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SITTING DAYS—2010

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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, Mrs Yvette Maree D’Ath MP, Mr Steven Georganas MP, Kirsten Fiona Livermore MP, Mr John Paul Murphy MP, Mr Peter Sid Sidebottom MP, Mr Kelvin John Thomson MP, Ms Maria Vanvakinou 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

Printed by authority of the House of Representatives
## Members of the House of Representatives

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<td>Wilkie, Andrew Damien</td>
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<td>Wyatt, Kenneth George</td>
<td>Hasluck, WA</td>
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<td>Zappia, Tony</td>
<td>Makin, SA</td>
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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
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<tr>
<td>Prime Minister</td>
<td>Hon. Julia Gillard MP</td>
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<td>Deputy Prime Minister, Treasurer</td>
<td>Hon. Wayne Swan MP</td>
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<td>Minister for Regional Australia, Regional Development and Local Government</td>
<td>Hon. Simon Crean MP</td>
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<td>Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate</td>
<td>Senator Hon. Chris Evans</td>
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<td>Minister for School Education, Early Childhood and Youth</td>
<td>Hon. Peter Garrett AM, MP</td>
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<td>Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate</td>
<td>Senator Hon. Stephen Conroy</td>
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<td>Minister for Foreign Affairs</td>
<td>Hon. Kevin Rudd MP</td>
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<td>Minister for Trade</td>
<td>Hon. Dr Craig Emerson MP</td>
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<td>Minister for Defence and Deputy Leader of the House</td>
<td>Hon. Stephen Smith MP</td>
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<td>Minister for Immigration and Citizenship</td>
<td>Hon. Chris Bowen MP</td>
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<td>Minister for Infrastructure and Transport and Leader of the House</td>
<td>Hon. Anthony Albanese MP</td>
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<td>Hon. Nicola Roxon MP</td>
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<td>Hon. Jenny Macklin MP</td>
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<td>Minister for Sustainability, Environment, Water, Population and Communities</td>
<td>Hon. Tony Burke MP</td>
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<td>Minister for Finance and Deregulation</td>
<td>Senator Hon. Penny Wong</td>
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<td>Minister for Innovation, Industry, Science and Research</td>
<td>Senator Hon. Kim Carr</td>
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<tr>
<td>Attorney-General and Vice President of the Executive Council</td>
<td>Hon. Robert McClelland MP</td>
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<td>Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate</td>
<td>Senator Hon. Joe Ludwig</td>
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<tr>
<td>Minister for Resources and Energy and Minister for Tourism</td>
<td>Hon. Martin Ferguson AM, MP</td>
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<tr>
<td>Minister for Climate Change and Energy Efficiency</td>
<td>Hon. Greg Combet AM, MP</td>
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[The above ministers constitute the cabinet]
GILLARD MINISTRY—continued

Minister for the Arts
Hon. Simon Crean MP

Minister for Social Inclusion
Hon. Tanya Plibersek MP

Minister for Privacy and Freedom of Information
Hon. Brendan O’Connor MP

Minister for Sport
Senator Hon. Mark Arbib

Special Minister of State for the Public Service and Integrity
Hon. Gary Gray AO, MP

Assistant Minister to the Treasurer and Minister for Financial Services and Superannuation
Hon. Bill Shorten MP

Minister for Employment Participation and Childcare
Hon. Kate Ellis MP

Minister for Indigenous Employment and Economic Development
Senator Hon. Mark Arbib

Minister for Veterans’ Affairs and Minister for Defence Science and Personnel
Hon. Warren Snowdon MP

Minister for Defence Materiel
Hon. Jason Clare MP

Minister for Indigenous Health
Hon. Warren Snowdon MP

Minister for Mental Health and Ageing
Hon. Mark Butler MP

Minister for the Status of Women
Hon. Kate Ellis MP

Minister for Social Housing and Homelessness
Senator Hon. Mark Arbib

Special Minister of State
Hon. Gary Gray AO, MP

Minister for Small Business
Senator Hon. Nick Sherry

Minister for Home Affairs and Minister for Justice
Hon. Brendan O’Connor MP

Minister for Human Services
Hon. Tanya Plibersek MP

Cabinet Secretary
Hon. Mark Dreyfus QC, MP

Parliamentary Secretary to the Prime Minister
Senator Hon. Kate Lundy

Parliamentary Secretary to the Treasurer
Hon. David Bradbury MP

Parliamentary Secretary for School Education and Workplace Relations
Senator Hon. Jacinta Collins

Minister Assisting the Prime Minister on Digital Productivity
Senator Hon. Stephen Conroy

Parliamentary Secretary for Trade
Hon. Justine Elliot MP

Parliamentary Secretary for Pacific Island Affairs
Hon. Richard Marles MP

Parliamentary Secretary for Defence
Senator Hon. David Feeney

Parliamentary Secretary for Immigration and Citizenship
Senator Hon. Kate Lundy

Parliamentary Secretary for Infrastructure and Transport and
Parliamentary Secretary for Health and Ageing
Hon. Catherine King MP

Parliamentary Secretary for Disabilities and Carers
Senator Hon. Jan McLucas

Parliamentary Secretary for Community Services
Hon. Julie Collins MP

Parliamentary Secretary for Sustainability and Urban Water
Senator Hon. Don Farrell

Minister Assisting on Deregulation
Senator Hon. Nick Sherry

Parliamentary Secretary for Agriculture, Fisheries and Forestry
Hon. Dr Mike Kelly AM, MP

Minister Assisting the Minister for Tourism
Senator Hon. Nick Sherry

Parliamentary Secretary for Climate Change and Energy Efficiency
Hon. Mark Dreyfus QC, MP
SHADOW MINISTRY

Leader of the Opposition
Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade
Leader of the Nationals and Shadow Minister for Infrastructure and Transport
Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations
Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts
Shadow Treasurer
Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals
Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate
Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee
Shadow Minister for Energy and Resources
Shadow Minister for Defence
Shadow Minister for Communications and Broadband
Shadow Minister for Health and Ageing
Shadow Minister for Families, Housing and Human Services
Shadow Minister for Climate Action, Environment and Heritage
Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship
Shadow Minister for Innovation, Industry and Science
Shadow Minister for Agriculture and Food Security
Shadow Minister for Small Business, Competition Policy and Consumer Affairs

Hon. Tony Abbott MP
Hon. Julie Bishop MP
Hon. Warren Truss MP
Senator Hon. Eric Abetz
Senator Hon. George Brandis SC
Hon. Joe Hockey MP
Hon. Christopher Pyne MP
Senator Hon. Nigel Scullion
Senator Barnaby Joyce
Hon. Andrew Robb AO, MP
Hon. Ian Macfarlane MP
Senator Hon. David Johnston
Hon. Malcolm Turnbull MP
Hon. Peter Dutton MP
Hon. Kevin Andrews MP
Hon. Greg Hunt MP
Mr Scott Morrison MP
Mrs Sophie Mirabella MP
Hon. John Cobb MP
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 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 |
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The SPEAKER (Mr Harry Jenkins) took the chair at 9 am, made an acknowledgement of country and read prayers.

COMMITTEES
Selection Committee
Report No. 7
The SPEAKER—I present a correction to Selection Committee report No. 7, Report relating to the consideration of bills introduced 15-17 November 2010, and another matter.

The correction read as follows—
Page 3; paragraph 2; omit fourth bill listed and substitute:
- Environment Protection and Biodiversity Conservation (Public Health and Safety) Amendment Bill 2010

Parliamentary Library Committee
Cyber-Safety Committee
Message from the Senate
The SPEAKER—I have received messages from the Senate informing the House that the Senate agrees with the resolutions of the House relating to variations to the resolutions of appointment of the Joint Standing Committee on the Parliamentary Library and the Joint Select Committee on Cyber-Safety.

AFGHANISTAN
Report from Main Committee
Order of the day returned from Main Committee for further consideration; certified copy presented.
Ordered that the order of the day be considered immediately.

The SPEAKER—The question is that the motion be agreed to.

Ms GILLARD (Lalor—Prime Minister) (9.02 am)—Opening this parliamentary debate on 19 October, I said:

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.

The Leader of the Opposition, Mr Abbott, sounded a similar note when he said:

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 … Our challenge this week is to be just as effective and professional in our tasks as our soldiers are in theirs.

On this at least we are at one.

Many Australians have told me that they think the parliament has done the right thing by finally debating our commitment to the war so openly. So the government has sought to paint a very honest picture of our mission in Afghanistan. We do face real difficulties and challenges and we have sought to share our best judgment. There will be many hard days ahead but we are cautiously encouraged by what we have seen.

Australia has two vital 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. I have discussed the long course of events in Afghanistan since 2001, good and bad, already in this debate. But I also said I believe we now have the right strategy, an experienced commander in General Petraeus and the resources needed to deliver the strategy. 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.

The main focus of the Australian effort in Afghanistan is directed towards Oruzgan province. In Oruzgan, 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 and helping improve the Afghan government’s capacity to deliver core services and generate income-earning opportunities for its people. Australia has increased our troop contribution by 40 per cent in the past 18 months and increased our civilian contribution by 50 per cent, including in police training. The 4th Brigade is becoming an increasingly professional force. Our best judgment is that we are on track to complete our training mission in two to four years.

A number of criticisms of the international strategy and the Australian government’s policy have been made in this debate. That was rightly part of the purpose of this debate. So I welcome the opportunity to respond to them today. Some members have argued that there is no progress on the ground in Afghanistan. I do not agree. Our military assessment is that increased operations are reversing the momentum of the insurgency and extending the reach and capacity of the Afghan government into areas long held by the Taliban and their allies. These security gains are being matched by progress in training the Afghan National Security Forces, which are slowly becoming more capable. The economy is growing and there is improvement in basic health care, education and infrastructure. We face a resilient insurgency and the situation in Afghanistan remains difficult, serious and dangerous, with the potential to revert, but our cautious optimism is justified.

Some members have argued that we have already been in Afghanistan nine years and that the time frame the government now envisages is too long. To this, I say first let us be realistic. In the future, when we look back on the years since 2001, no-one will deny that international attention turned heavily to Iraq. Second, while it has taken too long, there is now a strategy to achieve a transition. To do that, we need to put the Afghan security forces in a position where they can take the lead on security. Some members have suggested that Australia’s mission is unclear and that we cannot define what success would mean in Afghanistan or that we cannot achieve the goals we have set for the mission. I disagree. We have a credible, achievable task—one where some progress can already be seen. Some members have argued that we should leave Afghanistan because al-Qaeda is no longer there and the threat is somewhere else, in countries including Yemen, Somalia and Pakistan. We must remember that, while we have made progress in Afghanistan, if we stop military operations now the country would remain at risk of becoming a safe haven for terrorists in the future. That said, I certainly agree that extensive international cooperation to counterterrorism is needed and Australia does contribute to these global efforts.

Some members have raised concerns for the likelihood of an enduring political settlement. Most Afghans agree that the Taliban regime should never be returned to power and that is certainly our policy. Reconciliation will only work if it is an Afghan led process. Yes, there have been preliminary signs that some senior Taliban leaders may be considering the path towards negotiations, but reconciliation will be long, complex and inevitably subject to setbacks.

A number of members have raised questions about the structure of our forces in Afghanistan and the protection available to our
soldiers and our civilians in the country. I have no complaint that parliament scrutinises the government’s decisions in this area. It is a grave responsibility. Australia’s forces in Oruzgan are structured to include a range of critical capabilities. Not all capabilities are, or need to be, provided by the Australian Defence Force. Many capabilities are provided through the international force as a whole. Australian troops now have access to more artillery and mortar support than they did a year ago and they have access to attack helicopters and close air support from fighter aircraft when necessary. In this area of policy we accept the professional advice, but the government decides. This is a matter we keep under constant review as circumstances change and the insurgent threat adapts and evolves. Under current conditions our troops have the right support for the mission they have been assigned. I am satisfied that our force protection posture is appropriate.

Today, I leave Canberra for the Lisbon summit on Afghanistan. I believe that it is important to be there. Australian soldiers are fighting and dying in Afghanistan. Australia has vital interests at stake in the campaign in Afghanistan and Australia fought hard for the principle that decisions on the campaign in Afghanistan could not be made by NATO members alone. In Lisbon, Australia’s voice will be heard by world leaders including President Obama, Prime Minister Cameron, President Sarkozy and Chancellor Merkel. President Karzai will attend the Lisbon summit and so too will the UN Secretary-General, Ban Ki-moon.

Speaking for Australia I will argue for two main outcomes: first, a credible and conditions based strategy for transition to an Afghan led security by the end of 2014. If leaders at Lisbon endorse such a framework, then commanders on the ground working with the Afghan government can provide the detailed planning on when and where transition will take place. But let me be clear: transition 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. Secondly, I will argue for a commitment by the international community not to abandon Afghanistan. We must give the new international strategy time to work and we must recognise that after transition the support training and development task will continue in some form through the decade at least. I also expect there to be a clear focus on governance in Afghanistan and on the role of Afghanistan’s neighbours, particularly Pakistan, in the Lisbon discussions. We expect the Afghan government to meet its commitments to improve governance and the delivery of basic services and to combat corruption.

The international strategy depends on an effective partnership with Pakistan to address violent extremism in the border regions that threaten both Pakistan and Afghanistan. At Lisbon I will look forward to a progress report from General Petraeus and Ambassador Sedwell. From my own discussions with General Petraeus, I know he will also be frank that the progress is fragile and that we can expect setbacks. I will be frank as well. I go to Lisbon to state this clearly: Australia will not abandon Afghanistan; Australia will see the mission through.

The parliamentary debate began four weeks ago in a full House and before a full public gallery. I explained the government’s policy; Mr Abbott explained the opposition’s. The gravity of the debate reflected the gravity of the war itself. The House witnessed passionate and poignant contributions both for and against the war. There is goodwill and love of country on all sides of this debate and no-one in the House denies the terrible human cost of our decisions. The war has seen more tears outside the parliament...
than in it. The House also heard a strong and considered case for our commitment from the majority of the people’s representatives. I was proud of the contribution of the government members, in particular those of the Minister for Defence and the Minister for Foreign Affairs.

Afghanistan dominated the news media and public discussion for days, but debate moved on, in public and in the House. As I observed that gradual change, I became determined to conclude the debate on behalf of the government. I believe that I should be here at the end of the debate, just as I was at the beginning, and that the nation’s attention should not long waver from the war.

Nine years after the attacks on New York and Washington, the war in Afghanistan has been long. We are not weary, but we must be very realistic about the future. Transition will take some years. Good governance in the country may be the work of an Afghan generation. There will be many hard days ahead. We will be engaged through this decade at least. But I am cautiously encouraged by what I have seen. I go to Lisbon confident that I speak not only for the government but for the parliament and the people of Australia when I say Australia will see the mission through.

Question agreed to.

BUSINESS
Rearrangement

Mr ALBANESE (Grayndler—Leader of the House) (9.16 am)—by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent the following items of private Members’ business, being reported from the Main Committee, or called on, and considered immediately in the following order:

- Order of the day No. 10—Motion relating to Same-sex marriage; and
- Motion relating to Asbestos—Report from the Main Committee.

I reserve my right to speak.

Mr PYNE (Sturt—Manager of Opposition Business) (9.17 am)—I move as an amendment to the motion of the Leader of the House:

That the following words be added to the motion:

And (2) that the private Members’ business item No. 3, the Joint Select Committee on Broadband motion standing in the name of the member for Wentworth and No. 7, the mental health motion standing in the name of the member for Dickson as listed in the Notice Paper, be returned from the Main Committee and considered immediately.

The reason I move this amendment is that there is a disagreement between the Leader of the House and the opposition over the effect of the House Standing Committee on Selection’s decisions made earlier this week about when matters should be brought on for a vote. The opposition had an understanding, and I believe it is confirmed by the minutes of that meeting and the letter from Robyn McClelland, the secretary of the committee, to the Leader of the House. This could well be a misunderstanding between us and the government, but we believe that right is on our side and we believe that these two motions should be brought on for voting today. Our understanding of the decisions of the Selection Committee—which you chair, Mr Speaker—is that there were five items that were determined to be voted upon this week. The debates had been completed on Monday, and on Tuesday the Selection Committee made a determination that the three items that the Leader of the House has listed for voting today, plus the mental health motion that the member for Dickson moved and the NBN committee motion that the member for Wentworth has debated this week, should all
be voted upon on Thursday. It is also our understanding that there were another five items that would be voted upon next week, after the debates have been completed—issues like, for example, the Environment Protection and Biodiversity Conservation Amendment (Public Health and Safety) Bill, which was moved by the member for Cowper—

Mr Albanese interjecting—

Mr PYNE—I’m going to. There is also the paid parental leave small business pay clerk protection bill, as moved by the member for Dunkley, the shadow minister for small business; the national curriculum motion that was moved by me—that is three; the asylum seekers and Inverbrackie motion, as moved by the member for Mayo, and that is four; and the home insulation data motion, as moved by the member for Flinders. That is five. Those are the five motions and bills that we believed would be voted upon next Thursday, and today there were to be five votes today—the three that the Leader of the House has listed in his motion and the two that I have added as an amendment. Our understanding is that there would be five votes today and five votes next Thursday. The Leader of the House and I have had numerous conversations about this matter since about half past six last night, when it became apparent that these motions were not on the draft Notice Paper, and we have a very different view about the Selection Committee’s determinations.

There are myriad reasons why these votes should be brought on today—not only because we believe that the Selection Committee made that decision, and even if there is some doubt about that there is no good reason not to vote on these two motions today. The debates have been concluded. The debates were held in the House and the Main Committee on Monday of this week or last week on all of the matters that should be listed for voting today. People’s positions are clear. The crossbenchers have indicated where they believe they will be placing their votes. The opposition and the government have indicated their views on the member for Wentworth’s NBN committee motion and the mental health motion. There is no good reason at all why these votes should not be brought upon today, and it was obviously the view of the crossbenchers that that would be the case because there are reports in the media this morning, as there were last night, about views of members of the crossbench on the mental health motion of the member for Dickson. So we on this side of the House believe that it would be in the interests of the House to clear these five matters away, whether they are successful or unsuccessful, and then move on to other items of business and deal with the other five next week.

We do not want to be in a position—and I particularly appeal to the crossbenchers in this regard—next week where the Leader of the House and the government have decided that we have run out of time to deal with matters that are time specific and that we will not be able to deal with them until we come back in February. For example, the national curriculum motion, which is currently going to be voted on next week because of another artificial reason, states that the national curriculum not begin until January 2012. If that is not passed in November, obviously that motion, which is time specific, will become moot. The same is the case for the consultation over the asylum seeker accommodation at Woodside and at Inverbrackie in the Adelaide Hills.

We do not want to be in a position where a recommendation, view or determination of the Selection Committee—which was made with an understanding that it would mean that some matters will be cleared away—is frustrated or delayed because the government
gets to list what will be voted on in government business. That was not the intention of the agreement that was struck between the government, the opposition and the crossbenchers during that negotiation period. In that period it was expected that if the Selection Committee wanted matters voted upon they would be voted upon in a timely fashion. This meant that when it was time to move on to new matters after a debate had essentially concluded those matters should not hang around for days into the future.

I will not take up the House’s time with a longer explanation of the reason for this amendment; there is no point in doing so—

Government members interjecting—

Mr PYNE—I am being urged by the crawlers on the front bench to continue to speak. They might want to ask a question in question time perhaps—not that there is any notice for those questions, of course. But it is quite clear from what I have said that the amendment that I am moving should be supported by the House. The amendment would see these five matters dealt with this morning, and after being dealt with we would then be able to move on to another five items next week. That is my amendment. I ask the House to support it. It is borne out by the letter from Robyn McClelland to the Leader of the House and by the minutes of the meeting that was held on Tuesday 16 November. I ask the crossbenchers to support this motion.

The SPEAKER—Is the amendment seconded?

Mr Hartsuyker—I second the amendment.

Mr ALBANESE (Grayndler—Leader of the House) (9.24 am)—The Manager of Opposition Business is having some difficulty dealing with private members’ business on Thursday mornings. Last sitting week we had his private member’s bill, as shadow education minister and as Manager of Opposition Business, and there was only one member of the opposition in the chamber at the time, so they could not even have a division on it. He forgot to turn up. He talked it up day after day, week after week, month after month. It shows that the opposition’s critique of the BER is nothing more than a stunt.

