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SITTING DAYS—2010

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
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<tbody>
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<td>February</td>
<td>2, 3, 4, 8, 9, 10, 11, 22, 24, 25</td>
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<td>March</td>
<td>9, 10, 11, 15, 16, 17, 18</td>
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<td>May</td>
<td>11, 12, 13, 24, 25, 26, 27, 31</td>
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<td>June</td>
<td>1, 2, 3, 15, 16, 17, 21, 22, 23, 24</td>
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<td>September</td>
<td>28, 29, 30</td>
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<tr>
<td>October</td>
<td>18, 19, 20, 21, 25, 26, 27, 28</td>
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<tr>
<td>November</td>
<td>15, 16, 17, 18, 22, 23, 24, 25</td>
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</table>

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FORTY-THIRD PARLIAMENT
FIRST SESSION—FIRST 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—Hon. Peter Neil Slipper MP
Second Deputy Speaker—Hon. Bruce Craig Scott MP
Members of the Speaker’s Panel—Ms Anna Elizabeth Burke MP; Hon. Dick Godfrey Harry Adams MP; Ms Sharon Leah Bird MP; Mr Steven Georganas MP; Mr Peter Sid Sidebottom 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. Christopher Maurice Pyne MP
Deputy Manager of Opposition Business—Mr Luke Hartsuyker MP

Party Leaders and Whips
Australian Labor Party
Leader—Hon. Julia Eileen Gillard MP
Deputy Leader—Hon. Wayne Maxwell Swan MP
Chief Government Whip—Hon. Joel Andrew Fitzgibbon MP
Government Whips—Ms Jill Griffiths Hall MP and Mr Christopher Patrick Hayes MP
Liberal Party of Australia
Leader—Hon. Anthony John Abbott MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Opposition Whip—Hon. Warren George Entsch MP
 Opposition Whips—Mr Patrick Damien Secker MP and Ms Nola Bethwyn Marino MP

The Nationals
Leader—Hon. Warren Errol Truss MP
Chief Whip—Mr Mark Maclean Coulton MP
Whip—Mr Paul Christopher Neville MP

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Members of the House of Representatives

<table>
<thead>
<tr>
<th>Members</th>
<th>Division</th>
<th>Party</th>
</tr>
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<tbody>
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</table>
### Members of the House of Representatives

<table>
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<tr>
<th>Members</th>
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<th>Party</th>
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<td>North Sydney, NSW</td>
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<td>Flinders, VIC</td>
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<td>Chifley, NSW</td>
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<td>Swan, WA</td>
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<td>Jenkins, Harry Alfred</td>
<td>Scullin, VIC</td>
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<td>Tangney, WA</td>
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<td>Eden-Monaro, NSW</td>
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<td>Hughes, NSW</td>
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## Members of the House of Representatives

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<th>Division</th>
<th>Party</th>
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Members of the House of Representatives

<table>
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<th>Party</th>
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<td>Windsor, Anthony Harold Curties</td>
<td>New England, NSW</td>
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<td>Wyatt, Kenneth George</td>
<td>Hasluck, WA</td>
<td>LP</td>
</tr>
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<td>Zappia, Tony</td>
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<td>ALP</td>
</tr>
</tbody>
</table>

PARTY ABBREVIATIONS
ALP—Australian Labor Party; LP—Liberal Party of Australia; LNP—Liberal National Party;
CLP—Country Liberal Party; Nats—The Nationals; NWA—The Nationals WA; Ind—Independent;
AG—Australian Greens

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—A Thompson
GILLARD MINISTRY

Prime Minister
Hon. Julia Gillard MP

Deputy Prime Minister, Treasurer
Hon. Wayne Swan MP

Minister for Regional Australia, Regional Development and Local Government
Hon. Simon Crean MP

Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate
Senator Hon. Chris Evans

Minister for School Education, Early Childhood and Youth
Hon. Peter Garrett AM, MP

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

Minister for Foreign Affairs
Hon. Kevin Rudd MP

Minister for Trade
Hon. Dr Craig Emerson MP

Minister for Defence and Deputy Leader of the House
Hon. Stephen Smith MP

Minister for Immigration and Citizenship
Hon. Chris Bowen MP

Minister for Infrastructure and Transport and Leader of the House
Hon. Anthony Albanese 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 Sustainability, Environment, Water, Population and Communities
Hon. Tony Burke MP

Minister for Finance and Deregulation
Senator Hon. Penny Wong

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

Attorney-General and Vice President of the Executive Council
Hon. Robert McClelland MP

Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate
Senator Hon. Joe Ludwig

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

Minister for Climate Change and Energy Efficiency
Hon. Greg Combet AM, MP

[The above ministers constitute the cabinet]
<table>
<thead>
<tr>
<th>Position</th>
<th>Member</th>
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<tbody>
<tr>
<td>Minister for the Arts</td>
<td>Hon. Simon Crean MP</td>
</tr>
<tr>
<td>Minister for Social Inclusion</td>
<td>Hon. Tanya Plibersek MP</td>
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<td>Minister for Privacy and Freedom of Information</td>
<td>Hon. Brendan O’Connor MP</td>
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<td>Minister for Sport</td>
<td>Senator Hon. Mark Arbib</td>
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<td>Special Minister of State for the Public Service and Integrity</td>
<td>Hon. Gary Gray AO, MP</td>
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<td>Assistant Minister to the Treasurer and Minister for Financial Services</td>
<td>Hon. Bill Shorten MP</td>
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<td>Minister for Employment Participation and Childcare</td>
<td>Hon. Kate Ellis MP</td>
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<td>Minister for Indigenous Employment and Economic Development</td>
<td>Senator Hon. Mark Arbib</td>
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<td>Minister for Veterans’ Affairs and Minister for Defence Science and Personnel</td>
<td>Hon. Warren Snowdon MP</td>
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<td>Minister for Defence Materiel</td>
<td>Hon. Jason Clare MP</td>
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<td>Minister for Indigenous Health</td>
<td>Hon. Warren Snowdon MP</td>
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<td>Minister for Mental Health and Ageing</td>
<td>Hon. Mark Butler MP</td>
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<td>Minister for the Status of Women</td>
<td>Hon. Kate Ellis MP</td>
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<td>Minister for Social Housing and Homelessness</td>
<td>Senator Hon. Mark Arbib</td>
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<td>Special Minister of State</td>
<td>Hon. Gary Gray AO, MP</td>
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<td>Minister for Small Business</td>
<td>Senator Hon. Nick Sherry</td>
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<td>Minister for Home Affairs and Minister for Justice</td>
<td>Hon. Brendan O’Connor MP</td>
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<td>Minister for Human Services</td>
<td>Hon. Tanya Plibersek MP</td>
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<td>Cabinet Secretary</td>
<td>Hon. Mark Dreyfus QC, MP</td>
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<td>Parliamentary Secretary to the Prime Minister</td>
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<td>Hon. David Bradbury MP</td>
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<td>Parliamentary Secretary for School Education and Workplace Relations</td>
<td>Senator Hon. Jacinta Collins</td>
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<td>Minister Assisting the Prime Minister on Digital Productivity</td>
<td>Senator Hon. Stephen Conroy</td>
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<tr>
<td>Parliamentary Secretary for Trade</td>
<td>Hon. Justine Elliot MP</td>
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<td>Parliamentary Secretary for Pacific Island Affairs</td>
<td>Hon. Richard Marles MP</td>
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<td>Parliamentary Secretary for Defence</td>
<td>Senator Hon. David Feeney</td>
</tr>
<tr>
<td>Parliamentary Secretary for Immigration and Citizenship</td>
<td>Senator Hon. Kate Lundy</td>
</tr>
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<td>Parliamentary Secretary for Infrastructure and Transport and Health and Ageing</td>
<td>Hon. Catherine King MP</td>
</tr>
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<td>Parliamentary Secretary for Disabilities and Carers</td>
<td>Senator Hon. Jan McLucas</td>
</tr>
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<td>Parliamentary Secretary for Community Services</td>
<td>Hon. Julie Collins MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for Sustainability and Urban Water</td>
<td>Senator Hon. Don Farrell</td>
</tr>
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<td>Minister Assisting on Deregulation</td>
<td>Senator Hon. Nick Sherry</td>
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<td>Parliamentary Secretary for Agriculture, Fisheries and Forestry</td>
<td>Hon. Dr Mike Kelly AM, MP</td>
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<td>Minister Assisting the Minister for Tourism</td>
<td>Senator Hon. Nick Sherry</td>
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<tr>
<td>Parliamentary Secretary for Climate Change and Energy Efficiency</td>
<td>Hon. Mark Dreyfus QC, MP</td>
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</table>
SHADOW MINISTRY

Leader of the Opposition
Hon. Tony Abbott MP

Deputy Leader of the Opposition and Shadow Minister for
Foreign Affairs and Shadow Minister for Trade
Hon. Julie Bishop MP

Leader of the Nationals and Shadow Minister for Infrastruc-
ture and Transport
Hon. Warren Truss MP

Leader of the Opposition in the Senate and Shadow Minister
for Employment and Workplace Relations
Senator Hon. Eric Abetz

Deputy Leader of the Opposition in the Senate and Shadow
Attorney-General and Shadow Minister for the Arts
Senator Hon. George Brandis SC

Shadow Treasurer
Hon. Joe Hockey MP

Shadow Minister for Education, Apprenticeships and Training
and Manager of Opposition Business in the House
Hon. Christopher Pyne MP

Shadow Minister for Indigenous Affairs and Deputy Leader of
the Nationals
Senator Hon. Nigel Scullion

Shadow Minister for Regional Development, Local Govern-
ment and Water and Leader of the Nationals in the Senate
Senator Barnaby Joyce

Shadow Minister for Finance, Deregulation and Debt Reduc-
tion and Chairman, Coalition Policy Development Commit-
tee
Hon. Andrew Robb AO, MP

Shadow Minister for Energy and Resources
Hon. Ian Macfarlane MP

Shadow Minister for Defence
Senator Hon. David Johnston

Shadow Minister for Communications and Broadband
Hon. Malcolm Turnbull MP

Shadow Minister for Health and Ageing
Hon. Peter Dutton MP

Shadow Minister for Families, Housing and Human Services
Hon. Kevin Andrews MP

Shadow Minister for Climate Action, Environment and Heri-
tage
Hon. Greg Hunt MP

Shadow Minister for Productivity and Population and Shadow
Minister for Immigration and Citizenship
Mr Scott Morrison MP

Shadow Minister for Innovation, Industry and Science
Mrs Sophie Mirabella MP

Shadow Minister for Agriculture and Food Security
Hon. John Cobb MP

Shadow Minister for Small Business, Competition Policy and
Consumer Affairs
Hon. Bruce Billson MP

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

Shadow Minister for Employment Participation Hon. Sussan Ley MP
Shadow Minister for Justice, Customs and Border Protection Mr Michael Keenan MP
Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation Senator Mathias Cormann
Shadow Minister for Childcare and Early Childhood Learning Hon. Sussan Ley MP
Shadow Minister for Universities and Research Senator Hon. Brett Mason
Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House Mr Luke Hartsuyker MP
Shadow Minister for Indigenous Development and Employment Senator Marise Payne
Shadow Minister for Regional Development Hon. Bob Baldwin MP
Shadow Special Minister of State Hon. Bronwyn Bishop MP
Shadow Minister for COAG Senator Marise Payne
Shadow Minister for Tourism Hon. Bob Baldwin MP
Shadow Minister for Defence Science, Technology and Personnel Mr Stuart Robert MP
Shadow Minister for Veterans’ Affairs Senator Hon. Michael Ronaldson
Shadow Minister for Regional Communications Mr Luke Hartsuyker MP
Shadow Minister for Ageing and Shadow Minister for Mental Health Senator Concetta Fierravanti-Wells
Shadow Minister for Seniors Hon. Bronwyn Bishop MP
Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate Senator Mitch Fifield
Shadow Minister for Housing Senator Marise Payne
Chairman, Scrutiny of Government Waste Committee Mr Jamie Briggs MP
Shadow Cabinet Secretary Hon. Philip Ruddock MP
Shadow Parliamentary Secretary Assisting the Leader of the Opposition Senator Cory Bernardi
Shadow Parliamentary Secretary for International Development Assistance Hon. Teresa Gambaro MP
Shadow Parliamentary Secretary for Roads and Regional Transport Mr Darren Chester MP
Shadow Parliamentary Secretary to the Shadow Attorney-General Senator Gary Humphries
Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee Hon. Tony Smith MP
Shadow Parliamentary Secretary for Regional Education Senator Fiona Nash
Shadow Parliamentary Secretary for Northern and Remote Australia Senator Hon. Ian Macdonald
Shadow Parliamentary Secretary for Local Government Mr Don Randall MP
Shadow Parliamentary Secretary for the Murray-Darling Basin Senator Simon Birmingham
Shadow Parliamentary Secretary for Defence Materiel Senator Gary Humphries
Shadow Parliamentary Secretary for the Defence Force and Defence Support Senator Hon. Ian Macdonald
Shadow Parliamentary Secretary for Primary Healthcare Dr Andrew Southcott MP

SHADOW MINISTRY—continued
| Shadow Parliamentary Secretary for Regional Health Services and Indigenous Health | Mr Andrew Laming MP |
| Shadow Parliamentary Secretary for Supporting Families | Senator Cory Bernardi |
| Shadow Parliamentary Secretary for the Status of Women | Senator Michaelia Cash |
| Shadow Parliamentary Secretary for Environment | Senator Simon Birmingham |
| Shadow Parliamentary Secretary for Citizenship and Settlement | Hon. Teresa Gambaro MP |
| Shadow Parliamentary Secretary for Immigration | Senator Michaelia Cash |
| Shadow Parliamentary Secretary for Innovation, Industry, and Science | Senator Hon. Richard Colbeck |
| Shadow Parliamentary Secretary for Fisheries and Forestry | Senator Hon. Richard Colbeck |
| Shadow Parliamentary Secretary for Small Business and Fair Competition | Senator Scott Ryan |
## CONTENTS

**TUESDAY, 19 OCTOBER**

**Chamber**

Condolesces—

Dr Gareth Clayton................................................................. 661

Questions Without Notice—
Asylum Seekers ........................................................................... 661
Tasmania.................................................................................... 661
Asylum Seekers ........................................................................... 661
Economy .................................................................................... 662
Asylum Seekers ........................................................................... 663
Climate Change ........................................................................... 664
Environment ............................................................................. 667
Economy .................................................................................... 669
Murray-Darling Basin ................................................................. 670
Defence .................................................................................... 670
Murray-Darling Basin ................................................................. 671
Child Protection ......................................................................... 672
Murray-Darling Basin ................................................................. 673
Murray-Darling Basin ................................................................. 674
Schools .................................................................................... 674
Home Insulation Program .......................................................... 675
Violence against Women ............................................................ 676
National Education Standards ..................................................... 677
Donations to Political Parties ....................................................... 678

**Personal Explanations** ............................................................ 680

**Committees**—

Allocation of Annual Reports.................................................... 680

Department of Parliamentary Services—
Annual Report ........................................................................... 691
Documents ................................................................................ 692

Ministerial Statements—
Afghanistan ............................................................................. 692

Matters of Public Importance—
Asylum Seekers ....................................................................... 706

Condolesces—
Private Nathan Bewes ................................................................ 724
Trooper Jason Brown .................................................................. 724
Private Tomas Dale ..................................................................... 724
Private Grant Kirby .................................................................... 724

Lance Corporal Jared MacKinney—Report from Main Committee .................................................................... 724

Parliamentary Retiring Allowances Trust .................................... 725

Governor-General’s Speech—
Address-in-Reply ..................................................................... 725

Standing Orders .......................................................................... 735

National Health Amendment (Pharmaceutical Benefits Scheme) Bill 2010—
Second Reading ........................................................................ 737
Third Reading ............................................................................ 737

Civil Dispute Resolution Bill 2010 ............................................. 738

Food Standards Australia New Zealand Amendment Bill 2010 ................................................................. 738
CONTENTS—continued

Tradex Scheme Amendment Bill 2010—
Referred to Main Committee ................................................................. 738
Business—
Rearrangement .................................................................................. 738
Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010 and
Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2010—
Second Reading .................................................................................. 738
Third Reading ........................................................................................ 756
Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2010—
Second Reading .................................................................................. 756
Third Reading ........................................................................................ 756
Superannuation Legislation Amendment Bill 2010—
Second Reading .................................................................................. 756
Third Reading ........................................................................................ 774
Telecommunications Interception and Intelligence Services Legislation Amendment
Bill 2010—
Referred to Main Committee ................................................................. 774
Airports Amendment Bill 2010—
Second Reading .................................................................................. 774
Adjournment—
Adult Education .................................................................................. 777
Centrelink ............................................................................................. 778
Murray Electorate: Echuca Hospital ....................................................... 779
Newcastle Institute for Energy and Resources ....................................... 780
Murray-Darling Basin .......................................................................... 781
China ...................................................................................................... 783
Fadden Electorate: School Choirs ......................................................... 784
Kingston Electorate: McLaren Vale Regional Awards .......................... 785
Gippsland Lakes .................................................................................. 786
Ms Sally Chatfield ................................................................................ 786
Page Electorate .................................................................................... 787
Ryan Electorate: Building the Education Revolution Program .............. 789
Redcliffe Relay for Life ...................................................................... 790
Notices................................................................................................ 791
Main Committee
Constituency Statements—
Swan Electorate: Roads ....................................................................... 794
International Development Assistance ............................................... 795
Fadden Electorate: Health Services ....................................................... 795
Corio Electorate: Historic Churches ..................................................... 796
Indi Electorate: Telecommunications .................................................. 797
Broadband ........................................................................................... 798
Bradfield Electorate: Coeliac Society ................................................... 799
Fraser Electorate: Ride to Work Day ..................................................... 799
Macquarie Electorate: Lachlan Macquarie ............................................ 800
Robertson Electorate: Davistown Putt Putt Regatta ......................... 801
Protection of the Sea Legislation Amendment Bill 2010—
Second Reading .................................................................................. 802
## CONTENTS—continued

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Tax Agreements Amendment Bill (No. 2) 2010—</td>
<td>808</td>
</tr>
<tr>
<td>Second Reading</td>
<td></td>
</tr>
<tr>
<td>National Security Legislation Amendment Bill 2010 and</td>
<td>810</td>
</tr>
<tr>
<td>Parliamentary Joint Committee on Law Enforcement Bill 2010—</td>
<td></td>
</tr>
<tr>
<td>Second Reading</td>
<td></td>
</tr>
<tr>
<td>Parliamentary Joint Committee on Law Enforcement Bill 2010—</td>
<td>821</td>
</tr>
<tr>
<td>Second Reading</td>
<td></td>
</tr>
<tr>
<td>Ozone Protection and Synthetic Greenhouse Gas Management Amendment Bill 2010—</td>
<td>821</td>
</tr>
<tr>
<td>Second Reading</td>
<td></td>
</tr>
<tr>
<td>Primary Industries (Excise) Levies Amendment Bill 2010—</td>
<td>828</td>
</tr>
<tr>
<td>Second Reading</td>
<td></td>
</tr>
<tr>
<td>St Mary of the Cross</td>
<td>833</td>
</tr>
<tr>
<td>Dame Joan Sutherland</td>
<td>851</td>
</tr>
</tbody>
</table>
Tuesday, 19 October 2010

The SPEAKER (Mr Harry Jenkins) took the chair at 2 pm, made an acknowledgment of country and read prayers.

CONDOLENCES
Dr Gareth Clayton

The SPEAKER (2.01 pm)—I inform the House of the death on Thursday, 1 July 2010 of Dr Gareth Clayton, a member of this House for the Division of Isaacs from 1974 to 1975. As a mark of respect to the memory of Dr Gareth Clayton I invite honourable members to rise in their places.

Honourable members having stood in their places—

QUESTIONS WITHOUT NOTICE
Asylum Seekers

Mr BRIGGS (2.02 pm)—My question is to the Minister for Immigration and Citizenship. I refer the minister to the following comments by Premier Mike Rann this morning on Adelaide radio:

I got a phone call about an hour before the announcement was made by Julia Gillard essentially telling us what was going to happen. We want to know what it means in terms of the impact on the local community, the impact on police, teachers, schools and health facilities …

Does the minister believe that presiding over rushed decisions without consultation is any way to fix the mess that is the government’s border protection policy?

Mr BOWEN—I thank the honourable member for his question. The decision to place detention centres in particular locations has been undertaken by this government under the same process as has been undertaken before under governments of both political persuasions. I can reassure the member for Mayo that of course the Department of Immigration and Citizenship will be entering into considerable discussions with local authorities, as is always the case when a decision like this is taken, and all impacts will be paid for by the Commonwealth, as is always the case. All education costs will be undertaken by the Commonwealth, as is always the case. All health costs will be undertaken by the Commonwealth, as is always the case.

Tasmania

Mr SIDEBOTTOM (2.03 pm)—My question is to the Minister for Sustainability, Environment, Water, Population and Communities. What does a landmark deal signed in Tasmania today mean for the future of Tasmania’s native forests?

Mr BURKE—About half an hour ago a major agreement was signed in Tasmania. I think it is important to update the House on that. The Tasmanian Premier, as I understand it, is making an announcement at the moment.

Opposition members interjecting—

Mr BURKE—No, it happened half an hour ago. The agreement involves Timber Communities Australia, the CFMEU, the National Association of Forest Industries, the Forest Industries Association of Tasmania, the Forest Contractors Association, Environment Tasmania, the Wilderness Society, the Conservation Foundation and the Country Sawmillers Federation. It would seem extraordinary to most members in this House that you would ever find an agreement involving all of those parties. Anyone who was watching some of the forestry discussions that happened during the election campaign would be aware that roundtable discussions have been happening for some time among groups that for many years—in fact, for generations—have made it their core business to be arguing and fighting with each other.

The nature of what has been agreed at the moment has been presented to the Tasmanian government and will also be before the Commonwealth government. Effectively
what we have is the environmental groups agreeing to a sustainable future for Tasmanian forestry. There will be a transition away from native forestry, which the forestry companies are in agreement with. Some of the native forest reserve will continue to be logged during this time but, importantly, there will be a moratorium on areas of high conservation value, including the Styx Valley, the Tarkine and the Florentine.

At the same time the environmental groups have agreed that they will no longer be offering blanket opposition to the construction of any pulp mill in Tasmania. There is no commitment to the particular site and there will always be arguments going back and forth with respect to the pulp mill, but there is an acknowledgement for the first time from environmental groups about the importance of downstream processing happening here in Australia. There is an acknowledgement of the importance of timber communities and the importance of the jobs that those timber communities rely on. There has been involvement in the various mills from the work done by not only government but also the independent mills, whether it be the international investment in Ta Ann or whether it be McKay or Britton.

For people like the member for Braddon, who have spent much of their career looking after timber communities, it provides an extraordinary opportunity for a long-term sustainable future, overcoming some of the dangers that have been in the woodchip export market over recent months. For those that have been concerned about the protection of Tasmania’s native forests, it means that for the first time the areas of high conservation value which have caused so much argument over the years are now under a period of moratorium.

The government will look at the details and work through our response, just as the Tasmanian government will. But I do think it is important for the House to acknowledge the extraordinary work that has been done in building a consensus in Tasmania to provide an environmental dividend while acknowledging the important role and future of the timber industry there.

Asylum Seekers

Mr MORRISON (2.07 pm)—My question is to the Prime Minister. Will the Prime Minister concede that the government’s failure to reopen Nauru, its failure to make progress with East Timor, its announcement of two new detention centres and its softening of detention policy will only make Australia more of a magnet for people smugglers, not less?

Ms GILLARD—I thank the member for his question, and let me answer it using the following words in terms of the announcement that the government made yesterday: I think they represent a very sensible balance on the present arrangements. They do not in any way undermine the existing policy. What we will have even more so after these changes are a mandatory detention system with a softer edge, but nonetheless a mandatory detention system.

I have to acknowledge those words are not mine; those are the words of former Prime Minister John Howard at a press conference on 17 June 2005 when the former government announced the changes to the Migration Act—

Mr Hockey interjecting—

Ms GILLARD—on which this government will rely to implement the arrangements announced yesterday.

Mr Morrison interjecting—

Ms GILLARD—What I would say to the member who is interjecting and shouting and carrying on—it always seems to me that the shorter they are on ideas, the louder they are on interjections, and we are seeing that on
display today—is that it seems to me that the shadow minister would not be contending to this place that John Howard was soft on border protection. The amendments to the Migration Act in 2005—

Mr Morrison—How many are in detention now—none!

The SPEAKER—The member for Cook has asked his question.

Ms GILLARD—and there are some members in this place who were involved in the advocacy from the back bench that led to those changes. The changes to the Migration Act are ones that we are relying on to deal with children and to deal with at-risk families. I believe that that is appropriate. At the same time, of course, we announced our long-term strategy in relation to detention centres. As recently as last week, the Minister for Immigration and Citizenship was involved in dialogue in our region about a regional protection framework and a regional processing centre. The government will continue to pursue that regional protection framework and regional processing centre. We believe that that is important to the management of irregular people movement in our region, particularly taking out of the hands of people smugglers the very product that they sell by taking away the incentive to engage in forward transit.

None of this is easy and I am not going to pretend that it is. This is complex policy. We have said that consistently to the Australian people. We will continue to pursue it. We will allow the opposition to pursue their three-word slogans.

Mr Morrison—We have a policy. You may get one soon—we will wait for it. Ask Stephen; he remembers. Ask Kevin.

The SPEAKER—The member for Cook is warned. A warning is a preparation for subsequent naming.

Economy

Mr CRAIG THOMSON (2.11 pm)—My question is to the Prime Minister. How are the government’s reforms modernising and streamlining our national economy?

Ms GILLARD—I thank the member for Dobell for his question. Last week I was talking about the importance of hard reform—the importance of hard reform to strengthening our economy, the importance of hard reform to making sure that we continue to have the benefits of prosperity. Our nation has emerged from the global financial crisis stronger than nations around the world. That gives us a fantastic platform on which to continue building for growth. But that means we have to continue with the work of hard economic reform. If we look across our nation today, we still bear many of the hallmarks, even in the 21st century, of the separate colonies that came together to form this nation—that is, we still have many laws in different states dealing with matters which are now truly national.

The government has engaged in a drive to create a seamless national economy—that is, businesses that trade in more than one state actually face the same regulation and do not need to adapt because they are trading in more than one state. Our drive for a seamless national economy has also been about recognising the qualifications and credentials of workers so that a tradesperson who is fully registered in one state does not need to go through further onerous processes in order to ply their trade if they move to another state. This is important national reform.

At the centre of this important national reform is the reform to our occupational health and safety laws. As people who follow the economic reform debate would know, there has been no more important claim by business over the years for business to work effectively across the country than for there to
be one set of uniform laws around the nation. This would reduce business compliance costs by $179 million. That is a direct benefit. But of course the indirect benefits to business are far greater than that. In pursuit of this direct benefit to business, the government worked through a COAG process to generate an agreement for model laws, which all states and territories signed on to except Western Australia. It was not easy. There were nine ministerial council meetings, seven meetings of the relevant agency Safe Work Australia, 20 meetings of the Strategic Issues Group, a national review, 240 submissions and two published reports outlining the structure and content of the act, and those exposure drafts received 480 submissions.

At the end of that extensive process there was an agreement for model laws. Key features of those model laws from the point of view of workers were that they would cover all kinds of workers—not just employees—in recognition of the changing nature of our workforce, there would be higher penalties for the breach of a duty of care, there would be no small business exemption, and a qualified health and safety representative would be able to issue a provisional improvement notice and would be able to direct that unsafe work be stopped. These are not rights that are common right around the country today. I take this opportunity to say to Premier Keneally, who has indicated that she wants to walk away from this hard economic reform, that it is in the interests of businesses and employees in New South Wales for the reform to proceed. A deal is a deal, and we will ensure that the deal is honoured.

Asylum Seekers

Mr FORREST (2.15 pm)—My question is addressed to the Prime Minister. I refer the Prime Minister to her statement: ‘I don’t think it’s the Australian way to have kids behind razor wire.’ Will the Prime Minister confirm that by 2005 the Howard government had overturned the Hawke and Keating governments’ policy of mandatory detention of children behind razor wire and that there have been no children held in these conditions since that time?

Ms GILLARD—I genuinely thank the member for his question. Can I say to him that I just referred to the 2005 reforms in my last answer to a question from the shadow minister and I respect the role that the member asking the question played in advocating those reforms from the back bench of the then Howard government. I recall attending a meeting with him in regional Victoria at which these questions were discussed. It was obvious to me at the time that he was struggling with these issues in his own mind and that he was desperately concerned, and he went on to advocate a change of policy. He was not the only member who did that. Notably, the then member for Kooyong did and the member for Pearce did, and so did a number of others. I congratulate them on that advocacy.

But this makes the point that the opposition cannot play this both ways. The shadow minister has come into the parliament today and asked a question of me, trying to indicate to the Australian people that somehow yesterday’s announcement was inappropriate and that somehow in making yesterday’s announcement the government is softening on mandatory detention or in some way engaging inappropriately with immigration policy. Yet the member then comes in and asks this question. You cannot have it both ways. The only thing I would ask the opposition to do in the modern age—that is, today—is to honour the words of their shadow minister from 16 October, just three short days ago, when he said ‘we are happy to listen to any proposal from any sphere of politics about how children can be best managed under the Migration Act’, when they come
by boat and are then subject to our migration laws. The only thing I am asking the opposition to do is to honour those words of their shadow minister from three days ago. Stop, think, analyse and then determine your position rather than come in here with your three-word slogans thinking that is a solution.

Mr ABBOTT—Mr Speaker, a supplementary question to the Prime Minister—

The SPEAKER—The Leader of the Opposition will resume his seat. The Leader of the House on a point of order.

Mr Albanese—Mr Speaker, House of Representatives Practice makes it very clear that supplementary questions are to be asked by the person asking the original question on the basis of seeking additional information on the basis of the answer that has been given.

The SPEAKER—The Leader of the House is correct in referring to House of Representatives Practice. I suggest that he read the next edition, because I have ruled on this matter. In other jurisdictions, people other than the original questioner are allowed to ask the follow-up question. As I indicated in my statement in the first week of sittings—

Mr Secker—That is right.

The SPEAKER—I am not sure whether the member for Barker is crawling, but he does not get any special protection. On an interpretation of the agreement that was entered into, I will allow the course of action that is allowed in other jurisdictions. Tomorrow morning I will be making a statement that will indicate fully my attitude towards supplementary questions, but I indicate now that, as long as there is no preamble and the supplementary question relates to matters in the answer, the supplementary question would be in order. And it would be in order for the Leader of the Opposition or his delegate, as mentioned in the agreement, to ask the follow-up question.

Mr ABBOTT—Mr Speaker, my supplementary question is to the Prime Minister. Given that the Howard government reformed the detention arrangements in 2005, why did the Prime Minister deliberately create a false impression yesterday that children were still behind razor wire?

The SPEAKER—Order! The Leader of the House will resume his seat. Yesterday I had concerns about the structure of the supplementary question, but on the basis that I had not made my statement about supplementary questions I allowed it to go ahead. However, the follow-up question should go directly to matters raised in the minister’s answer. It should not be a follow-up to the original question, and it should not contain argument. On that basis then, I am allowing the Leader of the Opposition the opportunity to rephrase his question. It must go directly to matters raised by the Prime Minister in her answer and be without argument.

Mr ABBOTT—Given the question that was asked by my colleague the member for Mallee, and given the Prime Minister’s answer, which referred to changes made by the Howard government in 2005, I ask her by way of supplementary question: why did she create the impression yesterday that there were still children behind razor wire?

Ms GILLARD—All I can say to the Leader of the Opposition is I think he is confused. Can I say to the Leader of the Opposition: as he would well recall, having been a senior member of the former Howard government, over the life of the Howard government children were held behind razor wire, and it became an issue within the ranks of the Howard government. It was an issue in this parliament. It was an issue I remember pursuing as shadow minister for immigration, including moving amendments to mi-
integration bills which were ultimately defeated in this place on party lines and, perhaps even more significantly than the discussions within and between political parties, it became a major issue in the Australian community—a major issue. As a result of it being a major issue in the Australian community, an issue in this parliament between the political parties and an issue within the Howard government itself, with noted advocates like Petro Georgiou consistently raising the issue, the Howard government determined to change its policy. I am very happy to say that was the appropriate course—the change in 2005.

But I say again to the Leader of the Opposition: he cannot have this all ways. He cannot come into this parliament and be proud of the 2005 changes and chide me for not being sufficiently full of congratulations on them at the same time as saying to the government that what we announced yesterday was inappropriate. He needs to pick one or the other. It will come down to a question of judgment and leadership for the Leader of the Opposition, which he picks. If he chooses to endorse what the government did yesterday on the basis that he says the Howard government did it first, that is fine by me. If he wants to say, ‘What the government announced yesterday is wrong and the Howard government was wrong in 2005,’ let’s have the debate. But the one thing he cannot do is say both.

Mr Pyne—Mr Speaker, I seek leave to table an article that is in the Herald Sun today headlined ‘Kids go free’—

The SPEAKER—Is leave granted?

Mr Pyne—based on the statement of the Prime Minister: ‘I don’t think it’s the Australian way’—

The SPEAKER—The member for Sturt does not have the call. The member for Sturt will resume his seat. Is leave granted?

Leave not granted.

Climate Change

Mr DANBY (2.26 pm)—My question is to the Minister for Climate Change and Energy Efficiency.

The SPEAKER—The member for Melbourne Ports will resume his place. I have received correspondence asking me whether I have a vendetta against the member for Sturt. The member for Sturt will attempt to sit there quietly.

Mr Hockey interjecting—

The SPEAKER—The member for North Sydney is not assisting, really. I understand what that would mean.

Mr DANBY—My question is to the Minister for Climate Change and Energy Efficiency. What does recent economic research into carbon prices within our competitor economies indicate? Why, Minister, is a carbon price important for business certainty?

Mr COMBET—I thank the member for Melbourne Ports for his question. Today a report has been released by the Climate Institute. It is a report prepared by an organisations...
tion known as Vivid Economics. It is a well-respected organisation from the United Kingdom which does research into climate change economic issues. The report that has been released today is an analysis of the implicit or shadow carbon prices that operate in a number of key economies with which Australia trades. The study is in fact one of the first efforts, I think, that has been made to quantify the costs of policies to reduce emissions or to establish what shadow carbon prices there are in particular economies, including countries as important to Australia as Japan, the United Kingdom itself, the USA, China and South Korea.

The Vivid Economics report has found that countries around the world are, of course, already taking steps to reduce their carbon pollution and thereby moving to cleaner energy sources and effectively having a carbon price in their economies. Importantly, it indicates that countries with which Australia trades, like China and the United States, already have implicit carbon prices within their electricity sectors. This is a matter that is of interest to the multiparty climate change committee that the government has established to consider the issue of the introduction of a carbon price, and a matter that the government has responded to in response to a request by the member for New England to do an independent analysis of what carbon prices would be operating with some of our major trading partners.

In our economy, a carbon price not only will create an incentive to reduce pollution but will also provide certainty for investment by the business community. It will also increase this country’s long-term competitiveness, because it will drive investment in clean energy and it will make Australia an attractive investment place in which companies will do business. The energy company AGL, one of our major companies operating in the energy industry, estimates that uncertainty caused by the delay in implementing a carbon price in our economy could cost consumers up to $2 billion a year, or around $60 per household, in higher electricity prices in 2020. The shadow Treasurer shakes his head. I will explain: it is because investment in new baseload electricity generation is being deferred because of the uncertainty generated by the lack of a carbon price in our economy.

Opposition members interjecting—

Mr COMBET—We have further commentary from the other side. It is not rubbish. If you engage with the major players in the energy sector they will tell you that is the case and they will tell you that is why they support the introduction of a carbon price into our economy. The interjections only serve to emphasise how out of touch those opposite are with mainstream business thinking in this matter. They are out of touch with developments that are going on internationally and their position in opposing a carbon price in this economy is economically irresponsible.

Environment

Mr KATTER (2.31 pm)—My question is to the Minister for Sustainability, Environment, Water, Population and Communities. Is the minister aware that in just six years Australia has become a net importer of pork, fruit and vegetables, and seafood? Would the minister not agree that this month’s soaring Australian dollar and the announcement of the Murray-Darling cutbacks will further reduce our food production by between five and 15 per cent? In light of this urgent need to stave off food dependency on foreign imports, could the minister: (1) increase the government pressure to commence the Pentland solar biofuels project in the north Australia clean energy corridor; (2) assure a continuation of the interdepartmental task force preparation of a cabinet submission on microwave projects for the development of
Northern Queensland’s Gulf and mid-west (Extension of time granted) and (3) commission senior departmental officers to address the issue of water usage in Australia’s north-east and north-west—the won’t-go-away Bradfield and Bridge schemes addressing the north’s unused 304 million megalitres and the south’s allegedly overused 83 million megalitres?

Mr BURKE—In thanking the member for Kennedy, I want first of all to acknowledge that there would be no-one in this chamber who has pushed harder for us to make use of the water resources available in Northern Australia than the member for Kennedy. It is an argument that he has been putting long and hard over many years.

On the issue of the importation of food, certainly on the products of ham and treated pigmeat and seafood, I agree—with seafood it is certainly true. The problem with fruit and vegetables is the process standard. It is the lack of a sufficiently strong food processing industry in Australia that has caused import figures to go the way that was stated in the question.

On the issue of the importation of food, certainly on the products of ham and treated pigmeat and seafood, I agree—with seafood it is certainly true. The problem with fruit and vegetables is the process standard. It is the lack of a sufficiently strong food processing industry in Australia that has caused import figures to go the way that was stated in the question.

On the issue of the Murray-Darling, I would remind the House and all members of what I said yesterday: that the figures which have been announced at the moment are not government policy. It is also the case that there is a determination to see how much of what is required can be delivered through gains in efficiencies. Whenever gains in efficiencies are found there is no loss in productivity, and we are quite determined to see how far we can go down that path.

The question also refers to a number of other issues which cross over into other portfolios but I think I can provide some information on those. In relation to the north Australian clean energy corridor, from Townsville to Mount Isa the project, as I understand it, is in the order of about $350 million.

When round 2 of the Solar Flagships Program comes on offer the Queensland government will be invited to make an application for that project. Obviously the application from Queensland will have to meet the guidelines of the Solar Flagships, but they will be invited to make an application and the expected amount is $350 million. Added to that is the importance of biofuels; $20 million has been put forward by the government to establish a biofuels research centre, which would be based at James Cook University.

Across the north of Australia, I do not think anyone would argue that we can somehow transplant the food production of the Murray-Darling Basin, and shift a food bowl in the south to a food bowl in the north. The situation in the north is that the soils are harder and much of the rainfall falls in only a few months of the year, but there is no doubt that a lot more can be done there in the future than has been done in the past. You only have to go to places such as Kilto Station in Western Australia to see where mosaic irrigation has actually brought some great improvements in productivity. I have been to properties in the north where these things have been done and there will certainly be opportunities in the north that have not been there in the south.

Mr Hockey interjecting—

Mr BURKE—I am hearing interjections from the shadow Treasurer about where the water flows. The example that I referred to, from Kilto Station, is using groundwater in that particular instance. Certainly, there is no doubt that more can be done in the future in the north than has been done in the past. I have no doubt that, regardless of some of the biosecurity challenges and the challenges of soils and topography, we will be able to find ways of being able to improve the opportunities for food production in the north generally, including in the electorate of Kennedy.
Economy

Dr LEIGH (2.37 pm)—My question is to the Treasurer. Treasurer, why is a floating exchange rate important to the resilience of the Australian economy?

Mr SWAN—I thank the member for Fraser for his first question and congratulate him on his first speech as well. There has been a lot of debate about floating exchange rates or market based exchange rates, particularly given how strong the Australian dollar is. Of course, the Australian dollar reflects the strength of the Australian economy relative to other developed economies. In particular, it reflects very high commodity prices, the highest commodity prices in over 60 years, and it reflects the dynamics of international currency markets. It does make life more difficult for many of our exporters. It makes it difficult for many in agriculture, manufacturing, tourism and education. But of course our economy has benefited greatly from a floating exchange rate over the past 25 years. It has been a very important shock absorber for the Australian economy. It is one of the reasons we have had 20 continuous years of economic growth. No other advanced economy can claim 20 consecutive years of growth. You can see the Reserve Bank today, in its minutes, talking about the beneficial impact on prices at the moment from a strong dollar. A strong dollar has enjoyed bipartisan political support in this House. That has been a good thing, because that is vital for the confidence of global investors and global financial markets. Internationally, we have been a supporter of market based exchange rates. It has been very important that, over the last two years, we have not seen any real outbreak of protectionism, particularly amongst our G20 trading partners. Because, if that were to occur, that would be profoundly damaging to all of our country but particularly to our great exporting regions. There is a debate about how we can get greater flexibility in currency markets going on within the G20, as well as a debate about what other structural reforms must occur in the global economy to rebalance a global economy so we can have sustained growth over time.

I think that, as we go forward to the G20 finance ministers meeting this weekend, we would all like to see a commitment to greater flexibility, particularly in currency markets. Because if we do not get that then this debate may descend into another bout of protectionism—the race to the bottom—and I do not think we want to see that. Countries like Australia would be major losers if that were to occur in the global economy. So there is a responsibility as we go forward, particularly through the G20 process, to make sure that the structural reforms that are required in the global economy do come through and of course greater flexibility in exchange rate regimes are a very important part of that.

I congratulate the shadow Treasurer for recognising yesterday in this House how important flexible exchange rate regimes are. Unfortunately, the alternative shadow Treasurer does not agree with him. The member for Goldstein advocated direct intervention. Of course, the member for Goldstein would be better served by heeding the remarks of his colleagues rather than seeking—

Mr Pyne—Mr Speaker, I would ask you to rule that to talk about the frontbenchers on the opposition side is not directly relevant to the question that the Treasurer was asked.

The SPEAKER—The Treasurer has concluded?

Mr Robb—He’s concluded telling lies!

The SPEAKER—Order! I will first deal with the member for Goldstein. I ask that he withdraw.

Mr Robb—I withdraw, Mr Speaker.
Mr ABBOTT (2.41 pm)—My question is to the Minister for Sustainability, Environment, Water, Population and Communities. It refers to the statement of the New South Wales Independent Pricing Tribunal yesterday that water prices in New South Wales would increase by an average of 35 per cent by 2014. I ask the minister: by how much more will water prices increase as a result of the cutbacks proposed in the Murray-Darling Basin’s guide?

Mr BURKE—I am not sure whether the figures that the Leader of the Opposition is referring to there include urban water as well. If they do, I can assure him that cutbacks to the Murray-Darling Basin have no impact on Warragamba Dam, have no impact on Woronora Dam and have no impact on water pricing generally. With respect to anything dealing with irrigation, I remind the Leader of the Opposition of two things. Firstly, the extent to which any cuts have been floated at the moment are not government policy. Secondly, to the extent that any reductions that would eventually be made through any future sustainable diversion limits are reached through improvements to infrastructure they would have no impact on productivity and the sorts of impacts he was referring to. If you improve the efficiency by which you use the water then you do not have the same impact on price as what has been described there. There are presumptions in the report, which were described just then by the Leader of the Opposition, which lead to the conclusions that he has just reported to the parliament which do not match the policy of this government.

Mr FITZGIBBON (2.43 pm)—My question is to the Minister for Defence. Will the minister advise the House on the inaugural ASEAN-Plus Defence Ministers Meeting and the importance of security and cooperation in our region?

Mr STEPHEN SMITH—I thank the Chief Whip for his question and acknowledge from the outset the role he played in the last parliament, from 2008, in arguing very strongly that Australia having an association with the ASEAN defence ministers was most important and arguing for the outcome that we saw last week, the ASEAN-Plus Defence Ministers Meeting. This is a most important strategic development for Australia, which works very well to suit our long-term peace and security interests in our own region, the Asia-Pacific. Australia, of course, has been a longstanding friend and supporter and dialogue partner of ASEAN. This is yet another piece of the ASEAN related architecture which serves and suits Australia’s interests very well.

In Hanoi last week, in the company of the Chief of Defence Force and the secretary of the department, we attended, for the first occasion, the so-called ASEAN-Plus Defence Ministers Meeting. The ‘plus’ includes effectively those countries that will be included in the expanded East Asia Summit: the United States, Japan, China, India, the Republic of Korea, New Zealand and Russia. This puts in the peace and security cooperation, in the stability cooperation and in the military and defence cooperation areas all of the key players in our region. It puts into the same room at the same time the capacity for Australia to have a conversation about peace and stability and security in our region, with all the players there at the same time. At the end of this year, we hope, at the East Asia Summit, that the proposed expansion of the East Asia Summit by the ASEAN foreign ministers will be accepted by the East Asia Summit to see a comparable mechanism occur at foreign ministerial and at prime ministerial and presidential level.
Australia was asked by the defence-ministers-plus meeting to jointly, with Malaysia, chair an expert working group on maritime security. As an island continent, maritime issues and maritime security are of course very important to Australia—in the traditional sense, in terms of freedom of international sea lanes, but also, regrettably, in the modern sense, for example in relation to the recent development of piracy in our general region. We are very happy to co-chair that expert working group with Malaysia, one of our five-power defence arrangement partners. Of course, the issue of the South China Sea was raised at that meeting, amongst other potential maritime or other territorial disputes, and I repeated, both at the meeting and publicly, Australia’s position on that matter. If there are maritime disputes, we want those issues to be resolved amicably and peacefully between the parties concerned, and often there are more than two. We want that resolution to be effected in accordance with international law, the Law of the Sea. From time to time, of course, these disputes, these issues, do raise tensions and concerns in the region, which is why it is appropriate for these matters to be considered regionally, as they may well be in the future, appropriately, in the ASEAN-Plus Defence Ministers Meeting context.

I also took the opportunity, in the course of that meeting in Hanoi, to have a number of bilateral meetings with my counterparts, including US Secretary of Defense, Mr Gates. We both agreed on the importance of this development in terms of defence ministers meeting. But he also, as I indicated to the House the other day, underlined the importance in a different context of the forthcoming NATO ISAF Lisbon summit on transition so far as security arrangements are concerned in Afghanistan.

### Murray-Darling Basin

**Dr STONE** (2.47 pm)—My question is to the Minister for Sustainability, Environment, Water, Population and Communities. Minister, how much of the $5.8 billion set aside by the former coalition government for improving water infrastructure management in the Murray-Darling Basin has actually been spent by your government?

**Mr BURKE**—I thank the member for the question. Obviously, since I answered a similar question from the member for Mayo yesterday and said that due diligence had not yet been completed on a number of these projects, between yesterday and today that remains the case. I can report, though, that some projects have already been completed, including the South Australia Lower Lakes Integrated Pipelines, at $120 million; the Wimmera-Mallee pipeline, in Victoria, at up to $99 million; the $3.2 billion for state priority projects, which focus on improving water efficiency and infrastructure, agreed as part of the Murray-Darling reform agreement in 2008. Obviously, many of these projects—

**The SPEAKER**—Order! The minister will resume his seat. The member for Wentworth on a point of order?

**Mr Turnbull**—Thank you, Mr Speaker. The Wimmera-Mallee pipeline has got nothing to do with the $10 billion National Plan for Water Security.

**The SPEAKER**—Order! The member for Wentworth will resume his seat! That is not a point of order.

**Mr Turnbull interjecting**—

**The SPEAKER**—The member for Wentworth will resume his seat! The member for Wentworth has stretched the friendship! There was no point of order, and the member for Wentworth should know that he should not approach the dispatch box in that manner. The minister has the call.
Mr BURKE—Thank you very much, Mr Speaker. The project—

The SPEAKER—Order! The minister will resume his seat. The Manager of Opposition Business on a point of order?

Mr Pyne—The point of order is on direct relevance. The projects about which the minister is speaking are not about the $5.8 billion plan that the former coalition government announced.

The SPEAKER—Order! The member will resume his seat. The Leader of the House on the point of order?

Mr Albanese—On the point of order: it is out of order because it is against the new paradigm of one point of order per question.

The SPEAKER—I am ill equipped to adjudicate on this, in that I have not got a document that is approaching the Holy Grail—the agreement—with me. But my understanding is that it reads that there is only one point of order on relevance. Having ruled that the member for Wentworth was not even making a point of order, and him being very close to absolutely disruptive behaviour—and he was very lucky: the minister is being directly relevant, as far as I can ascertain, to the question. I illustrate that, without myself knowing absolutely every program that is available, I could not adjudicate. I realise that I am making assumptions, but the minister has the call.

Mr BURKE—On the project that I referred to: the completion and the way it was funded following the 2007 election were obviously after the change of government, and it was funded within the program, as I am advised. So the fact that funding may have been intended to be done from a different means when the member for Wentworth was the minister does not necessarily change how things were ultimately done when the project was completed following us coming to government. For anyone to subsequently want to argue that projects of that nature are not relevant to the Murray-Darling Basin I think is drawing a very long and sad bow.

Child Protection

Ms VAMVAKINOU (2.52 pm)—My question is to the Minister for Families, Housing, Community Services and Indigenous Affairs. Minister, what action is the government taking to help prevent and address the neglect of children in the Northern Territory?

Ms MACKLIN—I thank the member for Calwell for her question. Yesterday the Northern Territory government both received and released the report of the inquiry into their child protection system. The Growing them strong together report does shine the spotlight on their child protection system not coping with the very significant numbers of children who are being neglected and abused. While it is the case, as I am sure all members of this House are aware, that state and territory governments are responsible for their statutory child protection systems, the Australian government will continue to work with the Northern Territory government in the interests of children.

We announced yesterday that we will provide additional funding to increase the number of parents on child protection income support; we will provide additional family support services, boost the number of child protection workers, particularly in remote communities; and we will also provide additional funding to strengthen alcohol controls. I am sure it is the case that every single member of this House would agree that one of the most significant responsibilities of any government is to work to protect vulnerable children. No matter where children live, they deserve to grow up happy, healthy and safe.

It has been the case that there has been very strong action in the Northern Territory over the last three years. The previous gov-
ernment instigated the Northern Territory Emergency Response and this government has continued that work. We have added an extra $1.2 billion to make sure that we improve the delivery of services in the Northern Territory.

**Mr Dutton**—What about houses?

**Ms MACKLIN**—In fact there have been 82 houses built, if you would like to know. Yesterday I released the most recent monitoring report. There is a monitoring report released every six months, and, instead of interjecting and making remarks that are inappropriate in such an important debate, I would suggest that those members who are interested actually read the report and see that there are now additional police on the ground in remote communities which never before had police in their communities. There have of course been tens of thousands of child health checks and specialist follow-up services with doctors and dentists. There are now an extra 140 teachers in schools in remote communities. There are safe houses that have been built and more creches that have been built. Very importantly, we are in the process of putting in place the new income management system which will improve parental responsibility to make sure that welfare payments are spent in the interests of children. Most significantly, for the first time we are introducing the new child protection income management system, which does mean that child protection workers can now refer parents for 70 per cent of income management in cases of neglect. This is the increased support that we are providing to the Northern Territory government. We also recognise that they too made a very substantive response yesterday and will continue to work to make sure that children get the support that they need.

**Murray-Darling Basin**

**Ms LEY** (2.57 pm)—My question is to the Minister for Sustainability, Environment, Water, Population and Communities. Will the minister outline how the promised 200 gigalitres of water savings from the re-engineering of Menindee Lakes will be delivered now that funding for this so-called priority work, promised in 2007 and still not started, has been cut from $400 million to $100 million?

**Mr BURKE**—The question asked by the member for Farrer goes to the importance of works and measures—

**Mr Abbott**—Works and measures?

**Mr BURKE**—Works and measures, for the benefit of the Leader of the Opposition, is when we refer to gaining efficiencies on how efficiently we manage our environmental assets. Too much focus, to some extent, has been exclusively on an argument that says you can only find efficiencies at the irrigation end. If you want to look on farm, you will find that has been the area where people have driven efficiencies the hardest already. Centralised irrigation structures are certainly a good way to go, and that refers to the issues that were raised earlier by the member for Murray in terms of what you are doing there to improve efficiencies. Works and measures says—and this is the reason for the question for Menindee Lakes— as well as how efficient we can be with irrigation, are there ways we can more efficiently manage our environmental assets? To every extent that you can do that you free up more water for productive uses while still delivering the environmental dividend. This government is determined to make sure that for each of these individual projects—

**Mr Dutton**—You should be in the New South Wales parliament talking this rubbish.

**Mr BURKE**—The member for Dickson describes these as rubbish.
Mr Dutton interjecting—

The SPEAKER—The minister will ignore the member for Dickson. The member for Dickson will stop interjecting.

Mr BURKE—It is terribly sad if we do not look at every possible way of trying to drive efficient use of water so that we can provide security for the environmental assets while still providing the opportunity for food production and strong regional communities. There are discussions between the Commonwealth government and the New South Wales government specific to the Menindee Lakes program. The issue there is not in terms of the quantum of money spent but to make sure that the environmental outcome is delivered.

Murray-Darling Basin

Mr KELVIN THOMSON (3.00 pm)—My question is also to the Minister for Sustainability, Environment, Water, Population and Communities. Why is water reform in the Murray-Darling Basin needed and what would be the effects of inaction?

Mr BURKE—‘The greatest environmental challenge of our time.’ Those were the words of John Howard on 25 January 2007 at the National Press Club, when he announced in these words: ‘The plan I have outlined today is detailed, it is costed, it has been in preparation for some time; it represents a fundamental response to the greatest environmental challenge of our time, and that is of water scarcity.’ Those words drive home the fact that the challenges we have in front of us have come forward through a sensible reform that was initiated by the member for Wentworth but is now trying to be spiked by the Leader of the Opposition.

In 2007 there was recognition up and down the basin of the dangers of overallocation. There was recognition up and down the basin that the environmental interests and the long-term interests of irrigators were aligned. Whether it is from the algal blooms running up and down the river systems or whether it is from the growth of acid sulphate soils, it was well understood that if you do not have a healthy river it is not just bad environmentally; it is unacceptable for irrigators and unacceptable for the towns and communities that rely on them. That is why decisions were taken for the first time with the support of each side of this House to make sure that we could move towards having a sustainable system in the Murray-Darling. That is why commitments were made to make sure that money was available for infrastructure, for buy-backs and for environmental works and measures and to make sure that Australia no longer continued mistakes that have been made for about 100 years, where one river system was being run as though the state boundaries made a difference to the health of the river system. That is why the former Prime Minister described this as ‘the greatest environmental challenge of our time’. And that is why the Leader of the Opposition is not going to get away with wanting to walk away from a commitment that the Murray-Darling Basin needs.

Murray-Darling Basin

Mr JOHN COBB (3.03 pm)—My question certainly follows on from that statement. My question is also to the Minister for Sustainability, Environment, Water, Population and Communities. Yesterday the minister claimed that he would not attend community briefings on the Murray-Darling Basin guide because he did not want to be ‘looking over the shoulder of an independent inquiry’. As the minister is now meeting with irrigator peak groups in the familiar surrounds of Canberra and as this is the great moral dilemma of our time, why won’t he travel to meet face to face with irrigators at one of the remaining 19 community briefings in the basin?
Mr BURKE—Last Friday I did exactly what the honourable member described. I went and met with irrigators, as I will continue to do. What I will not do is decide that when an independent authority are conducting consultation on their own independent document it is somehow the time for me to be popping up. In the question reference was made to meetings that I am having with irrigators tonight. I met with the New South Wales Irrigators Council yesterday. More meetings—that have been referred to in the question—are taking place tonight. This is no different to the meetings that have been taking place for as long as I have been a minister in this House and that I have continued since I became the minister for water.

The work of the authority has to be conducted independently, but ultimately the document that is called the plan is the one that has the involvement at a ministerial level. So I will be making sure the whole way through that there is a very direct involvement, and the consultation of me being physically out there is how I have done my job the whole time that I have been a minister.

In terms of dealing with this draft document let us not forget that there is only one side of parliament in this room that made a commitment to implement the draft plan. Those were the words of the Leader of the Opposition. The Leader of the Opposition has so much confidence in the independence of the Murray-Darling Basin Authority that he was not even willing to wait until we got to the final consultation period. He was not willing to wait for any of that. He was going to take the draft and implement that. We will allow them to conduct their independent consultation—

Mr John Cobb interjecting—

The SPEAKER—The member for Calare!

Mr BURKE—and that will not stop me as minister consistently being involved in direct consultation in my role.

Schools

Ms BRODTMANN (3.05 pm)—My question is to the Minister for School Education, Early Childhood and Youth. What work is the government undertaking to make school financial data more transparent?

Mr GARRETT—I want to thank the member for Canberra for her first question and commend her on her first speech in the parliament, where she described education as the great transformer. Indeed, it is the conviction of this government that education has the power to shape people’s lives for the better. We are committed to making sure that every school in Australia is a great school and that every child in Australia gets a great education. That means that information about school performance and the factors that affect school results should be available to the public. That is a key part of our plan to make sure that education is delivered to all Australians.

Those listening will know of the My School website, which has transformed community understanding about school performance and continues to stimulate educational debate. It is a website that has had over 3.6 million visits since it first went up. Last Friday I met with my ministerial colleagues on the Ministerial Council for Education, Early Childhood Development and Youth Affairs and the council reaffirmed its support for enhancing the data available on My School from December of this year. Importantly, the enhanced My School website will present financial data for both government and non-government schools. This particular initiative cannot be underestimated. This will be the first time in our country’s history that the distribution of resources at the school level will be readily available and
transparent to the community. We are committed to ensuring that this financial data is presented in a way that allows fair comparisons between the financial positions of schools. That information will allow parents to understand how well their local schools are funded and, importantly, where those funds are coming from.

Financial transparency is important, perhaps not to the coalition given that in the last election they pledged to actually reduce the amount of funding—a cut of nearly $3.2 billion in support for education. In our first four years after coming to power we have spent some $60 billion on education—almost double what the coalition spent in its last four years. Importantly, the enhanced My School website is a part of this government’s commitment to providing transparency for parents, for teachers and for others in the community so that they have the information they need to have a greater involvement in their schools. We are giving principals more autonomy, greater independence in how their schools are managed and greater accountability for finances and for education results. This is a genuine education revolution aimed at making sure every Australian child gets the best education that they can and that every Australian school is a great school.

Mr Hartsuyker—Mr Speaker, could the minister table the document from which he was reading?

The SPEAKER—Was the minister referring to a document?

Mr GARRETT—Yes.

The SPEAKER—Was the document confidential?

Honourable members interjecting—

Home Insulation Program

Mr HUNT (3.09 pm)—My question is to the Minister for Climate Change and Energy Efficiency, and it also refers to issues of transparency. I refer the minister to his statement yesterday that data on 55,000 insulation safety inspections could not be released because it ‘could cause unnecessary apprehension’. Does this not contrast with the response of the head of the National Electrical and Communications Association that until these inspection figures are released people living in an uninspected insulated home cannot have peace of mind? Will the minister release the data and release the facts?

Mr COMBET—I thank the shadow minister for his question. Firstly, it is important to recognise what is being done to remediate the issues that have been experienced with the Home Insulation Program. There are significant safety inspection programs underway in two areas of activity. One is in relation to the former foil insulation that was installed in many homes in Queensland and northern New South Wales. That program is well advanced and is proceeding well and remediating the safety issues that have been experienced along the way. The other program to which the shadow minister refers is the Home Insulation Safety Program, which is inspecting at least 150,000 homes that had non-foil insulation installed within them. I think the latest numbers are in excess of 56,000 homes that have had inspections performed on them. They are being done through contracts entered into by the Department of Climate Change and Energy Efficiency.

An extensive amount of information has been provided by the government in relation to all the activities, including the investigations of noncompliance of various companies and the programs of inspection themselves. A regular update is provided on the website of the Department of Climate Change and Energy Efficiency. Yesterday I and the Parliamentary Secretary for Climate Change and Energy Efficiency issued a comprehensive
statement in relation to the state of play with the remediation of the problems experienced with the Home Insulation Program. The fundamental issue at the core of the shadow minister’s question concerns the fact that the inspection program in relation to non-foil forms of insulation that has been installed is targeted. It is targeted according to a risk assessment. It is not, therefore, representative of a random sample of houses across the cohort, if you like, of homes that had non-foil insulation installed. It is targeted. It is not a random sample.

The inspection program is only partway completed. We are receiving assistance or have commissioned assistance from the CSIRO in the risk assessment that is being developed to identify the homes to inspect. For example, a poor compliance record is obviously one of the criteria used in targeting organisations for inspections. To release that information would not be representative of experience across the program. What the government proposes to do—

Mr Randall—Mr Speaker, a point of order on relevance: the minister has not answered the question about releasing the data.

The SPEAKER—The minister is relating his response to the question and, if you want the added word, ‘directly’. It may not form what one might consider a direct answer, but it is directly relevant. I think you will appreciate that there are two different things. You may couch your question and you can expect a direct answer. The standing order talks of ‘directly relevant’. Since the interjections have quietened and I have had the ability to listen carefully, I would adjudge that the minister has been directly relevant. He has not entered into debate about this question and brought in any other opinions.

Mr COMBET—As I was saying, what the government proposes to do is to continue the safety inspection program on a targeted risk assessment basis, taking the advice of the CSIRO in the process. We are commissioning a firm to assist with the analysis of all the information and develop a final risk assessment when we are further down the track. The issues that I am advertsing to are serious ones. It is not, I think, in the public interest that this material be made available at the moment. It is important to get further down the track. What I propose to do, given the insistence of the shadow minister on it, is to give him a private, confidential briefing on progress and the work that is being carried out. It is an offer that is made in sincerity, because the work that is being undertaken is important and it is being undertaken in all sincerity. If he wishes to take that offer up, it would be most welcome, but he would need to take it up on the terms that have been offered. (Time expired)

Violence against Women

Ms PARKE (3.15 pm)—My question is to the Minister for Employment Participation and Childcare and Minister for the Status of Women. What support is the government providing to women who have been subjected to violence?

Ms KATE ELLIS—The horrific facts are that one in three Australian women have experienced physical violence and that one in five Australian women will be the victim of sexual assault. These figures mean that each and every year almost half a million Australian women experience physical or sexual violence, yet sadly we know that fewer than one in 10 of these women who experience sexual assault will seek professional assistance and support. We know that the sooner these women can talk to a professional and get that help, that advice, that support, the sooner and the more effectively they can commence their journey to recovery. That is why the government has acted and has launched a new national telephone counsel-
ling service, 1800RESPECT, for Australians who have experienced or are in danger of experiencing physical or sexual violence. It is also why I am calling on all members of this parliament to make sure that they can help distribute this information amongst their communities and neighbourhoods, in their local newsletters and the like. We know that for far too long Australians, and particularly those living in rural and remote communities, might not have had access to professional support. They will now have that access as close as their telephones.

Importantly, this service is far more than just the referral system which has operated in the past. When an individual calls 1800RESPECT—or, in the old style, 1800737732—they will have immediate access to a professional counsellor and professional support provided through the truly remarkable staff from the New South Wales Rape Crisis Centre. This free service is now available 24 hours a day, seven days a week, and in the coming months we will be expanding the service to include new technologies and to offer online supports as well.

The Gillard government have a zero tolerance approach to all forms of violence in our community. We are committed to working in partnership with women’s organisations, state and territory governments and the community to deliver a national plan to reduce violence against women and children. However, we know that the best efforts to reduce the occurrence of violence must be coupled with work to deliver justice for victims and to improve the support services which are available in our community. I am sure that all members in this place would agree with the importance of ensuring that Australians have access to these very important support services when they have experienced violence or when they are in danger of experiencing violence. I hope that all members of this House will provide this information to their communities so that we can get support to those who need it most and not let this huge number of Australians continue to suffer in silence.

National Education Standards

Mr PYNE (3.19 pm)—My question is to the Minister for School Education, Early Childhood and Youth. Will the minister confirm that the national curriculum slated to begin in January 2011 will now not meet the deadline? Will the national curriculum be joining the Green Loans Program, the solar panel rebate and the home insulation scheme as the government’s next mess?

The SPEAKER—Order! The last part of the question is out of order. I indicate now that, in future, because we have tightened up both ends—the question and the answer—that whole question would be ruled out of order if it were tried again. I think that it is just an attempt to get it on the record, and we have to be a little bit more careful about that.

Mr GARRETT—I thank the honourable member for his question and remind him that the recent ministerial meeting that I referred to in my earlier answer to the House in fact confirmed that the development of the national curriculum will be continuing as agreed by ministers both previously and at that meeting. I would add, though, that I do not anticipate that this is a process that should be rushed.

Opposition members interjecting—

Mr GARRETT—I make the point that those opposite had a tentative go at a national curriculum and then retreated instantly without any achievement whatsoever.

The SPEAKER—The minister will ignore the interjections.

Mr GARRETT—it certainly is my intention to ensure that, working with state ministerial colleagues, we continue to work robustly on the development of the curriculum and...
make sure that all of those issues that need to be addressed are addressed in a timely fashion and that a national curriculum is delivered to Australian students, which is a commitment of this government.

**Donations to Political Parties**

Mr MELHAM (3.21 pm)—My question is to the Special Minister of State. Will the minister update the House on the progress of enhancing the integrity of Australia’s political funding disclosure regime?

Mr GRAY—I thank the member for Banks for his question. He has had a long-standing interest in electoral reform and in particular in recent years in looking at the matter of political donations and the like. For the last 25 years this parliament has been the beneficiary of insightful legislation introduced in 1984 that brought the first disclosure of political donations. Over the course of the last 2½ decades, we have seen substantial tightening and increased regulation of political party activity, which has thankfully and thoughtfully kept our parliament at the very leading edge of these measures globally. It has meant that our parliament has never faced the criticism or the accusation that donations to political parties seriously pervert the course of deliberations in this place.

But we must be continually vigilant to ensure that our laws and the regulatory environment in which we play are as good as they can be. On two occasions over the past two years the government has introduced a bill designed to increase the transparency of political donations and to reduce the limit from the current over $10,000 for disclosure to $1,000. On both occasions, that legislation passed this place only to be stopped in the Senate. It is because of its knowledge of this parliament that the government, through its commitment to the crossbenchers, will reintroduce the legislation to ensure the $1,000 limit is once again able to be debated in this place. The bill to do that will be introduced in the next few days. That bill will reduce the limit from $10,500 to $1,000.

The bill will also prevent donation splitting between different branches of political parties, will ban foreign donations, will ban anonymous donations of over $50 and will increase the timeliness and frequency of donation disclosure.

Mr Hockey—And ban unions?

Mr GRAY—It will ensure that union donations are disclosed.

The SPEAKER—The member for North Sydney is warned!

Mr GRAY—It will ensure that disclosure of donations to both sides of politics is observed in the best possible way. It is a fact that donations to political parties are extremely sensitive matters. It is also the reality that the framework that currently supports our Electoral Act and disclosure is a framework that is supported by all sides of this parliament. The best future framework is best constructed by all sides working together to ensure a solid framework for disclosure and to ensure that the reform of party and campaign financing is done in a way that can be supported by the public and that will support the activities of our political parties.

