I have to say that, of all the contributions to a matter of public importance debate on an issue which is of critical importance to Australia, I am seriously disappointed at what we have heard from the opposition this afternoon. I have to say that I actually expected a lot better from the member for Flinders, as he made a series of totally inaccurate, unsubstantiated claims about the government’s position on water and particularly about the Sugarloaf pipeline. For the record, I should simply say that this project, in particular, is subject to specific conditions in relation to the responsibilities that I am required to discharge under the Environment Protection Act. The Victorian government has provided assurances that there will be no reduction in flows to the environment, and particularly to the Murray River, as a consequence of this decision.

I have also imposed conditions to be sure that Victoria’s assurances are met. The proponent in this project, Melbourne Water, is no different from any other proponent. They are bound by the law to comply with the conditions that I have imposed, and it is a specific condition of approval that no water can be taken from savings allocated to the Living Murray Initiative, from the Waters for Rivers entitlements or from environmental reserves, and that all water savings projects supplying the pipeline are compliant with the Environment Protection and Biodiversity Conservation Act.

It is also a condition of my approval that the water savings must be directed to Melbourne through the pipeline and that they must be independently audited. The member for Flinders knows full well that this is part of a larger project in place, the Food Bowl Modernisation Project—which he saw fit not to mention on one occasion at all—which has identified potential savings of 225 gigalitres, of which a third, a third and a third will go to the city of Melbourne, to the environment and to irrigators.

This matter of public importance comes at a critical time. It comes at a critical time because of the parlous state of the Murray-Darling Basin and the fact that we do have a problem of extreme drought impacted upon by climate change conditions which are seeing allocations, entitlements and water generally within the system at all-time historic lows. So you would think that the opposition would come in here and, firstly, be able to agree on what its position is—and I will come to that later—and, secondly, recognising the seriousness of this challenge on water, not come forward with some scattered political attack and funny little punchlines about ‘Pete’s pipeline’ and so on but rather address in substance what this government is actually bringing forward in Water for the Future.
What has happened here is that the member for Flinders has seen this MPI as an opportunity to audition for his position on the front bench. That is what has happened. As in his past activities, the shadow minister is searching for a headline. This is the shadow minister who accused a minister in the other house of being akin to Saddam Hussein. I have to say, with all respect, that I thought that was an overreach on your part, Shadow Minister. This is the shadow minister who referred to Brendan Nelson in the same breath as Abraham Lincoln and Churchill. I thought that was a little bit of an overreach as well. This is the shadow minister who jumped out of a plane with a parachute to say that solar panel rebates were going into free-fall when in fact they were heading to an all-time high.

Mr Hunt—You'd better speak to the solar panel sector, mate.

Mr Garrett—I speak to the solar panel sector quite often. The facts of the matter are these. The government take seriously the questions of reform and of making sure that we address this issue which has bedevilled the Federation for decades. We recognise that, after nine months, we have already put in place a series of comprehensive reforms and commitments to do what the opposition failed to do for 12 long years. Let us quickly look at a bit of history to set a context for this matter of public importance. It was the Labor government that initiated water reform. It was Labor that established the Murray-Darling Basin Ministerial Council in 1985 and the Murray-Darling Basin Commission in 1988. It was Labor that led the historic COAG agreement in 1994 that set out the principles for water reform. So the principles for water reform were set out when the incoming government came to office.

Madam Deputy Speaker, I ask you: what happened at that particular point in time, when the incoming government came to office? Mr Howard was confronted with the reform framework that the Labor government had put in place and with the stresses and strains on the federal system and on the river system and, of course, with some warnings about climate change. There were a number of warnings about climate change at that particular point in time—warnings which specifically directed the government of the day to the fact that climate change impacts upon water allocations within the Murray-Darling Basin and on water in the system would need to be addressed and need to be taken into account. What happened? The answer is: nothing. That is what happened: nothing. There was a stony silence. I think some people listening to me speak in the House will recognise that there was a stony silence until the now Leader of the Opposition became the minister responsible for water. We know what happened next, but I will come to that part of the story a little bit later on.

Let me just go back and remind members opposite of the Liberal coalition history of inaction on this issue. In the 2004 and 2006 budgets, the Howard government committed some $750 million to return water to the Murray-Darling river system under the Living Murray program. But not a single drop or a single bit of water entitlement was recovered directly using that Commonwealth funding. Then, just 10 months before Mr Howard lost office, he announced his plan, the National Plan for Water Security. I assume this was the plan that the member for Flinders was so proud of. This was a plan that displayed all the aspects of good governance that we came to know the Howard government for. This was the plan that the now opposition leader and the former Prime Minister concocted literally on the back of an
envelope, with $10 billion worth of taxpayers’ funds. This was a plan that was brought forward without consultation of the cabinet. They did not consult the Treasury. They did not consult the National Water Commission. They did not consult the farmers. They did not consult the states. They did not consult the territory governments. That was the coali-
tion’s approach to one of the most impor-
tant pieces of water reform that we have seen in the Federation. It was nothing other than a ploy to catch up quickly, to pretend that they cared—just like they pretended that they cared about climate change—and to deliver something which would get them a couple of quick headlines.

If we look specifically at the detail of that plan, what do we see? We see that only one-half of one per cent of the $10 billion was committed in the 2007-08 financial year. Just to take us back to that time, to remember what else was going on there: we were hav-
ing a vigorous debate in this parliament about climate change and about climate change impacts, much in the same way as the member for Flinders is having a vigorous debate amongst his own party about the merits or otherwise of securing properties like Toorale and others to ensure that there is more water that can flow into the system, particularly—and we pray very much for this—in the case of rain arriving. What was going on in the parliament? We were having a vigorous discussion about climate change. The Prime Minister was getting up to the dispatch box, day in and day out, and bringing up that strain of climate change scepti-
cism which is still in evidence on the opposition benches whilst at the same time sitting on reports which specifically point out that the impacts of climate change on the health of waters and the river systems in the Murray-Darling Basin were likely to be par-
lous—and then they did not go and spend any money on it at all.

Then we came into government and we committed ourselves to Water for the Future. There is $12.9 billion invested: some $3.1 billion to be invested in entitlements and allocations and some $5 billion to be in-
vested in infrastructure and savings. We have made a specific commitment to purchasing a property—a property which I think is going to make a huge difference to the health of the river system—and those opposite are criticis-
ing us for it.

The other thing the member for Flinders was saying in his matter of public importance was that we were stealing water from people. I completely reject that and I think the use of the word ‘theft’ in this instance is particularly irresponsible on the part of the member for Flinders. The fact of the matter is that we do have critical needs in our cities and we do have critical needs in our rural communities. We understand that. We are not pretending to care about it; we understand it very well. When we went to the community cabinet meeting in Kingston, we sat there and we listened to those people in the lower end of the system and we heard what they were experiencing. We identified with it and we want to respond to it. But what kind of approach is it from an opposition that is pre-
pared to try and play one part of the Aus-
tralian community off against the other? What kind of approach is it from the opposition when it wants to continue to play the states off against the Commonwealth. This is a stereotypical ‘olde worlde’ way of playing important politics in the 21st century and, frankly, the Australian public deserve and expect a great deal more.

On a matter of public importance—with the audition that the member for Flinders was making in front of his leader for the position of shadow minister—he actually stopped talking about the Sugarloaf pipeline altogether and ended up talking about recy-
cling and water that is going out in coastal
are areas. These are matters that are deserving of debate, but this is a matter of public importance on what the government has done about Sugarloaf. We have imposed the appropriate conditions in respect of this approval and there are other conditions that will be imposed subsequently when other referrals of this kind are made to us. We have also specifically committed—in the purchase of Toorale Station last week by the federal government and the New South Wales government—to the capacity to return an average of 20 billion litres of water to the environment every year.

I ask myself, listening to those opposite complain about this particular action: what is the problem? What is wrong with the federal government actually committing taxpayers’ money to add water to the river system? It is a river system that needs water—that is the point. That is exactly why we are taking those actions. I am absolutely bewildered but can only assume that the views of the member for Calare and the views of the member for Flinders are not at one. In fact, their comments of the last couple of days show that to be the case.

Significant environmental assets will benefit from the purchase that the Rudd Labor government has made—wetlands of national importance at Menindee Lakes and the Darling River itself. I refer the member to the recent CSIRO sustainable yields audit for the Barwon-Darling system which found that the middle zone of the Darling River is in poor condition. We are responding specifically to that science. We are acknowledging that there was a willing seller—and there was. We made an offer at a fair market price and a property was sold to the Commonwealth and the government of New South Wales. I was particularly pleased that, in a property which has about two-thirds of its land mass as flood plain, we would actually get a significant environment heritage as well. With the national park on the other side of the river, hopefully people will come to share that experience and it will produce some income for the local economy. It is frankly a win-win. It is a win-win for the river system and it is a win-win for the environment.

The opposition has got to make up its mind whether it is going to accept that at this point in time, in a highly stressed river system, in the midst of one of the most serious droughts that we have seen, with significant additional impacts from climate change, the program that the Rudd Labor government is bringing forward to deal with and address those issues is one they might find the goodwill and the good politics to support. If it does not, we will have what we had today: a matter of public importance which referred to a series of matters which were unsubstantiated, a matter of public importance which proposed to criticise the government on the basis of the actions that it is taking on the Sugarloaf pipeline, which ranged far and wide to matters of coastal outfalls and New South Wales political governments, and a matter of public importance which actually requires us to accept that in nine months we did what it did not do in 12 years. We have taken the action to deal with this important and critical area of our natural, economic and rural infrastructure. If the best that this opposition can do, coming into a matter of public importance like this, is bring forward contradictory assertions, wild exaggerations and baseless historical reflections of their own inadequacies, then God help us all. The Rudd Labor government is committed to delivering water to the people and to the environments of the region. I will continue with that job.

Mr JOHN COBB (Calare) (4.12 pm)—I am glad I lived to hear two things—that is, for the first time ever I believe I heard the member for Kingsford Smith in his speech on the matter of public importance mention
drought and rain. Apart from that, it has been nothing but climate change. I cannot believe that I just heard him talk about the devastation in the Murray-Darling Basin on the one hand—and that is about the only thing that he got right in the last quarter of an hour—and, at the same time, skite about the fact that they are increasing that devastation by taking 110 gigalitres from the Goulburn River in the Murray-Darling Basin into Melbourne.

About an hour or so ago, the Prime Minister mentioned the fact that I had called him and his government ‘antirural’ because of action they took last week just below Bourke at Toorale Station. To take water they do not actually need in New South Wales, they spent almost $24 million of taxpayer funded money on Toorale Station. I wonder why I might call him and his government antirural. I will tell you why. Do they know for one second what they are doing to one of the oldest communities on the oldest inland port in Australia? They have bought the best bit of land on the Darling River, the most productive bit of land on the western side of the Darling River. Within 24 hours of that action, which is totally devastating one of the oldest communities in western New South Wales, the member for Kingsford Smith proudly announced that he was okaying the Goulburn to Melbourne pipeline that will enable them to take 110 gigalitres of water, which will in effect be high-security water. In a time of drought, as we have now under the emergency plan, this will put Melbourne on a basis way above anyone within the Darling Basin, from which they are taking that water.

I would have loved the Prime Minister to have stayed in the House another five minutes. I would have asked him a question. I would have said to him, ‘You and the Minister for Climate Change and Water, Penny Wong, have just bought Toorale Station. That is four per cent of the general rate base of the Bourke Shire. It is between seven and 10 per cent of all the stock that are run in the Bourke Shire. It is 15 per cent of the water that is used for production in the Bourke Shire. There are about 100 jobs there which are gone forever’—because, as we all know, they are turning that over to the New South Wales National Parks and Wildlife Service. The best land west of the Darling River in New South Wales will become a national park. They will no longer pay rates—they will absolve themselves from all commitments to that region. Everybody else in the Bourke Shire will have to find another four per cent to pay because the Bourke Shire will still have to produce the roads, provide water and sewerage and do everything it has always had to do, but not with the help of the New South Wales government. If they had an ounce of decency, an ounce of guts—because they have gutted the Bourke Shire—they would now stand up and say, ‘On that station, the New South Wales government or the federal government will pay the rates that that property would have paid before.’

They bought that station without inspecting it, without doing due diligence, without actually knowing what they were buying—except it was the largest station out there and it had 14 gigalitres of water. I find it incredible. As I said, within 24 hours they announced that they were buying what is possibly 14 gigalitres of water, after a flood down the Warrego. We are talking about the bottom of the Warrego. There is no dam there. There is no public storage to provide that 14 gigalitres that the member for Kingsford Smith kept talking about. He actually had his figures wrong. He was talking about 20 gigalitres; it is actually 14 gigalitres.

I will tell you something else about Toorale Station: it has man-made structures that are actually older than the barrages on the Lower Lakes. And, yes, half the wetlands he was talking about—he tried to correct
himself, but he knows there are wetlands there which are man made—now have infrastructure there. They have wetlands that have been made, just as man has created his own form of ecosystem in the Lower Lakes. All that we have heard from him and his Prime Minister and the Minister for Climate Change and Water, Penny Wong, in recent times is how we have to look after the Lower Lakes—and I agree with that; any sensible person would.

But let me tell you something about this drought. This drought exists in St George in Queensland, in Goondiwindi, Moree, Brewarrina, Walgett and Warren. It exists in a lot of places and the people at the top have a right to the water as do the people at the bottom. But, so far, all we have heard is how they are going to take water from rural communities. I would have asked the Prime Minister, ‘Did you do a socioeconomic study on Bourke before you devastated it? If not, why not? Are you going to do one before you spend another $400 million devastating communities from the Menindee all the way up to St George?’ On Monday this week the Minister for Climate Change and Water let out a tender where people can take another $400 million. And, yes, of course they will get water. There are people in deep trouble out there.

The one thing the member for Kingsford Smith got right today was when he talked about how terrible it is in the Murray-Darling Basin, five minutes before he had the gall to talk about how proud he was to sign off on water going from the Goulburn River to Melbourne. Melbourne has its own ability to deal with this. It can put in a desalination plant. It can recycle water, as the member for Flinders said earlier. Why in heaven’s name do you have to devastate every other community? It is just showing off to Sydney, Melbourne and Brisbane and making them believe that you are doing something. This is a gutless, cheap, easy way of doing something that is going to affect rural Australia, because we are talking here about the food bowl of Australia.

The member for Flinders quite correctly said that we talk about food security for a very good reason; because this is also about food security for Australia. The big issue of the 21st century is food and water security. Heaven knows where the population is going. But the one thing the Murray-Darling Basin does—or it always has done until this drought—is to ensure that we have good food at reasonable prices and the communities that use it prosper, as do the people who get the best, the cleanest and the cheapest food in the world. But that is not going to last because after this drought, after the drought of Mother Nature, we are going to have the Rudd drought in rural Australia, and it is going to be one heck of a serious one. I shudder to think how Bourke is going to deal with this. I wish the Prime Minister had found time—before he ducks off overseas at the end of this week, or today, or tomorrow, or whenever the heck he is going—to go to Bourke today and listen to the rally there as the people asked, ‘What in heaven’s name do we do now?’ because Mr Rudd, the Minister for Climate Change and Water and the member for Kingsford Smith are proudly talking about how they have ruined our community.

We had a plan that was going to be sustainable. We were not going to spend $3.6 billion buying water and devastating those communities. We were not going to make long-term decisions based on a six- or seven-year drought—and that is what it is. There have been droughts this long before and there will be droughts again. It was incredible and it was gratifying to hear the member for Kingsford Smith, for the first time ever, say, ‘This is a drought, very affected by climate change.’ Well, it might be affected to some extent by climate change but this is a
drought and, if you make long-term decisions that are going to affect every rural community within the Murray-Darling Basin, if you make long-term decisions based on a drought, then heaven help us in the future. We had $10 billion, as the member for Flinders said, and that was a plan. That was a plan to invest in the community, to work out where the major problem was, to spend $1 ½ billion on buying water if we could not get it through efficiencies, from willing sellers. But this is not a plan; this is a war. This is a war against the Murray-Darling Basin.

Mr DREYFUS (Isaacs) (4.22 pm)—This matter of public importance that the member for Flinders has proposed here today raises the so-called north-south pipeline in my home state of Victoria—and, by that, I take it that the member for Flinders is referring to the Food Bowl Modernisation Project and Sugarloaf pipeline in northern Victoria, which, as the House has heard from a number of members, is a large water project in northern Victoria. It is a state government project, of exactly the kind that was endorsed by the now Leader of the Opposition when he was the parliamentary secretary for water. I will come back to that in a minute. But if the member for Flinders thought that he was making a job application by putting up this matter of public importance, he needed to check what his now leader said when he was the parliamentary secretary for water in 2006 about projects of exactly this kind.

I just want to make a few points about the project itself. This project, which is a very large project that is designed to improve an irrigation system that has not had any major work done on it for over a century, is about taking action in the face of drought and climate change. This project that is taking place in northern Victoria will not reduce flows to the environment. This project is part of a program to distribute water savings, firstly to the environment, secondly to irrigators—and they are the same food bowl producers that those opposite have been talking about—and, thirdly, to the people of Melbourne. The opposition has demonstrated by the two speeches that have been given on this matter of public importance that they are in total confusion about the nature of this project.

I want to come back to the extraordinary inconsistencies presented here today by the member for Calare and the member for Flinders—and on previous occasions in this House by, in particular, the member for Murray—in using exactly the same phrase that the member for Flinders used here today, which was, ‘theft of water from the country to the city’. Far from it being the theft of water, this is about increasing available water. It is about using that increased available water to send water to stressed river systems, to irrigators and also to the people of Melbourne. This is what the then parliamentary secretary for water, in September 2006, said—and this is the same person, the member for Wentworth, who is now the Leader of the Opposition:

Many people fear water trading between irrigation areas and towns and cities. In Victoria it is a particularly controversial matter.

However, rural to urban trade may offer more opportunities to rural Australia than threats.

The first thing to remember is that the amount of water needed by cities and towns is very small compared to the amount of water used in irrigated agriculture. To put it in the right perspective—this is the member for Wentworth speaking—

Goulburn Murray Water’s CEO—that is the same area of northern Victoria that we are talking about—has told me that his Authority loses every year through inefficient distribution infrastructure around 900 GLs; about twice the water Melbourne consumes!

Now, there is no doubt—
irrigation areas can save a lot of water by more efficient infrastructure both in the distribution system and on the farm. If the cost of saving a GL in an irrigation area is a fraction of the cost of making a GL in the city (through recycling or desalination) then a commercial opportunity is created from which farmers can benefit.

... ... ...

The improvement in efficiency is enormous.

The then parliamentary secretary, the same man who is now the Leader of the Opposition, went on to discuss a project of this type to supply water savings from rural areas to Perth, and then said this:

This type of win-win partnership between city and country should not be overlooked as a real option.

So that ‘win-win partnership’ the member for Flinders chose today to describe as ‘theft’ and which the member for McEwen, on a previous occasion in this House, has described as ‘theft’ and which the member for Murray chooses to describe as ‘theft’—

Fran Bailey—It’s an accurate description.

Mr DREYFUS—What was ‘accurate’—thank you very much to the member for McEwen—was what the then parliamentary secretary for water said in 2006 when he described it as a ‘win-win partnership between city and country’. And let us all hope that, in his new capacity, the new Leader of the Opposition will demonstrate some leadership and stop the kind of nonsense that has been talked here today on this matter of public importance by those opposite, who do not understand the role of the federal minister in environmental regulation and have demonstrated yet again that they do not believe in science. They do not believe in the science of climate change. They want to deny that. They do not believe in the science of environmental assessment. They want to deny that, too. They think, and they have demonstrated by their speeches here today, that ministerial decisions are only a matter of party political advantage. They do not understand, because that is the way those opposite behaved when they were in government. It is always party political advantage—it is never the national interest; it is never taking decisions in the long-term interests of this country, which is what this government is doing.

The reason that massive projects of this nature, of the nature of the Sugarloaf pipeline and the Food Bowl Modernisation Project, are needed in places like northern Victoria is that we had, for nearly 12 years, neglect by the former government and, before that, in Victoria we had neglect by the Kennett government.

I say again: the irrigation system in Victoria is over 100 years old. It has had some very piecemeal updating over the last few years, but it requires overhaul of the whole system. The project that the state government has put in place is an overhaul of the whole system and it should be being commended by those opposite, not smeared by the kind of deliberate campaign of, really, emotive misinformation that is being promoted in the area by the member for Murray and is being promoted here by the member for Flinders. I notice, indeed, that the member for Murray has chosen not to speak on this matter.

It is absurd to suggest that this project is not paying attention to food security. It is paying close attention to food security. It is absurd to suggest that anything has occurred here that is anything other than complete respect for the environment. The approval process that the federal minister for the environment has engaged in will ensure that there is no adverse impact on matters of national environmental significance. There are conditions that the minister for the environment has imposed which will ensure that that occurs.
Debate interrupted.

ADJOURNMENT

The DEPUTY SPEAKER (Ms AE Burke)—Order! It being 4.30 pm, I propose the question:

That the House do now adjourn.

Water

FRAN BAILEY (McEwen) (4.30 pm)—I am very keen to follow the previous speaker in the MPI debate. It has been stated here in various ways that the Rudd government has a detailed water management plan. Let me put to the House that this is nothing more than a plan of political expediency. There is no greater example of that than the north-south pipeline that previous speakers have derided. Let me give the genesis of the approval process that the Minister for the Environment, Heritage and the Arts has so recently signed off on. Before the last state election, the then Bracks state government promised that there would be a water-recycling plant in Melbourne and that they would never divert water from north of the divide to Melbourne. Within a couple of months following that state election, the state government did a 180-degree turn, cancelled the water-recycling plant and announced that they would divert a minimum of 75 billion litres of water from north of the divide. This is an area which has been so stressed and has been suffering severe drought for many years, from a catchment area that, when they made that announcement, was at only 14 per cent of its capacity—CSIRO having said that you need at least nine per cent in Eildon to deal with a blue-green algae outbreak at any time.