We then had accusations that the government had manipulated the timing of that vote in private members’ business because he thought it was going to be at 9.15 am. The problem is that they record the time of votes in the minutes of the parliament. He is very embarrassed by his performance in the last sitting week because it showed that he simply is not on top of the new procedures that have been put in place in the parliament.

This week it gets even worse. These processes are not that complex. He was involved in sitting down and negotiating these agreements but, when you have an agreement, an understanding and a commitment with those opposite, it often does not last very long. Last sitting week I spoke to the Manager of Opposition Business at three minutes to nine o’clock, as the bells were ringing, and said, ‘See you in the chamber.’ He got lost on the way.

This morning I spoke to the Manager of Opposition Business and we agreed that this amendment he is moving was not necessary and that these votes would occur next Wednesday. I agreed with him this morning that we would split the votes so that the two items he wanted this morning would be voted on next Wednesday and the other items would be voted on next Thursday. That was at about 10 minutes to nine this morning, after having discussed it last night. You cannot run the parliament effectively if you cannot keep your word for half an hour. But I give the Manager of Opposition Business
credit—at least he is here. Good effort, Chris. You are getting better.

He went through the minutes of the Selection Committee—

Honourable members interjecting—

The SPEAKER—Order! The Leader of the House will resume his seat. The question is that the words proposed be added. The Leader of the House has the call and will address the question, and the House will stay silent.

Mr ALBANESE—Contrary to what the Manager of Opposition Business told the parliament, the minutes of the meeting of the Selection Committee, signed by the chair, Harry Jenkins, and dated 17 November 2010, say in writing:

The committee recommended that the following items of private member’s business orders of the day be voted on:

• Mental Health (resumption of debate from 25 October 2010 on motion of Mr Dutton);
• Joint Select Committee on Broadband (resumption of debate from 25 October 2010 on motion of Mr Turnbull);
• Overseas Trained Doctors (resumption of debate from 18 October 2010 on motion of Mr Scott);
• Special Disability Trusts (resumption of debate from 18 October 2010 on motion of Ms Moylan); and
• Climate change notice of motion given by Mr Murphy on 15 November 2010.

What does that tell you? It tells you that there are five items of business to be voted upon next week and that four of those five are from the opposition, none are from the crossbenchers and only one is from the government. How is that for fair—we give them four out of the five to be voted upon and determined next week? If they were at all fair dinkum, they would move all five here to be voted upon today. Why don’t they do that?

Let us take the introduction of bills as an example of the way we conduct business in this parliament. Bills are introduced on Wednesday or Thursday, they have their first reading, they then stand, and the debate begins after the caucus meetings are held on the next Tuesday. Because of the way we have changed the status of private members’ business we now determine this week what will be voted upon next week. That is what we have done with those five items, of which he has picked out two to be voted upon today with no notice being given.

I have operated properly. We give proper notice so that it appears on the blue in order that everyone in this parliament knows what is occurring. What is more, this was a unanimous decision of the Selection Committee on Tuesday. The fact is that we have a whole range of bills before this parliament. We are not voting on all of them today. We do not get to move legislation one day and vote on it the next day. It is not the way that the parliament works. If we are going to have proper scrutiny and proper processes, we must agree with the decisions of the Selection Committee.

This government has not refrained from debate or discussion about any of the things that need to be voted upon. Indeed, we have expanded the Selection Committee to accommodate the additional requests of the crossbenchers. We have had votes on private members’ bills, we have had votes on private members’ motions and we have had agreements. If people want to have a debate on mental health then—

Ms Julie Bishop—Now!

The SPEAKER—Order! The Deputy Leader of the Opposition will sit there in silence. This is a debate. If she wants to make a contribution she can make a contribution, but it is unlike question time. If she
feels aggrieved, she can get on her feet later in the debate.

Mr ALBANESE—They need to move it the week beforehand. But the fact is that we are having votes on things this week that were determined last sitting week, just as we had votes on things last sitting week that were determined the week before. This is not that hard. If they had wanted a vote on the mental health resolution, all any one of them had to do in the Selection Committee last week was to ask for it. They did not. They went through the debate in this parliament that occurred during private members’ business time and they did not even ask that there be a vote on that motion. Then, after the motion and the debate have been held and it is all over, they go along to the Selection Committee on Tuesday and say: ‘Sorry, we forgot to ask for a vote on that. Can we have one?’ That is what has happened here.

The minutes of the 17 November 2010 meeting of the House of Representatives Selection Committee reflect this. They go through it in detail. And that is important in terms of processes for this parliament because, if we are going to give proper consideration to private members’ bills and motions, it is important that people know what is coming and when it is coming. I, as Leader of the House, am determined to ensure that this new parliament functions properly. I am also determined to ensure that all 150 members, including those who do not have access to a party political machine, are able to know what is coming. It will simply make life untenable for the crossbenchers if every Thursday morning they come in here not knowing what the votes are going to be on. How is that conducive to proper consideration of good public policy? It is not. That is why this is simply a stunt that should be rejected. And I have no doubt it will be rejected.

Last night and this morning the Manager of Opposition Business and I had discussions about this. We agreed that these votes would take place next Wednesday. We agreed to split them because he was concerned about the number of votes. But let us be very clear—

Mr Pyne interjecting—

Mr ALBANESE—Are you saying that you told me you were going to do this?

Mr Pyne interjecting—

The SPEAKER—Order! The Manager of Opposition Business will cease interjecting. The Leader of the House has the call. The question is that the words proposed to be added stand part of the question and the Leader of the House will be relevant to that question.

Mr ALBANESE—I am indeed being relevant, Mr Speaker, because what I am discussing is the ways in which the processes of this parliament function, particularly with regard to private members’ business. We need to make sure that everyone knows what is coming on, just as they do with government bills. We do not come in here and say: ‘Oh, we will just change the order; today we will have a vote on some legislation that we brought in yesterday.’ They never did that in government and we have not done that in government. It should not happen because it is not conducive to people being able to make a decision.

All 150 members have to make decisions today about what they think through the processes—what they think about the NBN financial transparency bill, what they think about the motion and amendment relating to same-sex marriage and what they think about the motion relating to asbestos. I would hope that they have looked at the Notice Paper and made an appropriate determination as to what they think about those issues.
If we come in and decide on the spur of the moment that we will have votes on other things, it is simply not conducive to good decision making. If those opposite were at all fair dinkum, I say to the Manager of Opposition Business, they would have moved an amendment including the motions from Mr Scott on overseas trained doctors, Mrs Moylan on special disability trusts and Mr Murphy on climate change. They would have moved those motions. If they had moved a week ago on the joint select committee on broadband or mental health—

Ms Julie Bishop—Stop wasting time!

Mr ALBANESE—The Deputy Leader of the Opposition continues to interject, Mr Speaker, in defiance of your ruling, about wasting time. We did not come in here and move this amendment; we came in here to vote as was determined by those opposite. I ask the House to reject the Pyne amendment. I believe that next week we will be voting on the motions on mental health by Mr Dutton and on the joint select committee by Mr Turnbull, and on the other three motions I have mentioned.

The Manager of Opposition Business has had a couple of shockers when it comes to dealing with private members’ business. Perhaps the reason they have moved this amendment today is that they were concerned about votes coming on and their missing out again on having a vote. If that is the case, it is perhaps as credible as the explanation that was put up last week, which was that somehow the Manager of Opposition Business had determined that, after talking about the BER for a year, he did not really want to vote on it after all because he was going to lose on it. If that is the case, if that is the sort of logic they have, they will not be calling any divisions on any of the legislation that comes before the House.

This is a stunt. The government is determined to make sure this operates fairly. The government has been more than reasonable. I repeat that next week there will be five votes: four votes on issues raised by members of the coalition and only one moved by a member of the government.

Mr BANDT (Melbourne) (9.39 am)—As a member of the Standing Committee on Selection who was there yesterday and who was appealed to by the Manager of Opposition Business, it is certainly my recollection that the Selection Committee did not determine yesterday that there would be a vote on the mental health motion today—the Selection Committee cannot do that—and that the first time a vote was requested was in fact yesterday, not the week before. I am more than happy to talk to the Manager of Opposition Business about whether we might amend the standing orders to give the Selection Committee the power to say when votes are going to be held, but at the moment a strict interpretation of the agreement, as I read it, is that it is in the government’s prerogative, that this is in accordance with the procedure that has happened to date and that nothing unusual is happening. I will not be supporting the amendment.

Question put:

That the words proposed to be added (Mr Pyne’s amendment) be so added.

The House divided. [9.45 am]

(The Speaker—Mr Harry Jenkins)

| Ayes | 72 |
| Noes | 72 |
| Majority | 0 |

AYES
Alexander, J. Andrews, K.J. Billson, B.F. Bishop, J.I. Broadbent, R.
The SPEAKER—I use my casting vote with the noes on the basis of precedents that indicate leaving propositions in their original state.

Question negatived.

Original question agreed to.

NATIONAL BROADBAND NETWORK FINANCIAL TRANSPARENCY BILL 2010

Report from Main Committee

Bill returned from Main Committee for further consideration; certified copy of the bill presented.

Ordered that this bill be considered immediately.

Second Reading

Debate resumed from 15 November, on motion by Mr Turnbull:

That this bill be now read a second time.

Mr Turnbull (Wentworth) (9.53 am)—in reply—I want to thank the members from all sides who have spoken in this debate and just briefly sum up the issues be-
between honourable members. The government, in pursuing the NBN, are confusing the means with the end. They have established as their goal the building of a fibre-to-the-home national network for a cost of $43 billion to 93 per cent of households. That is the means. The end is the provision of universal and affordable broadband across Australia. The task of this parliament and the government should be to determine the most cost-effective way of delivering that will provide competition and the lowest access prices to Australian consumers, and that is exactly what our National Broadband Network Financial Transparency Bill 2010 has asked the Productivity Commission to do.

The terms of reference would require the Productivity Commission to analyse the availability of broadband services across Australia, identifying those areas where services are not of a high standard, and then to look at the different options by which that can be rectified.

It is clear enough to us that that goal of universal and affordable broadband can be achieved for a tiny fraction of the $43 billion bill that the NBN will involve, but the government does not want to know that and so it has resisted this legislation and refused to have it referred to the Productivity Commission—this notwithstanding that the government’s principal economic adviser, Dr Henry, has said on many occasions that every major infrastructure project should be subject to a rigorous cost-benefit analysis and any that does not pass that test necessarily detracts from Australia’s wellbeing. And, of course, the government established Infrastructure Australia to do precisely that job of prioritising, analysing and performing a cost-benefit analysis on major infrastructure projects. So common sense dictates that this project, the biggest of them all, should be subject to a rigorous cost-benefit analysis.

The government members have said no. What has been their argument? They have said it will delay the rollout of the NBN. That is completely and utterly untrue. The cost-benefit analysis would proceed while the initial demonstration sites that are being rolled out now were being built. Indeed, the experience in those sites would be very useful, I have no doubt, to the Productivity Commission. The government members have said, ‘The problem with a cost-benefit analysis is that you’ve got to put in a lot of assumptions and it’s subjective.’ If that were the case, you would never do a cost-benefit analysis on anything. You would never do an economic analysis of anything that involved looking into the future, because of course you have to make subjective decisions. Indeed, the government has made subjective decisions and judgments here in the assertion which a number of government members made and which of course Senator Conroy has made many times, which is that we should build this fibre-optic network not because of what it can do today but because of the things we do not know that it may be able to do in 20 years time. That is absolutely extraordinary, indicating a complete lack of understanding of the time value of money.

The refusal to undertake a cost-benefit analysis is bad enough, but now we have, in this bill, the opportunity to require the government to publish a business plan by tomorrow. If this bill were passed by the House and the Senate, a business case would have to be published tomorrow. The business plan is there—we know it is there—but the government will not publish it. They will not release it until after the House has risen. The Prime Minister does not want to be questioned on that business plan in this place. She does not want members and senators to challenge the government or scrutinise the government’s spending on this project based on
that business plan, and so it is being hidden from view.

The reality is this: any Australian with a small business who goes to his or her bank to borrow $20,000 or $50,000 for a cafe, a retail outlet or a farm has got to produce a business case. The bank manager will say: ‘Where’s your business plan? Where’s your business case?’ And they will scrutinise that and hold the would-be borrower to account.

Honourable members interjecting—

The DEPUTY SPEAKER (Ms AE Burke)—Order! Would people having conversations in the aisle please sit down, thank you.

Mr TURNBULL—This government is taking $43 billion—this is not a $50,000 loan; this is $43 billion—from the Australian people, from Australians’ taxes, and asking this parliament, their representatives, to approve it, and we have not seen any business plan at all. All that we have seen is a study by McKinsey, and all we know about that is that the NBN management disagrees with it, so we literally have no basis for knowing what this network is going to look like in terms of its architecture, its design, its cost and its economic impacts. I say to all honourable members here—government members, opposition members and above all the crossbenchers: if you seriously believe in the so-called new paradigm, if you seriously believe in accountability, if you seriously believe in letting the sunshine in, how can you allow this government to keep all of us and all Australians in the dark and spend so much money with no scrutiny, no accountability and no information?

We talk a lot here about the digital divide and the importance of making internet access available to everybody. We note that 76 per cent of people in the major metropolitan cities have access to the internet at home and only about 63 per cent in the outer regional areas do. That is something that policy should address, and our policy in 2007, the OPEL policy, would have done that and our policies today would do that. We are totally committed, as I hope the government is, to ensuring there is affordable universal broadband, particularly in those regions. But where the big digital divide is is one based on income. Only 43 per cent of households with incomes of less than $40,000 a year have access to the internet at home. For higher incomes it is almost a hundred per cent, the high 80s and mid-90s penetration. So the big digital divide is marked by income, and that is why affordability of access is vital. The NBN will make internet access more expensive, not cheaper.

It will make it more expensive because it is a massively capitalised government monopoly. The arrangements the government is putting in place with Telstra about which the OECD has expressed such grave concern will prevent any competition with the NBN from facilities such as the Telstra HFC network. There will be nothing to stand in the way of the NBN charging very high prices, and indeed, because of the huge capital burden its architects have imposed on it, it will have a very great incentive to do so. The McKinsey plan, which has been disowned—I do not know whether this part of it has been disowned—forecasts internet access prices increasing by at least four per cent a year for the next decade. Internet prices have been coming down precipitously over the last decade. We are going to spend apparently $43 billion of taxpayers’ money to send them up again.

This is crying out for rigorous analysis. The government says, ‘You only want to send it to the Productivity Commission because you want to kill the NBN.’ Well, we are utterly committed to universal and affordable broadband. We are utterly committed to the end, to the goal. The question is
what the most cost-effective means is, and that is why one business group, one business leader after another, one leading economist after another, has called for a cost-benefit analysis to be performed. The telecommunications sector is calling for a cost-benefit analysis to be performed. The second tier telcos in the Alliance for Affordable Broadband—PIPE Networks, Allegro, Vocus and others, these companies who it is claimed will be great beneficiaries of the NBN—themselves have pleaded with the Independent members of this House to support the reference to the Productivity Commission. The only voices opposing a reference to the Productivity Commission are the people who do not want the truth to be told, who do not want the facts to be revealed, who want $43 billion of taxpayers’ money to be spent without any scrutiny, without any accountability, without any responsibility.

Madam Deputy Speaker, I commend this bill to the House.

(The SPEAKER (Ms AE Burke)—The question is that this bill be now read a second time. I think the noes have it.

Mr Pyne—The ayes have it. There was only one voice.

The DEPUTY SPEAKER—The chair is the one who gets to hear and I heard two voices. Do the ayes want a division or not, Member for Sturt?

Mr Pyne—Yes.

Question put.

The House divided. [10.08 am]

Ayes………… 72
Noes………… 73
Majority…….. 1

AYES

Abbott, A.J.  Andrews, K.
Baldwin, R.C.  Bishop, B.K.
Bishop, J.I.  Briggs, J.E.
Broadbent, R.  Buchholz, S.
Chester, D.  Christensen, G.
Ciobo, S.M.  Cobb, J.K.
Coulton, M.  Crook, T.
Dutton, P.C.  Entsch, W.
Fletcher, P.  Forrest, J.A.
Gambaro, T.  Gash, J.
Griggs, N.  Haase, B.W.
Hawke, A.  Hunt, G.A.
Hockey, J.B.  Jensen, D.
Irons, S.J.  Keenan, M.
Jones, E.  Laming, A.
Ley, S.P.  Macfarlane, I.E.
Matheson, R.  Markus, L.E.
Mirabella, S.  McCormack, M.
Moylan, J.E.  Morrison, S.J.
Moylan, J.E.  Neville, P.C.
O’Dowd, K.  Oakeshott, R.J.M.
Prentice, J.  Pyne, C.
Ramsey, R.  Randall, D.J.
Robb, A.  Robert, S.R.
Roy, Wyatt  Ruddock, P.M.
Schultz, A.  Scott, B.C.
Secker, P.D.  Simpkins, L.
Slipper, P.N.  Smith, A.D.H.
Somlyay, A.M.  Southcott, A.J.
Stone, S.N.  Tehan, D.
Truss, W.E.  Tudge, A.
Turnbull, M.  Van Manen, B.
Vasta, R.  Washer, M.J.
Wyatt, K.

NOES

Adams, D.G.H.  Albanese, A.N.
Bandt, A.  Bird, S.
Bowen, C.  Bradbury, D.J.
Brodtmann, G.  Burke, A.E.
Burke, A.S.  Butler, M.C.
Byrne, A.M.  Champion, N.
Cheeseman, D.L.  Clare, J.D.
Debate resumed from 15 November, on motion by Mr Bandt:

That this House:

(1) notes that there is:

(a) a growing list of countries that allow same-sex couples to marry including the Netherlands, Belgium, Norway, Spain, Canada and South Africa; and

(b) widespread support for equal marriage in the Australian community; and

(2) calls on all parliamentarians to gauge their constituents’ views on the issue of marriage equality.

upon which Mr Stephen Jones moved by way of amendment:

That all words after ‘That’ be omitted with a view to substituting the following words: ‘this House calls on all parliamentarians, consistent with their duties as representatives, to gauge their constituents’ views on ways to achieve equal treatment for same sex couples including marriage.’

Question put:

That the words proposed to be omitted (Mr Stephen Jones’s amendment) stand part of the question.

The House divided. [10.17 am]

(The Speaker—Mr Harry Jenkins)

Ayes........... 72

Noes........... 73

Majority....... 1

AYES

Abbott, A.J. Alexander, J.
Andrews, K. Andrews, K.J.
Baldwin, R.C. Billson, B.F.
Bishop, B.K. Bishop, J.I.
Briggs, J.E. Broadbent, R.
Buchholz, S. Chester, D.
Christensen, G. Ciobo, S.M.
Cobb, J.K. Coulton, M. *
Crook, T. Dutton, P.C.
Entsch, W. Fletcher, P.
Forrest, J.A. Gambaro, T.
Gash, J. Griggs, N.
Haase, B.W. Hartsuyker, L.
Hawke, A. Hickey, J.B.
Hunt, G.A. Irons, S.J.
Jensen, D. Jones, E.
Katter, R.C. Keenan, M.
Kelly, C. Laming, A.
Ley, S.P. Macfarlane, I.E.
Marino, N.B. Markus, L.E.
Matheson, R. McCormack, M.
Mirabella, S. Morrison, S.J.
Moylan, J.E. Neville, P.C.
O’Dowd, K. Prentice, J.
Pyne, C. Ramsey, R.
Randall, D.J. Robb, A.

PAIRS

O’Dwyer, K Plibersek, T.
Frydenberg, J. Smith, S.F.

* denotes teller

Question negatived.

SAME-SEX MARRIAGE

Debate resumed from 15 November, on motion by Mr Bandt:

That this House:

(1) notes that there is:

(a) a growing list of countries that allow same-sex couples to marry including the Netherlands, Belgium, Norway, Spain, Canada and South Africa; and

(b) widespread support for equal marriage in the Australian community; and

(2) calls on all parliamentarians to gauge their constituents’ views on the issue of marriage equality.

upon which Mr Stephen Jones moved by way of amendment:

That all words after ‘That’ be omitted with a view to substituting the following words: ‘this House calls on all parliamentarians, consistent with their duties as representatives, to gauge their constituents’ views on ways to achieve equal treatment for same sex couples including marriage.’