I invite members opposite to engage with the government on the improvement of these laws to ensure that disclosure continues to be something that is both the hallmark of our political process and the benchmark for how we wish to be measured in the community. I invite those opposite to support the bill that will be introduced in the next few days and to engage with the government in future discussion on political party donation disclosure and campaign finance reform.

Mr Abbott—Mr Speaker, I rise on a point of order. I could not properly hear the minis-
ter. Did he say that union donations would be disclosed?

The SPEAKER—There is no point of order. The Leader of the Opposition will resume his place.

Ms Gillard—Mr Speaker, I ask that further questions be placed on the Notice Paper.

PERSONAL EXPLANATIONS

Mr ROBB (Goldstein) (3.26 pm)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the honourable member claim to have been misrepresented?

Mr ROBB—Yes.

The SPEAKER—Please proceed.

Mr ROBB—I have been most mischievously misrepresented by the Treasurer. Contrary to what the Treasurer very mischievously asserted today, I have never called for intervention in our market based exchange rates. But I have called on the Treasurer to rein in his reckless spending and his waste so that—

The SPEAKER—The member for Goldstein is debating now. He will resume his place.

COMMITTEES
Allocation of Annual Reports

The SPEAKER—I present a schedule showing the allocation of annual reports of departments, agencies, authorities and companies to general purpose standing committees and certain joint committees. A copy of the schedule will be incorporated in Hansard.

The schedule read as follows—

43rd PARLIAMENT
Speaker’s Schedule
Allocation to Committees of Annual Reports of Government Departments and Agencies

Standing Committee on Aboriginal and Torres Strait Islander Affairs
Agriculture, Fisheries and Forestry Portfolio
Torres Strait Protected Zone Joint Authority*
* Referred also to the Standing Committee on Climate Change, Environment and the Arts and the Standing Committee on Regional Australia

Attorney-General’s Portfolio
Human Rights and Equal Opportunity Commission*
National Native Title Tribunal**
* Referred also to the Standing Committee on Social Policy and Legal Affairs and the Joint Standing Committee on Foreign Affairs, Defence and Trade
** Referred also to the Standing Committee on Social Policy and Legal Affairs

Broadband, Communications and the Digital Economy Portfolio
Department of Broadband, Communications and the Digital Economy (regarding indigenous programs)*
* Referred also to the Standing Committee on Economics, the Standing Committee on Infrastructure and Communications and the Standing Committee on Regional Australia

Education, Employment and Workplace Relations Portfolio
Australian Institute of Aboriginal and Torres Strait Islander Studies*
Indigenous Business Australia*
* Referred also to the Standing Committee on Education and Employment

Families, Housing, Community Services and Indigenous Affairs Portfolio
Department of Families, Housing, Community Services and Indigenous Affairs*
Land Councils which fall under the Aboriginal Land Rights Act 1976
Aboriginal Hostels Limited
Aboriginal Land Commissioner
Aboriginals Benefit Account
Indigenous Land Corporation
Torres Strait Regional Authority**
* Referred also to the Standing Committee on Economics, the Standing Committee on Regional Australia and the Standing Committee on Social Policy and Legal Affairs

** Referred also to the Standing Committee on Regional Australia

** Health and Ageing Portfolio**
Department of Health and Ageing (regarding Indigenous programs)*

* Referred also to the Standing Committee on Economics, the Standing Committee on Health and Ageing and the Standing Committee on Regional Australia

** Sustainability, Environment, Water, Population and Communities Portfolio**
Department of Sustainability, Environment, Water, Population and Communities (regarding indigenous programs)*

* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry, the Standing Committee on Climate Change, Environment and the Arts, the Standing Committee on Regional Australia and the Joint Standing Committee on the National Capital and External Territories

** Standing Committee on Agriculture, Resources, Fisheries and Forestry**
Agriculture, Fisheries and Forestry Portfolio

Department of Agriculture, Fisheries and Forestry*

Australian Fisheries Management Authority**

Australian Landcare Council**

Australian Pesticides and Veterinary Medicines Authority***

Australian Wine and Brandy Corporation***

Cotton Research and Development Corporation***

Dairy Adjustment Authority***

Dairy Australia***

Export Wheat Commission***

Fisheries Research and Development Corporation**

Forest and Wood Products Research and Development Corporation**

Grains Research and Development Corporation***

Grape and Wine Research and Development Corporation***

Landcare Australia Ltd**

National Rural Advisory Council***

Northern Territory Fisheries Joint Authority**

Queensland Fisheries Joint Authority**

Rural Industries Research and Development Corporation***

Sugar Research and Development Corporation***

Western Australian Fisheries Joint Authority**

* Referred also to the Standing Committee on Climate Change, Environment and the Arts, the Standing Committee on Economics and the Standing Committee on Regional Australia

** Referred also to the Standing Committee on Climate Change, Environment and the Arts and the Standing Committee on Regional Australia

*** Referred also to the Standing Committee on Regional Australia

** Climate Change and Energy Efficiency Portfolio**
Department of Climate Change and Energy Efficiency*

Office of the Renewable Energy Regulator**

* Referred also to the Standing Committee on Climate Change, Environment and the Arts and the Standing Committee on Economics

** Referred also to the Standing Committee on Climate Change, Environment and the Arts

** Foreign Affairs and Trade Portfolio**
Australian Centre for International Agricultural Research*

* Referred also to the Joint Standing Committee on Foreign Affairs, Defence and Trade

** Innovation, Industry, Science and Research Portfolio**
Australian Nuclear Science and Technology Organisation*

National Offshore Petroleum Safety Authority

* Referred also to the Standing Committee on Education and Employment and the Standing Committee on Health and Ageing
Resources, Energy and Tourism Portfolio
Department of Resources, Energy and Tourism*
Snowy Hydro Limited**
* Referred also to the Standing Committee on Climate Change, Environment and the Arts and the Standing Committee on Economics
** Referred also to the Standing Committee on Climate Change, Environment and the Arts

Sustainability, Environment, Water, Population and Communities Portfolio
Department of Sustainability, Environment, Water, Population and Communities*
Murray-Darling Basin Authority**
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Climate Change, Environment and the Arts, the Standing Committee on Regional Australia and the Joint Standing Committee on the National Capital and External Territories
** Referred also to the Standing Committee on Climate Change, Environment and the Arts and the Standing Committee on Regional Australia

Standing Committee on Climate Change, Environment and the Arts
Agriculture, Fisheries and Forestry Portfolio
Department of Agriculture, Fisheries and Forestry*
Australian Fisheries Management Authority**
Australian Landcare Council**
Fisheries Research and Development Corporation**
Forest and Wood Products Research and Development Corporation**
Land and Water Australia***
Landcare Australia Ltd**
Northern Territory Fisheries Joint Authority**
Queensland Fisheries Joint Authority**
Torres Strait Protected Zone Joint Authority****
Western Australian Fisheries Joint Authority**
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry, the Standing Committee on Economics and the Standing Committee on Regional Australia
** Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry
*** Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs and the Standing Committee on Regional Australia
**** Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs and the Standing Committee on Regional Australia

Climate Change and Energy Efficiency Portfolio
Department of Climate Change and Energy Efficiency*
Office of the Renewable Energy Regulator**
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Economics
** Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry

Finance and Deregulation Portfolio
Australian River Co. Limited (reports year end of 30 November)

Prime Minister and Cabinet Portfolio
Australia Business Arts Foundation
Australia Council for the Arts
Australia Film Finance Corporation Ltd
Australian Film Commission
Australian Film, Television and Radio School
Australian National Maritime Museum
Bundanon Trust
Film Australia Limited
National Gallery of Australia
National Library of Australia
National Museum of Australia

Resources, Energy and Tourism Portfolio
Department of Resources, Energy and Tourism*
Snowy Hydro Limited**
Tourism Australia***
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Economics
** Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry
*** Referred also to the Standing Committee on Infrastructure and Communications

**Sustainability, Environment, Water, Population and Communities Portfolio**
Department of Sustainability, Environment, Water, Population and Communities*
Australian Heritage Council**
Bureau of Meteorology**
Director of National Parks**
Environment Protection and Heritage Council**
Great Barrier Reef Marine Park Authority**
Murray-Darling Basin Authority***
National Water Commission**
Office of the Supervising Scientist**
Sydney Harbour Federation Trust
Wet Tropics Management Authority**
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry, the Standing Committee on Regional Australia and the Joint Standing Committee on the National Capital and External Territories

** Referred also to the Standing Committee on Regional Australia

*** Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Regional Australia

**Standing Committee on Economics**

**Agriculture, Fisheries and Forestry Portfolio**
Department of Agriculture, Fisheries and Forestry*
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry, the Standing Committee on Climate Change, Environment and the Arts and the Standing Committee on Regional Australia

**Broadband, Communications and the Digital Economy Portfolio**
Department of Broadband, Communications and the Digital Economy*
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Infrastructure and Communications and the Standing Committee on Regional Australia

**Climate Change and Energy Efficiency Portfolio**
Department of Climate Change and Energy Efficiency*
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Climate Change, Environment and the Arts

**Education, Employment and Workplace Relations Portfolio**
Department of Education, Employment and Workplace Relations*
* Referred also to the Standing Committee on Education and Employment and the Standing Committee on Regional Australia

**Families, Housing, Community Services and Indigenous Affairs Portfolio**
Department of Families, Housing, Community Services and Indigenous Affairs*
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Regional Australia and the Standing Committee on Social Policy and Legal Affairs

**Finance and Deregulation Portfolio**
Department of Finance and Deregulation
Australian Government Employees Superannuation Trust
Australian Industry Development Corporation
Australian Political Exchange Council
Australian Reward Investment Alliance
Commonwealth Grants Commission
Commonwealth Superannuation Administration (ComSuper)
CSS Board
Medibank Private*
Parliamentary Retiring Allowances Trust
PSS Board
* Referred also to the Standing Committee on Health and Ageing
Foreign Affairs and Trade Portfolio
Department of Foreign Affairs and Trade*
* Referred also to the Joint Standing Committee on Foreign Affairs, Defence and Trade

Health and Ageing Portfolio
Department of Health and Ageing*
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Health and Ageing and the Standing Committee on Regional Australia

Immigration and Citizenship Portfolio
Department of Immigration and Citizenship*
* Referred also to the Joint Standing Committee on Foreign Affairs and Trade and the Joint Standing Committee on Migration

Infrastructure and Transport Portfolio
Department of Infrastructure and Transport*
* Referred also to the Standing Committee on Infrastructure and Communications and the Standing Committee on Regional Australia

Innovation, Industry, Science and Research Portfolio
Department of Innovation, Industry, Science and Research*
* Referred also to the Standing Committee on Infrastructure and Communications

Prime Minister and Cabinet Portfolio
Department of the Prime Minister and Cabinet
Department of Regional Australia, Regional Development and Local Government*
Australian National Audit Office
Australian Public Service Commission
Commonwealth Ombudsman (incorporates Defence Force Ombudsman, Tax Ombudsman and ACT Ombudsman)**
Management Advisory Committee
Merit Protection Commissioner
National Australia Day Council
Official Establishments Trust
* Referred also to the Standing Committee on Infrastructure and Communications, the Standing Committee on Regional Australia and the Joint Standing Committee on the National Capital and External Territories
** Referred also to the Standing Committee on Social Policy and Legal Affairs and the Joint Standing Committee on Foreign Affairs, Defence and Trade

Resources, Energy and Tourism Portfolio
Department of Resources, Energy and Tourism*
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Climate Change, Environment and the Arts

Treasury Portfolio
Department of the Treasury
Auditing and Assurance Standards Boards
Australia and the International Financial Institutions (i.e. Asian Development Bank, International Monetary Fund and the World Bank)
Australian Accounting Standards Board
Australian Bureau of Statistics
Australian Competition and Consumer Commission
Australian Competition Tribunal
Australian Loan Council
Australian Office of Financial Management
Australian Prudential Regulation Authority
Australian Reinsurance Pool Corporation
Australian Securities and Investment Commission
Australian Statistics Advisory Council
Australian Taxation Office
Board of Taxation
Companies Auditors and Liquidators Disciplinary Board
Corporations and Markets Advisory Committee
Financial Reporting Council
Foreign Investment Review Board
Inspector-General of Taxation
Life Insurance Actuarial Standards Board
National Competition Council
Payments System Board
Productivity Commission
Reserve Bank of Australia

CHAMBER
Royal Australian Mint
Superannuation Complaints Tribunal
Takeovers Panel

**Standing Committee on Education and Employment**
*Education, Employment and Workplace Relations Portfolio*
Department of Education, Employment and Workplace Relations*
Anglo-Australian Telescope Board
Australian Curriculum, Assessment and Reporting Authority
Australian Institute for Teaching and School Leadership
Australian Institute of Aboriginal and Torres Strait Islander Studies**
Australian Institute of Marine Science
Australian National University
Australian Research Council
Coal Mining Industry (Long Service Leave Funding) Corporation
Comcare
Defence Force Remuneration Tribunal***
Equal Opportunity for Women in the Workplace Agency
Fair Work Australia
Fair Work Ombudsman
Indigenous Business Australia**
Office of the Australian Building and Construction Commissioner
Questacon – The National Science and Technology Centre
Remuneration Tribunal
Safety, Rehabilitation and Compensation Commission
Safe Work Australia
Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority)
* Referred also to the Standing Committee on Economics and the Standing Committee on Regional Australia

** Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs
*** Referred also to the Joint Standing Committee on Foreign Affairs, Defence and Trade

**Families, Housing, Community Services and Indigenous Affairs**
Social Security Appeals Tribunal*
* Referred also to the Standing Committee on Social Policy and Legal Affairs

**Human Services Portfolio**
Department of Human Services*
Centrelink*
CRS Australia (Rehabilitation Service)*
* Referred also to the Standing Committee on Health and Ageing, the Standing Committee on Regional Australia and the Standing Committee on Social Policy and Legal Affairs

**Infrastructure and Transport Portfolio**
Australian Maritime College*
* Referred also to the Standing Committee on Infrastructure and Communications and the Standing Committee on Regional Australia

**Innovation, Industry, Science and Research Portfolio**
Australian Nuclear Science and Technology Organisation*
* Referred also the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Health and Ageing

**Standing Committee on Health and Ageing**

**Finance and Deregulation Portfolio**
Medibank Private*
* Referred also to the Standing Committee on Economics

**Health and Ageing Portfolio**
Department of Health and Ageing*
Aged Care Standards and Accreditation Agency Ltd**
Australian Institute of Health and Welfare***
Australian National Council on Drugs
Australian Radiation Protection and Nuclear Safety Agency**
Australian Sports Commission
Australian Sports Drug Agency
Food Standards Australia New Zealand**
Gene Technology Regulator****
National Blood Authority
National Health and Medical Research Council
National Industrial Chemicals Notification and Assessment Scheme**
Pharmaceutical Benefits Pricing Authority
Pharmaceutical Benefits Remuneration Tribunal
Private Health Insurance Administration Council
Private Health Insurance Ombudsman
Professional Services Review
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Economics and the Standing Committee on Regional Australia
** Referred also to the Standing Committee on Regional Australia
*** Referred also to the Standing Committee on Social Policy and Legal Affairs
**** Referred also to the Standing Committee on Regional Affairs and the Standing Committee on Social Policy and Legal Affairs

Human Services Portfolio
Department of Human Services*
Australian Hearing
Centrelink*
CRS Australia (Rehabilitation Service)*
Health Services Australia**
Medicare Australia**
* Referred also to the Standing Committee on Education and Employment, the Standing Committee on Regional Australia and the Standing Committee on Social Policy and Legal Affairs
** Referred also to the Standing Committee on Regional Australia and the Standing Committee on Social Policy and Legal Affairs

Innovation, Industry, Science and Research Portfolio
Australian Nuclear Science and Technology Organisation*
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Education and Employment

Standing Committee on Infrastructure and Communications
Attorney-General's Portfolio
Classification Board*
Classification Review Board*
Office of Film and Literature Classification*
* Referred also to the Standing Committee on Social Policy and Legal Affairs

Broadband, Communications and the Digital Economy Portfolio
Department of Broadband, Communications and the Digital Economy*
Australia Post**
Australian Broadcasting Corporation
Australian Communications and Media Authority
NetAlert Limited
Special Broadcasting Service Corporation
Telstra Corporation Limited**
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Economics and the Standing Committee on Regional Australia
** Referred also to the Standing Committee on Regional Australia

Education, Employment and Workplace Relations Portfolio
Stevedoring Industry Finance Committee

Finance and Deregulation Portfolio
Albury-Wodonga Development Corporation*
Australian Government Information Management Office
National Archives of Australia
* Referred also to the Standing Committee on Regional Australia

Foreign Affairs and Trade Portfolio
Export Finance and Insurance Corporation*
* Referred also to the Joint Standing Committee on Foreign Affairs, Defence and Trade

Infrastructure and Transport Portfolio
Department of Infrastructure and Transport*
Airservices Australia**
Australian Maritime College***
Australian Maritime Safety Authority**
Australian Rail Track Corporation Limited**
Civil Aviation Safety Authority**
International Air Services Commission**
Maritime Industry Finance Co Ltd**
National Transport Commission**
* Referred also to the Standing Committee on Economics and the Standing Committee on Regional Australia
** Referred also to the Standing Committee on Regional Australia
*** Referred also to the Standing Committee on Education and Employment and the Standing Committee on Regional Australia

Innovation, Industry, Science and Research Portfolio
Department of Innovation, Industry, Science and Research*
Anglo-Australian Telescope Board
Commonwealth Scientific and Industrial Research Organisation
Industry Research and Development Board
Pooled Development Funds Registration Board
* Referred also to the Standing Committee on Economics

Prime Minister and Cabinet Portfolio
Department of Regional Australia, Regional Development and Local Government*
* Referred also to the Standing Committee on Economics, the Standing Committee on Regional Australia and the Joint Standing Committee on the National Capital and External Territories

Resources, Energy and Tourism Portfolio
Tourism Australia*
* Referred also to the Standing Committee on Climate Change, Environment and the Arts

Standing Committee on Regional Australia
Agriculture, Fisheries and Forestry Portfolio
Department of Agriculture, Fisheries and Forestry*

Australian Fisheries Management Authority**
Australian Landcare Council**
Australian Pesticides and Veterinary Medicines Authority***
Australian Wine and Brandy Corporation***
Cotton Research and Development Corporation***
Dairy Adjustment Authority***
Dairy Australia***
Export Wheat Commission***
Fisheries Research and Development Corporation**
Forest and Wood Products Research and Development Corporation**
Grains Research and Development Corporation***
Grape and Wine Research and Development Corporation***
Land and Water Australia****
Landcare Australia Ltd**
National Rural Advisory Council***
Northern Territory Fisheries Joint Authority**
Queensland Fisheries Joint Authority**
Rural Industries Research and Development Corporation***
Sugar Research and Development Corporation***
Torres Strait Protected Zone Joint Authority*****
Western Australian Fisheries Joint Authority**
* Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry, the Standing Committee on Climate Change, Environment and the Arts and the Standing Committee on Economics
** Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Climate Change, Environment and the Arts
*** Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry
**** Referred also to the Standing Committee on Climate Change, Environment and the Arts

CHAMBER
Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs and the Standing Committee on Environment and the Arts

**Broadband, Communications and the Digital Economy Portfolio**
Department of Broadband, Communications and the Digital Economy*
Australia Post**
Telstra Corporation Limited**
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Economics and the Standing Committee on Infrastructure and Communications
** Referred also to the Standing Committee on Infrastructure and Communications

**Education, Employment and Workplace Relations Portfolio**
Department of Education, Employment and Workplace Relations*
* Referred also to the Standing Committee on Economics and the Standing Committee on Education and Employment

**Families, Housing, Community Services and Indigenous Affairs Portfolio**
Department of Families, Housing, Community Services and Indigenous Affairs*
Torres Strait Regional Authority**
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Economics and the Standing Committee on Social Policy and Legal Affairs
** Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs

**Finance and Deregulation Portfolio**
Albury-Wodonga Development Corporation*
* Referred also to the Standing Committee on Infrastructure and Communications

**Health and Ageing**
Department of Health and Ageing*
Aged Care Standards and Accreditation Agency Ltd**
Australian Radiation Protection and Nuclear Safety Agency**
Food Standards Australia New Zealand**
Gene Technology Regulator***
National Industrial Chemicals Notification and Assessment Scheme**
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Economics and the Standing Committee on Health and Ageing
** Referred also to the Standing Committee on Health and Ageing
*** Referred also to the Standing Committee on Social Policy and Legal Affairs

**Human Services**
Department of Human Services*
Centrelink*
Child Support Agency***
CRS Australia (Rehabilitation Service)*
Health Services Australia**

**Medicare Australia**
* Referred also to the Standing Committee on Education and Employment, the Standing Committee on Health and Ageing and the Standing Committee on Social Policy and Legal Affairs
** Referred also to the Standing Committee on Health and Ageing and the Standing Committee on Social Policy and Legal Affairs
*** Referred also to the Standing Committee on Social Policy and Legal Affairs

**Infrastructure and Transport Portfolio**
Department of Infrastructure and Transport*
Airservices Australia**
Australian Maritime College***
Australian Maritime Safety Authority**
Australian Rail Track Corporation Limited**
Civil Aviation Safety Authority**
International Air Services Commission**
Maritime Industry Finance Co Ltd**
National Transport Commission**
* Referred also to the Standing Committee on Economics and the Standing Committee on Infrastructure and Communications

** Referred also to the Standing Committee on Infrastructure and Communications

*** Referred also to the Standing Committee on Education and Employment and the Standing Committee on Infrastructure and Communications

**Prime Minister and Cabinet Portfolio**
Department of Regional Australia, Regional Development and Local Government*

* Referred also to the Standing Committee on Economics, the Standing Committee on Infrastructure and Communications and the Joint Standing Committee on the National Capital and External Territories

** Sustainability, Environment, Water, Population and Communities Portfolio**
Department of Sustainability, Environment, Water, Population and Communities*

Australian Heritage Council**

Director of National Parks**

Environment Protection and Heritage Council**

Great Barrier Reef Marine Park Authority**

Murray-Darling Basin Authority***

National Water Commission**

Office of the Supervising Scientist**

Wet Tropics Management Authority**

* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Agriculture, Resources, Fisheries and Forestry, the Standing Committee on Climate Change, Environment and the Arts and the Joint Standing Committee on the National Capital and External Territories

** Referred also to the Standing Committee on Climate Change, Environment and the Arts

*** Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry and the Standing Committee on Climate Change, Environment and the Arts

**Standing Committee on Social Policy and Legal Affairs**
Attorney-General’s Portfolio

Department of Regional Australia, Regional Development and Local Government*

* Referred also to the Standing Committee on Infrastructure and Communications

** Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs and the Joint Standing Committee on Foreign Affairs, Defence and Trade

*** Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs

* Attorneys General's Department
* Administrative Appeals Tribunal
* Administrative Review Council
* Australian Crime Commission
* Australian Customs Service
* Australian Federal Police
* Australian Government Solicitor
* Australian Institute of Criminology
* Australian Law Reform Commission
* Australian Security Intelligence Organisation
* Australian Transaction Reports and Analysis Centre (AUSTRAC)
* Classification Board*
* Classification Review Board*
* Commonwealth Director of Public Prosecutions
* Copyright Tribunal
* Criminology Research Council
* CrimTrac
* Family Court of Australia
* Family Law Council
* Federal Court of Australia
* Federal Magistrates Court of Australia
* Federal Police Disciplinary Tribunal
* High Court of Australia
* Human Rights and Equal Opportunity Commission**
* Insolvency and Trustee Service, Australia
* National Native Title Tribunal***
* Office of Film and Literature Classification*
* Office of Parliamentary Counsel

* Referred also to the Standing Committee on Infrastructure and Communications

** Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs and the Joint Standing Committee on Foreign Affairs, Defence and Trade

*** Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs
Families, Housing, Community Services and Indigenous Affairs Portfolio
Department of Families, Housing, Community Services and Indigenous Affairs*
Australian Institute of Family Studies
National Childcare Accreditation Council Inc
Office of the Status of Women
Social Security Appeals Tribunal**
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Economics and the Standing Committee on Regional Australia
** Referred also to the Standing Committee on Education and Employment

Health and Ageing Portfolio
Australian Institute of Health and Welfare*
Gene Technology Regulator**
* Referred also to the Standing Committee on Health and Ageing
** Referred also to the Standing Committee on Health and Ageing and the Standing Committee on Regional Australia

Human Services Portfolio
Department of Human Services*
Centrelink*
Child Support Agency***
CRS Australia (Rehabilitation Service)*
Health Services Australia**
Medicare Australia**
* Referred also to the Standing Committee on Education and Employment, the Standing Committee on Health and Ageing and the Standing Committee on Regional Australia
** Referred also to the Standing Committee on Health and Ageing and the Standing Committee on Regional Australia
*** Referred also to the Standing Committee on Regional Australia

Prime Minister and Cabinet Portfolio
Commonwealth Ombudsman (incorporates Defence Force Ombudsman, Tax Ombudsman and ACT Ombudsman)*
Inspector-General of Intelligence and Security**
Office of the Official Secretary to the Governor-General
Office of the Privacy Commissioner
* Referred also to the Standing Committee on Economics and the Joint Standing Committee on Foreign Affairs, Defence and Trade
** Referred also to the Joint Standing Committee on Foreign Affairs, Defence and Trade

Joint Standing Committee on Electoral Matters

Finance and Deregulation Portfolio
Australian Electoral Commission

Joint Standing Committee on Foreign Affairs, Defence and Trade

Attorney-General's Portfolio
Defence Force Discipline Appeal Tribunal
Human Rights and Equal Opportunity Commission*
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs and the Standing Committee on Social Policy and Legal Affairs

Defence Portfolio
Department of Defence
Department of Veterans’ Affairs
Australian War Memorial
Defence Force Retirement and Death Benefits Authority
Defence Housing Australia
Frontline Defence Services
Judge Advocate General
Military Rehabilitation and Compensation Commission
Military Superannuation and Benefits Board of Trustees No. 1
National Treatment Committee
Repatriation Commission
Repatriation Medical Authority
Royal Australian Air Force Veterans’ Residences Trust
Services Trust Funds
Veterans’ Review Board
Education, Employment and Workplace Relations Portfolio
Defence Force Remuneration Tribunal*
* Referred also to the Standing Committee on Education and Employment

Finance and Deregulation Portfolio
ASC Pty Ltd (Australian Submarine Corporation)

Foreign Affairs and Trade Portfolio
Department of Foreign Affairs and Trade*
AusAID
Australia-China Council
Australia-India Council
Australia-Indonesia Institute
Australia-Japan Foundation
Australia-Korea Foundation
Australian Centre for International Agricultural Research**
Australian Safeguards and Non-Proliferation Office
Australian Trade Commission
Export Finance and Insurance Corporation***
* Referred also to the Standing Committee on Economics
** Referred also to the Standing Committee on Agriculture, Resources, Fisheries and Forestry
*** Referred also to the Standing Committee on Infrastructure and Communications

Immigration and Citizenship Portfolio
Department of Immigration and Citizenship*
* Referred also to the Standing Committee on Economics and to the Joint Standing Committee on Foreign Affairs, Defence and Trade

Joint Standing Committee on the National Capital and External Territories
Prime Minister and Cabinet Portfolio
Department of Regional Australia, Regional Development and Local Government*
National Capital Authority
* Referred also to the Standing Committee on Economics, the Standing Committee on Infrastructure and Communications and the Standing Committee on Regional Australia

Sustainability, Environment, Water, Population and Communities Portfolio
Department of Sustainability, Environment, Water, Population and Committees (regarding Australian Antarctic and Sub-Antarctic Territories)*
* Referred also to the Standing Committee on Aboriginal and Torres Strait Islander Affairs, the Standing Committee on Agriculture, Resources, Fisheries and Forestry, the Standing Committee on Climate Change, Environment and the Arts and the Standing Committee on Regional Australia

DEPARTMENT OF PARLIAMENTARY SERVICES
Annual Report
The SPEAKER (3.27 pm)—Pursuant to section 65 of the Parliamentary Service Act 1999, I present the annual report of the Department of Parliamentary Services for 2009-10.

Ordered that the report be made a parliamentary paper.
Mr ALBANESE (Grayndler—Leader of the House) (3.28 pm)—Documents are presented as listed in the schedule circulated to honourable members earlier today. Details of the documents will be recorded in the Votes and Proceedings and I move:

That the House take note of the following documents:

Australian Rail Track Corporation Ltd—Report for 2009-10.
Department of Finance and Deregulation—Campaign advertising by Australian Government departments and agencies—Report for 2009-10.

Debate (on motion by Mr Hartsuyker) adjourned.

MINISTERIAL STATEMENTS

Afghanistan

Ms GILLARD (Lalor—Prime Minister) (3.28 pm)—by leave—A national government has no more important task than defending the nation, its people and their interests. That is why we take so seriously any decision to go to war. The war in Afghanistan is no different. Today I will answer five questions Australians are asking about the war:

1. Why Australia is involved in Afghanistan

Australia has two vital national interests in Afghanistan—(1) to make sure that Afghanistan never again becomes a safe haven for terrorists, a place where attacks on us and our allies begin, and (2) to stand firmly by our alliance commitment to the United States, formally invoked following the attacks on New York and Washington in 2001.

Last month we marked the ninth anniversary of al-Qaeda’s September 11 attacks. Before September 11 al-Qaeda had a safe haven in Afghanistan under the Taliban government, a safe haven where they could recruit, indoctrinate, train, plan, finance and conspire to kill. On September 11, al-Qaeda murdered more than 3,000 people—thousands of Americans, citizens of our ally the United States, people from many other countries and 10 Australians, 10 of our own, never forgotten. And millions of people were terrified.

So we went to Afghanistan to make sure it would never again be a safe haven for al-Qaeda. We went with our friends and allies, as part of the international community. We went with the support of the United Nations. The war has put pressure on al-Qaeda’s core leadership—killed some, captured others, forced many into hiding and forced them all onto the defensive. Al-Qaeda has been dealt a severe blow.

But al-Qaeda remains a resilient and persistent network. Our successes against it in Afghanistan are only part of our effort against terrorism. We are working to counter the rise of affiliated groups in new areas, such as Somalia and Yemen, and violent ex-
tremism and terrorist groups in Pakistan. That is why we support efforts in those countries, with those governments, to target terrorist groups there as well.

The terror did not end on September 11. Since 2001, some 100 Australians have been killed in extremists’ attacks overseas. Among them: 88 Australians were killed in the Bali bombing in 2002 and four Australians were killed in the second Bali bombing in 2005. Our embassy has been bombed in Jakarta. In each of these cases, the terrorist groups involved had links to Afghanistan. If the insurgency in Afghanistan were to succeed, if the international community were to withdraw, then Afghanistan could once again become a safe haven for terrorists. Al-Qaeda’s ability to recruit, indoctrinate, train, plan, finance and conspire to kill would be far greater than it is today. And the propaganda victory for terrorists worldwide would be enormous. So the goal of Australia and the international community is clear: to deny terrorist networks a safe haven in Afghanistan.

2. What the international community is seeking to achieve: the new international strategy

The international community has been in Afghanistan a long time—nine years.

An incident having occurred in the gallery—

The SPEAKER—Order! The gallery will come to order.

Ms GILLARD—The Australian people are entitled to know what we are trying to achieve and when our troops can come home. Removing the Taliban government in 2001 and pursuing al-Qaeda in the years since has made a crucial difference in preventing terrorist attacks. From 2001 to mid-2006, US and coalition forces and Afghan troops fought relatively low levels of insurgent violence. The international force in Afghanistan was focused on a stabilisation mission. And there were no Australian units deployed in Afghanistan between December 2002 and September 2005. Through this period, few would now argue, US and international attention turned heavily to Iraq.

Australia’s substantial military involvement in Afghanistan resumed when the special forces task force was redeployed there for 12 months from September 2005 in support of international efforts to target key insurgents. Violence increased further in mid-2006, particularly in the east and the south. Due to significant intimidation and the absence of effective governance in many rural areas, some Afghans turned to the Taliban at this time.

The mission moved to a counter-insurgency focus. Australia’s contribution increased from October 2008 on as we took a growing role in training and mentoring in the southern Afghanistan province of Uruzgan. However, the international counter-insurgency mission was not adequately resourced until 2009. In December 2009 President Obama announced a revised strategy for Afghanistan and a surge of 30,000 US troops. NATO has contributed more. So has Australia. I believe we now have the right strategy, an experienced commander in General Petraeus and the resources needed to deliver the strategy. The overarching goal of the new strategy is to enable transition—that is, to prepare the government of Afghanistan to take lead responsibility for its own security.

But our vital national interests, in preventing Afghanistan being a safe haven for terrorists who attack us and in supporting our ally, do not end with transition. Our aim is that the new international strategy sees a functioning Afghan state become able to assume responsibility for preventing the country from being a safe haven for terrorists. Australia’s key role in that mission, training
and mentoring the 4th Brigade of the Afghan National Army in Uruzgan, is expected to take two to four years. And President Karzai has said the Afghan government expects the transition process to be complete by the end of 2014.

But let me be clear—this refers to the Afghan government taking lead responsibility for security. The international community will remain engaged in Afghanistan beyond 2014. And Australia will remain engaged. There will still be a need for Australians in a supporting role. There will still be a role for training and other defence cooperation. The civilian-led aid and development effort will continue. And we will continue to promote Afghan-led re-integration of former insurgents who are willing to lay down their arms, turn their backs on terrorism and accept the Afghan constitution. We expect this support, training and development task to continue in some form through this decade at least.

Our mission in Afghanistan is not nation building. That is the task of the Afghan government and people. With international aid and development, we will continue to help where we can, but entrenching a functioning democratic Afghan state could be the work of a generation of Afghan people.

The new international strategy is comprehensive. It is focused on:

- Protecting the civilian population—conducting operations together with the Afghan National Security Forces to reduce the capability and will of the insurgency.
- Training, mentoring and equipping the Afghan National Security Forces—to enable them to assume a lead role in providing security.
- And facilitating improvements in governance and socioeconomic development—working with the Afghan authori-
ties and the United Nations to strengthen institutions and deliver basic services.

The new strategy promotes efforts towards political reconciliation. It also includes a greater focus on partnership with Pakistan to address violent extremism in the border regions that threatens both Pakistan and Afghanistan. And the new international strategy is well resourced.

The international strategy is implemented by a combined civilian and military effort under the International Security Assistance Force, ISAF. This involves 47 troop-contributing nations, working alongside a host of international bodies and aid agencies, with and at the invitation of the Afghan government, and under a United Nations Security Council mandate—a mandate renewed unanimously just this month.

This coalition includes many longstanding friends and allies of Australia, including the United States and New Zealand, and the United Kingdom, Canada and France. Singapore and Korea, among other Asian countries, contribute. And several Muslim countries are involved, including Turkey, Jordan and Malaysia.

At the Asia-Europe meeting, I spent some time with Malaysia’s Prime Minister Najib. I was particularly struck by what he said was one of Malaysia’s most important contributions to Afghanistan: doctors—doctors who are Islamic women. They are able to work with Afghan women as few foreign medical professionals can.

We are part of a truly international effort in Afghanistan. To ensure the new international strategy can be delivered, last December the United States committed to a military and civilian surge in Afghanistan. The elements of this surge are now reaching full strength. Once fully deployed, this will take coalition force numbers to roughly 140,000. US forces on the ground have tripled since
early 2009. The total force now has the resources required to deliver a comprehensive international strategy focused on counterinsurgency and designed to deliver transition.

3. Australia’s contribution to the international effort

Australia’s involvement makes a real difference in Afghanistan. The government supports the new international strategy and we have supported the surge. Australia has increased our troop contribution to Afghanistan by around 40 per cent in the past 18 months. We now have around 1,550 military personnel deployed in Afghanistan. Our military force is complemented by around 50 Australian civilians.

Earlier this year we took over leadership of the Provincial Reconstruction Team in Uruzgan to spearhead our civilian efforts, and increased our civilian commitment to Afghanistan by 50 per cent. In fact since 2001 we have committed over $740 million in development assistance to Afghanistan.

The main focus of the Australian effort in Afghanistan is directed towards Uruzgan province. It is a difficult job. Uruzgan province lies in southern Afghanistan. Around half a million people live there. It has roughly the population of Tasmania, across an area about one-third the size of that state. Nearly three-quarters of the land is dry and mountainous. Most of the people live in a few major valleys alongside the rivers. Subsistence agriculture and poppy farming are the main ways to earn a living. Water is a precious and highly contested resource and overall economic prospects are poor. School attendance is low, and illiteracy is high. In fact, the female literacy rate in Uruzgan is less than one per cent. For men it is only 10 per cent.

In Uruzgan, Australia’s soldiers and civilians are part of Combined Team-Uruzgan. Combined Team-Uruzgan is a new structure that brings the military, policing, political and development elements of our assistance under a single command. The team is commanded by a senior United States military officer, Colonel Creighton, and the senior civilian official is an Australian diplomat, Mr Bernard Philip. I met them both during my visit. We are lucky to have them.

The team is built around an Australian-US partnership, with contributions from a number of countries including New Zealand, Singapore and Slovakia. Combined Team-Uruzgan was established following the Dutch drawdown in August. We appointed our senior civilian representative to lead the Uruzgan Provincial Reconstruction Team and coordinate all ISAF civilian activities in the province.

The government has worked closely with the Dutch and US governments to ensure Australian soldiers and civilians have every support they need through the period of this handover. I welcome the Dutch government’s decision to extend their attack helicopter support. This is part of a broader ISAF contribution from which Australia and all contributing nations benefit. Australia’s contribution of two Chinook helicopters is part of this.

While in Afghanistan and Europe I met with: Colonel Creighton, commanding Combined Team-Uruzgan; General Petraeus, commanding the International Security Assistance Force; NATO Secretary-General Anders Fogh Rasmussen; and the then caretaker Prime Minister of the Netherlands, Jan Balkenende. In each of these meetings, I emphasised the strength of my view, my government’s view, that continuing this support was necessary. So I was glad to receive confirmation of the Dutch decision after my return.

Our advice is that the planned arrangements for support following the full Dutch
draw-down will see equivalent support to Australian forces. While lighter in absolute numbers, the American support available to our forces is agile and highly effective in pursuing our common mission. In addition, Afghan forces in Uruzgan have increased from around 3,000 to 4,000 in the past 18 months, meaning total troop numbers are larger now than when Dutch forces were present. As Prime Minister, I am satisfied that our troops have the right support. And, of course, this is a matter we keep under constant review.

In Uruzgan, Australia’s substantial military, civilian and development assistance focuses on:

- training and mentoring the Afghan National Army 4th Brigade to assume responsibility for the province’s security;
- building the capacity of the Afghan National Police to assist with civil policing functions;
- helping improve the Afghan government’s capacity to deliver core services and generate income-earning opportunities for its people.

As well as our efforts supporting transition in Uruzgan, Australia’s special forces are targeting the insurgent network in and around the province, disrupting insurgent operations and supply routes. While not part of Combined Team-Uruzgan, the Special Operations Task Group contributes to the province’s security. Our Special Air Service Regiment and our commando regiments are the equal of any special forces in the world. They will make a difference to the outcome of the war.

I know all this is very dangerous work for our soldiers and civilians. I give you my firm assurance that this government will listen to the professional advice and provide every necessary protection and support for our soldiers and civilians in Afghanistan. Over the past 12 months the government has announced more than $1.1 billion for additional force protection measures for Australian personnel. This includes upgraded body armour and rocket, artillery and mortar protection. The continuing and evolving threat posed to our troops by improvised explosive devices has seen us pursuing the right technologies to ensure our troops can detect these devices. Our troops are protected through hardened vehicles and other protective equipment. And, of course, we will keep these force protection measures under constant review.

I have spoken to Air Chief Marshal Houston, the Chief of the Defence Force. I have spoken to Major General Cantwell, our national commander on the ground. Their advice to the government is that, as we stand today, our force structure—the number of troops on the ground and the capabilities they have—is right for our mission in Afghanistan. As Prime Minister, I want to be very clear. The government receives the advice on this decision. But we take the responsibility for this decision.

There has also been some debate about the rules of engagement for our soldiers in Afghanistan. Of course I will not comment on the particular case which is subject to current proceedings. I do, however, want to respond to some of the public comments on the rules of engagement generally. Those rules of engagement are properly decided by the government. They are consistent with the guidance provided by General Petraeus. They are consistent with the International Security Assistance Force’s rules of engagement. They are consistent with the international law of armed conflict. As with troop levels, we take the advice, but we take the responsibility.

As Prime Minister, let me say I believe the rules of engagement are robust and sufficient
for the mission in Uruzgan. The Australian Defence Force is a professional military force, respected in Australia and around the world. They operate under strict rules of engagement. That is what they do. Rules of engagement are central to the mission of the ADF. Strict rules of engagement are in the long-term interests of our troops in the field. But, more than that, they are the difference between us and our enemy. As much as anything, what marks us from them is precisely this. We respect innocent civilian life. I believe Australians would not have it any other way.

4. What progress is being made nationally

The new international strategy is in place. The elements of the surge to support the strategy are now reaching full strength. The hard work is underway. We will monitor events closely. The NATO Lisbon summit in November will assess further progress against the International Security Assistance Force’s strategy. Mapping out that strategy will be a key focus of the summit. Afghanistan is a war-ravaged country that faces immense development challenges.

While the challenges are huge, I can report tentative signs of progress to date. The Afghan National Security Forces are being mentored and trained. The Afghan National Army reached its October 2010 growth objective of 134,000 ahead of schedule, and the Afghan National Police is also ahead of its October 2010 goal of 109,000. The Afghan National Army is becoming increasingly capable and supporting coalition operations more effectively. Nearly 85 per cent of the army is now fully partnered with ISAF forces for operations in the field. Afghan forces are now in the lead in Kabul.

The ability of the Afghan government to provide services to its people is being built. In primary education, enrolments have increased from one million in 2001 to approximately six million today. Some two million of these enrolments are girls. There were none in 2001. Nothing better symbolises the fall of the Taliban than these two million Afghan girls learning to read. In basic health services, infant mortality decreased by 22 per cent between 2002 and 2008 and immunisation rates for children are now in the range of 70 to 90 per cent. In vital economic infrastructure, almost 10,000 kilometres of road has been rehabilitated and 10 million Afghans now have access to telecommunications, compared to only 20,000 in 2001.

With the increase in troop levels, the fight is being taken to the insurgency. Insurgents are being challenged in areas, particularly in the south and east of the country, where they previously operated with near-impunity. Indeed, much of the increase in violence this year is attributable to the fact that there is a larger international and Afghan presence pursuing the insurgency more aggressively.

In Afghan politics, efforts are being made to convince elements amongst the insurgents to put down their arms, to renounce violence and adopt a path back to constructive and purposeful civilian life. And although we know democracy remains rudimentary and fragile, Afghanistan has a free press and a functioning parliament. Last month parliamentary elections took place—elections with real and widely publicised problems—but elections did take place. And the international community is working closely with Pakistan. Stability in Pakistan, and the uprooting of extremist networks that have established themselves in the border regions and terrorised both countries, is essential to stability in Afghanistan.

Let me turn more specifically to the progress of Australia’s mission in Uruzgan. Our Mentoring Task Force is training the 4th Brigade of the Afghan national army. The 4th...
Brigade, as our commanders on the ground told me during my visit, is proving to be an increasingly professional force, fighting better and becoming more capable at conducting complex operations. The brigade’s recent efforts in successfully completing a series of resupply missions between Tarin Kot and Kandahar has demonstrated improving capability. Since late last year, they have moved from observing and participating, to planning and leading these activities. The brigade also recently provided security for parliamentary elections in the province.

Our civilians are making a difference in Uruzgan. Our AFP contingent has trained almost 700 Afghan national police at the police training centre for the province. It has also contributed to the successful targeting of corrupt officials and the tackling of major crimes. We are helping build local services. In Tarin Kot township, business is flourishing at the local bazaar. There are two bank branches, crime is down, and the town is becoming a genuine provincial trading hub. I visited our trade training school on the Tarin Kot base, which is turning out 60 graduates each quarter in basic trades such as plumbing and carpentry, most of whom then contribute to reconstruction and development in the province.

Our aid to Uruzgan is increasing to $20 million in 2010-11. Already we have supported 78 school reconstruction projects and the disbursal of over 950 microfinance loans. We have helped refurbish the Tarin Kot hospital and assisted the rehabilitation and operation of 11 health centres and 165 health posts. We are constructing a new building for the Department of Energy and Water, and building a bridge crossing to connect to the Tarin Kot-Chora Road. Our civilians are working to build capacity within the provincial administration and support the reach of central government programs into Uruzgan.

We are taking the fight to the insurgency. On the C130 flight into Afghanistan, a map of Uruzgan spread out on his knees, our national commander Major General John Cantwell briefed me on our work in the field. Valley by valley, we are gradually making a difference to security. He told me about the agriculture-rich Mirabad Valley, a strategically important region with a history of violence in recent years, just to the east of the provincial capital Tarin Kot. Mirabad was dominated by the Taliban for the last seven years. It was a place where the provincial government had no influence. But over the last two years the Afghan security forces, in partnership with the Australian, Dutch and now US forces, have methodically expanded their permanent presence into the valley with the establishment of three patrol bases. Insurgents, clearly threatened by the growing reach of the Afghan national army, attacked the bases unsuccessfully a number of times during construction. Now the bases, combined with two nearby outposts, will allow the Afghan national army to better protect Mirabad’s communities. Mirabad is far from a success story yet. Progress in development, education and democracy is yet to begin. But in the specific mission we have given our forces in Uruzgan—to train the Afghan national army to take the lead in security—we see progress being made. That is the beginning of transition.

General Cantwell also told me about Gizab. It is an isolated township in the far north of Uruzgan province that had long been a Taliban safe haven, and one which the Taliban used as a base to launch attacks against the Chora district. Earlier this year, in April, the local community rose in revolt against the Taliban and, with the assistance of Afghan and Australian forces, captured the local Taliban commander and expelled the insurgents. Gizab now has a local police force and a new district governor, and the provin-
cial government is beginning to make its presence felt. Again, it is a place where progress is painstaking and incremental, where there will be new setbacks and where consolidation is needed. Again though, it is a place where the seeds of transition are being sewn.

I have shared some positive stories about the beginnings of transition. There are many stories which are not so positive. We should be realistic about the situation. Progress, even in security, is highly variable across the province. Any gains come off a low base. Any advances made are fragile. The challenges that face Uruzgan, and Afghanistan, are immense. But I do believe we should be cautiously encouraged.

5. The future of our commitment to Afghanistan

Australia’s national interests in Afghanistan are clear. There must be no safe haven for terrorists. We must stand firmly by our ally, the United States. There is a new international strategy in place—focused on counterinsurgency, designed to enable transition. Australia’s commitment to Afghanistan is not open-ended. We, along with the rest of our partners in the International Security Assistance Force, want to bring our people home as soon as possible. The Afghan people want to stand on their own. But achieving our mission is critical to achieving both these things.

The international community and the Afghan government are agreed on a clear pathway forward. The Kabul conference in July welcomed the Afghan government’s determination that the Afghan National Security Forces should lead and conduct military operations in all provinces by the end of 2014. At the upcoming NATO/ISAF Summit in Lisbon the international community and the Afghan government will assess progress against the international strategy. Mapping out the strategy for transition to Afghan leadership and responsibility will be a key focus of the summit.

Transition will not be a one-size-fits-all approach. It will be conditions based. It will happen faster in some places and slower in others. It will be a graduated process, not an event or a date. There is no ‘transition day’. International forces will be thinned out as Afghan forces step up and assume responsibility. In some places the transition process will be subject to setbacks. We need to be prepared for this. My firm view is that for transition to occur in an area the ability of Afghan forces to take the lead in security in that area must be irreversible. Our government will state this as a simple fact in discussions before and at Lisbon. We must not transition out, only to transition back in.

In conclusion

Australia will do everything in our power to ensure Afghanistan is never again a safe haven for terrorists. Australia will stand firm in our commitment to our alliance with the United States. The international community understands this. Our enemies understand this too. I believe that the new international strategy, backed by the surge in military and civilian forces, is sound. Protecting the Afghan people, training the Afghan security forces, building the Afghan government’s capacity, working with the international community, Australia is making a real difference in Afghanistan. Delivering on the international strategy in Uruzgan province—and supporting transition in the country as a whole.

Australia will not abandon Afghanistan but we must be very realistic about the future. Transition will take some years. We will be engaged through this decade at least. Good government in the country may be the work of an Afghan generation. There will be many hard days ahead, but I am cautiously encouraged by what I have seen.
I believe this debate is an important one for our people and our parliament. That is why today I announce as Prime Minister that I will make a statement like this one to the House each year that our Afghanistan involvement continues. This will be in addition to the continuing ministerial statements by the Minister for Defence in each session of the parliament.

Attending funerals for Australian soldiers is the hardest thing I have ever done. And it is nowhere near as hard for me as it is for the families. There is nothing I can say to change their long walk through life without a loved one. A loved one, lost for our sake. In the ultimate, I can promise them only this: we will remember them. Their names are written on the walls of the War Memorial in Canberra. Their names are written in the walls of our hearts. When I think of these Australians we have lost in Afghanistan, I think of the Australian poet James McAuley’s words:

I never shrank with fear
But fought the monsters of the lower world
Clearing a little space, and time, and light
For men to live in peace.

I know the professional soldiers of the Australian Defence Force are proud people. They offer their lives for us. They embrace wartime sacrifice as their highest duty. In return, we owe them our wisdom. Our highest duty is to make wise decisions about war. I look forward to the deliberations of this parliamentary debate on Afghanistan. I hope we do our duty as well as they do theirs. I present my statement, entitled *No safe haven*.

Mr STEPHEN SMITH (Perth—Minister for Defence) (4.05 pm)—by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent Mr Abbott (Leader of the Opposition) speaking for a period not exceeding 36 minutes.

Question agreed to.

Mr ABBOTT (Warringah—Leader of the Opposition) (4.05 pm)—May I begin by congratulating the Prime Minister on her statement and expressing the hope that I can do equal justice to this important cause. This Afghanistan debate matters. It matters to the families and the friends of the dead and wounded. It matters to every Australian who is concerned about the wider world and our role in it. And it matters to our coalition partners who are looking for reassurance that others will still do some of the heavy lifting in the struggle against Islamist extremism. It is right that the parliament should now debate our commitment, first, because something as grave as a serious military campaign should be justified to the parliament; second, because our major coalition partners have been rethinking their own troop numbers and their campaign objectives; and, finally, because the increased tempo of military operations has almost doubled Australian combat deaths in just four months.

Compared to the United States’s 80,000 troops, Britain’s 10,000 and even Canada’s 2,800, Australia’s military commitment is relatively modest. Still, our 1,550 soldiers have the lion’s share of security responsibility in a province that has long been the Taliban heartland. Twenty-one combat deaths and 152 combat injuries so far make this our most serious fight since Vietnam, and Afghanistan has been the central front in the most important civilisational struggle of our times.

This is also a critical time in Afghanistan itself. The Karzai government is probably the best available amalgam of local legitimacy and concern for human rights, but it is hardly a model of incorruptible efficiency. The American-led military surge of the current fighting season has challenged the insurgency but at a very high price in coalition casualties. After nine years of inconclusive fighting the risk is that the PR war will be
lost at a time when the ground war is finally starting to go better. Immediately at stake is the cause for which those 21 Australians have given their lives. Ultimately at stake is the West’s ability to assert itself against deadly threats before they have materialised into another September 11 style atrocity or something even worse.

This debate should honour the Australian battle casualties so far. We owe it to those who have died to remain confident that the cause has been worthy of their sacrifice. Even so, this debate is not just about them; it is also about the 10 Australians who died in the World Trade Centre, the 88 killed in the first Bali bombing and the eight killed in other acts of Islamist terrorism. Our soldiers are in Afghanistan because terrorists train there, ultimately targeting innocent people, including Australians. It is true that the fall of the Taliban in the retaliation following September 11, 2001, ended al-Qaeda’s sanctuary in Afghanistan. These days, terrorists are as likely to have trained in neighbouring Pakistan or in the Horn of Africa as in southern Afghanistan. Even so, the return of the Taliban government would swiftly restore that country to its former position as terror central.

At nine years and counting, compared to just six years for World War II, the Afghan campaign has lasted for what seems like an eternity, but it is not a conventional war. It is not a war against a government but against the violent manifestations of a pernicious ideology. A case could doubtless be made for relying on stand-off weapons to suppress any renewal of terror bases, like the no-fly zone that used to be enforced over Northern Iraq. It may not be very effective in stopping organised terror and plenty of Afghani civilians could be killed in misdirected air strikes but, at least in the short term, fewer coalition soldiers would die.

Cruise missiles and drones, though, cannot make the case for democracy. They cannot make the case for pluralism and they cannot make the case for the universal decencies of mankind. In a way that even the smartest weapons cannot, soldiers on the ground can distinguish between people who are hostile and those who are not, between those who may not themselves accept Western customs but have no particular axe to grind against us and those convinced that the Western way of life is a satanic perversion. If properly trained and supported, soldiers on the ground can be peacemakers as well as war fighters. They can be builders as well as warriors. Trying to keep Australians safe from terrorism does not just mean killing terrorists; it means engaging with societies that may otherwise be terrorist breeding grounds.

Australia’s mission in Afghanistan is still to suppress the threat of terrorism. It is still to be a reliable member of the Western alliance, but it is also to help build a society where merely to be different is not to risk death. By resisting those who would impose on all a particular version of Islam our soldiers are asserting the universal right to a society where women are not discriminated against, dissent is not a capital crime and religion is more a reproach to selfishness than an instruction manual for everyday life. The idea, though, that an end to Australian involvement would inspire the lion to lie down with the lamb or swords to be beaten into ploughshares is, at best, wishful thinking. A premature end to our involvement would tell the Americans and the British that Australia is an unreliable ally and a fair-weather friend. It would tell the Afghani people that our commitment to human rights is more rhetorical than real and certainly does not extend to protecting them where we
can. It would announce to the world that very little, certainly not the protection of the weak or the promotion of what is right, is worth a significant price in Australian lives.

No country should lightly commit its armed forces to combat and a democratic electorate would almost certainly punish any government that did. Still, a country that was not prepared to defend itself against an aggressor could hardly be taken seriously. And, if self-defence is justifiable, might not the defence of others be even more so? War should never be glamorised or idealised but might there not be at least some nobility of purpose to a military campaign defending other people from their persecutors? We should not forget that the military expedition to East Timor, for instance, was to stop defenceless people from being brutalised. It is hard to see the moral difference between our military campaign there and the campaign in Afghanistan just because the latter is yet to come to a more or less satisfactory conclusion. Of course, to qualify as a just war under the traditional ethical theory there had to be a reasonable chance of success. Time and time again, as we know, Afghanistan has proved impossible to conquer but that, it needs to be stressed, is not our aim. Our objective is not to impose a foreign government and an alien system. Rather, it is to help the Afghani people choose their own government as freely as they can without, as far as possible, the coercion of warlords or the indoctrination of religion.

Our objective is to allow Afghans to choose what they think is right for them. The Taliban’s objective is to impose what it regards as the one right system. We are prepared to accept choices by the Afghan people that we do not like. Our key stipulation is merely that Afghanistan should never again become a base for international terrorism. By contrast, the Taliban, and even more so their al-Qaeda allies, insist that their version of Islam is not only right for Afghanistan but mandatory for the whole world. It is not enough for them to execute women in a sports stadium for moral transgressions; this is the law by which they think the whole world should be ruled.

So it is not the coalition partners that are the imperialists in this conflict; it is the Taliban, actually, through their alliance with al-Qaeda, who are trying to impose their values on others and who are at least as dependent on foreign fighters as the Karzai government. However imperfectly, it is the West that is fighting for freedom—that of the Afghan people, no less than our own. It is the Islamist extremists, not us, who are fighting to export a particular set of values and to impose a particular set of judgments on everyone, wherever they can find a hold.

Twenty-one homes around our country ache with loss because the Australian government has deployed our armed forces against a serious enemy. As things stand, each bereaved family knows that the Australian people respect their loss and value their sacrifice. We have honoured their deaths by continuing their campaign. How worth while would these deaths now seem if the Australian government were to abandon the cause for which they died? How would those families feel if the Australian government were to conclude that the task is now too hard or should never have been undertaken in the first place?

No rational government should enter or sustain any conflict without first counting the potential costs. But to enter a fight and then to abandon it before the objective is secured would mean that we had never really been serious, or that we had been defeated in the field of battle—and this is not a judgment that anyone should wish to see pronounced against our country. Afghanistan may never be a Western style pluralist democracy. In
any event, it is for Afghans, not for outsiders, to re-engineer their society from the feudal to the modern. Our broader mission is merely to foster effective governance, at least by Afghan standards, and to ensure that Afghanistan never again hosts training camps for international terrorism.

Australia’s particular mission in Oruzgan and the surrounding provinces is to strike at active Taliban units and to mentor the Afghan army’s 4th Brigade into an effective military unit, loyal to the central government. In much of Afghanistan, but certainly in Oruzgan, there have recently been signs of progress in the struggle with the Taliban. A year ago coalition forces tended to emerge from their bases, engage the enemy and then withdraw, leaving the countryside largely under Taliban influence. Under General Petraeus, coalition forces have adopted the clear hold, build and transfer approach to counter-insurgency that characterised the successful surge in Iraq.

In Oruzgan the number of military outposts has roughly doubled in the past 12 months. Supported by Australian forces, the 4th Brigade has been clearing Taliban fighters from the rural areas and from the villages between forward operating bases, leaving police detachments in each village with sufficient army support to maintain military superiority. The thinking is to give local people the on-the-spot security they need if they are to resist an insurgency accustomed to wiping out whole families for cooperating with the government. Australians on the ground report that local people tend to prefer coalition forces to the Taliban, for whom their way of life is usually insufficiently Islamic. For understandable reasons, though, villagers need to be convinced that their protectors will outstay the insurgency, which is why these operations are increasingly Afghan led.

Progress is necessarily family by family, village by village, district by district. It is dependent upon the effectiveness of Afghan security forces and the ability of provincial governments to provide tangible prospects of a better future. None of this can be relied upon. Even the Oruzgan provincial capital is too dangerous for Westerners to travel around without heavy escort. Still, fragile advances seem to have been made. In Oruzgan the recent national election was largely undisrupted. In a remote part of the province, as the Prime Minister earlier reported, several villages have recently driven out the local Taliban and invited support from coalition special forces.

This northern summer, it seems, higher casualties have been more the result of an aggressive coalition campaign than a more effective insurgency. In Oruzgan the Taliban’s greater use of roadside bombs seems to be the result of its reduced ability to move openly around the country. This is nothing like victory, of course, but it is success. It has been dearly bought, which is why it should not lightly be squandered. It should be built upon, not jeopardised by new doubts about the mission and its sustainability.

Australia can never be as committed to the welfare of the Afghan people as they are themselves. If our mission is to succeed, at some stage it has to be locally sustainable. The assessment of the Australians on the ground is that turning the 4th Brigade into a military force capable of independently securing and defending Oruzgan will take two to four years. The new government in Britain has recently stated its intention to end combat operations within five years. And the Obama administration has said that it expects the Afghan government to start to take the leadership in security matters from the middle of next year. The coalition’s commitment to Afghanistan cannot be entirely open ended, because that would excuse the Afghan
people from taking responsibility for their own country. It would amount to a Western takeover. On the other hand, withdrawal dates cannot be set in stone either, because that just reassures the Taliban that they can win by waiting.

The best exit strategy is to win. For Australia, this means completing the task of training the 4th Brigade and playing our part in ensuring that the central government is capable of containing and defeating the insurgency. There may be other tasks that Australia can or should usefully perform once the current ones are completed. After all, washing our hands of Afghanistan and its problems once two to four years are up would hardly be a sign of friendship. A commitment to Afghanistan that lasts longer than this would hardly be excessive if it continued to deny sanctuary to an imperialistic version of Islamist extremism. The containment and the defeat of the Taliban would be worth a drawn-out struggle if it helped to keep the world safe from September 11 scale terrorism and helped to prevent neighbouring Pakistan, a nuclear armed state under enormous pressure, from itself succumbing to Islamist extremism. An enduring security commitment to Afghanistan seems improbable but no more perhaps than Britain’s more or less solo effort over 12 years to overcome the Malayan emergency or Australia’s budgetary commitment to PNG, which is still continuing 35 years after independence.

With Afghanistan it is easy to construct gloomy scenarios around the theme of a Vietnam-style quagmire, with the conclusion that it is better to withdraw now before a bad situation gets worse. The underlying assumption is that Western forces are largely provoking the problem rather than helping to contain it. Australians on the ground, for instance, report that local extremists can easily stir up trouble by starting rumours that coalition forces are burning the Koran. Difficult though it undoubtedly is, such a volatile situation is unlikely to be calmed by the withdrawal of those forces most committed to building civil society and least likely to be themselves involved in atrocities.

No less than the advocates of continued commitment, the advocates of withdrawal must be ready to accept the consequences of their policies. It would be impossible to advocate in good faith an Australian withdrawal without also supporting the departure of Western forces more generally. But a premature withdrawal would almost certainly mean the collapse of the Karzai government and its replacement by the Taliban or the further rise of local warlords. Either way, Afghanistan would again risk becoming a base for terrorism with the daily life of its people further impoverished. In turn, greater disorder in Afghanistan or a restored Taliban government would almost certainly cause further unrest in Pakistan, with the prospect of a renewed military autocracy or an Islamist takeover.

For the West, a regional meltdown could be a far worse outcome than an indefinite military commitment in just one country. Fewer Western military casualties in the short term could mean far more local deaths and the prospect of escalating unrest spreading into the Subcontinent, the Middle East and Central Asia. If the king had never been deposed, if Russia had never invaded, if America had not armed the mujaheddin, if Pakistan had not aided the Taliban, if the West had not been preoccupied in Iraq, the prospects in Afghanistan might be less daunting and the choices less difficult. Still, serious countries and their leaders have to deal with the world as it is, not as they might prefer it to be. There are no quick solutions and no painless options here; there is just the near certainty that the wrong choice will be disastrous and the likelihood that the harder
choice now will turn out to be the better choice for the future.

The opposition supports the Australian government’s commitment to Afghanistan and the Western commitment more generally. In farewelling Australian forces to Iraq some years ago, the then leader of the Labor Party said that he supported the troops but not their mission. Now, as then, the Liberal and National parties have no need for tortuous distinctions. We fully support Australian troops and we fully support the mission on which they are engaged.

Bipartisan support for the Afghanistan commitment is not the same as agreeing that nothing could possibly be improved. Our support is for the commitment, not necessarily for every aspect of the government’s handling of it. As supporters of the commitment, the opposition have a duty to speak out if there is evidence that it could be made more effective. As well, we have a duty to stand up for Australian soldiers if there is a possibility that the government might have let them down. My colleague Senator Johnston recently asked the government to consider sending some extra forces to Afghanistan after a soldier blamed the death of his colleague on a lack of fire support. After assurances from senior commanders on the spot, the opposition accept that our troops have sufficient artillery, attack helicopter, fighter-bomber and light armoured vehicle support.

Since the mid-year withdrawal of most of the Dutch forces in Oruzgan, Australian troops’ responsibilities have increased. Our forces are now stretched, but not, it seems, beyond their capacities. The progress they have made is real but fragile. The coalition accept senior commanders’ assessment that the current force strength is sufficient for current tasks. Without access to the latest security assessments and the comprehensive military advice, it is impossible for the opposition to be prescriptive about troop numbers or force composition. Our role is to question in good faith what the government is doing rather than to try to run the country from the wrong side of the parliament.

Given the pressure our forces are under and the importance of their mission, we would never be critical of a government that erred on the side of giving them more support. In fact, given the critical stage of the military campaign and the capabilities of Australia’s armed forces, our instinct would be to do more rather than less. Still, we accept that this is necessarily the government’s call, not ours. On my recent visit senior officers said that additional helicopters would make their military operations more effective, and the Prime Minister seems to have agreed after her own visit that more helicopters would help and that others might supply them.

Senior officers also said that it was important to be able to detain suspects beyond 96 hours, as the Americans and the British can. I asked the government to consider giving our forces in Afghanistan the ability to detain terror suspects for at least as long as authorities already can here in Australia. As well, the government should regard our commitment to 1,550 personnel in Oruzgan as an average to be maintained over time rather than as a limit that is never to be exceeded regardless of the military situation on the ground.

Supporters of Australia’s commitment should understand the dauntingly difficult operational environment in which our troops work. Our soldiers are no more infallible than those of other nations. Even so, no-one should rush to condemn the actions of soldiers under fire operating in the fog of war. The opposition has not criticised the laying of charges against three Special Forces soldiers over an incident in which civilians were
killed, because there have to be rules, even in war. Our questions were for the government, which needs to explain what it has done to ensure that these soldiers have the best possible defence. After all, a government’s commitment to our soldiers should be no less strong than our soldiers’ commitment to our country.

In his official history book, Charles Bean said of the soldiers of the 1st AIF:

What these men did nothing now can alter. The good and the bad, the greatness and the smallness of their story will stand. Whatever of glory it contains nothing now can lessen. It rises, as it will always rise, above the mists of ages, a monument to great-hearted men; and, for their nation, a possession forever.

Our troops in Afghanistan are worthy successors of the original Anzacs. I regret that I have not yet been able to observe them on operations, but I have seen them at their base in Tarin Kowt and at services for the fallen, here in Australia. John Howard began the recent tradition of prime ministerial attendance at military funerals. Please, God, that our casualties do not mount to the point where this is impracticable, because it is a poignant reminder of the dangers into which we have sent them. We should weep for the fallen—good tears—for those who have served their country in the company of their mates.

It is right that every member of parliament should now have the chance to reflect on Australia’s mission in Afghanistan. War should never be popular, but it can sometimes be right. Our job is not to persuade people to like the work our armed forces are doing, but they need to understand it and be able to support it. Winning hearts and minds in Australia is no less important than winning them in Afghanistan if this mission is to succeed. Our challenge this week is to be just as effective and professional in our tasks as our soldiers are in theirs.

Mr STEPHEN SMITH (Perth—Minister for Defence) (4.32 pm)—I move:

That the House take note of the document.

I seek the leave of the House to move a motion concerning suspension of standing and sessional orders.

Leave granted.

Mr STEPHEN SMITH—I move:

That so much of the standing and sessional orders be suspended to allow Mr S. F. Smith (Minister for Defence), Mr Robert, Mr Rudd (Minister for Foreign Affairs), Ms J. Bishop (Deputy Leader of the Opposition), Mr O’Connor (Minister for Home Affairs), Mr Keenan, Mr Wilkie and Mr Bandt to speak on the motion for 20 minutes and for all other members to speak on the motion for 15 minutes.

Question agreed to.

The SPEAKER—The question is that the House take note of the document.

Mr STEPHEN SMITH (Perth—Minister for Defence) (4.34 pm)—On indulgence, and not prejudicing my right to take part in the debate, for the convenience of the House could I indicate that it is proposed that the debate commence tomorrow morning after the introduction of bills and, possibly, one or two first speeches. I thank the House.

Debate (on motion by Mr Stephen Smith) adjourned.

MATTERS OF PUBLIC IMPORTANCE

Asylum Seekers

The SPEAKER—I have received a letter from the honourable member for Cook proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The failure of the government to implement effective border protection policies.