The state government has built its case on supposed water savings. Let me tell this House that the state government has only budgeted, and only plans, to fix five per cent of 7,000 kilometres of water channelling. And that so-called fix of the five per cent is only lining the channels, not even covering them. This is why no water scientist and no public official has been prepared to publicly verify the so-called water savings as stated by the state government. This is an absolute disgrace. The federal minister has given his approval to a project which, firstly, has had no environmental impact assessment and, secondly, for which nobody, but nobody, will verify the so-called water savings.

Let us look at what the state government are saying about these non-verifiable water savings. On the one hand they say that these are going to go to the Living Murray. On the other hand they say that only water that comes from savings will come down the pipeline. They cannot have it both ways. It cannot be going into the Living Murray while at the same time coming down the pipeline. We know they can never save more than 30 billion litres of water when they have stated that they are going to send down at least 75 billion and probably 110 billion litres of water.

The minister’s press release makes the position perfectly clear. We know why he has approved it. He actually says:

Securing water supply for our urban populations is of fundamental importance.

That is what this is about. This is about the federal minister for the environment proping up his state mates because they have got themselves into bother—no environmental impact assessment and absolutely no science whatsoever. Not only has he done that; he has further given them wriggle room because the state government has to specifically allocate the amount of water savings that it is sending into the Living Murray. Unless the state government specifically allocates and says how much that allocation will be—which they have not done—that water does not go into the Living Murray. So for the minister to stand in here and acclaim the government’s water management plan for the
Murray-Darling Basin is an absolute travesty. The Goulburn River is one of the hardest-working rivers of that system, and the Victorian Premier decided to remove the Goulburn from the Murray-Darling system simply by putting out a press release and making that announcement. It is a travesty. (Time expired)

Blaxland Electorate: Australian Hearing Centre

Mr CLARE (Blaxland) (4.35 pm)—Cynics say that governments do not deliver for what some might describe as a safe seats. But in nine months we have demonstrated what a difference a Rudd Labor government can make for a place like Blaxland. In the first nine months we have ruled out the expansion of Bankstown Airport for large passenger aircraft. We have provided more than 2,000 computers for our local high schools, worth more than $2 million. That is more than in almost any other electorate in Australia. We have allocated money in the budget to start planning work to duplicate the M5 East tunnel; opened a family relationship centre in Bankstown to help local families; and provided $25 million to local councils, including an additional $222,700 to fix dangerous black spots on our local roads. We have announced the development of an autism-specific childcare centre in south-west Sydney. And we have assisted local support organisations with over $2.2 million in refugee settlement grants, more than in any other electorate in Australia. These decisions have a big impact on the quality of life for the people of Blaxland. So do the local services provided by government. Under the Howard government, the tax office and immigration office were both pulled out of Bankstown, and with them went 750 jobs.

In 2004 we also lost our permanent Australian Hearing centre. It was replaced by a temporary facility that provides limited services, by appointment only, one day a week. Hearing aids are not fixed on site. If your hearing aid breaks, you have to live with it for up to 10 days while it is repaired somewhere else. My predecessor in this place, Michael Hatton, raised this issue on a number of occasions. Unfortunately for the people of Blaxland, the last government was not listening. In this chamber in March 2004 Michael said:

… I look forward to Labor coming back to government and I look forward to having services put back into Bankstown … to directly service the people of Bankstown, who have been so badly dealt with by this government—

the Howard government—

… which has treated them with utter contempt.

This issue was first raised with me at my first street meeting in Yagoona in June last year. Narelle Buckingham raised the plight of her 17-year-old son, James, who was forced to travel out of the area to access essential hearing services that were once available in Bankstown. She told me she was forced to take time off work to travel about 20 kilometres to drop hearing aids off and pick them up again. And if they were not working properly when she took them home for her son, which often happened, she would have to go through the whole routine again.

When I was elected I invited Senator Ludwig, the Minister for Human Services, to a public meeting in Bankstown to talk about this issue. Hilda and Charlie Garwood, 85 and 88 years young, the two people who first raised this issue with Michael Hatton, turned up. They told the minister how this had impacted on their lives. Hilda told the minister:

If Charlie didn’t have his hearing aids because they were being sent to Liverpool for repairs, which took 8-10 days, the TV was so loud, I couldn’t sit in the same room as him.

Services were provided at the back of a medical centre one day a week. The consultation room was tiny. The staff had to bring all the equipment
along with them each week and set it up on the bed and around the floor. All they did was testing and make moulds. There were no repair services.

Minister Ludwig listened carefully and promised to see what he could do. True to his word, the minister wrote to me on 28 May advising that Australian Hearing would open a new permanent centre in Bankstown. The new centre will open its doors next week, on Tuesday, 23 September. Can I take this opportunity to thank Minister Ludwig on behalf of the people of Blaxland.

I also want to thank the former Member for Blaxland, Michael Hatton, who worked so hard in the previous parliament for the return of Australian Hearing to Bankstown. This will make a big difference. When I told Narelle Buckingham she told me she can now cancel next month’s appointments in Liverpool and Parramatta and reschedule them in Bankstown. I also spoke to Hilda and Charlie. Hilda said:

This is fantastic news. It will mean a lot for Bankstown. These new facilities will be a great help to us and everybody else in the area. It’s good to see the Rudd government is listening. This is the end of a long campaign and I am proud to have been a small part of it. It is a great win for our local community and a great example of the difference a Rudd Labor government can make.

Cowan Electorate: Kingsway Christian College

Mr SIMPKINS (Cowan) (4.40 pm)—On Monday, 22 September students from Kingsway Christian College will once again make the journey across Australia to Canberra from their school in the suburb of Darch, in my electorate of Cowan. I understand that this is the 17th year of visits by Kingsway Christian College. This year 64 students and 10 parents or teachers will visit. I look forward to joining them for their visit.

I have a great regard for this school, as I like the message and the positive values that it promotes. The Kingsway Christian College is a non-denominational Christian day school with students from kindergarten to year 12. The school was established in 1984 based upon strong Christian beliefs and values. The first students graduated in 1988. Today the college provides education from kindergarten to year 12, has an enrolment of 1,100 students and employs more than 120 staff. My association with the school started a couple of years ago, and I have been to two very well run Anzac Day ceremonies. From these events it is clear that they take this important day very seriously and their effort and commitment shows what a well balanced school they are.

Mrs Jeanette Giroud is the principal. Jeanette is a very positive and supportive leader of the school community who strongly promotes the educational, co-curricular and spiritual aspects to the education of her students. I am also privileged to know Mr Ruston Long, the community relations manager. Not only does he perform this key role for the school but he also is very active at the Warwick Church of Christ, which is also my church. The Chaplain is Debra Kerbey, who leads pastoral care at the school. Mrs Kerbey is a bright and highly positive spiritual influence for the students and school community.

Last Friday I had the honour of opening the 2008 Kingsway Christian College art exhibition entitled The Journey Continues. This was the first time I have ever opened an art exhibition. To say that I was impressed would be an understatement. There were hundreds of imaginative and inspired contributions from the students of the school. I enjoyed a range of art from Indigenous inspired painted boomerangs to landscapes. The influence of artist in residence, Mrs Francine Riches, was very clear, as was the creative leadership of Mrs Necia Drazevic,
the head of art. In opening the exhibition I stated my encouragement for young people making their mark on the world. But I drew the stark comparison between those who think making such a mark on the world is accomplished via graffiti or tyre rubber and the correct way, via building or creating something which is positive. The exhibition was an example of the positive contribution that the students of the Kingsway Christian College make to the local community.

I had the opportunity to speak with Miss Renee Clark, a year 12 student. I congratulated her on the pieces of art that she stood next to. I said that she should be very pleased with her results, to which she replied that she had worked very hard and made sacrifices to achieve those results. What I would like to say about Renee is that, apart from being a highly skilled artist, she has already learnt that no success comes without effort and commitment. I am sure this young lady will succeed in her coming exams and in the future after graduation. I should also mention that Renee won the public choice award for secondary school artwork and is about to have her work featured in a state art competition. Last year she was a state finalist for WA at the Apex Australia Teenage Fashion Awards.

From my experiences and visits to Kingsway Christian College I find it very easy to have confidence that the students and the school will be counted, both now and in the future, as good and positive influences on this country. In a recent email from Liz Robertson, the teacher leading the 2008 visit to Canberra, she included a proverb which is perfectly accurate and appropriate for all of us who are parents. The proverb is 22:6:

Teach your children to choose the right path, and when they are older, they will remain upon it.

Never a truer word. I want to thank Jeanette Giroud, Debra Kerby, Ruston Long, Necia Drazevic, the staff, the board and the school community for the positive and important work they do for the students at Kingsway Christian College. It is an excellent educational institution because they have their priorities right. I look forward to the continued success of this great school.

Deakin Electorate: Whitehorse
Community Indigenous Plant Project

Mr SYMON (Deakin) (4.44 pm)—I draw to the House’s attention the excellent work being undertaken in my electorate of Deakin to restore our local natural environment by the dedicated volunteers at Bungalook Nursery, in the suburb of Blackburn South. I recently visited Bungalook—also known as the Whitehorse Community Indigenous Plant Project—to support their efforts to get behind National Volunteer Week in May this year. Soon after my visit, Bungalook were extremely helpful in supplying plants when I recently got behind the efforts of a local school in the area that wanted to plant more native trees. Prior to being the member for Deakin, as a local resident I would occasionally get down there for my garden plants—back when I actually used to have time to get some gardening done. Unfortunately, those days are long gone! There are many nurseries in the seat of Deakin but even those that stock native plants do not have this range of truly local natives.

Going there recently in my new capacity, I was reminded of what a fantastic example they are of a local volunteer organisation on the very front line of tackling climate change and saving water. They are a fantastic showcase of what we are all about on climate change and of course on saving water, and that is community involvement, acting at the local level with truly local solutions. They actively encourage local residents, schools and organisations to go back to using plants that once dominated the natural landscape in
the local area. They work every day to preserve, maintain and enhance the status of Indigenous plants and strengthen the biodiversity within the Whitehorse region.

The nursery itself is a fascinating place. You could spend hours just walking around and discovering just how many Indigenous species—that is, plants that are truly native to the local area—actually exist. Their stock list boasts almost 100 species of plants truly indigenous to the Whitehorse region, which are all grown at the nursery, ranging from Indigenous grasses to shrubs and trees. From their fully functional rain garden to the wetlands that they are slowly developing at the rear of the property, and the rows and rows of natives on offer, the entire nursery has a charming natural feel that is full of the sounds of busy volunteers and native birds.

Bungalook functions as a business and generates income from the plants it sells, but it is very much a place of learning, information sharing and upskilling locals in native plant management. Volunteers of all walks of life come to Bungalook to learn how to propagate natives and to share their tricks of the trade in a very easygoing, social and cheerful environment. These volunteers collect Indigenous seed and vegetative material and propagate about 30,000 plants per year, and every day you go there you will see various schools and other community groups coming to collect those plants to take them back and plant them in their own communities. Having the benefit of experts, they also have the capacity to support students doing horticultural courses. Students can do their required work experience hours there for course accreditation. Importantly, the nursery actively engage the general public, participating in guided walks through local bushland and taking people on excursions to sites of interest outside of Whitehorse. They even put on morning teas for the volunteers and reflect on the work they have done and how they can do things in a better way.

This terrific organisation, run from day to day by Liz Henry and Margaret Witherspoon—two extremely colourful people with an encyclopaedic knowledge of local plants—has a great history. They began as the Nunawading Indigenous Plant Project, which originated with a bicentenary grant in 1988, with the aim of propagating plants truly indigenous to the Nunawading area from seeds collected in the area. The nursery was originally located at the rear of the Horticultural Centre in Jolimont Road, Forest Hill. With the change of name of council and with the relocation in 1999, they became incorporated and changed their name to the Whitehorse Community Indigenous Plant Project. Soon after, they moved to the current site in Fulton Road, Blackburn South, which was officially opened in September 2001. It was at that time that the name for the nursery, Bungalook—Wurundjeri for ‘stringybark’—was chosen.

Its facility there was built from the ground up through the dedicated efforts of its supporters and it has benefited from various sources of financial assistance—from the local Whitehorse council, the federal Landcare grants scheme, various local organisations and their own locally raised money. This is a tremendous example of a local organisation working hard—and also having a great time—to help us tackle climate change. I congratulate Liz and Margaret and every volunteer at Bungalook on their work.

Keith and Shirley Lillee
Disability Employment Services

Mr IRONS (Swan) (4.49 pm)—I would first like to acknowledge the 60th wedding anniversary of Dennis Lillee’s parents, who live in my electorate of Swan. Keith and Shirley were married on this date 60 years ago and are the proud parents of Dennis
Keith Lillee, who became an Australian sporting legend and arguably the greatest ever fast bowler. Congratulations to Keith and Shirley, and I wish them many more wedding anniversaries and a return to full health for Keith.

I would now like to raise the important issue of employment opportunities for the disabled in my electorate of Swan. I commend the excellent work being done in my community by local organisations to promote employment for the disabled. Last week I had the pleasure of launching the Microbusiness Forum for People with Disabilities in Canning Vale, Western Australia. The event was organised by the dedicated people of the Canning Coalition to raise the profile of employment opportunities for local community members with disabilities.

It was a privilege to be there and meet such an inspirational group of people. Many of the speakers on that day talked about how rewarding starting their own businesses had been. For example, Sally Richards from Canberra spoke about the great satisfaction her son Jackson, who has Phelan-McDermid syndrome, gains from the business they run, called JACKmail. Similarly, it was wonderful to hear about the success of Richard Hill as Director of Riccom, a website design and disability awareness training company. Equally, Norma and Nathan Hatchett should be commended for their innovative Hooked on Hessian textile company.

Whilst the day was a positive experience, I was left in no doubt about the extreme challenges faced by disabled people to achieve their goal of employment. I would first like to refer to how the good work of the Canning Coalition in promoting employment for the disabled is being threatened by the Rudd Labor government. The Canning Coalition came into existence in 2006 following a Howard government policy for a national network of 213 local community partnerships regions. Local community partnerships are incorporated, not-for-profit, community based organisations that work to help young people gain skills, experience and career guidance as they move through and beyond school. Unfortunately, the Local Community Partnerships program is at risk. The Rudd government has refused to commit to the program beyond 2009. This has led to a great degree of uncertainty for the Canning Coalition, who are hamstrung and unable to plan properly for the future. The good work this organisation does is at risk.

Secondly, I would like to consider the Labor government’s lengthy delay in producing the National Mental Health and Disability Employment Strategy. On 15 February 2008, the government announced the development of this strategy which the member for Maribyrnong referred to as, ‘A new strategy to get people with a disability or mental illness into work.’ I genuinely believe that the member for Maribyrnong is a man of integrity who wants to make progress on this issue. However, to have to wait for the end of the year is disappointing, especially given that the government has been much more forthcoming on staging the Business Services Excellence Awards, which were recently held at the National Disability Services Employment Conference.

Thirdly, the government needs to ensure its own departments improve on their record of employing people with disabilities. The Australian on Monday reported that a Rudd government agency had written to the Disability Discrimination Commissioner, Graeme Innes, to ask for a clause to prevent disabled people applying for hundreds of jobs on health and safety grounds. Mr Innes said:

… the public sector’s efforts to employ the disabled had been “pathetic” … the agency’s conduct would embarrass the Minister for Employ-
ment Participation, Brendan O’Connor, and the parliamentary secretary for disabilities, Bill Shorten …

At the moment, 80 per cent of people with a disability who are employed work in the private sector. Government departments must do better.

I would like to draw the attention of the House to how difficult it is for the disabled and their families to make the decision to start their own business. Whilst the disabled and their families are eligible to apply to the New Enterprise Incentive Scheme for assistance in setting up their own businesses, they immediately must forfeit all special pensions they receive. This raises the risk threshold and denies many disabled people the empowering opportunity of starting their own businesses.

In summary, I urge the member for Maribyrnong and the Labor Party to focus on the following points. Firstly, the Labor government needs to commit to the future of Local Community Partnerships. Secondly, the government needs to be more focused and work more quickly to release the National Mental Health and Disability Employment Strategy to ensure Australians have a fair idea of what is planned for them. Thirdly, the government needs to ensure that the public sector vastly improve their record of employing people with disabilities. Finally, the government should provide support and encourage those applying to the New Enterprise Incentive Scheme by not taking their pensions away immediately. It is vital that we keep building employment opportunities for the disabled and that both sides of parliament accept this challenge.

Mrs Linda Lavarch

Mr SULLIVAN (Longman) (4.54 pm)—On Monday evening, the member for Dickson made some very generous comments in this chamber in relation to Linda Lavarch, the state member for Kurwongbah in his electorate who has announced that she is retiring at the next state election. I had the privilege of serving in the Queensland parliament with Linda, and my wife and I have known her and her husband, Michael, for nearly a quarter of a century. Michael, of course, served in this place and, as I understand it, he once occupied the very seat that I now occupy in the chamber—which we think is very serendipitous. Linda and Michael, of course, completed a rare double in the fact that Linda served in the state of Queensland as Attorney-General and Michael served in the federal sphere as Attorney-General.

As the member for Dickson indicated, Mrs Lavarch has been an exemplary member of parliament, a very hardworking local member, an effective backbencher and an effective Attorney-General in the Queensland government. I should add that Linda entered the Queensland parliament much earlier than she might otherwise have wanted to do as she had two small children at the time. She entered because the previous member, Margaret Woodgate, had retired on medical grounds. Female members of parliaments throughout the country who are struggling with this job and raising young families I am sure would understand exactly the situation that she was in.

However, I found that the comments of the member for Dickson were a little disingenuous in that he went on to dump on a person who may or may not become the candidate to replace Linda Lavarch in the new seat in that area of Pine Rivers. The decision on Labor’s candidate in that election will be made when nominations for preselection are closed and the members of the party are able to select a candidate—and that is yet a week or so away. As with all parties, there is likely to be some argy-bargy as people shuffle for position. This member’s participation in
what is an internal Labor Party matter does him no credit.

The member for Dickson’s first speech in this place made reference to his own pride at winning his own preselection and he understands exactly what the preselection process means to a person interested in a political career. But he also needs to be reminded of the old adage, the one that says, ‘People in glasshouses shouldn’t throw stones.’ As the Liberal candidate for Dickson in 2001, Peter Dutton had tenuous links at best with the electorate of Dickson. Sure, he lived nearby as a child and went to school at Bald Hills as a teenager, but his claims to strong links with the area go to weekends spent on his grandparents and uncle’s farm. How does he reconcile that with his expressed view that all that is good about a local member includes coming from the local area? How does he reconcile that view with the fact that his political hide in 2007 was saved by voters from the Brisbane Valley who were added to his electorate as a consequence of the last redistribution and with whom he had no prior connection? By his own expressed standards, does he acknowledge that in respect of those constituents he falls short of being a good local representative?

Carolyn Male may or may not emerge from this process as Labor’s candidate in Pine Rivers. Her own childhood and teenage years were spent no further from Pine Rivers than Mr Dutton’s. But if she does emerge as the candidate, the electors of that electorate will have the opportunity to select a representative with a wealth of experience after nine years of parliamentary service. When criticising an MP for changing seats, as the member for Dickson did, he should also bear in mind his earlier attempts to enter the Queensland parliament in a seat much further removed from the seat he now holds than Carolyn Male’s current seat is from Pine Rivers. The difference is that on the member for Dickson’s first attempt to enter parliament, he simply was not good enough. On his next attempt to hold his seat, I am sure we will find out that he simply will not be good enough again, and that Fiona McNa- mara will prevail in 2010 or 2011 when we have the next federal election.

**House adjourned at 5.00 pm**
The DEPUTY SPEAKER (Ms AE Burke) took the chair at 9.30 am.

CONSTITUENCY STATEMENTS

Fisher Electorate: Environment

Mr SLIPPER (Fisher) (9.30 am)—All of us in this parliament and indeed all of us around the country believe that we have to do more for our environment, both in Australia and on a worldwide basis, to make sure that the environment is in good order for future generations of Australians and future generations of people in other parts of the world. Therefore, both sides of politics support actions to restrict emissions. There is, of course, some point of difference between the various sides of politics over just how this scheme should be started, how it should be designed and when it should come in, but I would like to draw the attention of the Main Committee to a media statement by a former ACT Chief Minister, Kate Carnell AO, who is Chief Executive of the Australian Food and Grocery Council. The council urged the Australian government, in a media statement dated 15 September, to implement a Carbon Pollution Reduction Scheme which ensures that Australia’s food and grocery manufacturing sector’s international competitiveness is maintained.

In that media release it was pointed out that any emissions trading scheme that does not include international emitters represents a real threat to the packaged food and grocery industry. She pointed out that the sector has annual sales and service income in excess of $70 billion and employs more than 200,000 people, many of whom are based in rural and regional Australia, while the processed food sector sources more than 90 per cent of its ingredients from Australian agriculture. The media statement pointed out:

… in the absence of a global agreement the grocery group supports a carbon import levy, which would allow Australian industry to compete with imports from countries that do not have a carbon trading scheme or tax.

The view of the council is that, alternatively:

… a $5 to $10 a tonne price on carbon would allow the sector to maintain its competitiveness while reducing its carbon emissions.