Question put:

That the words proposed to be omitted (Mr Stephen Jones’s amendment) stand part of the question.

The House divided. [10.17 am]

(The Speaker—Mr Harry Jenkins)

Ayes........... 72

Noes........... 73

Majority....... 1

AYES

Abbott, A.J. Alexander, J.
Andrews, K. Andrews, K.J.
Baldwin, R.C. Billson, B.F.
Bishop, B.K. Bishop, J.I.
Briggs, J.E. Broadbent, R.
Buchholz, S. Chester, D.
Christensen, G. Ciobo, S.M.
Cobb, J.K. Coulton, M. *
Crook, T. Dutton, P.C.
Entsch, W. Fletcher, P.
Forrest, J.A. Gambaro, T.
Gash, J. Griggs, N.
Haase, B.W. Hartsuyker, L.
Hawke, A. Hickey, J.B.
Hunt, G.A. Irons, S.J.
Jensen, D. Jones, E.
Katter, R.C. Keenan, M.
Kelly, C. Laming, A.
Ley, S.P. Macfarlane, I.E.
Marino, N.B. Markus, L.E.
Matheson, R. McCormack, M.
Mirabella, S. Morrison, S.J.
Moylan, J.E. Neville, P.C.
O’Dowd, K. Prentice, J.
Pyne, C. Ramsey, R.
Randall, D.J. Robb, A.
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Robert, S.R. Roy, Wyatt
Ruddock, P.M. Schultz, A.
Scott, B.C. Secker, P.D. *
Simkins, L. Slipper, P.N.
Smith, A.D.H. Somlyay, A.M.
Southcott, A.J. Stone, S.N.
Tehan, D. Truss, W.E.
Tudge, A. Turnbull, M.
Van Manen, B. Vasta, R.
Washer, M.J. Wyatt, K.

NOES

Adams, D.G.H. Albanese, A.N.
Bandt, A. Bird, S.
Bowen, C. Bradbury, D.J.
Brodtmann, G. Burke, A.E.
Burke, A.S. Butler, M.C.
Byrne, A.M. Champion, N.
Cheeseeman, D.L. Clare, J.D.
Collins, J.M. Combet, G.
Crean, S.F. D’Ath, Y.M.
Danby, M. Dreyfus, M.A.
Elliot, J. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georganas, S.
Gibbons, S.W. Gillard, J.E.
Gray, G. Grieson, S.J.
Griffin, A.P. Hall, J.G. *
Hayes, C.P. * Husie, E.
Jones, S. Kelly, M.J.
King, C.F. Leigh, A.
Livermore, K.F. Lyons, G.
Macklin, J.L. Marles, R.D.
McClelland, R.B. Melham, D.
Mitchell, R. Murphy, J.
Neumann, S.K. O’Connor, B.P.
O’Neill, D. Oakeshott, R.J.M.
Owens, J. Parke, M.
Perrett, G.D. Ripoll, B.F.
Rishworth, A.L. Rowland, M.
Roxon, N.L. Rudd, K.M.
Saffin, J.A. Shorten, W.R.
Sidebottom, S. Smyth, L.
Snowdon, W.E. Swan, W.M.
Symon, M. Thomson, C.
Thomson, K.J. Vamvakavinou, M.
Wilkie, A. Windsor, A.H.C.
Zappia, A.    

PAIRS

O’Dwyer, K Pliberek, T.
Frydenberg, J. Smith, S.F.
* denotes teller

Question negatived.

Question put:

That the words proposed to be inserted be so inserted.

The House divided. [10.20 am]

(The Speaker—Mr Harry Jenkins)

Ayes………… 73
Noes………… 72
Majority……… 1

AYES

Adams, D.G.H. Albanese, A.N.
Bandt, A. Bird, S.
Bowen, C. Bradbury, D.J.
Brodtmann, G. Burke, A.E.
Burke, A.S. Butler, M.C.
Byrne, A.M. Champion, N.
Cheeseeman, D.L. Clare, J.D.
Collins, J.M. Combet, G.
Crean, S.F. D’Ath, Y.M.
Danby, M. Dreyfus, M.A.
Elliot, J. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georganas, S.
Gibbons, S.W. Gillard, J.E.
Gray, G. Grieson, S.J.
Griffin, A.P. Hall, J.G. *
Hayes, C.P. * Husie, E.
Jones, S. Kelly, M.J.
King, C.F. Leigh, A.
Livermore, K.F. Lyons, G.
Macklin, J.L. Marles, R.D.
McClelland, R.B. Melham, D.
Mitchell, R. Murphy, J.
Neumann, S.K. O’Connor, B.P.
O’Neill, D. Oakeshott, R.J.M.
Owens, J. Parke, M.
Perrett, G.D. Ripoll, B.F.
Rishworth, A.L. Rowland, M.
Roxon, N.L. Rudd, K.M.
Saffin, J.A. Shorten, W.R.
Sidebottom, S. Smyth, L.
Snowdon, W.E. Swan, W.M.
The House divided. [10.27 am]
(The Speaker—Mr Harry Jenkins)

Ayes………… 73

Noes………… 72

Majority……… 1

AYES

Adams, D.G.H. Albanese, A.N.
Bandt, A. Bird, S.
Bowen, C. Bradbury, D.J.
Brodthann, G. Burke, A.E.
Byrne, A.M. Champion, N.
Cheeseman, D.L. Clare, J.D.
Collins, J.M. Combet, G.
Crean, S.F. D’Ath, Y.M.
Danby, M. Dreyfus, M.A.
Elliot, J. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georgantas, S.
Gibbons, S.W. Gillard, J.E.
Gray, G. Grierson, S.J.
Griffin, A.P. Hall, J.G. *
Jones, S. Husak, E.
King, C.F. Kelly, M.J.
Livermore, K.F. Leigh, A.
Macklin, J.L. Lyons, G.
McClelland, R.B. Marles, R.D.
Mitchell, R. Melham, D.
Neumann, S.K. Murphy, J.
O’Neill, D. O’Connor, B.P.
O’Shea, T. Oakeshott, R.J.M.
Owen, J. Parke, M.
Perrett, G.D. Ripoll, B.F.
Rishworth, A.L. Rowland, M.
Roxon, N.L. Rudd, K.M.
Saffin, J.A. Shorten, W.R.
Sidebottom, S. Smyth, L.
Snowdon, W.E. Swan, W.M.
Symon, M. Thomson, C.
Thomson, K.J. Thomson, A.H.C.
Vamvakinou, M. Wilkie, A.
Windsor, A.H.C. Zappia, A.

NOES

Abbott, A.J. Alexander, J.
Andrews, K. Andrews, K.J.
Baldwin, R.C. Billson, B.F.
Bishop, B.K. Bishop, J.I.
Briggs, J.E. Broadbent, R.
Buchholz, S. Chester, D.
Christensen, G. Ciobo, S.M.
Cobb, J.K. Coulton, M. *
Crook, T. Dutton, P.C.
Entsch, W. Fletcher, P.
Forrest, J.A. Gambaro, T.
Gash, J. Griggs, N.
Haase, B.W. Hartsuyker, L.
Hawke, A. Hockey, J.B.
Hunt, G.A. Irons, S.J.
Jensen, D. Jones, E.
Katter, R.C. Keenan, M.
Kelly, C. Kelly, A.
Ley, S.P. Ley, S.P.
Marino, N.B. Macfarlane, I.E.
Matheson, R. Mark, L.E.
Mirabella, S. McCormack, M.
Moylan, J.E. Morrison, S.J.
O’Dowd, K. Neville, P.C.
O’Dwyer, K. Prentice, J.
Pyne, C. Ramsey, R.
Randall, D.J. Robb, A.
Robert, S.R. Roy, Wyatt
Ruddock, P.M. Schultz, A.
Scott, B.C. Seeker, P.D. *
Simpkins, L. Slipper, P.N.
Smith, A.D.H. Somlyay, A.M.
Southcott, A.J. Stone, S.N.
Tehan, D. Truss, W.E.
Tudge, A. Turnbull, M.
Van Manen, B. Vasta, R.
Washler, M.J. Wyatt, K.

PAIRS

Plibersek, T. O’Dwyer, K
Smith, S.F. Frydenberg, J

* denotes teller

Question agreed to.

Question put:

That the motion (Mr Bandt’s), as amended, be agreed to.
Thursday, 18 November 2010  HOUSE OF REPRESENTATIVES  2957

Committees

Regional Australia Committee

Membership

The Speaker—I have received advice from the Chief Government Whip nominating members to be supplementary members of the Standing Committee on Regional Australia for the purpose of the committee’s inquiry into the impact of the Murray-Darling Basin Plan in regional Australia.

Mr Albanese (Grayndler—Leader of the House) (10.29 am)—by leave—I move:

That Mr Zappia and Mr Gibbons be appointed supplementary members of the Standing Committee on Regional Australia for the purpose of the committee’s inquiry into the impact of the Murray-Darling Basin Plan in regional Australia.

Question agreed to.

Intelligence and Security Committee

Membership

The Speaker—I have received advice from the Honourable the Prime Minister nominating members to be members of the Parliamentary Joint Committee on Intelligence and Security.

Mr Albanese (Grayndler—Leader of the House) (10.30 am)—I move:

That Mr Byrne; the Member for Banks, Mr Melham; the Member for Melbourne Ports, Mr Danby; the Member for Denison, Mr Wilkie; and the Member for Berowra, Mr Ruddock; be appointed to the Parliamentary Joint Committee on Intelligence and Security.

Question agreed to.

Parliamentary Budget Office Committee

Appointment

Mr Albanese (Grayndler—Leader of the House) (10.31 am)—I move:

That the Member for Holt, Mr Byrne; the Member for Banks, Mr Melham; the Member for Melbourne Ports, Mr Danby; the Member for Denison, Mr Wilkie; and the Member for Berowra, Mr Ruddock; be appointed to the Parliamentary Joint Committee on Intelligence and Security.

Question agreed to.

Asbestos

Order of the day returned from Main Committee for further consideration; certified copy presented.

Ordered that the order of the day be considered immediately.

The Speaker—The question is that the motion be agreed to.

Question agreed to.

Pairs

Plibersek, T. O’Dwyer, K
Smith, S.F. Frydenberg, J

* denotes teller.

Questions agreed to.
the PBO will provide information to assist
the Parliament in its consideration of matters
related to the budget, by undertaking fiscal
analysis and other relevant research and by
providing policy costings advice. The PBO
will also promote greater public awareness of
key budget and fiscal policy issues. The Joint
Select Committee will inquire into and report
on:
(a) the appropriate mandate for the Parlia-
ment Budget Office (PBO);
(b) the nature of information needed to as-
sist the Parliament in its consideration of
matters related to the budget;
(c) the role and adequacy of current institu-
tions and processes in providing this in-
formation, and the areas in which addi-
tional support is required;
(d) the scope for a PBO to fulfil its mandate
in a cost-effective manner; and
(e) bearing in mind these considerations,
the most appropriate structure, resourc-
ing and protocols for a PBO, including
but not limited to:
(i) the PBO’s functions and lines of
accountability and oversight;
(ii) the routine work expected of the
PBO and the minimum reporting
requirements;
(iii) the protocols for members of par-
liament requesting non-routine
work of the PBO, including the
types of work and the rules for
prioritising and carrying out these
requests;
(iv) the protocols around access to and
disclosure of the PBO’s work and
any confidentiality requirements;
(v) the protocols around the PBO’s
relationships with other institu-
tions and processes, including
government departments and
agencies; and
(vi) an appropriate level of staffing,
appropriate qualifications for
staff, and resources to allow the
PBO to fulfil its mandate; and
(f) in conducting its inquiry, the Committee
may choose to consider the operation
and effectiveness of similar offices in
other parliamentary democracies and
their relevance to Australian circum-
stances.

(2) That the committee consist of 10 members, 3
Members of the House of Representatives to
be nominated by the Government Whip or
Whips, 2 Members of the House of Repre-
sentatives to be nominated by the Opposition
Whip or Whips, and one non-aligned Mem-
ber, 2 Senators to be nominated by the
Leader of the Government in the Senate, one
Senator to be nominated by the Leader of the
Opposition in the Senate, and one Senator to
be nominated by any minority group or
groups or independent Senator or independ-
ent Senators.

(3) That every nomination of a member of the
committee be notified in writing to the Presi-
dent of the Senate and the Speaker of the
House of Representatives.

(4) That the members of the committee hold
office as a joint select committee until presen-
tation of the committee’s report or the
House of Representatives is dissolved or ex-
pires by effluxion of time, whichever is the
earlier.

(5) That the committee elect a government
member as its chair.

(6) That 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) That, in the event of an equally divided vote,
the chair, or the deputy chair when acting as
chair, have a casting vote.

(8) That 3 members of the committee constitute
a quorum of the committee provided that in a
deliberative meeting the quorum shall in-
clude 1 Government member of either House
and 1 non- Government member of either
House.
(9) That 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.

(10) That 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.

(11) That 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.

(12) That 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.

(13) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(14) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(15) That 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.

(16) That the committee may report from time to time but that it present its final report no later than 31 March 2011.

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

(18) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

This is a motion that was foreshadowed with the formation of the Gillard Labor government following the 21 August election. In the days post voting on 21 August there were a number of discussions across the parliament between the government, the opposition and crossbenchers about the functioning of the parliament. One of the determinations was that it would be appropriate to have a parliamentary budget office and indeed that it would be appropriate that there be members and senators appointed to a joint select committee to oversee the issues relating to the functioning of the parliament, and hence that is why we are moving this motion here today.

The Parliamentary Budget Office is an important reform. Parliamentary budget offices or their equivalent occur in other parliaments around the globe. This reform will ensure that there is a far greater level of accountability and input from elected representatives, be they members or senators, into the proper functioning of the parliament. It will also enable there to be an appropriate forum to deliberate on the requirements in order to ensure that the parliament is able to function in a way in which the Australian people would expect.

After question time today I will move another motion appointing members to the committee. I thank the Manager of Opposition Business for his expediting of the appointment of those members so that the committee is able to have its first meeting next week. The committee of course will, under the terms of reference of the motion that I have moved today, deliberate on the functioning of its own activities. Certainly I commend the motion to the House and thank the opposition and the crossbenchers for their support.

Question agreed to.

Public Works Committee
Reference

MrGRAY (Brand—Special Minister of State and Special Minister of State for the CHAMBER
That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Proposed fit out of new leased premises for divisions of the Department of Innovation, Industry, Science and Research at buildings 2 and 3, Precinct Corporate Centre, 105 Delhi Road, Riverside Corporate Park, North Ryde, New South Wales.

The Department of Innovation, Industry, Science and Research proposes to undertake an integrated fit-out of a new leased facility at North Ryde in Sydney to accommodate both office space and sophisticated chemical laboratories. The fit-out will ensure that the building is appropriately tailored to the scientific and operational needs of the department and will allow three leased Sydney properties to be replaced with a single new fit-for-purpose facility.

The proposed development will conform to all relevant building and laboratory codes, including compliance with laboratory occupational health and safety requirements. The facility will accommodate about 240 staff when complete. The building will hold 10,270 square metres of floor space, including offices, laboratories and sample receipt areas. The total estimated cost of the proposal is $25.8 million plus GST.

It is proposed that the building be fitted out to accommodate the National Measurement Institute, the Australian Astronomical Observatory and an Enterprise Connect manufacturing centre. Subject to parliamentary approval, fit-out customised to the department’s specification and needs will continue as building progresses. Occupancy of the building is scheduled in two stages, with stage 1 commencing in late May 2012 and stage 2 in August 2012. I commend the motion to the House.

Question agreed to.

Public Works Committee Approval of Work

Mr Gray (Brand—Special Minister of State and Special Minister of State for the Public Service and Integrity) (10.36 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, and by reason of the urgent nature of the works, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: Western Cape Residential Campus, Weipa, Queensland.

The Department of Families, Housing, Community Services and Indigenous Affairs and the Indigenous Land Corporation propose the construction of the Western Cape Residential Campus at Weipa, Queensland, at an estimated cost of $26 million, inclusive of GST. The Western Cape Residential Campus will provide accommodation for up to 120 secondary school children from remote and isolated communities in Far North Queensland to allow them to access schooling at the Western Cape College, Weipa.

The residential campus is an important part of the Closing the Gap strategy through addressing two key targets set by the Council of Australian Governments, COAG: to halve the gap in reading, writing and numeracy for Indigenous children within a decade; to half the gap for Indigenous students in year-12 attainment or equivalent attainment rates by 2020. Anecdotal evidence suggests that, of the eligible cohort, roughly 500 to 600 young people are not being provided for in terms of secondary school education and this facility will assist in addressing that need.

The proposed facility will provide accommodation for up to 120 children with separate boys and girls accommodation and staff accommodation. This facility will provide a level of amenity to support 120 chil-
children, including recreational areas. While the importance of the role of the Parliamentary Standing Committee on Public Works is acknowledged in this instance, should an exemption not be granted the facility could not open for the 2012 school year, with a delayed opening in mid that year. This would cause maximum disruption to students who would need to change schools midyear, relocate to a new town away from family and adapt to a new school, new environment and new classmates. This would be very difficult to manage with this particular cohort of students. Additionally, parents would be unlikely to support their children changing schools part the way through an academic year, which would mean planned student transfers to the facility would not, and could not, occur.

Subject to parliamentary approval, construction will commence in 2011 and be completed for the 2012 school year. I note that a proposal to proceed with the construction project without referral to the Public Works Committee is not common. The government very much supports the work of the Public Works Committee and has not taken this decision lightly. I commend the motion to the House.

Question agreed to.

HIGHER EDUCATION LEGISLATION AMENDMENT (STUDENT SERVICES AND AMENITIES) BILL 2010

Second Reading

Debate resumed from 17 November, on motion by Mr Garrett:

That this bill be now read a second time.

Mr WYATT (Hasluck) (10.40 am)—I rise to speak against the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 on a number of bases. One of the issues that I particularly want to talk about is that throughout the thread of the debate I have heard reference to taxpayers again contributing to costs. From the other side of the chamber, I find this fascinating, given that the use of taxpayer funding for a number of initiatives does not seem to be problematic, and I refer here to the NBN where funding is not a particular issue.

In terms of student amenities fees, I had the privilege of serving as the pro-chancellor on Edith Cowan University’s governing body. One of the tasks I was given was to deal with what was then the VSU. In the VSU there was debate around the compulsory nature of the fee, the direction of the fee to the student guild and the way in which we had to provide for students the services that they needed to allow for their continued study within the university sector. I support the need for the amenities that students often require in the context of their work. I say this in the knowledge that within my electorate of Hasluck there are many who are studying through university pathways but, equally, that they struggle with rising living costs which impact on their capacity to have the funding that they need to pay compulsory fees. I also have a concern that, in terms of these living costs, each time there is an increase in charges or there is an increase in interest rates these pressure points cause people to consider other alternatives in the way in which they pay or make decisions about what they can afford or not afford. I appreciate that they have access to a loans system that will enable them to pay that fee, but the accumulation of those fees over a three- or four-year period in which they will have to repay them is also problematic when it comes to considering the combined aspect of both the repayment of the HECS fee and this additional amount.

The other element is that part-time students do not always access services. Students who are online do not access services. In the context of the compulsory nature of these
fees, I cannot think of any other example where the government requires people to pay for a fee for a service or for an amenity that they will never use in a lifetime. The compulsory nature of it is also challenging, in that I know at the time I was involved with the VSU that in order to get your marks and to graduate there was a requirement for all fees that were outstanding to be paid, which was also an imposition. I certainly would not like that to be a consideration in the context of this act. The sum of $250 a week does not seem much, but when you have got students who are having to meet the cost of living, who have to meet rental costs and who then have to meet other costs associated with social life on a university campus it becomes problematic.

The Treasurer yesterday in question time talked about skilled labour and the workforce that Australia will need for the future. I read through the comments of the Minister for Defence from an interview he had had in which he considers the nature of voluntary and student guild fees. I refer to his comments:

Labor’s priority here is to do two things as outlined in the Platform: Firstly, to ensure that students, if they so choose, can voluntarily organise themselves into representative organisations. Secondly, and more importantly, that all students have access to decent amenities and services, whether that’s sporting facilities, cultural facilities, child-care facilities and the like.