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 MORRISON (Cook) (4.35 pm)—I rise on this matter of public importance, particularly following the very sombre presentations that we have just been witness to. The issues are not, of course, unrelated. The Prime Minister today in question time talked about what she believes is just a slogan on behalf of the coalition, which is ‘Stop the boats’. These are three words that those on the other side in this chamber do not like to hear. They do not like to hear the words ‘stop the boats’, because when we talk about stopping the boats it reminds the government of their pathetic failure in the realm of border protection, in the realm of immigration policy and in the realm of their own resolve to address these issues rather than just be passive receptors of what has come our way and what they have drawn to our shores by their own policies. It reminds them also of the success of the coalition government. We implemented measures that did indeed stop the boats—not a slogan but a result.

So, when the government stand in this place and accuse the coalition of sloganeering on the issue of stopping the boats, they need to remind themselves that the boats did indeed stop under our government, and, secondly, that under their government the boats have started to come again. This is why we find that the government never, ever like to hear the three words ‘stop the boats’—because they represent policy success for the coalition and policy failure for the government.

Since the border protection regime was softened by this government when it came to government in 2007 and dismantled the strong regime that was put forward by the coalition and operated throughout the years we were in government, this is what has been removed. Permanent residency for those who seek to come to Australia illegally by boat is back on the table as a major incentive and a major outcome being sought by those who come and, more importantly, by the people smugglers who sell this product, literally, and, we estimate, made at least $25 million from that business last financial year.

Universal offshore processing is no more in this country, and certainly third-country processing is in no way near ever being achieved by the government. Boats are no longer returned where the circumstances permit. Special deals are done with asylum seekers. We had the Oceanic Viking at around this time last year. This government did a special deal which we are still seeing the results of today, with 17 of those who were on the Oceanic Viking now in a centre in Romania. It was confirmed in Senate estimates today that a number of those have been rejected by Canada and the United States. Yet this government has a deal that will see them brought to this country, no doubt, by the end of this year if the resettlement outcome is not found. The reason they will be here is that the government will not commit to reassessing their refugee status, even though it put in place an asylum freeze which said that conditions in Sri Lanka had changed. More than a year later it is not prepared to reassess their claim. It is going to ensure that these people are resettled in Australia for no more reason than that they had a special deal with Kevin Rudd.

We have seen the absurd proposals like the asylum freeze used as an election fix in an attempt to provide a substitute for genuine and proven policy. The result of all this is that 174 boats have arrived, with 8,295 people on those boats. In this calendar year alone there have been 106 boats, with 5,260 people—that is more than 500 a month. Since the election we have had 20 boats, no less—946 people. We have seen now more
than 5,000 people in an overworked, over-stressed and falling apart detention network. We have seen riots, we have seen demonstrations and we have had instances of self-harm. We have seen only 75 people—we believe from the Senate estimates process—repatriated to their home country having failed the refugee status assessment.

More than 700 children are being detained, and I will come back to that matter in a moment. More than 5,000 people are in detention today. This is the record that the government must be held to account for. If they believe that their policies are more humanitarian, more compassionate, then they must justify why they think so, with 174 boats and almost 8,300 people getting on those boats and risking their lives. We believe around 175 have tried and failed and perished at sea. They must justify the more than 700 children being detained and the average stay in detention today: 71 per cent of those in detention are staying more than three months, compared with around 30 per cent just six months ago. The government must explain to the Australian people how that is a better way, particularly when you compare it against what they inherited: only 21 children being detained, none of whom arrived by boat; 449 people in detention, only four of whom had arrived by boat. We had a situation where only nine boats in total arrived between 2002 and 2007, with fewer than 300 people on those boats. That is an average of fewer than 50 per year, and at the moment we have an average of more than 500 per month.

This is the comparison that the government need to justify to the people of Australia. Prior to the election the government awoke to a political crisis, but they did not awake to their policy crisis. ‘Commander’ Bradbury, the member for Lindsay, was dispatched to Darwin for a photo opportunity with the Prime Minister. The member for the landlocked—apart from the Nepean River; it does extend all the way along the Hawkesbury and eventually gets to the sea—Commander Bradbury went to Darwin for the photo op. That was policy action No. 1 as the government would describe it. The East Timor plan was cobbled together. A night phone call was made to East Timor and announced at the Lowy Institute the next day as an election fix. Labor, for a short while—while the election was underway—stopped implying that people who had views about strong border protection were racists, but we saw that same commentary start to emerge from those opposite as we got to the other side of the election. They were happy to go back to the implications and the impositions of motives of people on this side of the House, but during the election they were quite happy to make sure they were saying something quite different.

We also had significant denials from those on the other side of the House during the campaign on the expansion of the onshore detention network. On the other side of the election this has been the policy response from the government: another 3,000-plus beds announced for onshore expansion in this country, on the mainland. There is still no proposal for an East Timor processing centre, let alone an opening date. And, as I said, 20 boats have arrived, with 946 people on them. The detention population has increased to over 5,000. More beds, as the opposition leader said yesterday and as I said yesterday, will not stop more boats. The government understand that. They understand that, because they have tapped the mat when it comes to dealing with the issue of stopping the boats, as I said in my opening statement. The government have basically said: ‘What we will do is open more beds and let more people out, because more people are going to come.’ That is the response of the government.
Let us consider what they have done in Curtin, for example, in managing these issues. A master plan was developed in July for 1,800 people. It was first developed on 27 July or thereabouts by the department for 1,800 people. It was drawn up by the department. The Prime Minister denied the very existence of this master plan during the election—the same master plan that is now being implemented. I show you here the plan, which is noted as revision C. Department officials confirmed to me when I was at the Curtin detention centre last week that this was a bona fide master plan of the government that was developed. The departmental officials were also very helpful because they showed me the most recent revision of that plan. And guess what? Both plans accommodated 1,800 people. They both accommodated three stages: stage 1, stage 2 and stage 3. But, if we go to what the Prime Minister said during the election, she said, in an article in the *Canberra Times* on 19 August:

No work is planned at Curtin other than the work which is underway now and which has already been publicly disclosed, publicly released and talked about.

So what work was underway? Well, an immigration department official was very helpful, because she said to the *West Australian* on the 18th, the previous day:

There is currently no construction under way beyond the existing stage—

stage 1—

which can accommodate about 600 detainees.

So there was nothing going on beyond the work for those 600 places. I was confused very much then when I got to the Prime Minister’s statements yesterday, when she said:

The federal budget of 2010 funded a detention centre at Curtin with a capacity of 1,200 places. Less than 1,200 persons were initially moved in there. However, of course the relevant department took the prudent steps in designing the centre and putting the infrastructure in place …

I went to the budget, and on page 326 of the budget, about capital allocation, there was no mention of the Curtin detention centre at all. So I thought maybe it was in the July economic statement, where a further $98 million was produced. It was not there either. There was no mention, prior to the election, of the Curtin detention centre having a capacity of 1,200 people. There was nothing going on there, apparently, at the time of the election, other than for 600 detainees.

Yesterday the government announced a series of measures to expand our detention network, taking it to over 3,000. I noticed that Curtin was not in that announcement for the expansion. So you can imagine my surprise when I went to Curtin detention centre and visited stage 3 of the centre with the Deputy Secretary of the Department of Immigration and Citizenship, Mr Bob Correll. I took this photo. It shows the services works having been installed and constructed for stage 3. So a further 600 beds have had already installed, in stage 3, services, electrical works, plumbing, drainage and sewerage. All of this has been put into stage 3, and indeed you can still see the grader and the dump truck—

The DEPUTY SPEAKER (Ms AE Burke)—The member has exceeded—thank you.

Mr MORRISON—You can see that this had been done just the day before I arrived. So there we have it. We have stage 3 works underway. They are not stage 2 works; they are stage 3 works.

The Minister for Immigration and Citizenship, who is at the table, yesterday told Sky News that he was being upfront, he was putting all the things out there that they were going to develop—and Curtin stage 3 was not on the list. Now the minister has to explain why he has wasted hundreds of thousands, if not millions, of dollars on works
that he is never going to proceed with. This may be a minister who decides not to build a house but to level the site and put all the services in. He may be that sort of a minister and be happy to waste public money. Maybe he should be put in charge of the BER project, given his success with GroceryWatch and other things. Maybe he should try that, because he is clearly happy to put in place stage 3 works and pretend to the Australian people and either not proceed or waste money.

This is a government that was quite happy to mislead the Australian people on these things before the election. It was happy to give the implication that East Timor was going to happen and that there was going to be no expansion of the onshore detention network—and all the while you were squirrelling away and putting these things in place. Why didn’t you have the guts to tell the Australian people that you were going to expand the onshore detention network and that East Timor was never going to happen in this term of parliament? You still refuse to do that.

On East Timor, in the time available, I make simply these points. There is no proposal. That was confirmed by the Indonesians just recently when the minister was there. Three months later, nothing has happened. There is not even a proposal. They do not know how many people it has to accommodate, who can come, whether families will be involved, what the cost is, who pays and how long people can stay. And what guarantees has this government given to the President of East Timor that those who are staying any more than three years under this proposal—just as Australia did the special deal for the Oceanic Viking—will not be given a guarantee of resettlement here in this country?

By contrast, we have policies that have been proven to work. We have policies that have shown that we can once again restore the protection and integrity of Australia’s borders and our immigration system. We had policies in place when we were in government which dealt with the issues of children in detention which the Prime Minister today and yesterday shamelessly tried to appropriate to her own actions. They used the very provisions we put into the act and then tried to pretend there were currently children behind razor wire, which the minister knows has not been the case since 2005. The Prime Minister knows that. If she did not want to be disingenuous, there was no need to mention razor wire. This coalition has a policy that is proven and has worked. We will restore offshore processing in Nauru if we are able to form government. We will take the sugar off the table with permanent protection visas. We will turn boats back where the circumstances permit. We have the resolve to do that. We will tighten up the assessment process to ensure that those who get rid of their documentation are not going to get refugee status. We have the resolve to follow this through, because we have the resolve to stop the boats, unlike this government. (Time expired)

The DEPUTY SPEAKER—I remind the House that clapping is not appropriate in the chamber.

Mr BOWEN (McMahon—Minister for Immigration and Citizenship) (4.50 pm)—I welcome this MPI. When I saw that the member for Cook had lodged this MPI, I thought: ‘That’s a very good thing, because the shadow minister gets 15 minutes to talk and we might actually hear something of substance from the shadow minister. We might actually hear more than the facile sophistry that he normally provides in his sound grabs.’ I thought that in 15 minutes he would have to give us more than, ‘We’d turn
the boats back,' more than, ‘Nauru,’ and
more than—my personal favourite and one
of the great own goals of the last election
campaign—‘We’d have a boat phone.’ I
thought we might actually hear more from
the shadow minister for immigration and it
would make a very good change. But, alas, I
was disappointed. Alas, we got 15 minutes of
sound bites from the shadow minister for
immigration. We got the normal shrillness.
We got the normal lightweight performance.

We heard a lot from the member for Cook
about the record of the Howard government.
He has put the record of the Howard gov-
ernment on the table for analysis, so it is ap-
propriate that I respond. They stopped the
boats, he said. They had a strong regime, he
said, and they took permanent residency off
the table. They took permanent residency off
the table, the member for Cook argued, by
using temporary protection visas. The mem-
ber for Cook has got himself a little stuck on
this in recent times, as recently as today. He
says that temporary protection visas were so
important in stopping the flow of people into
this country. He says that they worked—and
he said it just now in the chamber today. Let
us have a look at this. Temporary protection
visas were introduced in October 1999.
There were 3,722 unauthorised arrivals in
1999.

Mr Morrison—How many boats?

Mr BOWEN—Here we go again. So it is
boats that count, not people, apparently. That
is the argument from the member for Cook:
‘It doesn’t matter how many people come, as
long as they come on big boats; we want big
boats, not little boats.’ That is the Morrison
plan: big boats. Now we have it: it does not
matter how many people come. In 1999, we
had 3,722 unauthorised arrivals. Over the
next two years, we had 8,459 unauthorised
arrivals. That is the story from the member
for Cook. So in 1999 we had 3,721 and in
2001 we had 5,516. We had 3,721 in 1999,
2,939 in 2000 and then 5,516 in 2001. So
temporary protection visas were introduced
and more than 8,000 people came over the
next two years. And the member for Cook
says, ‘But there were fewer boats.’ Well
done: we got bigger boats and more people. I
am not sure how temporary protection visas
brought that result about.

Mr Morrison interjecting—

The DEPUTY SPEAKER (Ms AE
Burke)—The member for Cook was warned
during question time. It still stands.

Mr BOWEN—The member for Cook
said that permanent residency was taken off
the table by the Howard government through
the use of temporary protection visas. The
member for Cook might want to check the
record. He might want to check and see what
proportion of people were granted permanent
residency at the end of their temporary pro-
tection visa period.

Dr Emerson—it was pretty high, I think.

Mr BOWEN—The Minister for Trade is
right. It was pretty high: 90 per cent. Ninety
per cent of people on temporary protection
visas were granted permanent residency, so I
am not sure that permanent residency was
taken off the table as the member for Cook
would have us believe.

Mr Morrison—It was when they arrived.

Mr BOWEN—So it was temporarily
taken off the table. Maybe that is why they
came on bigger boats—the member for
Cook’s grand plan. The member for Cook
was caught out in his little tricky game this
morning on the ABC. He was trying to claim
that temporary protection visas reduced the
number of people arriving in Australia by
boat. He was caught out in this claim, and he
had to admit that the number of people went
up in 2001. He had to admit that, and now he
admits it again today.
Mr Morrison—The number of boats fell.

Mr BOWEN—I am more than happy to concede to the member for Cook that the number of boats fell. But what actually counts is the number of people arriving. I do not really mind whether they come in big boats or little boats. The member for Cook tends to get caught up in these things.

I now want to move to the next matter regarding temporary protection visas, which is the number of women and children coming by boat. This has been a matter of some legitimate public discussion over recent days for obvious reasons. One of the several harsh elements of temporary protection visas was that they did not allow family reunions. What did that mean? That meant that more women and children got on boats and came to Australia. That was the result of the temporary protection regime. Between 1999 and 2001, the proportion of women and children among Iraqi and Afghan unauthorised boat arrivals more than tripled.

Mr Morrison—How many in 2002?

Mr BOWEN—Now he moves to 2002. Temporary protection visas were introduced in 1999 and the result was that women and children on boats more than tripled.

Mr Morrison interjecting—

The DEPUTY SPEAKER—The member for Cook is warned again and is skating on thin ice!

Mr BOWEN—In 1999, 13 per cent of protection visa applications lodged by Iraqi and Afghan unauthorised boat arrivals were from women and children. By 2001, this had increased to 48.1 per cent. So the member for Cook should not lecture me or anybody else in this chamber about women and children on boats when the policies which he still advocates for, more than 10 years after the Howard government introduced them, caused more women and children to get on boats and come to Australia. Perhaps that is why the opposition did not oppose the abolition of temporary protection visas when this government abolished them. Maybe that is why: they had actually worked out that this was a policy that had adverse impacts. The member for Cook seems to deny that they did not oppose the abolition of temporary protection visas. He might want to remind the House when they voted against that abolition; he might want to show us in the Hansard.

The other answer that the member for Cook has to everything is Nauru. If you ask the member for Cook what the meaning of life is, he says, ‘Nauru.’ If you ask the member for Cook whether families and children should be put in community detention, he says, ‘Nauru.’ If a bell rings, he says, ‘Nauru.’ The member for Cook’s answer to everything is Nauru. If the member for Cook were now in my place as the minister for immigration, he says that the Nauru detention centre would be up and running.

There are a few little problems with the member for Cook’s little analysis. As the member acknowledged to me yesterday across the chamber—I would say that it is not reflected in Hansard because it was an aside—the Nauru detention centre is now largely a school. I asked him what he would do about the school that is now being run at the detention centre. He said, ‘We’ll build another one.’ So not only would he have opened a detention centre at Nauru by now but he would have apparently built a school in the last few weeks for the people of Nauru, which would be a remarkable achievement. I wonder how much it would cost to build a school in Nauru as well as open a detention centre. I thought that I might go back and have a look at the costings and see how much they built in for the school. But there were no coalition costings for a detention centre at Nauru released dur-
ing the election campaign. The official audit might not have picked that up.

So we have more little tricky problems for the opposition—apart from the fact that Nauru does not have a functioning government; it has been in caretaker mode since last April. I wonder whether the shadow minister for immigration on his trip to Nauru had a talk to the International Organisation for Migration, which ran the centre on Nauru, and asked them whether they would be willing to do so again. I suggest that he might want to do that or maybe talk to the UNHCR about how they feel about a centre at Nauru to see whether they think it would be a viable option going forward.

I wonder if the member for Cook will consider a further point. His answer to everything is Nauru. At its peak, Nauru detention centre had 1,200 people. If you ask him what he would do about detention in Australia, he says, ‘Nauru.’ But it would only cater for 1,200 people unless the member for Cook is proposing a significant expansion.

Mr Keenan—We might actually stop the boats.

Mr BOWEN—Now the member for Stirling comes in to say that they would stop the boats. The sophistry extends widely over there. Nauru is the opposition’s Fantasy Island. It is their answer to everything. You get your wishes granted if you go to Nauru. The member for Cook would like to be Mr Roarke, granting everybody’s wishes. Maybe the member for Stirling could be Tattoo, saying, ‘Here come the boats; here come the planes.’ For them, everything would be okay if they only had Nauru.

In these debates you have a choice about how you handle these issues. On the one hand you can go down the road of shrill press releases, slogans and empty promises about turning the boats back. You can go down that road, or you can go down the road of engaging with the Australian people and saying, ‘We are engaging in a set of complex interactions in our region about a regional problem.’ You can say, ‘We have a regional and international enduring problem which needs a regional and international enduring solution,’ or you can go down the road of the opposition. We think it needs an enduring international and regional solution, and I suspect that deep down the Opposition agree. They would not be so keen to wreck it otherwise. They would not be so frustrated that the government are actually making progress in developing a regional framework. Their press releases get more shrill every day as we go down this road. They get more shrill about the matters of regional frameworks.

The member for Cook and the member for Stirling, the great duo over there, put out joint press releases all the time with their simple answers and their facile solutions. What we say is this: countries around the world are managing an increase in asylum seekers and Australia is no different. In 2009 Australia had an increase in asylum seekers of 29 per cent over that calendar year. Other countries have had an increase of over 50 per cent. All countries have experienced these issues. But I think there is something else going on here. I think there is something else going on here because over the last 24 hours the slip-sliding of the shadow minister has reached new levels.

Mr Keenan interjecting—

Mr BOWEN—It is a big call; I agree with the member for Stirling. It is a big call, but it is an accurate call, I think. Yesterday I announced that I would be using my existing powers—as I said at the press conference, they would be powers that are already in the act—to move many more children and families into community detention. This is because I think that in the vast majority of
cases there is a better way of dealing with families and children in detention.

The member for Cook is the alternative minister for immigration. If there were a change in government he would be in my place as the minister for immigration. So I think the Australian people have a right to know whether he would use those powers or not. He has been asked, on my last count, about 30 times over the last 24 hours what he would do. Would he use those powers? When he started off, his answer was: ‘Nauru. We would have Nauru, so I would not need to use the powers.’ That did not really work. Then he decided to say: ‘This is just a Greens policy. The government has adopted the Greens policy. It is clearly the Greens policy.’ That did not really work, so now he is saying: ‘They have adopted the Liberal policy. It is really John Howard’s policy.’ It was actually that well-known greenie John Howard’s policy! It cannot be both, as the Prime Minister said in question time today.

Maybe the shadow minister could just settle on a better answer and maybe that better answer would be the truth about what the shadow minister would do if he were in my place. Would he use those powers or not? Would he release more children and families into the community or not? But that would take a straight answer and that would take a bit of thought, something that the shadow minister has not shown much proclivity to bring to this debate. He brings the sound grabs and he brings the cheap lines, but he does not bring much well-considered policy development. Sound grabs come easy, but sound policy is what is actually more important.

I have said in the month or so that I have been Minister for Immigration and Citizenship that our detention system is under pressure.

Mr Morrison—Why?

Mr BOWEN—The shadow minister says, ‘Why?’ I know it is hard being a shadow minister. I have been a shadow minister. Here is a little tip. It is a good idea to read the transcripts of the minister that you shadow. I have said why several times. I have said that the reasons leading to detention pressures on our system are the number of arrivals and the increased rejection rates. Rejection rates of asylum seekers have gone up. That is a key point because, in the end, the best deterrent for people coming to Australia is to know that their claims are vigorously and rigorously assessed and that people who do not have a valid claim for protection will have that claim rejected. That is why I make no apologies for pointing out for an audience which is as international as it is domestic that the rejection rate for claims for asylum from Afghan asylum seekers has increased in recent times to 50 per cent. That is an important message. I know some people will criticise me for saying that, but that is the fact and it is important that that message be told. I have also said that elements like the High Court case and the pause in asylum processing for various countries have added to that pressure on our detention system. I have said that from the beginning. I have said that there are steps that need to be taken to expand our detention centres. I made further announcements about that.

The shadow minister has made all sorts of outrageous claims. He said there were going to be 3,000 people at Curtin. He said that during the election campaign. He said there was a secret plan. I invite the member for Cook to ask me a question in question time about whether the government has any plans to move to 3,000 people at Curtin.

Mr Morrison interjecting—

Mr BOWEN—No, you said 3,000. On the day I made the announcement I said that
we were moving more people—(Time expired)

Mr KEENAN (Stirling) (5.05 pm)—The member’s time has mercifully expired. I have had the misfortune to listen to the Minister for Immigration and Citizenship on this and other occasions and his favourite word—in fact, I do not think he has ever made a speech without using it—is ‘sophistry’. I think he uses it because he thinks it makes him sound intelligent. Funnily enough, it is one of these things where you are just projecting, because the Minister for Immigration and Citizenship never has anything available to him but rhetoric. That was clear today from that contribution.

He mentioned the Howard government’s record and he mentioned the coalition plan. I just want to dwell for a second on the Howard government’s record whilst we were in office, because we faced a very similar circumstance where we had an onslaught of illegal arrivals in the late 1990s. What happened was that the government decided that enough was enough and that they were not going to accept that people smugglers were going to be the ones bringing people to Australia and deciding who came to Australia. So they decided that they would take tough but decisive action to drive those people smugglers from business. Subsequently, they did drive those people smugglers from business and their trade in bringing people down to Australia illegally ceased.

From the year 2001 onwards we had an average of three illegal boats arrive in Australia per year. I just want to go through on a yearly basis what happened once the government decided that enough was enough and that they were going to take tough and decisive action. In 2002 there was one boat arrival, in 2003 there were three boat arrivals, in 2004 there were no boat arrivals, in 2005 there were eight boat arrivals, in 2006 there were four boat arrivals and in 2007, up to the point where there was a change of government, there were three illegal boat arrivals to Australia. That is the Howard government record, which stacks up against the record of this government—a government that inherited a basically solved problem when it came to people smuggling. The resolve of the Howard government had driven the people smugglers from their trade. The detention centres were emptying because there were no new arrivals. Very importantly, there were only 21 children being detained at that time—something the government is apparently now terribly worried about.

Nowhere has the government’s failure been more apparent than just in looking at the raw figures for what happened after the Rudd-Gillard government came to office. They inherited a situation where the boats had stopped and they decided that it was all right for them to make changes to the robust system of border protection that had been put in place by the previous government. In August 2008 they made those changes, which weakened the border protection system, and of course that gave a green light for the people smugglers to go back into their trade. Almost immediately, the results of that were apparent. The people smugglers smuggled people at an increasing rate, to the point where we now have over 5,000 people smuggled illegally into Australia this year alone, and 106 boats arriving illegally on our shores.

When the government changed there were 449 people in detention and, as the shadow minister was saying, only 21 children, none of whom had arrived by boat. There are now over 5,200 people in detention, including over 700 children. Australian taxpayers are out of pocket to the tune of $1.1 billion, and let me assure you that that is a conservative figure. If you want to break that down per

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head of population, it means that every Aus-
tralian man, woman and child—every single 
Australian—is up for $500 because of La-
bor’s failure to control our immigration sys-
tem and protect our borders. This is money 
that the Australian people owe directly as a 
result of Labor’s failure, and that failure has 
ramifications for every single Australian.

We have just had an election in this coun-
try which returned the Labor Party to office, 
although, as we have seen, it did not return 
them to power. During the election cam-
paign, Labor perpetrated a very serious de-
ceit on the Australian people. They pretended 
that they had a solution to this border protec-
tion crisis and they pretended that they were 
going to do something to stop the flow of 
illegal arrivals. Every Australian will now 
understand that they were wilfully misled by 
the Labor Party during the election cam-
paign.

The Labor Party have known for months 
that Christmas Island has been full to over-
flowing and that the onshore detention cen-
tres are full beyond capacity, yet they waited 
until after the election to announce that they 
were going to massively expand our onshore 
detention network. This backflip was outra-
geously justified by the Prime Minister yes-
terday in her saying that she wanted to take 
children out from behind razor wire. This is 
the Prime Minister of an administration un-
der which, when they came to office, there 
were 21 children held in detention, and of 
course none of them were being held behind 
razor wire. The Prime Minister fully knows 
this, and she understands that these changes 
were made by the previous government in 
2005. It is a complete distortion and fabrica-
tion, which again shows that there is no un-
truth that is beneath this Prime Minister if 
she senses political advantage.

It also begs the question why—if the 
Prime Minister and her minister feel so 
strongly about children in detention—it has 
taken them three years to do anything about 
it. We had the minister running around yest-
erday saying that he was very happy to have 
this debate, that he was very happy to talk 
about children in detention. Of course, there 
is absolutely no evidence that for his three 
years as part of the previous government he 
ever raised concerns about children in dete-
tion, as the failed border protection policies 
of the government resulted in 700 children 
being detained.

We all know that this change in policy, 
this backflip yesterday, is not about some 
well-hidden and suppressed belief about the 
welfare of children. It is because the gov-
ernment has failed so comprehensively that 
our detention centres are now full beyond 
capacity and they need to do something to 
alleviate those pressures. Why is it that those 
detention centres are full? Why is it that we 
have been inundated with this surge of illegal 
arrivals since August 2008 onwards? We just 
heard it again from the minister and we al-
ways hear it from this government when 
there are questions about this issue—that is, 
international factors that are beyond their 
control have resulted in this influx of illegal 
arrivals. I have never heard one shred of evi-
dence that justifies this. Of course, there is 
absolutely no evidence that the international 
environment has changed significantly since 
2007. We live in a turbulent world now and 
we lived in a turbulent world before.

During the second half of the Howard 
government when we drove the people 
smugglers from their business, from 2001 
onwards, there was a war in Afghanistan, 
there was an ongoing and vicious civil war in 
Sri Lanka and there was an existing conflict 
in Iraq. Yet during that time, because of the 
tough and decisive policies of the Howard 
government, they managed within the 
framework of a turbulent international situa-
tion to say to the people smugglers that Australia was closed for business.

Labor talk about international factors as justification for their failure, but there is not one shred of evidence to justify that proposition. They ignore what the rest of us know and what the rest of Australia knows, and that is that the latest influx of arrivals—the tsunami of illegal boats that we are experiencing in Australia—is a direct result of the weakening of our border protection system in August 2008.

This government has failed in what is one of the most basic duties of a Commonwealth government—that is, to control our immigration system and protect our borders. Because of that failure they are exposing the vulnerable victims of this insidious trade to the great danger of making this journey across the sea. The shadow minister referred to the loss of life that we know of, and there is anecdotal evidence that a lot more vessels have been lost making this perilous journey. Those lives are lost because they are encouraged to make this perilous journey by the weakness of this government and the inability of this government to do something serious to drive the people smugglers from this trade.

If you are a people smuggler you rely on your ability to sell a product, and that product is permanent residence in Australia. You also rely on the confidence of would-be customers for that product in your ability to get them to Australia. When the government in Canberra shows resolve and says, ‘No, enough is enough; we’re not going to accept that we don’t control our immigration system,’ the people smugglers, who are very sophisticated criminal networks, will understand that Australia is no longer a soft touch and that they can no longer ply their trade, and pretty soon they will be forced out of business. The government in Canberra could do this if it were prepared to follow the policy prescription that we have been advocating in opposition and that we will pursue when we are returned to government. It is a policy prescription that has been used in the past to address this issue: a return to a form of temporary protection visa and the resumption of offshore processing. Of course, we have a willing candidate within our region, Nauru, which would be happy to host immigration detainees within the facility that already exists on Nauru. The coalition would also turn the boats back as appropriate. I see that the government ridicules this suggestion.

(Time expired)

Ms OWENS (Parramatta) (5.15 pm)—I find this matter of public importance debate rather sad, I have to say.

Mr Keenan—Do you? What a shame!

Ms OWENS—Yes, I do. I live in an area of great diversity and I know a number of people—

Mr Keenan interjecting—

The DEPUTY SPEAKER (Ms AE Burke)—The member for Stirling might get to go and talk to some of his constituents very soon if he is not careful.

Ms OWENS—who over the last 30 years have come here as refugees, many of them on boats. I know families who have been separated from their two-year-old child by armed men and do not know where she is. They now live in Australia, and they do not know where she is. I know a man who, along with his four brothers and sisters, was granted refugee status. They are all now citizens, but they are citizens of five different countries—they have not been together as a family for over 10 years. I know a man who had to pick up the body of his 17-year-old sister, and the description of her injuries should not even be in a person’s mind as a description, let alone as a memory. We are, of course, talking about people here. We are well and truly talking about people, and as
we talk about boats and snipe at each other I think it is worth remembering that.

I think it is also worth remembering that, in spite of the differences in the way each side of politics has approached the issue of refugees and in spite of the bad record at times of both sides of politics over the last 20 years, as a nation we subscribe to the UN convention and that nobody is suggesting that we reduce the number of people we ultimately accept under the humanitarian program. We have been accepting around 12,000 people—give or take a few—for quite a few decades, and we have done it well. As I understand it, neither side is sniping at each other about how the people got here. So I think we should just take a step back and recognise that the things we agree on are essentially the key issues here and that we do actually agree on a great deal.

We as a nation have had moments of great nobility in this debate as well as some terrible moments. We have had times when the greater characteristics of humanity have won the day and times when our less noble characteristics have won the day. There was a time during World War II when we, like many countries in the world, turned back boatloads of Jews; we told them to go back to Germany. We all did that, and after that time we—with many nations—decided that we would never let that happen again. We were one of the nations that fought hard to establish the UN convention. It was established in 1951, and we took 12,000 refugees from Eastern Europe quite soon afterwards.

Then there was the time in the 1970s under the leadership of Malcolm Fraser. He is not a person I have a great regard for in many areas, but I have a great regard for him in this area. He was the person who led Australia through a time when we received one boat from Vietnam every eight days for over a year and a half. Malcolm Fraser led this nation by saying, ‘We will not fear this; we will accept this and we will handle this,’ and we did and we did it well. The Vietnamese refugees who live in my community and no doubt in yours are great Australians, and they were our first boat people.

There have of course been times when we have not been as noble as that. Again, we on both sides of politics have had moments when we have not been as compassionate and generous as we could have been. I believe that we can afford to be generous in this. I believe that we can afford to allow our more noble characteristics to surface in this argument, because I know, as you know, that the number of refugees Australia takes every year is achievable and supportable and that we have been doing it for a long time. We have been taking around 12,000 refugees on the humanitarian visa, and relative to the rest of the rest of the world the number of refugees is actually very, very small. When people who are broken as a result of war, of violence, of torture and of fear have fled their country and sought another place and arrived on our shores by plane or by boat or via resettlement, decent people have put out their hand out to help.

I believe we can afford to be decent, because the number of people coming to our shores is actually relatively small. There are 45 million displaced people in the world at the moment, and about 15 million of those are refugees. Less than one per cent of those will be resettled in Third World countries, and Australia is one of a handful of countries that allow the resettlement of people from a third country. By the way, my calculation of that figure of 15 million refugees is that, for every 2,500 of them, one tries to get to Australia by boat in our heaviest year—one in 2,500 tries to get to Australia.
Mr Keenan—And they take the place of somebody who could have come here legally.

The DEPUTY SPEAKER—The member for Stirling has had his turn.

Ms OWENS—We have had surges and drops in the number of people coming to Australia by boat for as long as we can remember. We had a surge in the 1970s with the Vietnamese, we had a surge in the 1980s, and then it dropped again. Then we had a surge in the 1990s, when there was a war in Iraq and people fleeing the Taliban, and then we had a drop again. We have a surge again now because of conflict in Afghanistan and Sri Lanka. The key thing that drives people fleeing to somewhere is that they are fleeing from somewhere. When there is a war, people flee; when peace breaks out, they stop fleeing. So when war breaks out there is a surge in people moving around the world. There is a surge in people moving around the world everywhere—it is not just here. This notion that the 45 million displaced people in the world are all looking to come to Australia is just not accurate. As I said, of 2,500 people who qualify as refugees, one seeks to come to Australia by boat in our heaviest year.

Imagine if we hosted the number that Pakistan hosts: 1.8 million refugees fled across the border from Afghanistan into Pakistan—1.8 million. Now that is a refugee problem. Mind you, it is a bigger problem for the refugees who have lost their homes and are living with grief and unbearable loss and sometimes physical trauma as well. Syria has 1.1 million Iraqi refugees, making it the second largest refugee-hosting country in the world. Iran has 980,000 and there have been times when Iran has hosted over three million Afghans. Jordan has 500,000, Chad 330,000, and Tanzania 321,000, and 320,000 refugees flocked across Kenya’s border. The load from hosting these refugees, and again members opposite know this as well as we do, is overwhelmingly carried by developing nations—not by Australia by any means but by developing countries, who hosted nearly 80 per cent of the global refugee population last year. Forty-nine of the least developed countries in the world host nearly one-fifth of the world’s refugees.

We play a very important role as one of about a dozen countries that accept refugees from Third World countries, and it is in the nation’s interest and in our best behaviour to ensure that the Australian people understand and respect the value of that refugee program. The behaviour today and these motions that stir up fear, suspicion and hate do not serve our interests well.

Mr Keenan—What rubbish! Where do you get your moral superiority from?

The DEPUTY SPEAKER—The member for Stirling is warned!

Ms OWENS—In 2009 we received 6,170 applications, which is 1.6 per cent of the 370,000 applications received across the industrialised nations. We were ranked 16th and 21st overall.

There are some great myths about how policy influences the number of boat arrivals, and the minister dealt with some of them. But the last time that Afghanistan was at the top of the list of refugee source countries was in 2001, when we also had a surge here. Afghans lodged asylum claims in 39 of the 44 industrialised countries last year. It is incredibly common. Worldwide there were 380,000 asylum claims lodged in industrialised countries. The United States received 50,000 applications, Canada 30,000, the European Union 250,000, and France over 40,000 asylum claims. The UK and Germany had 30,000 claims each. Other EU countries received more than 10,000 asylum claims.
each and Australia received 6,000 claims. The increase in the number of claims occurred all around the world. Virtually every industrialised country had an increase in claims in the same way that Australia did. It is just common sense. People flee to somewhere when they flee from somewhere, and they flee to other industrialised countries in far, far greater numbers than they flee to Australia. Again I would like to remind the House that we generally agree on the numbers of refugees that we should be accepting and that we are today talking about some of the most disadvantaged and broken people that you can imagine, and I would ask us to respect that. (Time expired)

Mr BRIGGS (Mayo) (5.25 pm)—Madam Deputy Speaker Burke, it is a real pleasure to see you back in the chair and in that role, a role you undertook very well in the last parliament, if I may say so. I rise to speak today on this MPI, the terms of which are ‘the failure of the government to implement effective border protection policies’. Nowhere has this been felt more than in my Adelaide Hills community when the bombshell hit yesterday. There was an announcement by the Prime Minister and the Minister for Immigration and Citizenship, without any consultation whatsoever, of a plan to build an immigration detention centre at the current defence housing at Inverbrackie, near the Woodside army barracks in the Adelaide Hills. It will now be used by the immigration department as a new detention centre, highlighting very much the failure of this government’s management of Australia’s borders.

From the scant information available, it seems that the properties at Inverbrackie, of which there are 90, will be used for up to 400 people consisting of family units, as described by the Prime Minister in her press conference yesterday. That is about as much information as we have on the public record, other than the fact that the Adelaide ABC was told yesterday afternoon by an immigration official from South Australia that the approximate cost of the upgrade would be $10 million. We do not know what that will pay for. We know they have to improve the houses, because defence has said in the last five or so years that those houses are unfit for defence personnel. Presumably it will pay for some security arrangements because currently the village at Inverbrackie has open access and so forth. So we know nothing about the details other than that by December this year, a mere six weeks away, there will be 400 people moving into the current houses there.

That shows that this is a government who has completely lost control of this issue, and the people who will feel this the most are those who live in my community. It appears to be an emergency measure taken with no plans for the future. This is, of course, an unfortunate and inevitable result of Labor’s mismanagement of Australia’s border protection. But the most outrageous aspect of this decision and the announcement yesterday was the total lack of consultation with the community and people concerned. My office was inundated yesterday afternoon, this morning and this afternoon with concerned constituents wanting to get some detail about how this is going to affect our area. But what chance do they have when the Labor Premier of the state, a man who used to be best mates with the former Prime Minister, was not even told until the last minute? Labor Premier Mike Rann this morning told ABC radio that he had received a phone call from the minister an hour before the announcement, telling him what has happened. There was no choice, no discussion, no opportunity to consult—just an instruction from the minister. Premier Rann said:

I got a phone call … about an hour before the announcement was made by Julia Gillard essen-
tially telling us what was going to happen. We just want to know what it actually means in terms of the impact on the local community, the impact on police, teachers, schools and health facilities...

So do I, Premier Rann, and so does my community. Not even the Labor Premier was able to ask important questions like: how will the local primary school cope? What about the already stretched health services in the Adelaide Hills? What about the law enforcement services? What other impacts on community services will there be? There is no indication from the government on how long they intend to operate this facility or at what cost. I suspect the government actually has not got a clue.

The reality is that this will put additional pressure on already stretched services in the Adelaide Hills. The federal government is obviously in such a panic that it appears not to have considered at all how the community will cope. So blatant was the snub by the Prime Minister that even when she was in the Adelaide Hills on Sunday, appearing in Aldgate at the CFS to get a nice photo opportunity, she did not utter a word of this decision. She was 17 kilometres from Inverbrackie on Sunday and she could not be bothered—she did not have the balls or the ability—to tell the Adelaide people what she was planning to do.

It appears that the Adelaide Hills is good enough for the Prime Minister to have a photo opportunity but is not good enough for her to ask the community what they think of having 400 asylum seekers placed into detention in the middle of the community. Maybe it should not surprise South Australians, because this Prime Minister has decided that South Australia is expendable to her political needs. No-one should ever forget that this Prime Minister walked into South Australia in the middle of the election campaign and promised to do whatever it took to fix the Murray-Darling Basin. She said she would implement every last finding of the basin plan, yet last Sunday she walked away from that promise. So the fact that the Prime Minister, after playing on the fears of South Australians when it came to water during the election and is now walking away from that, would decide without consultation to build a new detention centre in the Adelaide Hills should come as no surprise. This Labor government is rotten to the core and has lost complete control of Australia’s borders.

It is actually worth asking every South Australian member and senator what they are doing to stand up for South Australia on these issues. Where is the Minister for Finance and Deregulation? She let South Australia down in the last term of government on the water issue. Where does she stand on this issue? Where is the Minister for Mental Health and Ageing? He is a new appointment but is not standing up on this issue. Where is the most famous minister, the member for Adelaide? I noticed a hard-hitting interview with her in the Adelaide Independent today, but where does she stand on these issues? The famous faceless man Senator Farrell has been appointed the Parliamentary Secretary for Sustainability and Urban Water but has not said anything about it yet. Maybe he has been busy looking after some state Labor matters which are taking up a bit of time at the moment. There has been nothing either from my good friend the member for Kingston or her counterpart and sidekick, the member for Wakefield.

The problem that these members have is that they are led by a Prime Minister who has given up representing South Australia and our interests. There are some in my community who have very strong views from both perspectives on this issue—and that is understandable. My personal view on the issue is, as it has always been, that people who get
onto these boats are not to blame. I would prefer a situation where these people never got on the boats in the first place. However, we must have a strong border protection regime that ensures an orderly process is in place to manage our refugee intake. That is why I very much support our shadow minister’s approach on this issue. I thought he gave an outstanding speech earlier in this debate.

Australia needs a border protection system that ensures this issue is managed efficiently and effectively. This government has failed to do so and my community has to deal with that failure. My dispute is not with the people who get on these boats. My dispute is with the Labor government over its mismanagement of this issue. This, of course, is the government that promised during the election to create a solution to fix this issue, led by the Prime Minister and her sidekick, Commander Bradbury. However, since that ill-fated visit to the Darwin customs command centre—the member for Lindsay, from Western Sydney and with no responsibilities on the issue, went up there to get a political kick out of it—we have seen nothing but further failure and backing away from the promises that they did make. I wonder whether the member for Lindsay will highlight to his constituents in his first post-election newsletter exactly what the new policy of the Labor Party is on this issue.

There are some in this parliament—we just heard a speech along with these lines—who like to claim moral superiority on this issue. However, this does not sway us, and nor should it, from the belief that we should stop people getting on these boats as much as we can in the first place. That is a much more humane way of dealing with this very difficult issue. Weakening our border protection laws and encouraging people smugglers back into business is not the most humane way to deal with the issue. Australia should continue its proud history of accepting genuine refugees, but the issue must be managed in an efficient and effective manner, as it was under the Howard government and as it has not been during the first three years of the Rudd-Gillard government. Spending another $10 million on a short-term solution in my community without consultation with the state Labor government, the local council or the community is not the answer. Making a major decision without consulting the community on the effects on their schools, health services, law enforcement and transport needs is also not the answer, but it is of course the modern Labor way. This government stands condemned for its complete mismanagement of Australia’s borders and the effect it is having not only on the people who are in these detention centres but on the broader Australian public. This detention centre should not proceed.

Ms RISHWORTH (Kingston) (5.35 pm)—In response to the member for Mayo, while this side of the House is clearly talking about going forward on important reform in the Murray-Darling Basin, I wish him the best of luck in his party room as he tries to get results for his electorate. I think he will have a very hard road to travel. I wish him the best of luck and I hope he is able to get the coalition parties, both the National Party and the Liberal Party, on the same side, but I think it will be very difficult for him. Let us talk about the matter of public importance on border protection that is before the House today. I always enjoy these debates when those on the other side are in denial and say that this is not a global problem or a regional problem but just a problem for Australia. The member for Stirling said there was no evidence and wanted evidence. I will provide him with some evidence.

First of all, Afghanistan is the source country for most irregular maritime arrivals to Australia and, according to the UNHCR,
in 2009 Afghanistan became the main country of origin for asylum seekers in industrialised countries worldwide. The last time Afghanistan was at the top of this list was in 2001, when there was a surge of boat arrivals under the Howard government. Afghans lodged asylum claims in 39 out of 44 industrialised countries worldwide, and Afghanistan was in the top five source countries in 17 of 27 European Union states last year.

That is just a little bit of evidence that suggests that this is not just a problem in Australia; indeed, that this is a global problem. While the opposition denies this and continues to make out that this is a government problem and a failure of policy, the government, on this side of the House, is getting down to the business of actually looking at this problem both internationally and in a regional way. The opposition is not interested in this. We saw this during the election. They do not let facts get in the way of a good slogan, or indeed a good bat phone. During the campaign I always imagined there would be a big red phone, similar to the one that Commissioner Gordon used in the early series of Batman, and Tony Abbott would sit on the other end of this phone and when a boat came near our shores the commander or someone on the boat would ring him, and Tony Abbott would answer and make a decision on his bat phone.

So the opposition had this big thought-through policy for the election, and even in this new parliament they have failed to really look at this problem in a considered way; in a way that considers both regional and international aspects. In sharp contrast, the government is looking at this in a very serious way. I commend the new Minister for Immigration and Citizenship, Minister Bowen, who has held talks already with senior officials of the Malaysian government and has had some very constructive meetings in East Timor. Those on the other side feign interest by saying they do not want people to get on boats, and that is exactly what we on this side of the House also do not want. We do not want people smugglers to profit from innocent people, and we do not want people smugglers to make profit from desperate situations. So what are we doing? We are looking at a regional framework. We are working with our regional partners and looking at how we might disrupt this people smuggling and take away this very dangerous route to Australia.

The opposition are not so interested in these people. They have made it quite clear that they want to turn the boats around and that, in doing so, it will not endanger the lives of any of the refugees on the boats and it will not endanger any of our personnel! Of course it will not do that, say the opposition. But we know that it will. Turning boats around has serious consequences. In fact, if the opposition were truthful about this issue they would recognise that, while the Howard government pretended to be strong on this, it did not turn any boats around after 2003. But this continues to be their simplistic solution. They are not looking at this as either a regional or a global problem.

This government is working with its neighbours to establish a regional protection framework, including a regional processing centre, because we believe it is the most effective and sustainable way for our region to remove the incentive for people to undertake the dangerous sea voyages to Australia that put their lives at risk. A regional processing centre will serve to deter irregular movements to Australia by sea, dealing a serious blow to people smuggling. This is part of our policy but we are also, as announced by the minister yesterday, looking at ensuring that children are not kept in detention. We have seen a bit of hypocrisy from the other side. In question time today we saw the opposition
trying to spin by on the one hand saying they are not happy with this announcement that Minister Bowen has made, not happy that unaccompanied minors and young children are being moved out of detention, but on the other hand trying to get credit for the fact that it was a Howard government policy that the minister acknowledges he utilised.

There does seem to me to be an awful lot of opposition spin and hypocrisy in this issue. There is no thought-out, considered policy, and instead we see recycled policies that supposedly worked before, such as temporary protection visas. As the minister pointed out, under the temporary protection visas, which were supposed to send so many refugees back home, 90 per cent of people stayed in Australia on a long-term basis. We have not really seen a deterrent. We have seen the Nauru solution, which gets peddled out time and time again, and once again this is a simple catchphrase from the opposition to disguise the fact that they do not have a policy—not a long-term policy that will actually go to solving this issue; not a long-term engagement with how we can actually stop this dangerous irregular travel.

The opposition, instead of engaging with our regional neighbours, want to go it alone when it comes to offshore processing. Unlike the opposition, Labor is committed to getting the right regional centre established, with the cooperation of the UN High Commissioner for Refugees, in a country that is a signatory to the refugee convention. This is really important because we on this side of the House will not shirk our international obligations, and we will ensure that people are treated decently.

We do want to interrupt people smuggling. That is our main aim: to make sure that women, children and families do not get on boats and make this dangerous voyage. But, if families and children do get here, then we will ensure—and I thought this was a bipartisan agreement, but I am sure we will see from the shadow minister, as the days unfold, a lot of ducking and weaving when it comes to this issue, as we saw in question time today—that they are not kept in detention.

Let us be clear on this issue: we do have strong border protection. In fact, the measures announced in the 2010-11 budget build upon a $654 million border protection and anti-people-smuggling package announced in the 2009-10 budget. The government has established a dedicated Border Protection Committee of cabinet to drive a whole-of-government strategy to combat people smuggling.

The government has also created a single point of accountability for matters relating to the prevention of maritime smuggling, with the Australian Customs and Border Protection Service. As a government we are taking this issue incredibly seriously. We are looking at long-term solutions, not short-term slogans; and we are certainly not looking for a big red boat-phone—

(Time expired)

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! As no-one else is rising, the discussion is now concluded.

CONDOLENCES
Private Nathan Bewes
Trooper Jason Brown
Private Tomas Dale
Private Grant Kirby
Lance Corporal Jared MacKinney

Report from Main Committee
Order of the day returned from Main Committee for further consideration; certified copy of the motion presented.
Ordered that the order of the day be considered immediately.
The DEPUTY SPEAKER (Hon. Peter Slipper)—The question is that the motion moved by the Hon. the Prime Minister be agreed to. I ask all honourable members to signify their approval by rising in their places.

Question agreed to, honourable members standing in their places.

PARLIAMENTARY RETIRING ALLOWANCES TRUST
Mr CLARE (Blaxland—Minister for Defence Materiel) (5.47 pm)—by leave—I move:

That, in accordance with the provisions of the Parliamentary Contributory Superannuation Act 1948, Mr Fitzgibbon be appointed a trustee to serve on the Parliamentary Retiring Allowances Trust.

Question agreed to.

GOVERNOR-GENERAL’S SPEECH
Address-in-Reply
Debate resumed from 18 October, on the proposed address-in-reply to the speech of Her Excellency the Governor-General—

May it please Your Excellency:
We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, express our loyalty to the Sovereign, and thank Your Excellency for the speech which you have been pleased to address to the Parliament—

on motion by Ms O’Neill:

That the Address be agreed to.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Before I call the honourable member for Throsby I remind the House that this is the honourable member’s first speech, and I ask the House to extend to him the usual courtesies.

Mr STEPHEN JONES (Throsby) (5.48 pm)—Mr Deputy Speaker, can I start by adding my voice of congratulations to those who have congratulated you in your election to the role of Deputy Speaker.

I start by acknowledging today that I stand today on the land of the Ngunawal people, the traditional owners of the land on which we meet, and I thank their elders past and present.

I have the privilege of representing the people of the Illawarra and Southern Highlands as the third member for Throsby and the 1,076th member of the House of Representatives. I have the honour of succeeding a fine parliamentarian, a great servant of the Labor Party and the labour movement, a friend to many here present, and a great Australian: Jennie George. I also have the honour of succeeding a fine representative of the people of Throsby, Mr Colin Hollis. I pay tribute to their great contributions to the electorate and to the parliament.

I am proud of the region where I grew up, the Illawarra—the place where I first acquired my interest in politics. The Illawarra is the place where I learned that the Australian Labor Party is part of a broad, progressive movement committed to social justice and to equity. Labor is the political party which recognises that the problems which confront each generation cannot be surmounted by individuals working in isolation, however great the individual. Rather, it is through organisation, achieving a collective will, through cooperation and political leadership, that real and lasting change occurs. Never was the country in greater need of this leadership than it is today.

Every significant challenge that we now face as a nation and in my region requires leadership from this parliament, leadership to achieve health reform, achieve education reform and deal with climate change and leadership in improving our productive capacity by upgrading our infrastructure and in managing our water and mineral resources for the benefit of future generations. I am proud to be a member of the Gillard Labor
government, because it is a government which is committed to showing leadership and achieving long-term solutions in the national interest. In addition, Prime Minister, you stand as an example to my daughter, who is here in the gallery today. She is only six, but she will grow up knowing that in this country a woman can aspire to be the Prime Minister.

I come to this parliament believing that the values that formed around the dinner table of a large Catholic family, and on the creaking wooden desks towered over by the Sisters of the Good Samaritan, and later the Christian Brothers, will help me to serve my electorate, my party and my country. I come to this place with the benefit of a good education, which was sometimes free and always valued—valued not just as the means by which I could get ahead but because it helps to bring more light and understanding, and less fear and confusion, to the world in which we live.

I am the lucky husband to Julia, the most intelligent and beautiful woman I am ever likely to meet. I am father to Jessica and Patrick. May my hopes for the world that they will inherit be the cause for which I discharge my duties in this place. I am the proud son of Margaret and Mark, brother to Maree, Luke, Adam and Amanda. The latter two are not with us in the gallery today but they are probably, due to the marvels of modern technology, huddled around a laptop somewhere in the Netherlands, the place they now call their home. My father, Mark, is not here. He passed away on Anzac Day in 1996. I am sad at this because he taught me so much—foremost the hunger to learn and the fact that there was more than one way to be a father, to be a husband and to be a male in modern Australia. He was a man indeed ahead of his time. I am so pleased that my mother, Margaret, who quite literally broke her arm to get here, is able to do so, because I am very proud to say that she was my first and most important role model. In no small part this is because she raised a large family with little money and instilled in each of us a strong set of values and a belief in the importance of conviction and in the importance of having the courage of those convictions and of persistence and hard work; the belief that we are put on this earth for a purpose which is greater than ourselves; the belief that we have an obligation to family, to community and to country.

It is this sense of obligation and purpose that has governed the decisions I have made in pursuing the work that I have done. If I am known by others in this place it would be through my role as the National Secretary of the Community and Public Sector Union, an organisation I worked for for over 16 years and of which I am a proud life member. I have had the great privilege of being a delegate, an organiser, a lawyer and an official of the Community and Public Sector Union. In that time I undertook many hard-fought campaigns against some formidable and well-resourced opponents, many of them who sit in this place. I cannot speak more highly of the men and women who are members of the CPSU. They work in government departments and agencies, in the telecommunications and broadcasting industries. They are as committed to the performance of the public services they deliver as they are to their union. They have stuck by their union when it was not only unfashionable to do so but when in many cases it was a job-jeopardising move. To the hundreds of CPSU men and women who lost their jobs over the last decade for little other reason than that they were a union representative, I honour your commitment, and I will do my bit here to ensure that this country never again recedes into the industrial bigotry which made that possible.
I was involved in many campaigns which demonstrated to me and hopefully others that unions were often the last line of defence when things went really wrong. For over a decade I campaigned for job security and dignity in Telstra and in other telecommunications companies. When a company called OneTel collapsed owing employees and other creditors millions of dollars, I was very proud that I was able to organise the young workers and run a campaign to win full repayment of all of their entitlements. I also had the great honour of spending two years working at the ACTU and had the great privilege to work with men like Bernie Banton and Greg Combet, the former secretary of the ACTU and now Minister for Climate Change and Energy Efficiency, in a campaign to win justice for the victims of James Hardie asbestos products.

I think unions are an important part of any free society, and in Australia the union movement is probably the only independent body of men and women that has the reach, the resources and the inclination to challenge and question the dictates of power, whether government or corporate. However uncomfortable the result may be for us in this place from time to time, I firmly believe that Australia is a better place because unions exist.

Prior to working as a union official I spent many years as a community worker. It helped me understand that community workers are the glue that holds much of Australia together. I worked as a youth advocate for several years in a disadvantaged region of Campbelltown. I worked for several years with children who had developmental disabilities and later with adults who had suffered spinal cord injury. This was poorly paid but profoundly rewarding work. It gave me an insight into the lives of carers who daily struggle to provide food, shelter, love and some normality to the lives of their children and loved ones—usually at great cost to their own lives and those of the rest of their family. During this period of my life time was always of the essence as I juggled full-time work with part-time study. I was proud that I was able to do that, completing first an arts degree at a great institution which I will be advocating for in this place, the University of Wollongong, and then subsequently a law degree at Macquarie University.

The boundaries of the electorate of Throsby have changed since the previous election. It now more closely resembles the shape of the electorate when it was created in 1984. It stretches from the ocean of the Illawarra far into the inland and the Hume Highway. The electorate of Throsby overlies the traditional lands of the Darawal, the Wadi Wadi and the Gundungurra people. I pay my respects to your elders past and present. I thank the present elders for your friendship and support. I thank you for your custodianship of land and culture.

There is a special place on the road below Robertson in the Southern Highlands of NSW that never fails to move me by its beauty. As you approach Macquarie Pass the careful driver can pull to the side of the road, and from that single vantage point you look east and you can see the suburbs of Albion Park creeping towards the last dairy farms at the foot of Macquarie Pass. You can look past the suburbs of Dapto, Warilla, Windang, Warrawong and Port Kembla, which is home to the largest integrated steel works in the Southern Hemisphere and the deepest harbour on the eastern seaboard. You can see the beautiful Lake Illawarra and the surrounding suburbs that make up the most densely populated parts of the electorate.

If you turn to the west—and you are knocked over by the waft coming from the dairy farm owned by Jim Mauger, a councillor from the Wingecarribee Shire Council—you can see the verdant green fields and pas-
tures which surround the iconic towns of Robertson, Exeter, Moss Vale, Berrima, Bowral, Mittagong and Welby. These were all places of early settlement and are now service centres for the surrounding farms, the mine, the cement works at Moss Vale and, increasingly, the tourist centres. But from where you stand you see the defining feature of the electorate; it is the rugged and beautiful Illawarra Escarpment. It is a segment of the Great Dividing Range. At first it was a source of cedar and then coal. It is the cause of our prodigious rainfall and our summer storms. For eons it has also been the passage through which human beings have travelled in exchange of culture, artefacts and food and it is now a passage to the coast.

The population of Throsby is as diverse as its landscape. It is a united nations of people who left their birthplace with a small suitcase and hearts full of hope that Australia would welcome them and help them make a better life here. One in five people were born elsewhere and they have quite literally built the cities and suburbs of Throsby.

Throsby is one of the best places in Australia to live but it is not yet the best place to work. Unemployment, while decreasing, persistently sits at about 1.5 to two per cent above the national average. Even these figures hide the concentrations of unemployment in certain suburbs and amongst young people, in part due to the massive transformation of Throsby’s industry that occurred throughout the eighties and nineties.

At the time that I left school around 20,000 worked in the steel works. Now, there are fewer than 10,000. It drives home to me the point that our next economic transformation—the restructuring of our economy to deal with global warming and to make industry more sustainable—must draw upon the lessons of the eighties and nineties and on the need to assist the companies and the individuals to make this change.

There are many priorities that I will talk about—aspirations and things that I will work on with my colleague Sharon Bird to advance the interests of the people of the Illawarra and the broader Throsby electorate. There are two projects that I would like to mention briefly. The first is the NBN. It matters because over 67 per cent of small businesses in the electorate of Throsby are home based. The NBN is their pathway to the capital cities of Australia and the markets of the world. There are over 20,000 people who daily make a passage from Illawarra to the suburbs and the inner city of Sydney in the cause of work and livelihood. The NBN is their opportunity to get off those train platforms at five and six o’clock in the morning and spend more time in their communities and their households with their families. There is much more work to be done to rebuild our health and our education infrastructure, but the advances that have been made over the last three years have made a significant difference, and I intend to build on the great work of Jennie George working in partnership with the member for Cunningham in the interests of our people.

In the time that I have left I would like to say a few words about my beliefs. I joined the party of Fisher, Curtin, Chifley, Whitlam, Hawke and Keating and of pioneering women like Jessie Street, Susan Ryan, Joan Kirner and Carmen Lawrence, all names well known in this place. They are men and women of different times but they are joined together by a common belief that this wonderful country with all its wealth and beauty will only be truly great when the least advantaged of us have the same life opportunities as those who by accident of birth enjoy great privilege.
There have always been critics from the Left and Right who claim that we have drifted from our historic mission. I take the opportunity of my first speech to set out the four convictions that lie at the heart of my belief and of Labor values. They are a continuous thread that ties together the reform objectives of the first Labor government, Chris Watson’s, to the Gillard government of this 43rd Parliament. I stand by each of them.

The first conviction is that we must see the world through the eyes of working men and women. Let me say quite clearly: I do not believe that any party has a monopoly on the vote of Australian working people. A simple reason for this is that most Australians do not define themselves solely by their work or their class. But what I can say with great confidence is that Labor and I will always approach the task we do in this place with the needs and aspirations of working men and women in mind. It has been so since the first band of Labor representatives entered parliament with the objective of legislating to bring about a fairer means of resolving disputes between employers and employees. It informed our resolve to abolish the harsh and unjust Work Choices legislation. It is what drives us to remove inequality between men and women at work and elsewhere. It is what has led us to introduce the nation’s first universal paid parental leave scheme. It is the belief that working men and women, and not just the privileged few, should have access to a decent retirement that led the Labor pioneers to campaign for an age pension. This saw federal Labor, in partnership with the union movement, introduce occupational superannuation. Then, on returning to government in 2007, we increased pensions by over $100 per fortnight. It now falls to this Labor government to return to the unfinished business of ensuring that we can extend compulsory super to 12 per cent of wages. It is our belief that postcode should not be the determinant of destiny—the determinant of access to health and education and to all of life’s other opportunities.

The second conviction is that we need a cohesive and progressive economic vision for our country. I believe that Labor is the party which is committed to building long-term economic capacity. This commitment stems from the knowledge that it creates jobs and improves the quality of life of those we represent.

The third conviction is that Australia must have the confidence to build a nation and the confidence to engage in nation building. One hundred years ago the first Labor government elected in its own right had the courage to plan and imagine a transcontinental railway. Labor remains committed to building more railways in this country, but we also have the courage and conviction to build the railway of this century, the National Broadband Network, and its liberating effect on our economy and our lives.

The fourth and final conviction is the belief that any credible national government must have a credible approach to national security. In early 1942 Labor’s John Curtin spoke those famous words:

> Without any inhibitions of any kind, I make it quite clear that Australia looks to America, free of any pangs as to our traditional links or kinship with the United Kingdom.

He laid the foundation for a new direction in national security and defence. What emerged over the next decade was the ANZUS alliance. It has been the keystone in our national security architecture ever since.

It is my belief that from Federation to this day it has been Labor in government which has taken the key decisions that have defined our nation’s approach to national security. Whether it was Andrew Fisher when he
founded the Australian navy, whether it was the governments of Curtin and Chifley, which managed our nation through its most challenging wartime years, whether it was that great Labor pioneer HV Evatt, who was so instrumental in the formation of the United Nations, its treaties and its institutions, or whether it was Gough Whitlam, who re-established our relationship with China that we now prosper so much from, it has been Labor that has taken the tough decisions in advancing our cause in this region, and we do not retreat from this territory—it is ours.

Some call us an old party. Implicit in this is a criticism. I wear it as a badge of honour and I say with pride that I belong to a party that has a set of values and a tradition that has endured over 100 years of challenge. We were there at the formation of this parliament, through two world wars, the Great Depression of the 1930s and the global financial crisis of 2008-09. It is true: we are not revolutionaries but reformists. It is true that we come to this place hungry for reform but armed with the burning patience that knows that the perfect must never become the enemy of the good.

Mr Speaker, you have been as patient as I have been indulgent with the time. Can I conclude by thanking a few people. Firstly, I acknowledge the great support that I have had from the former member for Throsby, Jennie George, and the current member for Cunningham, Sharon Bird, who I know I will form a long and productive partnership with. I thank the fantastic branch members of the Labor Party, in particular those who have joined us from the Port Kembla branch—Bobby Turner, Ann Martin, and I think I might have seen Tommy Ward there earlier as well. From the Southern Highlands Branch, I thank Jan Merriman, Graham McLaughlin, Phil Yeo, Maurice O’Sullivan, Jo Babb, and from the Warilla and Mount Warrigal branches, Phil Rayner and Jim David. As for our campaign team, I could not have hoped for better: Anthony Keenan, Jane Mulligan and Carol Jordan, who have joined me on my staff, together with Danielle Ribaard and everyone who did the pre-poll.

I am grateful for the great support from my union—the Community and Public Sector Union. I have seen many members and officials and former officials in the audience. I am so proud to be here today to talk of your cause and your issues, and I will represent your interests to the best of my ability where I can in this place. To the CFMEU Miners Division, Bobby Timbs and Spotty White, who took time from dealing with their own problems to assist me in my campaign, and to the MUA’s Gary ‘Hollywood’ Keane, the AWU’s Andy Gillespie and Wayne Phillips: thank you very much, as well as to all of the other unions on the South Coast who assisted me. On the South Coast it is sometimes hard to separate people who wear a union hat from those who wear another hat, but I thank Narelle Clay, Richard ‘Makie’ Davis, Colin and Melissa Markham and many, many others.

I have already mentioned my mum, my wife and my family, but I also include Sally Quilter, Michael Quilter, and Adrian Quilter, and my great friends Stephen Fitzpatrick, Michael Samaras, Luke Foley and, last but not least, the electors of Throsby.

It is said that this speech should be the standard against which my actions will be measured henceforth. So it should be.

Mr BROADBENT (McMillan) (6.14 pm)—Mr Speaker, I congratulate you on your return to the Speakership, though it was a journey about which stories will be told. My heartfelt congratulations go to you from my position as a member of the House and as a friend. This 43rd Parliament, like all others,
is not a place for the faint-hearted. It is hard to get here and it can be harder to stay here. With success comes greater difficulty. That is why everyone who has the honour to serve here has my respect. We have had an election campaign, and you can read all about it from Barrie Cassidy or Mungo MacCallum—I need not have input into that. I congratulate the member for Throsby on his address just delivered. I am sure that Jennie George and Dennis would be very happy with the address that has just been given to the parliament. If they are both watching at this time to see the new member for Throsby, I wish them all the best and I hope that Jennie has given up smoking!

I have been returned to this House for the third consecutive time, which is not unusual for many but is unusual for me, having been thrown out of this place twice before. I really do owe a lot of people for my health and wellbeing in this place. I have never, ever thanked my paid staff, because I always thought it was an indulgence when they are actually working within the electorate office. But today I want to not only thank them but also pay tribute to them: Kevin Carmody, Margaret Burridge, Jennifer Paproth, Ken Mitchell, Millie McLean and Prue Acheson. I also want to refer back to staff members of the past and thank Kaye Clements; my much loved friend Margaret Thompson, who came back to carry me again on election day with her partner, Rob Ellis; and Leonie Hemmingway, who has stayed through the highs and lows. I thank my supporters Neville Goodwin, Cara Carter and Mary Aldred—great workers and very professional. I say thank you for the personal and professional support I received from Gary Blackwood, the member for Narracan, and thank you to Andrew Ronalds, his Liberal team and the whole of the party, to donors great and small and especially to those people who hand out how-to-vote cards, both prepoll and on the day. I know how grateful every member of parliament here is to those people, who often can give nothing else but who give of their time and themselves to go out and do the job for us on election day. I thank my greatest supporters: Bronwyn, Emily, Paul, Evan, Sian and Lauren. I cannot say what they have done for me. I thank all those who returned McMillan to the parliament in Liberal hands. Our overall result in Victoria was appalling. Especially disappointing was that my neighbour in La Trobe, Jason Wood, lost his seat to Labor and that we failed to retain Corangamite, Deakin and McEwen. We have a lot of work to do, but I assure you I will do my best, along with my party.

I do appreciate this parliament, with its new blood, its new enthusiasm and its returned enthusiasm—this place with its new opportunity for people to express themselves. The member for Throsby, in his first speech, just talked about the great goals that he has for his life in the parliament. I am sure every member of this parliament comes in with those goals, with the opportunity to deliver on behalf of their community, their electorate, their party, their state and this nation. Everybody out there should understand that we all come here with that intention, with that drive. I said before that this is not a place for the faint hearted; it is a place for those who are prepared to put in a lot of hard work, a lot of energy.

As the new member for Kooyong sits by me, I am reminded of my experience of the man who went before Josh and who—like Jennie George, whom I just mentioned—through voluntary retirement is no longer a part of this parliament. I want to talk about my experience of the man known simply as Petro to his friends and to his foes. When he was a young child, his teacher tried to call him Peter, to anglicise his name, but Petro staunchly refused to answer that teacher until such time as the teacher called him Petro.
Then he answered the question. I think the die was cast then. But for me what stood out was his political intelligence, his great ability to focus on an issue disregarding all else, to think around that focus, to take a thought out of the box and to hone the issue just to the substantive—to dissect the argument into the important and the not so important.