It really is important that we do our bit for the world environment but we ought to do so in a way that does not gut Australian agriculture. Of course, the products of Australian agriculture being sold here in Australia are competing, in some cases, with products imported from overseas which would not have the same impediment imposed on them as the government’s policy would seek to do. I think it is important to reconsider this, just to make sure that our own industry is protected in this area. (Time expired)

Sydney Electorate: Indigenous Employment

Ms PLIBERSEK (Sydney—Minister for Housing and Minister for the Status of Women) (9.34 am)—The Rudd Labor government has made a commitment to enhancing the lives of Indigenous Australians. We have a closing-the-gap strategy. This commitment began with an apology to the stolen generations on 13 February 2008. Of course, part of the solution in eliminating Indigenous disadvantage is increasing access to long-term, sustainable and fulfilling employment and training. Today I want to highlight some of the services in my electorate that are dedicated to improving employment prospects for Indigenous Australians.
First is the Aboriginal Employment Service, which is based in Glebe but provides services across New South Wales, expanding into Queensland, the Northern Territory and Western Australia. This is a not-for-profit organisation that specialises in placing and mentoring Aboriginal people into employment. It is an excellent vehicle for corporate Australia—the business community—to partner with an Indigenous employment service. It can include local businesses, huge companies and small businesses and help them engage with the Aboriginal people in their areas and offer jobs to them. In my electorate some of the partnerships include partnerships with government departments, major banks and others.

There is also Yarn’n, which is based in Redfern. It has developed the ‘Feel Good Lookn Deadly’ pre-employment training program for Aboriginal single mums and is working with its first groups of single mums. The Yaama Dhiyaan training centre is a fantastic hospitality training centre established with the Redfern-Waterloo Authority. It has a commercial cafe and function centre. The Les Tobler Construction Training Centre works with the CFMEU and construction companies to place and support apprentices and trainees. Both the Yaama Dhiyaan training centre and the Les Tobler Construction Training Centre provide recognised training qualifications in a supportive environment, ensuring trade experience and mentoring. Each of these fantastic organisations works to recognise the endless potential of Indigenous Australians to develop and increase their employment and career options and fulfil their life goals.

All of these organisations have Aboriginal people mentoring and training other Aboriginal people, and each of the organisations has recognised that some of their clients and students face particular issues with self-confidence, with intergenerational and employment issues, with limited education and, potentially, with addictions. Many Job Ready courses and Job Network approaches have not worked with this client group, and these organisations have. Organisations like these have succeeded because of the fantastic work of people like Norma Ingram from Yarn’n, Rohan Tobler from the Les Tobler centre, Aunty Beryl Van-Oploo and Mathew Cribb from Yaama Dhiyaan and Danny Lester from the AES, because they are training and mentoring Aboriginal people in partnership with business, and that is the way forward to make sure that we benefit from the skills and diversity of our entire community.

Swan Electorate: Manning Primary School

Mr Troy Cook

David Wirrpanda Foundation

Mr IRONS (Swan) (9.36 am)—Last Friday I had the pleasure of presenting an Australian flag to the Manning Primary School at their weekly assembly in my electorate of Swan. I also took an Aboriginal flag to present to the school and was fortunate to run into Troy Cook. Troy is the captain of the Perth Football Club in the Western Australian Football League and also played with the Dockers and the Sydney Swans in the AFL. Troy has been an inspirational Indigenous Australian Rules football player and a great role model and mentor for other Indigenous boys in Western Australia. I am proud to serve on the board of the Perth Football Club as the director for junior development, and the club is proud to have a young man like Troy as its captain.

I took the opportunity to ask Troy if he could present the Aboriginal flag to the school captains, James Fiori and Caelie Jones. Troy did that for me, but he was also there to pick up a
cheque for the David Wirrpanda Foundation as their representative. The David Wirrpanda Foundation was founded out of a mutual desire to assist and develop young people through education, promoting healthy lifestyles and building self-esteem. It was fantastic that the school had raised money for the foundation.

The assembly was a fitting tribute to Martin Luther King’s ‘I have a dream’ speech on the 45th anniversary of its delivery. I was extremely impressed to hear some of the students’ own versions of this famous speech. The whole presentation was very professional, and the children of Manning Primary should be very proud of their effort. The dreams they spoke about were family- and community-minded, with a touch of global concern for peace in our world.

Manning Primary School is located in the city of South Perth in an area considered to be inner metropolitan and established residential. There are 237 preprimary to year 7 children enrolled in 2008. Approximately 10 per cent are of Aboriginal heritage, while 16 per cent are from linguistically and culturally diverse backgrounds. The ethnic backgrounds of the students include Chinese, Japanese, Thai, Cambodian, Indian, Sri Lankan, African, Korean, Indonesian, Serbian, Colombian, Russian and Arabian. The school was founded in 1936 and successive principals have overseen ambitious building projects, leaving some impressive architecture on the 6.4-hectare site, the largest school site in WA.

Unfortunately, the good work of the Manning Primary School under the expert guidance of Principal Robert Searle is under threat. Sadly for a school of such stature, the school’s facilities have been allowed to deteriorate through insufficient state government funding. The Rudd government should be supporting schools and our children by providing the funding they desperately need. The Investing in Our Schools Program of the Howard government was scrapped, a program which was used to direct much needed funds to schools, which is what they really need.

With the new Barnett Liberal government in Western Australia, I am sure we will see funds for school maintenance released to many schools in WA instead of being locked up, as they were by the Carpenter government, for election slush funding. The new Labor opposition leader, Mr Eric Ripper, should be ashamed of his time as the Treasurer who presided over such a deterioration in schools and state assets.

I thoroughly enjoyed the warm hospitality of the staff and children at Manning Primary School. I was also pleased to hear that Jay Gillich had won a golf scholarship to Como Secondary College for next year. (Time expired)

Kingston Electorate: Feet on the Street

Ms RISHWORTH (Kingston) (9.39 am)—I rise today to bring to the House’s attention the great work that is done by the Southern Junction Community Services group and particularly their current fundraising activity, Feet on the Street. Feet on the Street is a group of local residents getting together to raise money to help disadvantaged families in the southern suburbs. In fact, a wide range of different people are getting their feet on the street to raise money for this group of people. This includes Flinders University, Westpac, ATEC, Brooks, Fairmont Homes, and Savings and Loans. Everyone will be participating as a team in the City to Bay fun run. I shall also be participating that day. Although I will not be doing the complete 12 kilometres—it will be more like six kilometres—I will certainly be putting my feet on the street to help this disadvantaged group.
Southern Junction Community Service does a great job in the local community, particularly in raising money for young families in my electorate of Kingston. The money that will be raised as part of Feet on the Street will be used for parent effectiveness training programs, professional counselling and support groups, family home visiting programs and Christmas hampers for disadvantaged families. These are vital, basic services that are needed in my electorate and I am very pleased that I can lend a small amount of support, as with many other people in the community.

Southern Junction is a non-profit organisation that works collaboratively with community groups and organisations as well as existing government agencies. They offer not just the services that I previously mentioned but also a wide range of support networks and housing options in the southern suburbs. They do a lot with young homeless people not only to help them find homes—bricks and mortar—but also to make sure that, in the long term, when they are set up in a home, they have the support as well. This is something that the Rudd Labor government has been acutely aware of, and our first commissioned white paper was on homelessness. We do know that there are many young homeless people around the country. In fact, 10,000 of these are children under the age of 12. This is a serious issue that we must turn our attention to. I do know that the Southern Junction Community Services group does pay a lot of attention to that. I held a homelessness forum in my electorate of Kingston recently and it was very well attended. What occurred was a really open discussion with all of the different groups within my electorate about what we can do to address the problem. I must admit that there has been a positive attitude towards things that we can do rather than things we cannot do.

Kalgoorlie Electorate: Ord Stage 2

Mr HAASE (Kalgoorlie) (9.42 am)—I rise to bring the House’s attention to the fact that last week I, along with 10 colleagues, visited, among other places, the Kununurra region of Western Australia. I made them aware of the wonderful resources there of both arable land and Lake Argyle water. There is no reason why Ord stage 2 should not go ahead. We have for too many years under the previous Western Australian government regime neglected Ord stage 2. With the drying of the Murray-Darling system we need to have an alternative area for irrigated agriculture in Australia. We have the potential in Kununurra to feed Australia. We have the potential in Kununurra to contribute to a solution to the world food crisis and the shortage of food. We are being told internationally how food prices are increasing because there is insufficient input of grains and staples into the market because of the production of biofuels et cetera. In the Kununurra region, and across the border into the Northern Territory, there is country there that could solve these problems, but it was ignored in the past because of various aspects within the Western Australian government. I trust that is going to change. It may need some assistance from the federal government, but the first hurdle to overcome is for federal members and senators to be aware that the solution lies in the Kununurra area, where there is both the expertise, the area and the resources to do the job.

We have been trialling GM cotton, for instance, in the region for some 10 years now, even though the Western Australian government has put a moratorium on the use of GM plants et cetera. That moratorium will now be lifted and we will have the potential, at least, to get on with the job of developing the Ord area. We will now be able to engage corporate agriculture because this hurdle will be removed. We need to do more but, more importantly, the federal
government needs to contemplate having an involvement. The Snowy Mountains scheme and the construction of Ord stage 1 were two very significant engineering feats carried out in this country with federal funds. We need to create a further stage, a further national icon in Ord stage 2 that will see solutions to the drying of the Murray-Darling region. The area is there, the water resource is there and the skill is there. We need to embrace this situation by developing an attitude whereby the federal government will contribute some funding towards national icons for the benefit of all Australians into the future.

Bass Electorate: RSPCA

Ms CAMPBELL (Bass) (9.45 am)—There are many worthy and extraordinary organisations across my electorate in Northern Tasmania, but I would like today to pay tribute to the caring, tireless and often distressing work of the RSPCA. Sadly, it seems, we are seeing an increase in the number of animal cruelty cases. I had the privilege during the winter recess of spending a day with the society’s inspectorate. It was a day about which I have often reflected. What I saw has stayed with me and made me appreciate more the role that the inspectors play in protecting animals. Much is made of the link between cruelty to animals perpetrated by children and violence towards people later in life. The role which the RSPCA plays in educating children from an early age to respect animals is absolutely vital work.

Heading the RSPCA in Tasmania is a remarkable man, Greg Treddinick. His story says much about the kind of people who dedicate their lives to caring for animals. I would like to congratulate him on his appointment as the society’s chief executive officer. It is due recognition of more than a decade of commitment to animals in Tasmania and to the RSPCA itself. Greg Treddinick joined the RSPCA as a volunteer, initially in Hobart and then in Launceston. In the days when each shelter was primarily run by the committee, he became president of the Launceston branch management committee. Outside the RSPCA he pursued his passion for animals, in particular in dog training and their behaviour. He eventually worked in animal management for the West Tamar Council.

In 2007 his role with the RSPCA changed from volunteer to chief inspector, and it was from this position that he applied for and was successful in becoming the society’s CEO. Animals across Tasmania have been and will continue to be well served by this caring, gentle and highly professional man. As Greg Treddinick demonstrated when he first joined the RSPCA, volunteers are vital to the protection of animals. I would like to pay tribute to all the volunteers who dedicate their time to hundreds of organisations across my electorate of Bass and, indeed, across the country. Communities simply cannot function without them.

One man who has given more than 10 years to the RSPCA is Hans Hermans. His initial experience with the society was a baptism of fire, involving a number of cruelly mistreated dogs. The memory of those rescued animals continues to inspire Mr Hermans. He has become a truly valued and indispensable member of the RSPCA’s dedicated team, providing many dogs with all the care, love and attention that he can.

He spends endless hours fundraising and working with volunteers, so it is fitting that he has been nominated for a Pride of Australia medal in the True Blue category. My time with the society, whilst it was very confronting, was insightful in the extreme and it has filled me with the greatest of admiration for the work of the RSPCA.
Dr JENSEN (Tangney) (9.48 am)—Today I wish to raise a matter of importance about a very special group of people: those in our society who are sufferers of cystic fibrosis. This issue is very close to my heart as two second cousins were stricken with this debilitating disease. They both lived to a decent age for people suffering this disease. Stephen lived into his 30s and Peter lived to 40—relatively short, painful lives. I can clearly remember when I was young how horrible it was to watch them struggling to breathe and constantly coughing in obvious pain. I have a constituent who is also a sufferer of this terrible condition. He is currently waiting for a lung transplant. He has been unable to work for the past four months and he relies on his wife’s income. He has informed me that, due to the fact that his wife is working and they are relying on her income, he is not eligible for a disability pension; therefore he does not qualify for a health care card, nor is he entitled to subsidised medication.

The cost of his medication, as you can imagine, is high and the amount spent before any subsidisation applies increases regularly. He requires oxygen 24 hours a day. This results in increased power bills. There is a scheme available by which he could claim $200 a year for a power rebate, but because he is not eligible for the health care card he cannot claim financial relief either.

I would ask that the government consider the dire circumstances this family find themselves in—a family who has always tried to be as self-reliant as possible. Through this family’s own efforts they are not indigent, but they are being punished for their responsible attitude by having to shoulder a heavy financial burden because this man is suffering from this debilitating and often terminal disease. In fact, he is worried—worried that he may not live long enough to see changes which could improve his family’s life.

I would encourage the government to look into this situation as a matter of urgency, as I am sure that there must be other similarly affected families across the country, and to make the necessary changes so that hardworking Australians are not made to suffer for their conscientious lifestyles in times of obvious need.

Northern Territory Police

Mr HALE (Solomon) (9.51 am)—I rise today to put on record my disappointment at comments made in the House of Representatives chamber on 2 September with regard to the performance of the Northern Territory police force. While not wanting to get into a debate over the statements made, I do, however, as a Territorian, feel compelled to make a comment on them. I also wish to support the comments made by the federal Minister for Families, Housing, Community Services and Indigenous Affairs when she said:

On the issue of policing in the Northern Territory, I think it is an extraordinary statement on the part of the member for Warringah.

She went on to say:

The police in the Northern Territory do an extraordinary job in very difficult circumstances and, of course, have access to communities.

I wish to put on record my absolute support for the Northern Territory police force. The Northern Territory police force have a proud history, a history which has been forged in the most extreme of weather conditions, in unimaginable isolation and in the unequalled variety of duties they are required to perform. Like police across the entire country, they are faced
with personal danger on every shift. In the Northern Territory, whether they are stationed in major centres or in remote communities, these dangers are real. I have many friends in the Northern Territory police force. Some of them have been and continue to be stationed in communities, and I can assure people that they are diligent, hardworking and fully committed to the job they have taken on.

I support the comments made by Mr Vince Kelly, the President of the Northern Territory Police Association:

If Mr Abbott was honest it has been complete under-resourcing of NT Police for over thirty years by successive Territory and Federal governments that has restricted our ability to enforce the law.

The Northern Territory police force is apolitical. I know that Mr Kelly does not want the Northern Territory police force to be a political football during this debate. All levels of government on both sides of politics have to continue to support police forces across the country so that they are able to keep our population safe. The challenges they are currently facing are no different from challenges faced by many professions—the challenges of recruitment and retention.

The police in all communities of the Territory are involved in far more than just policing the law. Many of them take on extra activities such as coaching sporting teams, coordinating blue light discos and taking groups out fishing and camping. They are part of the community. They are a very important part of all communities and they need to be supported and respected for the role they play.

I know the police force are not immune from being held accountable. They are not exempt from being criticised. However, on this occasion, they have been attacked in the most inappropriate manner. I applaud the commitment of police officers in Australia and I encourage all members to be constructive in their dealings with this very underappreciated but essential public service sector group.

New South Wales Local Government Elections

Mr COULTON (Parkes) (9.54 am)—I rise today to speak about the recent local government elections that were held in New South Wales, including across my electorate. I believe that local government is the form of government that is actually closest to the people. I would like to congratulate the many people who put their hands up for the council elections and those who were successful. I have 10 councils in my electorate, many of which have new faces. There will be two or three new mayors in that area.

I would like to remind those people who have taken on a role in local government that it is a role of great responsibility. You can influence the welfare and the direction of your town in a very real way. The role of a local government councillor is not one of a critic of council staff; it is certainly not one to bring every little problem in the area to a council meeting. It is one to show direction, to generate policy and to give the community a sense of purpose. Indeed, one of the great privileges of my life before coming to this place was to be elected Mayor of Gwydir Shire Council. That council covers an area of 10,000 square kilometres, with 6,000 people in six towns and villages. It was my time with local government that encouraged me to seek preselection to come to this place.

You can make a difference. The people of Gwydir shire, including the staff of Gwydir Shire Council, certainly taught me a lot about public life and how, when everyone is motivated,
working for a common cause and doing things for the best interests of the community, great things can happen. Indeed, I take only a small piece of responsibility for the fact that, a year after the formation of the Gwydir Shire Council, of which I was mayor, we were awarded the Bluet Award for the most successful council in New South Wales.

I would encourage all those new councillors in my electorate to take their jobs seriously and I wish them all well in their future endeavours.

Mr Frank Bartley Walker

Ms Hall (Shortland) (9.56 am)—On 24 August, Australia lost a truly great Australian: Frank Bartley Walker. He was a man of exceptional principle, intellect, humanity and passion. He was a man who was a great human being. On Monday night in this parliament, we discussed a private member’s motion on the subject of awarding Teddy Sheehan the Victoria Cross. Frank Walker had been a champion for that, and the last time I spoke to Frank he said, ‘Make sure you get in there and fight for Teddy Sheehan to get the Victoria Cross.’ In fact, I had seen him at a meeting of veterans only the Friday before he left us. He was 89 years old when he died, and he was as sprightly as a 60- or 70-year-old. He was born in Hay. He went to Newington College and then to the University of Sydney. He was employed by the Sydney Morning Herald and he joined the Navy at the commencement of the Second World War. He served on corvettes, and they became a passion of his.

While Frank was in the Navy he wrote two books, and at the conclusion of the war he returned to the Herald. He was sent to New York to work for Australian Associated Press, and the high point of his term in the US was in 1948 when he was the only person who predicted that Harry Truman would win the election. He also rode on the rise of McCarthyism, and his candid dispatches earned him the wrath of the United States government. Instead of deporting him, they withdrew his wife’s visa. He was a man who always championed a cause. After working with the Herald he worked for the Australian government in Immigration. Then he joined the diplomatic service, and he devoted his retirement to achieving recognition for Australian sailors who acted bravely. He was a truly great Australian. Frank had requested that a message be read at his funeral. I will read part of it:

During the war I had the honour of serving with shipmates who represented the finest breed of men our country has ever produced. I have a host of loyal friends whose companionship and support I cherished. For me it has been sunshine all the way, with very few rough patches. I would like this to be an occasion not for sadness, but for rejoicing that you knew a man who had a long, fascinating and satisfying life and lived it to the full.

The Deputy Speaker (Ms AE Burke)—Order! In accordance with standing order 193 the time for constituency statements has concluded.

AUSLINK (NATIONAL LAND TRANSPORT) AMENDMENT BILL 2008

Second Reading

Debate resumed from 17 September, on motion by Mr Albanese:

That this bill be now read a second time.

Mr Price (Chifley) (10.00 am)—I would like to note the contribution of the member for Parkes and say that perhaps he is a little more fortunate than me in that today we are counting Blacktown City Council votes. I have a great deal of interest in the outcome there. I also share his acknowledgement of the good role that local councils serve in our community. I am a little
intimidated, Madam Deputy Speaker, that the honourable member for New England is to follow me. He has drawn to my attention my significant failures as Chief Government Whip, having pointed out that, since the last election, the number of Independents has increased by 50 per cent and my poor efforts do not match that at all.

The bill before us, the AusLink (National Land Transport) Amendment Bill 2008, is an important bill. It is aimed at streamlining the current system and increasing the heavy vehicle industry’s accountability so that they pay their share of infrastructure costs incurred by governments for building and maintaining roads they drive on. AusLink is the government’s national land transport program. It provides funding for national projects, strategic regional projects and black spot projects, along with Roads to Recovery research and technology projects.

In my electorate, Blacktown City Council this year has received some $16 million directly from the federal Labor government. More than $3 million of that is for roads, the rest being financial assistance grants which are completely untied. I think it is fair to say that the government see local government as an important player and one through which we are able as a federal government to deliver more and better services.

The heavy vehicle safety and productivity package will provide local infrastructure needed by truck drivers, remove red tape and restructure the process of providing funding, not only for roads but also for other necessary facilities. The amendment bill will allow the government to provide funding of just under $70 million for the heavy vehicle safety and productivity package announced in the budget. It will provide rest areas on key interstate routes, decoupling areas, heavy vehicle parking and facilities in outer urban and regional centres, new technology in vehicle electronic systems and vehicle capacity enhancements to allow access by high-productivity vehicles to more of the road network.

Land transport remains very important not only for capital cities like Sydney and areas like Western Sydney—which has an economy larger than that of Singapore and is a warehousing hub for Sydney—but also for rural and regional areas. It is the principal means of transporting goods, and we do need to look at further improvements. I also think we need to be more mindful of what we are asking of the drivers of semitrailers and B-doubles. We need to look to their welfare and safety and the safe delivery of the cargo.

There is a proposed increased charge to fund some of these facilities. It was a unanimous decision by the federal, state and territory ministers to increase the heavy duty vehicle charge. It was actually a policy of the former government—that is, the coalition government—but what a change going from government to opposition has made! They are now opposed to it; they are now blocking it in the Senate. We have got a new Leader of the Opposition, the honourable member for Wentworth, and of the measures that were contained in the first federal Labor budget that Opposition Leader Nelson said he would be opposing, something like $20 billion worth, the new Leader of the Opposition has said, ‘Yes, I support those measures.’