The funding of those services has been a matter of conversation between me and the Universities. I believe that the Commonwealth, the Government of the day, has a responsibility, together with the Universities, to fund those services and of course it’s also appropriate for students, if they so choose, to make a voluntary contribution to those services, or indeed to be charged a fee if that is appropriate when they use those services such as sporting facilities, gyms and the like.

I know that there are constituents in my electorate who do not access the services or the amenities provided by universities because of the nature of their own obligations to family, to work and by virtue of the part-time nature in which they undertake courses. So I see a sense of injustice in being required to pay a compulsory fee for something that you do not use. I am also cognisant of the need for student support services, because there are students who do draw down on the types of services that are listed within proposed section (4) of the legislation. Drawing down on these services certainly assists those students who need them. From my perspective I think it is also important for the electors of Hasluck, because many are progressing their career pathways through university and tertiary studies, for a couple of reasons. One is for long-term employment within the industries they work in. A second reason is to improve the options that they have before them in the context of the work choices that they can make because of the qualifications that they acquire. But, thirdly, technology in the innovation society and knowledge society is moving rapidly and many people choose studies in order to enhance both their knowledge and their understanding of the fields in which they work. We will continue to see new and emerging businesses and industries that require a different mix of skills.

The fees will become compulsory because universities, certainly in the readings I have undertaken, indicate that these services are important and therefore they would want the fees to form the basis for the provision of those services. I would not want to see students make choices to defer studies which impact on Australia’s ability to develop in a global and economical society, which is absolutely critically important to both the wealth of this nation and the way that our industries can develop to become highly competitive with the competing interests that will prevail from corporate bodies and over-
seas companies that would want a patch of Australia’s business sector.

I note proposed section (5)(a):

(a) that a higher education provider requires a person enrolled, or seeking to enrol, with the provider to pay for a period starting on or after 1 January 2011 to support the provision to students of amenities and services not of an academic nature, regardless of whether the person chooses to use any of those amenities and services …

Where is the element of choice? And where else, really, would you be compelled to pay for something that you would never use? That is one of the conundrums that I have in terms of what the government is proposing. Those on the other side, contrary to my own father’s description of the Labor Party as being there for the working family, are demonstrating that they are not thinking about those who are affected. It is important that we encourage young people to make choices that empower them through the acquisition of knowledge and an awareness they can contribute to both their own career progression and the progression of the community in which they live. This bill would impose a financial burden on a significant number of students who will already in many instances be struggling to meet the costs of living away from home, particularly if they are not eligible for youth allowance due to the changes that Labor has made, and that concerns me considerably because this gap year concept I do not think is healthy for the continuity of somebody’s education. It is a struggle to balance study and hold one or more part-time jobs to earn a sustainable income to meet the fees that continue to occur.

The other issue is mature age students who need to retrain to progress to better incomes and careers, and within the context that is being created by the Gillard government they certainly will need opportunities to do that. I also know, from a review that I was involved with, that a number of women who are mothers wanting to study part time or wanting to take their lack of schooling, because they left school early, and convert that to a university pathway will feel the impact of this imposition of a fee. Many of those that I am aware of would not access the amenities. Nor would they be members of social clubs or other organisations because of family commitments.

I commend the government on the fact that the bill states that ‘a higher education provider, or a person or an organisation in receipt of funding provided by the provider, must not spend an amount paid to the provider as student services and amenities fees to support a political party or the election of a person as a member of the legislature of the Commonwealth, a state or territory or a local government body’. That is important, because it takes away what has been a practice of the past and certainly what I evidenced in the review of the Edith Cowan students’ response to VSU. I do support very strongly the welfare of students, promoting their health and wellbeing, helping them to secure accommodation, helping them receive advice on financial matters or giving them information about their orientation. I think that is absolutely critical, but it does not mean that there should be a compulsory fee for those who will never access the services such as career counselling. When I look at the elements within that, again I do not have an issue with that, but I do have an issue with amenities. The provision of food or drinks, as mentioned in the bill, to students on the campus of a higher education provider should go to a commercial market, because if these students were not on the campus they would certainly access equivalent amenities in the community in which they live. There is also child care for the children of students and the provision of libraries and reading
rooms. I think there are also expectations that many of these things will be covered by the $250 fee that will provide the basis of this.

If we look at the whole list of provisions within proposed subsection 3 of the bill, I cannot see how the total accumulation of those $250 fees would cover the range of services required for all. In this instance, if this is so important and so critical, according to the debates I have heard, then why would universities and governments not work towards a solution that did not require a compulsory fee by reconsidering the funding arrangements between the Commonwealth and the universities for the services that need to be provided? There is a reference to providing legal aid, but surely there would be an opportunity to look at legal aid itself and to make changes to the provisions that relate to means testing and the availability of that service to allow university students to access those services, even though the intent within the relevant legislation certainly covers the way in which people can utilise legal aid. I have no issue with students having an advocacy role, but I do have an issue with compulsory fees covering that.

Again, I ask this parliament to give serious consideration to not supporting the compulsory fee, but if there is a compulsory fee the parliament should not support applying it to part-time students or those online or off campus. There is the SA-HELP assistance, but the cumulative loans and cost of HECS put students on the back foot after they graduate by having them pay it back while at the same time looking at opportunities for a mortgage and establishing a family. I think governments have an obligation to look at better ways of doing this.

Education is important. Lifelong learning is important. Any imposition on that should not be a factor that impacts on the workforce of this country if we are to develop the skills required for both the existing and emerging industries that will evolve over the next decade. I do not support the compulsory fee and I again ask that consideration be given to those who will be affected and who will not use those services.

Ms SMYTH (La Trobe) (10.54 am)—As a former student representative, I am extremely pleased to be able to speak today in favour of the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 since it reflects the government’s longstanding commitment to sustaining the essential university services that are so heavily relied on by students. This bill will secure the funding of student services and, most importantly, it will provide student service providers and universities with funding certainty, which will enable them to plan with confidence.

I will begin by making a few remarks on the comments made by the member for Hasluck. It seems to me that he presented two key strands of argument. The first was that some students may not access the services that are funded under the proposed fee to be implemented under this bill. That seems to me to be a troubling line of argument because by the same logic we might also argue for an opt-out taxation system. I imagine that most of us here would have some reservations about putting something like that to the federal parliament.

The second point he raised related to the financial difficulties that might be presented to students because of the fee arrangements under this bill. I am not entirely sure whether the member for Hasluck is fully familiar with the provisions in the bill that contemplate a new loan component under the Higher Education Loan Program. This would mean that if those fees were to be implemented by universities—and obviously there is the opt-in
capacity of universities under this bill—they would be capable of being offset by a student loan under this new arrangement. So the prospect of students being subject to any kind of financial difficulties as those fees are imposed is somewhat limited.

I will refer back to some of the comments made by prior speakers in this debate. I particularly note those members of the National Party who have spoken in this debate because I find it particularly troubling that it seems that those members, with their professed commitment to constituents in regional and remote areas of this country, have seen fit to not only not support the bill but not speak in favour of the bill on what appear to be fairly blunt ideological grounds when the needs of their respective constituencies would suggest that they should support it. Those members of this place who represent regional and outer metropolitan electorates should easily recognise that the consequences of preventing funding from being provided for student services has a disproportionately harsh effect on regional and smaller universities, and also on those university campuses located outside of metropolitan centres.

It is certainly not just the government who says that. Submissions made by regional universities to a discussion paper in 2008 also emphasised those points. University campuses in those areas offer a base from which very important services and amenities can be used by both students and the wider community. So it is extraordinary that people who profess to represent those communities would come here and oppose the measures that are being put by the government today.

We know that students from regional areas who move away from home to undertake tertiary study tend to rely on welfare and support services, counselling and health services provided at universities, and a range of other things that enable them to successfully undertake and complete their studies. We know that it is a difficult transition for those students to make and the legislation before us will provide support particularly for those students. It will also assist in creating jobs and important community infrastructure.

Our commitment as a government to sustaining student services has been reflected in the regional Australia package announced in September 2010. As a government, we know that regional and outer metropolitan universities are often hit the hardest in the scramble to obtain sufficient funding to sustain student services. We know the particular value of student services and funding security in regional and outer metropolitan centres.

I am particularly pleased to note the resounding support of the Group of Eight universities for the measures proposed in this bill. In comments made earlier this week, the Group of Eight particularly noted that:

The introduction of Voluntary Student Unionism in 2005 has had a serious impact on the delivery of childcare, sporting, health, counselling and other services, and on campus life and student representation more broadly.

They went on to remark that:

The Go8 supported this Bill from the very beginning and continues to do so. It has had the support of the entire university sector for almost two years and still students are waiting.

The gravity of the Group of Eight’s comments in this regard is very significant, as the opposition would no doubt know. The comments are also echoed by Universities Australia and a variety of other significant organisations. I trust that members in this place and our colleagues in the other place will have due regard for the expertise of those universities and peak bodies which have voiced their opinions on the bill and will appreciate the detrimental effect of a failure to pass this bill.
Through consultations held with universities in 2008, as was remarked on in this debate earlier, it was found that $170 million had been cut from funding for services and amenities. The services which suffered as a consequence included health, counselling, employment, child care and welfare support services. They are hardly peripheral services. They are hardly services that might be regarded as superfluous to the needs of students trying to put themselves through university successfully, and they are hardly services that would not be relied on by regional and rural students.

Since the introduction of so-called voluntary student unionism, most universities have been subsidising, in one manner or another, student services and amenities. We know that they do this because they recognise the value to students of a campus culture and because those services which I mentioned before are often critical to supporting students and enabling them to successfully continue their tertiary education. The consequence of this has been, however, that funding available to universities for teaching, research and other essential services is reduced.

At Monash University, which has a campus in Berwick on the border of my electorate, we know that student services are being more directly managed by the university. Those services are being subsidised by some $5.3 million in funding in order to continue supporting Monash sport and the careers and employment function. The implementation of VSU meant the loss of employment for students, the loss of the transport office and the Indigenous office, and increased prices for child care, transport, parking, graduation and for access to sporting facilities. It really is not clear to me which of those services, in a very long list of services, is so terribly controversial and so terribly objectionable that we should be resisting passing this bill today.

Monash is just one example of a university which has experienced significant practical impacts as a result of the defunding of student services and amenities. Universities have given an indication of some of the measures which they have taken in order to support student services and amenities which would otherwise have been cut. In some instances they have been forced to substantially increase parking fees and fees for food and child care to deal with the funding disparity. In other instances they have in fact been forced to redirect funding out of research and teaching budgets, which is extraordinary.

So we can see that it is students who ultimately pay the price for defunding of these services and amenities, both directly and indirectly. The bill before us aims to support students and universities and end that damage. The bill will require that higher education providers which receive Commonwealth Grant Scheme funding comply with new student services, amenities, and representation and advocacy guidelines. As a consequence, universities will be required to implement national access to service benchmarks for all domestic Australian students in line with the arrangements that already exist for our international students. Those benchmarks will ensure that all Australian higher education students are provided with information on how to access important health, welfare and financial services and are provided with access to advocacy services.

The bill also introduces national student representation protocols which aim to ensure that students have an opportunity to participate in university governance structures. Those new benchmarks will help ensure that students have access to advocacy support services to support student appeals and to provide vital help for students who may need extra assistance on matters that really can be overwhelming and unfamiliar.
As someone who has sat as a student representative on university committees and appeals committees, I know that there are students who can find themselves in very difficult personal circumstances which can in turn have very serious ramifications for their continued study. It is extremely important that those students have an opportunity to be properly represented in appeals at times when they are very likely to be distressed. Student representation and advocacy services are essential in ensuring that those students are given a chance to explain their circumstances.

All of these sorts of functions that are contemplated in the bill are not contentious. They are things that should reasonably be expected to be provided for students who are attending universities and it is quite unfortunate that the members opposite have not recognised that.

The benchmarks that are proposed in this bill will certainly ensure that universities provide opportunities for democratic student representation as is appropriate so that student views are taken into account during the decision-making processes of the university. Over and above these basic services, representation and advocacy rights, the bill will also allow universities the option to implement a services fee which would be capped at a maximum of $250 per year and indexed, which they could use to invest in necessary services and amenities.

Those universities that elect to implement such a fee would be expected to consult with students on the types of services and amenities that that fee would help to support. The government, as I mentioned earlier, has gone further in this bill to ensure that any such fee does not present a financial barrier for students. The bill requires that any university introducing a fee must also provide eligible students with the option of taking out a loan under a new component of the Higher Education Loan Program.

Others in this debate have mentioned that inevitably the funding that would be available for services and amenities as a result of this bill would go towards Machiavellian ends and be used for political funding. The bill prevents universities from allowing the expenditure funds raised from a student services and amenities fee to support political parties or support the election of a person to the Commonwealth, state or territory legislatures or to a local government body. So there should be no qualms about the manner in which funds provided for necessary student services might be used for political ends.

This government will continue to work together with higher education institutions and students to ensure that students are given every opportunity to succeed and are adequately supported throughout their further education. Students have called for these changes. Universities have resoundingly called for these changes. It is time for those opposite to desist with their ideologically charged arguments and support what is a sensible resolution of an existing and long-standing funding issue for our higher education sector.

Mr SLIPPER (Fisher) (11.07 am)—No-one denies that universities need facilities or that students benefit from the range of activities and services provided at university. No-one denies that it is very useful for universities to have very good sporting facilities. No-one argues against the provision of cafeteria services. No-one argues against a full and complete student life which would involve not only academic study but also extracurricular and cocurricular activities, including sporting activities. I believe that part of the experience of being at university does involve accessing these other services, does involve participating in extracurricular and
cocurricular activities and in sporting activities. I think it is wrong for those opposite to suggest that the Liberal-National opposition is in some way opposed to universities providing other than academic facilities and teaching services.

At the core of our opposition to the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 is our opposition to compulsion. It is not so very long ago that those opposite would have argued in favour of compulsory unionism—no ticket, no job. They would have argued that somehow it was beneficial for a person to be forced to join a trade union even though that person had no wish to do so. I think it is broadly accepted in Australia today, in 2010, that it is entirely inappropriate for compulsory trade unionism to be imposed on the workers of Australia.

Having established the fact that compulsory trade unionism is no longer acceptable in the community, I do not understand the inconsistency that we see uttered by government speaker after government speaker supporting the principle of a form of compulsory student unionism, as embraced in the bill before the chamber. Nobody says that we ought not to have these facilities at universities, but I think it is entirely inappropriate to impose a tax on students to provide facilities which they may choose not to use. If people are going to use facilities, then clearly they should be prepared to pay for them. It is wrong to impose on struggling students the fee proposed by this bill, which I understand is $250 per student per annum, indexed to $254 in 2011 and indexed every year afterwards. This bill seeks to impose on students, some of whom would use the facilities and many of whom would not use the facilities, an initial charge of $250 per student per annum. In fact, as was pointed out by the honourable member for Cowper in his contribution, the legislation is not intended to apply until next year, so the initial figure will be $254 rather than the $250 set out in the bill.

The legislation seeks to allay community concern by pointing out that universities would be required to spend the moneys raised on a range of services which are specified. These include cafeteria services for food and drinks, sporting and recreational activity, the administration of clubs and the provision of legal and health services, as was also pointed out by the member for Cowper. While the bill does in fact say that political parties cannot be supported, there is an opportunity for the funds to be used for purposes of a political nature. This is compulsory student unionism by stealth. University students often go to work to struggle to raise the money to enable them to study and to support themselves. The last thing students need is a compulsory tax imposed on them, which would make it more difficult for them to remain at university.

There is the moral issue that in a free and democratic society it is totally wrong that anyone should be compelled to accept the financial burden included in the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. What university unions should do is provide innovative services which would encourage students to voluntarily sign up and be prepared to pay. The honourable member for Mitchell, I think it was, highlighted in his contribution how someone elected to join a student union because the student union was actually providing services which the student saw to be of value. Student unions do not have anything at all to be afraid of if they are carrying out what the student body wants them to do. If a student union is providing services that students want, then the students will be more than happy to voluntarily pay to maintain those services. Unfortunately, a compulsory fee tends to encourage mediocrity in the administration of these student organisations
because no longer will the organisations have to deliver outcomes to achieve income. They will simply receive the income as a tax on students, many or most of whom having not the slightest intention of using the facilities this fee is supposed to support.

University qualifications are not easy to earn. While, admittedly, many more Australians now have university degrees than once was the case—and, hopefully, more Australians will in the future have the opportunity to obtain university and other tertiary qualifications—it is important not to place impediments in the path of the ability of students to actually go through university. These days, so many people at university, particularly mature age students, are virtually on the breadline and to impose a tax of $250 or more, which is indexed, is just another burden that they will have to bear. It is unacceptable, it is antidemocratic and, in my view, it is something that the Australian community would be totally opposed to.

In the past I have spoken in the parliament in favour of voluntary student unionism. I have opposed what the government is seeking to do. But it ought to be remembered that the Labor Party, prior to the 2007 election, actually promised not to bring in provisions included in the particular bill now before the House. The honourable member for Perth, who was then the spokesman on education, said:

I am not considering a HECS style arrangement. I am not considering a compulsory HECS style arrangement and the whole basis of the approach is one of a voluntary approach. So I am not contemplating a compulsory amenities fee.

The opposition agree with what the then spokesman for education said. We thought the member for Perth was being entirely reasonable. It seemed that the Labor Party had, for once, listened and was in fact responding to the genuine concerns of students and, I believe, the relief that students experienced when their voluntary student union legislation was incorporated into the law of this country. Having said that, the government is now tearing up the pledge made by the honourable member for Perth. This legislation will bring in the mandatory tax on students who simply cannot afford to pay it. Not only is it bad legislation but it is also morally inappropriate to promise to the Australian people one thing and then, after an election, seek to change that situation and break the promise which was made. Of course, some people would have actually voted for the Australian Labor Party on the basis of that promise at that election in 2007, which saw the Rudd government elected.

These compulsory student fees were abolished by the former Liberal-National government. That was done in recognition of the fact that not everyone wants to join a student union and not everyone wants to use the ‘services’ provided by the student union. They were also abolished because many people were concerned that money raised through the collection of fees was often spent on political events and activism and was, in fact, promoting causes which the students who were forced to pay for those campaigns actually opposed.

On top of that, as I said, there are students who are already struggling financially. I think this is an appalling situation. External students who study online or by correspondence have to pay the fee. They have virtually nothing to show for it because they are not on campus and are unable to access any services or amenities. So even if you can argue that those people on campus have the opportunity to, at least, use the facilities, external students do not have that capacity and are essentially providing a subsidy for those people on campus who choose to use the facilities on offer.
As I said before, the VSU legislation of the former government gave students a choice as to whether or not to join a union. This legislation does not give students a choice as to whether to pay or not pay the fee. This is 2010; this is Australia. We are a free country where we respect the rights of individuals—the rights of individuals to take certain positions, the rights of individuals to fund certain facilities and the rights of individuals to basically do what they want, as long as other people’s rights are not impinged upon. But, unfortunately, this legislation is un-Australian because it is seeking to force students to compulsorily support activities and facilities which they may have no intention of using.

As I also said before, it is no longer politically acceptable to have compulsory trade unionism. I do not see how it is politically, socially or morally acceptable to have what is, in effect, a form of compulsory student unionism by compelling students through a tax to pay $250, indexed, to support facilities and activities—no matter how beneficial they are—which individual students may choose not to use.

In the time that I have remaining, I want to reiterate that genuine student organisations which are doing the job, which are providing facilities, services and activities which students want to use will have students coming forward, prepared to pay for those particular things. This legislation supports a lack of performance by student organisations, because the organisations do not have to deliver the outcome to actually receive the resources. I find that not to be in the interests of students, it is not in the interests of the community and it is not in the interests of universities. And while universities may well bleat over the money they have lost from compulsory student union fees since the VSU legislation came in, one ought to also recognise that university funding has gone up. So the amount lost is not as much as the universities would, in some cases, have us understand.