Remarkable was his high regard for others, for all members of this House on all sides of the political divide. To many, Petro was confronting, but what I saw was his heart for the nation’s people and how it soared beyond self-interest, the head that would not bow, the knee that would not bend, the insightful mind and intellectual integrity that are shared by so few, and the often lonely walk into the policy headwind, seemingly unaffected by personal or political attacks. Few in this House can claim beneficiaries of their efforts in such a direct way as Petro can. I am talking in the corporate sense of the House, not about individual members of parliament, because I know you all work hard on behalf of your constituents. There are men, women and children whose lives were changed for the good, for the generations, by the persistent personal courageous conviction of this lone warrior for human rights here in this Great South Land. He came here to this House at a time of his choosing. He left this House at a time of his choosing. Many of his foes did not enjoy the same grace.

As part of his broader career in the political mainstream, he was awarded the Alan Missen Award. This award is all about integrity. You would have to be blind not to realise that I miss him a little. At the same time, I know that one day you will need them.

I never forget that I am responsible to my dairy farmers, who are affected by this Murray-Darling Basin issue. My dairy farmers receive a lot of their feed from that grown in the Murray-Darling Basin. There is not a person in this country who is not affected by what happens in the Murray-Darling Basin. We need to consider whether we are going to remain internationally competitive. I have never walked away from my position that to remain internationally competitive, whether we are growing potatoes or other vegetables or supplying any sort of a market whatsoever, we need a flexible labour market. I believe that when we went to the Australian people saying that we are not different from the Labor Party on the issue of a flexible labour market we were not believed. I will always have a different position to Labor on IR. I have never walked away from that; I do not walk away from it today.

I have spent a life in small business. What we earned, we earned for ourselves. What we earned, we earned with the cooperation of the staff who worked with us every day. We had a flexible workplace before there was a flexible workplace. For the unions to say today that a student cannot come in and work for two hours but must work for three is ridiculous. Ashamedly, I do not remember all of my young students, and they say, ‘Russell, I worked for you.’ But they were young girls and young men then. Today, they are not young men and young girls; they are adults, and they have gone on to do marvellous things. But their first job was working in one of Broadbent’s stores. We had to be flexible
with our staff. Lots of them were young mums. They could not come until after nine o'clock and they had to be home by 3.30. So they made other arrangements within our businesses so that it all worked for everybody. Half the time, this parliament starts from a position that says that all employers are crooks and all workers are good. Life is not like that. It is hard.

There are others in my party who know exactly what I am talking about because they have lived my life. I am sure that they were there on a Wednesday night worrying how they were going to get enough money in the bank by two o'clock on Thursday to pay the wages of their staff. Forget the family: they were not going to get any.

In my electorate of the past is the Hazelwood power station, which supplies 25 per cent of the power that goes into the Victorian grid. Yet we have people blithely and openly saying, ‘We’re going to close down that power station because it suits us politically and because it is dirty.’ On and on they go. The fact is, at this time we cannot. Over years, we can change it to gas. There are things that we can do. We can better clean up our act. But please do not threaten the jobs of those workers. Every time somebody makes a statement about closing down Hazelwood, my phones ripple like mad, because people see the Labor government attacking their jobs. Do you know why I am here in this place? Because Labor voters voted for Russell Broadbent. They know that he will come into this place and protect their jobs. Time and time again that came to me from those Hazelwood workers and their families. We need new power stations. Eventually, someone has to bite the bullet and build a new power station. Labor in Victoria say that they are going to go ahead and look at building a new power station. And then they get creamed by all their own people.

The most important thing to do in this country is to secure our water supply. Mr John Forrest, the member for Mallee, said in a speech yesterday that the first thing that the Romans did was to secure their water supply. That is what we have to do in this country. Power stations do not run without water. It is one of the most important issues for us to deal with as a nation.

During the last election campaign, I did not hear anybody in this House talking about self-funded retirees. They are a growing group in our community. They need the same sort of attention that we give to other groups in the community. But they have been completely ignored, in my humble opinion. They are the people who have not only worked and saved for themselves but now live on what they have earned and saved and their assets. We as a nation do not recognise that their numbers are growing and that we need to protect them and their assets so that they can survive better on their own. But they tend to fall between the gaps. They are in every electorate. They will come and talk to you. When I went down to open the farmers market at Korumburra and Coal Creek, three different self-funded retirees came up and had long conversations about where they stood and what their issues were and how they were struggling. Not every self-funded retiree is a wealthy person.

Most of my electorate is rural. This rural students issue has been raging in my electorate and there are still people disadvantaged under the programs that we now have in place. We have to find ways to rebuild country communities. If we do not support country students we cannot expect doctors and nurses and health professionals to come back into our country communities, particularly if we are sending people away for education the whole time. We have to be able to fund that appropriately. I think we have made...
some moves in the right direction but I do not think we have been the whole way.

Last night I talked about the importance of health care. The West Gippsland Healthcare Group runs what we call the Warragul hospital. I would not be unlike any other member of this House who has a hospital nearby that needs rebuilding or is old—and if you have ever renovated a house or an old building you would know there are stages throughout the process when you wish you had never tried. That is why the Warragul hospital, in this case, is not on the radar for rebuilding by my state government, yet our federal government has left the impression, and we as a parliament have left the impression, that we are available to fund hospitals. I have got Leongatha, I have got Wonthaggi, which needs an upgrade, and I have got Warragul, which I am about to tell you needs $243 million for a brand new site where they have the land or over the next 20 years—and I will be 79 or 80—we are going to rebuild solely what exists there now. At the moment the government has thrown out a couple of million dollars and said: ‘We’ll give you five new emergency bed cubicles. Both sides have agreed to that and you will get them. That’s fine. Isn’t that terrific!’ But the problem is that next year I am going to have a hospital that needs rebuilding and the year after that I am going to have a hospital that needs rebuilding. We are on the edge of Melbourne. Now we have got a new freeway—the ‘Russell Broadbent Bypass’, which we are all very happy with. Thank you, Peter Costello, for that and for all the things that went before and all that sort of stuff.

Ms Roxon interjecting—

Mr Shorten interjecting—

Mr BROADBENT—Oh, so Zahra got that one for me! Except I go back before you and Zahra with the first $26 million. Importantly, this hospital is sitting on the cusp of an explosion of population, a 40 per cent increase. The member for La Trobe would know that Casey is really struggling at the moment. It has backups, as I know. My nephew went there the other night for a cut across his head—I will not tell you how he got it—and had to wait four hours at Casey. The family gave up in the end and went on to Dandy Valley, which is fine. That is fine for families like ours that can afford to do it. It is not fine for people who come to Casey for that initial care. That is really important. So what happens is that people are gravitating to the Warragul hospital—from Moe, Leongatha, Wonthaggi, in the south, and Neerim, in the north—for all the services that they provide. They provided 87,000 services last year. We expected that there would be a 20 per cent increase in need at the hospital—and there has been a 40 per cent one.

The minister has heard all this before from hospital after hospital after hospital. Because of what the nation has done we are now ending up with a whole lot of hospitals that are not ready. I am not coming in here and saying this is a Russell Broadbent proposal and therefore it must be a good proposal. I have to mount an argument as to why that particular hospital should get the benefit of what we do as a nation and as a state. I have got to get the state bureaucrats on side, the state government on side and the federal government on side to fund that Warragul hospital. That is a hard job. It is a hard job for any of us but we have to mount the arguments. It is no good saying, ‘I want this and a political fix of $200 million.’ It does not work because it offends everybody. What I need to do here, and what I am trying to do, is mount the argument that this is an area that is going to have to be addressed and that I would rather a new hospital than a rebuild. That is what I have been putting to this parliament today.

Debate (on motion by Mr Albanese) adjourned.
STANDING ORDERS

Mr ALBANESE (Grayndler—Leader of the House) (6.34 pm)—by leave—I move:

That standing orders 1, 29, 34, 55 and 133 be amended as follows:

1 Maximum speaking times (amendments to existing subjects, as follows)

Adjournment of the House or Main Committee—to end the sitting
Whole debate in House on
Monday, Tuesday and Wednesday
Whole debate in House on
Thursday
Whole debate in Main Committee
Extended debate (if required by Minister to reply etc)
Each Member—no extension of time can be granted
Member who has already spoken to the motion may speak again for one period if no other Member rises to speak
Minister in extension of de-

Adjournment of the House or Main Committee—to end the sitting
(b) When the House is sitting it shall meet and adjourn at the following times, subject to standing orders 30, 31 and 32:

<table>
<thead>
<tr>
<th>Day</th>
<th>Meeting commences</th>
<th>Adjournment proposed</th>
<th>House adjourns</th>
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<tbody>
<tr>
<td>Monday</td>
<td>10.00 am</td>
<td>9.30 pm</td>
<td>10.30 pm</td>
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<tr>
<td>Tuesday</td>
<td>2:00 pm</td>
<td>9.30 pm</td>
<td>10.30 pm</td>
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<td>Wednesday</td>
<td>9:00 am</td>
<td>7:00 pm</td>
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<tr>
<td>Thursday</td>
<td>9:00 am</td>
<td>4:30 pm</td>
<td>5:00 pm</td>
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34 Order of business

The order of business to be followed by the House is shown in figure 2.
**Figure 2. House order of business**

<table>
<thead>
<tr>
<th>MONDAY</th>
<th>TUESDAY</th>
<th>WEDNESDAY</th>
<th>THURSDAY</th>
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<tbody>
<tr>
<td></td>
<td>9.00 am</td>
<td>Acknowledgement of country</td>
<td>9.00 am</td>
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<tr>
<td></td>
<td></td>
<td>Prayers</td>
<td>Government Business</td>
</tr>
<tr>
<td>10.00 am</td>
<td>Petitions (to 10.10am)</td>
<td>Committee &amp; delegation business and private Members’ business Divisions and quorums deferred 10 am–12 noon</td>
<td>9.00 am</td>
</tr>
<tr>
<td>12 noon</td>
<td>Government Business</td>
<td>1.45 pm</td>
<td>1.45 pm</td>
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<tr>
<td></td>
<td>1.45 pm</td>
<td>90 sec statements</td>
<td>90 sec statements</td>
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<tr>
<td></td>
<td>2.00 pm</td>
<td>Question Time</td>
<td>Question Time</td>
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<td></td>
<td>Approx 3.30 pm</td>
<td>Documents, Ministerial statements</td>
<td>Approx 3.30 pm</td>
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<td></td>
<td>Approx 3.30 pm</td>
<td>Documents, MPI, Ministerial statements</td>
<td>Approx 3.30 pm</td>
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<td></td>
<td>5.00 pm</td>
<td>Approx 5.00 pm</td>
<td>5.00 pm</td>
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<td></td>
<td>6.30 pm</td>
<td>Government Business</td>
<td>Government Business</td>
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<tr>
<td></td>
<td>6.30 pm</td>
<td>Divisions and quorums deferred 6.30–8 pm</td>
<td>Divisions and quorums deferred 6.30–8 pm</td>
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<td></td>
<td>8.00 pm</td>
<td>Committee &amp; delegation business and private Members’ business</td>
<td>8.00 pm</td>
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<td></td>
<td>9.30 pm</td>
<td>Adjournment Debate</td>
<td>Adjournment Debate</td>
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<td></td>
<td>10.30 pm</td>
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</tbody>
</table>
55 Lack of quorum
(a) When the attention of the Speaker is drawn to the state of the House and the Speaker observes that a quorum is not present, the Speaker shall count the Members present in accordance with standing order 56.
(b) On Mondays, if any Member draws the attention of the Speaker to the state of the House between 10 am and 12 noon, the Speaker shall announce that he or she will count the House at 12 noon, if the Member then so desires.
(c) On Mondays and Tuesdays, if any Member draws the attention of the Speaker to the state of the House between the hours of 6.30 pm and 8 pm, the Speaker shall announce that he or she will count the House at 8 pm, if the Member then so desires.
(d) If a quorum is in fact present when a Member draws attention to the state of the House, the Speaker may name the Member in accordance with standing order 94(b) (sanctions against disorderly conduct).

133 Deferred divisions on Mondays and Tuesdays
(a) On Mondays, any division called for between the hours of 10 am and 12 noon shall be deferred until 12 noon.
(b) On Mondays and Tuesdays, any division called for between the hours of 6.30 pm and 8 pm shall be deferred until 8 pm.
(c) The Speaker shall put all questions on which a division has been deferred, successively and without amendment or further debate.
(d) This standing order does not apply to a division called on a motion moved by a Minister on Mondays and Tuesdays, during the periods specified in this standing order.

If I may explain briefly, these amendments, which are agreed to by the government, the opposition and the crossbenchers, are simply to allow for a period which operated in the former parliament, which was a deferred divisions and quorums period to operate between 6.30 pm and 8 pm on a Monday. This operates of course today, being Tuesday, if there are any divisions or quorums. In order to do that government business will be extended on Monday by half an hour, so it will commence at 6.30 pm and go through to 8 pm—rather than through to 7.30 pm—and any divisions can be called at the eight o’clock period. In order to maintain the balance between government business and private members’ business, the adjournment debate on Wednesdays will commence at 7 pm rather than 7.30 pm. These are practical amendments which were first requested in terms of the Monday slot by the Manager of Opposition Business. We have consulted members widely and there is agreement across this chamber for these changes. I commend them to the House.

Question agreed to.

NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS SCHEME) BILL 2010

Second Reading
Debate resumed from 18 October, on motion by Ms Roxon:
That this bill be now read a second time.
Question agreed to.
Bill read a second time.

Third Reading
Ms ROXON (Gellibrand—Minister for Health and Ageing) (6.37 pm)—by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.
Mr FITZGIBBON (Hunter) (6.37 pm)—
by leave—I move:
That the bills be referred to the Main Committee for further consideration.

Question agreed to.

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (6.37 pm)—I move:
That order of the day No. 3, government business, be postponed until a later hour this day.

Question agreed to.

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE LEGISLATION AMENDMENT (MISCELLANEOUS MEASURES) BILL 2010

Cognate bill:
OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (SAFETY LEVIES) AMENDMENT BILL 2010

Second Reading

Debate resumed from 29 September, on motion by Mr Martin Ferguson:

That this bill be now read a second time.

Mr IAN MACFARLANE (Groom) (6.39 pm)—I welcome the opportunity to speak on the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010 and on the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2010, which cover an industry which is of huge significance not only to the Australian economy, not only for Australian jobs but also for Australian energy security. I have a feeling of deja vu in addressing this matter because it is not the first time this legislation has been before the House. Indeed, I have had the chance to speak on this legislation on several occasions. I am pleased that the government has taken measures to correct a flaw which existed in its original legislation.


In 2008, the coalition supported the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008, which amended the Offshore Petroleum Act 2006 to establish a system of offshore titles to authorise transportation, injection and storage of greenhouse gas substances, principally carbon dioxide, into deep geological formations under the seabed. Of course there has been a great deal of talk and not much action in relation to geosequestration from those on the other side, although I did note with interest the announcement of the minister last week
where a significant amount of money was awarded to various projects in relation to carbon capture and storage. Interestingly, though, most of that money went overseas. It is of some interest to me that the Carbon Capture and Storage Institute, established with such great fanfare by the previous Prime Minister, has really received no international support of any great matter. In fact, only one country out of the many said to be involved in that institute has actually put any money up. At last count, the Americans, who offered $500,000, did so a few days before they received $6½ million dollars for a project in Texas in the United States.

Serious questions are now being asked about the economic viability of carbon capture and storage. The missing link in all of this, apart from the government’s continued talk and little action, is that the coal industry is going to have to put real dollars on the table. They will not be surprised by that message. Perhaps they will not be happy with it but they should not be surprised by it as it is a comment I have made to them repeatedly in recent times. If carbon capture and storage is to be economically viable, the coal industry is going to have to invest substantial sums of money in it. I am not talking about hundreds of millions of dollars; I am talking about several billions of dollars. Without that support and without commitment from other countries, the concept being championed by the Minister for Resources and Energy in the Gillard government will simply go nowhere, along with the myriad other policies they have announced during their time in government.

In 2009, the coalition considered and supported the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment Bill 2009 and the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2009. These bills made minor technical amendments to the act. The main bill also gave the minister power to appoint a commission to undertake an inquiry into factors specific or incidental to a significant offshore petroleum or greenhouse gas storage incident. Unfortunately, I have to say that that was an important step supported by the coalition because of what was then the first incidence of an offshore leak—the Montara well off north-western Western Australia—in some 25 years of exploration and drilling off the coast of Australia.

Montara was an incident which the government and the opposition took very seriously at the time, but little did we know, when that incident occurred, that it was soon to be followed by a huge incident in the Gulf of Mexico. In both cases oil and hydrocarbons escaped uncontrolled from underwater wells. Fortunately in the case of Montara in Western Australia the environmental damage was nowhere near as significant as it was in the Gulf of Mexico. Either way, though, escapes of this type cannot go without significant investigation. Both the opposition and, I am sure, the government will take a very close interest in the findings that come from the inquiries into the Montara and Gulf of Mexico cases.

This amendment to the bill allowed the initiation of the Montara Commission of Inquiry into that uncontrolled release of oil and gas from the Montara wellhead platform in the Timor Sea. It is important that that process be pursued to its completion and that this be done without interference and without politics. The minister has recently stated that the report of this commission of inquiry will be released before Christmas this year and the coalition supports the minister’s delay in releasing that report. It is important that we do not lose any opportunity to follow through lines of inquiry—either ours or the commission’s—and that we do not prejudice in any way any potential action, particularly
legal action, by prematurely releasing this report.

But we do urge the minister, now that parliament has resumed in full, to release this report as soon as possible. It is important for everyone involved. It is important for the companies who have a financial interest in this that this matter is resolved. It is important that we complete our lines of inquiry so that we are able to fully explain to the best of everyone’s ability why this incident occurred in Montara, because it is crucial that such incidents do not recur in Australia’s offshore petroleum industry. The potential environmental impact is an issue which has been well canvassed in the media, but the Australian community needs to have confidence that offshore oil and gas exploration can be done in complete safety. So I look forward to the release of that report and, as has been the case to date, we have taken a bipartisan approach with the government to ensure that everything that should be done is done.

The safety levies amendment of 2009 commenced the phase-out of the pipeline safety management plan levy by putting in place a safety case levy covering pipelines. This was to facilitate pipelines being covered under the safety regulations in future, rather than under pipeline regulations. The safety case levy is imposed to recover the National Offshore Petroleum Safety Authority’s—NOPSA’s—costs associated with monitoring safety compliance. NOPSA plays an extraordinarily important role in making sure that there is compliance with the safety rules.

It was intended that the state and Northern Territory regulations would be amended to correspond with the Commonwealth regulations. I am sure it comes as no surprise to the House that this has not occurred. As a result, some safety levy payments due to NOPSA may not be collectable until corresponding amendments are in place. The current safety levy bill therefore seeks to address these issues with transitional measures. I am particularly pleased to see that the government has been prepared to address this problem in its previous legislation.

However, in its previous format the coalition had significant concerns about the bill. My colleagues in Western Australia in particular were very concerned with some aspects of the bill. It seems only reasonable that, with two-thirds of Australia’s offshore oil and gas resources and with about 80 per cent of offshore titles being based in Western Australia, this parliament and this government should take a reasonable interest in the concerns of both the state and federal representatives of that state. We also had significant concerns about the fact that there had not been adequate consultation, particularly with the Western Australian government. There were also concerns that the federal government would be moving, through this bill, to hold the fees for the establishment of a national offshore petroleum regulator, given that at least one state government—as I say, the Western Australian government—has concerns about this proposal and that those concerns are yet to be resolved. In fact there will need to be continuing discussions with both the Western Australian Minister for Mines and Petroleum, Norman Moore, and with the opposition if we are to make progress on that regulator.

We do support in principle the establishment of a national offshore petroleum regulator, but it must be a national, not a federal, regulator—that is, it must have representatives from those states which will be involved in the regulation of offshore petroleum along with the Commonwealth government. It needs to be a partnership and a partnership where we all share responsibility and also share the same aim of making sure that the regulator operates in a way which will produce the optimum outcome. We need
to ensure that all states agree with the estab-

lishment and operation of the national off-

shore petroleum regulator.

That is achievable but, along with its in-

ability to deliver, where this government continually fails is in the area of consulta-

tion. We have seen a classic example of that recently with the discussion paper—I think it was perhaps a ‘guide to a discussion paper’; it seems to be of less importance everyday—on water management. The Gillard govern-

ment has the same bad trait that the Rudd government had and that is that it fails to consult. We need to have consultation in the case of the national offshore petroleum regulator. It is an issue that needs to be finalised, but it will not be finalised unless this gov-

evernment consults with all concerned, particu-

larly, as I say, with the Western Australian government.

The Western Australian government has been quite open in expressing its concerns also about the Productivity Commission’s recommendations and the implementation of those recommendations. Since Western Aus-

tralia’s budget is going to be hit by this measure, identified in this bill as savings to the Commonwealth, it makes sense that its concerns are fully addressed before the pas-

sage of this piece of legislation. The coalition, as has always been the case in opposi-

tion, is prepared to sit down with the minister and discuss the issues constructively. As the minister knows, my door is always open and we will work to ensure a positive outcome.

Unfortunately, there is much work to be done if the government is to meet its respon-

sibilities in the oil and gas sector. It is par-

ticularly frustrating that the government has again delayed the release of its energy white paper which obviously impacts on the oil and gas industry and a whole range of energy resources, not the least of which is electricity. While this legislation today is important to the oil and gas industry, it does, however, highlight the piecemeal approach to energy policy in Australia. The most recent delaying tactic occurred earlier this month when the government fobbed off again the release of the energy white paper with another excuse, this time attempting to pass off an energy efficiency report as a temporary stand-in for the energy white paper. The report is not an energy white paper and does not fill the void created by three years of inaction in this area by the Rudd, now Gillard, government.

Households and businesses across Austra-

lia are focused on the rapidly escalating price of electricity, and the federal government has comprehensively failed to provide leadership for the energy sector right across the board—electricity, oil, gas and coal—by dodging its responsibilities to provide the energy policy framework that would be contained in an energy white paper. There have been myriad excuses. Firstly, there were the problems with the ETS, and now the Gillard govern-

ment is trying to inflict more delays on the sector while its climate change panel deliberates for another year about a potential carbon tax.

The last energy white paper was delivered by the Howard government—in fact deliv-

ered by me as the Minister for Industry, Tourism and Resources—in 2004. In keeping with the regular five-year cycle, an updated version is well and truly overdue. There have been enough excuses, enough delays and enough drip-feeds. It is time for the Gillard government to release a comprehensive energy white paper that will address the full range of issues affecting the energy sector.

While I do welcome the changes to the legislation before the House today, and the opposition will support the bills, the gov-

ernment must accept and address that its day of reckoning on energy matters is fast ap-

proaching. Every day it leaves the energy
and resources sector without a clear framework is another day that investment decisions must be made in a policy vacuum and another day in which no solution is offered to limit the rapidly increasing electricity price rises being felt across Australia.

The energy area is one of the most significant areas not only because of the price that the community pays for electricity but also because it is the basis of our economic development. There are a number of members of this House who are watching development in the onshore petroleum industry, particularly the coal seam industry, with great expectation. There are a number of members who have manufacturing industries in their electorates, all of whom are sitting and waiting for some definitive policies in relation to energy from this government.

While we as an opposition provide our constructive support where we can, and we do on these bills, we need to see some action from the Gillard government if this country is to have the confidence to make the investments that will see not only the exploration of oil and gas continue but also the development of onshore industries and, most importantly, the continued development of baseload clean electricity generation in Australia.


Listeners to this debate will not be surprised to hear the parliament discussing these measures to improve the safety of offshore oil and gas wells, their structural soundness and ways to make the regulation of the industry more efficient and effective. We have already seen a huge expansion in exploration and drilling activity off our coast as companies seek to unlock the enormous reserves of natural gas and, to a lesser extent, oil from the seabed. This will only continue and accelerate, as the demand for Australia’s abundant energy resources shows no sign of abating. Alongside these important industries is the emergence of technology to capture and store carbon dioxide in geological formations under the seabed as a means of reducing Australia’s carbon emissions. This has been recognised by the amendment in the previous parliament of the offshore petroleum legislation to include regulation of carbon storage. I certainly join the shadow minister, the member for Groom, in calling on all sections of the resources industry in this country to get on board in the development of the carbon capture and storage industry.

The projected phenomenal growth of these industries is one reason for the government to be focused on the regulatory regime that underpins the sector. The other reason is obvious to anyone who has switched on a television or read a newspaper in the last six months and seen the images of devastation coming from the Gulf Coast of the United States. Oil spilled into the waters off Alabama, Louisiana and Florida for 87 days at an estimated rate of 60,000 barrels a day. The unprecedented environmental damage caused by the explosion on BP’s Deepwater Horizon drilling rig has reinforced the need for all governments to be vigilant in the regulation of their offshore oil and gas industries.

Even before the Deepwater Horizon catastrophe in America, this government had al-
already taken steps to apply the lessons coming out of the commission of inquiry which followed an underwater leak from the Montara drilling platform in the Timor Sea. The growth of the oil, gas and carbon storage activities in some of Australia’s most untouched and sensitive ocean environments places an enormous responsibility on all governments, but it is becoming increasingly apparent that it is the responsible Commonwealth minister who carries the political responsibility for the offshore industries and it is correct that this parliament, the federal parliament, consider these improvements to our regulatory regime.

These bills make a number of changes including: funding the establishment of a National Offshore Petroleum Regulator, NOPR; strengthening the functions of the National Offshore Petroleum Safety Authority, NOPSA; clarifying the operation of the titleholder provisions in situations of multiple titleholders; increasing the effectiveness of compliance through the application of strict liability to appropriate offences; and restoring the original policy intent by clarifying that a titleholder’s duty of care under the occupational health and safety provisions relates only to wells.

It has been the government’s intention for some time now to establish a new National Offshore Petroleum Regulator to commence on 1 January 2012. This initiative was recommended by the Productivity Commission following its inquiry into the regulatory burdens on the oil and gas sector. The national regulator was seen as a means to remove unnecessary duplication and to provide greater consistency in regulation across the country. It is important to note at the outset that this bill does not establish the National Offshore Petroleum Regulator but it does put in place another important step in its development by providing for an equitable means of funding its establishment. The bill does this by enabling the Commonwealth government to retain registration fees currently collected under the Offshore Petroleum and Greenhouse Gas Storage (Registration Fees) Act 2006.

Until now those registration fees have been redistributed to the states and territories as joint administrators of the regulatory system. This measure was looked at in detail by the Senate’s economics committee, which heard that the retention of fees over just a couple of years will amount to over $20 million for the Commonwealth government to put towards the national regulator. The minister stressed, however, in his second reading speech that he does not anticipate amendments relating to the establishment of the National Offshore Petroleum Regulator to be brought to the House until next year to allow adequate time for the matter to be fully discussed with the states and territories. In the meantime it is prudent to give the industry certainty about the funding mechanism for those set-up costs.

Another part of these bills is the strengthened role of NOPSA. Previously, the states and territories were responsible for the regulation of safety in the offshore oil and gas industry. Following a review in 1999, NOPSA was established and since 2005 it has been the body responsible for regulating occupational health and safety matters that arise from petroleum, gas and greenhouse gas operations in Commonwealth waters. Those responsibilities extended to the structural integrity of facilities and also to wells that are part of those facilities only to the extent to which the structural integrity affects the safety of the offshore workforce at the facilities. Under these amendments, NOPSA’s role is now clarified and strengthened by extending its regulatory function to explicitly include non-occupational health and safety aspects of the structural integrity of offshore facilities.
According to the explanatory memorandum, the proposed amendments have the intent of strengthening the ability of NOPSA to carry out its existing regulatory responsibilities and augment its responsibilities by expressly including oversight of the whole structural integrity of facilities including pipelines, wells and well-related equipment. For achieving completeness of this oversight role the amendments include non-OHS structural integrity aspects to ensure complete coverage of this particular function. NOPSA needs to be able to effectively and fully regulate the structural integrity of petroleum and greenhouse gas facilities and wells, even where certain structures such as pipelines and wells may not have people at or near them for extended periods of time. Although these amendments do not extend NOPSA’s role beyond that of an occupational health and safety regulator, it nevertheless represents a step towards a more powerful and centralised regulator. This is a common sense recognition that the structural integrity of any part of a facility, including the well or pipeline, is an OHS matter as it is essential to the health and safety of any work crew that might have to work on those remote parts of the facility at some point in time.

The next set of amendments in part 4 of the bill will amend various offence provisions in the act to make the offences ones of strict liability. This again strengthens the regulatory regime and makes the job of the regulators in enforcing the laws more realistic. As they currently stand, the offence provisions in question require intent to be proved in order for a prosecution to be successful. As the explanatory memorandum points out, given the remote and complex nature of offshore operations and the prevalence of multiple titleholder arrangements, it is extremely difficult to prove intent on the part of any party. To date, this has left these particular offence provisions largely unenforceable. The intention of the application of strict liability is to improve compliance in the regulatory regime. NOPSA will no longer be required to prove what a titleholder did or did not intend to do with respect to a safety function but merely that a certain action took place or failed to be undertaken. The liability then follows from the proof of that fact, regardless of fault or intent on the part of the titleholder. After the Deepwater disaster in the US, we all appreciate the importance of regulators having the power to rigorously follow through on the regulations that protect the safety of workers and the state of our environment.

This bill will also clarify the situation when a title is held in conjunction by two or more titleholders, as is common in many offshore ventures. This amendment clearly provides that when two or more titleholders are jointly responsible for the administration of a facility then one can be nominated to act in the interest of all parties. Effectively this means that where the act imposes an obligation, the obligation is imposed on each and every titleholder in the consortium but can be discharged by any one of the titleholders. With this amendment, there will be one titleholder, one contact, to represent the interests of the joint titleholders. The act will now ensure that a single titleholder can be responsible for its applications, requests, nominations or notices. This amendment will reduce the complexity that existed in the previous act—complexity which has previously frustrated the government, industry titleholders and the NOPSA—and instead produce a more manageable and more efficiently functioning industry. This amendment does not seek to diminish the legal responsibilities of the titleholders. These will remain unchanged. The amendment does, however, seek to create a designated contact for each facility in order to streamline procedures.
The Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010 also includes a section that corrects the definition of a titleholder’s occupational health and safety responsibilities. The current act contains a titleholder duty of care in relation to facilities. That reference to facilities is in fact broader than was intended and could have the consequence of making the titleholder responsible for facilities such as drill rigs over which the titleholder has no direct responsibility or control. Hence, this amendment makes it clear that the titleholder’s occupational health and safety responsibilities are narrower than that and relate to wells rather than facilities in general. The duty of care does, however, extend to all aspects of well design, construction, maintenance and operation.

The second bill that we are debating this evening is the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2010. This bill provides transitional arrangements to ensure that appropriate levies may be collected for pipelines in designated coastal waters. An amendment in 2009 removed references to pipeline safety management plans and safety plan levies. Instead it introduced a safety case levy that includes pipelines. This amendment will provide transitional arrangements to allow the states and territories further time to amend regulations under their petroleum legislation to reflect these changes made by the Commonwealth.

The offshore oil and gas industry is undergoing enormous growth and will continue to underwrite Australia’s prosperity for many years to come. Through this legislation the government is continuing to refine the regulatory framework by which the industry is supervised and administered. The regulation of the industry needs to be strong because of the high stakes involved in terms of potential harm to workers and to the environment. A clear message has to be sent to companies operating in this sector that there can be no cutting of corners on occupational health and safety or environmental protection. At the same time the regulatory scheme needs to be made as efficient as possible and constantly updated and streamlined to keep up with developments in this burgeoning industry. This legislation gets that balance right and deserves the support of all sides of the parliament.

Mr BALDWIN (Paterson) (7.09 pm)—I rise to address the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010 together with the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2010. These bills will make changes to the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003 to establish transitional arrangements. These will run from 1 January 2010 to 31 December 2012 and will allow for the Commonwealth to collect safety case levies in designated coastal waters. These bills will also allow a safety case to be enacted for a facility that has a pipeline in designated coastal waters and will allow the states and Northern Territory to enact provisions in their respective legislations to reflect these national changes.

These bills are especially pertinent to my constituents in the electorate of Paterson. Currently Advent Energy is preparing to start exploratory drilling for natural gas off the coast of New South Wales. That includes drilling just 10 kilometres off the coastline and into my electorate at Port Stephens from next month. According to the geophysical site survey, Advent Energy will test four locations, each with an area of about nine square kilometres. Location 1 is at 32 degrees 55 minutes latitude, 152 degrees 22 minutes longitude. Location 2 is at 33 de-
degrees eight minutes latitude, 152 degrees five minutes longitude. Location 3 is at 33 degrees nine minutes latitude, 151 degrees 54 minutes longitude. Location 4 is at 33 degrees 25 minutes latitude, 151 degrees 42 minutes longitude. If successful, the exploration could lead to a sizeable offshore gas extraction project within the next decade. Reserves are currently valued at approximately $50 billion. Advent Energy has secured its exploration permit under the Offshore Petroleum and Greenhouse Gas Storage Act 2006, one of the very acts that this bill seeks to amend.

In particular, as I have mentioned, one of the functions of this amendment will be to help ensure that the safety authority can collect levies to fund its safety operations. The authority plays an important role in enforcing Australia’s safety laws and ensuring that private companies comply with all the relevant legislation. I was able to witness this role firsthand during my personal experience with the National Offshore Petroleum Safety Authority a year from its inception on 1 January 2005 because I was the Parliamentary Secretary to the Minister for Industry, Tourism and Resources from 2006 to 2007, with responsibility for NOPSA. Utilising the higher safety standards needs to be absolutely paramount during future gas drilling and pipeline projects.

After all, much of Australia’s way of life is built around the beauty and health of our beaches, oceans and marine life. Industries such as tourism also rely heavily on the quality of our coastline. It is therefore central to the greater national economy. Indeed, one of the things I love most about living in the electorate of Paterson is being able to go to the beach, have a swim, do some fishing. I truly believe that we have some of the best coastal spots in the whole world and that is why it is vital we protect our coast. Importantly, this is a matter for all levels of government, as the act is administered by both federal and New South Wales government authorities. Local councils also play a large role in coastal management and will therefore be impacted by legislation relating to our seas.

Unfortunately, gas pipelines do pose some environmental threats. Those threats involved in Advent Energy’s proposal off Newcastle have been detailed in a confidential report to the New South Wales government. However, despite the fact that this is the first project of its kind off New South Wales, the state Labor government has refused to make the details public. I am a firm believer in consultation and making decisions with all of the information available. Proper research and science, combined with advice from local people who know their local area, are the only way to truly make a decision in the best public interest. It is for this reason that I would urge the New South Wales government to immediately release the confidential report to my constituents.

In the meantime I look to the information which has become publicly available. An article in the *Newcastle Herald* by Damon Cronshaw published on 11 October reads:

A confidential report on an exploratory gas drilling project off the coast of Newcastle has revealed the proposal’s potential environmental risks, including the possibility of oil spills.

The NSW Government refused to release the report, saying it did not have to be made public under Commonwealth law.

But the Newcastle Herald has obtained a copy, which details the plan’s potential risks to the environment and the possibility of an oil spill. The article goes on to list a number of environmental risks and potential effects of Advent Energy’s projects. Those include an oil spill that will last for up to 11 weeks; a whale collision which would threaten workers’ lives; physiological damage to the sensitive marine fauna from underwater noise; chemi-
cal, oil and diesel spills which would have a toxic effect on marine organisms; and discharges 15 to 20 degrees above ambient sea temperature, which would dramatically impact on marine life. Obviously, these issues are deeply concerning to my constituents in Paterson. As a former dive operator and keen offshore fisherman myself, I am also committed to the importance of marine protection and biodiversity.

The Executive Director of Advent Energy, David Breeze, was quoted in the *Newcastle Herald* in the aforementioned article as saying that the company was ‘very confident the risks are being adequately addressed’. This may very well be the case; however, without seeing the report my community is unable to make an informed decision. I myself have not been invited to any consultation sessions despite being in the immediately affected area. However, I am in the process of seeking an invitation to any further community consultation forums.

I found it important today to note my concerns with offshore gas drilling projects and the lack of transparency currently being executed by the New South Wales and Australian Labor governments. However, it is important for me to also note that I am not opposed outright to gas drilling. This is because, if executed correctly, natural gas projects present a number of opportunities both in New South Wales and across the nation as a whole.

The use of gas as an energy source certainly has potential to benefit our environment and I support the moves to broaden Australia’s energy sources. Certainly, the Australian community has become much more aware of its contribution to greenhouse gases and is keen to limit the impact on the environment. You have only to take a look at the take-up of solar power, recycling programs and gas hot water systems to see that people are keen to do what they can to be more environmentally friendly.

Of course, the coalition and the Gillard Labor government are deeply divided about the best way to limit Australia’s carbon emissions. The coalition has advocated an incentives based approach which educates people and rewards them for reducing carbon emissions. The Gillard Labor government, on the other hand, seems to think that the big new tax will somehow get the Australian public to look after their environment. So, while our methods deeply vary, we are united in the opinion that we have been blessed with an amazing part of the world and we should be taking care of it in the best way we can.

It is therefore important when assessing the future of natural gas to consider its advantages. For example, natural gas produces approximately 65 per cent fewer emissions than brown or black coal. On top of that, it also has fewer contaminants than coal or oil. Thus, natural gas has the potential to play an important role in the future energy needs of New South Wales, which currently relies most heavily on coal-fired power stations. The Keneally state Labor government has itself called on private companies to invest more in gas projects and has approved plans for two new gas-fired power stations.

Clearly, Australia’s governments are moving towards the use of natural gas, but that is not the issue. The issue here today is the safety of the gas projects and ensuring the safety authority has the tools it needs to protect our seas—the ocean floor, shore line and marine life. I am convinced that the only way to achieve it is to make sure that the process is open and transparent.

As the member for Paterson, it is my job to represent the views of my constituents. However, unless my constituents have all of the tools to form their own opinions and conclusions, I simply cannot do so. That is
why I am here today echoing their calls for more information on offshore drilling and the safety processes in general. One letter I received from a constituent detailed a meeting held by the community in Boat Harbour on this issue. It was attended by more than 100 people. The main concern at the meeting was the lack of consultation by state and federal Labor governments regarding the offshore drilling legislation.

In the last couple of months I have also spoken with a number of people regarding the future of offshore drilling and safety measures involved. As a part of these talks, many of my constituents have mentioned the Gulf of Mexico BP oil spill, which occurred earlier this year. It has now become known as the biggest offshore oil spill in US history. Of course, this event was extraordinary. It devastated marine and bird life and resulted in large quantities of water being completely overtaken by oil. It has cost billions of dollars and the long-term effects will not be known for some time to come. Its impacts have been widely reported in news items across the globe.

Still being so fresh in people’s minds, and with offshore drilling such a new concept for many residents in New South Wales, there is a definite feeling within my electorate of Paterson that we too could be faced with a similar reality if safety is not paramount in future drilling projects. Similar fears were detailed in a report by the Newcastle Herald on 13 October, listing four scenarios that could cause an oil spill as part of Advent Energy’s exploratory drilling using the Ocean Patriot drilling rig. These four scenarios are a refuelling incident, collision, subsea blow-out, and subsea rupture. The Port Stephens Examiner also detailed local concerns in an article by Nikki Taylor published on 13 October. I quote:

> Port Stephens Council is to have an input on the NSW government-sanctioned committee to oversee exploratory drilling off the coast.

> With drilling expected to get underway off the coast of Boat Harbour next month, there has been a growing concern from environmental groups and affected councils. The drilling project, conducted by Asset Energy, could lead to a significant offshore gas extraction project valued at $50 billion.

> Concerns have been raised that drilling could have a negative impact on migratory and threatened species including marine turtles, whales, sharks, fish and birds.

> As well, one of the reports raises fears about a potential threat from oil spills.

> Earlier this year both Wyong and Gosford councils raised concerns with Gosford strongly objecting to the plans because there have been no social, economic or environmental assessments carried out. Port Stephens general manager Peter Gesling said the council had only in the past few weeks been asked to become a part of the consultative committee.

> “The council has no authority over this project, we can however offer our view to the state government who will consider them along with other community and industry concerns,” he said.

> Nelson Bay-based environmental group Econetwork has confirmed its opposition to the venture.

> “We expressed to the minister in August 2008 that we were appalled by the audacity of the application,” group secretary Darrell Dawson said.

> Without more information on the likelihood of these events and the contingency plans created by Advent Energy, we simply do not have the tools to allay such fears to the level demanded and deserved by our community. We also open ourselves up to a scare campaign which could undermine the very safety activities currently being promoted by the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill.
I support moves to increase the success and activities of NOPSA, which is sure to play an increasing role in the natural gas industry. Continued funding for the safety authority therefore needs to be protected through appropriate levies. However, just as the federal government has placed its focus on compliance activities, Prime Minister Gillard must also ensure that public education does not lag behind. Offshore gas projects look certain to increase in number and the community deserves to know what that means for our coast and what it means for the future of power supply in the country. As I said, I am not opposed to this project; I am actually opposed to the lack of information being provided to the community. It is incumbent upon Advent Energy and the state and federal governments, which substantially will be rewarded from this project, to embark on a process of public consultation and education. Failure to do so will only build deeper and stronger community resentment of this project, a project which is likely to create hundreds of jobs in my community and bring an enormous amount of investment into Australia.

Mr CHEESEMAN (Corangamite) (7.23 pm)—Today I rise to speak on the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010 and the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2010. Before I do so may I congratulate you, Mr Deputy Speaker Georganas, on the very strong endorsement of you by your community at the 2010 federal election.

This amending legislation, I believe, is very important not only for my part of the world, Corangamite, but also for many other parts of regional Australia. These bills will make minor policy and technical amendments to the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003. It will improve the ability of the National Offshore Petroleum Safety Authority, the regulator in this area. The Montara Commission of Inquiry and the recent events in the Gulf of Mexico have moved the Australian government to improve the regulation of petroleum operations and I think that is very wise indeed.

There will of course be no adverse effect on industry and there will be no extra costs to industry, and that is also very important. This legislation will also simplify the safety regime for titleholders and will make titleholders accountable when necessary, as spelt out by these bills. This legislation will remove direct responsibility from a titleholder for facilities which it has no direct control over. This legislation will not adversely affect any regional people. That is great for my electorate of Corangamite, which is in regional Victoria. This industry is a very important component of my regional economy and of many other regional economies across this region.

These bills will go a long way to making this industry safer, and that is excellent news for regions like mine that of course do provide substantial income to the national economy. This industry is very important in many parts of the country. Within my electorate I have, just offshore, the Otway Basin, which is a very important gas production area in south-eastern Australia, and it provides a very substantial volume of gas to Australian markets.

Indeed, as at December 2009, the Otway Basin’s petroleum fields provided a very substantial volume of gas to the market. Some 23.4 per cent of eastern Australia’s conventional gas production came from my part of the world. This equated to some 1,197 petajoules, which equates to some 17.8 per cent of Victoria’s conventional gas reserves, a very substantial volume and a very sub-
stantial economic asset for our part of the world. The basin also produced some 3.5 per cent of eastern Australia’s total gas reserves and some 3.1 per cent, 70,000 tonnes, of Australia’s liquefied petroleum gas, LPG—again, very substantial components. The basin also produces a small amount of condensate, some 708,000 barrels, or 1.2 per cent, of Australia’s production. This is a significant contribution from my region and it is a very important industry—an industry that will grow and develop over time.

The Otway Basin has three major gas projects which all transfer offshore gas to onshore treatment for processing and distribution. The largest development in the Otway Basin is the Otway Gas Project. It is a $1.1 billion development some 70 kilometres south of Port Campbell. We need to encourage these industries because these industries will not only help to significantly grow my local economy but also grow many regions such as the Geelong region as we move forward.

I also have some very significant natural resources within my seat. I have the Great Ocean Road, the Surf Coast and the Bellarine Peninsula. If we do not get regulation in these areas correct and we have oil spills such as Montana or the disaster that took place in the Gulf of Mexico then that would place very significant pressure on my seat and on many other areas in Australia that often have very significant tourism related activities. That is why we need to have strong regulation in these areas. I congratulate the Minister for Resources and Energy on ensuring that we do have strong regulation that takes account of the very significant risks that do occur within this industry. Tourism is also a very significant job producer within my area. That is why we need to ensure that the offshore petroleum industry can deliver its product to market safely and that the right mechanisms are put in place to protect our very significant regional economies.

As I mentioned earlier, offshore petroleum is becoming a very major part of the economy and a major employer within my electorate—and I know it also is within many other parts of regional Australia. We need to make sure the wells and the overall industry are safe and have the right amount of regulatory oversight and protection. This will have a direct benefit for the workers in the industry and I think it is also a step in the right direction in growing our regional economies. For these reasons, the minister has taken the responsibilities of the offshore oil and gas industry very seriously. We have a very safe industry and very productive industry. But we also know that there are some very significant risks and we need to ensure that we deal with them. These amendments will give NOPSA the ability to regulate and keep the industry safe.

The intentions of this government are very clear through these bills. These bills will strengthen the role of the National Offshore Petroleum Safety Authority. This is certainly something I welcome, and I am sure most people in this place also welcome it. They will make it clear how the titleholder provisions apply, particularly when there are two or more titleholders. It will also make the titleholder more accountable by making clearer the titleholder’s responsibility under the occupational health and safety provisions of the act. These bills will also arrange safety levies to ensure that the appropriate levies can be collected for pipelines in designated coastal waters.

As I mentioned earlier, in my part of the world gas is collected offshore, piped onshore and then processed, so it is important that we have regulation in this area to ensure that that can happen in a safe way. After the Montana oil spill, which was a huge tragedy
here in Australia, we needed to make some adjustments to NOPSA’s functions so that it could be more effective and fully regulate the structural integrity of petroleum and greenhouse gas facilities. These amendments do not extend NOPSA’s role beyond that of an OHS regulator but do take it in a step in that direction. The regulator can not witness all wells of any note. The government has toughened some of the offence provisions to ensure that industry take full account of their responsibilities. This will encourage title-holders to inform NOPSA if there are any problems with wells or any other issues.

It is at this point that I would like to place on record the reality that, as we move further offshore and into deeper waters, risks become more substantial. The engineering challenges also become much more substantial and need to be properly regulated and managed. I think these arrangements go in some part to dealing with that as an issue. This all means that a higher safety burden will be placed on the titleholder. I think that is appropriate, particularly with respect to some of the offences already spelt out by the bill.

The Gillard government is very keen to ensure that we have appropriate regulation in place to protect the health and safety of workers, that we have good regulation in place that will protect the environment and that we have good regulation and legislation in place that enables us to take full advantage of our natural resources. As I said earlier, we have very substantial assets in my electorate of Corangamite—and I know many other regional members equally have very substantial assets with respect to oil and gas. For us to take full advantage of that, government needs to take certain measures to ensure that we enable industry to extract it in a way that is safe for workers and the environment.

I would like to congratulate Minister Ferguson for working diligently on these matters over the last few years. I believe the actions that he has taken will enable this industry to grow in a sustainable way that will protect the interests of workers and enable our economy to grow as we take full advantage of our natural resources. I commend the bills to the House.

Mr ADAMS (Lyons) (7.36 pm)—Mr Deputy Speaker Sidebottom, my cousin, it is a pleasure to speak on these bills—the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010 and the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2010. You served on the committee, of which I was chair, where we brought down the report Down Under: greenhouse gas storage review of the draft Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill. I note the courage of the minister—Minister Ferguson, who is at the table—who put that groundbreaking legislation before the House Standing Committee on Primary Industries and Resources and allowed that committee of all parties to review it, and I note the hard work that we did to pull together the thoughts of industry, environmental groups and the many different parts of industry that would be dealing with this legislation.

Of course, it was very important that our nation deal with the storage of greenhouse gas. Greenhouse storage has been going on in the world for 40 or 50 years, through the petroleum industry. It is a matter of putting a legislative framework around it in our country, taking into account the importance of our coal industry and our petroleum industry. I am very pleased that we are continuing to refine and pull together the work that was initially done by the minister through his bill and the committee which I had the privilege of chairing. We are always looking at off-
shore safety and the difficulties that can arise from bad experiences.

This bill was introduced in the last parliament and, because of the election, it is now being brought back into this place. I believe a bipartisan approach is being adopted, which is very important, because the regulation and safety of this industry are matters that we should agree on and should get right. It is so important for our nation. Australia needs to be at the forefront of ensuring there are strict regulations in light of what has happened in other parts of the world and, indeed, in our own waters recently.

The purpose of these bills is to make minor policy and technical amendments to the Offshore Petroleum and Greenhouse Gas Storage Act 2006 and the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003. On the back of the Montara Commission of Inquiry and the recent events in the Gulf of Mexico, the Australian government, to its great credit, is trying to improve the regulatory regime covering petroleum operations in line with the terms of the inquiry. Point No. 2 of the report of the inquiry stated that the government would review the adequacy and effectiveness of the regulatory regime applicable to operations at or in connection with the Montara oilfield, including under the Offshore Petroleum and Greenhouse Gas Storage Act 2006, and including the adequacy and effectiveness of all safety, environment, operations and resource management plans, and other arrangements approved by a regulator and in force at relevant times.

It has been apparent for some time that it is the responsible Commonwealth minister that increasingly carries the political responsibility for the offshore oil and gas industry. That is why we need these improvements to the role of the National Offshore Petroleum Safety Authority—to ensure that it can properly regulate the safety of offshore petroleum wells and related activities.

The miscellaneous measures bill will enact the government’s intention to strengthen the role of the National Offshore Petroleum Safety Authority; make clarifications on how titleholder provisions apply where titles are held jointly by two or more titleholders; make clear that a titleholder’s responsibility under the occupational health and safety provisions of the act is for wells, and not more broadly for facilities; and to make some technical amendments to achieve a more enforceable regulatory regime and to update the act.

The safety levies amendment bill provides transitional arrangements to ensure that appropriate levies may be collected for pipelines in designated coastal waters. The government amended the act in 2009, removing provisions that reference pipeline safety management plans and pipeline management safety plan levies and replacing them with a safety case levy that includes pipelines. The current amendments provide transitional arrangements to allow states and territories to amend regulations under their petroleum legislation relating to designated coastal waters so that it reflects the recent changes made by the Commonwealth to its act and regulations. The states and territories have some jurisdiction in this area.

The Montara oil spill made it clear that we needed to augment NOPSA’s functions to ensure that it can effectively and fully regulate the structural integrity of petroleum and greenhouse gas facilities, wells and related equipment, even where certain structures such as pipelines and wells may not have people at or near them for extended periods of time.

Although these amendments do not extend NOPSA’s role beyond that of an occupa-
tional health and safety regulator, this nevertheless represents a step towards a more powerful and centralised regulator. In recognition of the fact that a regulator cannot be everywhere at once, and that it relies on the titleholder informing them of compliance with its requirements and directions, these amendments toughen some of the offence provisions by making them strictly liable where the offences involve an act or omission alone. This means that NOPSA no longer has to prove what a titleholder did or did not intend to do with respect to a safety function, but merely that a certain action took place.

A higher safety burden is therefore placed on titleholders in respect of some offences under the bill. At the same time, part 5 of the miscellaneous measures bill properly assigns to wells the duties of titleholders under the OHS provisions of the act. As it exists, the act could imply that a titleholder has duties in relation to facilities over which the titleholder has no direct responsibility or reasonable control. Under the proposed amendments to the act, the titleholder’s liability is properly assigned to areas that it has control over, such as all aspects of well design, construction, maintenance and operation, rather than facilities in general.

This bill makes a very good contribution to upgrading and putting our legislation in order. When we look at our own problems with the Montara well and also the difficulties in the Gulf of Mexico in recent times—the problems in the wetlands, the social issues for all those people around that area and the economic downturn in the fishing and tourist industries for the United States—we see the need to have very good regimes in place. I commend the minister for getting on with the job, and I support the bill.

Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (7.46 pm)—in reply—I express my appreciation to the House for the constructive manner in which the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010 and the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2009 have been debated. In doing so I extend my particular appreciation for their participation in the debate to the members for Groom, Paterson, Capricornia, Corangamite and Lyons. These bills amend the Offshore Petroleum and Greenhouse Gas Storage Act 2006 and the Offshore Petroleum and Greenhouse Gas (Safety Levies) Act 2003. I will clarify some issues about the levies at the outset because they were mistakenly misrepresented by one of the contributors to the debate. The only measures going to levies are the transitional arrangements for the phasing-out of the pipeline and safety management plan levy. There is no proposal to introduce new fees as a result of the House’s consideration of these bills.

There are a number of amendments in the bill that, while comprising only a small part of the legislation as a whole, are nevertheless important. They include the strengthening of the functions and powers of the National Offshore Petroleum Safety Authority to more effectively enforce the safety regime, the streamlining and clarification of provisions in relation to multiple titleholders to benefit regulators and titleholders alike, improvements to enforcement and compliance aspects of the regulatory regime and the clarification of titleholders’ occupational health and safety duties in relation to wells. In essence, these bills underscore the government’s commitment to the maintenance and continuing improvement of a strong, effective framework for the regulation of offshore petroleum and greenhouse gas activities.

During the debate a number of related issues were raised by members, and I seek to
respond to a couple of those. The issue of the Montara commission of inquiry, which was conducted by Mr David Borthwick, was raised by most contributors to the debate. I confirm to the House that I received the commission of inquiry’s report on 18 June this year. As I have said publicly on a number of occasions, I remain committed to releasing the report once the Australian government has given proper consideration to its findings and recommendations. Further, I say again that I intend doing that prior to Christmas this year. The House should not forget that the report contains 105 recommendations and 100 findings with wide-ranging implications for government regulators and the offshore petroleum industry. The goal—and I think this is also the goal of all members who participated in this debate—is to ensure that Australia’s oil and gas exploration and production operations are the best and safest in the world. I believe that applying the lessons learnt from an instance of the loss of well control here in Australia at the Montara wellhead platform and another incident in the Gulf of Mexico are vital to achieving that goal.

With that goal in mind, the Australian government is paying heed not only to the Montara report but also to the lessons to be learned from proper consultations with the US administration and BP and other petroleum companies on the incident in the Gulf of Mexico. We as a government, in finalising our response to the Montara report, will continue to monitor closely developments in the US and share information from our experiences with our American counterparts. The government remains very firmly committed to establishing a regulator for offshore petroleum activities in order to provide the community, the government and industry with assurances that all petroleum activities meet world-class standards.

I again indicate that our consultations to date have seen support for the establishment of a national regulator from industry and from all state and territory governments other than that of Western Australia. I am committed, in the finalisation of this legislation, to further consultations with the opposition and to my ministerial counterpart in Western Australia. I think this is important, because in bringing forward our proposed model for the national offshore petroleum regulator we will seek to ensure that we take industry with us and because we remain committed to the establishment of a national regulator by 1 January 2012 to ensure that the petroleum industry meets world-class standards on safety and environmental matters. More than ever, this is in line with the expectations of the Australian community, and it has full industry support.

I turn now to the issue raised by the member for Paterson: the operation of Advent Energy and some potential drilling 55 kilometres east of Newcastle. I remind the House that the discovery of new petroleum reserves has the potential to reduce Australia’s energy import dependence and increase supply certainty. This, to be fair, was acknowledged by the member for Paterson as an objective of the government.

For those reasons, Australia’s offshore petroleum regulatory regime places the onus on the operator to demonstrate that all exploration for and extraction of petroleum resources is undertaken in a safe and environmentally responsible way. That said, all petroleum activities in Australian waters are subject to the stringent environmental standards and reporting requirements set out in the legislation and associated regulations. These clearly include the bills before the House this evening, the Offshore Petroleum and Greenhouse Gas Storage Act 2006 and the Environmental Protection and Biodiversity Conservation Act 1999. In accordance
with these legislative requirements, companies undertaking petroleum exploration and development drilling in Australian waters are required by law to have an approved environmental plan containing an oil spill contingency plan. Some suggest that we should have a moratorium on exploration and development in Australia. I simply say that to adopt that short-sighted approach would undermine Australia’s energy security, and no one in this debate has suggested that this evening or in the lead-up to the debate.

That in turn takes me to the issue of Advent Energy Ltd. For the information of the House, the permit was granted on 24 June 1999 by the then Howard government. It is held by Bounty Oil and Gas with a 75 per cent stake and Advent Energy Ltd with a 25 per cent stake as the operator through its wholly owned subsidiary Asset Energy Pty Ltd. In July 2010 Asset announced an estimated resource of 13.2 trillion cubic feet. This effectively means prospective gas across the offshore Sydney basin, noting further assessment will be required through well analysis. On 27 August 2010 Bounty advised the Australian Stock Exchange that the exploration well site 55 kilometres east of Newcastle had been finalised. The company has appropriately contracted the Ocean Patriot semi-sub rig obtained from an assignment contract with Apache to drill the well to a depth of 826 metres in water approximately 140 metres deep. The well will test both the Great White and Marlin prospects, which are now considered to comprise the major undiscovered prospective gas reserves across those two prospects.

In line with the requirements of the Offshore Petroleum and Greenhouse Gas Storage Act, the approval of petroleum operations is the responsibility of the designated authority, which also includes the New South Wales department of mineral and forest resources. The well operation management plan for this operation has been lodged with the designated authority for assessment. I remind the House also that the environmental plan includes an oil spill contingency plan, which has also been lodged with the designated authority. My department advises that the New South Wales minister, through his department, is currently holding community consultations on the drilling which has included distribution of the environmental plan to several regional councils.

Mr Hockey—who’s the minister?

Mr MARTIN FERGUSON—Mr Whan. I place those facts on the record in response to the constructive manner in which the member for Paterson raised these issues this evening. He clearly indicated he was not about demonising the industry because of its importance from an energy security point of view. I simply remind the House that in terms of exploration and development in Australia we have a very strong regulatory environment which is strengthened by the bills before the House this evening.

The member for Groom also raised the question of carbon capture and storage and its viability. I remind him, as he is actually a significant supporter of the Gorgon LNG project in Australia at the moment, that not only is it the biggest investment in a single project Australia has ever been the beneficiary of but it is also potentially the largest commercial deployment of carbon capture and storage in the world. Clearly in the foreseeable future there will be a change in the energy mix in Australia. I personally expect that we will see a growth in gas and in wind power. I also appreciate that, whether or not the Greens or some environmental NGOs like it, coal is also going to be a significant contributor to energy security in Australia. For those reasons, it is our responsibility to invest in research and development related to the potential commercial deployment of car-
bon capture and storage, not only with respect to the operation and development of the LNG industry in Australia but also with respect to the operation of coal fired power stations in Australia.

Our responsibility as a nation is not to seek to select the best energy mix but to invest in appropriate research and development activities which enable the market to determine the appropriate energy mix over time. It is in that context, I remind the House, that we as a government are therefore committed to resolving a price on carbon. Without a price on carbon, there is a lack of certainty for the purposes of investment in capital intensive assets such as those required in the electricity sector. If anyone has any doubts about that, they should speak to the electricity operators in Australia at the moment, because they argue very strongly that without a price on carbon we will be unable to make the necessary investment decisions going to the energy security of Australia in the foreseeable future. New South Wales is a prime example of that, because the last major investments in energy in terms of coal fired power actually occurred under the Wran government. As a result of Neville Wran's leadership, we have had the benefits of that investment for many decades. The problem now is that, because of the desire for Australia to have a reliable energy system, the gap between baseload and peak energy in Australia has been significantly reduced, and over the next three to five years we need to make some very fundamental investment decisions with respect to the electricity sector in Australia.

With those comments, I commend the bills to the House and express my appreciation of the constructive manner in which the members for Groom, Paterson, Capricornia, Corangamite and Lyons approached this debate, because the petroleum sector is fundamental to our economic future in terms of investment, training and job opportunities in Australia in the 21st century.

Question agreed to.

Bill read a second time.

Third Reading

Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (8.00 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (SAFETY LEVIES) AMENDMENT BILL 2010

Second Reading

Debate resumed from 29 September, 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) (8.00 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

SUPERANNUATION LEGISLATION AMENDMENT BILL 2010

Second Reading

Debate resumed from 29 September, on motion by Mr Shorten:

That this bill be now read a second time.

Mr HOCKEY (North Sydney) (8.01 pm)—This government has an unhappy history on the subject of superannuation. In late 2007, the then opposition promised to
change superannuation ‘not one jot, not one tittle’. Oh, how we remember the prophetic words of Kevin Rudd in 2007 when, as Leader of the Opposition, he said he was not going to touch superannuation. As is typical of Labor, it has broken that promise not once, but on numerous occasions. For example, Labor has halved the concessional contribution caps, penalising thousands of Australians who inadvertently exceeded them and undermining Australians’ incentives to save for retirement. Having broken not just that promise, the Labor Party then cut back the government co-contribution payments for the poorest people. If my memory serves me correctly that was in the 2008 budget, when they did not have to do it. Of course, they were projecting a surplus in the 2008 budget. How ambitious that was, that Labor should deliver a surplus budget! Of course, they never have and I doubt they ever will. But that did not stop the Labor Party, which cut back on the co-contribution payments for those on the lowest incomes. As if that is not enough—if that does not break the promise of ‘not one jot, not one tittle’—Labor mandated that industry funds be the default superannuation funds for the bulk of the modern awards, thereby closing down competition.

I see in the chamber the member for Dobell, who is not only a previous union official—so he would love the industry super funds—but who was also the beneficiary of union support during the recent election campaign and during the 2007 campaign. In fact, all the Labor members were. How do they pay back their union mates? They go and make the industry funds default funds under the modern award system.

Mr Hartsuyker—No competition!

Mr HOCKEY—No, you do not want competition from the private sector. For crying out loud! Industry funds? Bernie Fraser knows how to manage people’s money. He made a living out of it during those glorious days when he was at the Reserve Bank and upped interest rates to record levels. No, put him in charge of the nation’s superannuation—that would do the job. Then, in a further break of the Labor Party’s commitment to touch superannuation ‘not one jot, not one tittle’, as Kevin Rudd said, the Labor Party promised to tender the role of the superannuation clearinghouse to the private sector. But, instead, they went to Medicare. I thought Medicare had responsibility for refunding payments out of the MBS to individuals. But, no, the Labor Party, in its infinite monopolistic public sector wisdom, said, ‘Let’s get Medicare to become the clearinghouse for superannuation.’

Mr Hartsuyker—No tender!

Mr HOCKEY—No, there was no tender. Why would there be a tender? It is Medicare. Medicare is a government owned monopoly. It is so obviously the case that they would make Medicare the only clearinghouse for superannuation. This is Labor writ large. Remember, they promised ‘not one jot, not one tittle’. In that unique Rudd-like language in 2007 they promised not to touch superannuation, and then the tentacles of socialism wrapped around the superannuation system at the behest of the government as they sought to deliver for their union mates in the industry funds but also, more significantly, as they sought to get their hands on Australians’ money. Of course, this is not just in superannuation. Not only does the Labor Party want to get their hands on Australians’ super, they want to get their hands on Australians’ income. That is why Labor increased so many taxes, from tax on alcopops to taxes on cars. And that is why the Labor Party has played around with a range of different concessions to ensure that Australians end up paying more tax, not less, to the government.
over the course of this government’s two terms.

Typical of the Labor Party, they do not want to admit that they have broken a promise—oh no, they would not admit that they have broken any promises. Obviously there has been a sea of promises. Today we had another illustration of a broken promise when the Prime Minister said that they were going to open some new detention centres, after having said before the election that they were unnecessary. It is not just the present Prime Minister or the previous Prime Minister who has chosen to break promises made by the Labor Party; it is the Deputy Prime Minister and Treasurer who, in May 2009, said:

The government will reduce the generosity of some superannuation concessions for those with greater private wealth.

The cap on concessional super contributions will be lowered and the matching rate of the superannuation co-contribution will be reduced temporarily.

That was 2009. In April 2010, the Deputy Prime Minister and Treasurer said:

We certainly didn’t breach any promise that we made about superannuation.

He lives in this different paradigm, this different universe, old Swanny. He is out there in his own little orbit going around in his own little planet, where he says there is no breach of any election promise—they didn’t breach any promise because the words of the former Prime Minister Kevin Rudd meant so little. They meant not one jot, not one tittle—all those changes they made to super never really happened. Well, they did. They are in the budget. But still they say they never really happened. He went on to say, and this shows the absurdity of his claims:

We certainly didn’t breach any promise that we made about superannuation. It is true that we changed the caps because the caps were excessively generous, and in changing them we did not breach any promise.

That is your Treasurer. Are you proud of this man?

The DEPUTY SPEAKER (Mr S Sidebottom)—No, he is not my Treasurer. You will speak through the chair, thank you.

Mr HOCKEY—Speaking through the chair, I can understand the Deputy Speaker disowning him.

The DEPUTY SPEAKER—Just direct your comments through the chair.

Mr HOCKEY—to the member for Dobell and the two new members here, the member for Bass and the fellow in front of the member for Dobell—I am not sure where he comes from—

Mr Mitchell—I took a seat off you!

Mr HOCKEY—What a rare moment that was. But I say to you—

The DEPUTY SPEAKER—Order! The member for North Sydney will direct his comments through the chair.

Mr HOCKEY—I direct them through you, Mr Deputy Speaker, to the three Labor members over there and even to the member for Adelaide at the table, and I would ask those members: are you proud of a Treasurer who commits to keeping an election promise not to touch superannuation and then says, ‘Well, we changed the caps because the caps were excessively generous, and in changing them we did not breach any promise’? Isn’t there something ironic about that, or something hypocritical, when this comes from the lips of the Treasurer? He expects us to believe him on so many different things. It is Orwellian; the ministry of truth—I am telling you the truth; I am lying. That is what the word of the Treasurer amounts to.

The net effect of this tampering and backflip has been to undermine certainty and discourage Australians from saving. And natu-
rally enough—how can they have confidence in a superannuation system, let alone confidence in a government, that fails to keep its promise? It was with the government’s record of meddling and interfering with superannuation in mind that the coalition approached the Superannuation Legislation Amendment Bill 2010. This bill is not a major reform of the superannuation system. It will do nothing to increase national savings. Nor does it address the important reforms laid out by the Henry taxation review. This bill essentially tidies up a few loose ends. It implements a range of measures and minor clarifications to Australia’s superannuation system.

First, it gives effect to the 2010-11 budget measures to allow for a transfer of unclaimed state and territory public sector superannuation moneys to the Commissioner of Taxation, as is the case for the private sector. That does not affect individuals; obviously those individuals have not claimed their super, and that money is sitting in state jurisdictions. Going to one place to claim unclaimed super is a good idea. That will facilitate state and territory authorities and public sector superannuation schemes paying unclaimed super money to the Commonwealth. This is a change to the current situation, and we think it is a pretty good idea so we will support it.

This amendment will extend the commencement of the 2007 changes to 1 July 2011, and that gives the super funds time to switch administrative arrangements over to the new requirements. This measure has been discussed with the industry, superannuation and insurance companies have been calling for clarification, and we think it is a good idea. This aspect of the bill will apply to the income years 2004-05 to 2010-11, and the amendment is sensible.