Whilst I do not wish to stray too far from the bill, it is interesting that the member for Wentworth says, ‘We are in the middle of a very serious financial crisis in New York, a crisis of financial institutions.’ Here in Australia we are blessed, I think, with a very strong financial system and an appropriate regulatory authority, but just because we have that we should not be abandoning good economic management. We should not be saying, ‘Well, yes, the Labor government has provided a surplus, but it’s there to be raided at will,’ or announcing promises like a reduction in the excise on petrol of 5c or 10c a litre—depending on which opposition
person you wish to quote—and have that completely unfunded. That is irresponsible. I would like to be able to reduce petrol prices. The truth is, of course, that the prices are dominated by the world market for petrol. If Australia does have a problem in that regard, it is the fact that our own reserves are dwindling and have dwindled quite considerably, and if we continue to import petrol, as we do, then we are going to have a serious charge on the current account balance.

That is why I know I share the concern of the Independent members of this House that we need to diversify our petroleum supplies: the more that we can be self-sufficient or aim towards some form of self-sufficiency, the better. In particular, we have opportunities in terms of biofuels, and I am repeatedly on the record in this place as favouring ethanol, not as the only solution to the problem but as part of a suite of solutions—and we need to take them up.

The extra funding that is being provided in this bill is contingent on passage of legislation in the Senate. You cannot say here as a parliament, in a bipartisan way, ‘Yes, we’re in favour of all these facilities that should be provided and should have been provided in the past for the heavy vehicle sector in our economy,’ and then say, ‘But we are not going to allow what was an agreed charge and a policy of the former government.’ I think that it is just utterly irresponsible. I am really quite staggered that the new Leader of the Opposition, the member for Wentworth, is still taking this approach.

If there was ever a time for us to be a little cautious, given the world markets, it is now. If there was ever a time to husband a surplus and try, as best we can, to insulate Australia from the strains of the overseas financial meltdown, now is the time. Is that what the Leader of the Opposition is doing? Regrettably, no. Perhaps he will have an opportunity to revisit these issues once he announces a major reshuffle, promotion and sacking on his front bench. I sincerely hope that he does. I value this program and I value its contribution to my electorate.

I will finish on a note about the M7. It is silly, I suppose, for a member to report on his failures, but I was always very disappointed that the former government did not see the utility of the M7 and provide greater funding for it. It was only a very modest amount of funding that was agreed between the federal coalition government and the state Labor government. As a consequence, the M7, which was always the major infrastructure program in Australia with the best cost-benefit return, in the end has a levy of $7 if you traverse its length.

In Western Sydney, probably as a result of this decision, we have more tolls, I suspect, than any other area in Australia. We have the M4—and, yes, there is a cash-back but not everyone claims it. We have the M7, which arguably is very worth while—and I must say that I use it frequently—but costs $7. Then there is the M2, which is also an excellent tollway. It amuses me that, when people in the inner city get a tollway—for example, the Cross City Tunnel, which I think is a great piece of engineering and saves heaps of time—they whinge like stuck pigs about paying what is a much lower toll than those in Western Sydney.

We do need infrastructure. Having established Infrastructure Australia and our $20 billion fund for it, perhaps we will not have to repeat the experience of the M7 tollway in Western Sydney. A federal Labor government will be able not only to have more of these projects built, as public-private partnerships, but also to actually put more money into them so that we do not have to have tolls that are so high.
Mr WINDSOR (New England) (10.12 am)—I was pleased to listen to the member for Chifley and particularly his earlier pronouncements on the significant change in the balance of the parliament in recent days. I think that the 50 per cent increase in Independent representation is one of the most significant changes that have occurred. It is quite possibly the most significant change in politics this week!

It is with pleasure that I speak to the AusLink (National Land Transport) Amendment Bill 2008. Transportation is obviously a very important issue. It is very important particularly—and I note that the member for Chifley said this—to people in regional areas. The equity issues of funding are obviously issues that raise their heads quite often in this place.

I am also pleased to see the member for Page in the chamber, because there are a number of common transportation issues that affect our borders. I was going to mention this a little later, but I will do it now. One of the transportation issues that we would like looked at in the New England electorate and, I am sure, in Page as well—and also in the southern Queensland federal seats—is the interconnecting road from Legume to Woodenbong. A lot of people will not know where those places are. Legume is in the electorate of New England; it is just south of the Queensland border. Legume and Warwick are on the edge of the Darling Downs. There are large transport movements through to the North Coast—Lismore, Casino, those areas. The Legume to Woodenbong road is currently considered a local road. It is obviously in need of major repair, and it is completely unaffordable for the local council, which happens to be a council of New England, the Tenterfield Shire Council.

I, along with the member for Page and others from the Darling Downs, South-East Queensland and northern New South Wales areas, had a series of meetings with the Downs to Rivers Action Committee. They have been meeting for many years. Some funding has been coming through to them to alleviate some of the very bad spots on that particular road. I think they attracted some funds under the former government’s ‘roads of regional significance’ program. Under the new government, roads like that really need to be looked at because the benefit flows not just to the ratepayer or the council area through which the road goes. An obvious linkage benefit and economic benefit could be accrued to South-East Queensland, New England and the North Coast. I know the member for Page has been very active on that issue as well. We have attended a couple of meetings together on that issue.

Whilst I am talking about a wish list I will raise a couple of other issues relating to the electorate of New England. As most people would be aware, a lot of the freight movements—in fact, 50 per cent—in eastern Australia originate from the Hunter Valley or the north-west of New South Wales. There are 220 million tonnes of identified freight that move somewhere on the east coast—Victoria, New South Wales, Queensland. Half of it is in that corridor.

I think people are well aware of the development of the coal industry north of the Liverpool Range, which is adjacent to the Hunter Valley, where there have been massive coal deposits. A third coal loader is currently being built at the Newcastle port, which will make it the biggest coal port in the world. Once the third loader is put in place, obvious bottlenecks are going to accrue at some of the passing loops in the Hunter and the north-west. Another issue is the capacity to get large trains over the Murrurundi range or the Liverpool Range. There is a tunnel, which is highly inadequate. They use what are called bank engines to try to push trains and help them over the range. They have recently been able to increase the size of the trains from I think 42 wagons to 72 to alleviate a particular problem.
If Minister Albanese were serious about doing something about major bottlenecks, major pieces of infrastructure, where the economy would benefit, this is a classic example, where, for some hundreds of millions of dollars—probably $200 to $300 million—this bottleneck at the Murrurundi range could be alleviated. The size of trains could again be doubled and the capacity to have an impact on the cost of freight and to export coal could really open up. That is a real priority, not only for my seat, because it would impact on the seats of Parkes and New England, the various Hunter Valley seats and the member for Shortland’s community of Newcastle. There are a whole range of flow-on effects. Most importantly—and it is not only about coal but about grain and other exports as well—it would have a significant flow-on effect to the economy of Australia.

We have the AusLink document, which is the blueprint for the future, and we have Infrastructure Australia currently looking at priorities. If we are going to be serious about the future, we have to really look at these particular areas. In some cases, that might damage the politics of the day, but under the previous administration we saw far too many cases where infrastructure was targeted not based on priority but based on location—on the politics of particular seats. To be fair, I would have to say that I am smelling a similar brew with the new government, particularly with some of the talk, in our chamber at least, about the money that needs to be spent in Sydney and how the previous administration ignored Sydney, so they say, in relation to some infrastructure needs.

I would argue that there are significant infrastructure needs in Sydney, particularly in terms of rail and some in terms of ports. But this constant devotion to more freeways in Sydney—and I know some of those are pay as you go, but there is a lot of government money going into those projects as well—this devotion to clogging up those arteries and then building new arteries, will never solve the problem. There are solutions out there, and I think the government has got to start looking at some of those solutions rather than responding with the knee-jerk reaction when people start whingeing to their local members about getting stuck in traffic jams: they build another freeway to stop them whingeing for five minutes, and then they crank up again. They will always do that. Given this carbon-conscious economy that we are supposedly living in now, particularly given the health impacts of what is happening in Sydney with the geography of the Blue Mountains et cetera, continually promoting the use of the family car to drive to a central point—doing what we are doing now—and then pouring more money into that sort of system is, I think, very short-sighted at the very least.

There are other areas that I would like to raise in relation to this piece of legislation. I mentioned the Legume to Woodenbong road that the member for Page has been involved in. The New England Highway traverses about seven electorates, I think, but a significant part of it is in the electorate of New England. There is one section of that road, only about 1.8 kilometres, that is highly dangerous—probably the most dangerous section left on the road. There has been quite a lot of money spent over the years on fixing up the really bad spots on it. We would all like more money spent on roads. I would like more money spent on those key priority areas where there are real dangers. As some members of the chamber would know, the Bolivia Hill, south of Tenterfield, is a highly dangerous area—there was a death there a few years ago. It is narrow and it would involve a major reconstruction. But I would place on notice again for Minister Albanese that that section of road is possibly the worst of the New England Highway between Sydney and Brisbane, the worst piece of road that is left. It is a
short piece, 1.8 kilometres, to fix, and there will be deaths on that section of the road otherwise. There have been in the past and there will be again.

There is a farcical situation that develops in this place where the New South Wales Roads and Traffic Authority claims to have ownership of all the money and all of the decision-making processes and then, when something is built, the minister and the Commonwealth claim the accolades for having supplied the money to have it built. This tennis match of who makes the decision about prioritising major upgrades of our roads, which is quite handy for the political players, has to stop as well. I implore the minister to go and have a look at this piece of road south of Tenterfield on the New England Highway, the Bolivia Hill. It is very, very dangerous indeed. Even at low speeds it is quite dangerous, particularly with heavy transport using that road.

The other area—and I have spoken to the minister privately about this particular issue—is the need for a bypass around Tenterfield. Tenterfield is probably one of the most beautiful little towns in my electorate, with some magnificent buildings, but it does have a very narrow main street. There is a slope coming in one side and a slope coming in the other. They have tried to slow the traffic flow and do a whole range of things. Because of the narrowness of the street and the location of the shopping precinct et cetera, B-doubles and other heavy transport should not be going down that street. So I have asked the minister for some funding to go into a feasibility study to design a bypass for the future. That will have to happen. Again, I would not be doing my duty in this place if I did not raise that, because it is a deathtrap waiting to happen. There have been people killed there and there will be again. It is something that we really need to start looking at.

There are many other areas in the electorate that I could mention, but I believe money in any area should be spent on priorities. If that has a negative impact in terms of my electorate, I am not happy but I will go along with it if there are more important areas to spend the money on and some logical basis to that. They are the priorities in my view. Others in the electorate will say, ‘Why didn’t you mention such and such?’ They are the priorities that I see in my electorate at the moment.

Another issue that I would raise is AusLink. The reason for AusLink is to develop transport policy for the future. It seems to me that most of that future is predicated on the assumption that the sorts of transport movements that we have had in the past will be the sorts of transport movements we will have in the future. That might be all very well, but the other player—the elephant in the room in all of this—is this so-called climate change, carbon emissions, global-warming debate and what that means for the future of transportation. Will we be part of the same sorts of global transportation systems that we have had in the past?

I will raise an example, which one or two people in this room might have heard before. It is something that we do in this country that involves a lot of those transport movements. One of the things we do as a global player is grow wheat. We grow more wheat than we can eat, so we send it overseas and exchange it with whoever we can. Occasionally we have to offer some money to an Arab or something to try and sell it but we exchange it for currency. Because we do not produce all the energy that we need here, a lot of that money goes into purchasing energy, in the form of oil. If—and the member for Chifley touched on this briefly—we are going to go into a carbon footprint type economy globally, what will that mean in terms of those transportation movements?
Look at that wheat grower, for instance, whom I have referred to as the Walgett wheat grower, who is 500 kilometres from the port. Because of changes in technology, his carbon footprint on the farm has been reduced in the last 20 years, and with those sorts of farming technologies he is actually starting to accumulate carbon in the soil, which could be part of the solution to the carbon problem. But he has a carbon footprint from the farm to his silo; he will have a carbon footprint from his silo to the Port of Newcastle; the ship that takes the grain to Egypt or wherever will have a carbon footprint to the Middle East; and the product that he is carrying, the starch in that grain, will have a carbon footprint of itself. What is all that going to mean not only in terms of the profitability of growing the product, to start with, but in terms of who pays for the carbon movements, and why are those movements occurring in the first place? Is there another way of reducing those transport movements and, if there is, what does that mean in terms of the requirements for AusLink and others to make investments in some of that infrastructure?

I have argued from time to time—as the member for Chifley did a moment ago—that in that context, rather than sending that grain overseas, with all those carbon footprints, and buying oil and sending it back, with all those carbon footprints, to feed a domestic industry with energy, maybe what we should do is look at either converting that grain or changing the land use of that land to the production of cellulosic ethanol, for instance, which would have another positive carbon footprint on the soil. Maybe we should look at using that energy domestically rather than growing something we have too much of to send to someone else to buy something else that we do not have enough of, which is what we do in global trade.

A lot of people would say, ‘You can’t do that; we’ve got to feed the starving millions.’ We have an obligation to feed the starving millions but, as you would realise, Mr Deputy Speaker, to feed the starving millions you have got to be able to feed yourself. The profitability of agriculture starts to come into that context. If all of these carbon footprints are going to become negatives in terms of agriculture, surely we have to look at other aspects of agriculture, and maybe not all of our land should be tied up in producing food. As I said, it might go into producing cellulose, which can be converted into a range of products, including ethanol and biogas produced through anaerobic digestion. Other technologies can play an important role if we are serious about the climate change arrangements.

People will say, ‘But you can’t just walk away from the starving millions.’ I suggest that the government have a very close look at Africa, for instance and what we are not doing there to encourage food production. The country of Sudan, for instance, has 100 million acres of Walgett-style country. It is a similar environment with beautiful soil, but they are starving. Australia produces, in a good season, seven per cent of the world’s total grain production, I think. Sudan could produce 10 per cent. In that context, I suggest that we need to review what we are doing, why we are doing it and what this means in terms of the debate about food, fuel and carbon. It is a significant debate that we have to have, and it should have real relevance to AusLink and the transportation movements that we are planning. The planning process that has gone into this has been based on the planning process of the previous government, which was based on prehistory. I do not see any allowance for a carbon conscious society in any of this move forward. (Time expired)

Ms SAFFIN (Page) (10.32 am)—I will begin my contribution to this debate on the AusLink (National Land Transport) Amendment Bill 2008 by addressing a few comments made
by the honourable member for New England. The honourable member raised the issue of the Legume to Woodenbong Road and the Downs to Rivers Action Committee. We both attend meetings of that committee and are trying to further some of the needs that they have in terms of roads. It is difficult because that is a local road. There has never been a lot of money there for the electorate of New England. Previously in my electorate I have managed to get some money—as I know the member for New England has over the years—but it is never quite enough. It is something that we are really conscious of and seized with. We are trying to promote that issue. I am glad that the member for New England raised it. I was going to do it later on in my contribution but I thought I would do it while he was still here. And, yes, I do know about Bolivia Hill and how dangerous that area is as well, because they are roads that I travel over.

There are three other issues the member for New England raised that I will touch on. One is to do with Sydney and toll roads. I do not begrudge my city cousins their roads and transport and all of that, and I am sure that the honourable member for New England does not—that is what he was saying in his speech—but, when people say they are debating New South Wales, they are really only debating Sydney. It really struck home this morning when I was reading the Sydney Morning Herald, I think, and there was an article where somebody was talking about the need to debate transport in New South Wales. But the three projects they talked about were all in Sydney. I thought, ‘That is not a debate about New South Wales; that is a debate about Sydney,’ yet it was couched as being a debate about transport in New South Wales. It just galls me, because we have to have a debate about the whole of New South Wales and a debate about the country. Just because the numbers are different in country New South Wales and in the city, it does not mean that we in the country are not as deserving of the roads that we need to have for the safety issues and for the transport to carry our food, our fuel and our goods and services.

The food-fuel-carbon debate is a key debate that we do have to have in a broader sense. At the moment, the debate that I hear is an ‘either-or’ debate. That debate is happening nationally and internationally, and we have to have it in a more meaningful way. To that end, I would like to thank the honourable member for New England. We recently co-hosted a carbon-for-farming roundtable with Southern Cross University where we debated, discussed and started having a conversation about the sequestration of soil on farms and how farmers can get involved in that. At that roundtable we were able to at least start to touch on the fuel-food-carbon debate.

The last point that the honourable member for New England raised was that the quota of Independents has gone up by 50 per cent with the election of the member for Lyne, Rob Oakeshott. I would like to congratulate the member for Lyne on his election. I have had the privilege of serving in another place with both the member for New England and the now member for Lyne. I know that the contribution that he will make in this place will be quite significant.

I will now turn to the AusLink (National Land Transport) Amendment Bill 2008. The bill amends the AusLink (National Land Transport) Act 2005 and gives effect to the following provisions. Firstly, it broadens the definition of ‘road’ contained in the enabling act to include rest areas for heavy vehicles so as to put beyond doubt that projects for the development of off-road facilities used by heavy vehicles in connection with travel on the road may be funded
from the funds allocated under the act. The way I read the AusLink (National Land Transport) Act, there was some ambiguity as to whether the act allowed for that. This bill certainly puts it beyond doubt.

Secondly, the bill extends the Roads to Recovery program until 30 June 2014. The current funding ends on 30 June 2009, and the government have decided to extend it. I know the five local government areas in my electorate of Page—that is, the Clarence Valley, the Richmond Valley, Kyogle, Lismore and Ballina—were all cheering at that decision because the Roads to Recovery program is a popular program with local government right across the nation, particularly in my seat of Page. That program allows much-needed funds to go to local road projects that are of fundamental importance to local communities for issues such as safety and for key transport routes—the stock and food routes—and it will therefore contribute even more to our local economy.

These amendments also allow the funds to be preserved whilst processes can be established to provide funds for roads in unincorporated areas where there is no council and to provide bridges and access roads in remote areas. Speaking of bridges, one of the local government areas in my electorate, Kyogle, has about 432 bridges. That is a lot of bridges in a very small local government area, and it is something that we are seized with and that we talk about all the time in Kyogle. Over the years, funding has been provided for those bridges, but it can never be enough. In an area that has a very low ratepayer base, that is something that we are mindful of and that we work towards. I think it was just a few months ago that the council got funding for another eight bridges, which they were quite delighted about. That funding came through a state government program.

This bill also amends the principal act to put beyond doubt the continued eligibility of those projects listed. Again, my reading of the act is that it had that ambivalence in it, and it is always good to put it beyond doubt so it cannot be a matter of contestation sometime down the track.

I want to return to the definitions section and, more specifically, the funding of heavy vehicle safety projects that will come on line from 1 January 2009. I note here that it will not include—correctly—commercial development for food, or fuel or motel outlets that would be covered by the broader definition but would be the regular sidings, as I call them. I travel the Summerland Way between Grafton and Casino, and there is one—and only one—on that 100-kilometre stretch. Whiporie is halfway, the 50-kilometre mark, and there is a toilet stop there where the trucks can pull up, but it is a small area and it could do with some work. I am not saying it is directed specifically to that one, but I know it is directed to areas like that.

The Roads to Recovery program will now be funded to the tune of $350 million each year from 2009 and consecutively until 2013-14. It has risen from $300 million to $350 million—the government has been able to put it up that extra $50 million, which is very welcome.

I want to turn to the Northern Rivers and particularly Page, but also the Northern Rivers-North Coast and South-East Queensland, because when we are looking at transport and roads, that is the area where Page is involved. It is vital for our region that northern New South Wales and indeed the South-East Queensland area have an effective and efficient system of highways to transport our people and our freight. Like a lot of people, I would love lots of trains, but I am realistic enough to know that we have to give good attention to the roads. We have a large land mass and a small population, and about 80 per cent of all goods and services
are moved by road. Therefore it is vital that we give that attention to the roads—as much as I love trains and was an avid train traveller. A lot of people always talk about putting the trains back on, as I do, but I say to them: ‘You have to use them. When we have the trains, you actually have to get on them.’

Mr Neville—Mr Deputy Speaker, I seek to intervene.

The DEPUTY SPEAKER (Mr PD Secker)—Is the member for Page willing to give way?

Ms SAFFIN—Yes.

Mr Neville—Are you aware of the report that the transport committee in the last parliament brought down dealing with the very things you are talking about—the road and rail links across the northern New South Wales and southern Queensland borders? There is an extensive chapter on that in that report, and I am sure members of that committee, including the member at the table today, would recognise the amount of work that went into that. Would you like to comment on that?

Ms SAFFIN—Thank you. I have the book here. The honourable member for Shortland was just reading it. I am aware of it and it is one of the things I am looking at now in thinking about this whole issue of transport planning. I thank the honourable member for his intervention by way of a question and comment and for directing me to that report. Thank you.

The Northern Rivers is forecast to be the fastest growing region in New South Wales over the next 20 years. The current population is projected to increase by over 60,000 to approximately 333,000 by 2031. In addition, 51,000 new homes are forecast to be required and an additional 32,500 jobs. That is from the New South Wales Department of Planning. It is quite a strong growth area.

The Pacific Highway, which we hear a lot about, runs through my electorate of Page and my neighbouring ones of Cowper and Richmond, and it is one of my local roads that I use frequently, so it is not just the Pacific Highway; it is a road that I have to traverse when I am driving around the electorate. That was why I was pleased that during the 2007 election campaign federal Labor committed to the continued upgrade of the Pacific Highway to the tune of some $2.5 billion. That includes upgrades in the following areas: Tintenbar to Ewingsdale, Woolgoolga to Sapphire, Sexton’s Hill, the Alstonville bypass and the Ballina bypass. They are all now part of the AusLink 2 package, with some money having come on line in the budget this year to kick-start them.