Australia is a democratic organisation. This piece of legislation is the antithesis of democracy. It brings forward compulsion. It treats students as lesser citizens and I think that students ought to have the same rights—such as the right not to pay this fee—that employees have to join or not join a trade union organisation.

Mr NEUMANN (Blair) (11.22 am)—The federal Labor government is committed to ensuring that young people, young adults and mature-age students have a suite of policies that will assist them, whether it is assistance in funding pursuant to the Bradley review, increased pensions or increased opportunity for work—because many students study part time—or whether it is increased funding directly to the campus or structural adjustment funding, which is currently being examined by this government. We are determined to make sure that universities remain viable.

It is important for us to look at the history of this situation and have a look at the long-held conservative ideology, the philosophical fixation, the ideological obsession, of those opposite with respect to the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. It is summed up in one word: union. That is why you hear that word uttered with venom, bile and bitterness by those opposite, time and time again. Speaker after speaker in this place used that word in a pejorative way, attacking unions. That is what this is about. It is not about anything else but that.

Let us have a look at the history of this legislation and go back to 1996. The then Howard coalition government, newly elected, signalled its intention to introduce voluntary student unionism. It tried to pass legislation to this effect several times in the
late 1990s. Those opposite must have had a terrible time in the sixties, seventies, eighties and nineties at their university campuses, constantly battling their walls. They must have grudges, gripes and grievances which they have brought into this chamber from those days. The advocates opposite of voluntary student unionism received a big boost when in 2004 the Howard coalition government gained control of the Senate. The then Minister for Education, Science and Training, Brendan Nelson, on 16 March 2005 brought forward into this chamber legislation which had some degree of opposition in the coalition, particularly from the National Party. Senator Barnaby Joyce made some noises in relation to this matter. Despite opposition, particularly by the university sector and student associations, the legislation went through this House and through the Senate.

The then Minister Nelson and Senator Fielding, who insisted that there was not any behind-the-scenes fix in relation to that legislation. The consequences of that legislation were pretty clear to the Howard government straightaway, because, to assuage the National Party and Senator Fielding, they provided $100 million to universities through three competitive fund programs, just to make sure that the Nationals felt that they were not getting a raw deal. I say to those opposite, particularly the National Party and the LNP members of this place, all 21 of them: guess what? Regional and rural Queensland universities have suffered the most because of your action.

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The university sector opposed the voluntary student union proposal of the Howard government. Professor Ian Chubb, the Vice-Chancellor of the Australian National University and Chair of the Group of Eight, back on 23 March 2005 wrote an article for the Australian Higher Education supplement supporting the existing arrangements as they were in those days. I heard speaker after speaker opposite talk about choice and talk about the fact that services were not being used. It sounds like an opt-in, opt-out option with respect to taxation: ‘I do not use that road; therefore I should not pay for it. I did not drive that tank; therefore I should not pay for it. I did not attend that museum over in Perth; therefore I should not pay for it.’ That sort of proposal is really silly and stupid.

This is what Professor Ian Chubb said back in March 2005, supporting the existing arrangements before the Howard government, in quite an iniquitous way, attacked the local associations and the university sector. He said:

The Group of Eight—that is, the sandstone universities in this country—supports the arrangements as they exist, whereby autonomous universities can charge fees to all students to provide services that are available to be used by all students. Not all will be used by everybody, of course: not everybody will play football or chess or need child care or legal advice or counselling or help with accommodation, essay writing skills, statistics or the rules of cricket. Some services might be non-academic, but they help to ensure that campus life is a life and that a campus community is a community. Effective student associations and the representation they provide also make an important contribution.

We had speakers opposite talk about their philosophical heroes, such as Margaret Thatcher. The member for Kooyong was waxing lyrical yesterday afternoon about how wonderful Margaret Thatcher was. This is the woman who said, ‘There’s no such thing as society.’ Those opposite must think there is no such thing as campus life and community life at university.

A snapshot by Universities Australia of student associations in 2005 said that, in the final year before voluntary student unionism
came in, the universities collected $172.8 million from student services and amenities charges. They provided really, really awful political activities and campaigns such as food outlets, buildings, meeting rooms, toilet facilities, stationery and second-hand bookshops, childcare services, legal services, welfare services, accommodation assistance, health and employment services, funding to student groups including clubs and societies, support for campus theatres, short- and long-term loans for students, student newsletters and newspapers—such awful, awful things for campus life to have!

This is a politically motivated opposition. It was about their obsession in 2005 and it is now. We are talking about things which are not politically motivated: child care, legal services, clubs and sporting activities. These are crucial to a civilised society and are crucial for those people who are away from home.

Let us look at the consequences of what they did in regional and rural Queensland particularly, for those 21 members opposite of the LNP, who should hang their heads in shame if they vote against this. The Central Queensland University Association staff was reduced from 42 to 15 through redundancies or attrition, resulting in the loss of $1 million in wages in their community. This was in 2007 as a consequence of Mr Howard’s ideological obsession. James Cook University Student Association was forced to retrench much of its existing staff, with significant reductions in services, sport, recreation, orientation week events and academic advocacy. Even the Schonnell Theatre and University of Queensland cafe were closed. There was an estimated loss of $6.5 million in student association revenue at Griffith University in Brisbane, resulting in the university providing $1.5 million from its own budget to help offset losses and maintain services. The University of Queensland campus at Ipswich also suffered. We saw the University of Southern Queensland suffer too. We saw example after example in Queensland of the failure of the previous government. The University of Southern Queensland saw a loss of $910,000 in membership funding almost immediately. That university needed to step in to protect staff from an uncertain future and there were redundancies and a cancellation of capital programs and of involvement in orientation week. I have the University of Queensland Springfield campus in my electorate. Sporting scholarships for elite athletes were discontinued and there was reduction in funding for inter-university sport and university games, with fewer athletes attending those events. There was a reduction in the financial support for clubs from $10,000 to nil. Griffith University and Queensland University of Technology were the same. There is example after example of where the impact of the Howard government’s legislation affected universities. And it persists today. But those opposite continue to oppose sensible, practical, balanced legislation that would assist campus life—all in the name of their hard right obsession.

The member for Fisher talked about the fact that they were supporting the tertiary sector; giving assistance to the tertiary sector. Let us see what they did in terms of assistance to the tertiary sector and for choice, because those opposite talked about choice all the time; they were on about freedom and liberty and choice. Guess what choice the tertiary sector had? The Howard government said, ‘We’re going to de-fund you, we’re going to cut back your funding, if you don’t impose Work Choices.’ That is what they did by legislation. ‘If you don’t comply with what we said in our hard right extremist policy, we’re going to cut your funding.’ That is what they did. That is the choice they gave, one choice for the rich and another for those
struggling universities in regional and rural Queensland. They made it difficult for kids from low- and middle-income families from rural and regional Queensland to go to university.

The National Party realised this folly because there were murmurings back in 2005, and since that time they have had conferences at which the National Party, to their credit, have wanted to turn this around. They have passed resolutions at their conference for a compulsory fee, as we are doing here with the $250, giving the universities the options. So when this comes to a vote the National Party members sitting opposite should vote with us, because if they had any guts and fortitude, if they had any integrity on this issue, they would listen to what their members have had to say. They would not vote with the ideologically obsessed Liberal Party members, who seem to have suffered as a result of their experience at university campuses in the 1960s, 1970s, 1980s and 1990s. They would vote with us to help regional and rural campuses, to make sure community life was decent and usual and kids could get access.

Those opposite said that a lot of university students do not use these facilities. But we know that not everyone is aware of the fact that they might have a legal problem or a tenancy issue which they might need legal advice on. They might not necessarily have that problem now but it might come up in the future. A university student hurts themselves in a football match and needs physiotherapy. A young mum needs child care to make sure that she can go to lectures and tutorials. She may not normally need it because grandma or the father of the child may be available to look after the child, but this time they may need it. They may not need it for years but they need it occasionally. A student might want to go to the movies at cheaper discount rates like those at Schonnell Theatre. This is the option that should be there and available: good services, practical services. Those opposite seem to be talking about unions as if somehow they are all solely about the purpose of political campaigns, as if this is somehow unionism by stealth. That is what the member for Fisher talked about. But this is about doing the right thing by students and by student campuses across the state of Queensland and elsewhere. Making it difficult for those university campuses to function, making it difficult for them to continue community life, is not in the best interests of universities. It is not the way to make sure we lift productivity, we educate our young people to the best of their ability and we give options for young kids to get out of the circumstances where no-one in their family has gone to university.

The University of Queensland campus in my electorate has health science, medicine and nursing. There are kids going to the campus who would never have gone to university unless there was a university in Ipswich Central. USQ at Springfield has so many people who never could have gone to university, whose families had never dreamed they could go to university. Making it easier and making life more amenable, giving them options to services, helping them physically, financially and legally and with child care as well is the right thing to do; it is the sensible, practical thing to do. Those opposite should not be opposed to this. I have discussed this at length with Pro-Vice-Chancellor Alan Rix at the University of Queensland Ipswich campus and he supports this proposal. I know that those at USQ also support this proposal. Doug Fraser is the CEO at USQ. They support what we are doing here. The sandstone universities, Universities Australia, the Group of Eight, support our proposal. I ask those people opposite, particularly those LNP members from Queensland, to do the right thing, stand up to
the ideologues in the Liberal Party and vote with us on this issue. (Time expired)

Mr CHRISTENSEN (Dawson) (11.37 am)—As someone who received their tertiary education from a regional university in Queensland, I cannot support the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. I attended Central Queensland University in Rockhampton in the bad old days of compulsory student unionism and I am afraid that this bill is just compulsory unionism by another name. In my first speech I said that, with some government help, I funded my own way through university, so I know what it is like to be struggling to pay for living away from home and then to be slugged with student union fees that are paid to groups that at that point in time I was morally opposed to, and still am. They are political organisations—most of these outfits.

Back then, there were only two up-front fees at universities and these fees had most students out of pocket and behind on rent for weeks. They were the textbook fees and the student union fees. In fact, in 2004, the final year of this great student rip-off, student unions pocketed more than $160 million dollars out of the bank accounts of students around the nation. Back then it was a matter of ‘pay up your union dues or you do not receive your results’. It was basically blackmail. All of that was supposed to change with the abolition of compulsory student union fees, and it did.

I have nothing against unions. In fact, I have been a member of two unions in the past. I have no problem with the fact that student unions have been the traditional training ground for so many Labor members of parliament, and even some Liberal MPs for that matter, but I do have a problem with students being forced to pay to belong. My problem with this bill is that it compels students to pay a fee to a university for a service they do not necessarily use or do not want. That to me sounds like compulsory student unionism and it sounds like the compulsory student union fees that I was forced to pay when I was at university. It sounds to me awfully like the compulsory student union fees that the Howard government abolished in 2005.

Isn’t it fairer if all students pay for the services and amenities they actually use at these universities? But it is not so to this Labor government. It is intent on saddling Australian students with an even greater debt, when they finish their studies, by whacking on a ‘services and amenities charge’ to pay for services they do not actually use and some of them do not actually want. So on top of having a HECS debt, thanks to the Gillard Labor government Australian university students will now have a services and amenities HELP debt. It is typical of this government to bring in this compulsory service and amenities charge for their left-wing student union mates and then hide it from young people by putting it on the government credit card, only so they can be stung with the bill years down the track. This is the wrong way, but it is typically the Labor way.

And wouldn’t you think that if there were such huge support for this fee—that it is something students would actually want and would have loved to have paid up-front—

Mr Laming—It would not have to be compulsory.

Mr CHRISTENSEN—Well, it would not have to be compulsory. And if it was not going to be such a financial imposition on students, who are busying studying and working in part-time jobs when they are not studying, why is there the need to introduce a HECS style payment system for it?

Having listened to the debate so far on this bill, the argument has been put forward that
this compulsory fee must be charged to pay for services that are not commercially viable. Well, if a service is not commercially viable, doesn’t it mean that it is not being used by the majority of students? And doesn’t the question need to be asked: why are universities providing these extracurricular services if they are not being utilised by students and they are not commercially viable?

One of the most reprehensible things about the old compulsory student union fee system was that it was charged to part-time students and students who studied externally, and there are many students who study externally at Central Queensland University, which is the main university in my electorate. And I know, along with the member for Herbert, that James Cook University also has a high number of external students. It is reprehensible that students who do not use any of those services are charged for them. It is disgraceful. To charge a fee to these students for services that they do not get to use is something I do not understand or fathom.

When the Howard government abolished compulsory student union fees, it was the National Party that fought for and gained transitional funding that helped smaller and regional universities with the transition to voluntary student unionism, and most have transitioned very well indeed. The National Party recognised that some regional universities did not have the student base that the large city based universities have to fund their services and it was for this reason that the Howard government introduced the VSU transition fund.

I note that the consultation undertaken by the government and included in the Impact of voluntary student unionism on services, amenities and representation for Australian university students report found that the benefit of the current legislation—if there are any—was the streamlining and more efficient delivery of services to suit student needs, the opening up of the provision of services to a commercial model and consultation with students to determine what could be defined as essential services. The minister for tertiary education said, when announcing these amendments, that ‘it is important that we are able to restore the services and amenities that have been depleted’. I actually suspect that this is not the case. I suspect that this is more about restoring the student unions to a position of financial strength so that they can conduct their campaigns against the conservative side of politics.

If there were some type of hard guarantee that these funds would not eventually end up in the hands of a left-wing student unions, I would have some comfort. But the bill does not go far enough in restricting universities from distributing the funds to left-wing student union fronts, and that is going to happen. You can see it as clear as day.

Although the Minister for Tertiary Education, Skills, Jobs and Workplace Relations will say that these amendments have nothing to do with a return to compulsory student unionism, this bill is just the thin end of the wedge. If the bill passes, it will not be long before there is pressure from re-energised student unions to demand that this services and amenities charge become a student union levy. Either way, it is going to be compulsory.

This bill is quite clearly ideological. This bill is about payback. It is about getting rid of voluntary student unionism and going back to those bad old days when Labor-controlled students unions, like those at the University of Melbourne, had to be investigated for graft and corruption. They had to get auditors to come in and scour the books because they were funnelling funds off to Labor mates, funnelling funds off for wild parties for a bunch of left wingers and fun-
nelling funds off to Labor mates to do jobs for the student union—which really were not jobs at all. All of this had to be investigated in the bad old days of compulsory student unionism—the bad old days when students had to fork out so that ideologues could make trips to conferences of the National Union of Students and move motions attacking Israel and all sorts of radical nonsense. This bill is about going back to the bad old days when student union newspapers were simply propaganda pieces for either the Labor left or the socialist alliance.

Students in this country do not want to go back to those bad old days. Students want to keep money in their pockets for the essentials: rent, food, electricity—the price of which you guys are doing a pretty good job of driving up even further—and textbooks. Students do not want to pay for services that they do not use and are not interested in using. Students do not want to pay for quasi-political organisations. Students do not want to be forced to join organisations. Being forced to join organisations is in direct opposition to article 20 of the United Nations Declaration of Human Rights, which reads: “No one may be compelled to belong to an association.” Students do not want to return to compulsory student unionism. Students do not want this tax.

This debate will be remembered. It will be remembered that the people on this side of the House voted to save students from this tax, from this return to compulsory student unionism, from this bill which is in violation of the United Nations Declaration of Human Rights—forcing students to pay for something and forcing them to belong to an organisation. It will be remembered that those on the other side of the House voted to slug university students, many of whom are struggling to make ends meet, with a tax of $250 a year. What a disgrace. Those who claim to represent and help the underprivi-

Mr Sidebottom (Braddon) (11.48 am)—I am very pleased to support the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. I will discuss the actual bill so that we can put to rest the fear mongering and the absolute exaggeration the member for Flynn and others opposite have been prattling for the last couple of hours.

Mr Ewen Jones—Dawson.

Mr Sidebottom—I support this bill for the third time. The reasons we are here for a third time can be boiled down to about four reasons. First and foremost, the opposition—and they are indeed opposing—are hell-bent on stopping us from fulfilling an election commitment from 2007 and an election commitment reinstated again in 2010. As far as I know, we are the government, and we were in 2007, so we have the mandate to have this legislation passed. I think that has been pretty well established. But the opposition, being an opposition for opposition’s sake, have been making up all these scary old so-called clauses that are supposed to be in this bill—all probably written out by the member for Indi, who has a pathological hatred of unionism, particularly student unionism. They get their template answers, pop in here and slip out a few examples from their electorates, like the member for Flynn. You are going to have to do a bit better than that—do your own research, for a start.

Mr Ewen Jones—Dawson.

Mr Sidebottom—Secondly, listening to those opposite, both in the past and now, particularly the member for Flynn here as well as the member for Indi and the member for Mackellar, we hear this pathological,
ideological hatred of unionism. Because of this pathological hatred, they have associated unionism with anything to do with fees for amenities and services on our university campuses. Do not worry about the truth; if it has the word ‘union’ in it, it has got to be bad—and of course it has got to be compulsory. This legislation is not about making it compulsory at all. It is about making it optional for universities. So tell the truth, and none of these fibs you have been pumping out with some of your cobbers opposite.

Those opposite also continue their attack on public universities. They are not supporters of public universities at all. Their record is that money was ripped out of our public universities. The so-called legislation—the Howard legislation, which is still in effect—only took out more services and more money from universities, who had to try to re-divert and redirect their resources to make up for those services that the Howard government wanted to rip out of universities. That is the truth, but of course you do not hear that. It is all ‘in the name of free market forces’ and ‘the students want to get on with the fundamentals of life’ and all these types of things. What a load of rubbish. Students have fundamental needs in life, and those needs were provided for by the universities through their services and other facilities. So do not give us all this tripe about you knowing the essentials of what students want today. You do not know at all.

Finally, I believe their view of politics is not to argue the substance of any legislation. That was demonstrated today. If you go through the substance of the legislation, which I will now do, you will see it has nothing to do with the opposition to it. That is purely political. When you ask for substantive argument about why we should not try to reintroduce what we regard as necessary services and amenities to our campuses, the opposition cannot give you an example except to say, ‘You’re trying to reintroduce compulsory unionism to our campuses.’ That is the fundamental argument all the time. Go and read the bill. It says the opposite. But they do not worry about that. On they go.

Those are the four basic reasons why they are opposing this bill and opposed earlier attempts to introduce it. There is nothing of substance in their opposition to it except that they are the opposition—and they are well and truly acting like it today. They stand for ‘no’, for obstructionism and for little else. But they pride themselves on that.

First and foremost—and on a positive note, because I am a very positive person—I would like to say what this legislation is all about. Fundamentally it is about restoring a balance. Labor is about restoring balance after the destructive years of the Howard era—and the acolytes of Howard are floating around in the chamber today and leading the mob opposite. Fundamentally this is about restoring balance, as we promised we would do and the electorate said: ‘Thank you very much. We endorse balance. We endorse you as the government.’ This is about restoring the balance between what was taken away during the Howard era and what existed before that government’s miserable changes. It seeks to do this in a contemporary way, which means a way for now that is appropriate and takes into account changing circumstances and the needs of students, their families and their communities. It is not going to be the same as in the past, contrary to all the fears that the member for Flynn raised in reading the template answer that the member for Indi popped out for him to read. It is going to be our way today. That is what the bill seeks to do. This time we are putting some balance back into the tertiary education system and accompanying services, after they were hacked at—I think that is a good description of it—by the previous government in what was, as I noted earlier, a poorly dis-
guised attack on what they perceived as a political threat to their future on campuses around Australia. Hence, like the member for Flynn, attacking the lefties—

The DEPUTY SPEAKER (Mr S Geogar-nas)—I remind the member for Braddon that the previous speaker was the member for Dawson—if he is referring to the previous speaker.

Mr SIDEBOTTOM—I humbly apologise to the member for Flynn! Contrary to what some members have said in this House, both when this legislation first came up and, more recently, today—thank you, Mr Deputy Speaker; I am humbled by my mistake—the past legislation stripped nearly $170 million from university funding. That is $170 million, member for Dawson—remember that figure, because you did not cite it—that was stripped from university funding, which left universities struggling to cover many vital and valuable services to the students the previous government claimed to represent. How do you make up $170 million of stripped services? I would like to know how to do that. One way the universities tried to do it—they were forced to by those opposite—was to take away funding from their mainstream programs. They took it from student classes, programs and courses so they could redirect it into what they regarded as fundamental amenities and services.