The third change addresses the powers of superannuation funds to acquire an asset in the event of a breakdown of a relationship of a superannuation fund member, without contravening the prohibition against related-party acquisitions. It will, for example, allow a trustee to acquire the actual asset rather than accept cash or a replacement asset from

Association of Superannuation Funds Australia claims:

The Commonwealth will not find it any easier to locate the owners of lost super when compared with state bodies. This illustrates that linking lost superannuation with new member accounts remains an ongoing issue. Nevertheless, the measure has the benefit of facilitating more uniform treatment of unclaimed money, and it is a one-stop shop.

I accept that. The second change will provide transitional relief for income tax deductibility of total and permanent disability insurance premiums which are paid by superannuation funds. Super funds generally take out death and disability insurance policies to insure their risk for a liability they may incur to their members. Legislative reforms in 2007 may have cast some confusion over the deductibility of that insurance. There was a clarification in 2009 to allow super funds to claim income tax deduction for the TPD insurance premiums to the extent the policies have the necessary connection to a liability of the fund to provide disability superannuation better.

This amendment will extend the commencement of the 2007 changes to 1 July 2011, and that gives the super funds time to switch administrative arrangements over to the new requirements. This measure has been discussed with the industry, superannuation and insurance companies have been calling for clarification, and we think it is a good idea. This aspect of the bill will apply to the income years 2004-05 to 2010-11, and the amendment is sensible.

The third change addresses the powers of superannuation funds to acquire an asset in the event of a breakdown of a relationship of a superannuation fund member, without contravening the prohibition against related-party acquisitions. It will, for example, allow a trustee to acquire the actual asset rather than accept cash or a replacement asset from
the related party. The measure will ensure that section 66 of the act is not an impediment to separating partners achieving a clean break from each other in terms of their super arrangements.

There will also be additional minor clarifications to the tax treatment of super that will allow an individual to give a notice of intent to deduct a contribution to the successor superannuation fund where the contribution was made to the original super fund. It will allow employers to claim a deduction for super contributions made with respect to a former employee within four months of that employee ceasing employment and at any time after the employee ceases employment for contributions made to defined benefit interests.

It will also clarify that the due date of the shortfall interest charged for the purposes of excess contributions tax is 21 days after the commissioner provides notice of the amount payable, which is sensible. It allows the commissioner to exercise discretion to disregard or allocate to another financial year all or part of a person’s contributions for the purposes of excess contributions tax before an assessment is issued. Furthermore, it provides a regulation-making power to specify additional circumstances when a benefit from a public sector super scheme will have an untaxed element. In addition, it will streamline references to the immigration secretary and the immigration department in relation to the disclosure of migration and citizenship information.

These amendments provide clarifications to the legislation, in our view, and we believe they will improve the operation of superannuation provisions in the income tax legislation. So, in short, the coalition supports the amendments because they are sensible, they are practical and at the end of the day I think the industry wants them to help reduce red tape.

But of course this does not address the more substantive issue of how we increase national savings. The coalition accepts that as a nation we need to increase national savings. And the starting point must be to run a budget surplus. That is the fastest way this government can contribute to national savings: to start running surplus budgets. And in doing so, instead of being in the markets, borrowing money in competition with small business operators, in competition with farmers, in competition with larger operators—and therefore effectively crowding out the markets—the best thing this Labor government could do would be to get the budget back to surplus.

Now, it is not just us saying that. It is the Treasury providing that advice, through the various red books. The department of finance is providing that advice. The Reserve Bank and members of the Reserve Bank are providing that advice. It seems to be every day that credible economists are coming out and saying the best thing the government could do when the economy is running at full capacity, to take upward pressure off interest rates, to prevent crowding out in the credit markets, is to start doing something about getting the budget to surplus faster. But of course this is a government that continues to roll out stimulus spending in 2012 for an economic downturn in 2008! It is a little late! It is like trying to have a heart-start defibrillator to get Lazarus out of the box three days after he died—it is a little late. But this government is continuing to borrow money. This government is continuing to spend money. It is running expansive fiscal policy at a time when the economy is running at near full capacity, therefore it puts upward pressure on inflation and it puts upward pressure on interest rates.
The Labor Party just do not get it. Just as their policy on water is a mess, just as their policy in relation to asylum seekers is a mess, just as their policy in relation to climate change is a mess, so too is their treatment of the Australian economy—confused, leading to delay and uncertainty, leading to the point where Australians are saying the government need to pull back on their expenditure. We are now in a phase where the Reserve Bank is about to go with interest rates beyond the norm. You can have old Swannie every day, going forward and saying, ‘Oh, well—

The DEPUTY SPEAKER—Order! The member for North Sydney—

Mr HOCKEY—look at the cash rates’—

The DEPUTY SPEAKER—Order! If you were not shouting so much you would hear me. Would you please use the correct name for the member and their seat.

Mr HOCKEY—Sure. The correct name for the member is Wayne Swan. His seat is Lilley.

The DEPUTY SPEAKER—Thank you. Use it.

Mr HOCKEY—Okay. Wayne Swan in Lilley, if that is what you choose to hear.

The DEPUTY SPEAKER—Or ‘the Treasurer’.

Mr HOCKEY—The Treasurer. Thank you for the short form, Mr Deputy Speaker—very helpful. I think it is hugely relevant that the Treasurer himself does not understand the ramifications of his own actions. From day one he has been uncertain of the direction he really wants to go. He comes into this place and he reads the lines that are fed up to him by the advisers to the dispatch box, and he reads the lines that are fed to him out of Treasury—not always exactly as fed out of Treasury, but along the lines—and he thinks, ‘Mission accomplished.’ But no, you have to have an instinctive feel for how things work. Had he had an extensive career in the private sector, the Treasurer himself would understand—

Mr Ewen Jones interjecting—

Mr HOCKEY—Or as my colleague the new member for Herbert, who is experienced in the private sector, in small business, would know; as my colleague at the table, the member for Cowper, would know—I am not sure whether the member for Adelaide would know. I don’t think the member for Dobell would know. Have you guys ever worked in business? No.

I would suggest that on this side of the House we know that you cannot keep spending more money than you have, that each year, if you spend more money than your revenue permits, you are going to be in a bit of trouble. This is something that Labor is not familiar with and the Treasurer himself is not familiar with. The Treasurer promised a surplus in 2008 and failed to deliver. When they were first asked about this, about when Labor will deliver their first surplus budget, they said, ‘Ah, we will be three years early.’ Three years earlier than what? ‘Well, three years earlier than we had to predict a surplus in six years time.’ You cannot deliver national savings if you do not have a surplus budget as part of the equation.

Mr Craig Thomson—Mr Deputy Speaker, I raise a point of order. I am enjoying the tirade that is coming here but I am not sure it has got much to do with the legislation that is before us. Certainly there is nothing in the legislation relating to the state of the economy, budgets and surpluses and those sorts of issues, and I would ask that you bring the member back to the legislation.

The DEPUTY SPEAKER—I know the member for North Sydney is very much aware of the specific nature of this bill and amendment and will stick to that.
Mr HOCKEY—Absolutely. As you know, Mr Deputy Speaker, superannuation is about savings and superannuation also contributes to national savings. The member for Dobell, who I think is the chairman of the economics committee, has just illustrated the dearth, the shortage, the absence of economic skills in the Labor ranks when he could not draw the fundamental link between superannuation as a savings measure and the contribution to national savings. So I would urge the member for Dobell to heed my words. Listen. I know you struggle to—

The DEPUTY SPEAKER—The member for North Sydney will speak through the chair and will address the legislation.

Mr HOCKEY—I look forward to contributing. I say to you, Mr Deputy Speaker: the government has no plan whatsoever other than simply increasing the superannuation levy from nine per cent to 12 per cent to try and increase national savings. It is a lazy approach. Even Dr Henry, in the now famous Henry review into Australia’s taxation system, said there is a better way and at the end of the day a more lucrative way for the nation to increase superannuation by taking a different approach to increasing the superannuation levy from nine per cent to 12 per cent with some reform of the taxation arrangements apply to existing super.

Of the 138 recommendations in the Henry review, the government chose to accept 2½ of the recommendations. Within six weeks they dumped one of those recommendations, the original version of the mining tax, which left them with 1½ of the 138 recommendations. That is right up there with the success story of the 2020 Summit, where I seem to recall a similar acceptance rate of recommendations. But I say to you, Mr Deputy Speaker, that not only is superannuation vitally important to the financial security of everyday Australians and their families but, most significantly, superannuation is important to our level of national savings. At this crucial moment when we have the most generous terms of trade in 50 years, we need to be a nation that can start to fund ourselves, that can start to fund our growth.

I fully accept that as a nation we have imported capital; since 1788 we have been importing capital. I accept that. We have had massive demand and need for significant funding of capital infrastructure in this country. And I do praise Bob Hawke as Prime Minister of Australia, who was not only a very good Prime Minister but also a good mate of mine and a constituent. I would say that he deserves great praise for the introduction of compulsory superannuation in Australia. I am a believer in compulsory superannuation and it is a significant contribution. The coalition government implemented an increase in the superannuation guarantee levy from, if my memory serves me correctly, six per cent to nine per cent in the latter part of the 1990s. But, as Dr Henry and the panel point out in the Henry review, nine per cent is about right. This government, in order to appease its mates in the industry super funds, undertakes an approach to national savings that if it were running surpluses would not necessarily be necessary. I would say to you that if it heeded the recommendations of the Henry review there would be a better way to increase the pool of superannuation and at the same time deliver longer term benefits to Australian superannuants.

What is of interest is the fact that there is a cost associated with the recommendation in the Henry review on superannuation. I accept that. If we were not running last year the largest cash deficit in Australian history and this year the second-largest cash deficit in Australian history, if we were not doing that, then, by my Lord, I say that we would be able to afford a whole lot of tax initiatives
that reduced the tax burden and provided a very real incentive for Australians to increase their contribution to superannuation and increase the benefits over the longer term of superannuation. So Labor have taken, as they traditionally do, a very lazy approach. You would appreciate this, Mr Deputy Speaker Scott. They have taken a very lazy approach to superannuation reform. This is not true reform. Australians cannot see where they will be at the end of it.

The irony is that Dr Henry and even the Labor Party themselves have identified that this initiative to increase the contribution surcharge from nine to 12 per cent is going to be at a cost to the budget over the longer term. So why not be smarter and accept the recommendations of Dr Henry? Why not be smarter and accept that you can improve the taxation arrangement for superannuation without putting a greater burden on Australian employers and employees?

We are going to hit the cathartic moment in the next few years where, under the Labor Party, Australians will be paying a new carbon tax and will be taking less pay home with an increased superannuation contribution. And interest rates are going to be higher. This is the classic combination that will end up being a perfect storm for the Labor Party over the next two to three years, because the cost of living for Australians is increasing. It will be this government’s actions and decision making—nothing short of that—that will make the everyday cost of living much harder for Australian families. The carbon tax means that electricity and so many other industries are going to be more expensive. Higher interest rates mean that people are going to have bigger mortgages, bigger credit card bills and bigger phone bills, with so many people putting them on their credit cards. Business is going to find it more expensive to fund expansionary growth because every day it will be out in the market competing with the government, which is in the business of borrowing $100 million a day to fund its fiscal expansion.

At the same time, above and beyond all of that, the Labor Party are increasing the superannuation contribution from nine to 12 per cent, which will mean that many individuals will have less take-home pay. Well done, Labor. All they could do is just cap it off with an increase in the GST. That would be the firecracker on New Year’s Eve. Labor have delivered to you all the bangers in the last hour in the lead-up to midnight and now they introduce an increase in the GST just to wrap it all up and make sure that Australian families and households are totally screwed by an incompetent government.

Mr CRAIG THOMSON (Dobell) (8.32 pm)—I rise to speak on the Superannuation Legislation Amendment Bill 2010. It is no surprise that the member for North Sydney is opposed to increases in superannuation for working families and working people, because the Liberal Party has always been opposed to superannuation for working families and working people. In Australia we have had superannuation in some form for over a century, but by no means has that been universal for most of that time. In fact, in 1974 the Australian Bureau of Statistics conducted the first survey of superannuation and it came up with a pretty sorry state. Only 32 per cent of the workforce was covered by superannuation and only 15 per cent of females who worked were covered by superannuation. In the private sector it was even lower. Only 24 per cent of people in the private sector had super cover under the conservative government that was in at that time. It was not until 1985 that there was a major breakthrough.

I also thank the member for North Sydney for pointing out the contribution that the union movement made to superannuation in
this country, working hand in hand with the Hawke Labor government. In 1985 the ACTU sought a three per cent employer superannuation contribution to be paid in as an industry fund as part of the national wage case claim with the then Australian Conciliation and Arbitration Commission. Before that, access to superannuation was deeply inequitable. For the member for North Sydney to stand here and rant for half an hour about the contribution that the coalition made to superannuation simply flies in the face of the facts.

He made some other incredible claims as well. The first was that the stimulus package that this government introduced was in some way a bad thing for Australia. As we all know, the Australian economy has come out of the global financial crisis better than any other country in the world. We have come out of it because of the targeted stimulus package that was there. The main point of the stimulus package was to ensure that we created and retained jobs in Australia. As the member for North Sydney would know, if you are contributing to superannuation as part of having a job, you need to actually have a job in the first place to contribute to superannuation. So national savings would have been affected if we had had hundreds of thousands of additional Australians out of jobs because of the global financial crisis. That is something that even a schoolboy economist would understand, but clearly the member for North Sydney does not.

He then tried to say that credible economists were critical of the path that this government took. I defy the member for North Sydney to come up with one credible economist who has not supported the stimulus intervention that this government took in relation to the global financial crisis. Whether it is international economists or the IMF or domestic economists, they have all said that this is the best targeted stimulus package in the world, and that is why Australia is seen as an economic marvel in terms of the way in which we came through the global financial crisis.

But we should not worry about what economists say, what the IMF says, what the Reserve Bank governor says or what Treasury says, because according to the member for North Sydney we do not need experts. We should ‘run the economy by instinctive feel’. So let’s not worry about the experts out there or the advice as to what is the best thing for the Australian economy or how we can keep people in jobs in Australia; let’s run the Australian economy by ‘instinctive feel’. If that is what the shadow Treasurer is proposing as the coalition’s policy and their approach to economics, it is a great thing that they are on the opposition benches and not in charge of the treasury bench. Heaven help us if we are going to ignore the experts and decide that this great economy and great country of Australia is going to be run by instinctive feel and we are not going to listen to the experts who are offering advice and who have said what a wonderful job Treasurer Wayne Swan and this government have done to ensure that Australia has come through the global financial crisis in a better position than any other country in the world.

As I said previously, before the unions’ national wage claim in 1985, only a minority of workers had superannuation. These were mainly higher earning white-collar workers, public servants and the defence forces. In recognition of the need to develop strategies to manage an ageing population, the then Labor government supported the ACTU’s claim. In February 1986 the commission confirmed that awards would include contributions of up to three per cent to approved superannuation funds. Between 1986 and 1990, superannuation funds rapidly increased, from around 40 per cent of employ-
ees to 79 per cent of employees, as a result of the commission’s ruling.

But despite the rapid growth a number of problems remained. The Labor government and the trade unions made sure that there was real reform in superannuation. There were considerable gaps in coverage in the private sector. There was a lack of compliance with award superannuation provisions. Not all employees were covered by the awards, and three per cent superannuation contributions were too small to significantly improve the retirement income for many employees—something that those on the opposite side, when they have been in charge of the Treasury bench, have never responded to and have never understood. They would rather us go back to the days when only 15 per cent of females had superannuation. That is the approach that those on the other side take.

Those on this side take a very, very different view to superannuation. We want to make sure that superannuation is accessible to everyone, that is equitable, that is not just for high income earners—white-collar workers—but is available to all. We on this side are actually proud of the relationship between the trade union movement and the Labor Party in establishing compulsory superannuation in this country.

In response to the problems associated with award superannuation, in recognition of its importance, on 1 July 1992 the superannuation guarantee was introduced. The superannuation guarantee was designed to be universal and compulsory, effectively extending coverage to employees who had previously not had access to it, requiring employers to comply and enabling a consistent increase in employees’ retirement savings in line with the government’s retirement income policy—an increase in national savings and an increase in individual savings, creating dignity for people once they reach retirement.

Again, I take you back to those figures. When the coalition was in government, only 32 per cent of the workforce was covered by superannuation, and only 15 per cent of females were covered by superannuation. So for the member for North Sydney to come into this place and lecture us about reforms in superannuation and say that we have not done enough in terms of superannuation and that we are not genuine about fixing superannuation flies in the face of the history of compulsory superannuation—the superannuation guarantee—in this country. It also flies in the face of our commitment to increase compulsory superannuation to 12 per cent. As I said, without the Labor Party, superannuation would be available only for those in white-collar jobs, those in the defence forces and those with high incomes.

This legislation goes to a number of changes and improvements and builds on the long history and legacy that Labor has had to superannuation. Firstly, schedule 1 amends the Superannuation (Unclaimed Money and Lost Members) Act 1999 and the Income Tax Assessment Act 1997 to facilitate the transfer of superannuation unclaimed moneys from state and territory authorities and public sector superannuation schemes to the Commissioner of Taxation. The amendments will also enable the commissioner to accept and subsequently pay out amounts transferred by state and territory authorities and public sector superannuation schemes.

I note that the member for North Sydney is in favour of this particular amendment, and it is a good thing that the coalition has decided to support the amendment. This amendment will allow for the transfer of four different types of unclaimed superannuation: former temporary resident unclaimed superannuation in public sector schemes, small
and insoluble lost accounts in public sector schemes, general unclaimed superannuation in public sector schemes, and private sector unclaimed superannuation which was paid to the states and territories prior to 1 July 2007.

The amendments will operate by allowing public sector superannuation schemes which have been prescribed by regulation to be treated as if they were private sector superannuation funds for the purposes of different components of the unclaimed money legislation. Only those schemes which have been nominated by the Commonwealth or the states and territories will be prescribed in the regulations.

Schedule 2 of this bill concerns changes to income tax deductibility of total and permanent disability insurance premiums paid by superannuation funds. Superannuation funds commonly take out death and disability insurance policies to insure their risk for an inability they may incur to their members, including temporary or permanent disability insurance. The practice of superannuation funds obtaining such insurance is consistent with the key objects of superannuation—that is, to provide benefits to members in retirement or, in the event of the member’s death, to the member’s beneficiaries.

As the fund contracts with insurance providers, any payout under an insurance policy due to the occurrence of an insured, permanent disability event will be made to the fund. A fund can only provide a benefit referable to that payment—and any other preserved benefits—to the member if a condition of release of benefits has been satisfied. There may be circumstances where, as a consequence of the definition of permanent disability used in the policy, a fund receives an insurance payment due to the occurrence of an insured event but no condition of release has been satisfied. With Better Super, the provisions regarding deductibility of TPD insurance premiums paid by the superannuation funds were rewritten and transferred from the Income Tax Assessment Act 1936 to the ITAA Act 1997, with effect for 2007-08 and later income years.

Industry representatives have indicated they consider that, under the ITAA 1936 provisions, a premium was fully deductible if paid for a policy insuring against some form of permanent disability and that this practice has continued after the 2006-07 income year under the provisions of the ITAA 1997. Industry’s practice has been to claim deductions for premiums relating to all TPD policies—notwithstanding that, in some cases, claims under such policies may result in payouts to the fund trustee in circumstances where the member could not satisfy the ‘permanent incapacity’ release condition.

To sum up schedule 2: the provision of the transitional arrangements will minimise the disruption to the superannuation industry. This will allow superannuation funds enough lead time to make the necessary administrative changes to apply the current provisions of the ITAA 1997 regarding the deductibility of TPD benefits as of 1 July 2011. Funds that have claimed the narrow deduction under the current law will have the opportunity to vary their tax return but this is not required. On the expiration of the transitional arrangements the current, narrower, tax deduction will be available to superannuation funds.

Schedule 3 of the bill deals with superannuation and relationship breakdowns. These amendments allow for a trustee or investment manager of a regulated superannuation fund to acquire assets from a related party where the acquisition occurs as the result of the relationship breakdown of a member.

This bill is in the long line of reforms that Labor governments have made to superannuation, starting most notably in 1995 with the historic agreement between the then Labor
government and the ACTU to pursue compulsory superannuation through the Conciliation and Arbitration Commission, in the historic test case that was run in that year. Since that time it has been the Labor governments that have gone about making sure that people who work will have dignity when they retire, by making sure that there are adequate funds for their retirement through compulsory superannuation. This is something that those on this side of the parliament are very proud of. It is a tradition that we are continuing with this legislation. It is something that we want to continue to do, and we want to increase that compulsory superannuation from nine per cent to 12 per cent to make sure that all Australians have access to proper retirement funds, that they are able to retire with dignity and have enough money in their retirement. This is something that only a Labor government will do. I commend the bill to the House.

Mr FLETCHER (Bradfield) (8.47 pm)—As we have heard, the Superannuation Legislation Amendment Bill 2010 contains several sets of amendments to the existing superannuation law. The amendment that I want to focus on specifically in my remarks tonight is one that is included within schedule 4. It is one which would allow the Commissioner of Taxation to exercise a discretion for the purposes of excess contributions tax before an assessment is issued. The fundamental point I want to make tonight is that to grant the commissioner a discretion in this way to deal with an assessment of excess contributions tax is an inadequate response to a serious problem. The serious problem is the fact that Australians can be exposed to very high rates of penalty tax in circumstances where they make an innocent and inadvertent mistake in the amount they contribute to superannuation. We need to consider why it is that the commissioner is required to be given such a discretion in the first place. The reason is that the policy approach of this government in relation to contribution limits for superannuation is a real mess.

As we know, there are limits on the amount that any Australian can contribute to superannuation so as to enjoy the benefits of concessional treatment. The concessional treatment, of course, is that moneys which are paid into a superannuation fund are taxed at the rate of 15 per cent rather than the individual’s marginal tax rate. As we also know, the policy reason underlying this concessional treatment is to encourage people to make provision for their own retirement through building up a significant superannuation balance so that they are not reliant on a government funded pension. As we have heard speakers from all sides remark tonight, that underlying policy enjoys bipartisan support. The important point is that the concessional tax treatment is only available up to the concessional contributions cap.

The Rudd government, in one of its early acts in this area, reduced this cap. People aged 49 and below had the cap reduced from $50,000 to $25,000, and those aged 50 and above had it reduced from $100,000 to $50,000. This was a poor decision. It was a bad piece of public policy. It was done with limited notice and represented a fundamental change to the rules of the game. It threw the existing salary sacrifice arrangements of many thousands of Australians into disarray. Somebody who had been making regular annual contributions at a level above $25,000 was suddenly hit with a significant change in the rules—and severe consequences, in the form of excess contributions tax at 31.5 per cent on all amounts in excess of $25,000.

Every time the government tinkers with the rules about superannuation, it reduces confidence in the system. So the fact that this was a serious change to the rules in the middle of the game was a problem in and of it-
self. But there is a further and more serious problem, which is that the rules that now apply are so capricious that they can penalise people very severely if they make an innocent error. For example, many Australians do not understand that the superannuation guarantee contributions contribute towards the concessional contributions tax. Why would they be expected to understand this? The regulations around this area are eye-glazingly complex and most Australians would be very surprised to know about the capricious consequences which can be visited upon them if they make an innocent error.

How might such an innocent error occur? There are several ways. A person may be salary sacrificing a large amount of money into their superannuation fund and may simply and in good faith make a calculation error about the amount they are able to contribute without attracting the excess contributions tax. Another scenario is that an employer may make additional concessional contributions to the employee’s superannuation fund in ignorance of other contributions made by the employee. The combination of both the employer and employee contributions may trigger the excess contributions tax. Alternatively, a person may have a windfall and may make an error by contributing too much of that to their fund without realising the serious consequences that follow. Or—recognising the reality, which is that most Australians do not follow these complex laws themselves but instead rely upon advisers—the person making the contribution may simply receive bad advice. Yet quite remarkably an individual who has made an innocent error does not simply have the option of having the contributions returned and being subject to the normal taxation arrangements.

The measure proposed in the bill before the House today to give the commissioner extra powers to exercise discretion in some of these circumstances is a bandaid solution to a serious design flaw. Many Australians would be quite shocked to know that if they make an innocent mistake in these circumstances they can potentially be exposed to consequences including a 93 per cent marginal tax rate. To explain that: if you make a concessional contribution or a contribution which is intended to be a concessional contribution and you exceed the cap of $25,000 you are, as we have seen, exposed to the excess concessional contributions tax of 31.5 per cent. But if you are also making a non-concessional contribution—that is to say, a contribution that is made out of post-tax income—you also face a limit. If you exceed that non-concessional contribution then any excess amount attracts tax of 46.5 per cent.

The interaction of these provisions means that in certain circumstances Australians can be exposed to marginal tax of 93 per cent on a superannuation contribution. That will happen if you make a payment that exceeds the $25,000 limit and also happens to tip you over your limit for non-concessional contributions. Once it is over the $25,000, the incremental component over the $25,000 is automatically deemed to be non-concessional. If that inadvertently takes your non-concessional amount over your non-concessional limit you then hit that 93 per cent marginal tax rate. Let us be plain: this is a badly drafted provision which visits harsh and unfair consequences upon Australians who make an innocent mistake, a mistake which is all too easy to make given the eye-glazing complexity of the superannuation provisions.

One of the reasons that this has turned from a theoretical to a significantly more present risk is the Rudd-Gillard government’s capricious reduction in the contribution limits. This has turned a problem which was in the main theoretical into a real prob-
problem that can cause anguish to many thousands of Australians. What is the Gillard government’s bold solution to this problem contained in today’s bill? The Gillard government’s bold solution is to give the commissioner extra discretion. This bill gives the commissioner the power to make a determination to disregard or reallocate contributions for the purposes of excess contributions tax without first issuing an excess contributions tax assessment. I look at that supposed solution with considerable suspicion. I believe that many Australians with experience of dealing with the Australian Taxation Office would share that suspicion. This is a second-rate solution to the underlying problem.

As we have heard from the shadow Treasurer, we support the measures in the bill, including this one, on the grounds that it is the best that the government has put forward. But when you have a law which is flawed you should deal with the fundamental flaw. Australians should not be put in the position where they can be exposed to a sudden-death penalty tax that could arise due to an innocent mistake.

According to the Taxation Office’s statistics, more than 35,000 Australians breached the contributions tax rules for the 2008-09 year. It is very likely that the number will be bigger in subsequent years if current trends continue, I would suggest. You have a very large number of Australians being exposed in these circumstances to considerable mental anguish. They may have sold a small business or may have received a one-off bonus and set out to put the proceeds into superannuation so as to provide for themselves and suddenly they find that they could be facing the prospect of a very large proportion of those proceeds being confiscated by the tax office. It seems to me that in these circumstances it is not good enough for those Australians to be fobbed off with wafty assurances that the commissioner might exercise his discretion. Australians have a right to expect better from this government, and it is a shame that the solution that has been put forward to this problem in this bill is a second-best solution rather than one that addresses the fundamentally unacceptable and capricious nature of these provisions.

Mr RIPOLL (Oxley) (8.58 pm)—I thank the House for the opportunity to speak on this very important bill, the Superannuation Legislation Amendment Bill 2010.

Mr Bowen interjecting—
Mrs Bronwyn Bishop interjecting—

The DEPUTY SPEAKER (Hon. BC Scott)—The Minister for Immigration and Citizenship and the member for Mackellar will stop the across-the-table chatter. They will give the member for Oxley the courtesy that he deserves.

Mr RIPOLL—Thank you, Deputy Speaker Scott, for controlling the conduct of the House. I appreciate it. I am expecting a point of order any moment.

This is a very important piece of legislation. It puts in place a range of changes that need to take place after the long 12 years of a Howard government that continually made changes to the superannuation rules, almost as if superannuation were a plaything. Superannuation is an exceptionally important part of the Australian retirement income system. It was put in place by the Australian Labor Party when in government a little bit over 20 years ago to ensure that ordinary working people have the opportunity to save for their own retirements so that they can be independent in their own retirements like other people in the community.

We on this side of the House believe in superannuation. We have introduced a superannuation guarantee on this side of the House. We have continued to improve its
performance over the years, as we are doing tonight in the amendments we have before us. I will take note of just a few of the things that have been said by other speakers about the changes we are making, but I particularly want to refer to the fact that these changes are in order to stabilise the superannuation system that we have in this country and follow on very clearly from the Henry review’s report on the sustainability of superannuation in this country and also the review that was done by Jeremy Cooper on structural efficiencies in our superannuation system.

If any government or anybody in this country is serious about a decent, fair, equitable and independent retirement—and we know that people ought to be given that opportunity—we need to get the rules right. We need slow, methodical, strategic change that is sustainable. Unfortunately that is not what we got under the previous administration. The attitude of continual and elastic, rubbery change that blew out of proportion the rules and conditions under which people could contribute to their superannuation really did set about putting superannuation on a trajectory that was unsustainable. What we are doing tonight in these amendments is making sure that we have a superannuation system in this country that can survive in the future and provide for individual people.

I will also draw to the attention of the House a small point from a little report called the *Intergenerational report* just to put into context the issue of sustainability which we all face and which we as a government face. By 2050 it is projected that there will be twice as many 65-year-olds as there are today. In 2050 there will be four times as many people aged over the age of 85 as there are today. Those are pretty stark facts. But the fact that really sticks in my mind is that in 1970 there were about 7.5 people in the workforce for everyone aged 65 years or older. Today there are about five people in the workforce for everyone aged 65 years or older. But in 2050 that figure is expected to be only 2.7 people in the workforce for everyone aged 65 years or older. That concerns me. That is an issue that government should deal with and should deal with properly. We need to provide for a stable, secure, long-term superannuation system which is sustainable a long way into the future rather than what may suit a small proportion of people who make specific contributions to their superannuation at particular points in time. I think that is the key bit that was missing in the debate that we heard from members of the opposition.

We need to get the settings right, and we need to leave them there. We need time for people to absorb them so that they are not confused, so that they do not have to deal with complex superannuation. Superannuation ought not to be so complex that you have to deal with it on a daily basis. For most people, it should be the case that they can deal with their superannuation on an annual basis or on a periodic basis as is their requirement rather than having to deal with continual government change and tinkering at the edges—the sort of changes we saw from the previous Howard government, which were just completely unsustainable and which distorted the capacity of our superannuation system into the future.

We have heard the very disingenuous debate of the other side. Most of it, although not all, was around the politics of this. On the one hand they were saying, ‘Yes, we will support this bill, but of course there are some problems with it,’ but on the other hand they have the view that in opposition you can never trust the ATO, Treasury or any government department. That is somewhat bizarre because it was not the case when they were in government. You cannot have it both ways. Where the rubber hits the road in this chamber is that you cannot have it both
ways. If the professional people in those bureaus were good enough when the other side was in government, they ought to still be good enough today. If they could trust the ATO when they were in government collecting people’s taxes then they ought to be able to trust them now. You cannot have it both ways. If we have a professional bureaucracy and a professional Public Service in this country then we should not come into this place and deride them every time it suits our agenda or when they somehow do not match up with our particular political leanings.

These amendments actually make some very important changes to do with unclaimed money and members’ lost money. It is quite a significant figure. While the regulation does allow for private superannuation funds to transfer those unclaimed moneys from state and territory authorities across to the Commissioner of Taxation, that is not the case in the public sector—but it ought to be. We make those changes to make it clear and transparent and for there to be the ability to transfer those moneys across to the Commissioner of Taxation.

In saying that, it is important for people to also note that at any time they can claim for any lost funds that they discover or any moneys that have been unclaimed. It does not change that particular provision. People are still able to access their funds at any time in the future. More than that, what concerns me is the actual sheer size of the pool of unclaimed moneys and lost members’ funds, and in the future there is more work for us to do in dealing with those issues as well.

There is also transitional relief for income tax deductibility of total and permanent disability insurance premiums that are paid by superannuation funds. This is to get right the transitional arrangements that are in place so that premiums are paid in the correct amounts and also to provide a greater scope to deduct those total and permanent disability insurance premiums which are paid by the funds themselves.

There are also a range of other minor amendments which allow the public sector superannuation schemes to be prescribed by regulation to be treated as if they were a private sector scheme. That draws the rules that apply in one sector across to the other and makes sure that only those schemes which have been nominated by the Commonwealth or the states and territories will actually be prescribed in the regulations.

There is a particular amendment relating to the option of transferring both existing stocks and future flows of unclaimed superannuation to the ATO. That amendment will facilitate more uniform treatment of all those unclaimed moneys in both the private and public sector funds and I believe it will improve the likelihood of reuniting individuals with their lost or unclaimed superannuation. As I said earlier, this does not prohibit individuals from being able to claim from the ATO, at any time in the future, the money that belongs to them. This measure will have a positive revenue gain, which is estimated to be just under $30 million for the ATO over the forward estimates. There are a number of other transitional measures under the legislation which ensure that these things are done in accordance with the Income Tax Assessment Act 1936 and a range of other acts so that they accord with regulation and law, but these amendments do not limit the operation of the current law in any particular way.

There was a point raised about the discretion of the commissioner to make certain judgments in terms of excess allocation of funds to a superannuation fund and the tax implications of that. Our amendments clarify the due date for the shortfall interest charge for the purpose of excess contributions tax,
which is 21 days after the commissioner provides notice of the amount that is payable. There is also provision to allow the Commissioner of Taxation to exercise discretion to disregard or to allocate to another financial year all or part of a person’s contributions for the purpose of excess contributions tax before an assessment is issued. It seemed that the only concern that the opposition had in relation to that was an issue of trust.

The issue was raised of whether you could possibly trust the ATO to get this right. If individuals make a mistake, the opportunity always exists to revisit that mistake, just as it would if the ATO made a mistake. So it is not so much an issue of trust but of whether an error is made. If an error is made there is an opportunity for individuals to revisit that error in a number of ways. I think the mechanisms provided are appropriate discretions for the Commissioner of Taxation and will actually make dealing with concessions and overpayments in relation to superannuation contributions easier.

People should pay a great deal of attention to the rules around superannuation, and if it is complex—and I accept that it is—they need to seek good advice. This is not an area where people should, without being fully informed, make ad hoc, irregular payments, not understanding the full tax consequences or implications of what they do. You would not do that in relation to any of your other financial dealings—be it tax, contributions to other funds, deductions or investments—and I do not see why superannuation contributions should be any different. A person needs to inform themselves properly. They can get professional advice on the proper mix of their superannuation contributions, their retirement goals and their needs to make sure that they get that mix right. This is not something that should be just played at as a game or where people should make some sort of guess and hope to get it right. It is too important in terms of people’s lifelong contributions and in terms of tax implications not only for individuals but also for government.

The reason that people make those extra contributions and the reason that there is a generous concessional contribution limit is that it is an attractive way to save. It attracts a lower rate of interest and costs less than any other investment vehicle. Therefore it is understandable that government needs to be able to effectively control, manage and support the system—which is supported by the tax system and by the taxpayer—to ensure that it is fair for everyone who contributes to it and to ensure that the tax paid at the start, during and at the end is fair and that people fully understand the system. I accept the issue of complexity and I accept that people ought to inform themselves fully, but I do not accept the opposition’s proposition that it is just a matter of trust and that you could not trust the Commissioner of Taxation to exercise discretion on these matters.

I note that the opposition does support these amendments. They are good amendments and I think they add more weight to a whole range of very important and necessary improvements that this government is making to our superannuation system for the long term, for its sustainability, for its ability to provide for people in their retirement. From modelling and a range of research, we understand what the future of this country will look like with respect to the number of people who will remain in the workforce compared to the number of people who will be retiring in 30, 40 and 50 years time. I congratulate the government and the minister for their good work in this area. I know that this is good legislation and it has the support of the House.

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (9.13 pm)—in reply—
Firstly, I would like to thank all those members who have contributed to this debate on the Superannuation Legislation Amendment Bill 2010. It is a good thing that the Minister for Immigration and Citizenship is at the table, because when he was minister for superannuation he contributed to a lot of the reforms which I am helping to implement now. I would also like to acknowledge the member for Oxley, whose work in terms of financial planning and other matters has added a lot to this debate.

The amendments contained in schedule 1 will allow both state and territory authorities and public sector superannuation schemes to transfer unclaimed superannuation to the Australian Tax Office. This will facilitate the centralisation of unclaimed superannuation administration with the ATO rather than with both the ATO and the numerous state authorities. Unclaimed superannuation typically arises when a fund cannot locate a member who has reached age-pension age and is entitled to a payment. Individuals will still be able to claim back their money from the ATO at any stage. The legislation will operate so that it only applies to those Commonwealth, state and territory schemes that are prescribed in the regulations. These amendments will also enable the ATO to subsequently pay out and apply the correct taxation treatment to amounts transferred to the states and territories and to Commonwealth public sector schemes.

These amendments will mean an ongoing gain to revenue estimated at $29.6 million over the forward estimates. The revenue gained from the measures will result from the transfer to the ATO of existing unclaimed superannuation held by the states and territories. The transfer does not in any way reduce an individual’s entitlement to that money; they will be able to claim their unclaimed superannuation back from the ATO at any time. Centralising administration in the ATO will mean that it will be easier for individuals to track down any unclaimed superannuation they may have.

Schedule 2 amends the tax laws to provide transitional relief to superannuation funds, enabling them to claim a broader deduction for total and permanent disability premiums—TPD premiums—for the income years 2004-05 to 2010-11. This amendment will allow lead time for arrangements to be put in place by the superannuation industry and enable funds to comply with the current law at the conclusion of the 2010-11 income year. Currently, superannuation funds can only claim a tax deduction for TPD premiums to the extent that their policies have the necessary connection to a liability of the fund for providing a disability superannuation benefit. The term ‘disability superannuation benefit’ only relates to a narrow range of TPD events. While the current law is consistent with the objectives of retirement income policy, it is misaligned with industry practice.

Both the term ‘disability superannuation benefit’ in the Income Tax Assessment Act 1997 and the term ‘death or disability benefits’ in the Income Tax Assessment Act 1936 are given a broader meaning under the transitional arrangements. Under the transitional arrangements, these terms relate to a greater number of TPD events, which will be described in regulations. The government has consulted with industry on the content of these regulations. This amendment will give certainty to the superannuation industry and facilitate compliance with the current law when the transitional arrangements cease.

Schedule 3 amends the Superannuation Industry (Supervision) Act 1993 to allow the trustee of a regulated superannuation fund to acquire an asset from a related party following the breakdown of their relationship. These amendments ensure that separating
parties will be able to obtain a clean break from one another in terms of their superannuation matters. They also provide for equitable application of the in-house assets transitional arrangements. The amendments will remove potential discrimination and inconsistent treatment in the current application of the law.

The amendments contained in schedule 4 will allow individuals to provide deduction notices to a successor superannuation fund where they have made a contribution to an original superannuation fund. The amendments will also allow employers to claim a deduction for superannuation contributions made for former employees four months after the employee ceased employment and at any time where the contribution is made to a defined benefit fund. The legislation will provide clarification of the due date for the existing shortfall interest charge in relation to excess contributions tax and will allow the Commissioner of Taxation to exercise the discretion to disregard or reallocate contributions for the purposes of excess contributions tax without first issuing an excess contributions tax assessment.

The amendments will provide a regulation-making power to specify additional circumstances when a benefit from a public sector superannuation scheme has an untaxed element. The legislation will make a minor amendment to streamline references to the immigration secretary and immigration department. These amendments are necessary to ensure the continued smooth operation of the superannuation provisions of the income tax laws. This bill deserves the support of the parliament, and I commend it to the House.

Question agreed to.

Bill read a second time.

**Third Reading**

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (9.19 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

**TELECOMMUNICATIONS INTERCEPTION AND INTELLIGENCE SERVICES LEGISLATION AMENDMENT BILL 2010**

Referred to Main Committee

Mr FITZGIBBON (Hunter) (9.19 pm)—by leave—I move:

That the bill be referred to the Main Committee for further consideration.

Question agreed to.

**AIRPORTS AMENDMENT BILL 2010**

Second Reading

Debate resumed from 30 September, on motion by Mr Albanese:

That this bill be now read a second time.

Mr TRUSS (Wide Bay—Leader of the Nationals) (9.20 pm)—I begin my remarks at this late hour on the Airports Amendment Bill 2010 in the knowledge that I will have to complete my contribution on some other day in the week ahead. The Airports Act was passed in 1996 and established a framework for the regulation of Commonwealth leased airports. The act sets out the requirements for airport master plans and also sets out development plans over a 20-year period which are updated every five years or earlier. Master plans are intended to establish the overall direction of the development of an airport site. The planning process reduces the potential for conflicts with surrounding communities, allows for the public to be informed of developments at the airport in question and enables them to be consulted on these developments. It also helps to provide guidance to the community about what kinds of developments are likely to occur at the airport in...
question during the period ahead. The Airports Act also requires that major development plans be prepared for specific development proposals. Both master plans and major development proposals require a period of public consultation, after which the plan is submitted for ministerial approval.

Commonwealth leased airport properties operate under Commonwealth jurisdiction, whilst their surrounding areas remain under state and local jurisdiction. This very fact gives rise to considerable conflict. There are often disputes in local communities about the operation of the airport. There are community groups that rise up in concern about noise and other issues on an airport property, and yet that airport property is absolutely vital and essential to the economic welfare of the local community and of the state and nation. Airports are essential community infrastructure. They are a vital part of ensuring that our nation is able to be connected to the rest of the world and that we are able to trade and to operate in association with our partners around the world.

Conflict often occurs between communities and airports. In most instances, particularly in the case of our major airports, they have been in place for many years—in most cases many generations. Indeed, the airport in Sydney, Kingsford Smith airport, was one of the first airports in our nation. So they were there. They have been established in a location. They may have begun as just a simple landing field, but now they house intense development, a concentration of traffic and people movement and a range of commercial and other associated activities, in particular industry associated with the aviation sector. In the interim, residential suburbs, commercial areas and the like have been constructed around them.

You can always say that the airport was there first and anyone who moved to the area did so in full knowledge that the airport was there, that they should have known that it was going to be noisy. Indeed, the argument often extends further, saying that in reality airports and aircraft have now become much quieter, that they are better managed than they ever were previously and that for those reasons some of the impact has declined. In addition, to extend that argument, housing properties are often down-valued—as, for that matter, is other land in the area—because of the fact that there is this activity in the community, and for that reason people are able to afford to buy houses in an area like that one where they otherwise might not have been.

To counter that argument, it is also reasonable to say that community values change. Community standards change. Our expectations about the comfort we expect in our lifestyle are different from what they once were. Noise, traffic or industrial activity around your home which may once have been tolerated is no longer acceptable. We have to accept the fact that community standards change. A classic example, though, of how the conflict can work itself out in real life is the Badgerys Creek airport site in Sydney. This was clearly acquired as a second airport site for Sydney. Everyone at the time felt it was a reasonable choice. Everyone has known ever since that day that Badgerys Creek was to be the site of Sydney’s second airport, but that did not stop the New South Wales state government and planning agencies from allowing development in that area which was simply incompatible with its eventual use as an airport. There is no doubt even to this day that, if you could take away all the things that have been built around it, Badgerys Creek would be a good site for an airport. But the reality is that people have moved in, development has
moved in and the communication lines which were so essential to Badgerys Creek operating as was originally intended have been cut by unsympathetic development approved by the New South Wales government.

That is an example of how the planning process has run astray. We now have the current government running off in its usual style, appointing committees, and again going out on a search for another airport site for Sydney. In reality, every government for the last 20 years or so has looked at all of the sites that might potentially be available in Sydney for the airport and have always come up with the same reasons why the various ideas will in practice not work. It is a tragedy that the site in Sydney identified by far-sighted people as the best place for its second airport has been so compromised that the current government has now come to the view that it can never be developed.

I am not sure we have even learnt that lesson, because there are still other examples around the country where developments are being approved by state and local governments in locations which will compromise the future operations of airports. Even in Canberra the proposed development of the Tralee residential area is inevitably going to have a significant impact on Canberra airport. In making a judgment about whether that kind of development should occur, we need to recognise the importance of the Canberra airport to this city and to our national capital. We must not take steps which are likely to compromise its future use for the purpose for which it is dedicated. The airport is important to this city and it would be a tragedy if, for some reason or other, large-scale development unsympathetic to the existing airport were to compromise the airport’s future operations.

So it is vital that in planning airports there is cooperation between all tiers of government. The Commonwealth is the owner of the sites. They are leased to various operating agencies. The Commonwealth expects those sites to be used as airports into the future. There has been substantial residential development. The Commonwealth knows that having functional airports is vital to our national economy. The state and local governments are keen to encourage residential development, but they must also recognise that the airports are job creators and are vital to the economies of their own regions. So we should not be undertaking commercial developments, residential developments or other activities which are incompatible with their neighbour, which in this case happens to be an airport.

Complaints about noise and other issues frequently arise from people who live around airports. I have to acknowledge, as the member for Pearce has commented frequently in relation to the Perth airport, that sometimes those complaints have not been handled as well as they should. Sometimes the communities have not been appropriately consulted about changes to flight plans and alterations to noise levels. Airports must also be conscious of ensuring they develop, maintain and nurture a good relationship with the people who live around them. At some airports, housing is very close to the airport surrounds. In Adelaide the nearest house is 600 metres from the runway. Clearly, that means you have a very close neighbour whose interests have got to be taken into account. In other places there are larger buffer zones. Melbourne and Brisbane airports in particular benefit from those larger zones.

Debate interrupted.

ADJOURNMENT

The DEPUTY SPEAKER (Hon. BC Scott)—Order! It being 9.30 pm, I propose the question:

That the House do now adjourn.
Adult Education

Dr SOUTHCOTT (Boothby) (9.30 pm)—More than 20 years ago South Australia designated four high schools as adult re-entry sites. Over the last 20 years these sites have continued under Labor and Liberal state governments. These schools have transformed lives. They have offered people a second chance at a high school education. In the most recent South Australian budget the Labor state government decided that, for people who are aged 21 and over, adult re-entry will no longer be an option—it will no longer be supported by the state Labor government. Hamilton Secondary College in my electorate is one of these schools. It is a school which has really focused on adult re-entry and has given many people an opportunity to get another start—people who did not have a good experience at school to begin with.

This decision has been made in order to save $20 million over three years. It is one of the biggest cuts in the state government’s education budget. It is short-sighted and has been poorly considered. It says a lot about the modern Labor Party that they are actually cutting education to people who left school early and did not get those opportunities. The Labor Party talks a lot about social cohesion and about education and employment opportunities for people, yet by cutting adult re-entry these people will miss out. Adult re-entry was designed to give adults over the age of 21 a second chance. These are people who for reasons often beyond their own control—it could have been for financial, emotional or mental health reasons—did not complete school the first time round. For many of these students it takes a lot to go back to school; it takes a lot to go through the gates. They have made a decision to finish high school, to get an education, so they are in a better position to gain long-term employment and make a significant contribution to the community. Now the state government is saying that these people will not be supported—that these people are on their own.

On radio recently the state Minister for Education, Jay Weatherill, likened adult education to a WEA course. He was suggesting that these people were doing it as a hobby, as an interest, rather than as a second chance to get a foot in the door to further education. There has been significant public outcry over the government’s proposal. A number of constituents have contacted my office. The Australian Education Union has condemned the state government, saying that they are under-cutting opportunities for thousands of South Australians and that this decision cuts across all concepts of access and opportunity.

I have met with staff at Hamilton Secondary College, a designated re-entry site in my electorate. There are more than 1,650 adults enrolled at Hamilton College; more than 80 per cent are 21 or over. Most of them are recipients of School Card, a means tested indexed allowance that acknowledges the need to support persons who are financially disadvantaged. The government’s decision will affect not just Hamilton but Marden Senior College, Para West Adult campus and Thebarton Senior College. Teachers at these colleges have built up expertise in adult education. That expertise will now be dispersed.

Ironically, at the same time the state government were announcing this $20 million cut to adult education we find that education bureaucrats from DECS were racking up a $100,000 entertainment bill, which is something like a sevenfold increase over five years. This is obscene. It says a lot about the modern Labor Party that they do not regard as a priority giving a second chance of education to people who are vulnerable or who are disadvantaged. It is time that the state Labor government revisited this decision. It is a poor decision. They have cut off oppor-
opportunities for some of the poorest people in our community when they should be supporting these people having a second chance at education.

Centrelink

Mr SIDEBOTTOM (Braddon) (9.35 pm)—Yesterday, the member for Canberra in her first speech made mention and paid tribute to public servants and the important job they do. That caused me to reflect on the important job that public servants do in my electorate. I thought I would share some thoughts on that and talk about my local Centrelink offices. Approximately 40 local employees in the two customer service centres in Burnie and Devonport provide face-to-face access for the community and customers in relation to about 140-plus different payments and services. Services are also available to the community through Centrelink’s national call centres—and through its online services via the Centrelink website. These customer service centres provide services to 43,739 customers within the Burnie and Devonport regions. Five Centrelink agents and one Centrelink access point are present in rural, regional and remote locations in my electorate to enhance customer access to Centrelink services.

Local specialist services are also provided by a range of employees through visiting services, seminars and one-to-one support and advice, including via the Centrelink community engagement officer, the multicultural services officer, the Indigenous services officer, the rural services officer, a social work service and financial information services officers. As you can see, Centrelink has a full suite of services available to its local customers.

Services are delivered to mutual customers in partnership with a range of service providers within the community including, for example, educational institutions, a wide range of state government agencies, local community sector emergency relief providers, emergency shelters and other agencies providing housing support, support services for various groups including youth, people with disabilities, carers, older Australians, refugees and Indigenous Australians, local councils and Job Services Australia providers.

I have many recent examples of positive outcomes from Centrelink partnering with other service providers on the north-west coast of Tassie. They partnered with Burnie City Council to organise the Burnie Jobs Expo in August 2009 and they organised the Centrelink Skills and Jobs Expo in Devonport in July 2010. These expos were held as a consequence of the large job losses experienced in our region. They coordinated the north-west jobs, training and education forums in Devonport and Burnie in April 2010, and responded to redundant workers in companies including Tas Paper, McCains, Tascot Templeton and Caterpillar. They are also continuing to work with Burnie Polytechnic, targeting both potential and current customers attending their ‘returning to study’ and ‘preparing for work’ courses. An introduction is provided to the group regarding Centrelink’s online services, followed by one-on-one assistance to navigate the Centrelink website to explore potential entitlements and/or online servicing opportunities. This partnership allows Centrelink to engage with some of the more vulnerable customers in a relaxed environment. Other partnership activities include continuing to build relationships with Youth Justice, exploring strategies for partnering to provide positive outcomes for youth at risk in our local community, and working with the local hospitals to cater more effectively to individual customer needs, looking at what services we need to put in place for customers as they exit hospital.
These are just some of the examples of the terrific service that our local Centrelink service providers offer to their customers, and I am sure those experiences are shared by other members of this House in their own regions. It is important that we do recognise the excellent work of our public servants, not just in Centrelink but also in this building and also, as the member for Canberra rightly pointed out, in this capital city itself. I found some of the facts and figures in relation to Centrelink and the services they provide nationwide to be quite staggering. For example, there are $84.2 billion worth of payments in the nation, 313 nationwide customer service centres, seven million customers, $32.7 million worth of phone calls and 114 million letters. (Time expired)

Murray Electorate: Echuca Hospital

Dr STONE (Murray) (9.40 pm)—The first patient was admitted to Echuca Hospital, on the banks of the mighty Murray River, in 1882. In 1890 a new south wing was built. In 1907 an operating theatre, nurses home and doctors accommodation were constructed. You are probably expecting me to continue with this happy history right up to modern times, telling the Australian people through this parliament how the population of the city of Echuca and its twin town across the river, Moama, now have a modern, up-to-date hospital serving the 19,000 locals and hundreds of thousands of tourists who come every year to this destination to water ski, to relax, to fish and very often to get married on the historic wharf.

In fact, thousands of local people will rally this Thursday to protest that there has been no new bed built in the hospital since 1962—that is right, not one new bed over almost the last 50 years. The population has grown enormously over the last 20 years, as you can imagine, and it is expected to grow by 18 per cent over the next 25 years on the Victorian side and by 40 per cent across the river in Moama.

The Victorian Department of Human Services recently reported that the region served by Echuca Hospital, now called Echuca Regional Health, compared to the rest of the state has a higher rate of cancer for both men and women, a higher rate of cardiovascular disease for males and a higher rate of diabetes for males. We need good health services.

Do not get me wrong—the staff and administrators, the volunteers and the support services do a magnificent job but they struggle to attract and retain specialists and professionals when they must work in virtually Third World accommodation and conditions. The hospital needs a total rebuild. It is literally falling apart. It is like a rabbit warren, with old louvre windows, bathrooms shared by accident and emergency patients, and women in the process of giving birth. Women tell horror stories about trying, between their contractions, to help elderly people on walking frames squeeze past them in noisy corridors.

Conditions are so bad that in winter patients have to bring their own heaters from home to stay warm in their beds in the wards. The old-style buildings may look picturesque, but try offering modern medical services out of 19th and mid-20th century structures, patched together and presenting unacceptable standards. The Echuca-Moama community is sick and tired of being overlooked and forgotten especially when they see other regional hospitals in places like Bendigo, Ballarat and Geelong get new funding to build adequate facilities—and, yes, they are all marginal seats—while the desperate plight of this hospital continues to be steadfastly ignored. The 565 staff deserve better. They cannot be expected to continue to work in such conditions.
The master plan for the new hospital is well advanced, with some government support, but a plan is not worth the paper it is printed on if it does not trigger a building event. On 9 September, Minister Nicola Roxon said on ABC GM radio that funding would go to those hospitals that showed public support for improvement of their facilities. While this revealed a strange way to set priorities, the Echuca-Moama community wants to inform the Minister for Health and Ageing that in 2007, during the worst drought on record, they raised $50,000 to link the emergency department to GV Health Pathology. In 2007 they raised over $24,000 in a single bike ride, the Murray to Moyne, to fit out a multipurpose health promotion van for the region. The Moama Bowling Club has raised $30,000 for a colonoscope. Echuca Regional Health has converted a close by aged care facility to student accommodation for tertiary health students studying with Melbourne University. They have $2.7 million of the $5 million this project needs.

This regional twin town and city of Echuca-Moama is doing everything it can to try to make do. But the fact is it is now a state of emergency for this vital health infrastructure. The state and federal governments cannot continue to overlook them. So at 10.00 am on 21 October Echuca will stop to rally for a new hospital. If I was not in parliament, of course I would be there, with my neighbour the member for Farrer beside me representing Moama.

Minister Roxon has been invited to Echuca to inspect this hospital, she has been invited to the rally and she has been invited to accept a deputation on this matter—something she is not keen to do. We are saying please, Minister Roxon and the Gillard government, think carefully about this regional hospital’s needs. You say you care, but enough is enough. This is a state of emergency.

**Newcastle Institute for Energy and Resources**

**Ms GRIERSON (Newcastle) (9.45 pm)**—I rise to pay tribute to Professors Paul Dastoor and Behdad Moghtaderi and Dr Elham Doroodchi, from the new Newcastle Institute for Energy and Resources, at the University of Newcastle, in my electorate. Professor Dastoor and the husband-and-wife team of Professor Moghtaderi and Dr Doroodchi were finalists in the ABC’s *New Inventors* program in September. In fact, of the five finalists, two were from the University of Newcastle.

Professor Dastoor, from the university’s Priority Research Centre for Organic Electronics, featured in the grand final with his organic solar cell paint. Professor Dastoor has developed semiconducting polymers capable of catching energy into a water based paint that can be printed or coated onto plastic sheets that can be placed on the roofs of houses. In the long term this technology will make it possible to directly paint a roof or building surface with solar cells, but printed solar cell technology could be available in as little as three years with myriad applications. This is exciting stuff. Solar paint would empower households across the country to generate their own electricity in a more affordable and sustainable way. This technology has the potential to reshape the energy infrastructure of Australia and the world.

The second finalists from the University of Newcastle’s Priority Research Centre for Energy, Professor Behdad Moghtaderi and Dr Elham Doroodchi, featured their GRANEX geothermal power generator. GRANEX delivers a 40 per cent improvement in both thermal efficiency and power generation on conventional power plants. GRANEX also increases the amount of elec-
tricity that can be generated from low-grade heat sources such as geothermal and industrial waste heat. Stephen de Belle, the Managing Director of Granite Power Pty Ltd, the company that has partnered with the team on the development of GRANEX, has said that ‘the performance of GRANEX would transform the power generation sector’. As we transition towards a more sustainable Australia in which we need to meet the renewable energy targets of 20 per cent renewable energy by 2020, I am extremely proud that Newcastle scientists and energy companies are leading the way in new technologies.

These two achievements build on the university’s success earlier in the year in the Vestas Winnovation Challenge, a global wind energy competition in Denmark. University of Newcastle engineering student Chris Rowe, along with his partner from the University of Toronto in Canada, beat a field of 40 finalists from 13 countries by devising an electricity generation system that tempered hydroelectric power with wind-generated electricity.

These successes are a testament to the excellence in innovation and energy research at the University of Newcastle, and I am pleased that the federal Labor government has contributed to this success. Both of these successful innovations now sit under the research umbrella of the Newcastle Institute for Energy and Resources, which was established in June this year through a $30 million endowment from the Australian government’s Education Investment Fund under the leadership of the Gillard Labor government. By commercialising its research in next-generation energy production, the institute will play an important part in helping to modernise Australia’s industries in order to improve energy efficiency and reduce our carbon emissions.

I am delighted that the new director of the institute is Alan Broadfoot. Alan’s track record in manufacturing—particularly as the former CEO of AmpControl, which is the largest power engineering firm in the Southern Hemisphere—and his lifelong commitment to continuous learning, innovation, research and successful enterprise can now all come together to lead what I have no doubt will be a world-leading energy and resources institute.

Newcastle is rapidly evolving and continuously renewing itself, remaining in constant step with the present and with the future. It is home to the Clean Energy Innovation Centre, the Australian Solar Institute and the CSIRO National Energy Centre and now hosts the Smart Grid, Smart City initiative. Newcastle has developed a reputation as Australia’s leading clean energy technology and research centre, and it deserves it. As we transition towards a more sustainable and greener economy, in which we use and manage our resources responsibly while getting the most out of them for the Australian community, the University of Newcastle, in my electorate, is playing a formative role. I again congratulate Professors Paul Dastoor and Behdad Moghtaderi and Dr Elham Doroodchi for showcasing to all Australians on the New Inventors final program what we in Newcastle already know about our expertise and ingenuity.

Murray-Darling Basin

Mrs MIRABELLA (Indi) (9.49 pm)—I rise to speak on the issue of the guide to the draft Murray-Darling Basin Plan, a plan that potentially represents the single greatest threat of devastation to regional communities across Australia. It was supposed to be a positive plan. It was supposed to be a plan that would return the basin to health. But what we have seen is a hastily put together,
ill-conceived plan that has not had the basic homework completed.

Labor have had more than enough time to produce a plan that sets out a path to reform but, as we witnessed, they sat on their hands for over a year, taking 18 months to even establish the authority. It comes as no surprise that the authority produced a fatally flawed report, because after 18 months of delay they had little time to conduct the necessary work required. The delay in establishing a proper process has only led to a very flawed and inadequate guide, which has led to great uncertainty and great, understandable, anxiety.

The guide itself was supposed to be released before the election. But, true to form, a government drowning in its own secrecy suppressed the information in an attempt to fool the electorate. This mob are so transparent. They will say anything; they will do anything. Every single word will have a double meaning. They will treat the electorate with utter contempt. The reason Labor hid the guide during the election campaign is now so crystal clear: it was a dog of a plan. Even with their limited care and limited knowledge and understanding of rural and regional issues they could see that it was a dog of a plan, and it would be a dog of a government that would try to implement any sort of plan that reflected the guide.

But herein lies the problem. During the election campaign when questioned on how the government might respond to the plan the Prime Minister quite often stated, ‘We will allocate money as necessary to implement the plan.’ So there you have it: sight unseen, the government commits to it. In typical phoney concern the government is now using smooth words and soothing tones from afar to con farmers but it is too gutless to actually appear in person at meetings and listen to rural communities face to face.

Consider for a moment some real facts from real communities. The Ovens catchment in my electorate of Indi is one of the most efficient and productive food-producing systems in the country. It is a major contributor to the Murray-Darling Basin system—the north-east provides 38 per cent of the water into the basin—and it returns between 95 and 99 per cent of its own inflows back into the system. Irrigators in the Ovens only take 14 gigalitres a year, a minuscule less than one per cent of total flows. But under the guide to the draft plan the authority has proposed to cut this irrigation entitlement by up to 71 per cent, so it is 71 per cent of less than one per cent that will gut agricultural businesses that rely on irrigation in the catchment.

It is unrealistic, and we saw from today’s estimates that, when questioned, Mr Freeman from the Murray-Darling Basin Authority noted that the Ovens catchment scenario as I have described it was the type of ‘perverse outcome’ that the authority would have to consider. And why didn’t they prepare the research and do their homework so that we did not have these perverse outcomes? He also went on to say that in relation to town consumption ‘recycling and reuse need to be looked at’ and ‘we are flagging the idea that some of these community water systems need to be reviewed because of the potential for alternative sources in those townships through reuse’. Which communities will have to reduce their consumption? Which communities will have to engage in reuse? Are you going to discriminate, and why are you doing this in communities that are such efficient users of water? The fact is that it is being done because the authority had little time and the government has not really given much care to a proper and deep analysis upon which to base such an important plan.

The argument that the fault all lies with the Water Act is erroneous and misleading. In fact, section 43 requires the authority to
produce ‘socioeconomic analysis on which the proposed plan is based’. So this is just an attempt by a government that cannot even accept responsibility for electrified roofs to shift blame to the coalition.

**China**

**Mr Danby** (Melbourne Ports) (9.55 pm)—The communist government in Beijing is one of the world’s most opaque. In recent months its inscrutable mask has cracked slightly to reveal a regime debating its future. The award of the first Nobel Prize to China, the Nobel Peace Prize to Liu Xiaobo, led to the expected recriminations from the Chinese Foreign Ministry and the arrest of Mr Liu’s wife.

Far more important, however, than the reaction of the 10 per cent of the Chinese communist iceberg above the water is the 90 per cent below the water. There are growing and public calls at the highest echelons of China for political reform. Prime Minister Wen Jiabao, according to Fairfax’s well-informed correspondent John Garnaut, has spoken of political reform seven times in the last 50 days. China’s popular *Southern Weekly* newspaper features Mr Wen on its front page saying the will of the people for political reform is irresistible. ‘I will not fall in spite of a strong wind and harsh rain and I will not yield to the last day of my life,’ said Mr Wen. His strongest pro-reform remarks were made on CNN a fortnight ago but they have been blacked out by the mainstream Chinese media, suggesting they were made without full leadership consensus. According to Du Daoben, interviewed in the reformist *Yang Huang Chu Qu*, Wen has the backing of Hu Jintao himself. The Communist Party cadre Du claimed that Wen and Hu say their aim is to beat down the tiger blocking the road to political reform and jointly open the grand curtain of China’s reform.

Liu’s award of the Nobel Prize and the perestroika-like stirrings that I have referred to in the leadership in China show how foolish and short term are the accommodationist arguments made by Professor Hugh White. In a controversy ranging across *Australian Quarterly*, the *Asian Wall Street Journal*, the *Australian* and the *Australian Financial Review*, I have agreed with Professor White that Australia has yet to come to grips with China’s return, as it should, to great power status. Yet his thesis that Australia and the US should accommodate rising Chinese power by abandoning criticisms of China’s democratic and human rights failings is made almost instantly foolish by the Liu Xiaobo Nobel award and by the struggle for freedom at the top levels of the Chinese Communist Party. According to Professor White:

> America will have to deal with China as an equal … That means no more lecturing China about dissidents, Tibet or religious freedom … no more lecturing China about its failure to meet US expectations on matters such as Iran, Sudan and North Korea.

As I argued in the *Australian Financial Review*, this is not treating China as an equal; this is a deliberate surrender of the values that have made the US and Australia both free and prosperous.

Many in China agree with me. Only last week another open letter was signed by more than 100 Chinese scholars, activists and lawyers, strongly applauding Liu Xiaobo’s Nobel Peace Prize and citing Mr Wen’s recent comments in support of reform. ‘China should join the mainstream of civilised humanity by embracing universal values,’ said the open letter. ‘Such is the only route to becoming a “great nation” that is capable of playing a positive and responsible role on the world stage.’

Liu Xiaobo’s Charter 08, endorsed by 350 leading Chinese intellectuals, is modelled on
Charter 77, which we all remember was founded by the great President of the Czech Republic, Vaclav Havel, and played an important role in the downfall of the one-party state in Czechoslovakia and Eastern Europe. Whether Liu Xiaobo’s Charter 08 will be followed by a similar wave of democratisation in China is yet to be seen, but unfortunately it looks like some Australian academics and their narrow-minded business colleagues who see short-term profit as their only aim in China and they are the only ones ignoring these great moves for China to democratise. I congratulate, as do most Australians, Liu Xiaobo on his wonderful award of the Nobel Peace Prize and I congratulate the Chinese Prime Minister, Wen Jiabao, and all of those Chinese intellectuals and academics who strive for the same human rights and freedoms we enjoy here in Australia.

**Fadden Electorate: School Choirs**

Mr ROBERT (Fadden) (9.59 pm)—I rise to acknowledge the outstanding achievement of two senior-school choirs in the Fadden electorate. The first is the Labrador State School choir, conducted by Mr Hank Lewerissa, which will be opening the Armor All Gold Coast 600 V8 supercar race this Saturday in the podium track precinct in magnificent Surfers Paradise. They will perform the national anthem live on Channel 7 at 1.30 pm this Saturday. It will be broadcast to over 27 million viewers worldwide, including seven million viewers in Australia alone. Mr Lewerissa and his senior choir, who I understand are all quite rightly a little nervous and anxious but excited at the same time, were chosen joint winners with the AB Paterson College choir—conducted by Mrs Candace Kruger—of the Gold Coast Schools Star Search run by V8 Supercars Australia. Labrador State School will perform on Saturday and AB Paterson on Sunday. Labrador State School is the only state school in Australia to have received such an honour. Each school received a cheque for $3,000 from V8 Supercars Australia. This is an outstanding achievement for both senior-school choirs as they have worked extremely hard. I for one am very proud of each and every one of them and I congratulate conductors Mr Lewerissa and Mrs Kruger for their dedication, time and effort.

Let me give you a little of the background of both schools so that you too can appreciate what they have achieved. At the Labrador State School you will see playgrounds for both young and old. You will hear children swimming in a heated pool. You will feel a sense of joy, as I do, in seeing how children’s learning needs, academically, physically, emotionally, spiritually and socially, are met by a professional, committed staff. You will be thrilled to be an audience and listen to the junior and senior choirs. You too will marvel at the skill of the stage, junior and senior instrumental bands. As you walk into the school you will sense children playing in a happy, friendly and safe way.