It is very pleasing when I am driving around to see the extent of work that is happening with the Ballina bypass—and also with the Alstonville bypass, because $13½ million was allocated in this budget to allow that to get started. People in Alstonville are pleased that they are finally seeing a project that they have long desired, advocated and lobbied for. I have to give credit to them and the Alstonville Bypass Action Group, led so ably by Bob Wilson, for their efforts. It was something that they were promised and had commitments to. Things had not happened and now it is finally happening, so they are quite delighted. It has quite a potted history.

Recently, or post budget, I hosted a visit by the federal minister, Anthony Albanese, and his then state counterpart, Eric Roozendaal, to launch the substantial works of the Ballina bypass.
I also hosted a visit to Alstonville with the local mayor and the Alstonville Bypass Action Group so we could at least detail that project and say, ‘Yes, it’s all systems go.’

I also have the Summerland Way in my electorate. The Summerland Way is about 199 kilometres long and it runs from Grafton up to the Queensland border. There is a Summerland Way action committee, which is a really old committee. They have been operating for many, many years with the same effort, energy and dedication, trying to make sure that that road got upgraded. They are led by a very able leader at the moment, Councillor Lindsay Passfield, from Kyogle Council. I attend their meetings, and recently my colleague the honourable member for Forde also attended one of the meetings because we are looking at the development of that Northern Rivers-South-East Queensland nexus and what can happen there, and we are turning our minds to some planning issues on it, along with the Northern Rivers Regional Organisation of Councils. To that end, we have also met with the honourable member for Richmond, which takes in that other area in the Northern Rivers.

The Summerland Way connects with the Pacific Highway at Grafton. I would be remiss here if I did not say that the local community in Grafton have been calling for a second bridge crossing for years. The bridge that crosses the Clarence River, which connects South Grafton and Grafton, is a very narrow, windy route with a big bend in it. They actually got that bridge at the same time as the Sydney Harbour Bridge was built because then there was a movement that was agitating and saying, ‘Hey, what about us?’ We are pretty good at doing that in Page, and they actually got the bridge at the same time. But they do eventually want a second bridge. They have been promised that over the years, but it has never been delivered. I put on record here the community’s desire to have another bridge there.

The New South Wales Roads and Traffic Authority did a study in 2006 and found that generally, while the Summerland Way is an important priority in terms of safety, the safety upgrades should be directed to the Pacific Highway. I cannot help but agree that the safety upgrades have to be directed to the Pacific Highway, because we all know of the safety issues and the tragic deaths that have happened on the Pacific Highway, but I have to be mindful of the Summerland Way and the fact that it does need an upgrade. In another place many years ago I was able to secure money for the Summerland Way to the tune of $50 million. That was surprising to a lot of people because it was not a major road, because it was not seen as a major election priority and because of things like that, but I got a commitment of $50 million to be implemented over a four-year period, with the first $12 million coming on line in six months, and it happened. That was under Premier Bob Carr. That allowed the Pacific Highway to upgrade. It also meant that the federal government then gave some money to it. The member at the time was the Hon. Ian Causley, and I know he then got some money federally that was added to that mix. So it is one of those roads that we have given particular attention to.

I would like to mention in closing that in my area there is an organisation called Coast to Coast 100, set up as a national safety organisation. It started around heavy vehicles but has now extended to safety. It is run by a local woman called Lyndal Denny. It has gone national, and it is targeting driver behaviour and safety on the roads. The heavy vehicle package correctly targets the infrastructure, and her organisation targets the safety. It is about us, about speed, about fatigue and about things like that. Ms Denny is promoting a national safety hotline. I have a copy of some of the material; she has sent it to a lot of members of parliament. I...
have given that to the federal minister, Anthony Albanese, and asked him to consider it. I am not sure if it is the way to go, and I said that to Lyndal, but clearly we need to be giving more attention and more effort to the issue of safety. We have to be responsible people when we are on the road. It is just directed towards that.

Mr NEVILLE (Hinkler) (10.52 am)—The opposition is supporting the AusLink (National Land Transport) Amendment Bill 2008 because we have long championed better transport funding, particularly road funding, even for roads which have traditionally fallen outside the purview of the Commonwealth. It was a coalition government which created, implemented and delivered record funding levels through the AusLink program, and in fact it was the vision of my former leader John Anderson, who was Deputy Prime Minister and transport minister. It was the coalition which developed and promoted the crucial Roads to Recovery program and the Black Spot Program after the Keating government had closed the latter down. It was the coalition which committed to spending $100 million over five years on 100 rest areas on the AusLink network. I might add that that is $30 million more than the current government is contemplating in its recent budget announcements.

I previously chaired the House of Representatives Standing Committee on Communications, Transport and the Arts and, more than most, I have a good grip of what is required for Australia’s roads. My colleague opposite and I served on the last committee, where we did an intensive study over two years into the arterial road and rail systems of this country. There is some excellent reading in that, and there are still matters to be addressed, especially around the port areas, that were not addressed in the last budget. In October 2000 I handed down the committee’s report called Beyond the midnight oil. It was an inquiry into managing fatigue in transport. In part, it recommended the creation of higher quality rest stops for heavy vehicles, which is one of the focuses of this bill.

Evidence received by the committee based on American research and statistics showed that we needed about 2,400 new rest areas in Australia. Where did we get that figure from? We did some study on what the Americans were doing, and they found that they were at least 30,000 rest areas short, and we said, ‘On a population basis, 2,400 would be about the right figure.’ Some might argue it should be higher on the basis that Australia, although it does not have the population, has a similar area to the United States. Let us assume it was 2,400: 100 is a good start, and I do not denigrate that in any way, but it is only just the start and nothing more.

At that time there were a significant number of submissions, especially from the transport industry, indicating that rest areas for heavy vehicles were inadequate in both quantity and quality. What areas were available were frequently of a poor standard: they lacked shade, toilets, garbage bins and water; exit and entry points were poorly designed; and they were not properly designed for heavy vehicles, lacking space to line them up.

The findings of the committee in this area were not just about scheduling and road safety measures; they referred to the welfare and dignity of the drivers, both for their own safety and for the safety of the motoring public. We went out there in the middle of the night to places along the New England Highway and looked at service stations. What sort of food did they have? We went to one which I think was north of Tamworth. We went there at about one or two o’clock in the morning to see what sort of food the truckies were eating, and that was another point that we brought up. But the thing that really did stick out was these rest areas, and I think we need to do a lot more work on them.
When they are on the western side of a highway, they need to have shade. That is very important, especially if a driver pulls up in the afternoon on the western side of the highway. They must have shade. They need a reliable supply of water, tanks of some sort. At the very least they need biological toilets, but preferably septics. It has even been suggested that there should be a key system. Sometimes members of the public and hoons come and make a bit of a mess around those places, so a dedicated set of toilets should be available to truck drivers only using a plastic key system. It is more likely that they would look after those as they would be dedicated for their particular use.

Of course, these things become even more important when you are out in isolated areas. Rest stops also require solar cell night lights that deliver sufficient light to keep the troublemakers and the hoons away, but not so much as to interfere with the drivers getting some sleep. It goes without saying that these facilities need to be kept clean and well maintained, which is a problem—I do not doubt that. It will present some challenge to the RTAs and the MRDs of the world, or to the local councils who might look after them on a subcontract basis. Some of these rest stops are quite remote from townships—they are 50, 60, 70 kilometres away—and they do require that someone go out there and attend to them, so I do not underestimate the problems. Someone is going to have to go out there periodically to mow and do things like that. It is same with phone boxes around Australia: some of them are a pleasure to go into and some of them are like a dirty urinal; they are just absolutely foul. If we want to do these rest areas properly, we must look at those things as part of an ongoing maintenance program.

It is my personal view that, when a road is being straightened or realigned, the old highway is sometimes of sufficient order that it can become the rest area, especially if it has got shade. Quite often—and it frustrates me—you get a dead straight stretch with something like that and someone comes through with a ripper and pulls up all the old asphalt—just crazy stuff. It is a less expensive way of getting some of these rest areas in place.

This idea of now trying to blackmail the opposition because of our opposition to the heavy vehicle charges does the government no credit. The safety and dignity of the drivers is of paramount importance not only to themselves but, as I said before, to the safety of the travelling public. You cannot put people’s lives at risk for some childish retribution from the government to the opposition for what they do in the Senate. You have got to be above that sort of thing.

Having said that, I would like to turn to some of the more grassroots views of road funding. I think the Roads to Recovery program is unquestionably one of the most popular programs to be put in place by any government in the last 50 years. This is because it recognises the role of local government and empowers councils to choose where they spend funds. While in principle I believe this payment should go to the councils, I note that in the bill they are looking for mechanisms for unincorporated areas. My appeal to the federal department, which will probably take the burden of this, is to consult widely with organisations like the NFF, AgForce and mining companies, because if there is no council in an unincorporated area you have to get a feel for what people need in that area, and then finally consult with the RTAs or the MRDs on carrying out the works. Where they exist, councils should continue to be the focus of RTR funding. In my old electorate of Hinkler it was interesting to note that two of the smallest councils—Perry, which was the smallest council on the east coast of Australia at
the time, and Eidsvold, with only about a thousand people—were extraordinarily effective in driving the government dollar further. They would make every extra hundred metres count.

The other aspect of the Roads to Recovery scheme was the strategic funding reserve. On my reading of the government’s bill, I am not quite sure how that is going to be implemented or whether it is going to exist. But, for things like a boundary road between shires or a road that was not a conventional one or a highway that had an arterial significance in a region, I think that strategic funding was incredibly important and I used it quite extensively in my old electorate.

I would like to talk about some specific roadworks in my electorate. I am proud of my track record in delivering major roadworks, especially in developing areas of the electorate. In my old electorate, the port city of Gladstone was a prime example, where key industry and arterial roads like the port connector road, Kirkwood Road, which is currently under construction, and the Calliope River and Landing roads were built thanks to Commonwealth contributions. I know the department did not agree with me at the time, nor Main Roads in Queensland, but I think Kirkwood Road is an absolutely essential feature—and I call on my successor to make sure that that is brought to fruition. That ring road to the south of Gladstone is absolutely critical to the future economic development of Central Queensland. Without these roads Gladstone would now be choking on its own success. Industrial and commuter traffic would by now have been creating logjams at places like Kin Kora, and local businesses would have suffered the consequences.

Other much-needed funding delivered to communities which were previously part of the Hinkler electorate included $560,000 to help seal 17 kilometres of the Eidsvold-Cracow Road. That was done by that Eidsvold council I was talking about. These guys, with that very small population, drove a road from Eidsvold right out almost to the town of Cracow, which is in the adjoining shire of Banana. Now that the Cracow mine is back in production, it just shows you how important insightful councils can be in using these over-and-above federal government funds to make things happen. There was $700,000 to upgrade the Monto to Kalpowar section. That is the back road, for want of a better expression, from Gladstone into the hinterland at Monto. That may have great significance if the mining ventures around Monto go ahead. There was also one project that I really championed, and that was for a dreadful and dangerous piece of the back road from Bundaberg to Gladstone. I got $600,000 for the Essendon Bridge and its approaches. I drove on that just the other day, and it is a pleasure now. It has gone from being one of the most dangerous and ugly pieces of that alternative route from Bundaberg to Gladstone to a lovely wide section that abuts the bridge in a much safer alignment.

Each of the communities that I have talked about is now in the seat of Flynn, and I urge my successor as their representative, the member for Flynn, Chris Trevor, to continue to fight for better roads for his constituents. That area really has been neglected over the years, and there is still a lot of work to be done.

Having said that, I now turn to the southern part of my new electorate. In what was the northern part of my old electorate and is now in the southern part is the city of Hervey Bay—there are two cities in my electorate, Bundaberg and Hervey Bay—and parts of the old Shire of Burnett, Childers, Biggenden and Woocoo. They are now incorporated into new councils, but I will not go into the detail of that.
Hervey Bay in particular has great infrastructure needs. It needs about $10 million injected into it almost immediately. Let me describe it. Hervey Bay is a bit like the Gold Coast. Whereas the Gold Coast has a north-south feature, Hervey Bay has an east-west one. You would all remember the Gold Coast of 40 to 50 years ago: long, thin arteries and frequent traffic hold-ups. It needed eight lanes eventually to get through to Brisbane. There was all that sort of stuff but, in particular, the internal roads were a menace, and more and more arteries had to be created. That is exactly the situation we now face in Hervey Bay. That $10 million could be used to create a new east-west artery on what is called Urraween Road, which should be connected to Boundary Road. That would give you an almost 14-kilometre additional artery right through the middle of Hervey Bay. That is the sort of vision I want for Hervey Bay.

In the lead-up to the last election, I proposed that $10 million went into those strategic roads, on the basis of the Commonwealth picking up two-thirds and the local council picking up a third. Cities like Hervey Bay that are expanding at six or seven per cent a year just cannot keep up with infrastructure. Governments can put their hands on their hearts and say: ‘They should be able to deal with those things. They should be able to borrow against their future.’ Rubbish! This is a city that has not got a civic centre or a town hall or a community centre, but it has 50,000 people. The Commonwealth should at least provide the means for normal commercial and suburban intercourse to take place. That will not happen unless there is a Commonwealth injection of funds into the roads of that area. The Urraween to Boundary road would be one. The River Heads Road, which is one of the jump-off points for Fraser Island, would be another; it is quite dangerous. There is another one, Old Toogoom Road, which is on the north-western side of Hervey Bay and feeds traffic in from the Bruce Highway to the western coastal areas of Hervey Bay. These are things that should be addressed.

Despite my best efforts and the best efforts of the local community, my Labor opponent refused point-blank to make any commitments at all to roads in that area, which really shocked me. That has left a very slack state government and a newly amalgamated council which is struggling with the cost of amalgamation to do all the heavy lifting. I think that is simply not good enough. These three projects are important to Hervey Bay, a rapidly growing city that faces unique infrastructure pressures.

I now turn to Bundaberg, where I live. It is the other city in my electorate, a city that has been established for much longer. It has been around for over 100 years; in fact, I think that we are coming up to 150-odd years. It has had the advantage of long-term, better street planning. It also has the advantage of a $92 million ring-road, funded by the state government, which is being put around the city and will divert traffic to the port of Bundaberg without taking it through the city. It will also facilitate a lot of ring-road type traffic on the southern side of the city. But it, too, has its challenges, and in giving this speech today, appealing for this Commonwealth funding for Hervey Bay, I do not in any way diminish the challenges that are faced by the new Bundaberg Regional Council.

The other thing that we have been able to do with the Roads to Recovery program was get $1 million when the sugar industry was deregulated. The deregulation meant that the cane tramlines did not go to the right places anymore, so all the arterial roads around the sugar mills had to be upgraded. I am very grateful for the $1 million; we were able to get the councils in the area to match that with another million to upgrade those arteries to the sugar mills, which are most important.
I would like to say something about country Queensland. We heard about the Pacific Highway earlier today. I support the Pacific Highway. I remind members that the former member for Cowper, Garry Nehl, and the current member, Luke Hartsuyker, have been great champions of that. They have not always been assisted by their state government. It was largely Gary Nehl’s work that identified the dreadful problem that was emerging with the Pacific Highway. But I want to say something in this last minute about the Bruce Highway, which is the continuation of the Pacific Highway artery right through to Cairns. There needs to be a lot of spending on that, almost on an equal basis with the Pacific Highway, because Brisbane is going to have huge problems; we recognised that. We support the heavy spending on tunnels and bypasses, and the Ipswich bypass and all these things are terribly important. But the productive area of Queensland where the wealth comes from—the mineral wealth, the agricultural wealth and the horticultural wealth—should not be abandoned. I make an appeal to the government that they do that.

Finally, I acknowledge the work of John Anderson. AusLink was his vision; he brought it about. To the credit of the new government, they are continuing with it. May its work go long into the future.

Ms HALL (Shortland) (11.12 am)—At the commencement of my contribution to this debate on the AusLink (National Land Transport) Amendment Bill 2008, I would like to acknowledge the hard work that has been done in the past by the member for Hinkler. I know that he is totally committed to all matters that relate to transport—road, rail and sea—and he has been a wonderful advocate in this parliament on those issues. Whilst there are some things that we may disagree about, I would have to say that his commitment in this area is beyond question. I just want to have that on the record. In doing so, too, I will refer to the last parliament, in which I was privileged to be on the House of Representatives Standing Committee on Transport and Regional Services, which the member for Hinkler chaired. The work that was done in this book that I hold in my hand—The great freight task—is a blueprint for a lot of the work that needs to be done throughout Australia. I know that, when the government is looking at directions in its planning through the Infrastructure Australia Fund, this will be of great assistance and the work that was done there will not be wasted. It really does set out a blueprint. It identifies many of the areas that we really need to concentrate on.

I would also like to pick up on what the member for Windsor said—that the last government tended to allocate money where it was advisable to allocate it for electoral purposes rather than where it was needed. I will put on the record, for the member for Windsor, that the one thing we are committed to is transparency—making sure that the money goes where it is needed and that there will not be an allocation of money based on where it is electorally expedient rather than on where the need is. That has been identified in this and will be identified in other studies, and that is why we are adopting a really planned approach to where we are going, rather than just throwing money willy-nilly into areas that will see that members are re-elected. I would like to assure the member for Hinkler that I have had conversations with the member for Flynn and he is committed to seeing that his electorate gets a really fair deal as far as making sure that those roads that you identify are well and truly on the table when we are looking at allocations.

Mr Neville—The port cities are very vulnerable.
Ms HALL—Port cities, yes. As I live on the outskirts of a port city, I realise that and I know the infrastructure needs that relate to that port city, particularly with the third coal loader being built at the moment. There are a number of infrastructure needs that need to be looked at within my local area or adjoining electorates, and they do impact very much on what happens within the electorate of Shortland.

The bill amends the AusLink (National Land Transport Act) 2005. It demonstrates the government’s ongoing commitment to road safety and local road infrastructure. The amendments in this bill will enable funding of the projects, including heavy vehicle safety, from 1 January 2009, allow for the continuation of the Roads to Recovery program beyond 30 June 2009 and allow for better management of the Roads to Recovery funding lists. I think it is really important that there be better management of the Roads to Recovery funding list, which sets out funding recipients in Australia and the amount they receive, which is not currently able to be amended except in very limited circumstances, and it is the government’s feeling that that is not the best approach.

The main provisions in the bill amend the definition of roads contained in the act, including heavy vehicle facilities, such as rest stops, parking bays, decoupling facilities and electronic monitoring systems. Once again, the member for Hinkler spent a great deal of time discussing the issues that surround rest stops, and the government is quite mindful of those issues. This will enable the government to provide funding for these facilities under the $70 million heavy vehicle safety and productivity package.

The facilities that will be delivered under the heavy vehicle safety and productivity package will improve road safety and provide a better deal for truck drivers. One in five road deaths involves heavy vehicles, with speed and fatigue being significant factors. I have met with drivers and they have told me about the issues that really impact on them and impact on road safety. I have given an undertaking to those drivers and to union members that have come to see me about the impacts in their industry that are causing them enormous stress and affecting safety on the roads. This government is keen to look at those issues, because there is no other industry that I can think of where the safety of so many people can be impacted upon by the strains and stresses that are put on drivers, so I think it is very important that we look at that.

In fact, in 2007 there were over 200 road deaths in Australia involving heavy vehicles. Talking to drivers, I found that they really put a lot of emphasis on the impact that fatigue has on them, the impact that meeting deadlines has on them, the impact that rising costs have on them, the contracts that are in place and how those contracts, not being negotiable, are in some cases actually leading to the drivers operating at a loss or a very small profit.

The bill also extends the Roads to Recovery program until 30 June 2014, and it makes it clear that under the program funds can be allocated to use in particular states while the most appropriate entity to finally receive the allocation is determined. This will allow funding to be reserved whilst arrangements are being put in place to provide funds for roads in unincorporated areas where there is no local council. I think that once again the member for Hinkler dealt with that very well when he was talking about possible organisations that could be responsible for preserving these arrangements, but I think there are many others besides those he mentioned. The bill also provides for bridges and access roads in remote areas. The current funding period ceases on 30 June 2009. We realise just how effective and important the Roads...
The Roads to Recovery program has been, and the government has decided to continue the funding from 2009 to 2014. I am very pleased that the opposition is supporting this legislation.

Spring 2008 is a critical time for the Roads to Recovery measures of the bill to be passed in order to allow councils adequate time to plan their works during 2008-09. This is the time when the councils are developing their budgets and identifying their priorities; therefore we need to get this legislation through to give certainty to local government areas. Each local government authority across Australia is guaranteed a share of the AusLink Roads to Recovery program funding. The formula that the shares are determined by is based on population and road length. It is set by the local government grants commission in each state and the Northern Territory, and the money is paid directly by the Australian government to each council—no middleman. This allows for the maximisation of the money that local governments receive, and once again it is a very transparent way to allocate funds.

Also, local governments are responsible for three-quarters of Australians’ roads—over 810,000 kilometres. The Roads to Recovery program provides much-needed funding to local councils around Australia to enable them to make urgent repairs and upgrade their roads. The continuation of the program means that local governments can confidently plan for continued improvement of their road network. The Australian Local Government Association, which represents councils across Australia as a parent body, has welcomed the extension to the Roads to Recovery program and considers it to be an essential element in local governments’ ability to maintain and upgrade local roads. In 2008-09 the government will deliver $2,028,091 to local councils in my electorate for urgent safety upgrades and repairs. Lake Macquarie City Council will receive $1,124,365 and Wyong Shire Council will receive $903,726.