You do not have to believe me about this. I try to have substance and references for what I say. Just go and read the universities’ comments about how they had to redirect their funding to keep some of these services going. For example, dental services at La Trobe University and Southern Cross University were completely closed down. Having the odd molar problem is bad enough at any time, but if you are a rural or regional student at La Trobe University and you need assistance with your oral health—which can affect all of your health, of course—you cannot access basic oral health services on campus, and it is very difficult.

Mr Laming—Cross the road!

Mr SIDEBOTTOM—It is very difficult, as we all know, to access those services outside the campus. ‘Cross over the road,’ says our friend on the other side—oh yes, any old access to dental services. I am sure if we did a little survey in this chamber at the moment it would tell you how many weeks you have to wait to get dental services. What a load of rubbish! La Trobe University, James Cook University and the University of Technology, Sydney, had to close their legal services. Of course, you can just go over the road! In the case of the University of Technology, Sydney, this affected not only the students but also the local community, to whom they provided the services as well—and no doubt took some fees from those who accessed the service and were able to pay. The emergency loans scheme once offered at the University of Sydney had to close down. I understand that three universities shut down their Centrelink advice services. Nine unis shut down their student legal and taxation advice services. Childcare fees at La Trobe Uni rose by $800 a year, and direct funding for sporting clubs was cut by something like 40 per cent—and so on.

Members on this side whose electorates include those campuses and those students have cited example after example of amenities and services being cut because of the former Howard government ripping out $170 million from the system. That is still supported by those post-Howard acolytes sitting on the other side. We all know this. Students are more than people just sitting in class and consuming lectures. Students, particularly those that come from rural areas such as my electorate of Braddon in north-west Tassie, require services to support and complement...
their studies. Those students are forced to travel, live away from home and go to university campuses throughout this nation and elsewhere. Those services and amenities are very important to those students.

I think it is very important—and again it has not been emphasised by those opposite—that this legislation allows higher education providers to choose to implement a compulsory student services and amenities fee. There is a choice. They can choose. This does not mean it is compulsory. Let us get the facts right. It is not compulsory. It is up to those higher education providers to choose whether to implement this form of amenities fee. Also—unmentioned by those opposite—it is capped at $250 per student. It is indexed annually. What it is meant to do is clearly and precisely set out. It is not for the old beer fests that were mentioned by the member for Dawson, or for the running of the old lefties clubs or whatever. We know that is specifically prescribed against. So why don’t those opposite tell the truth and say what is actually in the bill instead of doing all this fearmongering that the member for Indi has given you all to trot out in this place?

It is not meant and cannot be used to promote Labor, the Greens, the Liberals, the Nationals or Calathumpians Incorporated, none of that—and you know that to be true. It allows higher education providers to choose to implement such a fee. It does not say that they must do so. So this is not imposed by us from without. It is up to the higher education providers to make the decision and to remember it, taking into account the whole of the demands and expectations of their students on their campus. They make the decision. There is consultation on this decision by universities. You do not hear that from the other side—so please tell the truth and speak about what is actually in the provisions of the bill instead of trotting out this other guff.

I mentioned earlier that, contrary to the claims of those opposite, the changes introduced with voluntary student unionism that the Howard-era and post-Howard acolytes still support did not reduce costs on university campuses. Those changes merely shifted those costs. For example, evidence demonstrates that students have been hit with increased costs for child care, parking, books, computer labs, sport, food and so on. They have also indirectly affected academic achievements, with a number of unis forced to redirect funding, on their own account, out of research and teaching budgets to cross-subsidise and fund services and amenities that would otherwise have been cut.

For the edification of those who may be listening to or may read this debate and those present in the chamber and for posterity, I would like to explain a little more about what the intention of this legislation is and what is not intended. The new fee, if introduced by higher education providers, comes with some room to move. So as not to introduce a financial barrier, eligible students will have the option, if the fee is introduced, of a HECS-style loan under a new component of the Higher Education Loan Program, SAHELP. The fee will be indexed along with other loan programs. So, importantly, if it is introduced by a higher education provider, it is capped and if somebody finds it financially difficult then they can take a loan to help them pay that fee.

This bill is not about a return to compulsory student unionism. I point out to those opposite that section 19.37(1) of the Higher Education Support Act 2003, which prohibits a provider from requiring a student to be a member of a student organisation, is unchanged in our legislation. We know that there would be scaremongering about support for political activities on campus, but the amendment is very clear on this point. This is very interesting, given that those op-
posite have carried out scare campaigns about this legislation, mainly driven by what I regard as ideological motivations. I reiterate that the new provisions prohibit the fee from being spent by a higher education provider on support for a political party or a candidate for election to the Commonwealth, state or territory parliaments or to local government. I have other things that I would like to add about this legislation but let it be known that it is not compulsory unionism. There is choice. There is support for students who may find it financially difficult if that university through consensus accepts this legislation.

Mrs ANDREWS (McPherson) (12.03 pm)—I rise to speak on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. This bill will introduce a new tax, levied regardless of income or economic position, and will add an additional cost to a tertiary qualification. It will be levied regardless of whether a student will ever access the services they are meant to be paying for. It will impact external students, full-time students and part-time students as if they have equal access to services. This bill increases the financial impost on students. It does so without improving the standards of education or educational outcomes and infringes on the rights of students. This bill is yet another example of this government not understanding what students actually want and care about or what will make participation in our educational institutions easier. We have seen this all before, when changes were made to Youth Allowance requirements making it more difficult, especially for students outside our major cities, to get an education.

This bill is rushed. As a member of the Education and Employment Standing Committee, I experienced firsthand the manner with which the government thumbed its nose at the committee process and the need for this bill to be properly examined. The reality is this rushed process will create problems with the implementation of this tax on students. For example, in a submission to the committee, a university stated:

However, it is important that there is a reasonable time-frame by which universities are expected to meet the requirements of the related Guidelines (Student services, Amenities, Representation and Advocacy Guidelines, and Student Services and Amenities Fees Guidelines).

The submission goes on to state:

In addition, the commencement of the Bill will need to factor in the time needed for universities to set up appropriate internal financial, enrolment and information processes. For this reason, I suggest that mid-2011 provides a realistic timeframe to introduce the fee.

Labor have rushed this bill through the committee process, but for what purpose? The government have stated that they foresee the implementation of this new fee on students at the start of the next academic year, but the reality is that this will put undue pressure on universities to have their infrastructure in place in order to collect the fee.

This raises the question of how effective administration of the expenditure of the proceeds of this fee will occur if there are difficulties in simply collecting money from students. This is but one question this bill raises; however, the government should have been looking for answers or to at least ask a range of other questions before they introduced this bill into the House. Public comments from the government demonstrate they do not understand that students want control of their own funds. In a media release of 15 November 2010, the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Chris Evans, said:

It's now time for the Liberal Party to move beyond old ideological debates, recognise the value of providing good services to students on our university campuses and support this legislation.
We have heard a lot from members of the government decrying opponents of this bill as ideologues, but it is the government who have put forward this bill on the basis of ideology. A better question Senator Evans should ask himself is: why does the Labor Party wish to take the assessment of value away from the students whose money it is and place that job with the universities themselves? It should not be up to the coalition or the government to identify whether student services are offering good value to students. Students should choose whether the offerings of student unions on their campuses offer value for money or whether they would be better off using their hard earned money on other items. There is a disconnect here. Students will be forced to spend this money with a complete disregard for whether services will be utilised. There is a true equity issue here. External students who never have the opportunity, let alone the choice, to access student services will be forced to pay the fee.

I believe in the fundamental right of students to choose to belong or not to belong to a student union, student guild or student association. There is a fundamental right of freedom of association in the workplace as there should also be on any campus throughout the country. Membership of any organisation should not be a prerequisite for achieving an education; it is fundamentally wrong. Individual choice is an integral part of our society. This bill erodes the rights of students to choose. It is wrong and unfair. This bill is an infringement on individuals' rights and liberties and their right to a tertiary education.

This is not a small endeavour that Labor has embarked upon. All of Australia’s one million students will be subjected to this new tax, and at $250 each we are looking at a quarter of a billion dollars ripped out of the hands of our students that could otherwise be used for textbooks, study materials, the cost of living and even as a contribution to pay down their student debts. A best case scenario through exposure to the poorly thought out SA-HELP is an increased student debt. This will at best increase the administrative and financial impost on students.

The government claims that students are wholeheartedly behind this tax, but the average student is not. Speak to students on campuses throughout Australia and they will tell you the same story: ‘Why should I pay for something I don’t use? Why should I pay for something I can’t and never will be able to use? Why can’t I just pay for the services that I decide I need? Why does the government want to make it harder for me to get an education?’

Student unions do not represent the average student. They push a political agenda as evidenced by the recent campaign against the Leader of the Opposition during the election campaign with funds contributed by students. The National Union of Students saw fit to spend funds on a personal attack on the Leader of the Opposition last August, two weeks out from election day, which at the very least involved four campaign stunts and internet based advertising, which is still present on the NUS website. You can read of the NUS’s push for same-sex marriage legislation on the same website. Whether you support same-sex marriage or not, no-one in this place or elsewhere could legitimately claim that there is not a divergence of views on this issue. And this divergence of views is not exclusively outside the student community; it also comes from within it. Students who are vehemently opposed to having their student services fees used to fund activities would see those funds being used to support these same causes under this bill. How this could be acceptable to anyone is beyond belief.
The government would argue that the legislation before the House protects against these practices, but the reality is that the legislation is so poorly drafted that it is full of potential loopholes where student funds can be used for political purposes. Whilst the prescribed prohibitions in this bill may disallow student money being spent in support of political parties or candidates, there is nothing to prevent expenditure on political causes or issue based campaigns, and I have a deep concern with this. Not all students support or oppose the same issues. These campaigns will be decided by a minority of students but will be funded by the majority, indeed the entirety, of the student body.

The government is selling this bill as the deliverer of services to students, but the reality is there is a real possibility that moneys intended for student services will be siphoned into campaigns whether students agree or not. The bill puts the burden of compliance on the universities themselves to ensure funds are not spent on prohibited uses, yet how should a university go about enforcing this? It is unclear in this bill and, indeed, it is unclear whether the government wishes sanctions to be placed on bodies that spend student funds for such purposes.

Should this bill pass, time will tell where student funds are being directed. The case made by proponents of this bill is that the student services provided by student organisations funded as a result of this bill will help students get their education. However, the services most often spouted by supporters of this bill are already provided through universities or by the government itself. University students are not discriminated against at government agencies when they present themselves for help. Students already have health services through Medicare. They have access to subsidised child care. They have access to support in the case of an emergency. They have access to the same non-government organisations that are so important to many other members of the community.

Students can form and fund sports clubs and societies without the need for support from a student union, and the money of other students, just like any member of the public can pull together like-minded people to enjoy a shared interest. There should be no discrimination against university students in the broader community. Where university students are discriminated against is through this bill. I urge the House to reject this bill.

Ms GRIERSON (Newcastle) (12.14 pm)—I rise today to add my voice to the chorus of support, both within the House and within our universities, for the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. Although it is the first time that I have spoken to the bill in this form, I acknowledge with regret that similar versions of the bill which I have spoken on previously have twice been defeated in the Senate—regret because, by voting against this bill in its previous forms, those opposite condemned students at the University of Newcastle in my electorate to diminished social and recreational services. This is in spite of the university diverting $5.8 million from teaching and learning in order to support student amenities and services because of their commitment to their students and the student experience.

At the recent election, I made a commitment to the university students in my electorate to reverse the decline in university support services that has taken place since those opposite banned non-academic fees. This bill helps me to honour that commitment and goes some way to redressing the injustices of the previous government’s voluntary student unionism legislation. The Higher Education Legislation Amendment (Student Services and Amenities) Bill is a
balanced and practical solution to the challenges posed by the ban on non-academic fees. It holds promise to reinvigorate our universities, rejuvenate campus life and re-engage the student body. This is such an important aspect of the student experience, given the commitment that students now have in terms of their work-study balance. It also allows universities to implement a services fee, capped at a maximum of $250 per year—and at $254 in 2011, with indexation. That fee will be used to rebuild the support services and intellectual infrastructure essential to university life.

The bill will also, for the first time, introduce national student representation protocols to ensure that students have an opportunity to participate in university governance structures. The bill requires that universities in receipt of Commonwealth funding under the Commonwealth Grant Scheme comply with new student services, amenities and representation and advocacy guidelines. In the discharge of their obligations under the guidelines, it is important that universities act in good faith and work together in partnership with student representatives to reinvigorate campus life and rebuild the community on their campus. It is this partnership that this bill seeks to strengthen in order to positively foster campus culture and an inspired student body.

The Vice-Chancellor of the Australian National University, Professor Ian Chubb, has flagged the importance of students receiving more than just an education, and I would have to agree. ‘It is partly about socialising people,’ he said; it is as much about ‘getting them to be part of a community as it is about expanding their minds’. I have some other views on that. I have a daughter who was a student union president for over 18 months and I know some of the complex issues she had to deal with—some of the conflict resolution and some of the advocacy she had to do for students. It was highly demanding and critical to the lives of those students. How important those services are should never be underestimated.

Consultations with universities in 2008 revealed that $170 million had been cut from funding for services and amenities as a result of VSU. It is students who have had to shoulder the burden of this cut. Universities have been forced to shift funding from research and teaching budgets to support basic services and amenities that would otherwise have ceased, such as counselling services, conflict resolution services, child care, health services and welfare support. Other universities were forced to increase the costs of parking, food and child care for students. Nine universities shut down their student legal and taxation advice services. The review of the impact of VSU commissioned by Australian University Sport and the Australian Campus Union Managers Association has revealed that students are increasingly having to bear those costs themselves. Increased charges for the use of facilities or access to events is placing greater financial pressure on students, while cost-cutting is diminishing the quality of what it means to go to university.

Universities Australia, the peak representative body for the tertiary sector, like the National Tertiary Education Union, has welcomed the reintroduction of this bill. They said:

Universities have struggled for years to prop up essential student services through cross-subsidisation from other parts of already stretched university budgets, to redress the damage that resulted from the Coalition Government’s disastrous Voluntary Student Unionism (VSU) legislation.

The consultations that we undertook with the community in 2008 found that ‘the abolition of upfront compulsory student union fees had impacted negatively on the provision of amenities and services to university stu-
The postgraduate and, in some instances, undergraduate student associations of several universities have since folded. The University of Ballarat student union, for example, collapsed earlier this year, while at Southern Cross University, in regional NSW, students lost their textbook loan scheme, dental service and all but five student clubs. The report also found that VSU has cost 1,000 jobs in the tertiary sector, yet those opposite say that they are committed to jobs. The Australian Olympic Committee in their submission to the government’s review of VSU reported:

… the introduction of the VSU legislation has had a direct negative impact on the number of students (particularly women) participating in sport and, for the longer term, the maintenance and upgrading of sporting infrastructure and facilities and the retention of world class coaches.

I think we should never underestimate just how much of the infrastructure we have that supports so many aspects of the quality of life in Australia is incubated in universities. Before those opposite voted to outlaw non-academic fees in 2005, the University of Newcastle, in my electorate, levied a fee to subsidise and support catering and food, sporting facilities, student development courses, international student services and advice, international clubs, student organisations, travel services, dental services, welfare services, on-campus shops, photocopying services, campus sports, facility maintenance, recreational libraries, computer facilities, art galleries, bookshops, the student magazine, legal services, academic advice and advocacy—a rather rich experience for students.

In 2005, as the VSU legislation passed through the parliament, the Vice-Chancellor of the University of Newcastle, Professor Nick Saunders, warned that it would ‘mean higher prices and a severe reduction in services and the quality of campus life’. ‘Student fees,’ the vice-chancellor said, ‘allow the University of Newcastle to deliver a range of non-academic services to students, support their wellbeing and enhance their university experience.’ I would also say that they enhance their success. Since the VSU legislation was implemented, however, the university has had to reallocate funding from important teaching and learning to support the student body.

Education in Australia is our fourth largest export. It is the largest in Victoria, and certainly in my electorate the University of Newcastle has a very high enrolment of international students. We need student services to support that growing industry. The International Education Association of Australia has flagged future drop-offs of at least 100,000 in international student enrolments. We need to provide more and better services to students to make the student experience a competitive advantage in order to attract and retain international enrolments, and this bill goes some way to achieving that.

Rural and regional students, many of whom flock to the University of Newcastle in my electorate, were most affected by the Howard government’s prohibition on non-academic fees. As a result, regional students face particular disadvantages—ageing infrastructure and declining university services. According to the National Union of Students, regional students are around 70 per cent less likely to attend universities than students from metropolitan areas, yet in the past we have seen the rug ripped out from under them once they get there.

As a government we need to remove barriers for students from regional areas to come to university, and this bill goes some way to achieving that by improving services and support activities for students, services that students moving from regional areas particularly rely upon. Dr Glenn Withers particu-
larly highlighted the implications that increased funding for student services could have for employment opportunities for regional students. He said:

It would make a huge difference to regional students if we could obtain and properly fund expert employment advice, maintain good relationships with local employers, and try to link work with studies, so the two can work well together in terms of timing and content.

To ensure that the fee is not a barrier for students entering into tertiary education, any university introducing the fee must also provide eligible students with the option of taking out a HECS-style loan under a new component of the Higher Education Loans Program, SA-HELP. Universities Australia’s Australian university student finances survey has found that this loan program will remove any difficulties that students may experience in paying the fee.

Students turn to health and welfare support services when most in need, and often that is an unexpected event. Funding for these services can make the difference between students continuing their studies or dropping out because they cannot afford the costs of services such as child care or legal advice. Recent research from the United States has shown that boosting expenditure on student services and amenities leads to an increase in completion rates, particularly for students from lower socioeconomic backgrounds. As we increase university enrolments in line with the participation recommendations of the Bradley review into higher education in order to sustain our national productivity and social justice agenda, on-campus services cannot be allowed to decline, or else so too will the quality of education in this country. Yet the shadow minister for universities and research, Senator the Hon. Brett Mason, has touted this legislation as a return to compulsory student unionism. What a cop-out! He has said:

… if it walks like a duck and quacks like a duck, it is a duck.

But this is not a return to compulsory student unionism. Section 19.37(1) of the Higher Education Support Act 2003, which prohibits a provider from requiring a student to be a member of a student organisation, remains unchanged. The new provisions also prohibit the fee being spent by a higher education provider in support of a political party or candidate running for election in a Commonwealth, state or territory parliament or local government.

The opposition that is coming from the other side is not evidence based; nor is it based on reasoned argument or the reality of this legislation. It is just political; it is just ideologically driven. Those oppose are not interested in the practicalities of their opposition. Instead, they decry this legislation as a return to compulsory student unionism and say that they oppose it because they support freedom and a student’s right to choose—that word ‘choice’: look after yourself first. They say it is a ‘big new tax’ on students. It seems that in those opposite we have our own Australian brand of the United States Tea Party.

But we have seen what those opposite consider freedom. We saw it when they introduced Work Choices and we saw it when, while Minister for Health in 2005, the now Leader of the Opposition refused to approve the use of the abortion drug RU486. When those opposite voted to outlaw non-academic fees in 2005, the now Leader of the Nationals in the Senate, Barnaby Joyce, crossed the floor to vote against the legislation. When he did he remarked:

… take the ideology away from this and just think about … the actual effect of it.

That is probably the smartest thing Barnaby has said! He recognised then, as I hope he will now, that opposition to funding for our
universities and financial support for our students are neither sustainable nor sensible. I would ask those opposite where they expect universities to find the $170 million that has been cut from universities as a result of VSU, but compared to the $11 billion black hole in their recent election costings I suppose $170 million is small change.

Australian Labor governments have always been the governments of opportunity, and a services and amenities fee is an important component of our commitment to building the intellectual infrastructure of our nation. We refuse to continue the tradition of disinvestment in higher education that those opposite began. Already we have reformed youth allowance and delivered support through our Better Universities Renewal Funding, which provided universities with $500 million in 2008 to support vital infrastructure. This has meant better libraries, better laboratories, better research facilities and better amenities.