You will also sense the respect the community has for the ANZACs and the Indigenous culture on the Gold Coast. You will join me in being excited about the facilities and grounds this school has to offer, so much of them by way of the hard work of the teachers and the P&C. You will love the way the school has regular celebrations of success in its large community hall. As you walk past the classrooms you will hear a hum of kids learning. You will be excited to see technology in the classrooms. And in the distance you will see a group of parents actively using the parent room. You will be amazed at the number of volunteer parents supporting the children in the classroom. You see, at Labrador, they care not only for the children but for the whole family and the school community, which is an incredible credit to Principal Brian Ragh and his dedicated staff.
Likewise, at AB Paterson College, which aims to be a school developing young men and women of character as leaders now and for the future, you will come across a school pursuing excellence. The college strives to achieve everything through challenging and supporting students to develop the intellectual character necessary to become passionate about the ongoing pursuit of learning, to have the skills and confidence to succeed in an increasingly complex world and to become committed to creating positive futures for the good of all through leadership and active participation in their communities. The mission of the college under the great leadership of Dawn Lang is to challenge the individual to achieve and to act with purpose and character.

They are both great schools with excellent principals and teaching staff. They both deserve the rich reward that this weekend will bring as they sing at the great event on the Gold Coast. It is certainly my pleasure to acknowledge these two choirs tonight and it is certainly my pleasure to seek leave to table in this place the names of those outstanding conductors and their students so that the nation can also share in my joy at their achievements.

Leave granted.

Kingston Electorate: McLaren Vale Regional Awards

Ms RISHWORTH (Kingston) (10.04 pm)—I am very pleased to stand here tonight to congratulate the winners of the McLaren Vale Regional Awards, which I was very pleased to attend last Friday night at Hardys Tintara Winery. The idea of these awards is to recognise businesses and individuals in the local area who have been doing more than is required to make the region not only a wonderful place to live but also a great place in which to do business. While often we recognise McLaren Vale as a great place for wine and food—and I am sure everyone in the chamber does—there are a lot of other businesses in the local community servicing the local region and also making it a great tourist destination.

At these awards there are many nominees. The awards are run by the McLaren Vale Business Association, which has a membership from a whole range of businesses and services in the local area and especially focuses on local businesses that need to operate and serve the McLaren Vale region. The McLaren Vale Business Association is made up of volunteers who dedicate a lot of time to promoting businesses and tourism in the local area. These business awards are one way that the business association celebrates businesses in the area. I was pleased to attend and I have to say that the enthusiasm in the room and the excitement was the most I have seen for some time. I have never been to the Academy Awards but I imagine that if I had I would have seen much more enthusiasm at the McLaren Vale Regional Awards than at the Academy Awards. That is the positive attitude that these business owners and individuals put into their businesses. It was a great opportunity to celebrate with all of the small businesses.

These awards have been going for nine years and have grown in stature every year. With the community and businesses being involved in the nominations, there were over 80 nominations that I am aware of for only 10 different categories of awards. So this year was a very much contested award. I have been told that the judges had a very difficult choice.

It was a wonderful night, because we were celebrating not only local businesses but also the involvement of other community groups. The staff and students from Tatachilla Lutheran College provided wonderful entertainment and delicious food. A number of
different areas were recognised. These included manufacturing and trade, home based businesses, professional services, retail and new businesses. The awards also recognised individuals. The ‘best employee’ was Jan Carpenter, who has provided an outstanding service at the McLaren Vale Chiropractic Centre. The ‘best youth employee’ was Chris Thomas, who works at Willunga Tyre and Battery Service. Chris and his friends were really excited by the night. With young people like Chris around, there is certainly a very positive future for McLaren Vale. The individual customer service award went to Jan Hewitt from Australia Post, who delivers parcels in the local area. The joke was made on the night that there are very few places that Jan has not gone to; she knows where everyone in the area lives. That has meant that she has been able to provide great service.

So some really wonderful people were acknowledged, and it was really exciting. But, of course, there can only be one winner, and that was determined by a vote from the winners of all the categories on the night. The winner, by popular vote, was Artel Gallery and Giftware in McLaren Vale. This is a small family business that stocks all local produce—crafts, cards and a whole range of local giftware. It is a wonderful place to visit and certainly improves tourism in the area.

I will conclude by congratulating the McLaren Vale Business Association and all the volunteers, including David Cavanagh and Sandra Sharp, who put a lot of work into the night. I wish them all the best for the coming year. (Time expired)

Gippsland Lakes
Ms Sally Chatfield

Mr CHESTER (Gippsland) (10.09 pm)—Mr Speaker, I take this opportunity, being the first time I have appeared before you since your re-election as a local member and also your election to high office here. I look forward to seeing you continue to serve this place with such great distinction.

I have risen before in this place to talk about the future of the Gippsland Lakes and express my concerns about the way the lakes are being managed and the concerns I have for this magnificent waterway. I think it is important, as a local member at the start of a new term, to re-emphasise my commitment to making sure that both state and federal governments understand the importance of the Gippsland Lakes to the social, cultural and economic future of my region. I have been disappointed at the lack of ongoing funding and the lack of commitment from the state Brumby government beyond the previous budget round. I also have to express my concerns that the federal government has not made any allocation beyond the last round of $3 million, which has now been exhausted.

Like many others, I am frustrated with the delays. I am encouraging my community to demonstrate its support for the Gippsland Lakes by supporting a community action day and engaging in some practical environmental work in the townships of Lakes Entrance, Paynesville, Eagle Point, Raymond Island and Metung. It is a chance for everyone who loves these magnificent Gippsland Lakes to get together and demonstrate their support for the lake system and the catchment by picking up rubbish and helping, by practical action, to highlight our concerns for the future for the waterway.

I was approached by a local resident by the name of Tim Bull. The Bull family name is very famous around the Gippsland Lakes. Tim’s is a fourth generation family on the Gippsland Lakes. His family name is synonymous with Bulls Cruisers, a charter business but also a design of boat that is very
popular with the boating fraternity. Tim also just happens to be the Nationals candidate for the state seat of Gippsland East. It was Tim’s idea to encourage the community to get involved in the community action day to demonstrate our support for protecting and enhancing the catchment and the lakes. I am working very closely with Tim on organising this day, and I think it will be well supported by the broader community.

A lot of rubbish has blown up on the foreshore of towns around the lake system, whether it has been washed off streets through the stormwater system or come off boats and collected via the tidal action, with the prevailing winds blowing it into certain areas of the foreshore. We really want to clean it up ahead of the summer season, particularly for the tourists who come to our region and make such a major contribution to our community.

As I said, we are targeting quite a few areas on November 7 this year. We are really encouraging Gippslanders to get involved in this program and demonstrate to governments that we are ready for action and call on them to support us in the activities we are undertaking.

In the time I have left to me I would like to reflect on a more positive story. This may alarm you, but I am now the second most famous person in the township of Lakes Entrance. For a while there I was the most famous, but Sally Chatfield, a young apprentice hairdresser from Lakes Entrance, has rocketed to fame over the past two months on Channel 7’s program X-Factor. It is no surprise to the people of Lakes Entrance that Sally has been recognised in this way. Sally has been appearing since she was seven years old at our carols by candlelight and at our New Year’s Eve fireworks displays, so there is a sense of paternal pride or maternal pride—whether a father or a mother in Lakes Entrance, we all feel some pride in this young lady and her achievements. Her own mum and dad are bursting with pride, as you would expect, to see her achieve such great things on a national scale.

Naturally, the people of Lakes Entrance are getting behind Sally, and I am encouraging them to do so. I think she has got to the final six now. My children keep me informed on a nightly basis how the program is going. Sally has an extraordinary voice, and she is also an extraordinary young lady in her own right. She is a lady who has been recognised in the past in our own township as the ‘young citizen of the year’ at the Australia Day ceremony, because she has always been willing to donate her time to contribute her great vocal skills to some of those community events I referred to. Her father, Kenny, is a mate of mine. I have played a bit of golf with him—although the way I play golf we do not spend that much time together; we seem to be on opposite fairways most of the time. Kenny and Sally are great Lakes Entrance people. I believe Sally is a real inspiration to other young people in regional communities. She has demonstrated that no matter where you have come from—whatever your background is and whatever battles you might have had in life—it is possible to go on and pursue your dreams. Sally has aimed high and is continuing to chase her dream. I wish her every success in the remainder of the competition.

Page Electorate

Ms SAFFIN (Page) (10.14 pm)—I am following someone very famous, so I am not too sure how I will go with my adjournment speech!

Mr Chester interjecting—

Ms SAFFIN—Well, I am pretty famous in my electorate! And that is what I want to talk about—my electorate of Page and some of the wonderful events that have taken place
there recently. Last Saturday, I attended, along with the local mayor, the state member and Kay Cottee, who is a resident in Page, in Yamba, and was a guest speaker—and she is definitely famous!—a Lions convention at district 201N1. There were over 300 people there and over 64 branches represented. It was just wonderful to have the convention taking place in Yamba. The theme was to do with the sun and surf and seafood, but they did some serious work as well. It was very pleasing to be with local groups who do such wonderful work locally and quietly but who are connected to a whole international network. They do great work internationally, particularly in areas to do with eyes—the Eye Bank and helping to restore sight. You may not know this, Mr Speaker, but the first Lions Club in Australia was actually formed in Lismore, my home town. That is something that I am quite proud of and that all the people in my area are quite proud of too. We get to talk about that a bit up my way.

I also attended the launch of a Broadband for Seniors Kiosk that is helping connect seniors to the internet. It is part of the $15 million three-year program being rolled out across Australia. I have quite a few of these kiosks set up in my area. This one was with Ballina District Community Services Association. What was novel about it was that they set it up at their services association, utilising Southern Cross High School students. It was called ‘reverse mentoring’. We know that young people are pretty IT savvy and technically aware, and they actually thought I was not bad for an older woman, in that I could teach them about Twitter. I told them the whole history of it, so they thought that was pretty cool. But it was really a great project, using the young people and their skills and putting them with the older people. I was also able to plant a few things pre-empting Social Inclusion Week, which will open in November with Ballina District Community Services Association—a great local community services association.

I also went to the Ballina High School Marine Discovery and Resource Centre. I would like to pay tribute to Mick O’Connor and Lynda Hourigan, two teachers there who have spent years developing it and building it from scratch. The marine discovery centre is utilised by students from across the region and all over Australia. People look at it to link in with them, work with them. I was there to see the centre get honoured with a cheque for $50,000 from NAB, the National Australia Bank, under its philanthropy program, to help the centre along a bit. It is the only place I have ridden in a LARC. I helped the centre to acquire some LARCs, which are amphibious vehicles—they go into the water. They come from America and it was a bit complicated getting them, but I have now been for a ride in the centre’s LARCs, and I would like to pay real tribute to them.

Another event I attended was the Changing the Tune project for Lismore youth. I want to thank the Minister for Justice, Brendan O’Connor, and his department. The project received a $150,000 grant and will use the plaza at Goonellabah as a hub. There is a sort of skate park there. Changing the Tune will provide programs and activities focused on local Indigenous young people. It is to help them feel more connected to their culture, provide life skills and better prepare them to return to school, training or employment. It builds on the Safer Suburbs project and will help that particular project.

I also attended Paws in the Park. I commend the local vets for this event. They wanted me to take one of my dogs, but she was in heat so I could not take her. I would have won the race, because I would have had every dog behind me! But I borrowed somebody else’s dog and attended that event. It was a great day out in the park with all the
dogs. There are so many dog lovers in our community. It was a great initiative from the Keen Street Vet Clinic—(Time expired)

**Ryan Electorate: Building the Education Revolution Program**

**Mrs PRENTICE (Ryan) (10.19 pm)**—I rise in the chamber tonight to speak on a matter of importance to the people of Ryan. Last Friday evening I had the pleasure of attending the opening of the annual Rainworth State School art show. This event coincided with the opening of two new buildings—a library and a school hall. These buildings are a wonderful resource and have been provided through the BER program. What is significant is that the building company worked diligently with the school and its P&C to rework and rectify the Labor state government’s plans, plans that would have removed the cricket nets, much-needed and in-demand play space and a 100-year-old tree. Instead, the builders worked with the school community on a much more difficult site—unable to be used for other purposes—and, importantly, delivered what the school community wanted. The local builder not only completed this more difficult construction project within budget but also still had funding for fit-out and extras. The final result was a very happy school community, a satisfied builder with a job well done and an example of a BER project that achieved its purpose.

Moggill State School also fought hard for its own project manager and, as a result, will soon open a new hall and library to meet the needs of its community. However, in today’s *Courier-Mail* the local state member, Dr Bruce Flegg, revealed what is unquestionably one of the most disastrous outcomes of the BER program. At Mount Crosby State School, just up the road from Moggill State School, the situation is one of stark contrast. Mount Crosby State School have a similar number of enrolments. The Mount Crosby community has experienced enormous growth, resulting in 710 students and the state school being at 100 per cent over capacity. Even the local kindergarten does not have a permanent home. Mount Crosby State School has no hall. It has no adequate school library. So you can understand the excitement when the BER program was announced. However, despite having plans already drawn up, it missed out on the first two rounds of funding, although schools with existing facilities, schools due for closure and others with no needs or plans at the ready were funded.

Unlike Moggill State School, Mount Crosby were not allowed to manage their own project. And the builder who had drawn up their original plans was not even allowed to quote on the project. The Mount Crosby State School program has been devastated by unfairness, by inequities and by injustices. I am here representing the students, the teachers, the parents and the friends of Mount Crosby State School in the electorate of Ryan. The school has now become embroiled in a bitter dispute with the state department.

So, despite both schools having a similar number of students and the same funding, Moggill State School has been provided with a hall of about 1,480 square metres while Mount Crosby has been provided with one of barely 830 square metres. Moggill’s hall is fully enclosed and suitable for community events. It has covered verandas and a kitchen and is suitable to operate outside-school-hours care. Mount Crosby’s hall, on the other hand, will be partially enclosed with only two walls. There is no veranda; there is a small room and the community will not find it appropriate for their needs. Moggill’s is also equipped with a special sports floor and has $100,000 worth of audio and lighting equipment. Mount Crosby will have access to an audio system.
Their respective libraries are a similar story. At Moggill State School, the library and resource centre is over 450 square metres. The library at Mount Crosby will be a mere 270 square metres in size. As taxpayers, the people of Mount Crosby have every right to be incensed. As the parents of children at a wonderful primary school who will simply miss out on the infrastructure that they so desperately need, they have every right to feel let down by Labor. This program has treated Mount Crosby with contempt. For this, the Gillard government should stand condemned. To channel the Prime Minister speaking on another failed Labor program: ‘It is a mess.’

But no-one in government is listening. As important as you say stimulus may be, a waste of money remains a waste of money. I call on the minister to intervene and to allow Mount Crosby to appoint its own project manager. I call on the minister to intervene and rescue this project for the benefit of the whole of the Mount Crosby community. I call on the minister to intervene to ensure that Mount Crosby State School receives the facilities it should for this funding. (Time expired)

Redcliffe Relay for Life

Mrs D’ATH (Petrie) (10.24 pm)—Last Saturday, Redcliffe held the 2010 Redcliffe Relay for Life. Relay for Life is a fundraising event held by the Cancer Council. However, this is not just any event. It is a unique event where teams of 10 to 15 people challenge themselves to take turns to keep a baton moving in a relay style walk or run overnight. The event starts at 3 pm on a Saturday and continues until 9 am on the Sunday. Team members are encouraged to raise a minimum of $100 each. The event kicks off celebrating the lives of those who have battled cancer, with the first lap honouring cancer survivors and carers. At dusk, a candle-lighting ceremony takes place to remember those lost or someone living with cancer. At the closing ceremony you make a pledge to fight against cancer in your own special way.

For the third year, I entered my team, the Petrie Possums. In addition, I was honoured this year to be the patron for the Redcliffe Relay for Life. In addition to promoting the event in the lead-up to the day, I had the honour of reading the Relay for Life oath at the opening ceremony. The motto for the Relay for Life is: ‘Celebrate, Remember, Fight Back!’

People are also asked to think about who they are relaying for. This year, I and my team relayed for someone very dear to our hearts. Last year, I held the Petrie Essay and Public Speaking Competition. The secondary school winner was a 15-year-old boy from St Paul’s School at Bald Hills named Sam Harvey. Sam came down to Canberra as part of the prize and spent a day learning about parliament and meeting with members and senators, including you, Mr Speaker.

Just after Anzac Day this year I was contacted by a family member of Sam and advised that Sam had been diagnosed with sarcoma, a bone cancer. Sam was allowed to remain at home over that long weekend and then was admitted to hospital to immediately start intensive chemotherapy. Ten weeks ago, Sam underwent surgery to remove a femur and received a prosthetic bone in its place. Sam is up and mobile and still undergoing chemotherapy. In fact, last week he underwent five days of chemotherapy, finishing on Friday afternoon. On Saturday, Sam arrived at the Relay for Life with his mum and dad and aunt. Sam walked the first lap as a survivor with me. Today, Sam went back to school, determined to complete year 11. Sam is an inspiration. His courage and strength was my team’s motivation to walk the 18 hours during the Relay for Life.
In addition, my office staff and I have someone even closer to us who is also battling cancer. Judi in my electorate office is currently fighting bowel cancer. Judi is a woman who does not like people fussing over her and is continuing to work after just starting treatment last week. The diagnosis is positive and we know that Judi’s courage and hope will see her through. It is for these people and the many young people battling cancer that we relay.

This year’s Redcliffe Relay for Life was a great success despite a change of venue due to flooding of the fields at the Tigers AFL Club and gale force winds leading up to the event. I would like to acknowledge and thank the Queensland Cancer Council and particularly Katie Bottom. I would also like to thank Neville Cullen, the Redcliffe RSL and the Redcliffe Relay for Life Volunteer Committee for 2010. A big thank you should go to the Redcliffe Kippa-Ring Lions for stepping in at the last minute and saving the day by providing an alternative venue at the Redcliffe showgrounds. I would like to congratulate all 25 teams that entered this year. They made the event the success that it was.

I would like to acknowledge the sponsors for the Petrie Possums team. The gold sponsors, donating $1,000 or more, were the Redcliffe Leagues Club, the Redcliffe Kippa-Ring Lions, the AWU and TLC IT Solutions. Silver sponsors of $500 plus were Helen-Maree Butler, from Suncorp, Kippa-Ring, and the Qld Hibernian Cancer Society, BallyCara. The bronze sponsors of $100 plus were Quota International Redcliffe; Councillor Chris Whiting, from the Moreton Bay Regional Council; Maree Adshead, from Mobile IP; Rod Chiapello, owner of McDonalds Bracken Ridge; Tony Crudgington, from Redcliffe Environmental Forum; Dean Wells, the member for Murrumba; the Belvedere Hotel; WOW Events Management; and Rotary Sunrise. Many more people from my local community gave donations and some of my parliamentary colleagues did too.

Thanks to all of the team members and walkers for the Petrie Possums who came out throughout the night to walk with us. Our team was the highest fundraiser and at last count we had raised $7,824.70, which is a fantastic result. Although my body is still recovering from the event, it was worth every second, with every cent raised by the Petrie Possums going to the Cancer Council to support the research and support services that the council provide.

Question agreed to.

House adjourned at 10.29 pm

NOTICES

The following notices were given:

Mr Albanese to present a bill for an act to amend legislation relating to telecommunications, and for other purposes.

Ms Roxon to present a bill for an act to amend the law relating to health, and for related purposes.

Ms Macklin to present a bill for an act to amend the law relating to family assistance, social security, veterans’ affairs, Aboriginal land rights and the Indigenous Land Corporation, and for related purposes.

Mr Garrett to present a bill for an act to amend the Higher Education Support Act 2003, and for related purposes.

Mr Garrett to present a bill for an act to amend the Commonwealth Electoral Act 1918, and for related purposes. (Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2010)
Mr Dutton to move:
That this House:
(1) notes that:
(a) mental illness afflicts more Australians than almost all other health disorders, only ranking behind cancer and heart disease in prevalence;
(b) forty-five per cent of the nation’s population will experience a mental health disorder at some point in life;
(c) younger Australians—those between 16 and 24—bear the brunt of mental illness, with prevalence of problems declining with age;
(d) with early and targeted treatment, many people can overcome mental illness or lower the incidence of progression or relapse;
(e) expansion of the headspace and Early Psychosis Prevention Intervention Centres (EPPIC) models could help an estimated 200 000 young Australians, and in doing so, free-up existing services for others with mental illnesses whilst alleviating pressures on public hospitals and emergency departments; and
(f) the Government has moved to cut services in mental healthcare;
(2) requires the Government to:
(a) expand the number of headspace centres to a minimum of 90 nationally;
(b) establish a national network of 20 EPPIC centres;
(c) provide an additional 800 beds for mental health, associated with the EPPIC centres;
(d) appropriate funds necessary to provide these critical steps to expanding mental health treatment facilities; and
(e) immediately provide additional funds for existing headspace centres; and
(3) sends a message to the Senate acquainting it of this resolution and requesting that it concur.

Mr Turnbull to present a bill for an act to require the preparation and publication of a business case and a cost benefit analysis of the proposed National Broadband Network, and for related purposes.

Mr Turnbull to move:
That:
(1) a Joint Select Committee on Broadband be appointed to inquire into and report on all aspects of the business of the NBN Co. including its construction, operations, financing and any other matters related thereto;
(2) the committee consist of 10 members, 2 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips and 1 by any non-aligned Member, 2 Senators to be nominated by the Leader of the Government in the Senate, and 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators;
(3) every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives:
(4) the members of the committee hold office as a joint select committee until the House of Representatives is dissolved or expires by effluxion of time;
(5) the committee will elect a chair;
(6) the committee elect a member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
(7) the Chair and Deputy chair shall not both be from either the Government, Opposition or Crossbench members;

CHAMBER
in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote;

(9) 3 members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House;

(10) the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine;

(11) the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(12) 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House;

(13) members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum;

(14) the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced;

(15) the committee or any subcommittee may conduct proceedings at any place it sees fit;

(16) the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

(17) the committee may report from time to time;

(18) the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and

(19) a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Mr Hartsuyker to present a bill for an act to provide for the consideration of matters of public health and safety in the operation of the Environment Protection and Biodiversity Conservation Act 1999, and for related purposes.

Ms Rowland to move:

That this House:

(1) notes the:

(a) 19 September 2010 Declaration by the members of the Broadband Commission for Digital Development to world leaders attending the 2010 Millennium Development Goals Summit at the United Nations on the benefits of broadband as the transformational technology for employment generation, productivity growth and the long term economic competitiveness;

(b) OECD report of December 2009 which makes the case for investment in a competitive, open-access national fibre network rollout based on benefits to four key sectors of the economy: electricity, health transportation and education;

(c) the positive externalities of broadband in providing increased opportunities to access Australian health and education services, and the linkages between disparities in broadband access and social disadvantage; and

(d) the technical limitations of non-fibre approaches to national broadband development, particularly in respect of video and other 'real time' applications used to deliver health and education services; and

(2) recognises the merits of the development of universal broadband access in Australia with an emphasis on options for niche broadband delivered content and applications to provide immediate benefits to areas and groups of identifiable need.
Mr IRONS (Swan) (4.39 pm)—I rise to speak about a dangerous intersection in my electorate of Swan which needs immediate attention. Recently, local resident and small businessman Wayne Frendo contacted me about the Cohn Street-Harris Street intersection in Carlisle. Living on the corner of the intersection, Mr Frendo had seen many near misses and crashes and was concerned that it would only be a matter of time before a fatality occurred. Wayne provided me with photographic evidence of a recent accident where the police, fire and ambulance emergency services were called to the crash scene. The driver only just managed to escape with their life. Mr Frendo then invited me to inspect the intersection myself and I was immediately struck by seeing the debris from crashes scattered across the streetscape and across his front yard. The intersection itself is formed by two stop signs on Harris Street. On closer inspection it was obvious that speed was not the only problem, with tyre marks indicating that hooning was also prevalent. I think the local hoons call it ‘doughnutting’.

To determine the scale of the problem I distributed a road safety survey and the neighbourhood residents have been returning them in numbers. I would like to take this opportunity to publicly thank Mr Frendo for his help in distributing those surveys. I found it particularly important to seek feedback from the community given that Main Roads data has only picked up two serious crashes in the last five years. As such, I asked in my survey for the residents to document incidents that they themselves have witnessed at the intersection. Most respondents took the opportunity to do just that. Many told me how baffled they were at the Main Roads official statistics, detailing comprehensive eyewitness accounts of incidents on almost a daily basis. Main Roads are obviously not picking up all of the crashes at this intersection, which calls into question the use of the intersection crash ranking report as a planning tool for prioritising intersection upgrades.

The feedback from residents suggested the main problem is cars not stopping at the designated stop signs on Harris Street and driving straight over Cohn Street, leading to near misses and plenty of dangerous situations. There was also a comment made that there were accidents occurring at the times of day when people were driving directly toward the sun. The majority of people who have responded so far suggested some change to the road layout as the best way to address this problem. Many have argued that a roundabout would be appropriate in this situation. I am still receiving responses and collating the results. I have contacted the local council, who are responsible for road upgrades in the area, and I am pleased that they are willing to meet at the intersection soon. The CEO has taken interest in the intersection. I look forward to sharing with them the concerns of the local residents soon—it is actually going to be this Friday at 10 o’clock.

Mr Sidebottom interjecting—

Mr IRONS—Not yet, member for Braddon! Given Carlisle is a mainly residential suburb with plenty of families with young children, it is particularly important to have this issue resolved. It is clearly a matter which the community is gravely concerned about. I will continue
to work with the community to find a solution and will keep the House informed of any pro-
gress.

In closing, I would like to congratulate Mr Wayne Frendo for his commitment to making
his intersection and his community safer and to avoiding any deaths at this intersection. Thank
you.

International Development Assistance

Mr SIDEBOTTOM (Braddon) (4.42 pm)—Sunday, 17 October 2010 was recognised
throughout the world as the United Nations International Day for the Eradication of Poverty,
and it gave me and, I hope, others time to reflect on our own relatively good fortune and to be
generous to those in our region who face extreme levels of poverty. I met recently with mem-
ers of the Burnie RESULTS group, which emphasised the high levels of poverty in the Asia-
Pacific region. RESULTS volunteers are advocates working throughout the world to create
the political will to eradicate poverty. The Asia-Pacific region, for the record, has 60 per cent
of the world’s population who live in extreme poverty. It is to no-one’s advantage that this
situation be allowed to continue. The Australian government has a healthy record in its sup-
port for poverty eradication programs. Indeed, the Gillard Labor government is committed to
meeting its share of the funding for the Millennium Development Goals.

Australia’s aid budget is structured to support the Millennium Development Goals. The
government is supporting the goals in a practical sense through a staged increase in overseas
aid to 0.5 per cent of gross national income by 2015, cancellation of a $75 million debt for
Indonesia and a $210 million contribution to the Global Fund to Fight AIDS, Tuberculosis
and Malaria. That is up from $145 million in the 2008-10 period. The Global Fund to Fight
AIDS, Tuberculosis and Malaria has prevented an estimated 5.7 million deaths. These in-
creases in funding go some but not all of the long way to reducing poverty, but every little bit
helps.

Improving people’s health will mean fewer families will face a loss of income because
fewer breadwinners will be affected by the diseases of poverty, like AIDS, tuberculosis and
malaria. I join with many people who care about what happens to our neighbours to ask all
donor countries, including our own, to follow the lead of the most generous donor nations like
Sweden, Norway and Luxembourg and work actively towards achieving the UN recom-
mended level for overseas aid of 0.7 per cent of gross national income. I know my own gov-
ernment is working towards achieving this goal in a practical way and has a record to be
proud of. It would also agree that it looks forward to being able to do more. I would like to
conclude with a quote from the Lancet of May 2010 in relation to the global fund:

The (Global) Fund is the great success story of multilateral foreign policy this past decade. What
makes it different from most good causes is the certainty of a return on investment. ... There is no sector
of government expenditure that gives a better human return.

Fadden Electorate: Health Services

Mr ROBERT (Fadden) (4.45 pm)—Recently the minister for health wrote to me and
asked for my comment about whether I would be amenable to a GP superclinic in the northern
part of the Gold Coast. After consultation with all of the medical clinics throughout the elec-
rorate of Fadden, the feedback I have received, through a 100 per cent response, is that no GP
superclinic is warranted for nor required in Fadden. A recent general practice Gold Coast cen-
sus of GPs shows there are 473 GPs and 215 nurses in 123 practices across the Gold Coast. The age and sex distribution of the workforce is remaining relatively constant with clinicians coming on board in sufficient numbers to replace retiring GPs though DWSs are required to expand. What is not required is another superclinic which would simply rob Peter to pay Paul. The real problem is the shortage of doctors. This shortage continues to be exacerbated by the Department of Health and Ageing not allowing district of workforce shortage measures to be applied in the fastest growing electorate in the nation. GPs have changed work practices to become more efficient, to increase the capacity of general practice and to systematise it for more effective service delivery.

General practices on the Gold Coast are already ‘super’ clinics, and every single one of those general practices sends a very clear message that they do not want the government interfering and they do not want a superclinic. The Labor government does not know better than the GP clinics on the Gold Coast. The simple response from them to the government is to butt out and leave the Gold Coast clinics to do what they do best: provide medical care. General practice on the Gold Coast has successfully created ‘medical homes’ in their local communities where patients can access the doctor of their choice in their own area. There is no unmet need in Fadden for the great big shiny building that will supposedly help from the Labor Party. In the last month alone, three new medical practices have opened in Fadden and many businesses have extended their opening hours. There are now local practices providing services until 10 pm at night and all day Saturday and Sunday. The population is also served by several out-of-hours agencies who provide both home visits and surgery based consultations. Therefore the question is: what value does the Labor Party GP superclinic bring, apart from a shiny new building for one of their senators to open? A superclinic is totally and completely unnecessary on the Gold Coast in Fadden. It is not warranted; it is not welcome. Fadden is well serviced by existing general practices. The superclinic model proposed by the Labor government will destroy the medical homes which already exist and do very little for patient care. The government obviously think so because they will not allow a greater number of district of workforce shortage doctors in. Therefore they are already saying by that action that there is already sufficient medical care.

Corio Electorate: Historic Churches

Mr MARLES (Corio—Parliamentary Secretary for Pacific Island Affairs) (4.48 pm)—I have spoken many times in this place before about the importance of Geelong’s built heritage and what I believe is our city’s tendency to undersell its value and relevance. This is particularly true of our churches. In Geelong we have many fine churches of enormous historic significance. They are as deeply woven into the historic fabric of our city as St Peter’s is a part of Rome and the Duomo is a part of Florence. The former St Andrew’s Presbyterian Church in Yarra Street is one of Victoria’s earliest surviving churches. It was built in 1841, just three years after Geelong was surveyed, and remains one of our city’s earliest buildings and a fine example of colonial Georgian architecture. In Moorabool Street, Christ Church was built in 1843 and is the oldest Anglican church in Victoria still occupying its original site. St Mary’s Basilica dominates our city’s skyline. It boasts the tallest bluestone spire in the country. By the time construction of St Mary’s started in 1854, the Catholic community of Geelong had already outgrown two smaller churches.
Our churches tell us a lot about how Geelong was settled and how it flourished. And these early churches are some of the few buildings in our city which have survived from the mid-19th century so they should be treasured by us all as a wonderful historical record of our city. But buildings of this age require commitment and sometimes the commitment has to extend beyond the congregation that occupies that church. Fewer people are attending church these days and I think, in many cases, an unfair burden falls on a dwindling few to look after buildings that should be cherished by our entire community. St George’s Presbyterian Church on La Trobe Street is one local church with an uncertain future. This church is 150 years old and needs $2 million of repair work. Understandably, that is a huge cost for a congregation of less than 60 active members. The option of selling is, I know, being reluctantly considered. Christ Church is another example of a congregation struggling to find the millions of dollars needed to fund repairs to its crumbling stone facade. We know that a magnificent church is all it takes to put a city on the tourist map. Salisbury Cathedral in England and Chartres Cathedral in France are two examples that come to mind. The common thread is the way these churches are celebrated as a visible and vital part of the history of their city and shown off to visitors with enormous pride. We have churches to be proud of in Geelong but it is time we took collective responsibility for buildings that need work. I have discussed this issue with Father Kevin Dillon and with his help I am planning to convene a meeting of all local churches to discuss how we can develop a community response to the conservation issues facing some of these churches. It is time to see it as not simply their problem, but our problem—our city’s problem—and to think about the ways in which we can assist in solving that problem.

Mrs MIRABELLA (Indi) (4.51 pm)—I rise to speak about the very important issue in my electorate of severe telecommunications deficiencies in certain areas. Basic telecommunication coverage is and should be a definite priority for any communication minister and, obviously, the current one leaves much to be desired.

I want to specifically focus on some towns in my electorate—the towns of Kancoona, Running Creek, Rosewhite, Mudgegonga and Myhree. Residents in these locations have either little or no access to basic mobile phone coverage and only some coverage from radio and television signals. It should be noted that most of these towns were directly impacted by the 2009 Black Saturday bushfires.

As you would appreciate, communication is critical during times of crisis not just for those in their homes and working but also to CFA volunteers. The 2009 bushfire royal commission did make specific recommendations and reference to communications infrastructure equipment to ensure that vital information can be accessed by residents in those locations. In fact, it was Senator Conroy who said that mobile communication can be a lifesaver. So I share the frustration and disappointment of my constituents who, although encouraged by the right words, have not seen these words matched by action.

At the recent election the coalition put forward a plan that would have addressed these black spots. We committed $30 million to support the deployment of the telecommunications infrastructure necessary to ensure that communities would have adequate and reliable mobile phone coverage. We promised to work with the industry to target areas like these towns in my electorate. Our grants would have allowed the progressive rollout of telecommunications infrastructure and ensured adequate and reliable mobile phone coverage across Australia. It is
interesting to see that the government’s NBN—a whopping $43 billion at conservative estimates by some counts—will not make a jot of difference to any of these towns that I have mentioned.

I wrote to the communications minister a year ago in an attempt to gain government support for crucial infrastructure. Those pleas were ignored. Minister Conroy cited that investments are based on commercial decisions and economic viability. Well, if that is the case he should subject the NBN to some economic viability studies. He should subject it to a cost-benefit analysis. But of course the Labor Party is very hypocritical when it comes to issues of transparency and economic accountability.

It is just not good enough for country towns in these key areas, which are subject to natural disasters that endanger life and property, to be left without adequate communication. It is time the Labor Party matched their rhetoric with some real action. (Time expired)

Broadband

Ms COLLINS (Franklin—Parliamentary Secretary for Community Services) (4.54 pm)—It is interesting that we just heard from the previous speaker about telecommunications and the National Broadband Network. What I want to talk about is Regional Development Australia Tasmania’s economic and community development forum that was held in southern Tasmania on 6 October. One of the things that they talked about at that forum was the excellent opportunities for local, state and federal governments to deliver new services, particularly services to regional and rural Australia.

The forum looked at the NBN in a session and an e-health adviser, Ros Hill, gave an excellent presentation about how the NBN will change the nature of health care for those who live in rural and regional communities. In August of this year, at the launch of the National Broadband Network with the Prime Minister, I witnessed the new technology. We had an opportunity to talk to a wonderful woman, Peggy, who is using the National Broadband Network to help her manage her health complaints. The quote from Peggy was that it was like having a friend in her own home. She felt secure and safe with the e-health facility in her home where she could talk to practitioners about some of her health concerns, and they could monitor her in her own home, so she did not have to travel to appointments. It was remarkable to see it working.

Ros Hill’s presentation to Regional Development Australia Tasmania also covered the importance of the NBN in relation to establishing patient controlled records. Of course, it is the Labor government that has committed money to patient controlled electronic health records, and it is the opposition that proposed to cut that funding and to cut the move to electronic health records as part of their election commitments and savings.

The NBN is about more than just faster downloads; it is about a transformation of services in regional and rural Australia as well as the metro cities. It will mean that people in rural and regional Australia will have access, sometimes for the first time, to specialists and services that they would not otherwise have access to. It is going to be one of the greatest improvements to service delivery in those areas that we have seen for generations.

If you come to Tasmania you can see some of this technology live, and it is really exciting to see it. We are talking about interfaces and equipment that are getting smaller and smaller and more user friendly for the end user, who often are patients in the case of e-health, and
obviously in services such as education, e-commerce and agribusiness. They can now all be conducted with improved technology such as the National Broadband Network.

In my own electorate people are really looking forward to the rollout of the National Broadband Network. Whilst for them it is still a year or so off, they are very excited. My office is getting many calls not just about the faster downloads but about the innovation and the technologies that will be received. (Time expired)

**Bradfield Electorate: Coeliac Society**

Mr FLETCHER (Bradfield) (4.57 pm)—I rise to speak about a matter raised with me by the Coeliac Society, which is an organisation based in my electorate of Bradfield. I had the opportunity to meet recently with Mr Graham Price, the Technical Officer of the Coeliac Society. He explained to me that coeliac disease is an autoimmune disease and the only treatment for it is to have a gluten-free diet. This raises the question of what is gluten free.

The Food Standards Code says that gluten free means ‘no detectable gluten’. But the position is a little more complicated than that. Historically that has been regarded as meaning 20 parts per million of gluten in any piece of food. Indeed, food that meets the 20 parts per million standard, I am advised, is labelled as gluten free in Europe and in the United States. The complexity is this. The testing standards have improved in recent years and it is now possible to detect gluten down to a level as low as five parts per million. This has led to the problem that food, which is in all practical senses gluten free and does not trigger the adverse response from sufferers of coeliac disease, nevertheless, is now being found to be carrying gluten because it has gluten at levels of, for example, eight parts per million.

Let me quote from a letter written by the Coeliac Society:
The Coeliac Society is concerned that the term ‘gluten free’ may disappear altogether and we will be the only country not able to supply gluten-free foods.

I have raised the issue with the ACCC, which has an interest in this because of the very strong position it takes in relation to the use of the word ‘free’. It seems that there is something of a bureaucratic stand-off because Food Standards Australia New Zealand and the ACCC seem to be pointing fingers at each other to some extent as to who polices the use of the word ‘free’.

I have written to the Minister for Health and Ageing, Ms Roxon, about this issue and I would argue that we ought to seek a sensible resolution so that the food-labelling laws serve rather than frustrate the interests of sufferers of coeliac disease. In practical terms it ought to be possible to label food as gluten free if it has a sufficiently low level of gluten that it does not cause adverse health effects, even though, because of the latest testing standards, it may have minute levels of gluten present within it. I do hope we can get a sensible response and I commend the work of the Coeliac Society in speaking up for sufferers of this disease.

**Fraser Electorate: Ride to Work Day**

Dr LEIGH (Fraser) (5.00 pm)—I rise today to speak about a terrific community event called Ride to Work Day. On 13 October this year I had the opportunity to participate in Ride to Work Day, an event organised by Pedal Power in my local electorate. Honourable members may remember that that morning was particularly rainy, but I was fortunate to be joined at my local shops in Hackett by not one, not two, not three and not four, but five members of Pedal Power: John Widdup, Paul Truebridge, Tony Shields, Brendan Nerdal and Joy Clay. They were not only terrific company but took great advantage of the opportunity of cycling with me.
from my home to my work to lobby me, one by one—cycling alongside me and raising with me particular issues of concern they had about cycle paths in different parts of Canberra. It was a really enjoyable morning, I think, for all of us.

Pedal Power is one of those great local organisations we have in Canberra, with a membership of about 3½ thousand people. The organisation was founded with the support of Jim Fraser, after whom my electorate is named. It may interest members in this place to know that the organisation was founded on 11 November 1975, a date which we sometimes remember for other reasons.

Cycling is good for people’s health and it is important for the environment. Moving more people to a low-carbon transport approach is going to be one of the ways in which we tackle climate change along, of course, with the use of market based mechanisms. The ACT government and the federal government are strongly committed to a transport plan which will increase the number of Canberrans cycling to work. I was delighted recently to open, with John Hargreaves MLA, a cycle path alongside Ginninderra Drive which will increase the opportunities for people in that area to cycle to work.

Cycling is also terrific fun. When I was an economics professor at ANU, I used to cycle into work whenever I could and I found that half-hour was sometimes the best thinking time I got in the day. It was also a time I got to bond with my one-year-old son, when I occasionally put him on the back of the bike.

Finally I want to congratulate Paul and Di Truebridge of Pedal Power for a program they run called New Horizons cycling development. This program won a national award last year and it is a program that is important in increasing the number of people who cycle to work. It is a program aimed at people who can ride a bike, but not very far or not with confidence, and who want to improve their riding knowledge and techniques so they can commute, go touring or just have fun on the bicycle. It is terrific to see Paul and Di Truebridge encouraging more people to get on two wheels than ever before.

Macquarie Electorate: Lachlan Macquarie

Mrs MARKUS (Macquarie) (5.03 pm)—I rise today to honour the 200th anniversary of Lachlan Macquarie’s tenure as Governor of New South Wales. Before I begin I would like to briefly highlight the Macquarie Youth Leadership Forum, an initiative to invest in the next generation of leaders in our community. This year I named it in honour of Lachlan Macquarie. It is my hope that the 80 students expected to attend have been inspired by his example.

Lachlan Macquarie commenced his governorship on 1 January 1810. There are ten Macquarie towns in New South Wales and four of those—Windsor, Pitt Town, Richmond and Wilberforce—are in my electorate. Castlereagh is also nearby. In the Macquarie electorate we feel that we are very much at the heart of Lachlan and Elizabeth’s story. We have been celebrating this momentous occasion throughout the year. The celebrations focus on Macquarie’s vision and his influence on agriculture, art and the life of the colony.

We commenced the celebrations in 2009 with the launch of the Macquarie Rose. The roses are planted in the grounds of the Deerubbin Centre and are flourishing. Recently we marked the occasion with a luncheon hosted by the Hawkesbury Race Club and on Sunday, 10 October we met at the Governor Lachlan Macquarie statue in McQuade Park, Windsor, to launch the Elizabeth Macquarie Iris. Although I cannot thank everyone, I would like to very briefly
acknowledge all the staff at the Hawkesbury City Council and also the council’s Macquarie 2010 bicentenary committee; Marie Sullivan and the Macquarie 2010 committee; and the Governor of New South Wales, Marie Bashir. Without their contributions this bicentenary would have passed us by unacknowledged. They have done a great service to the community by keeping the legacy of Macquarie alive.

On Friday Pitt Town will come alive with the Freedom of Entry to the City Parade set to take place. This highly anticipated event on the Hawkesbury calendar will celebrate both Governor Macquarie’s bicentenary as well as the 85th anniversary of the Richmond RAAF base. The first RAAF aircraft DH9 biplane landed at the RAAF base on 30 June 1925 and the RAAF has since become a pillar of our community. The Freedom of Entry to the City Parade will take place thanks to the hard work of the Pitt Town Progress Association, the Pitt Town Public School and many local churches and businesses. The last Freedom of Entry to the City was held in 1990, marking this as the 20th anniversary of the exercise. The RAAF band and 200 RAAF personnel will march through Pitt Town as a colourful and poignant reminder of the traditional heritage of our local area. It will be a profound tribute not only to our local RAAF community but also to the legacy of Lachlan Macquarie and his wife Elizabeth.

Robertson Electorate: Davistown Putt Putt Regatta

Ms O’NEILL (Robertson) (5.06 pm)—I have already spoken in the House about the unique beauty and joys of life on the New South Wales Central Coast. In my first speech to the House I mentioned that I was a chronic optimist. It helps me maintain my optimism that I wake up and look out every day over the magnificent Brisbane Water. It is something I recommend to every member of this chamber. The Central Coast is only a four-hour drive from Parliament House. Rather than flying home on a Thursday afternoon, I suggest members consider splitting their sitting fortnight and meeting their nearest and dearest at Davistown. A weekend of relaxation in Central Coast style is sure to await you.

This Sunday would be a good time to take up that offer, as a team of dedicated local volunteers will be holding the annual Davistown Putt Putt Regatta and Wooden Boat Festival.

Mr Fletcher interjecting—

Ms O’NEILL—You could probably go past that too and enjoy the scenic view. The regatta is in its 13th year. It is a tradition on the Brisbane Water that goes back to the turn of the last century and it was revived a few years back by local putt putt enthusiasts. For the information of this chamber, a putt putt boat ranges in length from 14 to 18 feet. It is powered by a single or twin cylinder inboard petrol engine from two to 10 horsepower, which gives that distinctive putt putt sound.

This year a fleet of 75 heritage putt putt boats and onlookers and supporters will be plying the Brisbane Water. Anyone who lives on the Central Coast knows that this is a great family day out. Members may be familiar with that famous quote from the Wind in the Willows: There is nothing, absolutely nothing, half so much worth doing as simply messing about in boats. That pretty much sums up the Davistown putt putt regatta and life on the Brisbane Water in general. The flotilla will be led by a boat from Anderson’s Boatshed, the last commercial boatshed on the Brisbane Water.

The organisers tell me that one of the aims of the regatta and festival is to foster an appreciation for the putt putts amongst an upcoming generation of boatbuilders. It is great that
some golden gurus in the boatbuilding industry on the Central Coast are working to ensure their skills are passed on. I know that in the past one ‘putter’, as they are known, was drawn from a woodwork class from a local school.

The event that I mentioned is organised entirely by volunteers. I would like to pay a special tribute to this year’s coordinator, Darren Isaacs, and his co-coordinator, John Hancock. I met John at the Ferryman cafe during the election campaign. John is an absolute gentleman. The major sponsors for the event are Central Coast Motor Group, Bendigo Bank and Davistown RSL. Messing about in boats is a great part of the Central Coast way of life. I wish all the participants in the Davistown Putt Putt Regatta and Wooden Boat Festival all the best for this Sunday’s event and I hope that I can join them with my family. (Time expired)

The DEPUTY SPEAKER (Mr S Sidebottom)—In accordance with standing order 193, the time for members’ constituency statements has concluded.

PROTECTION OF THE SEA LEGISLATION AMENDMENT BILL 2010
Second Reading

Debate resumed from 30 September, on motion by Mr Albanese:

That this bill be now read a second time.

Mr CHESTER (Gippsland) (5.10 pm)—I rise to speak in relation to the Protection of the Sea Legislation Amendment Bill 2010. I indicate from the outset that the opposition supports the bill. This bill amends the Protection of the Sea (Prevention of Pollution from Ships) Act 1983 to give domestic effect to recent amendments to annex VI of the International Convention for the Prevention of Pollution from Ships, or MARPOL, that were adopted by the International Maritime Organisation on 10 October 2008.

The bill also amends the Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008 to provide protection for persons taking reasonable measures to prevent or minimise the effects of bunker oil pollution in Australia or the exclusive economic zone of Australia, in line with the resolution of the diplomatic conference of the International Maritime Organisations that adopted the International Convention on Civil Liability for Bunker Oil Pollution Damage, the bunkers convention, in March 2001. This legislation was introduced into the House of Representatives on 3 February 2010, it was agreed to by the House on 18 March 2010 and it was introduced into the Senate on 11 May 2010 but not debated.

The coalition accepts that, as an island trading nation, Australia has an enormous shipping task. It is therefore proper that Australia accepts its responsibility to reduce maritime pollution wherever possible. Australia has been a member of the IMO since its establishment in 1948 and has played an active role in the development of conventions and treaties over many years. The six annexes of the MARPOL deal with different aspects of marine pollution and all six have been implemented by both Labor and coalition governments over a period of time. These six annexes cover various aspects of marine pollution—namely, oil, noxious liquid substances, harmful substances in packaged form, sewage, garbage from ships and air pollution.

Under the previous coalition government Australia adopted all six, with the initial version of annex VI entering into force in Australia in November 2007 via the Maritime Legislation Amendment (Prevention of Air Pollution from Ships) Bill 2006. At that time the then Parliamentary Secretary to the Minister for Transport and Regional Services pointed out: 

MAIN COMMITTEE
This bill continues the government’s efforts to prevent pollution by ships and maintains the close alignment Australia has with the International Maritime Organisation’s international conventions. Annex 6 is intended to reduce air pollution from ships to prevent the adverse public health costs associated with it, and I commend the government for continuing the good work of the previous coalition government.

In October 2008 the IMO agreed to revise even further the limits on maritime air pollution described in annex 6. These revisions will reduce sulphur emissions from 4.5 per cent to 3.5 per cent from 1 January 2012. Subject to a review to be conducted by the IMO and to be completed no later than 2018, the cap may be reduced further. The limits on sulphur emissions applying to parts of seas close to heavily populated areas will be reduced from 1.5 per cent to one per cent from 1 July 2010 and then further reduced to 0.1 per cent from 1 January 2015. These areas, known as emission control areas, apply to the Baltic Sea, the North Sea and parts of the US and Canadian coast. There will be a progressive reduction in nitrogen oxide emissions from ship engines constructed after 1 January 2016 operating in emission control areas. There is also the possibility of imposing further reductions in such areas as well, subject to IMO approval, on the grounds of health.

I note that, because of the progressive nature of the reduction in pollution, the bill provides for the establishment of regulations to set the maximum allowable sulphur content. These revisions to annex 6 entered into force internationally on 1 July 2010. These amendments must be implemented in Australian law; otherwise Australia will be in breach of its obligations and be unable to require registered Australian ships to meet the revised targets. The coalition therefore supports this element of the bill.

The second element of this bill relates to the Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008, known as the bunkers act. The bunkers act gives domestic effect to Australia’s obligations as a party to the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001. This convention was adopted by the IMO on 23 March 2001 and entered into force internationally on 21 November 2008. The convention entered into force in Australia on 16 June 2009. The bunkers act establishes a liability and compensation regime where shipowners are liable for pollution damage resulting from a spill of fuel oil from their ships. Liability is based on the size of the ship, with ships of more than 1,000 gross tonnes required to take out insurance to cover liability up to the limits set out in the Convention on Limitation of Liability for Maritime Claims.

This bill amends the bunkers act and addresses a particular industry concern that relates to the possibility of persons or organisations assisting in the clean-up of an oil spill who inadvertently make the pollution damage worse in doing so. For example, the compensation for clean-up costs following the spill of fuel oil from Pacific Adventurer off the south-east coast of Queensland in March 2009 exceeded $30 million. This bill addresses concerns that some may be deterred from helping to clean up such a spill out of fear that they could become liable if their actions carried out in good faith make the pollution worse. Schedule 2 of the bill deals with this by creating a responder immunity. Organisations or persons assisting in the clean-up of a spill will not be held liable for damage caused if they acted reasonably and in good faith. A shipowner will continue to be generally liable for pollution damage resulting from a spill of fuel oil. Under proposed new section 24A responder immunity will not affect that liability. Immunity from an action suit or proceeding will not apply in relation to actions
or omissions that were intended to cause damage or that were undertaken recklessly when it was known that damage would probably result.

Australia likes to think of itself as a good international citizen and it is important that, given almost all of our international trade is carried by sea, we meet our particular responsibility in dealing with marine pollution. The previous coalition government did its fair share in this area, particularly in its adoption of all six elements of the MARPOL Convention. The coalition supports the government in building upon the coalition’s efforts. We also accept from a practical point of view that sulphur levels in fuel in Australia currently fall below the 3.5 per cent cap. So vessels operating in Australia will have no trouble complying with these new standards. The coalition is happy to support the passage of this legislation.

In conclusion, I wish to make a few comments regarding the government’s handling of the Pacific Adventurer oil spill. On 11 March 2009, the Hong Kong-China registered general cargo ship, Pacific Adventurer, lost 31 containers of ammonium nitrate overboard, some seven nautical miles east of Cape Moreton while en route to Brisbane. The ship then reported that its fuel service tank was breached. Subsequently, it was established that 270 tonnes of oil was lost. The clean-up operations continued for two months and, as I indicated previously, cost in the vicinity of $30 million. Under its obligations under the 1996 IMO Convention on Limitation of Liability for Maritime Claims, to which Australia is a party, the owners of the Pacific Adventurer were liable to pay $17.5 million. However, on 7 August 2009 the owner of the Pacific Adventurer, Swire Shipping, agreed to pay a total of $25 million for compensation of valid claims arising from the oil spill. But in a decision to bail out the cash-strapped state Labor government of Queensland, the federal Labor government decided that the decision by the owners of the Pacific Adventurer to go beyond its obligations in meeting its liabilities and responsibilities was not enough. Instead, the federal Labor government decided that, from 1 April 2010, it would increase the tax on Australia’s international shipping industry by increasing the protection of the sea levy by 3c per net registered tonne in order to recover the clean-up costs of the oil spill.

The increase of 3c brings the total levy to 14.25c per net registered tonne. In other words, the entire sector has to pay an increase in costs, even though the party responsible in this situation more than met its liability obligations through a convention to which Australia is a signatory. If the government was not happy with the limits provided under the convention then it should have approached the IMO to increase them. The imposition of an extra levy on the whole industry because of a serious accident goes well beyond the principle of the potential polluter pays. I would be interested to know how much money the government expects this increased levy will raise and over what period of time. I would also be interested to know when the government will honour its commitment in its press release of 9 February 2010 that this increase will be temporary. When will the government rescind this increase? Aside from these matters, the coalition supports the passage of the Protection of the Sea Legislation Amendment Bill 2010.

Mr ADAMS (Lyons) (5.19 pm)—The purpose of the Protection of the Sea Legislation Amendment Bill 2010 is to implement revised measures to reduce air pollution by ships in accordance with changes agreed to by the International Maritime Organisation in October 2008 and to ensure that persons and organisations who provide assistance following a spill of fuel oil from a ship are not themselves likely to be exposed to liability for showing assistance.
The bill amends the Protection of the Sea (Prevention of Pollution from Ships) Act 1983—the prevention of pollution from ships act—to give domestic effect to recent amendments to annex VI of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the protocol of 1978 relating to MARPOL. The bill also amends the Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008—the bunker oil act—to provide protection for persons or organisations who act reasonably and in good faith when assisting in a clean-up following a spill of oil from a ship. This comes about because somebody who has become involved has unintentionally caused a little bit more oil to spill when they endeavoured to do things in good faith. So we need to tidy that up.

This bill implements the operational requirements of the International Convention for the Prevention of Pollution from Ships, or MARPOL. MARPOL is the main international convention covering prevention of pollution of the maritime environment by ships. It has six parts which cover oil, bulk noxious liquids, harmful substances carried by sea in package form, sewage from ships, garbage from ships and air pollution by ships. I think this last one comes into the area of ships engines and the need to make sure that their emissions are at a standard of modern acceptability, as we do with car engines. I think this is tidying that up and bringing it to a better, higher standard.

The air pollution part was adopted by the Maritime Environment Protection Committee of the International Maritime Organisation on 10 October 2008, but it needs some revision. It was intended to limit emissions of ozone-depleting substances such as sulphur oxides and nitrogen oxides from the exhausts of ships. So part of this bill was implemented during this revision. The Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act has established a liability and compensation regime to apply in cases of pollution damage resulting from a spill of fuel oil from ships other than oil tankers in respect of which there is a separate liability and compensation regime. There is concern that persons or organisations providing assistance following a spill of fuel oil may become liable to pay compensation if their actions inadvertently lead to an increase in pollution damage. The amendments in schedule 2 of this bill add a ‘responder immunity’ provision to the bunkers act to protect such persons who act reasonably and in good faith.

I believe this bill to be mainly an explanatory one that helps make clear some of the provisions but also clarifies some definitions such as the meaning of fuel oil. Fuel oil is being defined as any fuel being delivered to and intended for combustion purposes for propulsion or operation on board a ship, including distillate and residual fuels. Gas fuel is another one that requires definition because of the new definition of fuel oil. In the revision, annex VI covers gases which are used as fuel on ships. There are different requirements applying to fuels that are gases and others which are not gases. So there are some of the changes in this bill. The way we drive ships may be changing into the future.

Although this is not a controversial bill—and I just heard the opposition speaker, the member for Gippsland, say that the opposition will be supporting the bill—it does cover some very important areas if we are to attempt to control world emissions from ships. Our ships and the ships of other nations are on the high seas for many months of each year. Obviously, many possible polluting incidents occur and we need to try and ensure these are minimised. There are provisions to allow ships that visit more than one country at a time and have different findings of fuel oil to come within the standards. They can notify that country, particularly if
they are coming into Australia, that they have taken all reasonable steps to obtain fuel oil with a sulphur content no more than the prescribed limit but cannot find a source of supply from the last destination.

Australia has a responsibility for its own environment, but it also has the opportunity to encourage and promote responsibility for the environment at sea. Most people who have never been in a boat see these telltale colours in the water as oil or other pollutants following the wake of some visiting ships. The practice of dumping bilge water at sea can mean not only fuel gets expelled but also microscopic small animals that can float to our coastal zones and become established as a pest in our waters. We must be vigilant to try and stop the invasion of foreign species such as seastars. Mr Deputy Speaker, you would be well aware of those in Tasmania where they have played havoc in some of our areas, including in the Derwent. Seastars make the bottom of the seabed totally barren. They eat the seagrasses and the seaweeds and anything else of a size that they can devour. I have seen over the years where divers have gone down to collect thousands in bags to try to eliminate some of them from the Derwent River. We have also had invasive species of seaweeds, especially on the east coast in Great Oyster Bay in the electorate of Lyons, from ships coming into the Triabunna port from bilge water. It has set up a different species of seaweed, a small red species, which clings to the shore and sometimes gets onto the beaches. These things need to be eliminated and I think with modern practice and processes they can be.

This bill gives the power to fine these people who do not do the right thing, and there is also a power to check record books for these vessels that carry ozone-depleting substances. There are penalties for owners or masters of a ship for the failure to carry and keep an ozone-depleting substances record book.

Under the bunkers act, a new section provides that no civil action, suit or proceeding lies against a person who has acted reasonably and in good faith in trying to prevent or minimise pollution damage in Australia or in Australia’s exclusive economic zone. However, a shipowner will continue to be generally liable for pollution damage resulting from a spill of fuel oil and the proposed new section 24A will not affect that liability. As I understand it, we want our shipowners and masters to be responsible for their ships admissions; however, there are times when, through no fault of their own, omissions occur and there are some provisions to assist them to sort that out. Going to sea and dealing with all the complexities of weather and large ships is not an easy task. There are often things which are not easy to control.

I also remember, when dealing with ships that pollute and are not safe—the ships of shame—in my early days in this parliament, learning a considerable amount from Peter Morris, who was a very active member of the House of Representatives, and his brother Alan. They were two very fine parliamentarians. Peter was chairman of the House of Representatives Standing Committee on Transport, which handed down a report titled *Ships of shame*. This report highlighted the unsafeness of some ships around the world. It went worldwide—conferences were held all over the world to try to bring change to the way that ships were put to sea. Many ships that were registered in obscure countries of very little plate, unsafe and unseaworthy, put many seafarers to the bottom of the ocean because there were no standards that could be applied. It was a very good report that highlighted that these ships not only put seafarers’ lives at risk but also, I am sure, polluted the seas and oceans of the world not only because of their leakages and bad practices but because they were bad ships. I remember the
Australian Maritime Safety Authority playing a role in stopping some of these ships that came into Australian ports from going back to sea until they were safe to do so. The Maritime Union of Australia certainly played a role as well.

It is important to get these things right. There is another bill in the parliament dealing with offshore petroleum safety regimes. The Montara commission of inquiry into the problems of pollution at sea recently handed down its report. The oil pollution in the Gulf of Mexico led to issues for the wetlands of America. There was a social cost to people through loss of jobs, which in turn led to despair. The economic losses to fishing and tourism were enormous. That is a slightly different matter, but it is a difficult issue that needs to be dealt with.

The big picture is to regulate against damage to the sea or the air. We need to sheet home the responsibility for damage as a result of neglect or thoughtlessness. It is important to have a penalty regime. The minister seems to have that right in this bill and is certainly going to take care of that for our nation. Australia can help to lead the world in this important area. We are making sure that we limit emissions in our waters and those that do occur can be noted and dealt with in the most appropriate way. This is a very good bill to have in the parliament, and I am glad the opposition is supporting it. I commend the bill to the House.

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (5.34 pm)—in reply—I thank the member for Lyons for his contribution. As you know, Mr Deputy Speaker, those of you who represent the ‘southern island’ understand the importance of shipping, as we do as a nation. The Protection of the Sea Legislation Amendment Bill 2010 will make an important contribution to protecting the environment from the activities associated with shipping, particularly reducing air pollution by ships.

Australia is almost entirely dependent on ships for its exports and imports, with less than one per cent carried by aircraft. In addition, taking into account total tonnage and the distance travelled, 25 per cent of Australian domestic cargo is carried by ships. This government believes that the effect on the environment from all forms of transport should be reduced where practicable. In the case of shipping, this is best achieved by ensuring that Australian ships and foreign ships which visit Australian ports comply with internationally agreed standards.

This bill implements standards developed by the International Maritime Organisation to reduce the amount of sulphur oxide in ships’ exhaust gases. Sulphur oxides in the atmosphere contribute to the development of acid rain. The reduction in sulphur oxides will contribute to a reduction in air pollution with a consequential positive impact on human health and the environment. The bill will also ensure that any persons who assist with the clean-up of a spill of fuel oil will not themselves inadvertently become liable for pollution damage, so long as such persons have acted in good faith.

The passage of this bill will complement the high safety standards applied to ships trading on the Australian coast and entering Australian ports. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.
INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (No. 2) 2010

Second Reading

Debate resumed from 29 September, on motion by Mr Shorten:

That this bill be now read a second time.

Mr ANTHONY SMITH (Casey) (5.37 pm)—On behalf of the coalition, I make a short contribution to this debate on the International Tax Agreements Amendment Bill (No. 2) 2010. The bill before us has the support of the coalition. It was introduced in the first sitting week and when passed it will, as the minister pointed out at the time, give force of law to the second protocol to the tax treaty with Singapore. As the minister said, it will upgrade the exchange of information provisions in that treaty to internationally agreed tax standards. Tax treaties with key countries are something that the coalition when in government pursued vigorously, and this tax treaty follows in those footsteps. It will have great benefit and, as I said, it is something that the coalition supports.

The treaty with Singapore and this legislation have been subject to considerable public scrutiny. As with all bills that deal with treaties, this bill has been before the Joint Standing Committee on Treaties, which has recommended that it be passed. This bill effectively upgrades the treaty. In particular, it will amend the International Tax Agreements Act 1953 to enact into Australian law the second protocol amending the agreement between Australia and Singapore on the avoidance of double taxation and the prevention of fiscal evasion with respect to income tax law.

The second protocol to give effect to this agreement was signed on 8 September 2009. It was negotiated in the context of improving the tax transparency and exchange of information between countries. As I have said, the coalition supports this bill, as we have done with other tax treaties, which is important to ensure that not only is there very effective tax law but also evasion can be dealt with more effectively by these tax treaties. So we welcome this International Tax Agreements Amendment Bill (No. 2) 2010. It has our support.

Mr NEUMANN (Blair) (5.41 pm)—I speak in support of the International Tax Agreements Amendment Bill (No. 2) 2010. Singapore is an important hub in South-East Asia. It has a dynamic economy and there is a very large manufacturing sector there. It has one of the highest per capita incomes in the world. It is very highly concentrated. Singapore is a small place, as anyone who has been there knows, but it is very much dependent on economic liberalism and its commitment to free trade and free markets is exemplary. Singapore is a very strong communitarian society. It is very outward looking and it trades very extensively with its neighbours. In terms of defence it is an important ally of Australia. It gives significant cooperation through APEC and the ASEAN Regional Forum. There are very strong links in terms of discussions on arms control and disarmament. We are very close partners with them in regional cooperation and defence training, and at RAAF Base Amberley, Ipswich, Singaporean military have trained and participated in defence activities for many years.

Singapore is Australia's largest trade and investment partner in ASEAN and our sixth largest trading partner overall. We are as important to Singapore as they are to us. In terms of Singapore's principal export destinations in 2009, we ranked No. 8; in terms of Singapore's principal import sources in 2009, we ranked No. 17. Singapore is a very important country to us in terms of not just tourism but also defence, migration and other matters.
This legislation is particularly important with respect to tax evasion, which is a curse throughout the world. The integrity of our tax system locally is very important not just to our citizenry but also to the federal government budget and the delivery of services such as health, hospitals, education and the like. The OECD estimates that about US$5 trillion to US$7 trillion is held in tax havens and bank secrecy jurisdictions throughout the world. We are rigorous in terms of these issues but, as tough as we can be, shrewd and cunning people and companies will take every step to evade tax. A whole industry has developed in this area, not just nationally but internationally.

This legislation commits us to being a global leader on the implementation of international standards of tax transparency, making sure that the exchange of information we have with Singapore is at the leading edge. It makes sure that there are very few impediments indeed to the wide exchange of information to make sure that, with respect to taxation, double dipping does not occur and that abusive tax arrangements are not entered into.

This is very important to facilitate the prevention of tax evasion and the exchange of information between taxation and government authorities is crucial. Nothing can be done without the gathering of evidence and the tracing of accounts when money goes in and out of one country or another. Australia may be geographically an island, but we are not with respect to the flow of information and finance.

There is a long history to this matter and we are giving effect to what is known as the second Singapore protocol. It was signed back on 8 September 2009 and it amends the existing treaty we undertook with Singapore. Way back in 1969 the governments of Australia and Singapore entered into an agreement to avoid double taxation and the history of cooperation between the Australian and Singaporean tax systems has its genesis in those days.

The first Singapore protocol was signed in 1989. This bill will amend that protocol. It would have been previously carried out through legislation, but it lapsed with the proroguing of parliament when the election was called. This is not a contentious, difficult or partisan piece of legislation, but it is an efficient one that is necessary to protect the viability and sustainability of our tax system. It will go some way towards containing the abuse of tax havens. It means that the Australian Taxation Office can cooperate with the tax authorities in Singapore to make sure that we play our role in South-East Asia in ensuring compliance with the tax laws of both countries. This is good for business, trade and commerce between the two countries and it is good for our respective communities. I commend the legislation to the House.

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (5.46 pm)—in reply—I thank those members who took part in the debate on the International Tax Agreements Amendment Bill (No. 2) 2010. The government is committed to combating cross-border tax evasion. This bill will give the force of law to the second protocol of the Australian-Singapore tax treaty, which will upgrade the exchange of information provisions in that treaty to the internationally agreed tax standard. The enhanced exchange of information provisions in the second protocol to the Singapore tax treaty will allow tax authorities in both countries to exchange information on a wider range of taxes in a wider range of circumstances. This will discourage taxpayers from participating in abusive tax arrangements by increasing the probability of detection, making it harder for taxpayers to evade Australian tax. I commend the bill to the House.
Question agreed to.
Bill read a second time.
Ordered that this bill be reported to the House without amendment.

NATIONAL SECURITY LEGISLATION AMENDMENT BILL 2010
Cognate bill:
PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT BILL 2010

Second Reading
Debate resumed from 30 September, on motion by Mr McClelland:
That this bill be now read a second time.

Mr KEENAN (Stirling) (5.48 pm)—Clearly the preceding bill, the International Tax Agreements Amendment Bill (No. 2) 2010, was not particularly controversial because it really was dispatched incredibly quickly.

Mr Ripoll—It is called efficient government.

Mr KEENAN—It is about the only thing that is efficient about this government, but I digress. I rise to talk on the National Security Legislation Amendment Bill 2010 and the Parliamentary Joint Committee on Law Enforcement Bill 2010. As we debate these bills today, in numerous places around the world members of Australia’s armed forces, the Australian Federal Police and the Australian Customs and Border Protection Service are undertaking tasks that advance our national security. They all perform hard but necessary jobs. Equally important to Australia’s national security are our antiterrorist intelligence operations.