One of the points that were made by the member for New England and also the member for Hinkler was the need to make sure that areas outside the capital cities get their share of funding. I know that in the past the simple fact that we are close to Sydney has often led to the local government areas within the Shortland electorate not getting the profile that they need. I can say that the use of this formula and this money that has been given to the local councils in the Shortland electorate demonstrate that they are being looked at and being looked after. There are many more things that need to be done in that area.

Some of the projects undertaken by AusLink Roads to Recovery to make much-needed repairs in my area have been Cadaga Road at Gateshead, Redhead Road at Redhead, Cams Wharf Road at Cams Wharf and, I think, Elizabeth Bay Road in Lake Munmorah. If you add to that the money that has been given to the Shortland electorate through the Black Spot Program, it means that the needs of the people in the area that I represent are being looked after through the Roads to Recovery program—a program that I think is a very, very good program.

The legislation not only secures the program for five years but also increases funding by $250 million to a record $1.75 billion to councils. That is needed and it will be greatly appreciated. At present, the Roads to Recovery program is due to run out on 30 June 2009. Local roads are critical for efficient and safe freight movement. Often the last kilometre from the highway to the port is under local government control, and that was identified very much in *The great freight task*, which I referred to earlier. This money will make it easier and make it more likely that those roads are looked after in the way they should be. Subject to the Senate allowing the increase to the road user charges, the Heavy Vehicle Safety and Productivity

Roads are an issue that impacts on everybody’s life. About five years ago I conducted a survey in the Shortland electorate. I asked people to identify the issues that they thought were most important. I expected something like health or education to be identified as the most important issue. The way I structured the survey meant people could identify the issues, and they numbered them accordingly. Over 94 per cent identified that roads were an issue of great importance to them. If I could just go over the survey: they could identify whether an issue was of great importance, minimal importance or of average importance, and roads were identified by 94 per cent of people as being of great importance. That was the issue that had the highest number of people identifying it as being of great importance. To me that says that we need to get it right. To me that says that AusLink is the way to go. It is imperative that we give this money to our local councils and, in addition, it is imperative that all levels of government work together in relation to roads to see that the best outcome for all Australians is achieved.

Mrs MARKUS (Greenway) (11.29 am)—I rise to speak on the AusLink (National Land Transport) Amendment Bill 2008. Many people take for granted that the food we buy is waiting for us on supermarket shelves. The role of truck drivers who move freight around our country should not be underestimated. They and their families make sacrifices to ensure there is money in the budget to pay the bills and to put food on the table. It often comes at a great cost not only physically but also socially and psychologically. According to one report by the New South Wales transport industry, many work an average of 62 hours a week and some are working more than 100 hours. Mr Deputy Speaker, could you imagine yourself spending that much time behind the wheel focusing on a long strip of road ahead?

The DEPUTY SPEAKER (Mr PD Secker)—I do.

Mrs MARKUS—The strain on families is severe, with many truck drivers divorcing because the strain is too much. We also need to remember that many truck drivers are owner-operators who have taken out substantial mortgages so they can cover the cost of their rigs, which are replaced approximately every five years.

We have the Rudd Labor government now wanting to add to the burden and increase heavy vehicle registration fees plus the effective rate of the diesel fuel excise, also known as a road user charge. This would place additional pressure on truck drivers across Australia who already feel the strain. But I am pleased to say both of these increases were rejected by the opposition in the Senate. The Labor government misled the community when they announced the $70 million heavy vehicle safety and production plan and failed to mention it was contingent on the Senate passing these changes. They forgot to mention that the funding for this $70 million package would come from the $70 million collected from these charges imposed on truck drivers. These increased charges will be relayed to the cost of transport, which will flow on to our supermarket shelves. This will create even more pressure when trying to balance the family budget. The Rudd Labor government try to paint themselves as a caring government who want to put people first, but only through scrutinising their bills do we find their true intentions—to take with the one hand and give back with other.

Mr Forrest—Indian giving.
Mrs MARKUS—Yes, Indian giving. If this Labor government had not extended Roads to Recovery, they would have yet again let the people of Australia down. It was the coalition who worked to address the problem that faced local roads in our nation. It was the coalition government who also recognised the need not only to maintain the current road network but also to ensure that our sealed road network expanded. It was in fact the coalition government who introduced Roads to Recovery in November 2000 and invested $1.2 billion over five years.

As of June 2005, less than 43 per cent of New South Wales roads were sealed, and let me run through what is happening with other states. In Victoria, 41.8 per cent of roads are sealed; in Queensland, only 28.7 per cent of roads are sealed; in Western Australia, only 27.2 per cent of roads are sealed; in South Australia, only 21.8 per cent of roads are sealed; and, in Tasmania, 48.8 per cent of roads are sealed. Imagine these numbers if Roads to Recovery had not been introduced some four years earlier. What is interesting is the link between these appalling unsealed roads—they are all run by Labor. This means the combined effort of all these Labor states, as of June 2005, was their ability to seal only 33.7 per cent of Australia’s roads.

The impact that Roads to Recovery has had on regional roads since it was introduced in November 2000 is significant. DOTARS states:

Local roads are important to national transport safety, efficiency and overall economic performance. They provide basic access from farms, factories and homes to schools, hospitals, work, shopping and to families and friends.

So this Labor government not to extend this funding would have been criminal, and I welcome the extension to 30 June 2014. I wish to note that Labor has taken the coalition’s plan to increase Roads to Recovery funding to $350 million, effective in 2009-10. On 8 May 2007, the coalition government announced that they planned to extend the Roads to Recovery program to June 2014. Of course, that planned increase was to $350 million.

I would also like to take the opportunity to raise the issue of the financial strain that the New South Wales local councils experience in their efforts to maintain local roads. They feel this strain as a result of a recategorisation that took place in 1995. This recategorisation meant that many regional roads in New South Wales were recategorised as local roads. The New South Wales Labor government recategorised 18,600 kilometres of state roads and transferred ownership to local councils. This meant that these regional roads suddenly became the responsibility of local councils rather than the state government, which meant an additional financial responsibility for local councils. Local councils receive some annual grants; however, this is nowhere near enough to cover the rising costs of road maintenance, such as resurfacing. It is estimated that 80 per cent of Australia’s public roads are now classified as local.

This is another example of state Labor governments shifting responsibility—in this case, to local councils. Local councils such as the Hawkesbury City Council, in my electorate of Greenway, could not have maintained many of their recategorised local roads without Roads to Recovery. The projects that have been assisted include Commercial Road, Vineyard, for which the council received $128,796; Valder Avenue, Richmond, at a cost of $121,591; Chapman Road, Vineyard, at a cost of $126,936; Slopes Road, North Richmond, at a cost of $169,576; Church Street, South Windsor, at a cost of $108,270; East Kurrajong Road, at a cost of $196,885; Lennox Street, Richmond, costing $260,220; Tennyson Road, Tennyson,
costing $175,356; Kurmond Road, Kurmond, costing $197,587; and Old Bells Line of Road, Kurrajong, at a cost of $188,814.

The coalition believes in empowering communities, and the purpose of the Roads to Recovery program was to give councils the opportunity to decide what the priorities were for their community. Programs such as Roads to Recovery empower local councils to decide what roads have the greatest need for upgrades and sealing. Roads to Recovery has enabled councils to receive direct funding without bureaucratic red tape. This also means that the council receives all the funding. Money does not get lost in administration through states and territories. Roads to Recovery is a very successful program. The coalition initiative has delivered over 25,000 local projects across Australia. The Australian Local Government Association also believe that the program is essential, and they describe the program as being:

… an essential element in local government’s ability to maintain and upgrade the local roads network.

I would like to conclude by saying that the Rudd Labor government cannot continue their spin for long before their shine fades. Our country’s truck drivers deserve support with no strings attached, and everyday Australians deserve a decent road system. For this reason, I commend the bill to the House.

Mr SIDEBOTTOM (Braddon) (11.39 am)—Apart from musical theatre, I love talking about roads. And, judging by the speakers list on this legislation, just about every second person in this parliament loves talking about roads. If any of them like talking about musical theatre they might like to give me a ring! The AusLink (National Land Transport) Amendment Bill 2008 has two main purposes. The first is to change the definition of ‘road’ in the AusLink (National Land Transport) Act 2005 to allow for the funding of heavy vehicle facilities such as off-road rest stops. This is done in the name of road safety, and that is why everyone in this House totally supports the bill. As to how we go about that, there are some differing views. This is being done in the name of road safety for an important sector of the transport industry. We want to fund this through a $70 million package tied to a heavy vehicle road users charge, which was knocked back in the Senate, so we have some argy-bargy to do on this. But, come what may, we want those funds expended on this and related programs for road safety in this important sector.

The second purpose is to allow the Roads to Recovery program, which the previous speaker and everybody else in this place thinks is the bee’s knees, to continue. We support that and we do not have to have one-upmanship in this, or me-tooism, which some have accused us of. If it is a good idea and a good program, it belongs to everyone. That is what we are doing in continuing it. It is not silly politics; it is good politics and good policy with good results, and we are happy to recognise that. So this legislation is to allow the Roads to Recovery program, which is funded under the same act I have just mentioned, to be extended for another five years, to 2014. These are all good things.

For the simple folk of this world, like me, it is useful to have a bit of background for the record. ‘AusLink’ is the term we use to try to explain the national land transport program, and it is a great name. AusLink elements involve national projects for the defined national network, and the national network is the network of road and rail transport corridors, which include urban areas and links to ports and airports. That national network comes right into my electorate. I have the privilege of travelling on that network nearly every day that I go to my
office or around my electorate. It plays a very important connecting corridor role in my elec-
torate, as it does in many other electorates around Australia.

There are also several strategic regional projects in my electorate. I have been banging on
about these since 1996, so I am very pleased to be able to talk about these strategic roads, and
I will continue to go on about them until we have them where we need them. We are all
agreed that black spot projects are very important. I was very pleased to announce just re-
cently a couple of these projects in my electorate, and I hope everyone else has shared in
those as well. The Roads to Recovery program is fantastic. There are research and technology
projects, and I would like to talk about one of those in the little time available to me.

I would also like to explain, for the record, the Roads to Recovery program. The Roads to
Recovery Act 2000 established the Roads to Recovery program—that is very good! From 1
July 2005 the program became part of AusLink, and that is good to know for historical pur-
poses. The first phase, pre AusLink, ran from 2000-01 to 2004-05. The program is now in its
second phase, which is from 2005-06 to 2008-09. Items 9 and 10 of this bill seek to extend the
funding until 30 June 2014 rather than where it currently ends, which is 30 June 2009. In the
Roads to Recovery program, which we all agree is fantastic and is the bee’s knees, grants are
paid directly to councils if there is a council for the relevant area, and that is set out in items
in the bill. All councils receive the funds, and the money is intended to supplement, not sub-
stitute for—which is very important—council road spending. Councils will nominate the pro-
jects to be funded, and the program will also apply to unincorporated areas—that is, where
there is no local council. So, hopefully, where there is a need everyone will get a slice of the
pie, and we all accept that.

Before I talk about roads per se, I would like to share with you, if I can, that aspect of the
legislation dealing with heavy vehicle safety and productivity. This particularly relates to a
group of innovative Tasmanian transport operators, including a very significant one in my
electorate, the well-known and highly respected Chas Kelly of Chas Kelly Transport. To-
gether with six other operators, Mr Kelly has bitten the bullet in what he readily admits is a
risky move but a calculated risk—this man has always lived by these principles, and that is
why he is successful and that is why what he does is highly significant in my electorate—to
convert their substantial trucking fleets to run on liquefied natural gas. This is a first for Aus-
tralia and it is being compared in its gravity to the change from the steam engine to the inter-
nal combustion engine.

The group has formed a new company known as LNG Refuellers, which has just secured a
deal with industrial gas company BOC to supply natural gas for its heavy vehicles in Tasma-
nia. It will result in the establishment of the first commercial pipeline-to-truck supply for
heavy vehicle transport in Australia. Mr Kelly tells me that the incentive to pursue this ambi-
tious move is to stabilise the price of fuel for the transport fleet, an objective one can fully
understand given the volatility of the petroleum industry throughout the last decade.

Importantly, it will also help to assist with emissions, which is of major importance in this
era of environmental responsibility. Australia’s plentiful supplies of natural gas release up to
25 per cent less greenhouse gas than the diesel powered trucks currently used on our roads.
Mr Kelly says that, while the group are putting their necks on the line, they see it as heading
to the forefront of the next generation of fuels. He will put new trucks on the road as he up-
grades his fleet, and it will cost on average about $150,000 more for each rig to run on gas.
He says there will be a payback time, and because of the innovative nature of this project it is still a little unclear just how quickly the payback will come.

Mr Kelly says there will also be better outcomes for maintenance of the fleet, which will add to the cost savings for the operators. The LNG Refuellers group is anticipating savings on fuel costs of up to 30 per cent, even given the higher amounts of liquefied natural gas required in comparison to diesel. That is a 30 per cent saving on the fuel bill—substantial in anyone’s business. Considering that it is for a major transport company using thousands of litres of fuel a year, that is a sizable saving.

The bold move by this group of transport operators will also no doubt encourage others to take the steps to convert their vehicles to this more environmentally and economically friendly fuel source. Isn’t this one of the great things about this debate that is going on now? This is an opportunity. It is not seen as a cost; it is seen as an opportunity and an investment. The technologies that are developed from this will be able to be replicated by others, so there is this cost-benefit to the country as well as to these businesses, and it is really very important.

The Chairman of LNG Refuellers, Mr Ken Padgett, who is another noteworthy transport operator from Tassie, says this represents a $150 million vote of confidence in the commercial merits of natural gas as an alternative to wholesale use of diesel fuel for road transport in Tasmania. For your interest, the group began working on the project back in 2006, when they met with the Tasmanian Department of Economic Development seeking advice on the opportunities to use natural gas for heavy vehicles. It grew from a feasibility study, and the company was registered in September 2006, before an application was made to the Commonwealth for funds under the Tasmanian Forest Industry Development Program. One of the major sectors of Mr Kelly’s operations is the transport of woodchips, and this allowed the project to be dovetailed into the Forest Industry Development Program.

In July 2007 LNG Refuellers invited two companies to tender for the provision of an LNG plant, the supply of refuelling stations and the provision of two refuelling tankers—so this is an ongoing refuelling scheme. This led to the deal with BOC and the commitment to a plant in Westbury, in the electorate of Lyons, near Launceston, which is working through the planning approval process. But there is a lot more to this project than just pumping a different fuel into these heavy vehicles.

Mr Alvaro Ascui, who is managing the new company, says this major change in approach to heavy transport is not without its hurdles, including current legislation surrounding the industry. This is quite interesting: these new vehicles need a greater fuel capacity to cover distances equivalent to those covered by diesel fuel trucks, but simply making them longer to carry extra fuel is not that simple. It never is, is it. It never is. That would put them outside current regulations and render them illegal on Australian roads. So they have got to find other, innovative ways of putting these greater capacity tanks onto rigs. I know they can do it in the United States; I really hope we can do it in Australia. That is something they are going to have to look at.

Perhaps this innovative move will also lead us as legislators to be a little creative and to consider changing our approach to heavy transport. With projections of looming increases in the amount of freight on our roads in the next few years—and we hear that day in, day out as fact, and hopefully it is going to be complemented by rail—maybe we have to look at the pigeonhole we have placed the current heavy fleet in. Perhaps it is better to let them find some
more productive options for the fleet which are also more environmentally friendly. Surely it is better to have a few more vehicles carrying one-third more freight than to have three times as many heavy vehicles on the roads. If we are trying to encourage people to be more environmentally responsible in the face of climate change then it is up to us to make it possible for innovators to come up with better and more efficient ways to meet the transport demands of our country.

So I reckon that is a great project and I am really looking forward to doing everything I can to support it. I look forward to its environmental results in Tassie particularly.

Now, roads: my electorate actually has—

Ms Vamvakinou—Has roads?

Mr SIDEBOTTOM—Well, it has lots of roads because there is a lot of hinterland. My electorate has these beautiful coastal townships in a linear or ribbon development, if you like, right along the coast, all with their unique and intriguing characteristics. They feed and service and are fed by the hinterland for agricultural produce and by the sea for marine produce, and they are linked by roads. My councils have a lot of roads—like the councils of many of my colleagues here. I know that the member—

Mr Forrest interjecting—

Ms Vamvakinou interjecting—

Mr SIDEBOTTOM—the member opposite has got roads everywhere! Anyway, our roads are really important and we do a pretty good job of servicing those roads, but we need a lot of assistance. That is why I think the Roads to Recovery program is such a great idea. Indeed, we have just benefited from some more allocations, and I would like to share them with you. The Burnie municipality got $308,000; Central Coast, where I live, got $397,000—it just happened to be more! Circular Head, in the beautiful far north-west, got $908,000. That tells you just how many roads they have got in the hinterland there. Devonport got $337,000; the beautiful King Island, $245,000; Latrobe, $342,000; and Waratah-Wynyard, $377,000.

On top of that—and I would like to share this with you—there was an earlier announcement, last month, of $195,000 being provided to two north-west roads under our Black Spot Program. This funding is made up of $170,000 to build a roundabout at the intersection of Nicholls Street and North Fenton Street in Devonport and $25,000 to build a traffic island at the intersection of Inglis Street and York Street in Wynyard. Now, you know your community is growing if you are building traffic islands! They are very important. But we are very, very grateful for that road funding.

In the little time left to me—I thought I would have more time to talk about roads—I would like to talk about the Bass Highway between Burnie and Circular Head. This is the road I have been banging on about since 1996. It took until 2004, as some of my colleagues here might remember, for the other side to finally match Labor, in an election, to fund this crucial corridor in my electorate. Admittedly, it was outside the national highway system. Year in and year out, election in and election out, win or lose, I heard, ‘It is not our responsibility; it is the responsibility of the state government.’ Then they got a whiff of victory in 2004 and, lo and behold, they finally funded that corridor. They funded it with the state government, at $15 million each. Good on them, but I tell you what: I will be claiming that road till the day I go...
under it. They said that there was no reason to fund it—why would you?—and that it was not their responsibility.

I spoke to my colleagues about it so often, year in and year out, that they would have been sick of hearing from me about it. Finally we came up with the figure of $15 million as a co-contribution with the state government, and whoopee! The other mob in 2004, with a week to go before the election, said, ‘Our policy is $15 million.’ I wonder where they got that from! The main thing is that we got it. Do you know what? I thank them for it, because they did the right thing. It is like Roads to Recovery: they did the right thing. They saw that we had a good idea—it was worth nagging on about for so many years—and they finally supported it, and my community benefits from it.

But that is not the end of it, because I will be coming for more. I hope to have a rail line parallel to the road as well. The far north-west and Circular Head region of my electorate is a wealth-producing region. This is the only corridor into the far north-west. I hope you have a chance to come up and travel it. That is the road you take into Stanley and into Circular Head, into that incredible forestry experience and to Dismal Swamp. It is fantastic stuff. This is where the wind farms are, and it is continually growing.

I must congratulate the state government and the contractors who have been working on the Sisters Hills road and the road into Circular Head, because they have managed to find savings of about $3.5 million. That means they will be able to now go and do about three or four new projects with those savings, so I congratulate them. I think where praise is due you should give it, and I congratulate everyone involved in that.

I also must thank both sides of the chamber for the support we have on the national highway system. The north-west coast has benefited greatly from the national highway system. One of the great privileges you have as a member is that you are able to open parts of roads. Recently I was able to open the last stage in the national highway through to Burnie—the Penguin to Ulverstone section, up to where I turn off to the beautiful Forth Valley. I congratulate both governments for their support of the national highway system. There is one remaining part to that: the off-ramp to Castra Road, which I look forward to opening in the near future with my colleagues.

This is great legislation. It is about road safety; it is about Roads to Recovery—everything we agree on. Maybe there is a bit of argy-bargy about how we are going to fund it, but we will leave it up to the opposition to come to their senses and pass the Recovery package so that we can get on with it. I thank my colleagues.

Mr BILLSON (Dunkley) (11.59 am)—Madam Deputy Speaker, I acknowledge your forbearance on the wide-ranging topic area around AusLink. I also acknowledge the enthusiasm of the member for Braddon for his electorate.

The DEPUTY SPEAKER (Ms AE Burke)—It has been a far-ranging debate, and I will continue to let it be so.

Mr BILLSON—Your forbearance is very much appreciated. I am encouraged by it, in fact. We are here—initially at least—to talk about the AusLink (National Land Transport) Amendment Bill 2008. The member for Braddon touched on that in his opening remarks. Essentially, the bill contains a number of provisions, the most important of which involve the extension of the highly successful Roads to Recovery program for another five years. This
was a coalition initiative and was introduced by the Howard government to almost nationwide acclaim. The benefits of the Roads to Recovery program, particularly for local government with its responsibilities for some 800,000 kilometres of roads across our country, are well acknowledged and the extension of the program is well justified.

Before I touch on AusLink and the Roads to Recovery program, I want to briefly share some thoughts about another provision of the bill which redefines what a road is. There is some concern that the definition of 'road' in the act as it stands may put in doubt the development of off-road facilities. Important off-road facilities include roadside rest stops—these are particularly important for our interstate trucking fraternity—parking bays, decoupling facilities and also some support for new technology as it relates to electronic monitoring systems and the like. These initiatives are important. Transport safety and transport success are not just about pavements; they are about innovation. The member for Braddon touched on a fuel innovation that he is familiar with. I also share his optimism about those alternative fuel pathways, having had some involvement of a similar kind with compressed natural gas measures. The only constraint with that measure was that it was mainly for a transport system that kept coming back to the same base every day. So issues about refuelling et cetera, which are real challenges, were overcome. However, that is a challenge for the future. I certainly share many of the member’s thoughts on alternative fuels for the heavy transport sector.