In the most recent grant allocation rounds of the Education Investment Fund announced last month, we provided $550 million to 19 projects to improve tertiary education and research. This forms part of a larger package of around $3 billion to fund the intellectual infrastructure necessary for our universities to prosper. It was that great Labor stalwart Gough Whitlam who said in 1972:

… education is the key to equality of opportunity. Sure—we can have education on the cheap … but our children will be paying for it for the rest of their lives … We believe that a student’s merit rather than a parent’s wealth should decide who should benefit from the community’s vast financial commitment to tertiary education.

The Gillard Labor government remains committed and true to these values almost 40 years later. This legislation is supported by universities and, more importantly, it is supported by students. I commend this bill to the House.

Mr CIOBO (Moncrieff) (12.28 pm)—I rise to speak on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. This bill has been before the parliament twice previously. This is the third time, and I am not sure which aspect of this legislation I find more offensive. I am not sure if it is the intellectually arrogant attitude of those Labor members opposite who say to what are frequently among some of the most disadvantaged Australians ‘You’ll pay an extra $250 a year because we think it’s in your best interests’ that is most offensive or the fact that the Labor Party thinks that we are all mugs. The reason I say that they think we are all mugs is that that is the only possible explanation for foisting a $250 a year new tax on Australia’s university students and then saying to them: ‘Look, this is not about unionism. This is not about political propaganda. This is only about making sure that we have the best services available to you.’

We just heard this view from the member for Newcastle, who spoke before me, when she made the remark that the money cannot be used for political candidates or for political parties—and left it at that, as if it were some kind of safeguard or guarantee. For the last 10 or 20 years, the Labor Party has abused the hardworking dollars of Australia’s university students through the university movement, and it is as if that has all been erased. I think Australians are a little smarter than that. They are a little smarter than the Australian Labor Party gives them credit for, because they know that, whilst the money may not be used specifically for political candidates or for political parties, the Australian Labor Party absolutely will use the money through their student unions on campaigns, and those campaigns will be issue based. If you want any examples of that, just look at an organisation like GetUp!
We already know that GetUp! is nothing but a front for the Australian Labor Party. We will see student unions using the money being paid by Australian students in exactly the same way, which is to campaign on important university related issues of the day, which might just happen to correlate with what the Labor Party wants to campaign on federally. That is the reason why there are really two issues of concern here. There is the intellectual arrogance of saying to someone, ‘You will be forced to pay $250 a year because it is in your best interests,’ and the view that we are all so stupid that we would actually think that the money would not be misappropriated and used on political campaigns.

The coalition has voted against this legislation twice before. It is a very simple proposition, and it goes to the core issue of whether or not we think adult Australians have the right to choose how they want to spend their money. In the community outside of universities, if a student or, indeed, if anybody wants access to particular service, they go to myriad community groups, non-government organisations or, in some instances, government organisations for support. They might want to play a sport such as cricket, AFL or rugby or whatever it might be. They might join a community group that is being run by the community, that is funded by the community and that is in the interests of the community. But, when it comes to universities, if a student or, indeed, if anybody wants access to particular service, they go to a separate set of rules applies. If you are a student who goes to TAFE, apparently you are not worthy of this rule—you are not worthy of having the government force you to pay a tax for access to services. If you are a university student, you apparently have no right to choose. According to this legislation and according to the Australian Labor Party, you should be forced to pay $250 a year towards student services, even though they may not be services that you ever use, ever want to use or, indeed, ever have access to. That is what is at the core of this legislation. It is the complete ripping away of the right of young Australians and mature or older Australian students to choose how they want to spend their money.

I have had the privilege of being a student in both the public system and the private system. I have to say that the contrast between them is clear. It has certainly been my experience to place the efficiency of the private system above the public system any day of the week. But, notwithstanding that, the vast bulk of Australian tertiary students study in the public system and the vast bulk of them vote with their feet when it comes to student services. People were sick of being forced—basically taxed—to pay fees to universities for services that they did not want or need. It is the reason that so many of the peripheral groups collapsed. They did not meet the needs of the customer base they were trying to appeal to. What happened with those that did? The groups that had a commercial business case still received support from university students. Students would voluntarily choose to join those clubs and societies and to pay a membership fee and, lo and behold, they paid a lot less than the $250 that the Labor Party want to force them to pay. Those groups have remained solvent because they met a demand.

I know that the issue of supply and demand is contrary and perhaps not understood very widely by those members of the Australian Labor Party who seem to operate in a world where there needs to be no correlation between supply and demand. But there are those of us who actually think that the marketplace holds some value and that it is not good enough to hold a gun at the head of Australian tertiary students and say, ‘You will have to pay $250 a year for student services, even though you may not use them.’
There are those of us who say, ‘We think Australians are mature enough to make an informed choice about which groups and which societies they want to support.’ We think people should exercise their right to choose. We make no apologies for it. It is a great shame that the Australian Labor Party does not even give young Australians the right to make that election.

The truth is that this legislation is not only the height of intellectual arrogance by the Australian Labor but also another broken promise by the Australian Labor Party. Prior to the 2007 election, the then shadow minister for education, Stephen Smith, said:

… firstly I am not considering a HECS style arrangement, I’m not considering a compulsory HECS style arrangement and the whole basis of the approach—

that is, Labor’s approach—

is one of a voluntary approach. So I am not contemplating a compulsory amenities fee.

That was Labor’s policy prior to 2007. Yet in November 2008, the then Minister for Youth, the Hon. Kate Ellis, announced that the Labor government would pursue a compulsory fee to pay for services and amenities. The minister stressed that universities will still be prevented from requiring that it be compulsory for a student to join a student union. However, it is clear that the compulsory fee is being used to subsidise union activities and services not necessarily used by the particular student paying the fee.

This goes to that issue of whether or not the money will be what I can only describe as ‘misappropriated’ by student unions. We know that in so many instances student unions have a particular agenda that they will want to pursue and that nine out of 10 times that agenda happens to marry exactly with the Labor Party agenda. And, lo and behold, the money that students are being forced to pay gets siphoned off and spent on political campaigns that back the Australian Labor Party or, indeed, even the Greens. That is where the money is going, and that is the reason the Labor Party is so desperate—and I suspect the Greens member is the same—to hold a gun to the head of Australian tertiary students and say: ‘You will have to pay this fee because it is in your interests.’

I heard the member for Newcastle come into the chamber and say, ‘Look at all these groups that have closed down,’ and she rattled off a long list of groups that had closed down. Isn’t it relatively straightforward that these groups have closed down because they are not supported by the students? The groups that are still functioning are the ones that students want to use and the groups that have no application to the day-to-day lives of students—or that students do not want to utilise—are not used. It is extraordinary that the Labor Party would come into this chamber and attempt to justify a particular set of rules applying to a small subset of Australian society. They will say to TAFE students: ‘Tough luck, you do not deserve it. You are doing vocational education, tough luck; it does not apply to you. But you are a university student—we dictate that you must immerse yourself in the university life.’

The truth is that Australian students have the right to choose. We are proud that we implemented a system that gives them the right to choose. They are no longer being ripped off hundreds and hundred of dollars a year. They are electing whether they spend their money on catering, whether they spend their money on the beer appreciation society, whether they spend their money on the rugby club, whether they spend their money on AFL or whatever it might be—arts, child care, you name it. There are systems in place to provide support to all Australians which do not discriminate against university students. There are systems in place to provide support to university students if they are low-
income earners. There are systems in place to provide support to university students from regional and rural areas.

There are about 130,000 Australians who do university study externally and will not set foot onto a university campus. Under this legislation they still have to pay the $250 fee. If that does not highlight how completely perverse and unjust and inequitable this is, then I do not know if it can be more clearly explained to the Australian Labor Party. Why should 130,000 Australians have to pay $250 a year for an amenities fee when they do not even set foot on campus? More likely than not, the Australians that will have to pay that fee will be those living in remote and regional areas.

The simple reality is that it is unsustainable to say to one small subset of Australian society: ‘We believe that we know better than you do. We, the Australian government, demand—and in fact legislate—that you must pay this fee each year. We do not want to hear concerns or complaints that you never use the services because that does not matter. You have to cross-subsidise what other people do.’ The fact is: if you want to argue on the grounds of equity or on the grounds of people from low socioeconomic backgrounds or on the grounds of social disadvantage, all of those support systems already exist in the community. What makes a university student so unique that they should be forced to pay this extra money in order to go to university?

I have the distinct pleasure of having come through the Young Liberal movement. I have friends who were involved in the Australian Liberal Students Federation. Those in Young Liberals and the ALSF have fought for years for young Australians, and all university students in this country, to have the right to choose which services and which groups they support. I applaud the work of the ALSF and of the Young Liberals for their advocacy on university campuses across Australia. I applaud the work of those Australians who stand up for the 130,000 people who will be forced to pay and who will never set foot on a university campus. I applaud the work of the ALSF and the Young Liberals for being advocates for the majority of students who would be forced to pay and will not use those services.

We all know that at the end of the day the rationale that lies behind this is the Labor Party’s insatiable desire to do something for the Australian National Union of Students and for student unions that are affiliated with the Australian Labor Party who in many respects foist upon them the need to get the funds and who then say, ‘We will make sure that we tip those millions and millions of dollars into campaigns.’ That is what this is about. The Labor Party knows that there is no demand for all the kinds of loopy left-wing things that the Labor Party and the Greens want to put out there in the community so they can underwrite and cross-subsidise all of these political campaigns by forcing people through legislation to pay. They will argue it is about sports clubs, they will argue it is about culture and they will argue that it is something unique to universities, but if you look at tertiary students doing vocational education, if you look at the students who never set foot on campus, you really question whether it is very equitable. Of course, no member in this place can argue on equity as to why those that never use the service and never set foot on campus should have to pay the extra tax. Support services already exist in the community. For that reason, I remain opposed to this bill and I applaud the advocates on campus who are also opposed to it.

Mr Bandt (Melbourne) (12.43 pm)—Support for democracy is commonly invoked but less rarely honoured and practiced. De-
democracy should be at the heart of our consideration of this Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 because democracy is about much more than what goes on in this place and it is about more than what goes on at elections. I believe democracy is also about participation and decision making of people about how to construct and manage their everyday community—whether that is in their workplace, their school or university or their local area.

One of the important reasons why universities have been so central to the economy and society for many, many years is the democratic culture of their campuses. It is the academic collegiality and participatory environment of universities that have been the well springs of creativity in the sciences and the arts from which have developed the key ideas of the last few centuries. However, several decades of neoliberal or economic rationalist restructuring, including an attack on student organisations, has eroded this democratic culture and is slowly killing the quality of higher education. As a result, the idea that students should be able to control and direct their activities is becoming a distant memory, and student union buildings increasingly resemble shopping malls.

The shift to so-called voluntary student unionism began with the corporatism of the Hawke government and continued under the Howard government. I believe it is time we reclaimed the right of students to determine their own affairs, something this bill could be a step towards but does not achieve. This is more than a claim of ‘no taxation without representation’, although that is appropriate to this debate, and it is not just a call for a return to some idea of the good old days when I was student. Rather it is time, I believe, to allow students to develop their own 21st century version of the student agora built on their idea of democracy. But to do this, students must be provided the right to determine how their student service fees are levied and spent.

So-called voluntary student unionism had a disastrous impact on my constituents in Melbourne. My electorate of Melbourne has more university students than any other in the country; over 17 per cent are attending a tertiary education institution. Student populations dominate entire suburbs within my electorate, and my electorate contains some of the most vibrant, exciting and creative student communities that you will find. I am determined to ensure that parliament never makes the mistake of attacking these vibrant student communities again, as it did with the introduction of VSU five years ago.

At Victoria University, health advisory and drug education services have been discontinued. Student advocacy and representation sections have been discontinued and replaced with the student advisory service. Sport programs and club subsidies have been reduced or removed. Facility maintenance has been scaled back and the postgraduate association and international students association have both ceased functioning. The student association struggles to communicate with students due to lack of resources. In fact, it no longer has any staff.

At RMIT University, the RMIT Union—that is, the services, arts and sports body—saw a 90 per cent reduction in staff and a reduction in student fee income from approximately $5.5 million in 2005 to nil in 2007. The RMIT University Student Union, where I once advocated for students who were having trouble with the university, saw a reduction in staff from 40 to 12 and a reduction in income of approximately $2 million. The university has taken over the leased spaces, bookshops, and the childcare, tax and legal services. About 60 per cent of all union services and activities have been cut, includ-
ing the dental service, and those services that remain are focused on the main city campus. Services in smaller outer urban campuses have been all but wiped out.

At the University of Melbourne, reduction in means-tested rebates for accessing child care has led to a 20 per cent reduction in the service, making it more difficult for students with young children to study. There has been an enormous loss of support staff, and outreach programs and project work has suffered. There has been negligible investment in refurbishment and maintenance of facilities, the sports clubs are suffering and there have been cuts across the board to funding for campaigns and programs run in the students’ interests. Other universities in my electorate have also had student support services slashed. VSU has harmed student support across higher education providers in my electorate, just as it has across the country. A complete university experience includes a vibrant student body and a culture of community.

It gives me no pleasure to note that the Gillard government’s bill in response to the Howard government attacks is not going to repair the damage. In fact, it does not even try. It does restore much of what was lost by ensuring funding for core amenities and services, and the Greens support this entirely. But this bill is akin to taxation without representation and student communities will still be left after the passage of this bill, if it does indeed proceed, without true independent student representation.

As the member for an electorate with so many students as constituents, can I just say how disappointing it is to see Labor champion this course of action.

I would like to announce to members that the Greens will be moving a series of amendments to this bill in the Senate, if it does indeed proceed to that place. But, given the urgency of restoration of funding for student support services, I will be supporting the bill in this place. The Greens will move in the Senate to put in place a reporting mechanism that examines how the student levy will be spent and the level of engagement between higher education providers and student representative bodies. Even more importantly again, we will move to require that funds that are made available by the passage of this bill are spent on student services at the discretion of independent student representative bodies rather than by higher education providers directly. This is what the government should have proposed in the first instance, and I certainly hope that the government will come around to supporting this fundamental shift in principle.

I was a very proud president of my student organisation. My vice-president was elected from the Liberal Party ticket. The committee was comprised of members from across the political spectrum. Truly representative of the students at our campus, we were able to manage students’ fees in a way that reflected a broad range of needs and interests. Parliament should, again, be facilitating such student representation in all tertiary education institutions—that particularly goes for the Prime Minister and Leader of the Opposition, both presidents of their student organisations in their university days.

Life is not all about markets, supply and demand and business cases—as the coalition suggest; there is a space for culture, community, politics and engagement. I have heard the coalition this morning champion the right to choose. On that score, on the question of freedom of choice, the coalition have no credibility. If they were serious, they would allow workers and employers to bargain about matters of their own choosing and contract about matters of their own choosing, and to bargain at the workplace level or at the industry level if they so choose. They are
The member for Kooyong in his first speech stood up and said that the principles of John Stuart Mill should still be alive within the coalition and that the state should only ever intervene and restrict freedom of choice when there is potential harm from one person to another. If that was right, they would support people’s right to marry the person of their own choosing, or at least allow their members a conscience vote on the question. They come in and champion the cause of freedom of choice but they have no basis for doing so. Their hypocrisy is absolutely palpable.

While this bill will go some way towards making universities better places to be and is thus worthy of support, it also sadly represents yet another Labor Party retreat from the democratic principles it once believed in. As a result of this bill students will be required to pay fees that will go towards essential services, but they will be denied the right to control and spend them in the manner that they see fit. University life is and should be about more than turning up on time for lectures and then having to go home, and then perhaps having to work up to 20 or 30 hours a week simply to make ends meet because of the low level of student assistance endorsed by both of the old parties here in this House. Time at university should be a space and a time for reflection and community engagement. This bill might go some way towards providing for that but it would be much better if the government accepted the amendments that will be proposed by the Greens and allow students to have control of their own affairs.

Mrs MIRABELLA (Indi) (12.54 pm)—I rise, as I have on several other occasions, to oppose the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 and similar measures that in effect introduce compulsory student unionism by stealth. It would be remiss of me not to make some remarks about the comments just put into the Hansard record by the member for Melbourne. All I can say, as a summary, is once a Trot, always a Trot—you can put a suit on, you can wear a nice, trendy silk tie, but once a Trot, always a Trot. My colleague the member for Melbourne Ports is smiling away because he knows that is the truth. They tried to do him over in the seat of Melbourne Ports and he was very fortunate with the recent redistribution to have kept all his good supporters—some would call them stacks—and to have kept all the Trots out of Melbourne Ports. That is another seat that the Greens will not be able to make headway in. I am sure we will see the member for Melbourne Ports challenged at the next election and probably be returned, unless there is a very good Liberal candidate who can give him a run for his money.

The member for Melbourne used some very Orwellian language, which is no surprise coming from a Trot, when he was talking about the democratic culture at university. We would all like to think that there was a democratic culture at university; that there was an opportunity for people to speak freely about their political beliefs. But talk to any student in a politics class, in a politics tutorial, and see how they are intimidated and not given the opportunity to debate political philosophy or ideas freely. It is not, as the member for Melbourne says, an environment of free inquiry and debate—and that does extend to the student political world which has benefited over many decades through the
compulsory acquirement of student money to fund political activities and campaigns and salaries that the students themselves would not have chosen to fund if they had had the choice.

The member for Melbourne said students should be able to 'control and direct their activities'. I would not disagree with that. That is why we on this side of the House want students, who by and large are adults, to be able to control and direct not just their activities but their money. The tricky and cunning language that the Greens use under the auspices of democracy always means the opposite. They know that to make their message easily consumable and perhaps attractive to the mainstream they must couch it in very cunning language.

The member for Melbourne said that universities should be about more than turning up for lectures and that time at university should be a time for reflection and a time for engagement. That is fine. That is his opinion. Why should he impose on all university students his opinion about what the university experience should be? If they just want to turn up and go to lectures and then go off to the footy club that they are a member of in their own community or go off and get a job or go off and engage in another social activity elsewhere, who is he to tell them what they should and should not be doing as part of their university experience? We now have the social police, the political police, saying that, if you are a university student, to be a complete human being you must be engaged in these activities. He can do it, and he did it—and so did I. So did my good friend the member for Casey. That was our choice. Why should we impose the way we ran our lives and our time at university on everyone else? We on this side of the House believe that tertiary students are adults who are intelligent enough to decide how their money should be allocated. That is why we strongly oppose this bill; that is why the Howard government treated students with respect and as adults and gave them the choice of how to allocate their hard-earned dollars.

We see in this bill, as we have seen before, a backdoor way of funding political activities. The guidelines in the bill do underpin the legislation. They effectively force a university to provide for representation and advocacy of students' interests. In other words, universities will be forced to ensure that there is a political voice on campus—and you can bet your bottom dollar that that political voice is going to be the political voice of the Left. This provision really extends compulsory unionism beyond what it was before the 2005 legislation. It extends the obligations to formalise student politics.

We have seen provisions in this bill and in previous bills that purportedly are there to allay the concerns that money cannot be spent on political parties and candidates, but that in no way should fool us into thinking that money is not going to be spent on political campaigns, because money can still be directed to oppose certain political parties and candidates, as it has been in the past, and if I were a betting woman I would bet it will happen again in the future. It will go to fund issues campaigns, as has been outlined by previous speakers on this side of the House. Of course there is going to be political activity. That is why the member for Melbourne, self-confessed 'Trot', who is now wearing his comfortable green cloak—

The DEPUTY SPEAKER (Hon. DGH Adams)—Order! I ask the honourable member to refer to the member for Melbourne as the member for Melbourne, and he is a member of the Greens party in the chamber—that is his recognition.

Mrs MIRABELLA—I was alluding to a recent profile piece that had reflected on former close political colleagues of the
member for Melbourne who said that, at university, he was a well-known Trotskyist. I think it is important to always reflect on the full political experience of members in this House and to understand truly where their passions lie, to see and appreciate their political progression and development, and I was doing nothing other than that. We have in front of us a bill that will not only force students to pay for political activities which they, in all likelihood, will not agree with but also fund services that can be and have been provided by the private sector, such as food and beverage services. I remember from my time at university—it was always a joke—you would not go to the caff if you could avoid it. We all know that centrally provided, subsidised services do not provide the best sort of services for consumers, and students are consumers.