In the post 9-11 world Australia has expanded its counterterrorism capacity through our state and federal police agencies, ASIO and ASIS. The fact that there have been no terrorist attacks on Australian soil testifies to their success, and in this vital area it is integral that the Gillard government continues to build on the good work of the former coalition government.

We understand that keeping the Australian people safe is the most basic duty of the federal government.

One important facet of Australia’s national security where Labor has failed dismally is border security. Since August 2008, when the government dismantled our effective border protection system, there have been 174 illegal boat arrivals carrying over 8,200 people. This year alone there have been 106 illegal boat arrivals, carrying over 5,200 people. The Prime Minister’s failed immigration and border protection policies are now bringing illegal boats to Australia in record numbers; however, unlike the coalition, the Prime Minister is unwilling to take the necessary action to fix the chaos those policies have created.

Instead, Labor are opening two more detention centres, as Christmas Island overflows and onshore detention centres swell under the weight of Labor’s inept immigration and border protection policies. With one of the two new detention centres being located in the Western Australian town of Northam, it begs the question as to why Western Australia has to foot the bill for Labor’s failed border protection policies. The Northam Shire president, Steve Pollard, said Northam had mixed feelings about hosting a detention centre. He said:

There was a Facebook website page set up about three or four months ago with about 500 people posting their thoughts on it and 95 per cent of those were fairly much against the detention centre …
It would also appear that the Prime Minister did not bother to consult with the South Australian Premier, Mike Rann, until an hour before Labor announced their decision to use the South Australian town of Inverbrackie as a location for a new detention facility. As reported by the ABC, Mr Rann was disappointed the state government was not consulted and he wants to know how the influx might affect state services. For a government obsessed with talkfests, they are showing an unprecedented level of arrogance by using regional Australia as a dumping ground for the surge of illegal arrivals.

Labor’s failed border protection policies have cost taxpayers in excess of $1.1 billion over four years, according to figures released in the 2010-11 budget. That is about $500 for every Australian man, woman and child. The government is chasing its tail with these costs. It is doing nothing to stop these costs from increasing. Its answer is just to keep shovelling money to pay for the blow-outs in our borders, which have now blown out in the budget. Blow-outs of $1.1 billion are just the beginning of all this. The figure will go higher and higher as long as this government is running our borders. People smuggling is an insidious trade that takes advantage of those in vulnerable situations. The Labor government needs to recognise this tragic fact and take action towards stopping the boats from leaving in the first place rather than luring them to the Christmas Island reception centre.

The coalition is committed to securing our borders against illicit drugs, disease, illegal foreign fishing and people smuggling. The integrity of our borders cannot be maintained without proper resourcing of the Australian Customs and Border Protection Service. Since coming to office, Labor has cut funding to Customs for cargo screening by $58.1 million, making Australia’s borders less secure and our nation more vulnerable. In this year’s budget, Labor revealed it would axe up to 250 staff and $146.3 million from Customs and cut the funding of the Australian Federal Police by $23.5 million—the Australian Federal Police being our premier law enforcement agency. By taking an axe to Customs, Labor has made it much easier for illicit drugs and materials that are biosecurity threats to enter Australia. Labor has cut funding for essential border security activities, yet wasted billions of dollars on school halls and pink batts programs. Labor’s mismanagement means our communities face the threat of more illicit drugs entering the country.

I will move on to the proposals that are specifically contained within the bills. The National Security Legislation Amendment Bill 2010 proposes amendments to the legislation in four principal areas: treason, sedition and terrorism offences; powers to investigate terrorism and serious crime; the listing and proscription of terrorist organisations; and the protection of national security information in court proceedings.

The bill proposes that the offence of treason in the Criminal Code be amended by confining the offence to those who owe allegiance to Australia or have voluntarily placed themselves under Australia’s protection and clarifying that the offence of assisting the enemy refers to ‘material assistance’. The offence of sedition is proposed to be renamed ‘urging violence’ and includes urging the overthrow of the Constitution or the government and urging interference in parliamentary elections. These provisions will require an intention that force or violence will be used. Also proposed is a new offence of urging the use of force or violence against a group distinguished by race, religion, nationality, national origin or political opinion. There is a lesser offence if the force does not threaten the ‘peace, order and good government of the Commonwealth’. The defence of acts done in good faith is clarified by making it relevant that
acts were done in the context of artistic work, genuine academic or scientific discourse or in the dissemination of news or current affairs. It is proposed to repeal the offences relating to unlawful associations. These are claimed to be outdated and subsumed by the terrorist organisation laws.

Amendments to the definition of a terrorist act are proposed to include the UN as a target of the act. The definition of the harm intended to be caused by a terrorist act is extended to include psychological harm. A new offence of committing a terrorist hoax is proposed, with a maximum penalty of imprisonment for 10 years. The offence of advocating the doing of a terrorist act will be amended to provide that the prosecution must establish that there is a substantial risk that it would lead another person to commit a terrorist act. This is consistent with the concept of risk elsewhere in the Criminal Code. The offence of providing support to a terrorist organisation is clarified to mean ‘material support’. I would like to acknowledge at this point that the former Attorney-General the honourable member for Berowra was very proactive when dealing with these issues.

Amendments to the Crimes Act are proposed which are said to arise from recent operational experience. The division relating to powers of detention will be separated into two subdivisions to deal with terrorism and non-terrorism offences. In the case of terrorism offences, the maximum length of time that a person can be detained during an investigation period is proposed at seven days and 20 hours. The provisions relating to re-entry under an existing search warrant will be amended to permit re-entry within one hour in normal circumstances and 12 hours in an emergency situation. In addition, it is proposed that entry without warrant will be permitted in emergency situations when investigating terrorism. It is proposed that there be a right of appeal both to prosecutors and to defendants against bail decisions if there are exceptional circumstances.

I turn to the listing and proscription of terrorist organisations. Minor amendments are proposed to provide for listing if the minister is satisfied that the prescribed matters are on reasonable grounds. Listings are to be renewed every three years. As mentioned in the bill’s explanatory memorandum, currently under subsection 102.1(3) of the Criminal Code the listing of an organisation ceases to have effect two years after its commencement or if the Attorney-General ceases to be satisfied that the organisation is directly or indirectly engaged in preparing, planning, assisting in or fostering the doing of a terrorist act, whichever comes first. The purpose of the automatic expiration is to ensure that, if the government wishes to continue the proscription, the Attorney-General has considered afresh all the relevant information and is satisfied that there is sufficient factual basis to justify the proscription for a further period. The proposed amendments will provide that a regulation proscribing an entity as a terrorist organisation under the Criminal Code will automatically expire on the third anniversary of the day on which it took effect. This is consistent with the recommendation of the Parliamentary Joint Committee on Intelligence and Security. In its inquiry into the proscription of terrorist organisations under the Criminal Code, the committee, which is responsible for reviewing all listings of terrorist organisations, concluded that extending the period of a listing regulation from two to three years would offer adequate oversight.

The purpose of the National Security Information (Criminal and Civil Proceedings) Act is to protect information from disclosure in federal criminal proceedings and civil court proceedings where the disclosure would be likely to prejudice Australia’s national security. The act
has been invoked some 38 times, and the experience informs some relatively minor amend-
ments, principally to clarify that notification should be made to a party’s legal representatives
and to streamline the definition of situations in which disclosure will be permitted. In some
situations, answers to questions in court may be in writing.

I turn now to the second bill that we are debating concurrently today, the Parliamentary
Joint Committee on Law Enforcement Bill 2010. The establishment of the committee was a
proposal of the discussion paper on proposed reforms to counterterrorism and national secu-
rity legislation. The proposed committee will replace and extend the functions of the current
Parliamentary Joint Committee on the Australian Crime Commission. The principal extension
is the inclusion of the Australian Federal Police. The committee will be asked to examine
trends and changes in criminal activities, practices and methods and to report on any desirable
changes to the functions, structure, powers and procedures of the ACC and the AFP. It will
also inquire into any question in connection with its functions that is referred to it by either
house of parliament. The coalition strongly believes that governments have a responsibility to
do everything possible to improve national security to deal with potential threats to Australia.
Waiting for a terrorist attack to occur is unacceptable. It is integral that this package of re-
forms delivers strong laws that protect our safety while at the same time preserve the democ-
ratic rights that protect our freedoms. In conclusion, I commend the bill to the House.

Mr HAYES (Fowler) (6.01 pm)—I rise today to speak on both the National Security Leg-
islation Amendment Bill 2010 and the Parliamentary Joint Committee on Law Enforcement
Bill 2010—two bills that I strongly believe contribute to a well-balanced response to the is-
sues of a just and secure environment for our people. I had the opportunity to speak on these
bills during the last parliament. As you will recall, Mr Deputy Speaker, prior to parliament
being prorogued, this matter proceeded through the House. My support for the intentions un-
derpinning both of these bills has not changed.

In today’s rapidly changing world, one of the most important issues is the security of our
people and, as such, national security itself. The responsibility for a nation’s government to
protect its land and its citizens is the most paramount responsibility in the hands of all gov-
ernments. The proposed amendments included in this package of reforms are designed to give
the Australian community confidence that our counterterrorism laws are precise and appropri-
ately tailored and that our new law enforcement and security agencies have the investigative
tools they need to counter terrorism. Additionally, the purpose of the Parliamentary Joint
Committee on Law Enforcement Bill is to establish the Parliamentary Joint Committee on
Law Enforcement, which will replace the Parliamentary Joint Committee on the Australian
Crime Commission. The new committee will be responsible for the oversight of not only the
Australian Crime Commission but also the Australian Federal Police. Notably, this is a sig-
nificant change agreed to by the government previously. The new committee will have over-
sight of both of our premier law enforcement bodies.

Many of the amendments in both bills are the result of recommendations of various inde-
pendent and bipartisan reviews that were designed to improve the practical operations of the
law. The reviews include, but are certainly not limited to, the Clarke inquiry into the matter of
Dr Mohamed Haneef, the Parliamentary Joint Committee on Intelligence and Security and the
review of security and counterterrorism legislation. Public consultation also played a signifi-
cant part in the shaping of these bills. It was encouraging to see a meaningful level of partici-
pation by relevant stakeholders. We take these comments and suggestions seriously and, as you will see, they have certainly found their way into the legislation. Indeed, this is important because we as a government must ensure that our counterterrorism laws are properly understood in our communities and are appreciably consistent with community principles.

As I said, we did consult. Two of the stakeholders that made major contributions in terms of these matters were the Police Federation of Australia and the Australian Federal Police Association. They lobbied very strongly to ensure that there was oversight for not only the Australian Crime Commission but also the Australian Federal Police. One might ask why unions responsible for officers of the Australian Federal Police would seek to do that. I would offer this explanation on their behalf: they believe in their professionalism as police officers and their commitment to ensuring the professional operation of their organisation and in being able to demonstrate that they operate to the letter of the law. Those submissions were made by the representative bodies for police officers. The question was raised as to whether those sorts of organisations would seek to have that level of oversight. They not only agreed to it but sought this change. That is indicative of the way those organisations are run in looking after the professional interests of police officers in this country.

I will now take a little bit of time to go through some of the aspects contained in the bills. The National Security Legislation Amendment Bill contains amendments to treason and sedition offences in the Criminal Code. The government accepted the recommendations of the Australian Law Reform Commission report, which included removing the term ‘sedition’ and replacing it with the phrase ‘urging violence’ and clarifying and modernising elements of the offences. The bill also extends the offence to cover urging violence against a group or individual on the basis of national or ethnic origin in addition to race, religion, nationality or political opinion.

The bill amends the definition of ‘advocates’ in the Criminal Code to clarify that an organisation advocates the doing of a terrorist act if the organisation directly praises the doing of a terrorist act in circumstances where there is a substantial risk that such praise might have the effect of leading a person to engage in a terrorist act. This is necessary because currently an organisation may be listed as a terrorist organisation only if the Attorney-General is satisfied that the organisation advocates the doing of a terrorist act.

The bill also extends the period of a regulation that lists a terrorist organisation from two to three years. Currently under the Crimes Act it is clear that an arrested person may be detained, prior to being brought before a magistrate or other judicial officer, for the purpose of investigating whether that person committed an offence for which they were arrested or for the purpose of investigating whether the person committed another Commonwealth offence that an official suspects them of committing. The amendments in this bill will clarify and improve the practical operation of part 1C of the Crimes Act to address issues that were raised in the Clarke inquiry into the Dr Haneef matter.

The Crimes Act does not currently provide police with the power to enter premises without a warrant in emergency circumstances relating to terrorism offences where there is material that may pose a risk to public health and safety. I know that has been spoken about in this place on a number occasions when there are extraordinary circumstances. Circumstances when police do need to enter premises include when they need to secure issues that may relate not only to terrorism but also the product of what they may be doing, whether it be bomb
making or other things, to actually secure premises to protect the public. This bill will make it abundantly clear and will provide new power for police to enter premises without a warrant in those emergency circumstances.

Further, the time available for law enforcement officers to re-enter premises under a search warrant can be extended by 12 hours or, where authorised by an issuing authority in exceptional circumstances, a longer period. Again, this is to have regard to the fact that not everything is being done simply to collect evidence. Some of those issues of re-entry could be very much in relation to ensuring the protection of the community and the health and safety of residents, et cetera, and therefore those flexibilities are built into this legislation. This amendment is necessary as the time limitation does not provide sufficient scope for police to re-enter premises if they need to evacuate the premises because they have discovered, for example, something that may endanger the life and safety of police officers. As a consequence, delay in the period of the warrant has been occasioned.

The bill also gives the Prime Minister the ability to request the Inspector-General of Intelligence and Security to inquire into an intelligence or security matter relating to any Commonwealth department or agency. This reflects the increasing interaction between a range of Commonwealth departments and agencies and the Australian intelligence community on intelligence and security matters.

As I said earlier, the Parliamentary Joint Committee on Law Enforcement Bill 2010 will also improve oversight of the Australian Federal Police by establishing the new committee on law enforcement. This committee will replace and extend the functions of the current Parliamentary Joint Committee on the Australian Crime Commission, of which I have been a member ever since I came to this parliament some 5½ years ago. The Joint Committee on Law Enforcement will be responsible for providing broad parliamentary oversight of the AFP and the Australian Crime Commission.

Again, it is important to note that the establishment of the Parliamentary Joint Committee on Law Enforcement implements the government’s election commitment to improve oversight of the Australian Federal Police. Finally, the Australian government remains conscious of the need to protect our community from the threat of terrorism without unnecessarily encroaching on the individual rights and liberties that are fundamental to our democratic system and way of life.

In introducing measures which will clarify the operation of the laws and bolster existing safeguards and accountability mechanisms, the government is able to ensure that laws remain responsive to human rights and the fundamental freedoms that we enjoy. I am confident that this package of reforms that has been framed following extensive consultation, which I referred to earlier, will go a long way to helping us meet the problematic issue that confronts modern nations—that is, national security challenges. I commend the bill to the House.

Mr SIMPKINS (Cowan) (6.13 pm)—As I was listening to the member for Fowler concluding his contribution, I began to think that it has been a little bit more than 10 years since I finished my role as one of the operations majors with the Australian Army for Joint Task Force Gold, Joint Task Force 112, which had responsibility during the Olympic Games in Sydney for counterterrorism security in Sydney. In the intervening 10-year period, if I had not been elected to this place perhaps I would have been wasting a fair bit of my time since then. Fortunately, I have the honour of serving here now.
When I think back to those days working on the Olympics for over two years, and the exercises that we undertook and the threats that we planned to counter, I realise how fascinating I have always found security matters. Although I served in the Australian Federal Police for a couple of years before I joined the Army, and then served 15 years in the Army, I have always found matters to do with security particularly fascinating and interesting. So I am glad to be able to stand up and make a contribution on the National Security Legislation Amendment Bill 2010 and the Parliamentary Joint Committee on Law Enforcement Bill 2010.

I would like to begin by speaking on the National Security Legislation Amendment Bill. I understand that many of the amendments arose from reviews and inquiries that have taken place over the past three years. National security is, of course, very serious business and, when faced with an immediate threat, a government must immediately respond. Consequently it is right to review legislation further down the track to ensure that the balance between safety and security and rights and liberties is appropriate. We should recall that in the last 10 years there have been a number of significant events that have demonstrated to us that this nation is not immune from the impacts of terrorism and that national security is a consideration despite the air-sea gap around our island continent.

In the year 2000 we had the highly successful Olympic Games—which I have mentioned—in Sydney, with a number of events, such as the football, in other places. The games were a magic moment for our country, with no security incidents. However, on 11 September 2001, just a bit more than 12 months later, terrorism struck our close ally, the United States of America, and thousands of people lost their lives, including 10 Australian citizens. This attack showed that the attack on civilian targets was very much on the agenda for al-Qaeda and served as a warning for the future, even for us here in Australia. Again, it was just over a year later, on 12 October 2002, that 202 people, including 88 Australians, were killed when Jemaah Islamiyah, a radical Islamic terrorist group, bombed the Kuta district of Bali. Clearly there could be no doubt that Australians were being specifically targeted and therefore at a far higher risk than we may have considered we were facing in the past.

On 5 August 2003 the JW Marriott Hotel in Jakarta was the subject of another bomb which killed 12 and injured 150. The link between the 2002 Bali bombing and the 2003 Marriott bombing attacks was Hambali, said to be al-Qaeda’s man in South-East Asia. Also—and we should note this as well—he had been working on al-Qaeda’s anthrax program. On 9 September 2004 a bomb located in a van was detonated outside the Australian Embassy in Jakarta, killing either nine or 11 people nearby, depending on the reports of either Indonesian or Australian sources at the time. On 1 October 2005, 26 people were killed when bombs were exploded in two locations in Bali. Three explosions took place and three unexploded bombs were later found. Again, Bali is noted as being extremely popular with Australians and this attack was clearly intended, in part at least, to kill and injure Australians.

I also note that the United Kingdom was subject to terrorist attacks on the public transport system in 2005 and 2007, which demonstrated the risks of home-grown terrorism, or attacks on the nation by those who are actually citizens of that nation or at least residents. On 17 July 2009, the Marriott Hotel in Jakarta was again bombed, with the loss of nine lives, several of which were Australian—and we have made comment on that before in the parliament. It was a matter of just weeks later when five Australian citizens, four of Somali origin and one Lebanese man, were arrested for plotting an attack on the Holsworthy Army Base in Sydney.
The fact that those who seek to come here and not stay in their original country and then find such fault with that country that they wish to carry out terrorist attacks is a phenomenon that is increasingly facing the wider Western world. Indeed, there have been cases of native-born people and, for all intents and purposes, people of Anglo-Saxon origin, who have also taken up violence. It is therefore essential that laws be enacted first and foremost to provide sufficient protection to the general population. However, as I said before, it is right that such laws be the subject of review, and so it is that we find ourselves with this legislation before the House. Indeed, apart from the external parliamentary reviews over the last three years, this year the Senate Legal and Constitutional Affairs Legislation Committee saw changes to the legislation from what was introduced into parliament earlier in the year.

In the case of this bill it is my view that the seven main amendments that it contains fundamentally represent procedural changes, and I really do not find any great strengthening in the laws from what is proposed. Indeed, I would say that the strengthening that is mentioned in the Attorney-General’s second reading speech about entering premises without a warrant is confined to emergency circumstances. I believe that the really strong laws were introduced by the former government. On the soft side, there have been changes to the period of investigation—detention being reduced to seven days and some hours. While I personally feel that this change is unwise, I understand that the AFP and the Australian Crime Commission support such a change, and I appreciate their expert view on this matter. We will see how that will turn out in the longer term.

On the high side, I am glad that the government have not introduced this bill with the proposal in the discussion paper to provide detention as an option only on the basis of reasonable belief. Instead, thankfully, they have left the standard as ‘on suspicion’. We would all be aware that the vast majority of Australians supported these laws when they were first brought into parliament by the last government, as most Australians desire protection and would say, ‘If you’re not doing anything wrong, you have nothing to worry about.’ While I am not as confident as the minister that the safety of Australian people is best provided for in these amendments, we are supporting the bill as it is drafted, and it is worthy to remember that the laws that were introduced by the last government, in essence, remain strong.

In making comments on the Parliamentary Joint Committee on Law Enforcement Bill 2010, I would say that, as it is proposed that I will be a member of the new committee, I look forward to its operation. As we know, it will be established because of the outcomes of the discussion paper on proposed reforms to the counterterrorism and national security legislation. The committee will replace and extend many of the functions of an existing parliamentary joint committee, and I look forward to the committee’s oversight being extended to the Australian Federal Police. Clearly I share the view that the Australian Federal Police must be able to do its job, and we as a parliament, particularly this new committee, should ensure that the AFP’s structures, functions, procedures and powers are modified as required to reflect changes in trends of criminal activities. I look forward to this opportunity to serve on the committee and fully support the passage of this bill.

To conclude, I would say that strong and effective laws to protect national security were delivered by the Howard government, and they were borne out of the serious and threatening circumstances of the time. The risk remains with us right now, and in the future we should
exercise extreme caution before we retreat from them, as I believe that the safety of citizens depends on this parliament always having the right laws in place.

Mr PERRETT (Moreton) (6.22 pm)—I commend the former speaker for his contribution to the debate and I rise, obviously, to speak in support of the National Security Legislation Amendment Bill 2010 and the Parliamentary Joint Committee on Law Enforcement Bill 2010. I understand these bills have already passed the House of Representatives but lapsed when the 42nd Parliament was dissolved. Nevertheless, I am pleased to take this opportunity to speak on these bills, which work together to improve transparency, accountability and public safety.

Terrorism and organised crime pose a great challenge to all modern democracies. We heard this today in Prime Minister Gillard’s opening remarks in the debate about the war in Afghanistan and Australia’s involvement in that. All governments face a great challenge to protect their citizens. In fact, when all is said and done, perhaps our greatest fundamental responsibility as a government, as a federal government particularly, is to ensure that Australians can sleep safe and sound in their beds at night. And that requires the Gillard Labor government to give our law enforcement agencies the powers they need to defeat terrorism and organised crime and provide comfort to all Australians. However, in doing this we must uphold our ideals of a democracy and freedom or we will destroy the country that we are elected to protect.

The National Security Legislation Amendment Bill 2010 implements a number of improvements to antiterrorism laws. This is part of the Gillard Labor government’s response to independent and bipartisan reviews of Australian national security and counterterrorism legislation. It clarifies the operation of treason, sedition and certain terrorism offences in the Criminal Code. The name of sedition offences will be changed to ‘urging violence’, and the events of urging violence against a group on the basis of race, religion, nationality or political opinion will be expanded to cover urging violence or violence on the basis of ethnic or national origin and will be expanded to include urging force or violence against an individual, not just a group. The offence will also now apply where the use of force or violence does not threaten the peace, order and good governance of the Commonwealth.

The bill also implements the recommendation of the Parliamentary Joint Committee on Intelligence and Security to extend the period of regulation that lists a terrorist organisation from two to three years. Currently organisations may be listed as a terrorist organisation if the Attorney-General is satisfied that the organisation advocates carrying out a terrorist attack. This bill amends the definition ‘advocates’ to include an organisation that directly praises the doing of a terrorist act where there is substantial risk that such praise might lead a person to engage in a terrorist act. This is an important change.

The bill also amends the investigation and retaining powers largely in response to the Clarke inquiry into the shameful case of Dr Mohamed Haneef. Surely all students of law will remember that this was not justice’s finest hour in Australian history. We all remember when Dr Mohamed Haneef was detained without charge following the London car bomb attacks in 2007. We may never know the full extent of communications between the Federal Police and Scotland Yard. However, I remember the sick feeling in my guts when this Indian doctor, who was working hard for his Australian patients on the Gold Coast, was detained. I had a feeling that he was just not getting a fair go, and I attended public forums in my electorate to express that concern. This bill clarifies that a person always needs to be under a valid state of arrest to
be detained under part IC. It also sets a maximum seven-day limit on the amount of time that can be specified by a magistrate and clarifies the procedures that apply when making an application to extend the period of investigation.

As I said from the outset, our laws which protect us from terrorists must not compromise our freedoms. If they ever do so, that is when the terrorists win. So this bill amends the Crimes Act 1914 to give police the power to enter premises without a warrant in emergency circumstances relating to a terrorism offence where there is material that may pose a risk to public health or safety. Police exercising this power do not have the same powers as a general search warrant, and are limited in what they can do once on the premises. This bill also grants the prosecution and the defendant a specific right of appeal against a decision to grant or refuse bail, and this amendment will ensure consistency and clarity across all states and territories.

I turn now to the related bill before the House, the Parliamentary Joint Committee on Law Enforcement Bill 2010. This bill will improve oversight of the activities of the Australian Federal Police. It does so by establishing the Parliamentary Joint Committee on Law Enforcement, which will replace the Parliamentary Joint Committee on the Australian Crime Commission. The new committee will continue the work of its predecessor and also provide broad parliamentary oversight of the AFP. The committee will also be expected to examine trends in criminal activities and report on recommendations to improve the functions, structure, powers and procedures of the Australian Crime Commission and the Australian Federal Police. This parliamentary committee is the appropriate body for the accountability of oversight of this agency and I commend the Attorney-General on this initiative.

We cannot become complacent in the fight against terrorism. That means ensuring our laws protect the community from the threat of terrorism while upholding these important individual rights that stretch back to the Magna Carta and beyond. Through these bills, the Gillard Labor government is demonstrating its commitment to responsive counterterrorism laws with appropriate safeguards and accountability mechanisms. I commend the bill to the House.

Mr McCLELLAND (Barton—Attorney-General) (6.29 pm)—in reply—I thank honourable members for their contribution to the debate on the National Security Legislation Amendment Bill 2010 and the Parliamentary Joint Committee on Law Enforcement Bill 2010, these bills both being introduced for a second time. To address some of the points made in debate, the member for Stirling made some comments about funding for border security and national security agencies. It is of course tremendously important that these agencies be well resourced; ensuring national security is the highest responsibility of any government. I remind honourable members that the Australian government is committed to building a more secure Australia through supporting and resourcing our security, intelligence and law enforcement agencies, as well as by promoting an international environment that is stable, peaceful and prosperous, and by having a legal structure that is balanced and appropriate.

In terms of resourcing, the Australian government invested over $500 million in additional funding to further strengthen Australia’s national security capacity in this financial year, 2010-11. This $500 million investment is a key part of the first ever coordinated national security budget, which invested a total of $4.3 billion in national security, border protection, aviation security and supporting the Australian Defence Force. In fact, that investment this financial year builds on the $685 million in additional funding that was part of the national security
package in the previous financial year, 2009-10. So very considerable funds are being applied to what is an area of priority for this government.

With regard to the specifics of the bills, after extensive consultation these bills were considered by the Senate Legal and Constitutional Affairs Legislation Committee and passed by this House before parliament was prorogued on 19 July 2010. The two bills comprise a package of reforms to Australia’s national security and counterterrorism legislation aimed at ensuring our laws are appropriately targeted and also accountable in their operation. The National Security Legislation Amendment Bill will implement the government’s response to several independent and, indeed, bipartisan parliamentary committee reviews of Australia’s national security and counterterrorism legislation. The Parliamentary Joint Committee on Law Enforcement Bill will establish the Parliamentary Joint Committee on Law Enforcement, which will replace the Parliamentary Joint Committee on the Australian Crime Commission. This new committee will be responsible for the oversight of the Australian Crime Commission and also the Australian Federal Police.

I thank the Senate Legal and Constitutional Affairs Legislation Committee for its detailed consideration of the National Security Legislation Amendment Bill 2010 and the Parliamentary Joint Committee on Law Enforcement Bill 2010 when these bills were previously introduced. The government has carefully considered the recommendations made by the Senate committee, and I can inform members that the government accepts or accepts in principle three of the committee’s five key recommendations. In response to recommendation 1, the explanatory memorandum now clarifies the reasons for including the proposed urging violence offences in chapter 5 of the Criminal Code. Recommendations 3 and 5 of the Senate committee were not related to amending legislation but were recommendations the government supports in principle. Recommendation 3 was that the Australian Law Reform Commission conduct an inquiry into the pre-charge detention regime under part IC of the Crimes Act. The government acknowledges that the detention of a person is a very serious matter and, indeed, it was touched on by my colleague the member for Moreton. The government acknowledges that and that it is important that the provisions of part IC be closely monitored to ensure that operationally an appropriate balance between the rights of the arrested person and the needs of law enforcement be maintained. The government is therefore supportive of the spirit and intent of the Senate committee’s recommendation. However, the utility of a public inquiry at this stage the government believes to be questionable, as it would not be able to assess the operational effects of the current amendments. Accordingly, my department will arrange a broader review of the pre-charge detention processes once there has been further operational use of and experience with the provisions.

In recommendation 5 the Senate committee recommended that I provide a ministerial direction or additional material to explain the circumstances in which the Chief Executive Officer of the Australian Crime Commission and the Commissioner of the Australian Federal Police should proactively report matters to the Parliamentary Joint Committee on Law Enforcement. The government accepts this recommendation in principle as well. Once established, the committee may wish to actively engage with the agencies and outline the types of matters that the committee would like to be kept apprised of. It is open to the new committee in accordance with the normal practices and procedures of parliamentary committees to request regular briefings from the agencies or to make open or specific requests for written submision.
sions from the agencies on matters concerning the performance of the agencies’ functions. The government expects the Australian Federal Police and the Australian Crime Commission to proactively engage with the new Parliamentary Joint Committee on Law Enforcement by keeping the committee apprised of relevant and significant matters that relate to the general performance of the agencies’ functions, and I am committed to taking appropriate steps to ensure this occurs. I have no doubt that the agencies will cooperate in that respect.

The Senate committee’s recommendation 2 has not been accepted, as it is desirable, the government believes, to retain the good faith defence to the urging violence offences. Repealing the good faith defence would remove an explicit legislative confirmation that a court, in considering whether an offence has been committed, may consider any relevant matter and specifically whether the context of the act was in the course of an artistic, academic or journalistic work. It should be noted, however, that the defence is not absolute but goes to the discretion of the court.

Recommendation 4, which relates to the period of specified disregarded time in the investigation of terrorism offences, also has not been accepted, on the basis that a maximum cap of seven days is, the government believes, reasonable and appropriate.

In conclusion, the government is confident that the reforms contained in both bills deliver strong laws that protect our safety while preserving democratic rights and protecting our freedoms consistent with the principles of the rule of law. I thank members for their contribution and I commend these bills to the House.

Question agreed to.
Bill read a second time.

Ordered that this bill be reported to the House without amendment.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT BILL 2010

Second Reading
Debate resumed from 30 September, on motion by Mr McClelland:
That this bill be now read a second time.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS MANAGEMENT AMENDMENT BILL 2010

Second Reading
Debate resumed from 29 September, on motion by Mr Burke:
That this bill be now read a second time.

Mr HUNT (Flinders) (6.39 pm)—It gives me great pleasure to give bipartisan support, on behalf of the federal opposition, to the Ozone Protection and Synthetic Greenhouse Gas Management Amendment Bill 2010. This bill fits in the context of bipartisan action on matters relating to our global atmosphere. There will be many areas of bipartisanship and some of disagreement. This falls squarely within the area of action which is jointly agreed upon to ad-
dress a problem which is jointly agreed upon using a mechanism which is jointly agreed upon and which has a long bipartisan history.

I want to begin briefly with the background and history of the bill. Secondly, I will deal with the amendments and, thirdly, with the steps forward. When we look at the background, what we see is a successful example of the international community working, over a period of many years, in the relationship between science and policymakers. There was an identification of the risk posed by the release of ozone-depleting gases: the hole in the ozone layer, the potential for it to further expand, the impact on human life and the impact on human agriculture. These were real and profound and were identified early. They led over time to the creation of the Montreal Protocol on Substances that Deplete the Ozone Layer. That protocol has been in many ways a model for cooperative and effective international action. The protocol has a history which includes Australian support on both sides of politics.

Let us identify the source problem. The source problem is largely related to the refrigeration and cooling industries, although it is broader than that, examples being refrigeration and air conditioning; fire protection; foam blowers; solvent manufacture; fumigation; and aerosol. All of these sorts of human activities relied upon gases which subsequently proved to have been ozone depleting in many cases. There was a recognition that this was a contribution to a global problem. It passed through the classic case and circumstance of the tragedy of the commons, and there was a recognition of a need to respond. That in turn led to the creation of the Montreal protocol and to the creation in Australia of the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989.

This bill was supported on both sides. It represented an effective step forward. It prohibited, in large part, the import, export and manufacture of chlorofluorocarbons and related products—ozone-depleting gases—without an essential uses or used substance licence. It also set in place a restrictive regime and a licensing regime for general ozone-depleting gases. The coalition’s subsequent role in government was to ensure that there was a review of the Ozone Protection and Synthetic Greenhouse Gas Management Act by Environment Australia and then, beyond that, that there were amendments in 2003 which dealt with and advanced the causes—in particular where there were synthetic greenhouse gases that were used as a replacement. Those different elements of the history show bipartisan cooperation in this space.

Now we come to this particular bill. It is fairly simple in what it seeks to do. It seeks to ensure that the protective regime is enhanced and expanded but that the compliance measures include civil rather than just criminal penalties. So the strict liability regime and the nature of the penalties is being adapted so as to recognise that there can be inadvertence and that a ‘one size fits all’ penalty may not be appropriate in this space. That is the direction and the nature of what we are doing here. It ensures that we are working towards management of our ozone-depleting gases. In that context, what it shows—and here I go to the future—is what the work that I did in my own thesis in 1990, just after this bill was passed, showed: that there are a number of different ways in which an effective regime for addressing a global environmental issue can be implemented. It can be effective through regulation, of which this bill is a prime example. It can be effective if the right economic modelling tool is used. It can be effective through education.

Economic modelling tools can take two completely different formats. They can take the form of a production tax on all of the elements which have been eliminated. In the case of the
North American sulphur dioxide markets this was quite effective because there was a ready replacement. That was a very effective means of addressing the acid rain problem in the north-east.

Or the tools can be ineffective if there is no ready replacement. They will simply drive up prices on inelastic goods if demand remains constant or close to constant and no ready substitute is available. In that situation you can use abatement purchasing or buybacks such as that which is proposed by the government in the water market. The government’s intention in the water market is to buy back on a lowest-cost tendered approach.

Our approach to greenhouse gas management between now and 2020 is to operate a carbon buyback, which we have shorthanded as ‘direct action’. But that again is an economic instrument based on lowest-cost abatement tendering. In short, we will find the cheapest greenhouse emissions reductions in Australia and then we will acquire them rather than raising an inelastic good’s price dramatically, as we have seen with the 60 per cent price rise for electricity in New South Wales that has had almost no impact on consumption. Demand management through massive price increases on an inelastic good is classically not considered to be an effective mechanism. Abatement purchasing is, however, a very effective mechanism.

This bill is an example of an effective regulatory bill. The sulphur dioxide markets in North America are examples of an effective emissions trading scheme. It is about having the right tool for the right problem. That is where this bill fits in and that is where our approach on greenhouse gas management fits in through trying to choose the right tool for that problem.

I am delighted to offer bipartisan support for this bill on behalf of the opposition. We will take a constructive approach but we will not be co-opted into having to agree with everything. Overwhelmingly, we seek to find common ground where possible. I thank the government and in particular the advisers from the department for their good work. It is a good bill. It is an important action that seeks to improve our capacity to limit ozone-depleting gases.

Mr PERRETT (Moreton) (6.47 pm)—I rise to give my strong support to the Ozone Protection and Synthetic Greenhouse Gas Management Amendment Bill 2010. I particularly welcome the support of the opposition on this bill and thank the member for Flinders for his contribution. The opposition might be a little bit haphazard and divided when it comes to meaningful action on climate change but on this bill and certainly on some other initiatives, such as renewable energy measures, the opposition have been willing partners. I again commend the member for Flinders, especially, for this approach.

In recent years Australia has made significant progress in phasing out and managing those substances that contribute to the depletion of the very important ozone layer. The Sydney Morning Herald reported this week that the hole in the ozone layer above the Antarctic is the smallest it has been in a decade. But wait, it is unfortunately still 24 million square kilometres. The good news is that the ozone layer is slowly repairing itself; the bad news is that it is still a significant size and a problem.

It goes to show, once again, that people do have an impact on our globe. Before we knew that they did any damage to the ozone layer, chlorofluorocarbons were used extensively in refrigerants, aerosol propellants and solvents. It turned out that CFCs move around the globe, eventually rising to the stratosphere and at about 12 kilometres above the earth they are broken down by sunlight. They release chlorine, which reacts with and destroys stratospheric
ozone. Scientists believe that one chlorine atom can destroy more than 100,000 ozone molecules. When the scientists showed us the evidence that CFCs were ripping the ozone layer apart, thankfully the world responded, and quickly. It was one of the finest hours for the scientists, the politicians and everyone else. It is a real example of global collaboration.

Australia banned the importation and the manufacture of CFCs from 31 December 1995 for all but essential uses. The evidence shows us that it worked. As I said, the hole in the ozone layer is getting slowly smaller, as reported by the *Sydney Morning Herald* this week. It goes to show that when the world acts together we can dramatically affect the climate for better and for worse. Andrew Darby put it well in the *Sydney Morning Herald* article when he wrote:

There are few better scientific examples of this in contemporary times than the clever detective work that found ozone depletion, established its environmental costs, fingered the culprits, and got rid of them.

If only we could use this example as our inspiration to respond to other climate challenges such as carbon pollution, for example.

Australia is a signatory to the Montreal Protocol on Substances that Deplete the Ozone Layer and the United Nations Framework Convention on Climate Change. Maybe we should move the Copenhagen discussions to Montreal; it might be a more agreeable city in which to reach a global agreement. Nevertheless, these international agreements are implemented through the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989—an act which after 20 years is difficult to enforce and out of date but, in its time, helped to achieve a culture change here in Australia regarding CFCs.

This bill amends the act to ensure better compliance and more appropriate enforcement provisions. The bill introduces a civil penalty and infringement notice scheme which mirrors the current criminal offences. Under the current system, licensees and permit holders must meet a number of conditions prescribed under the act. As it stands, the only penalty that exists for failing these conditions is the suspension or cancellation of a permit and a criminal conviction. As an alternative, the bill introduces an infringement notice scheme for some offences. This is a far more appropriate course of action for these offences, which are mostly relatively minor. Also under this bill inspectors will be better qualified and face tougher conduct requirements. Their powers will also be expanded to allow inspectors to assess onsite if a breach has occurred.

I also welcome the new provisions in the act setting out the rights of private individuals relating to the collection, handling and return of evidence. The bill also clarifies the purpose of the Ozone Protection and SGG Account, which was established under the act to support the development of evidence based policy research. The bill also extends the ban on air conditioning equipment containing hydrochlorofluorocarbons to be extended to the import and manufacture of hydrochlorofluorocarbon refrigeration and air conditioning equipment. This supports our commitment and our legally binding international obligation to phase out hydrochlorofluorocarbons.

This bill does allow for exceptions where a ban would currently be impractical. When governments engage the community about banning risky and dangerous substances from use there is often an outcry from industry that the world as we know it is over, that the sky is falling, so to speak—the Henny Penny phenomenon, I call it. In my experience this actually un-
dersells industry’s ability in this country to find new and innovative solutions. Take for example the recent announcement by the Australian Pesticides and Veterinary Medicines Authority to ban endosulfan, a chemical used widely by tropical fruit and vegetable growers, nut farmers and cotton farmers, particularly in Queensland. Industry had warned for some time that they could not do without the chemical, but when the APVMA finally banned it, industry was quite accepting of the ruling and more than capable of moving on with safer, equally effective chemicals. Sixty other countries, including the European Union and New Zealand, had already banned endosulfan because of the neurological and reproductive risk to farm workers and wildlife. I note, in the case of this bill, that industry have been thoroughly consulted about the changes and they are particularly supportive of the provision for civil penalties and the restrictions on the import and manufacture of HCFC air conditioning equipment.

Once again, it gives me some hope that when this House again turns to the broader issue of climate change we—and I mean all of us; both sides of the House—will not shirk our responsibility a second time. I hope we will look at the evidence presented before us by the scientists and that we will act. I commend the bill to the House.

Dr WASHER (Moore) (6.54 pm)—Compliments to the members for Moreton and Flinders for speaking on the Ozone Protection and Synthetic Greenhouse Gas Management Amendment Bill 2010. This is a very good piece of legislation. The bill makes four general amendments to the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989. Firstly, the bill introduces a civil penalties regime and provides for the establishment of an infringement notice scheme. The introduction of a civil penalties and infringement notice regime will provide greater flexibility in providing appropriate enforcement. Currently the act contains criminal offences or suspension or cancellation of licences for breaches. Holders of various permits and licences are required to meet certain conditions, and a breach of condition can only result in a suspension or cancellation of the licence. This can be an overly harsh and inappropriate outcome, depending on the circumstances.

Secondly, the bill clarifies the powers of inspectors, particularly in relation to the collection and testing of ozone-depleting substances and synthetic greenhouse gases and search of electronic data storage. It also provides for inspectors to be assisted in exercising their powers. This can be particularly important where tactical specialists are required. Thirdly, the bill improves the procedures for dealing with evidential material, including the seizure, retention, return or forfeiture of that material, and providing for enhanced testing arrangements. Fourthly, it clarifies the purposes of the ozone account, which is a special account established by the act to support the development of evidence based policy by allowing research to be funded from the account.

The Ozone Protection and Synthetic Greenhouse Gas Management Act 1989 enacts Australia’s international obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer and the United Nations Framework Convention on Climate Change. The Montreal protocol sets out each country’s obligations to phase out the use of ozone-depleting substances. It is predicted that if all countries continue to meet their obligations under the Montreal protocol the ozone layer will recover to pre-1980 levels by around the middle of the century in the mid-latitudes and in the period 2060 to 2075 over the Antarctic.

Ozone is actually one of the more noxious pollutants of the troposphere, the lowest 12 kilometres or so of the atmosphere. It is also a potent greenhouse gas. However, the fact that
most of it lies in the stratosphere, which has the highest concentrations, 20 and 35 kilometres above the ground, gives it beneficial effects. The ozone layer absorbs about 97 to 99 per cent of the sun’s high-frequency UV light, light which is potentially damaging to life on earth. And it is thought that every one per cent decrease in the earth’s ozone layer is projected to increase the amount of UV light exposure to the lower atmosphere by two per cent. Over the earth’s surface the ozone layer’s average thickness is about three millimetres.

In the stratosphere, formation of ozone, O₃, is initiated by the action of UV light on oxygen molecules, O₂, which then split into highly reactive oxygen atoms or O. Once released, an oxygen atom can combine with an inactive oxygen molecule to make ozone. Ozone itself goes through a cycle of reactions. It also absorbs UV, breaking it into constituent parts only to form again. After many trips around this cycle, the end comes when an ozone molecule encounters a free oxygen atom and is converted back into ordinary oxygen. Ozone is catalysed by a series of highly reactive elements and molecules known as free radicals. They speed up the destruction of ozone and constantly re-emerge to trigger another round of reactions. This is why trace constituents such as chlorine atoms can have such marked effects on ozone levels. As the member who spoke previously said, it is estimated that one chlorine atom can destroy up to 100,000 ozone molecules.

The catalysts in the stratosphere come from the breakdown of gases which percolate up from the lower atmosphere. For example, chlorine methane, given off by rotting plants and burning vegetation, is a natural source of stratospheric chlorine. However, this supply has been dwarfed by synthetic compounds such as chlorofluorocarbons or CFCs. Ironically, certain greenhouse gases such as methane or carbon dioxide mitigate the damage caused by CFCs. By trapping heat in the lower atmosphere, the stratosphere is cooled, slowing the rate of ozone destruction.

The destruction of the ozone layer became of particular relevance to Australia when the ‘ozone hole’ was detected above Antarctica in 1985. The ozone hole is not actually a hole but a region of exceptionally depleted ozone in the stratosphere over the Antarctic that happens at the beginning of the Southern Hemisphere spring. The hole was observed as being at its largest on 24 September 2006 when it was 29.5 million square kilometres. The maximum ozone hole area for 2009 was 24 million square kilometres on 17 September. So why did the hole form here? Destructive free radicals such as the chlorine atom can become locked up in a more stable reservoir of molecules such as hydrogen chloride. They are then unavailable for reactions that destroy ozone. But if something releases the chlorine into its active form again, then it can set about destroying ozone. This is thought to be the reason behind the special chemistry of the ozone hole over Antarctica.

Due in part to Antarctica’s land mass, winter around the South Pole is especially cold. The sun disappears for six months, and the rapid cooling that results sets up strong westerly winds that swirl around the pole up in the stratosphere. The stable polar vortex isolates the air within it and leads to some odd chemistry. The air becomes cold enough—around 80 degrees centigrade below freezing—for icy particles to form, known collectively as polar stratospheric clouds. Reactions on the surfaces of these icy particles convert stable chlorine reservoir molecules such as hydrogen chloride into compounds that rapidly are broken up by sunlight. When the sunlight returns in the spring there is a burst of active chlorine radicals, hence the presence of the Antarctic ozone hole every spring.
It is also now thought that the hole is responsible for the reduced uptake of CO2 by the Southern Ocean. In most ocean regions the increase in atmospheric CO2 levels has led to an increase in CO2 absorption; not in the Southern Ocean, however, where carbon absorption has flattened out. Although the Southern Ocean is a major carbon sink, taking up around 15 per cent per cent of CO2 emissions, it is thought that between 1987 and 2004 the uptake was reduced by up to nearly 2½ billion tonnes. This is equivalent to the amount of carbon that all the world’s oceans absorb in a year. The reason for this is wind.

The decreasing stratospheric ozone and rising greenhouse gases are altering the radiation balance of the earth’s atmosphere. This in turn alters and strengthens the westerly winds that blow over the Southern Ocean. The stronger surface winds are enhancing the circulation of the ocean, raising carbon-rich waters from the deep to the surface. This then reduces the capability of the surface water to absorb atmospheric carbon. Also, perhaps more troubling is the higher carbon levels in the shallow waters, as this make these waters more acidic due to the formation of carbonic acid, and it is in these shallow waters where most organisms that require calcium carbonate for shells dwell. The chain of causation in earth’s ecosystem is very complex. It is unlikely that anyone predicted that increasing our emissions of CFCs would have affected our uptake of carbon dioxide by our Southern Ocean.

Our legislation which regulates our actions that may cause harm or adverse disruption to our ecosystems must be amended over time to ensure that they remain effective. In 2003 the coalition amended the act to include synthetic greenhouse gases that had started to be used as alternatives with the phasing-out of the ozone-depleting substances during the 1990s. Whilst ozone benign, some of the alternatives brought in were potent greenhouse gases, such as the hydrofluorocarbons and the perfluorocarbons. As this bill improves the effectiveness of the act, I commend it to the House.

Mr DREYFUS (Isaacs—Cabinet Secretary and Parliamentary Secretary for Climate Change and Energy Efficiency) (7.03 pm)—The Montreal Protocol on Substances that Deplete the Ozone Layer is a clear demonstration that the international community can address global environmental challenges through multilateral action. Actions taken by developed and developing countries through the Montreal protocol since it was agreed in 1987 have seen more than 95 per cent of ozone-depleting substances phased out. Scientific observations show that concentrations of chlorine and bromine in the atmosphere are now reducing. Scientists predict that the ozone layer will recover by around the middle of this century in the mid latitudes and by around 2070 over the Antarctic if all countries continue to meet their obligations under the Montreal protocol.

Australia has been a strong advocate of action to address ozone depletion since Montreal protocol negotiations began in the 1980s. In current circumstances it is worth observing that the Montreal protocol is a great example of how coordinated global action can be used to combat a diffuse global threat to the environment, when we contemplate the type of global action that is now required in relation to dangerous climate change. Australia has met or exceeded all of our obligations under the Montreal protocol.

This bill, the Ozone Protection and Synthetic Greenhouse Gas Management Amendment Bill 2010, will facilitate Australia’s final phase-out of hydrochlorofluorocarbons. The Australian government and industry agreed to an accelerated phase-out of HCFCs in the early 1990s which will see Australia phase out 99.5 per cent of HCFCs by 2016. The provision for restric-
ations on refrigeration and air-conditioning equipment containing HCFCs will reduce demand for HCFCs in the servicing sector as we head towards our final phase-out. This will also benefit consumers by preventing outdated technology from entering the market. This approach builds on Australia’s successful program to phase out chlorofluorocarbons in the 1990s.

The bill will bring our compliance regime into the 21st century. It clearly sets out the role of Commonwealth officials and the rights of people, businesses and property that are covered by the act. The civil penalty provisions offer an alternative to the existing severe and inflexible criminal offence provisions. They will provide effective compliance options without threatening the livelihood of minor offenders. The bill will build on the substantial efforts made to minimise preventable emissions of synthetic greenhouse gases. The enhanced compliance regime will further improve standards in the refrigeration, air-conditioning and fire protection industries and lead to lower emissions. I thank the members for Flinders, Moreton and Moore for the contributions that they have made to this debate. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Ordered that this bill be reported to the House without amendment.

**PRIMARY INDUSTRIES (EXCISE) LEVIES AMENDMENT BILL 2010**

**Second Reading**

Debate resumed from 29 September, on motion by Dr Mike Kelly:

Mr JOHN COBB (Calare) (7.08 pm)—I rise to speak to the Primary Industries (Excise) Levies Amendment Bill 2010. The bill before the House is another example of where an agricultural industry itself has driven sensible, practical measures for reform to ensure that our industries continue to use sustainable production methods and best practice to keep ahead of the game. This bill amends the Primary Industries (Excise) Levies Act 1999 to increase the cap on the research and development, or R&D, component of the laying chickens levy from 10c to 30c per laying chicken. It may seem minor, but it is a major win for the industry and a shining example of how a proactive industry can drive change.

The proposed levy cap increase to 30c will enable increases in the operative levy rate above 10c. It does not mean it will go to 30c. It gives the industry and the minister the ability to raise the levy progressively up to that amount as the industry and the minister see fit. It is in response to the egg industry requesting that the operative levy rate be increased beyond the current 10c levy that is in place. This increase would enable the Australian Egg Corporation Ltd, AECL, on behalf of the egg industry, to meet the core R&D objectives that it and the industry have, as outlined in its 2008-12 strategic plan. The 30c cap will allow industry to seek future levy rate increases within that 30c cap by amendments to the Primary Industries (Excise) Levies Regulations, without any need to amend the act, as I said.

As with other primary industry R&D corporations, AECL has taken a methodical and systematic approach to the evaluation of the impact of R&D. The fact is that with that R&D the Australian agricultural industry in general, but in this case the laying chicken industry in par-
ticular, meets its objectives, is on top of the game and continues to set world standards. To assist the consideration of an increase in the levy by the egg industry, it developed a compelling business case which included an independent cost-benefit analysis. That analysis provides the strong support that the parliament needs for increasing the levy.

R&D investment through AECL has totalled in excess of $3½ million in the four years from 2003 to 2007. Independent analysis of the R&D investment showed that there is demonstrable return on that investment, as indeed did the inquiry into R&D held recently, which looked at matching levy funds between government and industry. It showed that the Australian taxpayer is very, very well serviced by the levy, as it is by levies in the other major agricultural industries around Australia. The estimated return on egg R&D of $12.60 for every levy dollar invested is not inconsistent with estimates from other industries. The analysis reveals that 72 per cent of the investments have delivered benefits for egg producers and 65 per cent have also delivered outcomes to the Australian community. That is good, and we are totally in accord with the government in wanting to see this bill go through the House so that the changes can be implemented.

It is also timely to note that, while industry is more than pulling its weight to fund research and development in the national interest, this government has done a real job of slashing and burning this important component of any national food security plan in recent years. Investment in agricultural R&D at the state and federal level has dropped dramatically. Certainly, the federal scene is not as guilty as the state in withdrawing from R&D funding, but at the federal level the then Rudd government cut $63 million from the CSIRO agricultural research budget in its first year in office. It abolished Land and Water Australia. It cut $12 million from the IRDC. It continues to look hard at ways to cut funding. The recent inquiry into the level of R&D funding that the federal government invests to match industry funding was an example of that. That inquiry recommended that 50 per cent of the current matching dollar for dollar by government be withdrawn. The government wants to put it into what I can only refer to as political R&D rather than productive R&D.

This concerns me greatly, because the inquiry I just mentioned showed without a doubt that the taxpayer gets extraordinarily good value for money out of what the Commonwealth puts in through matching funds with industry. If the current government wants to start political R&D—in other words, looking into climate change et cetera—rather than combining with industry to do productivity R&D, all well and good, but do not throw the baby out with the bath water and take away the funding; continue to do the other. If the government wishes to go into separate forms of research and development without industry, all well and good, but do not take away what is working.

Mr Adams—A slightly related process.

Mr JOHN COBB—Madam Deputy Speaker Bird, I hope the member for Lyons can prevail upon his colleagues to see this does not happen because I am sure he knows, as I do, that it is the best money the Commonwealth spends.

As with other primary industry R&D corporations, and as I said, AECL took a methodical and systematic approach to the valuation of the impact of R&D investments to assist consideration of an increase in the levy by the egg industry. They developed a compelling business case that includes an independent cost-benefit analysis, and that analysis provides strong support for increasing the levy. Thank you.
Mr ADAMS (Lyons) (7.15 pm)—The honourable member for Calare is quite right: the levies that are collected in this country play a very important role. But I think all of the issues he mentioned such as climate change and productivity go together, in the sense that you cannot increase productivity without taking into consideration carbon and carbon footprints. It is a bit of a no-brainer. It all has to be linked together to find the best path forward.

The Primary Industries (Excise) Levies Amendment Bill 2010 consists of a measure to increase the cap on the research and development component of the laying chicken levy from 10c to 30c per laying chicken. The Australian Egg Corporation Ltd, on behalf of the egg industry, requested that the increase to the levy rate from 10c to 13.5c be in place by 2010 so that it could meet the research and development objectives outlined in the industry’s 2008-12 strategic plan. Currently, the Primary Industries (Excise) Levies Act 1999 caps the research and development component of the laying chicken levy at 10c per laying chicken. This bill makes amendments to the act in one area: the bill will provide for an increase in the cap on the research and development component of the laying chicken levy from 10c to 30c per laying chicken.

The levy is imposed on laying chickens hatched at any hatchery where at least 1,000 laying chickens are hatched in a financial year. The levy is imposed on laying chickens that are older than 48 hours after hatching. The operators of hatcheries who produce laying hens are legally responsible for paying the levy. However, the cost of the levy is routinely passed on to egg producers.

In May 2009, the Australian Egg Corporation Ltd, on behalf of the egg industry, provided a submission to the Minister for Agriculture, Fisheries and Forestry proposing a two-step increase to the levy—initially from 7.2c to 10c and then, after 12 months, from 10c to 13.5c. The majority of egg producers supported this change. Amendments to the Primary Industries (Excise) Levies Regulations 1999 increased the levy rate from 7.2c to 10c from 1 December 2009. To allow for the further rise to 13.5c, an increase in the levy cap is required by amending the act—hence, this amendment bill today.

Under the act, the maximum total rate of levies applying to all animal or animal products is $5 per unit. The current levy caps for laying chickens are 10c for research and development, 33c for the Australian Animal Health Council and 40c for the National Residue Survey. Increasing the R&D cap from 10c to 30c per laying chicken is therefore well under the overall maximum allowable statutory cap. This will cover the proposed levy rate of 13.5c and any further changes required in the future to account for inflation and strategic levy increases. The 30c cap will allow industry to seek future levy rate increases by amendments to the regulations without the need to further amend the act. The bill does not include consequential amendments to other acts. As I said, this increase will enable the egg industry to meet the core R&D objectives outlined in its 2008-12 strategic plan.

However, should the Primary Industries (Excise) Levies Regulations 1999 be changed after the levy cap is increased to establish a levy rate of 13.5c, it would result in additional government matching in the order of $442,000 per annum. An additional contribution of more than $200,000 for the 2010-11 financial year is anticipated. Should the new rate come into effect from 1 December 2010, funding for this would flow from a special appropriation outside the normal budget approval process.
This bill was introduced in the last parliament and is now looking to be adopted by this one. It will ensure that the Australian egg industry maintains its strong tradition of being innovative and adaptive. Levies provide an effective system for funding necessary research and development. I understand that the goal of the AECL’s R&D program is to improve efficiency, sustainability, egg quality, education and technology transfer in the Australian egg industry.

As I said, with this legislation the Australian government is responding to a request by the AECL, on behalf of the egg industry, to increase the R&D levy rate to 13.5c per laying chicken. The levy is currently 10c per laying chicken, the maximum allowed under the legislation. The increased levy weight will assist the industry to expand its R&D objectives as outlined in its 2008-12 strategic plan. The R&D objectives include improving flock health and disease management, animal welfare and environmental sustainability. The request by the AECL followed consultation with the industry and met the government’s levy principles and guidelines. To increase the levy rate from 10c to 13.5c, as requested by the AECL, is a two-step process. The legislation has to be changed to increase the maximum allowable R&D levy rate. The government has decided to increase the cap from 10c to 30c now to cover potential future levy increases that the industry may require.

If the bill is approved by the parliament, the government will amend the Primary Industries (Excise) Levies Regulations 1999 to increase the levy to 13.5c per laying chicken. I have been informed that the AECL considers that, without increased levy proceeds, there will be underfunding of the R&D required to respond to the productivity and sustainability challenges faced by the industry. The AECL’s submission to the Commonwealth proposing an increased levy notes that the egg industry’s current R&D often lags substantially behind that undertaken by competing industries and other food commodities. There is an estimated return of $12.60 for every egg R&D levy dollar.

Most of the primary industries now have to be smarter in the way that they operate. This requires research to ensure that the industry is heading in the right direction for the future. I commend the AECL for taking the initiative to levy growers to allow that work to be done to benefit all of them. The government understands this and wants to assist other industries to help themselves through difficult times. R&D corporations need to put some money into education especially of young people so that they understand the livestock industry in Australia; otherwise, there might not be a livestock industry in the future. There is a real need for that, and the R&D corporations have lagged behind in understanding that. For a small amount, I believe we could do a lot in the education sector.

The research priorities in this strategic plan go out to 2011. I understand from the AECL mission statement that there are plans to develop and drive an integrated on-farm plan for chain and market services that maximises benefits and revenue for the Australian egg industry and the community to minimise barriers and costs for Australian egg producers. The scope of these research and development operations covers the entire supply chain from farm inputs to egg products and by-products. They say the main focus is to provide innovative on-farm solutions—maybe some of that will be for the carbon footprint—and improvements in efficiency. They will also include all associated production factors which are relevant, including consumer needs and expectations, nutritional factors, market demand, supply chain, waste management and quality control. This will allow them to try and meet their mission statement.
This industry has a number of challenges. The most obvious and probably the most public one concerns hen welfare. This is not an easy one for the industry, as there has been a lot of adverse publicity, some of which may not be warranted. Certainly there were some bad operators in the system. The industry recognises that it is difficult to objectively assess and characterise hen welfare associated with production system design. The welfare debate is complex because of the different approaches and priorities of welfare assessment and associated beliefs of stakeholders. Therefore, it is critical to have rigorous and peer reviewed science and communication of key research outcomes regarding best management practice and on-farm animal husbandry available to producers.

Obviously, production that optimises hen welfare is fundamental to all effective and sustainable businesses. Unbalanced publicity and an uncertain regulatory environment impinge on a producer’s ability to invest in or improve production systems to meet consumer demands. There is a risk that changes of practice without rigorous science will compromise hen welfare. Purely from a consumer’s point of view, I have been taking note as I shop for eggs at my local supermarkets. People are taking a more careful approach to egg buying. I have noted at times that people scrutinise the boxes that say ‘free range’, ‘barn reared’ or, even more weirdly, ‘organic’ and seem to be prepared to pay more for those boxes labelled as such. As this is my research and it is anecdotal, it may not play much of a role in decision making. It would be interesting to note if the trend went right across our nation. Is there a change in people’s buying habits? Does this have an impact on the profits of the industry?

There are also the environmental impacts of the industry and the need to minimise the effect of waste, emissions and by-products. Maybe we need to look at ways of using those products and perhaps the energy sources of the businesses themselves. I am pleased that the bill has bipartisan support. I am sure it is good for the industry. I support the bill.

Dr MIKE KELLY (Eden-Monaro—Parliamentary Secretary for Agriculture, Fisheries and Forestry) (7.30 pm)—in reply—I thank the members for Calare and Lyons for their contributions—particularly the member for Lyons who is a passionate advocate for the primary industries sector in his electorate and is passionately interested in the issues concerning primary industries nationally. In my new capacity I look forward to working closely with the member to advance the cause of primary industries.

The Primary Industries (Excise) Levies Amendment Bill 2010 amends the Primary Industries (Excise) Levies Act 1999 to increase the maximum allowable levy rate cap on the research and development component of the laying chickens levy from 10c to 30c per laying chicken. The proposed change is simple but provides greater flexibility for the egg industry to invest in its research and development effort into the future, providing a positive return for egg producers in the community. The change in the levy cap will allow for a regulation to be made to increase the operative levy rate to 13.5c to allow the egg industry to meet the core research and development objectives outlined in its 2008-12 strategic plan. The levy increase was requested and supported by the industry. It is a wonderful example of the cooperation between government and industry through the levy scheme to promote and support research and development in the primary industries sector. I thank you, Deputy Speaker Bird, and I thank members for their contribution.
Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

ST MARY OF THE CROSS

Consideration resumed from 18 October.

Mr ANDREWS (Menzies) (7.33 pm)—On indulgence: I am pleased to rise to speak on this statement about the recent canonisation of Mary MacKillop. In rising I acknowledge the celebrations that were held throughout Australia over the weekend, including those in Melbourne organised by the archdiocese and the Sisters of St Joseph that I attended, along with many thousands of other people. At the outset I also acknowledge the bipartisan approach to this and the fact that both the government and the coalition promised in the context of the election campaign to provide funding towards those celebrations and related events. Members of both sides of parliament attended the events in Rome over the weekend.

The canonisation on Sunday of Mary MacKillop was an event that all Australians can celebrate, not just Catholics. Men and women of every faith, and none, can rejoice in the life of this extraordinary Australian. A canonisation is not the religious equivalent of winning an individual Olympic gold medal, although many, including some Catholics, speak of it as if it were. In an age of individualism, it is perhaps difficult to understand that Mary was motivated by a profound commitment to community and the common good. Over the past few weeks, many claims have been made of Mary: she was a feminist before her time; she was a rebel against a clerical church; she was a pioneering social worker; and it has even been claimed that she was a model for the Independents in the federal parliament!

Mary MacKillop was a gifted woman; a strong-willed and determined leader; a builder of schools, homes for the poor and congregations. But she was more than all those characterisations. Her long-running disputes with various bishops have been well rehearsed in recent weeks. It was real and painful for her, but she was no rebel. She always accepted the authority of the church hierarchy, praying constantly that the work of her sisters would be able to prosper. Her prayerful perseverance was rewarded, as previous decisions were reversed, including her excommunication. At her passing, Archbishop Moran observed:

Today I believe I have assisted at the death bed of a Saint.

Mary was an immensely practical woman. Her sisters, young women in their late teens and twenties, left the cities for the hardship of small towns and rural communities in the century before last. Preparing them for the task was uppermost in Mary’s mind. They, she said, ‘must be trained spiritually and in the worldly knowledge necessary to enable them to take the stand the church in Australia requires of them.’ The work not only included teaching in the schools she founded and caring for the poor and homeless but begging when necessary for the funds to live on. Her practical Christianity attracted support from Catholics and non-Catholics alike. While motivated by faith, she was also a woman of the world. When women gained the right to vote and to be elected to parliament she encouraged her congregation to participate. She wrote to her sisters in 1903:

It is the duty of all of us to vote. Find out who are the members proposed for election and vote for those who are considered most friendly to the church and to religion. Every so called Catholic is not the best man.

MAIN COMMITTEE
We can learn from Mary MacKillop that clear vision, perseverance and determination will overcome obstacles, but most of all we can learn that faith is not a relic. To claim Mary for some current political cause is to miss the essential meaning of her life. She was motivated through her love of Christ to bring about a better future for hundreds of thousands of Australians. In an era that often seems besotted by vice, she reminds us that hope and courage are enduring virtues. In 50 years, the small school she founded in 1866 at Penola with Father Julian Woods had grown to 106 houses, 12 institutions sheltering more than 1,000 people at a time, and 117 schools with more than 12,000 pupils. Her life was an exemplar of the call to ‘love one another as I have loved you’.

A few weeks before her death in 1909, having previously suffered a stroke, Mary wrote:

Whatever troubles may be before you, accept them cheerfully, remembering whom you are trying to follow. Do not be afraid. Love one another, bear with one another, and let charity guide you in all your life.

It is a fitting epitaph and a worthy commendation for us all.

Mr PERRETT (Moreton) (7.38 pm)—I rise on indulgence to speak first from this side of the chamber in support of the remarks of the Prime Minister regarding the canonisation of Mary MacKillop. It is certainly humbling for a simple bloke to follow in the trailblazing wake of a wonderful, inspirational woman. I started in grade 1 in 1971 and went through to 1977 at a Josephite school, and I think that every day we would have said a prayer for the canonisation of Mary MacKillop. St Mary of the Cross is a true Australian hero: for people who attended Josephite schools, for Catholics and, it seems—from the celebrations on the weekend—for all Australians, even the atheists. She is a hero not just for people of Catholic faith or even the broader Christian community but for every Australian.

St Mary’s story captures something at the core of the Australian spirit particularly because she had a heart for the bush, which is such an important part of the Australian identity, because she hated poverty and inequality, and perhaps also—with all respect to you, Deputy Speaker—because she had a healthy disrespect for authority. That is an Australian trait that is usually an endearing trait. I think that even the Pope was tolerant of Australians not necessarily respecting all of the rules put down by the Vatican when it came to announcing the canonisation.

St Mary of the Cross chose to live a life of poverty in order to bring hope and opportunity to thousands of Australians, and her legacy continues to do so today. St Mary founded the Sisters of St Joseph of the Sacred Heart, an order dedicated to educating the poor, particularly in the bush, where I am from. Because of that commitment to the bush, she also had a particular influence on many Indigenous Australians. The Sisters of St Joseph was the first religious order to be founded by an Australian, and they committed themselves to poverty, to divine provision, to no ownership of personal belongings, and to go wherever they were needed. And let us look at some of the places where they were needed. I will speak particularly about Queensland, although I know there are other states that also have their stories. I speak about places like Allora, Clermont, Mackay and Pittsworth, to name a few, and the school I attended, St Patrick’s in St George.

Today we live in an age when so much of life is about looking out for No. 1; but St Mary MacKillop was different. Her life was about putting others first. She put aside the usual prejudices and became poor to serve the poor—a truly great commitment. In doing so, she gave
Tuesday, 19 October 2010

HOUSE OF REPRESENTATIVES

835

hope to the forgotten peoples of her generation and she continues to inspire and guide a new generation today. Mary MacKillop opened the first Josephite school in South Australia in 1867, and by 1871 there were 130 sisters serving in more than 40 schools and welfare centres in South Australia and Queensland. As a kid growing up in St George in rural Queensland, I attended St Patrick’s Convent, a school founded by the Josephites. As I mentioned, every day we prayed to Mary MacKillop. St Patrick’s Convent was established after her death, but her legacy was strong then and continues in St Patrick’s to this day.