New technologies are very important. I have learnt—particularly through Fletcher Davis, who was one of the organisers of the recent transport sector protest where many of the concerns of drivers were brought to the attention of the Australian public and political leaders, and also through the insights that Brendan Nelson gained on his road trip in the big rig—about the regulatory burden on drivers. The state transport regulations are heavy-handed, prescriptive, inconsistent and punishing. Hopefully, we will achieve some consistency in those regulations through the use of electronic monitoring systems whereby truck drivers will be able to record in their logbooks not only the direction but also the duration, rest times and the like during their journeys. Technology that captures that information should be embraced. It will be a key tool in the armoury to ensure that vehicle drivers are acknowledged as a very important part of our economy and that appropriate measures are in place to tackle the risk of fatigue, not only for the drivers themselves but also for others.

When I am on some of these highways and B-doubles are whizzing by me, I can assure you that I would like to be comforted that the driver, the pilot of that potentially lethal projectile, has their full faculties and is fully functioning, alert and attuned to their responsibilities as a driver. That is a big responsibility, given the weight of those rigs and the activities of other road users and people adjacent to the road carriageways. The initiative for AusLink to include electronic monitoring systems as part of the national land transport system is a very good one.

The rest stops, as I touched on, provide drivers with the opportunity for some respite, away from the hum, then the approaching roar and later diminishing roar of heavy vehicles as they go by. Hopefully, the driver is able to rest some distance away from a refrigerated unit. There is nothing worse, I understand, than pulling up at a rest stop, ready for a four-hour kip, only to find yourself parked beside a refrigerated unit. The hum of that refrigeration system potentially sees you stop for four hours but not rest for those four hours. I think those things go to soundly and thoughtfully developed rest stops and parking bays. We know that issues concerning rest and respite from the noise of heavy transport are a very important priority for
drivers who are seeking those periods of respite—rest and recovery—to regain their alertness to continue on with their work. This is also a very important issue for residential areas.

I note the congestion on the Frankston Freeway, already a very important part of our transport network but now with EastLink funnelling more traffic onto it. I feel for and have been working actively on behalf of the residents who are adjacent to the Frankston Freeway. Those who visit the great Mornington Peninsula to enjoy all that it has to offer would know the Frankston Freeway. It has been there for some time but now, where the merge occurs with EastLink, some of the vegetation that used to act as a sound barrier to buffer the noise of that traffic has gone. The traffic itself has increased in volume, and the increased proportion of heavy vehicles is making traffic noise a real curse, a real burden and a real source of frustration and despair for people who are adjacent to the Frankston Freeway.

When thinking about new transport innovations, EastLink is a magnificently engineered piece of infrastructure, but I am sure you will lament with me, Madam Deputy Speaker, about the tolls being imposed. As you travel along there, there are some magnificent sound barrier structures with great sensitivity to housing—particularly around Bangholme, where you can see a house just the other side of a local access road. Some thoughtfulness has gone into that sound barrier. If you then head down a little bit further to Frankston, around the old war service estate there at Belvedere Park and adjacent to the light industrial area, there has been no such thoughtfulness for them.

I was troubled to learn of some statements made some years ago that there would be no sound barrier treatment on the Frankston Freeway. I find that bizarre and disappointing, given that some of the sound abatement fixtures, be they trees, were lost during the construction of that road, so even what was modestly there has gone and people are very close to that road that is suffering from a great deal more traffic. I just think a more responsible and thoughtful approach of the kind shown with the construction and engineering solutions on EastLink applied to where EastLink runs into the Frankston Freeway is long overdue.

I am told some sound monitoring will start shortly on that. I have already received some copies of correspondence suggesting some sound monitoring has been done at particular locations. Sound monitoring has suggested volumes in excess of 68 decibels, which is one of the trigger points for remediation in sound barrier terms, but then that was discounted because the wind was blowing the wrong way. I appreciate that wind has an impact on sound, but if it is 68 decibels then those residents are not going to be fussed about whether the wind has contributed to it. It still is 68 decibels, and I think a thoughtful, sensitive and more forward-looking approach to tackling this issue is a very important call that I make on behalf of the local community.

I welcome wholeheartedly the sound barriers, the rest stops and the parking bays that AusLink will now be able to incorporate. I urge the state government, ConnectEast, SITA and VicRoads—you can imagine the jurisdictional jumble that is involved here—to understand as we do that respite is important for the good health of truck drivers and that some respite from trucking noise for those who do not drive the trucks is good for their wellbeing as well. I encourage and call on the state government and its agencies to take more decisive thoughtful action in that regard.

The electorate of Dunkley has been a major beneficiary of the Roads to Recovery program itself. Projects have been carried out particularly on roads that I would call roads in transition.
We have the national highway network, we had the Roads of National Importance program, we have local roads and the state has arterial roads, but for growing and developing communities an acknowledgement that roads in transition are a public policy challenge is something that is long overdue. Down on the Mornington Peninsula and in the greater Frankston area we see new suburban developments and in some places a conversion of housing use. Holiday houses that used to get plenty of use over summer, thus bolstering the population, now house permanent residents. So there is quite a change in the complexion, even though you might not see a physical change in housing construction, and there are also new urban areas where housing construction reaches out over areas like Langwarrin, Mornington East and the like.

What happens, though, once you move away from those subdivisions is that you get to roads that in some cases it was never envisaged would carry this kind of traffic. I think about Warrandyte Road, Bungal Road, Mornington-Tyabb Road and the like, just to name a few—even the Frankston-Cranbourne Road and its duplication. These are all important projects, many of which were supported by the Howard government under Roads to Recovery. I am optimistic that the new government will be able to play a constructive role there as well, but the key thing is that a once rural road, now acting as an important arterial to a growing suburban area, might have a pavement that is 3½ metres wide.

That might have been okay in the rural days; you might have had a couple of wheels leave the sealed area and go onto the shoulder. But, when you are getting enormous volumes of traffic, kids trying to get to school, a mixture of pedestrians and cyclists, new urban development and roads built and designed for a time that is now past, you get a terrible coming together of factors. We must be mindful that changing population patterns will require some remediation of the road network well beyond what the subdividers and developers would have responsibility for. I am hopeful that the Roads to Recovery program will be an ally and an asset for that kind of work into the future. We have seen North Road in Langwarrin—the importance of the traffic lights being installed there at the intersection with McClelland Drive. Again, the traffic congestion that was there was horrendous. In the growing areas of Langwarrin and Mornington East, many roads are groaning under the weight of the population growth, and I look forward to working effectively with the government and the local councils to make sure something is done about that in the future.

There is a particular provision in this bill that I like, that I wish had been around—and perhaps, Madam Deputy Speaker, you may have wished was around—in the past. I think of the half a billion dollars plus that the Howard government committed to a toll-free Scoresby Freeway. We all know the shame and scandal of the state government promising before the election to build a toll-free Scoresby and then doing completely the opposite just months after the election. In this bill there is actually a provision for the allocation or the setting aside of funds to a state for Roads to Recovery projects without specifically knowing to whom that will be paid eventually—some quarantining or warehousing of those resources while the detail is resolved. Wouldn’t we have loved to have had our half a billion dollars for a toll-free Scoresby Freeway quarantined so that we could have seen those resources applied to the benefit of the east and south-east of Melbourne?

I mentioned yesterday in this chamber that we in the east and south-east are the only part of the metropolitan community that pays to use the arterial ring-road. There was that horrendous front page of the Herald Sun just a couple of days ago pointing to the state government—the
Brumby government—talking with the constructors of EastLink about building the Frankston bypass as a tollway. Sixty kilometres out of the CBD, the communities I represent will be paying tolls.

Direct funding of transport infrastructure has its place. I am not against tolls; I know they have a role to play. But when will there be consistency in the application of this financing tool so that it is not used to discriminate against one part of a metropolitan community and then set to one side for another? Some consistency is required. The Howard government, when it was elected, committed some funding through AusLink to assist in a toll-free construction of the Frankston bypass: $150 million with the condition that it be toll free, with environmental sensitivity to the design, with some thoughtfulness about non-motorised vehicle use—something that is now being retrofitted to EastLink, with pedestrian access over that magnificent piece of infrastructure, and it is hardly a few months old. But now we are hearing about tolls again.

What is it about the state Labor government that thinks tolls are not okay for some people in greater Melbourne, but the community I represent keeps copping them at every turn? We did not get any compensatory projects as a result of the imposition of the tolls; we did not get a Ringwood bypass without tolls; we did not get an extension to the Knox light rail and we did not get the toll-free Dandenong bypass. We got zip when there was the imposition of the tolls. And now what are we going to get? To add insult to injury, now they are talking about another tollway, when really the Frankston bypass needs to be built to be toll free. That is at least the honourable thing to do after being done over by the state government in relation to tolls and EastLink. It is just outrageous that such a further insult to the community I represent could be even contemplated.

One of the things that I am optimistic about, though, into the future and that may well be accommodated by the AusLink funding framework is the very real challenge we are facing in terms of urban planning. Bernard Salt, a demographer and someone I have known for some years, has an article in the Australian today, and I draw the chamber’s attention to it, on page 24 of the business section. I am not talking about the Herald Sun, where there has been some assessment of particular neighbourhoods and the great city of Frankston has been omitted because it is too Anglo apparently—we are not even on as one of the best places to live in Melbourne because we are too Anglo. That is an interesting reason to rule us out: we do not get a pic fac in the Herald Sun for the best suburbs because we are too Anglo.

Mr Melham—There’s not enough character there!

Mr BILLSON—I invite the member for Banks to come and visit; he could add to the complexion and then we might actually get a look in as a great place to live! But that is a discussion for another day. But what Bernard Salt talks about are these urban-planning strategies and how they have popped up right across the capital cities of Australia. It started in our great city, Melbourne, with the Melbourne 2030 plan released in October 2002. Lots has been said about Melbourne 2030 and imposition of the urban growth boundary, how it was arrived at and what it actually means, but one of the things that Mr Salt points out is that the factual foundation on which it was determined has already been blown out of the water. In the article, he points out:

… Melbourne 2030 is designed to contain the city’s expansion via an urban growth boundary … This boundary was set when it was thought that Melbourne might add 831,000 residents between 2006 and 2031.

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He then says:

But now the ABS has weighed in with a very different outlook: it says Melbourne will add 1.611 million over this time frame.

That is a difference of over three-quarters of a million people. That is more than a statistical blip. That involves a little more than putting another floor on some high-rise development to accommodate just a few extra households. That is more than half a million extra households that now need to be accommodated. It points to a gross underestimate of the planning foundation on which the growth boundary was developed.

Mr Salt identifies some strategic responses and introduces the concept of Melbourne as a flower. With Victoria the garden state, I can live with Melbourne as a flower, but he goes further, talking about the concept of the petals of that flower. There would be a hub, a high-order functional city centre, in Melbourne and then petals coming out from that to follow the transportation corridors.

I would point out that in the great area of Dunkley there is a transportation corridor called the Frankston rail line—it has been there since long before I was around—and people used to catch it to go on their holidays. Now they catch it to get somewhere near the edge of the urban sprawl and then wrestle for a car park and then realise that, in cities where there is a rail network and a key focal point, the smart thing to do is to actually take the rail line to a couple of stations past the main focal point. That is where the land is cheaper. That is where you can build intermodal systems, a park-and-ride capability and proper car parking so that you do not have to arm-wrestle TAFE students for a space, hope the local footy club does not give you a hard time for parking there or have to park at the Seaford RSL, where the car park desperately needs resealing, because you think you can sneak in there although it is actually for the RSL members.

The smart thing to do is to recognise that Frankston is an urban centre of some significance—I think, appropriately, it needs to be seen as being more significant—and then extend the rail line out further and put these intermodal connections in beyond the focal point of the rail line. You can then build fast rail to the city, have a metro flyer and stop at only one or two places, turning the hour train ride from Frankston into a much shorter trip. You can get to the city more quickly from Ballarat; you can get to the city more quickly from Geelong—and we are in the city; we are in the metropolis.

Some forward thinking is what Bernard Salt is saying is needed. I agree with his concept of the petals, but it needs to go further and pick up some of the ‘city of cities’ flavour that you see in Sydney, where a place like Frankston is identified as a city—as fully functioning, fully self-contained and able to meet all people’s employment, education, social and cultural ambitions—and thus limit the need to travel as often to the ‘high-order functionality of the city centre’, as Bernard Salt describes it. That is a vision where transport is a key part of the planning. That is where AusLink then says, ‘There are some connections here we can play a role in.’ That is where, with the Frankston bypass, without tolls, you would factor in a park-and-ride location where you can car pool or at least interconnect with the rail transport further into the city. That is strategic planning for transport. (Time expired)

The DEPUTY SPEAKER (Ms AE Burke)—As the member has shown by his contribution, it has been a wide-ranging debate! The question is that this bill now be read a second time.
Ms LIVERMORE (Capricornia) (12.19 pm)—I enjoyed what I heard of the member for Dunkley’s contribution. It makes me think that the federal government should have a major cities unit. And guess what? Now we have one. The Labor government have introduced a major cities unit; we are putting up our hands and accepting responsibility for infrastructure and planning in our cities in a way that the previous government, in which the member for Dunkley was a minister, never did. I will let the member for Dunkley stand up for his urban electorate and I will get on with making sure that my regional electorate gets its fair share of the infrastructure, planning and investment that is now happening under the Rudd Labor government.

As I make my contribution on the AusLink (National Land Transport) Amendment Bill 2008, I note that it is such a pleasure to be able to speak with such regularity these days about what is happening in the area of infrastructure, planning and investment. It is one of the major priorities of the Rudd Labor government and it is certainly not before time. This bill has two main purposes: the first is to change the definition of a road that is contained in the AusLink act to allow funding of heavy vehicle facilities, such as off-road rest stops, and the second is to allow the Roads to Recovery program, which is funded under the AusLink act, to be extended for another five years.

I turn firstly to the Roads to Recovery program, which has been warmly welcomed and made much use of by my local councils since its inception in 2000 or 2001. Roads to Recovery provides funds to local councils to upgrade and maintain their road networks, to make them as efficient and as safe as possible. The Rudd Labor government is increasing funding under this bill, so increasing the funding that goes direct from the Commonwealth government to councils to do that important work at the local level. We are now going to be providing funding of $350 million per year—that is an increase of $50 million a year—to councils for those important works. I was speaking to one of my Rockhampton regional council councillors yesterday. Greg Belz has been one of the driving forces at the local level in making good use of the Roads to Recovery money. He is certainly welcoming the increase that Rockhampton Regional Council will receive under the new funding arrangements.

This bill confirms the government’s commitment to extending the Roads to Recovery program. It was set to expire on 30 June 2009. We are now extending that for a further five years. As I said, we are increasing the total funding by $50 million a year, or $250 million over the five-year program, compared to the previous government’s allocations under the Roads to Recovery scheme. My councils can now get on with making plans to improve our local roads, and I am very sure that they will be doing that as we speak. Just to confirm the funding that those councils will be receiving under the next round of Roads to Recovery: Rockhampton Regional Council is getting $1,845,000 this year; Mackay Regional Council, $1,719,000; Isaac Regional Council, which contains the mining towns in my electorate, is getting $2,368,000, which reflects the size of that council and the many local roads that that council is responsible for; and the Whitsunday Regional Council, which represents a small portion of Capricornia, is getting just over $1 million in the next year. I look forward to benefiting from those road improvements as I spend time driving around my electorate with the other road users in Capricornia. As I said, this is a program that local councils have very much come to rely on. It is a very popular program. With the announcement that the Rudd government will extend the program for five years, the Australian Local Government Association gave its en-
endorsement, saying that the Roads to Recovery program is an essential element in local government’s ability to maintain and upgrade the local road network.

As I was saying, the other part of this bill is to make a technical amendment but one that has significant implications. It is to change the definition of a ‘road’ in the existing act. That is to facilitate the work that the government want to do in rolling out our heavy vehicle safety and productivity package. This was announced earlier this year, in the May budget. It is one of several measures aimed at reducing fatigue which include the new heavy vehicle driver fatigue laws coming into effect later this month. We are now set to dedicate $70 million of funding towards the heavy vehicle safety and productivity package. Much of that will go towards building additional rest stops on our highways, rest areas and parking areas, heavy vehicle bays, decoupling areas, weigh stations and similar facilities, and we are waiting on the Senate to agree to the road user charge increase that we brought before the House earlier this year. It is curious that the opposition have taken the position that they have on the road user charge, because it was actually proposed by them when they were in government in 2007. They are now playing a spoiling role in the Senate, which I guess we are getting used to, and holding up the funding under that charge. What we want to do is to get on with implementing our heavy vehicle safety and productivity package and using the $70 million earmarked out of the road user charge to do that important work of building rest areas and parking bays, particularly for our truck drivers, who are out there working hard and need more opportunities to rest and to stay safe.

In a release in March this year the Australian Trucking Association commented on the release of the Austroads report. The report is pretty damning reading, to be honest. The release says:

… the report audited the rest areas along 12,700 kilometres of Australia’s major freight routes against the national guidelines for rest area facilities.

Austroads is a government research agency that was commissioned to do that work. It continues:

The report concluded that none of Australia’s major highways fully meet the national guidelines, which require a major rest area every 100 kilometres, a minor rest area every 50 kilometres, and a small truck parking bay every 30 kilometres …

This is of particular concern to me, as someone who represents an electorate in Queensland where there is an incredible amount of not just your standard semis and B-doubles but trucks hauling huge pieces of machinery on roads that are getting busier and busier with normal traffic as well. The report found that the problem of the shortage of rest areas was especially acute in Queensland and particularly on the Bruce Highway. I have about 400 kilometres of the Bruce Highway running through my electorate, and that is of particular concern to me on behalf of the thousands of people and trucks using that road every week. The Labor government, as I said, have committed to doing something about that, to doing our bit to increase the number of rest areas, and we look forward to the opposition supporting us in that effort by passing the road user charge and allowing those funds to flow.

Another part of the government’s commitment to road safety is the spending that we have committed to for the Bruce Highway. Of course, that funding is being pledged through the next round of AusLink. It is coming forward between 2009 and 2014. This formed a major plank of our election commitments to Queensland, and to Capricornia in particular. We have
committed $2.2 billion to the Bruce Highway over the five years of the AusLink 2 funding program and we are already seeing work starting in my electorate on some of the highest priority road projects. The Minister for Infrastructure, Transport, Regional Development and Local Government was in Mackay just last week. I seek leave to continue my remarks.

Leave granted.

Debate adjourned.

**ADJOURNMENT**

Mr MELHAM (Banks) (12.30 pm)—I move:

That the Main Committee do now adjourn.

**Inpex Liquefied Natural Gas Processing Plant**

Dr JENSEN (Tangney) (12.30 pm)—The ALP have fallen in Western Australia—victims of their own mismanagement, arrogance, incompetence and disgraceful corruption, continuing a pattern which has blighted state politics for 25 years. But, before they are even officially out of office, the results of their abuse of two terms in power are already coming back to haunt us. A massive resources infrastructure project planned for WA was jeopardised by state and federal Labor government meddling led by the federal Minister for the Environment, Heritage and the Arts and the former WA Minister for State Development, who is now the state’s Leader of the Opposition. It now seems that it may be too late for Western Australia to secure the Inpex LNG processing plant in the Kimberley, with the project going to Darwin instead.

When Inpex came to WA and said they would like to invest up to $20 billion—and this figure represents $10,000 for each man, woman and child in WA—they were not welcomed with open arms, as one would expect. No. Instead, they were told that they would have to wait while consent was obtained from every single one of the disparate Aboriginal groups in that vast region and that the environmental impact must be assessed—an action already carried out by the company at a cost of millions of dollars. The state and federal governments then told Inpex that they hoped to establish a single site in the north-west as a hub for all related resources plants but made no decision on this either. When given the option of serving the interests of an entire state of two million people—a state which props up the rest of the country with its massive resources royalties—the state and federal governments refused. Instead, they decided to serve the narrow self-interest of tree huggers and a handful of native title rabble-rousers—and I make a distinction here from those who genuinely work in the interests of the environment and Aboriginal people. When given a choice between economic rationalism and getting a warm and fuzzy feeling from their middle-class, superannuated, pseudohippy mates, they chose the latter.

Mr Danby—A few adjectives there.

Dr JENSEN—Yes, I am good at adjectives, aren’t I? ‘Wait,’ they told this huge Japanese firm, ‘Hold onto your $20 billion and we’ll get back to you.’

Mr Danby—Less is more.

Dr JENSEN—Well, they did not. Inpex, which is 30 per cent owned by the Japanese government and has French energy giant Total as a partner in the project, could not afford to wait. Less is more; $20 billion less is not good. The processing plant for the massive Ichthys LNG plant will be the biggest resources investment Australia has ever seen and one of Japan’s big-
gest overseas investments. It is a key element in forward planning for Japanese energy security and is expected to provide up to 10 per cent of Japan’s energy needs when it comes on stream, as well as marking a 50 per cent increase in Australia’s total LNG exports. The first shipments from the plant were expected in Japan in 2012. That schedule has now been pushed back to 2014 by ALP bungling, but Japan will tolerate no further delays.