Mary MacKillop gave country kids like me a chance at education. Just a few years ago I attended the 75th reunion of St Patrick’s—I was the MC, with Sister Mary—and the school community is still going strong. Not only did Mary MacKillop understand the value in educating the poor; the Josephites also ran an orphanage, they rescued neglected children and girls at risk, and they cared for the aged, the poor and the terminally ill.

St Mary was a true pioneer for social justice and welfare in Australia. I lightly touch on the fact that some of these things are Labor values, such as valuing education and valuing social justice. The Australian political system has a healthy separation of church and state, but that does not mean that the church does not have a vital role to play. Obviously we do not want a ballot box sitting in the shadow of a pulpit; nevertheless, it is the church’s role to stand in the margins and advocate on behalf of the voiceless and the oppressed, to stand up for those who cannot stand on their own. That is what a good church does.

I know that there are some who flinch when the church enters the political debate. Whilst people of faith should be guided by their religion rather than controlled by their religion, I do recognise that we need the church to continue to shine a light on injustice and inequity in our society and around the world: like the plight of refugees, like advancing the Millennium Development Goals, like child safety, like recognising the poor treatment of our own Indigenous people. This is the role of a strong church, just as St Mary of the Cross shone a light on poverty, education and care for the sick nearly 150 years ago. When people talk about our Judeo-Christian heritage, this is what they should mean.

St Mary MacKillop understood what it is to lose the chains of injustice and set the oppressed free. She pioneered social justice and she did so with no motive other than compassion. When she came up against the male church hierarchy, she stood her ground at a time when that was not often done, and she did so on behalf of those she served: the poor, the people in the bush and the Indigenous. When called on to compromise the values of the Sisters of St Joseph of the Sacred Heart, as she was expected to, like a good nun she refused and she was excommunicated for her trouble. It was not long, though, before she was welcomed back to the fold and continued her good work. Travelling to Rome, she received Papal approval for the Sisters of St Joseph and travelled throughout Europe, where she studied educational methods, collected resources and recruited nuns and priests.

The Josephites continued to thrive, opening more schools in South Australia, New South Wales, Queensland and New Zealand. All the while Mary MacKillop faced opposition from priests and bishops, and poor health of her own, but nothing would stop her good work. Today her faith in good works has stood the test of time. The Sisters of Saint Joseph continue their work and bring hope to many in Australia, New Zealand, East Timor, Ireland, Peru and Brazil. And they bring hope to many schools in and near my electorate of Moreton: St Brendan’s at Moorooka, with principal Stephen Johnson; Our Lady of Fatima at Acacia Ridge, with princi-
pal Martyn Savage; St Pius X at Salisbury, with principal Allison Malouf; Our Lady’s College at Annerley, with principal Claire McLaren; St Sebastian’s at Yeronga, with principal Kerry Weber; our Lady of Lourdes at Sunnybank, with principal Gerry de Ruyter; and Clairvaux MacKillop College, which was formerly MacKillop College for girls, at Upper Mount Gravatt, with principal Laura Keating.

As Mary MacKillop’s extraordinary life and legacy are recognised through her canonisation, we are all challenged to reflect on how we respond to the needs of those around us. As Mary MacKillop used to say, ‘Never see a need without doing something about it.’

Ms GAMBARO (Brisbane) (7.45 pm)—On indulgence: it is with very great pleasure that I speak today on the canonisation of sister Mary MacKillop. Some hundreds of pilgrims in Brisbane gathered at St Stephen’s Cathedral on Sunday, where Mary MacKillop practised her religion more than 140 years ago. She is indeed a remarkable woman, and many of the speakers before me have mentioned her dedication to the poor, those who suffered and those in rural communities. She was born in Fitzroy, Victoria, in 1842 and was educated at a private school in Fitzroy and by her father. She received her first Holy Communion in 1850 at the age of eight.

She started work at a very young age as a clerk in Melbourne and later became a teacher in Portland. Because her family were of very poor circumstances, she took a job as a governess in 1860 at her aunt and uncle’s farm at Penola in South Australia, where she looked after and taught their children. As if that were not enough, she taught the other farm children on the Cameron estate as well. During this time, her work brought her in contact with Father Woods, who had been the parish priest in the south-east since his ordination in 1857. MacKillop stayed for two years with the Camerons of Penola before she accepted a teaching job. She taught in Portland in Victoria in 1862. Father Woods was very concerned about the lack of education in South Australia, particularly the lack of good Catholic education, so in 1866 he invited MacKillop and her sisters Annie and Lexie to come to Penola to open up a Catholic school. They started from very humble beginnings and opened up in a stable. After a bit of renovation by their brother, the MacKillops started teaching more than 50 children. At this time Mary made a declaration of her dedication to God, and she began by wearing black.

In 1867 MacKillop was the first sister and mother superior of the newly formed Order of the Sisters of Saint Joseph of the Sacred Heart, and she moved to a new convent in Adelaide. The same year, at the age of 25, she adopted the religious name of Sister Mary of the Cross. Many people have spoken about the history of Mary MacKillop and the sisters and their endeavours, particularly about the fact that there was no ownership of personal belongings, their faith that God would provide for them and their emphasis on poverty and helping others.

Everyone in Australia at the moment has a link to Mary MacKillop. It is befitting that I mention the Queensland link, because she did serve for a time in Queensland. She arrived in Queensland on 31 December 1869 after an invitation from Brisbane’s first Catholic Bishop, James Quinn. She was one of five sisters of St Joseph who rented a house in South Brisbane. They rented a house in Tribune Street, but the house was so very small that they then moved to a hotel in Montague Street, South Brisbane. In 1870 they opened up three schools in Brisbane for poor children and another school in Maryborough. During her time in Brisbane, MacKillop was the head teacher at St Mary’s School in South Brisbane, before she returned to Adelaide in April 1871. It is befitting to mention her legacy in Queensland, and the previous
speaker, the member for Moreton, spoke about the number of schools that were set up, including the one that I just mentioned in South Brisbane. There were a number of schools throughout Brisbane and in country areas like Claremont, Rockhampton, Ipswich, Mackay, Allora and Pittsworth.

Mary MacKillop made a number of trips to Brisbane and Queensland in her life, establishing schools, convents and orphanages. She was a strong-willed woman, and there is no doubt that she had altercations with the church. That caused her to be asked to leave Brisbane by the mid-1800s by Bishop James Quinn. But the sisters did eventually return and they set up more schools.

I would like to place on record some insights from some of the pilgrims who gathered at St Stephens. There were many pilgrims who came to celebrate this very special day. They include a teacher, Karen Mulcahy, who, with her parents, Del and Ben Mulcahy, travelled from Lismore to participate at the celebrations at St Stephens. Ms Mulcahy said, 'There is still a strong connection'—with Mary MacKillop—‘in the education system.’ She said, ‘The “down-to-earth” connection with teachers in the catholic education section is Sister Mary MacKillop’s legacy to modern Australia.’ She said that, working as a teacher, she had the privilege of having her first posting with the Josephite sisters. ‘I just loved working with them,’ she said. ‘I loved their down-to-earth hospitality. Their genuine sense of real integrity. Putting money where their mouth is.’ Miss Mulcahy believes that this is Mary MacKillop’s gift to Australia.

Ms Mulcahy said:
For modern Australia it is great because she stood up for what she believed in, she didn’t just go along because that was the right thing to do.
She actually challenged what was going on around her and I think that sense of spirit is something that we can associate with whether we are religious or not.
It is a great privilege to have Mary MacKillop canonised, and I want to end with the words of Father Ken Howell of St Stephens Cathedral, who said:
It’s a first for Australia and it’s a significant moment in the history of our country because now canonised saints are from here, one of our own.

Ms HALL (Shortland) (7.52 pm)—On indulgence: this is a really unusual subject for me to speak on since I am not a Catholic or even a very religious person, but I would like to acknowledge a fine woman who made an enormous contribution not only to Australia and the Catholic Church but also to how a person should live their life. Mary MacKillop was an exceptional woman who achieved so much at a time when women found it very difficult to achieve things on the scale that she did. She was principled, and she was highly committed to her community and to the most disadvantaged people in the community. She was a pioneer in social justice. She was compassionate, she was caring, she was an activist and she recognised how important education was for all people. She challenged ideas and the traditional approach to handling issues in the community.

The simple fact that she was so committed to those people really disadvantaged in the community makes it even more special for me that Kathleen Evans—the grandmother whose cure from inoperable brain and lung cancer was the miracle which was performed—came from Windale within the electorate of Shortland. It is a very disadvantaged area and I think it really goes together with the type of person Mary MacKillop was. Kathleen Evans is somebody from a disadvantaged community who prayed while holding a piece of cloth from Mary...
MacKillop’s nightie and she was able to recover from those incurable cancers. If my reading of Mary MacKillop is correct, I think that would be very special for her.

I also want to mention the Josephite order. I have some exposure to the Josephite order because my daughter-in-law has three aunts who are all Josephite nuns. They are women who are committed to education and who take their vow of poverty very seriously. They have done the most incredible things in their lives, such as teaching very disadvantaged people in China when it was not the country it is today and when the doors to China were closed. These women were able to make their commitments to their various communities because of the Josephite order. It is an order that was founded by Mary and which stands for the values that everyone in this parliament would be committed to.

I feel quite humble in speaking on this subject. I am particularly humble as I am not a person of this particular faith, but I do recognise this exceptional woman who gave so much not only to Australia but to the world. I think it is a very proud day for Australia, particularly for all those of the Catholic faith.

Mr KATTER (Kennedy) (7.57 pm)—On indulgence: Patrick O’Sullivan, the head of the Jesuits for Australasia and whose father, Sir Neil O’Sullivan, was the leader of the Senate, addressed a large conference in Brisbane and said that Mount Carmel school was successfully getting the Christian message and achieving what we want to achieve in Catholic education in Australia. In discussing this recently with Tony Chappell, a long-serving Christian brother, I said that St Vincent de Paul at the University of Queensland was run by a Mount Carmel boy, the YCW was run by a Mount Carmel boy and the Newman Society was run by a Mount Carmel boy and his girlfriend, who later became his wife. I said that all of the organisations at this huge university were run by people from that small Mount Carmel school. Tony Chappell said, ‘They were not from Mount Carmel; they were from Cloncurry, and it was Sister Thomas.’ I thought about it afterwards and he was right. I have diligently watched the television coverage of Mary MacKillop’s canonisation and all I found out was that she had a lot of fights with bishops. I was deeply disappointed because I did not think it got any sort of message across at all. I watched three separate programs I was that interested in finding out about her.

I have never had any doubt in my mind since I first heard of Mary MacKillop 40 or 50 years ago that Sister Thomas was Mother Mary MacKillop revisited, and she is the lady I am talking about here. I tried to put my finger on her characteristics. I tried to remember what I could of Sister Thomas. I can remember my mother saying: ‘Oh, isn’t it wonderful that Sister Thomas is coming to Cloncurry. She’s a very famous lady. She’s a very famous educator.’ One of the things I remember is that if you went to mass every morning during Lent you got a holy card with lace edged on it, and I can tell you, Madam Deputy Speaker, that some of the roughest kids got that holy card because she had inculcated in them this great Christian faith, this great belief. She also told us that, if we were not able to get up early in the morning because it was too cold, we were sooks and that we should be wrapped in cotton wool. Cloncurry boys do not like to be told that they are sooks, which also helped us to get out of bed to go to mass during Lent.

She told us in very great detail about the miracles of many of the saints. She told us in such a way that you would never doubt for one moment that those miracles had taken place. She told us that God could do anything, that you could pray and God could do anything. She was a good example of God doing anything. She was the hand of God, looking back on it. Bobby
Glass, who was just below me at the Cloncurry Convent School, topped the state in the scholarship exam, which was in the eighth grade. In those days in Queensland you had to pass the scholarship exam or you were not allowed to go on to secondary school. If you got a good pass you got a government scholarship which helped you to go away to boarding school, because we did not have any local high school in Cloncurry.

In all her years of teaching this remarkable lady had never had a single student fail scholarship. The failure rates were about 30 or 40 per cent, and we were kids from very rough backgrounds in Cloncurry. I think it was there that I learned to fight very young because I was the only kid sent to school wearing shoes. It was a fast way to learn how to fight. As to her characteristics, yes, she was very liberal with the cane, and I was most certainly on the receiving end of it on many occasions.

Honourable members interjecting—

Mr KATTER—Yes, I was waiting for you to say that it did not work. She forced all of us in the eighth grade to stay back studying until five o’clock in the afternoon. She stayed there with us, supervising. She had thousands of cards and she had very elementary ways of teaching mathematics. Even the greatest numbskull could understand mathematics with the little cards that she had been handing out for, I suppose, 15 or 20 years. During the athletics and football carnivals in which we played the state school, which was four times our size and which we would regularly beat, she would be in the sisters’ car with her rosary beads, praying throughout the football matches and athletics carnivals.

I think the thing I probably most remember was that she said in every religious speech she ever gave: ‘Now, Children, remember that he who laughs last laughs best. We’re all going to die and those that have gone to church and done the right thing in life will go to heaven.’ She also told us, which was rare in those days, ‘There are evil people in this world.’ She said: ‘There was a boy at my school in Winton and he skited after he left school that, within three years of leaving school, he had 15 notches on his gun.’ He had shot 15 Aboriginal people. She told us that there were evil people in the world.

I think this is where the Australian bit came in. I do not know of any other schools that did this. We sang God save the Queen, but she is an English person and I do not think that was very Australian, but with the St Joseph’s nuns we stood under the flag every morning of our school lives and we sang:

God bless our lovely morning land. God keep her with his enfolding hand, Australia. Whilst distant booms the battle’s roar from out some rude, barbaric shore, on earth there is no other land like our own shining southern land, our own dear home, our motherland, Australia.

Every single kid who went through a St Joseph’s school was imbued with a deep love not of England but of Australia. We were brought up to be patriotic Australians.

My father said on many occasions, ‘Who are the happiest people that we know?’ We lived in Cloncurry and did not go much outside Cloncurry. I knew he was referring to the nuns, and the St Joseph’s nuns in Cloncurry were the happiest people that I knew of by a long way. Whatever they had, it made them very happy. At church on Sunday, Father Alan Sheldrick, a man very gifted with a deep Christian faith and Christian commitment—and I use the word ‘Christian’ rather than ‘Catholic’ not to denigrate in any way but to delineate to you the man he is—said: ‘After the war I used to have to go on my bike on Sunday. We had two meals that
we prepared—one for our own family and one for the nuns.’ He said, ‘I used to peddle on my bike and take the meal down to the nuns on Sunday.’ He told us, ‘Many years later when I became a Catholic priest, one of the nuns told me that one week when they had received that meal it was the only hot meal and meal containing meat that they were able to purchase that week.’ They had virtually no food and they were very hungry, and she remembered how deeply she had appreciated Alan Sheldrick carrying that food to them. So these are people who actually went hungry to deliver us an education that ensured that every single one of us passed our scholarship exam and that every single one of us performed, if we had the abilities, to a point where we would all get Commonwealth scholarships and be able to go on to secondary school. Finally, I have written only a couple of poems in my life. I am not very good at writing poems but I wrote this little one, which is really about my own upbringing in Cloncurry:

Bury me please beside Uncle Bert  
back in the ‘Curry  
the place that I love  
I will not be far from an old dusty grandstand  
that I once made ring with the shouts for the Tigers with my mates and my team  
though I remember the dust and flies  
most of all I remember a kid who was bullied by boys who were shoeless and tough  
and of the mates who stuck by him till he was as tough as the rest  
the tough little kid of the west  
most of all I remember the little white nuns—  
and they have changed their habit from white, in those days, to brown—  
who gave me my god.

That is my final tribute to the people who educated me.

Mr HAYES (Fowler) (8.07 pm)—On indulgence: for those of us who follow the Catholic faith, I must say I am proud and awed by the canonisation of Mary MacKillop, Australia’s first saint. Over the past few weeks, like others, I have read a lot about Mary MacKillop and her commitment to education, particularly of the poor. I have read about the two miracles she performed, curing two grandmothers—Kathleen Evans and Veronica Hopson—of their terminal cancer. I have read about the long campaign to have Mary MacKillop declared a saint and watched the celebrations in the Vatican on Sunday when Mary MacKillop was canonised as St Mary of the Cross. What people may not have read about however are the individual stories of the communities right across Australia that have been impacted by this event. Their faith and their sense of Christian identity have been impacted.

On Sunday, I had the privilege of attending the inaugural blessing of the stations of the cross at the Marian pilgrimage centre in Bringelly. More than 6,000 people gathered together for the unveiling of 14 exquisite life-size sculptures of the stations of the cross. These sculptures were beautifully created by the sculptor, Phan Chi Lang. They will be a location for pilgrimage for many Christians not only in Western Sydney but also within our greater community. The followers who gathered there on Sunday celebrated mass with Bishop Julian Porteous in honour of Mary MacKillop and her impending canonisation. There was a sense of ex-
citement about Australia’s first saint. However what stood out for me at the time was the sense of pride in the congregation. This was an opportunity for followers of the Catholic faith in Australia to stand proud as one of their own joined the prestigious ranks of the holy group and was entered in the Book of Saints.

It was also time for reflection on what Mary MacKillop stood for and why she should be revered as an example of not only Catholic life but also Australian life. At her core, Mary MacKillop was a generous and compassionate woman. She showed absolute dedication to her beliefs as well as assisting those less fortunate in the community. Mary MacKillop had an extraordinary capacity to forgive. I doubt whether she would have survived in this place. I am not sure whether we have the capacity she showed. During her life she was accused of many things from fraudulent dealings to drunkenness, things that ordinarily in a modern society people might go rushing off to a solicitor in the hope of bringing defamation proceedings. But this woman copped that sort of treatment over 130 years ago. In fact, the Bishop of Adelaide moved for her excommunication from the Catholic Church. For a Catholic that would have to be the most grievous punishment that could be inflicted. Not only did she cop it; she fought it and she won. She stood up for what she believed in regardless of who was telling her what she should believe and how she should act. She forgave those people, including the bishop, as I understand it, and she encouraged others to forgive as well. In 1909, shortly before her death, Mary MacKillop wrote:

Whenever troubles may be before you, accept them cheerfully, remembering whom you are trying to follow.

I cannot think of a better role model. I would be seen to be lacking that kind of spirit. She was able to bear a large amount of suffering and humiliation, and press on with what she set out to do which was to educate the young and the underprivileged. I think it is marvellous that this young woman did that at that time. Of course, Mary MacKillop’s most well-known achievement was the establishment of the Sisters of Saint Joseph of the Sacred Heart and the schools that her order started. Also what is less well known is what she did with respect to disadvantaged people in the community. She started the school at Penola in South Australia.

The Josephites offered crucial education to those who would otherwise not have had a chance to attend school. I did not have to read much about that because Bernadette’s Aunty Gladys—some knew her as Sister Paul-Maria—was a Josephite. I have learnt from my in-laws about the practice of the Josephites and that Mary MacKillop is still very much revered by the sisters today. I learnt that this young woman, at the age of 25, started this order. I would not even hazard a guess as to the number of schools that they started—I am sure someone will put that number on the record when talking about Mary MacKillop. It is almost miraculous in itself that a young person of 25 who was in poor health and did not have the support of the local clergy went ahead and made such a successful contribution to Catholic education in this country. Through her insistence, they tutored pupils not only in the Catholic faith but also in life skills, literacy and adding up—like the adding up of grocery bills. The sisters hoped these skills would help students in all stations of their lives. This is a fitting philosophy that should always be remembered when it comes to the education of our youth.

During the celebrations at the Marian pilgrimage centre, which I mentioned earlier, tribute was also paid to another Mary: Our Lady of La Vang. Most people throughout the world, whether or not they are Christians, would know that Mary was the mother of Jesus Christ. But
to the Vietnamese community in the south-west of Sydney, and probably throughout the world, Mary holds a very special significance. They refer to her as Our Lady of La Vang. Following the fall of Saigon, 35 years ago, a wave of refugees fled their homeland in Vietnam. Many of them escaped by boat. We now refer to them as our first boat people. They prayed to Our Lady of La Vang as they fled on boats. They asked her to keep them safe during their perilous journey. Thankfully, many of the refugees who fled to Australia were kept safe and are now flourishing in their new home where, I must say, they are making a remarkable contribution. The Vietnamese community revere Mary as the patron saint of refugees escaping by sea, so she could probably be regarded the patron saint of boat people.

It was an honour to pay tribute to our Lady of La Vang on Sunday with members of the local Vietnamese Catholic community. It was very fitting that we celebrated their St Mary on the day that Mary MacKillop was canonised. I take this opportunity to thank the Australian-Vietnamese Catholic community and their chair, Mr Hoan Van Giang, for their kind invitation to celebrate with them on Sunday. It was certainly an honour to be part of such a reverent commemoration. It certainly lays a foundation not only for the Catholic community of Western Sydney but for the broader community that, when we look to people to set the yardstick for behaviour, we now have one of our own, our first saint, Mary MacKillop.

Mr MURPHY (Reid) (8.17 pm)—On indulgence, Madam Deputy Speaker, I join my colleagues tonight to speak on our first saint in Australia, St Mary of the Cross. Last Friday I had the great privilege of attending the 125th anniversary of St Joachim’s Primary School at Lidcombe, a St Joseph’s school that was established 125 years ago by Mary MacKillop. The motto of the school is ‘Honour, Virtue, Courage, Effort’, and in the spirit of Mary MacKillop St Joachim’s Primary School at Lidcombe is committed to ‘creating an environment in which every person is encouraged to fulfil their potential’, ‘being a supportive, true and living Catholic community that witnesses the values of the gospel’ and ‘being a multicultural community of families which nurtures, accepts and supports each of its individual members’. I am sure Mary MacKillop would have been very proud of the Principal, Ms Pam Dickens, and the local parish priest, Father David Vaughan, for his celebration of the Eucharist and his engagement with the young Australians who have the benefit of a great Catholic education that had its origins 125 years ago.

Mary MacKillop, as we all know, was an extraordinary woman. Today we would probably say she is a great Australian. Born in Melbourne in 1842, Mary MacKillop went out to work at the age of 16 to support her young brothers and sisters in the local town of Penola, where she met Father Julian Woods. He was the local parish priest and had a great influence on her in promoting her mission for education, and I am personally very grateful for that mission. Although Mary is best remembered for her work in establishing many schools, she also established hospitals, orphanages and shelters for the homeless and for unmarried mothers. Clearly she worked for those who were the most disadvantaged members of our community. I had my primary school education at the hands of the St Joseph’s nuns and I am grateful for that education. I well remember Sister Augustine and I well remember her sizzling cane. I well remember Sister Dominic and Sister Angela and I have particularly fond memories of Sister Christina, who was my music teacher and had a great influence on my early love and development of music. She taught me how to play *The Blue Danube* and I will be forever grateful for that.
I am also grateful that my best friend, Tom Travis, who worked for my father in the local law practice in Dunedoo, also had a sister he dearly loved, Sister Fidelma, who was also a St Joseph’s nun. She was quite a character. She was a great musician, a tremendous pianist, and she too had a great influence on my life. Clearly, the life of Mary MacKillop was monumentally virtuous and monumentally heroic. The member for Shortland in her contribution almost apologised that she was not a Catholic. All of us know that that does not matter because Mary MacKillop was a person for all Australians. If anyone ever set an example of doing something to help the most disadvantaged people in Australia, surely it was St Mary of the Cross.

So, like all of us here tonight, we were very proud last Sunday to see her acknowledged with the ultimate accolade of being pronounced Australia’s first saint, and justifiably so. That was a great occasion and let us hope for all Australians, whether they are devout Catholics or whether they have absolutely no faith at all, that the heroic life that St Mary MacKillop led inspires them to fulfil their hopes, dreams and aspirations in life and that she is forever a source of love and encouragement for us all. God bless Mary MacKillop.

Ms O’NEILL (Robertson) (8.23 pm)—On indulgence: I too am feeling quite blessed to be here tonight to speak on the canonisation of Mary MacKillop. As a teacher of proud Catholic roots, to be able to join with other members of the House in marking the birth and recognition of our first Australian saint is a great honour. This is a great time for Australian Catholics and I have been humbled by the well wishes of people from other faiths and indeed from people without a faith who simply have wished us Catholics well in our celebrations.

There is so much that is universal and admirable in the life St Mary of the Cross. Her inspirational life has been well documented over recent days, as it has in this chamber and in the House in recent days as well. She was a woman of incredible faith and a woman of great courage. She was a great teacher and a great leader with a burning passion for social justice. She stood up to bullying authority. It is becoming apparent that she knew how to lobby as well and to persevere. St Mary’s work touched many people in her lifetime and beyond. In fact, many of the Josephite girls that I have known who live on the Central Coast have said to me that one thing they recall from their years of study at St Joseph’s at East Gosford is the statement from Mary that you should never see a need without doing something about it.

I turn in my remarks now to a reflection on Mary’s influence in the seat of Robertson. Mary MacKillop actually arrived in the seat of Robertson in 1887 at a beautiful place not very far from where we live in Bensville. She and several other sisters arrived by ferry at Kincumber with 22 homeless boys in March of that year. It is said that the community was established fairly quickly and they certainly were very industrious. One of the most longstanding stories concerns a boy named Philip O’Brien, who was extremely ill at age 15. He had such affection for Mary MacKillop that he asked for her as he was dying at Kincumber. I am sure that Mary was very caught up in many other works but she travelled from Sydney—which was no small journey in those days, the last part of which was by ferry to the orphanage at Kincumber—to be at Philip’s side to comfort him in his final hours.

One of the things I have spoken about in this House is the beauty of the area in which we live. I can actually see the orphanage at Kincumber from our home at Bensville. Each day when we get up and look over the mangroves to Brisbane Water, not far off to the right over the oyster leases that sit in Cockle Bay we see a Celtic cross on the Holy Cross Church and we also see the orphanage, which now operates as a Josephite spirituality centre. There are a
The number of really important old buildings on the site and if any of the members here or people from other areas of Australia come to visit Robertson they will be able to take a tour and see the first brick building that was erected there in 1900 and formed the schoolrooms for the children to learn in. Very interestingly, there is a swimming pool there and a water tank. This was built to make sure that the whole place was completely self-sustaining. So she was not only a woman of vision in terms of education, she also had a sustainability angle, which was very sensible. The sewerage and septic systems were installed along with electric light, as Mary MacKillop and the people who followed her made sure that the care of the young men who ended up in that orphanage was taken on very well.

One of the great joys of living in Kincumber has been the picnics we have had with our parish on the grounds of the orphanage. John Smith is a gentleman who came into our lives and is a deacon in our parish. You may have seen a story in the weekend’s edition of the *Sun Herald* in which he shared his story of being an orphan. John Smith is actually the deacon who attended each of our children’s baptisms and he is a regular parishioner at Holy Cross Church where we attend. Mr Smith had this to say:

The nuns were my parents. I never saw my mother in my life. I’ve never even seen a picture of her and I don’t know where my dad is. The sisters are the only mother I ever knew.

I have brothers and sisters who live up here but I haven’t seen them. I might be a twin.

It was tops growing up here … A lot of old boys have come back over the years.

Mr Smith said that he ‘felt good’ about the canonisation, as many of us do, and declared that:

[Mary] deserves it, there’s no doubt about that. What she’s done for Australia is unbelievable.

Apart from the orphanage that we see at Kincumber, there is a local school that the Josephites have established. It provides great Catholic education for girls on the Central Coast. It is diocesan school and it serves all of the communities from the parishes of East Gosford, Mangrove Mountain, Kincumber, North Gosford, Wyoming, Terrigal, Erina, Woy Woy and Umina. For those of us who know where the Donnison Street entrance to the Union Hotel is—it is a car park these days—apparently that was the site on which the school was established. It then moved to East Gosford, not far from the current site of the secondary school that continues to offer this profound education in which young women are taught to follow the college motto, which was established from a reading of Micah: to act justly, to love tenderly and walk humbly with your God. Certainly those qualities of just action, tender loving and humility are things we have heard about Mary MacKillop in the last few weeks.

The current principal is Stephen Walsh. I had the pleasure of going to the school during the most recent campaign with Simon Crean to have a look at the developments that are underway there. I think Mary was a visionary for the future and at that school there is still a sense of really making sure that there are the very best opportunities for young people to be educated in things that they are passionate about. We have heard the member for Kennedy speaking about the influence of a Josephite education in enabling him as to his life—and, yes, we did hear about the cane but I cannot tell you that that has been the experience that I have heard about to do with the Josephite sisters. These are the words that the college articulate as to what they are trying to do at St Joseph’s and I think they epitomise what Mary MacKillop and her story tell us as Australians:
Much of what we are trying to do at St. Joseph’s is related to the development in our community of the spirit of Mary MacKillop. 
Hers was a uniquely Australian spirituality of a lay woman whose tremendous faith gave her a clear vision of how to minister to the needs of Australians in those difficult days of settlement.
Her single-mindedness in making education available for poor children, rather than the relatively better off town and country children, brought her, at times, into conflict with the institutional Church. She wanted to see her sisters ‘up country’ in twos and threes serving small communities and living in solidarity with them. In this sense, the Josephites took the Church to where the people were.
There is a real pride developing amongst the girls at St. Joseph’s belonging to a Josephite school where the name and works of Mary MacKillop—
now St Mary of the Cross—
are honoured. In our curriculum and in our awareness of the needs of the community in which we live, we try to carry on in the spirit of Mary MacKillop. Many girls—
at St Joseph’s—
work ... in school service in ways as diverse as counting the newsletters and covering books—
and serving the local community. Also:
Our students and their families generously support a number of charitable appeals throughout the year. Many of the students commit themselves to service to the local, national and global communities through a variety of social justice initiatives.
One of the important things that the canonisation of St Mary of the Cross, our Mary MacKillop, has liberated in the public space is a recognition of the place of faith and spirituality in the current lives of ordinary Australians. It also reminds us of the place of faith in the Catholic Australian tradition that was instrumental in providing education to many Australians who were likely to miss out on receiving it. The schools today of Mary MacKillop, St Mary of the Cross, carry on her founding mission: to relieve suffering and to bring hope in today’s world. These are such Australian aspirations. In the mission of St Joseph’s College we see Mary’s inspiration. Today, in my seat of Robertson, men and women are working together to help form young women who will act justly, giving them a Catholic view of the world, enabling them to learn the highest standards achievable within a nurturing community, creating authentic relationships based on Gospel values, empowering them to make a difference in the world in the spirit of Mary MacKillop. The values they articulate are friendship, truth, respect, forgiveness, justice, love, compassion and hope. They are ones that the Josephite community are sharing with all Australians at this time.

Mr SIDEBOTTOM (Braddon) (8.33 pm)—On indulgence: I rise in this place to reflect for a moment upon the extraordinary contribution made to this nation by an extraordinary Australian woman, St Mary of the Cross. Mary sought to serve and the last thing she would have ever imagined and probably the last thing she would have ever wanted is to be declared a saint. But, a saint she is. Mary is a saint, formally and theologically, in the Catholic Church. She was and is a secular ‘saint’ for the many thousands of people touched by her work and presence in days gone by and those many people inspired by her life and works today—and one of those is me as I got to know this tremendous woman’s story, which is truly inspirational. To paraphrase the philosopher and non-believer, Hannah Arendt, perhaps the true greatness of Mary MacKillop for us is and will be that we sense behind her marvellous work
someone who remains greater and more mysterious, because her works point to a person whose essence can neither be exhausted nor fully revealed by what it is that she has done.

‘Heroic’, ‘holy’ and ‘infused with moral courage’ are descriptors which in part reveal facets of Mary MacKillop but fail to provide a satisfactory explanation of who Mary was. The events of Mary’s life are indeed extraordinary. Born on 15 January 1842 in Fitzroy in Melbourne, a city then less than eight years old, Mary was the eldest of eight children of Scottish immigrants, Alexander and Flora MacKillop. Alexander was an intelligent man but not a good provider and Mary’s family, we understand, struggled, with relatives often providing shelter and a home and other much-needed resources. Consequently, Mary commenced working at an early age, first in a stationery store, then as a teacher and later as a governess to cousins in the south-east of South Australia.

Apparently she was a fine horsewoman, loved nature and had a great affection for her family. As a governess, Mary observed that there was little or no education for rural children and especially for Catholic children. In a watershed relationship, Mary met the parish priest, Father Julian Tenison Woods, who shared her dream to educate the poor, and when she was 24 years old she believed that she was free at last to follow that dream. Mary was well known for her maxim: ‘Never see a need without doing something about it.’ In 1866, Mary and her sister opened a school in a disused stable in Penola, thereby establishing the congregation of the Sisters of St Joseph. Mary was advised to move to Adelaide, where the new congregation expanded and soon spread to other colonies and to New Zealand.

In what was and probably still is a radical and unfashionable mission, the sisters begged for their support—much in the way of Buddhist monks—and only sought what parents of children could afford. Many could not pay anything. Later, and again in a mission against the norm, Mary established homes for unmarried pregnant girls, for women coming out of jail and for destitute elderly.

We should reflect and do well to remember that Mary’s and her order’s initial achievements were accomplished at a time when transport was mainly horse powered and funding was principally from donations. Mary inherited from her mother a strong belief in the providence of God. Her faith, hope and charity sustained her daily life. From all reports, Mary’s courage, gentleness and compassion enabled her to support isolated rural battlers, urban slum-dwellers and the ordinary working class people and it was with these that she lived and worked.

Mary was loyal to her church, cared for priests and would never allow a sister to say a word against a priest or bishop. Unfortunately and almost fatally for the future of the order, it was a value that was not reciprocated by some priests and bishops. Much has been made of her invalid excommunication by the ailing Bishop Shiel of Adelaide. However and fortunately, the Jesuits maintained their support for Mary and quietly continued to give her Holy Communion at the Norwood Church.

Mary remained loyal to her church but steadfast in remaining true to her understanding of God’s will. Thankfully, Bishop Shiel, five months after her excommunication, realised his error and, from his deathbed, revoked the excommunication. Mary struggled on to achieve her vision of the Sisters of Saint Joseph of the Sacred Heart serving those in need regardless of state or diocesan borders. Inevitably, Mary encountered powerful authorities intent upon exercising complete control of activities within their jurisdictions.
Mary wanted sisters to be governed by a sister superior-general, free to send them wherever there was a need. Usually, religious orders were subject to the authority of the local bishop. Furthermore, Mary wanted her sisters to live as the poor did in small communities of two or three sisters and in houses that were poor, like those of the people. At that time, religious people usually lived in congregational communities, not among the people.

Mary’s vision and mission was for and of the whole of Australia at a time when it was a collection of colonies. Mary treated the first peoples of the land, the Aborigines, with respect and as a governess extended her friendship to the local Aboriginal children and taught some to read and write. Mary is remembered for her work and for her person. The late Pope John Paul II said in Sydney at the time of her beatification in 1995:

Because the love of God inflamed her heart, she tenaciously defended the weak, the poor, the suffering and all those on the margins of society. She worked to assist women and families in distress and to eradicate ignorance among the young. ... In her, the unwanted, the unloved and those alienated from society found comfort and strength.

Mary’s life was stamped by the gospel injunction to love one’s neighbour as oneself. She sought dignity for the poor and especially women in harsh and remote places. Of the impact of her work and person upon Australia and Australians, Paul Keating, then Prime Minister of Australia, addressing parliament on 30 January 1995 said:

The qualities she embodied—openness and tolerance, courage, persistence, faith and care for others—are qualities for individuals, communities and nations to live by.

And in 2008, during his visit to Sydney for World Youth Day, Pope Benedict XVI, in speaking of Mary MacKillop, said:

I know that her perseverance in the face of adversity, her plea for justice on behalf of those unfairly treated and her practical example of holiness have become a source of inspiration for all Australians. Clearly and importantly, St Mary of the Cross was inspired and sustained by her understanding of God’s will and the part she had to play in his plan. It was the essence of her work and person and the source of her moral courage. Those who joined her shared her vision and the source of her inspiration and courage and achieved great things in a very short period of time in an environment that was very challenging and, at times, openly hostile.

Nevertheless, I have only sketched the outline of how the mind and heart of Mary MacKillop may have ticked and can but wonder at what she was able to achieve and more especially admire how her relationship with her God energised her. Catholics throughout the land, none more so than those in my local community—particularly Kim and Sue Chen—have every reason to celebrate the formal declaration of the sainthood of Mary MacKillop. Every Australian who admires the selfless actions of one of their own need go no further for inspiration than this extraordinary Australian woman.

Mr HOCKEY (North Sydney) (8.42 pm)—On indulgence: to all of my colleagues in this place, I would say that many of them claim to have in their electorates a close association with St Mary of the Cross. That is because Mary belongs to no single part of Australia but to all Australians. As my friend and colleague the member for Reid has just pointed out, Mary’s earthly remains are in the heart of my electorate of North Sydney. In fact back in 1909 Mary was buried at Gore Hill cemetery. Even in those days, only just after her death, she was so venerated by so many Australians that people were taking soil from the site of her burial and
quite appropriately the Josephites found a permanent resting place for Mary in the heart of the CBD of North Sydney.

The canonisation of Mary MacKillop was watched by hundreds of thousands, if not millions, of Australians. Apart from the 10,000 proud and happily boisterous Australians in St Peter’s Square as part of a crowd of 50,000, there were Australians all over the nation visiting places and happily celebrating the canonisation of Mary, our first saint. I think the Pope’s smile, which emerged during the canonisation in reaction to the boisterous support of the Australian people in the crowd, would have brought a smile to the face of Mary herself. We are immensely proud to have our first home-grown saint.

So many of my colleagues have outlined the history of Mary, who was born in Melbourne in 1842 and in 1866 opened the first St Joseph’s School in Penola in South Australia. In 1867 she took her vows to become Sister Mary of the Cross. Within just three years Mary had established 21 schools with 72 sisters. She established refuges for women coming out of prison. She established support facilities for the aged and orphans. She was the first Australian to establish an order and the first nun to leave the cities to educate and minister to the rural poor and the working class.

So much has been written about her excommunication back in 1871, which was of course a terrible aberration. The headquarters of the Josephite nuns were transferred to Sydney in 1883. In 1909, when Mary died, there were 750 sisters, there were institutes and houses sheltering over 1,000 people who were poor or in need and there were 117 schools attended by over 12,000 pupils.

Mary’s motto was ‘Never see a need without doing something about it’. I was very honoured to be invited to speak at a dinner at Sydney Town Hall with the Prime Minister during the election campaign to raise funds to support Josephite nuns travelling to Rome for the canonisation. It was on that day that I reflected on my own engagement with the Josephite nuns. Written in Latin above one of the doors of St Paul’s Cathedral is: ‘If you are looking for a monument, look around you.’ The great monument of Mary is the contribution of the Josephites over all that time since she founded the order back, effectively, in 1866 when she opened St Joseph’s School in Penola.

I was one of the many people educated by the Josephites. I attended what was St Kieran’s parish school in Northbridge; it is now St Philip Neri, named after the parish itself. There was a nun there—and I am sure she would not mind—who, all those years ago, I thought was probably 100 years of age but is still alive today. It was only a couple of years ago that I received a phone call from Sister Vincent. The phone call came through and my staff said, ‘A Sister Vincent on the phone.’ The only Sister Vincent I knew was the principal of that school and she had looked on me rather harshly during those years, usually with a weapon of mass destruction in her hand. She took to heart the motto ‘Never see a need without doing something about it’ and she had thought I needed excessive discipline from time to time, which was—

Honourable members interjecting—

Mr HOCKEY—Do not encourage her; she is still alive. Anyway, I had been sitting in parliament and had gone back to my office when I got the message that Sister Vincent was on the phone. I nearly fell off my chair. In fact, I stood up to take the call and I said, ‘Hello, Sister
Vincent.’ She said: ‘Mr Hockey, whenever you sit in that chamber, please do not slouch in the chair; sit up straight.’ I said, ‘Yes, Sister Vincent.’ Nothing had changed and this wonderful Irish nun, who had dedicated her entire life to the Josephites, was still there for me.

During the election I went and visited her at the Josephite nursing home in Hunters Hill in my electorate and I met so many other magnificent women who had dedicated their lives to making a contribution to God and, most significantly, a contribution to the Josephites. It is fantastic. Those who give often receive and, of all the nuns in that Josephite nursing home, five were more than 100 years of age, which is a pretty good batting average. But they were still as sharp as their Irish heritage would allow them to be.

Throughout their lives the Josephites have been givers. What has most impressed me is that not only have the Josephite nuns educated tens of thousands of people, and not only have they influenced the lives of so many families through that education process, but the Josephite nuns have set up refuges for women who have been the victims of domestic violence, women with nowhere to go with their children in the darkest conceivable moment in a human being’s life—when a man in the house is wreaking physical havoc upon a woman. And the Josephites were there. Not only have they provided that service in Australia but they have provided, and they continue to provide, essential services to help families and young children in New Zealand, East Timor, Ireland, Peru and Brazil. In the past they have worked in countries like Papua New Guinea, Uganda, Cambodia, Thailand, Tanzania and China. In fact, my own sister, who lived in Senegal in West Africa for some period of time, also has an engagement with the Josephites.

Today the work continues in a whole range of programs like the no-interest loan scheme, drug and alcohol programs, cancer support and family services. I will give just three examples of the work of the Josephites. St Anthony’s Family Care in Croydon, which I think might be in the electorate of the member for Reid, provides services to families of Sudanese refugees—respite care and support for families with disabled children and a childcare centre. When I was the minister in charge of Centrelink the Sudanese refugee issue was one that I was acutely aware of, given the horrendous experience of the child dying in a home of African refugees because they did not know how to use the phone to call an ambulance. It is for reasons like this that you need this sort of NGO care—care which no government organisation can ever be a substitute for.

In New Zealand the sisters run the Beautiful Daughters program to help assist young women who are homeless or living in poverty—again, they are focusing on those most in need. In Australia the sisters run the Josephite Counter-Trafficking Project, which primarily assists Asian women who have been trafficked as sex slaves or as working slaves to Australia.

Even though he is a very good friend of mine, Peter FitzSimons, in his columns of recent times, has been writing that to believe in God is absurd and that he is a creation of the mind. I would say to my mate Fitzy and to all those who are atheists: do not be threatened by people who have faith. I gave a speech along these lines, not long ago, in defence of God and I stand by everything I said. The Josephites encapsulate what it means to be compassionate. Whether it is a Catholic god, a Muslim god or a Jewish god, our God is compassionate and preaches compassion.

Therefore, I would say that the embodiment of the Josephites and the legacy of Mary are the fact that compassion exists on a daily basis, particularly for those most vulnerable. That is
Mary’s great legacy; that is the great contribution of St Mary of the Cross. Her canonisation is merely a step along the path. Her great legacy will be the ongoing contribution of the Josephites in Australia and other parts of the world. The recognition of Mary by this parliament, by the Pope, by the Church of Rome and by people around the world is really recognition of the contribution of those who have followed her, as much as it is recognition of her own life, and a thank you to all of them for what they have done and particularly what they are going to do for the poorest people and the most vulnerable people for many years into the future.

Mr ZAPPIA (Makin) (8.55 pm)—On indulgence: I too rise to speak in respect of the canonisation of the Blessed Mary MacKillop, who on Sunday, 17 October—an occasion that should be a source of celebration, inspiration and national pride for Australians, regardless of their religious belief—was made a saint. The Blessed Mary MacKillop was born in Fitzroy in Melbourne in 1842. She was the eldest of six children, born to Scottish immigrants, Alexander MacKillop and Flora MacDonald. In 1861 she moved to Penola in South Australia to work as a governess for her uncle. There she met Father Julian Tenison Woods. In 1866 she returned to Penola and, with Father Woods, established Australia’s first free Catholic school. The same year she adopted the religious name Sister Mary of the Cross and co-founded the religious order of the Sisters of St Joseph and took a vow of poverty.

In 1871, after disagreements with Bishop Sheil, she was excommunicated from the church, only to be accepted back some five months later. When she died in 1909 there were 117 schools around Australia—with 12,409 pupils—founded by the Sisters of St Joseph. It is an extraordinary legacy to her work that many of those schools are still open today.

In 1925 the Sisters of St Joseph began the process to have Sister Mary declared a saint. Forty-eight years later, in 1973, the initial investigations into her sainthood closed. Following other pronouncements and further investigations, Sister Mary was beatified by Pope John Paul II. In 2009 the Vatican approved the second miracle, paving the way for her sainthood. On 17 October, after an 85-year process, sainthood was finally bestowed on the Blessed Mary MacKillop and five others by Pope Benedict XVI. She became Australia’s first ever saint. I note that she was the first Australian saint and that our first saint was a woman. Of the six people who were made saints on 17 October, two of them were males, but Australia’s first saint was a woman. Recognition in the form of sainthood is of significance to Christians and especially so to Catholics. I spoke briefly to Adelaide’s Archbishop, Philip Wilson, the day before he left for the Vatican. I know that the occasion was to be a highlight in his own life and he was looking very much forward to it.

Around Australia special masses and celebrations have been held by the Catholic community in the lead-up to the canonisation and were held also on the day. The story of the life of the Blessed Mary MacKillop should be an inspiration to all Australians. Through her courage, tenacity and determination, and driven by her compassion and sense of justice, she touched the lives of so many people and gave hope to the poor and the desperate. In her 67 years, the Blessed Mary MacKillop travelled to many parts of Australia and lived in many towns. Not surprisingly, many Australian communities today feel a special connection with her and with her legacy—none more so than the community of Penola, where her work began.

Her legacy, however, extends beyond Australia. The work of the Sisters of St Joseph stretches across the globe. Today there are about 860 sisters of St Joseph working in many roles and many places around the world. They are all doing social work and helping people in
need in poor countries, in aged-care centres, in detention centres, in Indigenous communities
and wherever there is need. I recall, not so long ago, I was approached by some sisters of St
Joseph, who had been working and are still working among Indigenous communities in Aus-
tralia, to discuss the plight of the communities that they were working with.

It is indeed an incredible legacy—a legacy that will continue to grow through the ongoing
work of the Sisters of St Joseph in schools here as well as in their work around the world. It is
a legacy that is made even more extraordinary because, for much of her adult life, the health
of the blessed Mary MacKillop was not good. She in fact travelled frequently to New Zealand
to take hot baths to seek some relief from what was thought to be a form of arthritis. Yet she
persisted and persevered with her work throughout her whole life. In South Australia, the late
Adelaide columnist, Max Harris, became a champion for the cause of her being made saint.
He coined the phrase ‘A saint for all Australians’. The blessed Mary MacKillop is indeed a
saint for all Australians. I conclude with this quote from her:

Now more than ever we should be humble, patient, charitable and forgiving. If we cannot excuse every-
thing we can at least excuse the intention.

I believe that that quote says much about the character of the blessed Mary MacKillop, who is
today a saint.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I thank honourable members for their
contributions on the canonisation of Mary MacKillop. St Mary of the Cross is, I think, the
correct way of referring to her following her canonisation.

DAME JOAN SUTHERLAND

Consideration resumed from 18 October.

Ms OWENS (Parramatta) (9.02 pm)—On indulgence: It is with some sadness that I rise to
acknowledge the life of Joan Sutherland and record my deepest regret at her death on 11 Oc-
tober 2010. Joan Sutherland was one of the world’s best singers, and it is appropriate that we
in this place record our appreciation of her long career at the highest level and tender our pro-
found sympathy to her family in their bereavement.

For Australians, Joan Sutherland is the central figure in the performance of opera. She was
central to its development in Australia. She raised the profile of opera and was instrumental in
the development of our own opera company. She changed the view of a nation with her ex-
traordinary voice, skill and talent. She well and truly entranced the world. She was in every
sense a remarkable artist.

I want to talk a little bit about opera itself in the context of talking about Joan. There
probably are not that many people who know the form very well. I was lucky enough to work
with the Queensland opera company as its production manager for about six years. My first
introduction to that company was as a repetiteur, training singers in their roles. I did not get to
work with Joan Sutherland but I did work with a number of other Australians. It is an amazing
form, and I want people to understand this about what they see when they see Joan perform-
ing on television or on video.

Opera is performed in some of the largest theatres in the world, and they are not amplified.
Our Sydney Opera House is quite small. Most of our opera houses in Brisbane and Melbourne
seat about 2,000 people. The big ones seat 3,500 or more—even up to 5,000. Opera houses
are huge cavernous spaces. A singer stands on the stage, ‘unamplified’, and sings over the top

MAIN COMMITTEE
of a chorus of maybe 60 or more singers and an orchestra of anywhere between 60 and 100 players. It is a phenomenal feat for anyone. Because of the size of these opera houses, over many centuries the standard of performance has become incredibly high. Yet every now and again you get a singer like Joan Sutherland who creates another level in that form.

Opera is an incredibly physical form. If you are ever lucky enough to stand close to an opera singer in full flight, when they are filling a 3,500-seat auditorium, you will see that their entire body is involved in the performance. It is incredibly physical. Operas are 2½, three, four or five hours long. They are physical marathons in every sense. The singers with the biggest voices in the world, singing the big roles, usually perform only twice a week because it is so physically demanding. It is not physically possible to perform those roles any more than that. It is an incredible achievement at the best of times.

Joan Sutherland took the form to another level altogether. Singing for anyone requires a natural physical talent. If you want to be good at it, it requires a combination of bone structure and body type, and Joan Sutherland had that. She probably inherited it from her mother, who was also a singer. It is a great advantage but it is, of course, just a start. Then there is the commitment and focus over many years to develop the technique, the facility and the strength in this incredibly physical form to avoid injury from overuse. Most singers with this kind of large voice, again, as I said, perform around only twice a week. It is incredibly demanding. Joan Sutherland did that work. Her technique was miraculous. She had an inhuman capacity to control this phenomenal voice. It was an unusually large and full voice for a coloratura soprano, with great power and warmth and remarkable agility, given its strength and size. She had a trill that other singers would die for, exceptional intonation and pinpoint accuracy in the upper register. She could do all that—and that is technique; and very few will ever match her technical capacity.

More than having the physical talent and the technique, Joan Sutherland knew what to do with it. She is unmatched as a musician, as an interpreter. She had the technique to deliver what was in her mind, but the technique was absolutely her servant. You never saw it; you were never aware of it; it was invisible. It disappeared beneath the phrase. You could not see or hear her think. You could just hear the music. For performers seeking to perform at their best, that ability not to distract, that ability to support the performance itself is what you strive for, and this woman, Joan Sutherland, was the master at it. It was quite remarkable to hear her perform. Her live performance was, for me, the most amazing. She had the extraordinary ability when performing live to take all the time in the world, to give herself space in the phrasing just when the voice needed it and to carry an audience to the absolute limit of their capacity. She did so in a way that was so much a part of a performance that those around her went with her with great ease.

I can only imagine that performances like Joan’s required great courage. I do not mean courage to go on the stage. Stage fright is not the most frightening thing about performance. The Minister for Regional Australia, Regional Development and Local Government, who is here, knows that recently I performed the Rachmaninov second piano concerto with one of my local orchestras. It is a hard piece and I had not performed it for about four years, and probably not for about 10 years before that, so I was doing something I had done when I was young but not for many years. I realised the single thing that I had forgotten about performance is how much courage it takes. Again, I am not talking about courage to go on the stage; I
am talking about courage in the moment—to take the leap, to put yourself aside and do what needs to be done in the moment, and to do that minute after minute, second after second, and to move on to the next point. It is a learned skill, this courage.

When I listen to Joan perform and watch her live performances on DVD, I can see the remarkable ability she had to reach beyond the limit of what she was capable of. She was an extraordinarily courageous performer. I doubt that any of us will know what was really going on in her head and I doubt that many of us could understand it. For an artist to achieve that level—the level of discipline and skill and commitment in her daily life—is probably already beyond what most of us can imagine. I would hope that Joan, when she gave a performance that she was proud of and happy with—and I suspect like most performers she found something to be unhappy with—walked off stage and had people around her who were capable of sharing the high five moment with her on a level of genuine understanding. I believe that she found that in her partner, Richard Bonynge; that they were together able to share the heights of Joan’s achievements. It would be a very lonely life to achieve something so much greater than her colleagues if she did not have someone who could truly understand what she achieved in her greatest moments.

I worked in opera in the 1980s. It is a very difficult form. It is almost impossible to get right. It requires so many people’s input at the highest level. I can well and truly tell you that Joan was the pinnacle for us in the opera world as a voice, as an interpreter and for her extraordinary ability to perform. But she was also the pinnacle for what a human being could achieve and strive for. I still wonder how a human being can get to be that good. I have known many great singers. I have worked with Joan Carden, for example, and quite a number of very well known Australian singers and I can imagine the level of work that is required, but with Joan I cannot imagine how a person can actually get to be that good.

I know that the Australian opera would simply have not grown in the way that it did without the presence in our lives of Joan Sutherland. She lifted expectations and she convinced many in our nation that they loved opera—as they should; it is a fine form. Her outstanding contribution was recognised in honours, including a Companion of the Order of Australia in 1975, the Dame of the British Empire in 1979 and the Order of Merit in 1991. She had a career that lasted more than 30 years at the top—and that is 30 years of hours of technical work every day, hours of scales and work to improve her strength and her stamina. In that 30 years she mastered opera’s most demanding roles in *Norma*, *Il Trovatore*, *La Traviata*, *Rigoletto*, in the most important opera houses of the world. Her most famous role was the lead in Donizetti’s *Lucia di Lammermoor*, which she performed 233 times. In one performance in the role in 1959 she was acknowledged with a 19-minute standing ovation.

Joan Sutherland said that her mother was a great influence in her life. Her mother was a very good singer in her own right and, while she was not singing professionally when she was raising Joan, she still used to practise. She kept up her scales and exercises and Joan sat at her knee and learned those from about the age of three. So Joan was well versed in the voice very early. She says that she was not trained by her mother but she acknowledges the extraordinary influence that her mother had on her life.

She also acknowledges the incredible influence of Richard Bonynge, her husband, who encouraged her to develop the upper part of her voice. In fact, he said of her voice that the voice at the top just did not want to stop; it was effortless. It was his influence, working with Joan,
that encouraged her to develop that upper repertoire. The extent of her repertoire was immense. She learned 54 leading roles, from Handel to Mozart and Puccini and Verdi. If you have never tried to learn something that complex, the job of even learning the role—it can take several months and it has to be done on time; you have to be ready; you cannot fake it—is one of the extraordinary talents that performers at this level need to have. She had 54 leading roles, which is an extraordinary repertoire for any singer.

She ended her career with final performances at the Sydney Opera House and at Covent Garden in 1990 where she sang, as Nellie Melba did, ‘There is no place like home’. For those who have not heard that performance, it is quite an extraordinary performance.

Mr Murphy—A magnificent performance.

Ms OWENS—It is a magnificent performance. There were many tributes to Joan, as you would expect at this time. The opera director John Copley was one of her many friends and admirers. They had known each other as they grew in the early days, so he knew her quite well. He said—and I suspect that he is absolutely right—that people did not realise just how hard she actually did work to achieve this extraordinary standard.

Again, the thing about Joan Sutherland is, in this unassuming person and this voice that just appeared as if it came from heaven, you did not see the evidence. You did not see the signs of the technique. It was so well hidden in her mastery—an extraordinary thing. Dame Kiri Te Kanawa, who by the way is not a bad singer in her own right—not bad at all, Dame Kiri, a quite extraordinary performer—says that Joan was an inspiration to a generation of performers. One of my favourite quotes about Joan Sutherland comes from Kiri. She says:

She was a bit like the Pied Piper. We followed her to the top of the hill and hopefully we got there too.

It is an amazing thing that artists of the calibre of Dame Kiri Te Kanawa, Pavarotti, and Joan Carden admired this woman so greatly and aspired to a standard that they freely acknowledged they would probably never reach.

It is hard to imagine another Joan. It is hard to imagine another artist emerging with the natural physical talent, the capacity to work, the musicality and the partnerships, and the opportunities that generate the greatest work. It is hard to imagine another one. I hope we get many more so that we can experience the extraordinary magic that was Joan Sutherland. She will, of course, live on. Her voice lives on in the many recordings that she made although I am aware that she did not make an official recording of the Queen of the Night. There is a pirate copy, apparently, but I will not be going into that one. She did not make an official recording of the Queen of the Night and I am very sad about that because that is one that I would love to hear.

She will live on also in the many voices that were inspired by her and in those who marvel at her capacity to strive for standards that most of us cannot imagine. She will also live on forever in the hearts of those who heard her.

Dame Joan is survived by her husband, Richard Bonynge, her son, Adam, and two grandchildren. I thank them for sharing their wife, mother and grandmother with us for a time and I wish them well in this difficult time.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I thank the member for Parramatta for her very insightful and substantial contribution to this debate. We are enormously privileged
that the Minister for Regional Australia, Regional Development and Local Government has graced us with his presence in the Main Committee and I call him.

Mr CREAN (Hotham—Minister for Regional Australia, Regional Development and Local Government and Minister for the Arts) (9.17 pm)—On indulgence: thank you Mr Deputy Speaker and it gives me great pleasure to join with the member for Parramatta and indeed the member for Reid in this tribute to Dame Joan. I thank the member for Parramatta for her heartfelt expressions of not just sympathy but empathy with the great work that Dame Joan did. Knowing the background, as I do, of the member for Parramatta, not just her love of the arts but her competence in performing them, it was great to be in the chamber listening to that tribute.

Lyndon Terracini, Opera Australia’s Artistic Director, put it simply: Dame Joan was Australia’s greatest opera singer. Dame Joan was also a great ambassador for Australia. She made an extraordinary contribution to the performing arts and opera in particular, both here and internationally. Her international success and her mentoring of young artists and musicians helped Australians believe that our creative talent could hold its own anywhere. Her dedication to delivering great performances to countless audiences in this country made Australians confident that we could nurture and develop a rich cultural life in our cities and towns.

Dame Joan had a unique and great talent as a singer. The member for Parramatta has taken us in great detail to that. But in marking her passing I want to speak about more than her talent—stupendous though that was. Joan Sutherland, growing up in the Great Depression, worked extraordinarily hard to become a singer. She had no overnight success. She developed a discipline and dedication to preparation and rehearsal which have become legend. Perhaps most impressively, she was prepared to work so hard at a time when the prospect of making a career as an opera singer in Australia could only have been described as a crazy dream.

It was a time when most Australian artists went overseas to prove themselves. So she did in 1951, after winning competitions here. When she became an international star with her renowned 1959 performances of Lucia Di Lammermoor it was a tribute to her determination and professionalism as well as to her artistry. She was soon in demand in the great opera houses around the world, winning audiences for works from the 18th and 19th century operas in which she could use the full strength and range of her voice for bel canto roles. She also recorded full operas and arias so she could be heard by many more people. The reviews spoke of her dramatic coloratura soprano, a combination of gleaming tone, huge range and infallible command of florid passages.

Her return to perform in Australia at the height of her international success marked the beginning of a golden era in Australian opera. Thanks to the multitude of recordings, including many of her live Australian performances, we will never forget her sublime voice—the one that Luciano Pavarotti described as ‘the voice of the century’.

Fortunately, Australian audiences could and did hear this remarkable voice because she returned year after year to her home country to perform. Opera Australia describes her as a true company member, always a star but also a team player. She gave her time generously to her chosen art form and took a real interest in the development of young singers in particular. Over the last few days many of her colleagues have told of her personal kindness and professional support as a fellow singer and musician.
Without Joan Sutherland and the excitement that she generated in the 70s and 80s with her incredible voice, there might not be an Opera Australia today. Tours and appearances by Joan meant that opera became more popular in Australia than ever before. Dame Joan took on the responsibilities as well as the privileges that came with being a true diva. Audiences expected much of her and she knew that people invested a great deal of money to hear this world star. She took every performance seriously so that she could meet those expectations and she was renowned for her commitment to careful study of the score for every performance, whether it was her first or 100th performance in a role.

She sang at the first ever opera in the Sydney Domain in 1982—a free event that gave Australians an opportunity to participate in opera outside the main stage and formality of a theatre. During the first act of La Traviata it started to rain but Dame Joan was not going to let the audience down, so she went on with the second act with an umbrella and sang despite the downfall.

With the ABC television broadcasts of Australian opera performances, Dame Joan Sutherland was probably better known to Australians than many popular music stars—and even her famed predecessor, Dame Nellie Melba. A 1982 television simulcast from the Sydney Opera House of Dame Joan live in concert with Luciano Pavarotti was viewed by six million Australians and it redefined the ABC’s attitude to the arts on television.

This parliament is deeply saddened at the news of the passing of Dame Joan and offers condolences to her husband, Richard Bonynge, who is also a great Australian artist and musician, and to her son, Adam Bonynge, and their family. Dame Joan had a wonderful partnership with her husband. Their shared passion for opera and music meant that they could also share the highs and lows of an international career in a highly demanding art form. Mr Bonynge, a champion of the repertoire that Dame Joan made famous, gave her confidence and trust.

In 1961 she was made Australian of the Year, in 1975 she was honoured as a Companion of the Order of Australia, in 1979 she was made a Dame of the British Empire and in 1991 she received an Order of Merit. These are fitting honours for a woman known for her integrity, her sincerity and her dedication to her art form. She was also generous in helping others through benefit performances for bushfire appeals and a gala performance at Covent Garden for Cyclone Tracy victims.

I expect that many Australians will watch and listen to the recordings of her performances to remember her voice and stage presence now and for many years to come. I thank the members of Opera Australia, and many others, who have shared their stories of Dame Joan’s life. It seems very hard to find anyone who says a bad word about her—such was her commitment and generosity as a member of the national opera company.

Mr Murphy (Reid) (9.26 pm)—On indulgence: I too join with the member for Parramatta and the Minister for the Arts in expressing my sympathy to Dame Joan’s husband, Richard Bonynge, and their son, Adam, and their family. As the Minister for Arts and the member for Parramatta pointed out, Dame Joan Sutherland had the voice of the century. There was no doubt about that. Pavarotti, a great authority himself as one of the world’s greatest tenors, delivered that great accolade to her. It was very fitting that when she first made her name in singing Lucia di Lammermoor in 1959 in Venice in the toughest environment that any
opera singer could visit—an Italian audience—she received a long, thunderous applause and she was given the magnificent title ‘La Stupenda’, which stuck with her all her life.

I was very privileged to meet Dame Joan Sutherland on one occasion in 1976 when my music teacher, the late Austin Goldberg, who had studied with her at the Sydney Conservatorium in the 1950s, said, ‘Johnny, you have to come and hear the voice of the century.’ On that occasion I heard her sing an opera that you do not hear people talk about so much—Delibes’ *Lakme*. *Lakme* is a very difficult opera with a famous aria called the ‘Bell Song’. One is truly up in the stratosphere singing the high Ds and the high E flats in that most demanding role. For the life of me, I cannot think of anyone who has been able to achieve the recognition that she received for singing that magnificent opera. The hairs on the back of my neck were standing on end that particular night when I saw her.

Mr Goldberg took me backstage and introduced me to her and her husband, Richard Bonynge. It is something that I will never forget, because she was a very humble and gracious lady. You almost got the feeling that she was so honoured that someone would think so much of the performances that she gave. She signed my program, as did Richard Bonynge, and I will never forget it.

The minister made reference to *La Traviata* in 1982. I was in the domain on that wet night in 1982, as I was for subsequent performances she gave, such as *The Tales of Hoffmann*, and I estimate that there would have been something like 100,000 people who had brought a picnic to the Domain. It is a great place for concerts in the summer and as part of the Sydney Festival. I heard that magnificent voice there on a number of occasions and she gave so much joy and happiness to so many people in Sydney.

Just up the road from my electorate office in Burwood Road, Burwood is St Paul’s Anglican Church. It is a magnificent church that is famous for many things, probably it is most famous because Don Bradman got married there. The Joan Sutherland Musical Society have been holding concerts in St Paul’s for a number of years in honour of Dame Joan. Until recent years, she has attended those concerts. I did not have the opportunity to attend those concerts in her honour when she attended but I do know that the Anglican minister of that church, Father John Kohler, was just so delighted that she would come all the way back from Switzerland to Australia to go to those humble concerts in St Paul’s Anglican Church in Burwood. To the society’s credit they are going to put on a tribute concert to Dame Joan next month, and I hope to get there.

As both the minister and the member for Parramatta have pointed out, Dame Joan sang in all the great opera houses around the world: the Met, La Scala, Covent Garden and, of course, Sydney Opera House, where I had the privilege to hear her. Honestly, she gave so much joy to so many, and every time she sang one of the great arias the audience would just clap and clap and clap. There was no doubt about the uniqueness, clarity and purity of that great voice.

Some of the great recordings I have listened to are *Rigoletto*, *Norma*, *Lucia di Lammermoor*, *Lakme*, which I have mentioned, *The Tales of Hoffmann* and *La Traviata*. I was listening to the ABC last Saturday afternoon, which was doing a tribute to her, and they mentioned that she recorded something like 41 operas. It is a wonderful legacy that she leaves for all of us because, although she may have gone, we can still hear that great voice. I think it is very noteworthy that she developed that great voice through the hard work and efforts of her husband, Richard Bonynge, who himself was a great classical pianist and who became a cele-
brated conductor. He tricked Joan. He took her from a soprano to a coloratura. He transposed some of those great arias. He put them up a semitone or a tone until she did not realise she was singing a high D or a high E flat, which is impossible for most mortals on this planet.

Ms Owens—She had an F sharp.

Mr Murphy—She had an F sharp? I could believe that because her voice was absolutely extraordinary. I think it is wonderful that, all those years ago, the Labor government gave her the recognition she so deserved by opening the Dame Joan Sutherland Centre in Penrith. The Labor party has had many a launch of its state and federal campaigns there and there have been some incredible musical events. She will be remembered out in Sydney’s west but she will always be remembered in Sydney, across Australia and internationally with the theatre at the Sydney Opera House, which is to be named after her. That is a decision taken by Premier Keneally and I applaud her for that.

It was a great privilege to hear Dame Joan sing. It was a great honour for me to meet her with my music teacher who was studying at the conservatorium, as I said earlier, in the 50s. But for him I would not have had that opportunity because she did not often get the chance to sing in Australia. The demands of Europe, North America and South America, where she sang so much, did not give her the opportunity to come back to Australia as often as she would have liked, I am sure, to perform. I want to thank her for all the joy and happiness that she has given to me and so many Australians and to so many people internationally. Vale, Dame Joan. Vale, La Stupenda.

The Deputy Speaker (Hon. Peter Slipper)—The member for Reid is more fortunate than I was because my music teacher told me she did not want to see me anymore because of the lack of quality of my music. I would like to say that a very good friend of mine at Red Hill, Mrs Margaret Kelly, who was a good friend of Dame Joan’s, told me how humble Dame Joan was, which of course verifies what the member for Reid has just said. She would run into her in Canberra in a department store and she would say, ‘Hi, remember me, I’m Joan Bonyne.’ She never used her title or anything like that. I think that she was a wonderful Australian and it is so sad that we have lost her.

Main Committee adjourned at 9.36 pm