So, no, they could not await the whim of some disinterested ALP figures. It is a high-stakes project and they required certainty. The company wanted to build their processing plant on the Maret Islands, near where they extract the gas, off the Kimberley coast. But, ultimately, the treatment they received from the WA government and the federal environment minister drove them to consider more extreme options, including spending an extra $700 million to pipe the gas to Darwin and build a processing plant there. The company have since said they have not made a final decision on the plant but have started preparatory drilling in Darwin’s harbour anyway. It seems likely the project will go to Darwin and likely that the ALP governments in both Canberra and Perth knew of this and tried to hush it up before the recent WA election. The new WA Premier, Colin Barnett, is seeking to secure the project for our state, but the signs are that it may be too late—and the federal environment minister could still veto any plan to site the project in the Kimberley. The message to the global business community is that Australia will take their money but only on Australia’s terms. The message is that we are unreliable and unresponsive. The message is that we don’t care. This is the message being sent by Labor, and this is a disgrace.

National Security

Mr DANBY (Melbourne Ports) (12.35 pm)—It is a great pity that the media coverage of the successful conclusion of the court case against Abdul Nacer Benbrika and his followers has been dominated by a beat-up about the comments of the Attorney-General. That beat-up was inflamed yesterday by the new Leader of the Opposition, who, instead of welcoming the conviction of this group, used half of question time to score points off the Attorney.

I was very surprised during the MPI to see the member for Wentworth citing Rob Stary, who has strongly political views opposing the terrorism laws, which I know are supported by the member for Wentworth and the opposition. It is very odd for the Liberal Party to be citing Mr Stary, as it is with Mr Greg Barns, whose extremist views on Middle East politics are well known. Both of these lawyers are ideologically opposed to the terrorism laws, which I know the member for Wentworth and the opposition support. As anyone who has read the Attorney’s comments can see, he did no more than welcome the verdict. He was careful to say he was not commenting on those trials which had not been concluded. He said:

It is my view that the successful prosecution … is the most successful terrorist prosecution that this country has seen.

Isn’t it wonderful, and shouldn’t the opposition be supporting it? Compared to similar trials in Britain and the United States, which have been complete flops, our investigators have done a wonderful job.

I want to commend the officers of the Australian Federal Police, ASIO and the Victoria Police, who get very little thanks for their work. In this instance, and no doubt in others we have not heard about, they have successfully protected the Australian community from a deadly attack, an attack of the kind we saw in New York. I read that the convicted terrorists’ lawyer, Mr Stary, said that these were inconsequential figures. So was Mohammed Atta before he re-
duced the twin towers to ground zero. All Australians should be appreciative of the security agencies' work. The prosecution of Benbrika and his group shows that both the Commonwealth and Victorian governments are deadly serious about the prosecution of people who plan these kinds of acts. The Prime Minister said:

… this Government will continue to take a hard line on terrorism. The outcome of these cases in Victoria demonstrate that we have a continued challenge on our hands. The Government will continue to adopt a resolute approach to dealing with this challenge within Australia. Australia still faces risks when it comes to the terrorist threat and our law enforcement agencies will continue to be vigilant.

But I say this loud and clear that these convictions represent a clear message to those contemplating any act of political violence. We in Australia not only will not tolerate it but the full force of the law will be brought to bear as well.

The success of these prosecutions stands in sharp contrast to the failed prosecution of Dr Mohammed Haneef. The passing of Australia's antiterrorism laws was a bipartisan endeavour, an endeavour in which I had a small part. The prosecution of genuine terrorist threats has the full support of both sides of the House, in contrast to the opportunism we saw yesterday, particularly from the member for Sturt. But it is a very regrettable fact that the former minister for immigration mishandled the Haneef case, as is acknowledged even by media commentators friendly to the former government.

There are some other aspects of cases concluded in the Victorian Supreme Court that I would like to draw attention to. Although Benbrika and others like him seek to recruit Australian Muslims—especially young Muslims—to the terrorist cause and in a few cases they succeed, the great majority of Australian Muslims reject terrorism, reject extremism and want only to live peaceful lives. As the Attorney-General recognised in his comments yesterday, the cooperation of the Muslim community was essential to the successful apprehension of Benbrika and his group. I am very pleased to note that the prosecutor, Mr Richard Maidment SC, told the jury that Islam was not on trial and that Benbrika's views should only be seen as reflecting his views and not the true views of Australian Muslims. The Federal Police Commissioner also added his views yesterday in the Herald Sun when he said it was an important part of the counter-radicalisation adopted by the AFP, Victoria Police and other state forces to ensure more police contact with Muslim groups. He said that it was important that figures such Benbrika were stopped before they could influence others. That is why it is so important to engage with the Muslim community. That was the argument both of Mr Keelty and of the Attorney-General yesterday.

Let me conclude by emphasising that it is very important that the approach towards successful moves against terror remains bipartisan. Therefore, it is plainly silly for the opposition to try to make cheapjack points attacking the Attorney-General and to cite people like Mr Robert Stary. Mr Stary is perfectly entitled to his political views. His views, however, do not represent the views of either the government or the opposition on the issue of the terrorism laws—neither do the views of Mr Greg Barns, another barrister, who is well known to the member for Wentworth and who, I repeat, has extreme views on Middle East matters. It is important for Australia's safety, when these trials take place and there are successful prosecutions, to show the Australian public that our security services are successful and are doing the right thing. Benbrika's gang's conviction is in contrast to cases in Britain and the United States, because our parliament, courts and security services, working lawfully and together,
have successfully brought these matters to a conclusion. That is the big picture that the Attorney-General was making. *(Time expired)*

**Depression in the Aged**

**Mrs MAY (McPherson)** (12.40 pm)—I rise today to talk about an issue that none of us should ignore. A recent study by Deakin University has revealed that clinical depression remains undiagnosed in up to half of the aged-care residents in nursing homes. As anyone who has suffered from depression knows, it is more than just feeling let down or feeling sad; it is a serious condition that needs treatment. People suffering from depression generally find it hard to engage in day-to-day activities. Depression can have serious effects on physical and mental health. Depression in older people is common—and it is more common than we realise. It is normal to feel down or sad during physical illness or when we lose a loved one. Beyondblue’s research reveals that it is a commonly held view, even among older people, that it is normal for people to become depressed as they age. However, depression does not have to be a normal part of ageing.

Deakin University’s study *Recognising and screening for depression among older people living in residential care*, led by Professor Marita McCabe, consisted of a series of three studies that explored the prevalence of depression among a sample of 300 elderly low-level-care residents. Professor McCabe’s research found evidence of high rates of depression in nursing homes. Unfortunately, many older people think that depression reflects a weakness of character and not a health problem, so they do not talk about it. Depression is a common health problem in the broader community: one in five people experience depression at some stage in their lives. With the right treatment, most people do recover from depression.

Deakin University’s study found that less than half of the nursing home residents with depression who were participating in the study were receiving pharmacotherapy or any other form of intervention. This is despite a growing awareness in the literature of under-recognition and undertreatment of depression among older people. Deakin University’s study made a number of significant recommendations for further research, study and policy development. The recommendations include undertaking further research to better understand depression among people residing in low-level-care facilities, providing better training for general practitioners to detect and manage depression among low-level-care residents and providing better training for nursing staff to improve their ability to detect depression among low-level-care residents. I really hope that the Minister for Health and Ageing and the Minister for Ageing have taken note of these recommendations from the study and will take some action.

The bottom line is that many people are leading fairly miserable existences in nursing homes. I would say to the Minister for Health and Ageing and the Minister for Ageing that that is due entirely to the fact that the depression is going undiagnosed and untreated. We can do something about it. We all know that depression strikes people in our communities. We know of very high profile people who have admitted that they have suffered from depression—people in our own industry, if we can call politics an industry—and they have taken a lead in putting their own experiences on the public record and assisting those in our community who need some help with their depression.

I certainly commend Professor McCabe and Deakin University for undertaking the study and for using the study findings to develop and implement a pilot training program for staff at a number of Melbourne nursing homes to help them recognise the symptoms of depression.
and what can be done to assist people with it. It is important that we encourage these people to learn about it and to recognise the symptoms of depression, particularly in aged-care facilities. As I said earlier, growing old is probably not all we would like it to be; it does come with its challenges. But I think we can help make it a lot easier for people; we can help make it happier for them. Let us face it: we are all ageing every day of our lives, even those of us in this place. I commend everybody involved in the study and I hope its recommendations will be taken on board.

Ms COLLINS (Franklin) (12.45 pm)—I rise today to inform the House of an exciting water project in south-east Tasmania. In July this year I was really pleased to announce a $10.5 million funding package to develop a recycled water scheme. It is a smart scheme that will ensure we use our precious water more efficiently. I am sure all Australians would agree that the preservation and conservation of water is a priority for this nation. That is why the Rudd Labor government has taken action to ensure we change the way we use and value our water.

To secure a long-term water supply for all Australians the Rudd government has developed a national water plan that incorporates all states and territories, including Tasmania. It is a nation-building plan that invests for the future and one that incorporates water infrastructure. It is a plan to revitalise our rivers and waterways. It is a plan that secures the nation’s water supplies in our cities and our towns.

This national plan is also about changing our usage to ensure we are more efficient and smarter with water as we adapt to climate change. Responding to climate change means we now have to manage our water supplies more carefully. It means we have to have a practical and common-sense response to the impact that climate change is having on the towns and cities where millions of Australians live and on rural and regional Australia. In our changing environment every drop of water does count.

Cast your mind back to before the last federal election when the previous Australian government, the Howard government, left Tasmania off the map of its $10 billion so-called ‘national’ water plan. Tasmania does have a large and diverse agriculture industry and its needs were largely ignored by the previous government. The Rudd government has now rectified Tasmania’s exclusion. Preserving water is a national priority but so too is conserving our valuable waterways. That is why we have developed a truly national plan to encompass all the states and territories, including Tasmania.

Federal Labor has set a national target of recycling 30 per cent of waste water by 2015. Tasmania’s progress in water recycling sets a very good example. I am proud to stand here today to inform the House that south-east Tasmania will now have access to additional water under a $10.5 million water scheme funded by this Rudd Labor government. The government is funding stage 1 of the south-east Tasmania water-recycling scheme. When this scheme is fully implemented it will significantly reduce the effluent discharges into the Derwent Estuary, through the development of an integrated recycling and irrigation system. The fully completed scheme will integrate six sewage treatment plants, which currently discharge effluent directly into the Derwent Estuary, with a connection to the Clarence City Council’s recycled irrigation scheme. The scheme will take 75 per cent of the discharge volume and contaminants and reduce the level of municipal waste water by recycling it for agricultural use in the region.
This million-dollar funding package honours an election commitment and is part of the Rudd government’s $12.9 billion Water for the Future plan to secure long-term water supply for all Australians. Water for the Future has four key priorities: taking action on climate change, using water wisely, securing water supplies and supporting healthy rivers. Funding for the south-east Tasmania project is drawn from the $250 million National Water Security Plan for Cities and Towns, which is funding practical projects like pipelines, water-saving infrastructure and water treatment plants. Stage 1 of the south-east Tasmania recycled water scheme will connect the Rokeby sewage treatment plant to an existing irrigation system to make available an additional 730 megalitres per annum of recycled water.

The Rudd government funding will pay for the construction of a 900-megalitre buffer dam to enable storage of the recycled water when demand for irrigation purposes is low. This will allow additional water to be made available to the irrigation area when it is required. By 2011, when this work is complete, up to 2,400 megalitres per annum of recycled water will be available for irrigation. This will be an increase of 1,100 megalitres over the current supply. This million-dollar contribution will allow irrigators to take advantage of the increased recycled water supplies.

This is certainly a common-sense and practical response that will also have a positive impact on the local economy. It will provide opportunities to grow the region’s agricultural base, especially in horticulture. It will create jobs on farms and in packaging and processing. It will deliver a real economic dividend for the south-east of Tasmania. I congratulate all my federal colleagues, particularly my Tasmanian colleagues—the member for Lyons, the member for Denison and Labor Senator Carol Brown—for all the work they have done to support this practical water project and the federal Minister for Climate Change and Water, Penny Wong, for her assistance in delivering the funding so quickly.

Indigenous Employment

Mr Johnson (Ryan) (12.50 pm)—I want to speak in the parliament today about jobs and opportunities for Indigenous Australians. Today’s Indigenous unemployment rate is some 14 per cent. This is terrible, it is disgraceful, it is a shame upon all of us who have the opportunity and the capacity to make an impact—and we must do this: those of us who are in situations where we can tackle this blight upon our country must do so. The rest of the country faces unemployment rates of some 4½ per cent, but I suspect this will go up, too, with the Rudd Labor government in charge of the Treasury bench. We will have to focus our attention on that in the months and years ahead. But today the Indigenous population of our country needs our help. It needs the help of governments and it needs the help of Australian businesses and others who are able to provide opportunities. We have to think about new ideas for and new ways of attacking unemployment in the Indigenous community.

Unemployment, of course, is the source of so many negatives in life: negative access to health care, to services and to education opportunities, and we all know that unemployment at any level and at every level hits confidence and self-esteem. To many of those who are unemployed—and I am sure many of us have met people who have been unemployed—their lives have little sense of usefulness, there is a sense of being of no value and there is a lack of motivation. It is something that we must address.

Yesterday I had the opportunity of meeting one of Australia’s most significant businessmen, someone who employs many, many hundreds of people, a businessman who wants to
make a genuine and a long-term impact on the Australian Indigenous population. I had the opportunity and distinct pleasure of meeting the CEO of FMG, Mr Andrew Forrest. I had a 45-minute meeting with him because he comes from Western Australia and runs a business that employs hundreds of Indigenous Australians and I come from Queensland, a state that also has a very significant unemployment issue with its Indigenous population. We had a very productive meeting and he asked for my thoughts about his initiative, the Australian Employment Covenant, which I think is a very positive initiative, a very significant move in the paradigm of how we can tackle the issues of Indigenous unemployment.

Mr Forrest runs a global company, a company that exports iron ore to China. What we need to do here is to take a leaf out of his book in the way that he thinks, in terms of globalising our workforce, globalising the Indigenous population of Australia. What I mean by that is giving them access, giving them the opportunities that the rest of the country has access to.

The Australian Employment Covenant plans to provide some 50,000 jobs to Indigenous Australians. It is going to involve mentorship and training of Indigenous people: giving them access to those who have skills and giving them access to business leaders, who will be very much a part of their training, and their mentors. Australian businesses are going to be called upon to play their part. Australian governments at state and federal level are being asked to play their part, and I am delighted that the Prime Minister and members of the opposition are very warmly endorsing this way of thinking.

Australians are ready to tackle this massive challenge. We have to do this. Expressing sentiments in the parliament is one thing—and it is on the record that I subscribed to the national apology to the Australian Indigenous people that the parliament gave earlier this year. I supported that move. I thought it was overdue. I do believe that the Howard government should have done this, and the people of Ryan are well aware of that.

On this issue of Indigenous Australian unemployment, I want to refer the parliament to the comments of two other significant Australians. The first is Mr Noel Pearson, who is a director of the Cape York Institute for Policy and Leadership. This is what Mr Noel Pearson, an Australian who really does think very much about these kinds of issues, said when Mr Forrest approached him on this idea:

“... it was a complete hit to the solar plexus when Andrew proposed not a few thousand real jobs in a timeframe, but 50,000 guaranteed real jobs.”

I should say that I went to school with Mr Noel Pearson, so we do share these views very strongly. I also want to quote another significant Australian, a former ALP national president, Mr Mundine, who is also very supportive of this idea:

“You can educate people as much as you like, but if they’ve no jobs to go into, as a young Aboriginal 10-year-old told me, ‘Why do we need to be educated, if there is there’s nothing for us, there’s no future?’ This is going to fill that gap.”

This is something that is very significant, and I want to commend all Australians and Mr Forrest for coming up with this Australian Employment Covenant.

Disability in the Arts, Disadvantage in the Arts Australia

Ms PARKE (Fremantle) (12.55 pm)—I would like to talk today about the organisation Disability in the Arts, Disadvantage in the Arts Australia, otherwise known as DADAA. DADAA is a not-for-profit organisation based in my electorate of Fremantle, which has pro-
jects running in urban and regional centres around Western Australia. Across Western Australia, from the Kimberley region to the south-west, there are around 4,000 people who directly access DADAA’s services. Most of the organisation’s clients have a physical or intellectual disability and about one-third have mental health issues. DADAA’s strength lies in the partnerships it builds with organisations such as local councils, universities, federal government bodies like the Australia Council for the Arts and the Disability Services Commission; businesses such as Rio Tinto, Alcoa and Optima Press; and state government bodies, including Healthway and the Department of Education and Training.

In early August I attended a meeting at DADAA’s central office in Fremantle with the Parliamentary Secretary for Disabilities and Children’s Services, Bill Shorten. Bill and I were impressed with the scope of the organisation’s activities and projects throughout the state and the professional production levels of their clients’ artworks and stories. On another occasion the Deputy Prime Minister visited DADAA along with my colleague the member for Hasluck, in whose electorate DADAA’s Lost Generation Project is based.

DADAA is the largest organisation of its kind in Australia, even though Western Australia has proportionately the smallest population of people with disabilities. The regionally based projects have been some of the most successful. In regional centres such as Bunbury and Albany in the south of Western Australia, and isolated areas in the Kimberley, DADAA has taken a whole-town approach to the projects. In Albany, DADAA’s five-year Unhiding project was aimed at addressing the invisibility of people with disabilities living in the country. Free art workshops resulted in many art exhibitions around the town, and there were musical and dance performances and community arts events. Participants enjoyed enriched relationships with their local community, and parents and carers were provided some regular relief from their daily care routine, which can often be hard to come by, especially in regional areas.

From the success of Unhiding, which came to a close in 2006, DADAA moved on to the Lost Generation Project. Its goal was to uncover the life stories of people with intellectual disabilities who have been institutionalised for a large period of their lives. The Lost Generation Project aims to provide the mostly older participants with a means of introducing themselves to their local community through the medium of film. The project has been based in the City of Swan, in the electorate of Hasluck, since 2007 and, with the assistance of talented, professional filmmakers, composers, producers and artists, DADAA has produced almost 50 short films about people with disabilities living around the north-eastern outer suburbs of Perth.

One of the short films that Bill and I saw on our visit to DADAA’s office was the story of Malcolm Harrold, a 45-year-old man with autism. Malcolm lives with a carer but often goes on picnics and outings with his mother, who described their communication barrier as a ‘glass box’ which allows actions and emotions to be conveyed but muffles the verbal communication, which is usually such an important part of any relationship. However, the affection between Malcolm and his mum is obvious.

Another film, entitled Sandscapes, centred on David Broderick and his passion for moulding and manipulating sand. Sixty-two-year-old David is blind and loves nothing more than to sit in his sandpit or on the riverbank and slowly mould the sand around him into hills and valleys, smooth crevices and bumpy hollows. The filmmakers managed to convey a sense of
meditation in David’s tactile connection with the sand and gave the audience an understanding of what it would be like to have to replace your eyesight with just the sense of touch.

The Lost Generation Project films have been screened in exhibitions at the local cinema and local art galleries with support and funding of over $50,000 from local businesses and organisations. As a result of these community displays, instead of being ‘people with disabilities’, they are now ‘storytellers’ who make interesting contributors to the local community. The participants own the rights to the short films and for many it is a personal advocacy tool to introduce a new side of themselves—their passions, their history and their personalities—to other people.

DADAA also has a three-year research project called Disseminate, which aims to develop a framework for evaluating arts and health programs and to map the best current arts and health practices in Western Australia and Australia in order to provide much-needed evidence to support claims about the contribution of arts in addressing disability and mental illness in a community setting. DADAA is a vital part of Western Australia’s community arts network, bringing people with disabilities and communities together through art.

Question agreed to.

Main Committee adjourned at 1.00 pm
QUESTIONS IN WRITING

Families, Housing, Community Services and Indigenous Affairs: Staffing
(Question No. 14)

Mr Pearce asked the Minister for Families, Housing, Community Services and Indigenous Affairs, in writing, on 11 March 2008:

How many departmental staff (including permanent, temporary and casual staff) work in the Minister’s Parliament House office, and that of any other Minister and Parliamentary Secretary associated with the Minister’s portfolio; and what is their length of service in the office.

Ms Macklin—The answer to the honourable member’s question is as follows:

A breakdown of staff in each office as at 11 March 2008, is outlined in the attached table:

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<th>Role</th>
<th>No of Staff</th>
<th>Length of Service</th>
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Traveston Crossing Dam
(Question No. 208)

Mr Truss asked the Minister for the Environment, Heritage and the Arts, in writing, on 26 August 2008:

(1) In respect of his statement about the assessment process for the proposed Traveston Crossing Dam project (Hansard, 5 June 2008, page 103): does he consider it appropriate that the environmental impact assessment report is being prepared by the Queensland Government when it wholly owns the project proponent, Queensland Water Infrastructure; if so; why.

(2) Will he commission an independently prepared and assessed Environmental Impact Assessment of the project; if not, why not.

Mr Garrett—The answer to the honourable member’s question is as follows:

(1) The Traveston Crossing Dam proposal is being assessed in accordance with the bilateral agreement between the Australian and Queensland Governments. Assessments are conducted pursuant to this agreement to reduce duplication between state and federal assessment processes. All assessments must meet the standards outlined in the agreement, relevant Queensland legislation and the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The decision-making processes under the EPBC Act are fully independent and following the receipt of the assessment report from Queensland I can request any additional information that I require.

(2) Consistent with the requirements of the EPBC Act, I will ensure that I have all the information I need before me to make a fully informed decision. My Department has commissioned a number of independent experts to review the hydrological modelling and the impacts on threatened species such as the Australian Lungfish and Mary River Turtle. In addition to those reports my decision...
will also be informed by relevant information from a wide range of sources, including public comments on the draft Environmental Impact Statement and the response of the proponent to those comments.