Other services have been outlined that have been pointed to as having suffered under voluntary student unionism. If a service is not going to be used by students and it is not needed and it is duplication, why do you believe that it should be funded? It should not be funded. Student life and university life is not static; it is dynamic. The needs and concerns of students change from generation to generation. Using compulsorily acquired student funds to entrench certain services is just an expensive way of maintaining certain jobs at university and certain structures, which is not necessarily catering to the needs and demands of students.

This legislation is also a concern because there is no monitoring or policing of the way in which funds are spent. We do not know whether there is compliance with the guidelines, but let us look at the political reality. In any case, can anyone honestly believe that a Labor minister—the relevant Labor minister at the time—would hold a Labor student union president to account if they had not spent the compulsorily acquired funds accordingly? I do not think that would be the case. They cannot even hold their own ministers to account. We just have to look at the New South Wales Labor Party and other state Labor parties in government to see the lack of accountability. But I should not go too much into detail on that because I will keep the House until dinner time tomorrow night and I will still only be halfway through.

The problem with a lack of reporting and a lack of accountability is only compounded by the fact that this is in fact a broken promise. This does disadvantage students who do not have ready access to funds, who do have to work hard to put themselves through university. Why should they be forced to incur an additional financial burden just because some people have this ideological position that student unions are great and students should be involved in all these activities and, ‘Isn’t it a wonderful life they can have on campus.’ Some people do not want that and you should not force it down their throats. It is probably a promise, it is probably part of the deal making that is all part and parcel of the Labor Party and perhaps it was one of those things that were part of the secret deal that sealed the Labor-Greens alliance. Perhaps one day we will know. What we do know is that it is unfair, it is inequitable and it is an insult to adult students to say to them: ‘We know what is best for you. We know how best to spend your money. We deem these sporting clubs appropriate to be supported.’

Until very recently, before we got voluntary student unionism, I remember that small groups of students would form a club and would benefit significantly financially from compulsory student unionism. They should be able to pursue skiing or football, but they should fund it. They should not expect that other student, who is working 20, 30 or 40 hours a week to put themselves through university, who may not want to or may not
have the time to engage in these activities, to fund their social life. Let us face it: young people today are pretty mature, even in their early to mid-teens. I think they know how to run their own social life and their own activities. They do not need the formalised structure of compulsorily funded organisations to live their life and to have fun.

Our belief in voluntary student unionism is about freedom; it is about the freedom to allow students to choose. We do not have the arrogant attitude of thinking that students should live their life on campus in a particular way, that they should believe in certain things. We believe that there should be freedom of inquiry, freedom of movement, freedom of activities—that it is a wonderful time for university students. They have the privilege to engage in tertiary studies. They should have the privilege to pursue whatever other endeavours they choose and they should do it with their own money. They should not be forced and they should not be corralled through compulsory student unionism into a particular sort of support for political activities, sporting activities, social activities or any other commercial activities on campus. If the government were serious about the education revolution, surely the first step would be respect—respect for tertiary students as young adults who can decide what they can do with their own money. I would appeal to those on the other side to stop and think about that very basic fact. If students are smart enough to make their own decision about voting at a federal election then they are smart enough to decide how they can spend their $250.

Mr Anthony Smith (Casey) (1.08 pm)—I rise in this debate on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010, near its conclusion, to endorse the remarks of those members on this side of the House who have spoken in this debate, who have defended freedom of association and who have pointed out the hypocrisy of the position of those opposite who ran to the 2007 election promising that they would never introduce legislation of this type. Many members have spoken, including the members for Mayo, Moncrieff and Indi, who have outlined our very strong views on this subject—views in favour of giving students choice and freedom of association.

We have heard a number of contributions from those opposite. We recently heard a contribution from the member for Melbourne. There was no mention from the member for Melbourne about the part-time student who rarely, if at all, attends a campus, no mention of the part-time nursing student simply wanting to get his or her degree and no mention of someone doing a degree while working and coming onto campus at night merely wanting to complete their degree. But there was lots of mention of all the sorts of things other students can fund, for students like he was at the time, but no mention of any of that at all.

We have heard rightly from this side of the House that this is a broken election promise. There is no doubt about that. The Labor Party ran to the 2007 election pledging that they absolutely would not introduce the very legislation we are again debating. The shadow minister at the time, the member for Perth, Mr Smith, was asked on 22 May the following question:

On the funding side, have you canvassed or are you contemplating some sort of loan or deferred payment.

Answer:

No, absolutely not. One thing I can absolutely rule out is that I am not considering a HECS style arrangement, particularly a compulsory HECS style arrangement. I do not know where that came from. That may have been a suggestion made by one of the interested parties to a journalist, but I certainly do not have on my list an extension of
HECS, either voluntary or compulsory, to fund these services. So I absolutely rule that out.

Over and over again, every time the Labor Party was asked, it said that it would not be altering in any way, shape or form the voluntary student union arrangements that the Howard government had introduced. There was not a cigarette paper between the government and the opposition.

Some have said in this debate that every member of the Labor Party elected at the 2007 election ran to that election on a false promise. Nearly every member opposite, and the member for Indi will recall this, ran to the 2007 election—I regret to inform the House that the member for Ballarat was one of them—promising that they would never introduce this legislation. But I am glad that the member for Kingsford Smith, now the Minister for School Education, Early Childhood and Youth, is here in the chamber about to sum up the debate because he was something of an exception in the 2007 election. He was the one member of the Labor Party to tell the truth. I have a soft spot for the member for Kingsford Smith. I can reveal to him I once went to one of his concerts. I was very young. I liked the tunes, but I did not like the words. I think that he is a pretty honest sort of guy. The member for Kingsford Smith was the only member of the Labor Party who promised what is actually happening in this House today, and that was when he uttered those words, ‘Once we get in, we will change it all.’ And he was right. You get into trouble in the Labor Party for being right. He got into trouble that day, that famous Friday. As soon as he gets off a plane, he makes sure Steve Price is nowhere in the airport. He was the only one who said, ‘Once we get in, we will change it all.’ And that is what they have done. What that shows is that, in the choice between keeping a promise and doing the right thing by the students of Australia, the Labor Party will always make sure students come second-best.

This bill should not be passed. This is a broken election promise. It is bad for students. Speakers on our side of the House have outlined and stood up for that principle. This is yet another example of what Labor does: they will say one thing before an election and do another thing after. The member for Kingsford Smith, now the minister, will be able to come to the dispatch box and he will be able to say to the House, to the exclusion of all other members of the Labor Party, ‘At least I said that once we get in we will change it all,’ and you have.

Mr GARRETT (Kingsford Smith—Minister for School Education, Early Childhood and Youth) (1.14 pm)—in reply—I want to commend members on the government benches for their contributions in this debate on a bill that amends the Higher Education Support Act 2003 to allow universities to charge student fees to support student amenities and services. The fact is this will stop the damage being caused by the coalition’s voluntary student unionism provisions while maintaining the government’s commitment not to return to compulsory student unionism. Subsection 19-37(1) of the act, which prohibits a provider from requiring a student to be a member of a student organisation, will continue—something that members opposite have conspicuously avoided mentioning in their contributions to this debate.

The bill outlines a robust and balanced solution that will help ensure the delivery of quality student services and help secure their future. This will assist universities in providing a well-rounded university experience for students, an experience that includes not only quality study but also participation in the life of the university, with access to valuable social welfare and advocacy, support and amenities.
The bill makes amendments to require higher education providers that receive Commonwealth Grant Scheme funding to comply with new student services, amenities, representation and advocacy guidelines. This means that for the first time universities will be required to meet national access to services benchmarks. These important benchmarks will ensure that all students are provided with information on and access to important health, welfare, financial and advocacy services. The bill also introduces for the first time a requirement for universities to meet national student representation protocols to ensure students have opportunities for democratic student representation and that their views are taken into account in institutional decision-making processes. Higher education providers must also provide adequate and reasonable support resources to allow those representatives to carry out their functions.

The bill provides that higher education providers may choose to charge a compulsory student services and amenities fee. The fee will be capped at $250 per year and will be indexed annually, with indexation to commence in 2011. The fees will be collected by higher education providers, not student organisations, and the providers will be accountable for the fee revenue. The Higher Education Support Act 2003 already includes provisions for actions that can be taken for breaches of the act. These will apply to the new provisions. The government remains committed to compliance arrangements previously tabled in the Senate during the debate on the previous bill with student services and amenities provisions.

To ensure that the fee does not act as a barrier to participation in higher education, the bill also provides for eligible students to access a government loan to pay the fee under a new component of the Higher Education Loan Program, SA-HELP. SA-HELP will operate on a similar basis as existing elements of HELP such as HECS-HELP and FEE-HELP. Higher education providers that choose to charge a services and amenities fee will be required to provide access to SA-HELP for eligible students. Students will repay the loan on an income contingent basis through the Australian Taxation Office.

The bill ensures that fee revenue will not be used to support political parties or candidates for parliamentary or local government office, and the bill specifically outlines the allowable uses of the fee. The specific uses were developed in consultation with the higher education sector and other key stakeholders. Previously to be incorporated into guidelines, these are now specifically included in the bill. The uses include a range of important services and amenities to assist students to have an enriching higher education experience and to develop fully as well-rounded and productive members of society. These are fundamental services, particularly relevant to campuses in regional communities and to students coming from regional areas. One of the major barriers to increased higher education participation by students from low socioeconomic backgrounds is the need for financial assistance and academic and personal support once enrolled. Rebuilding student services and amenities is integral to providing a student experience that will assist in achieving the government’s participation and retention targets for Australian universities.

I would like to take this opportunity to note the report of the House of Representatives Standing Committee on Education and Employment on this bill and thank the committee for its work. I particularly thank the new committee chair, Amanda Rishworth, for overseeing the production of the report. I would now like to address the recommendations made by the committee and provide the government’s response to each. In response
to recommendation 1, that the minister encourage the itemisation of charges to international students, the government has measures in place that already address this recommendation. Under the existing education services for overseas students framework, universities are already required to enter into a written agreement with each international student. The agreement must provide an itemised list of course money payable by a student. Course money includes any other amount, such as the proposed student services and amenities fee, that a student has to pay to the provider in order to undertake the course.

Recommendation 1 also parallels initiatives that the government is undertaking to encourage and support international students to study in Australia. These include the development of the Study in Australia portal under the International Students Strategy for Australia and recommendations in the Baird review that go to ensuring international students have better access to information. Further, the proposed student services, amenities, representation and advocacy guidelines require universities to consult with their student bodies as to how any student service and amenities fee will be used to benefit students. The student body representatives must include an international student.

In relation to recommendation 2, I can advise that the minister released the draft Student Services, Amenities, Representation and Advocacy Guidelines yesterday. The government does not support recommendation 3, that the loan for the student services and amenities fee be incorporated into existing HELP loans such as HECS-HELP and FEE-HELP. Under the bill, universities will be able to set different fees for different groups of students. Since some groups may not even be charged a fee, wrapping the loan for the services fee into their tuition loan confuses and complicates the loan scheme.

Further, under the Higher Education Support Act 2003, universities must provide students with an itemised Commonwealth Assistance Notice that tells them how much they are paying for each unit of study. This bill will require universities to add the services and amenities fee to the Commonwealth Assistance Notice. If students’ tuition and services fee loans were combined it would not be possible to individually itemise the fees charged and the debts incurred. As a result, students would not be able to check that the correct amounts had been recorded, which would then undermine the very purpose of this important transparency measure.

In response to recommendation 4, the bill already specifically allows for a delay in meeting the compliance requirements until 1 January 2012. This delay will enable the universities to put in place the measures asked for in the representation guidelines before the requirements become a condition of the universities’ 2012 Commonwealth Grant Scheme funding.

With regard to recommendation 5, in the government’s view the loan element should not be particularly difficult to manage, considering the existing IT infrastructure that providers must have in place to administer the current HELP schemes. The new data requirements associated with SA-HELP have been kept to a minimum. Nonetheless, the government gave a commitment in the 2008-09 budget to provide $20,000 to each of the table A and B providers towards the implementation of the data requirements.

Of course, the government strongly supports recommendation 6—that the House of Representatives pass this bill. This bill honours the government’s commitment to secure student services, amenities, representation and advocacy now and into the future. It is an important step on the path to building a world-class higher education system in
which the interests, participation and retention of all students are given serious priority. The new arrangements seek to balance the government’s desire to create a clear framework within which higher education providers should operate and the trust that we have that they will be accountable for their decisions within that framework. I urge members to support the bill and I commend the bill to the House.

Question put:
That this bill be now read a second time.

The House divided. [1.29 pm]

(The Speaker—Mr Harry Jenkins)

Ayes............  73
Noes............  71
Majority........  2

AYES
Adams, D.G.H. Albanese, A.N. 
Bandt, A. Bird, S. 
Bowen, C. Bradbury, D.J. 
Brodtmann, G. Burke, A.E. 
Burke, A.S. Butler, M.C. 
Byrne, A.M. Champion, N. 
Cheeseman, D.L. Clare, J.D. 
Collins, J.M. Combet, G. 
Crean, S.F. D’Ath, Y.M. 
Danby, M. Dreyfus, M.A. 
Elliot, J. Ellis, K. 
Emerson, C.A. Ferguson, L.D.T. 
Ferguson, M.J. Fitzgibbon, J.A. 
Garrett, P. Grierson, S.J. 
Gray, G. Hall, J.G. * 
Griffin, A.P. Husic, E. 
Hayes, C.P. * Kelly, M.J. 
Jones, S. Leigh, A. 
King, C.F. Lyons, G. 
Livermore, K.F. Marles, R.D. 
Macklin, J.L. Melham, D. 
Mitchell, R. Murphy, J. 
Neumann, S.K. O’Connor, B.P. 
O’Neill, D. Oakeshott, R.J.M. 
Owens, J. Parke, M. 
Perrett, G.D. Ripoll, B.F. 
Rishworth, A.L. Rowland, M. 

NOES
Abbott, A.J. Alexander, J. 
Andrews, K. Andrews, K.J. 
Baldwin, R.C. Billson, B.F. 
Bishop, B.K. Bishop, J.I. 
Briggs, J.E. Broadbent, R. 
Buchholz, S. Chester, D. 
Christensen, G. Ciobo, S.M. 
Cobb, J.K. Coulton, M. * 
Crook, T. Dutton, P.C. 
Entsch, W. Fletcher, P. 
Forrest, J.A. Gambaro, T. 
Gash, J. Griggs, N. 
Haase, B.W. Hartsuyker, L. 
Hawke, A. Hockey, J.B. 
Hunt, G.A. Iorns, S.J. 
Jensen, D. Jones, E. 
Keenan, M. Kelly, C. 
Laming, A. Ley, S.P. 
Macfarlane, I.E. Marino, N.B. 
Markus, L.E. Matheson, R. 
McCormack, M. Mirabella, S. 
Morrison, S.J. Moylan, J.E. 
Neville, P.C. O’Dowd, K. 
Prentice, J. Pyne, C. 
Ramsey, R. Randall, D.J. 
Robb, A. Robert, S.R. 
Roy, Wyatt Ruddock, P.M. 
Schultz, A. Scott, B.C. 
Secker, P.D. * Simpkins, L. 
Slipper, P.N. Smith, A.D.H. 
Somlyay, A.M. Southcott, A.J. 
Stone, S.N. Tehan, D. 
Truss, W.E. Tudge, A. 
Turnbull, M. Van Manen, B. 
Vasta, R. Washer, M.J. 
Wyatt, K. 

PAIRS
Plibersek, T. O’Dwyer, K. 
Smith, S.F. Frydenberg, J. 

* denotes teller

Question agreed to.
Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading

Mr GARRETT (Kingsford Smith—Minister for School Education, Early Childhood and Youth) (1.33 pm)—by leave—I move:
That this bill be now read a third time.
Question agreed to.

Bill read a third time.

CRIMINAL CODE AMENDMENT (CLUSTER MUNITIONS PROHIBITION) BILL 2010

Report from Main Committee

Bill returned from Main Committee without amendment; certified copy of the bill presented.

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Ms KING (Ballarat—Parliamentary Secretary for Health and Ageing and Parliamentary Secretary for Infrastructure and Transport) (1.34 pm)—by leave—I move:
That this bill be now read a third time.
Question agreed to.

Bill read a third time.

FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (BUDGET AND OTHER MEASURES) BILL 2010

Second Reading

Debate resumed from 20 October, on motion by Ms Macklin:
That this bill be now read a second time.

Mr ANDREWS (Menzies) (1.35 pm)—I rise to speak on the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010. This bill encompasses proposed amendments to special disability trusts, the disability support pension, family tax benefit and anomalies in social security legislation relating to pensions. The decision by Minister Macklin to withdraw the schedules relating to Aboriginal land trusts and the Indigenous Land Corporation following a request by the coalition is welcomed, and I thank the minister for her agreement to withdraw those schedules so as to ensure no delay in other parts of the bill. The ability of a Senate inquiry to provide closer scrutiny on key issues is, in the coalition’s view, of paramount importance.

Let me turn then to special disability trusts. Special disability trusts seek to assist families to make financial provision for the current and future care of a family member with a severe disability. In October 2008 the Senate Standing Committee on Community Affairs inquired into the lack of take-up of these special disability trusts. The committee made a number of recommendations to make special disability trusts more attractive. The bill seeks to relax the purpose and work capacity tests in relation to special disability trusts and give trustees greater flexibility. This is in response to a Senate inquiry into these trusts, the disability support pensions.

The 13-week provision in the Social Security Act was originally designed to allow DSP recipients to travel overseas for personal matters. A number of DSP recipients used the provision effectively as a loophole that allowed them to live permanently overseas so long as they visited Australia every 13 weeks. The bill amends the Social Security Act to require that a person must be an Australian resident to receive DSP.

The bill includes some grandfather provisions and allows DSP recipients who are se-
verely disabled or terminally ill to go overseas to be with a family member or to return to their country of origin. The bill creates an ongoing requirement for residence in Australia for the disability support pension, bringing the pension into line with other workforce age payments and stopping DSP recipients effectively permanently living overseas.

Whilst limits on the portability of the DSP are necessary, these limits are proving punitive for a small class of recipients due to circumstances beyond their control—in particular, recipients with a severe disability and a legal guardian. Such recipients can find themselves travelling overseas due to a decision of their guardian. As a consequence, if the recipient travels to a country without a reciprocal social security treaty they forfeit their pension after 13 weeks. Approximately 1.5 per cent of DSP recipients have a severe disability and a legal guardian, and only a small number of these people would find themselves in the circumstances which I have described. It does not seem fair or equitable for DSP recipients in these circumstances which I have described. The amendments would commence on the day of royal assent.

The bill makes amendments to address two anomalies arising from the pension reform legislation enacted in 2009. Firstly, leave payments: currently, income attribution rules have meant that, depending on how income is calculated during holidays, some social security beneficiaries can find themselves on a lower rate of payment after a holiday than before, even when the holiday pay and ordinary pay are identical. Secondly, income support payments: currently, a member of a couple receiving a relevant social security payment whose partner is receiving a veteran’s payment will not receive the full benefit of the social security pension bonus amendments. The amendments seek to bring uniformity to the treatment between social security recipients.

To conclude, the coalition supports this bill. In closing, I encourage the Greens member for Melbourne, as he embarks on his campaign of coercive utopianism, to focus more of his attention on the pressing issues facing Australian families and those who require support, such as those who are covered by this bill. The coalition, as I have said before, is supportive of this legislation. There are matters which are going to Senate committees, particularly those which I indicated at the outset relating to Aboriginal land trusts and the Indigenous Land Corporation. These are not part of this bill; they are matters which will be looked at by a Senate committee. I appreciate the minister’s assistance in that regard so that these other important measures can pass through the parliament. The issue of families is one which remains important to the coalition. We are supportive of families, whatever their circumstances may be, and will continue to provide that support to families right throughout Australia and, where necessary, provide appropriate scrutiny of any measures brought before this
parliament by the government that relate to families.

Ms MACKLIN (Jagajaga—Minister for Families, Housing, Community Services and Indigenous Affairs) (1.41 pm)—in reply—I thank the member for Menzies for his contribution. There are a number of measures in the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010, including one from the 2010-11 budget. I will not go over them, given the time, but I do want to indicate that to keep this bill moving we will make some minor amendments. We will withdraw from the bill the two schedules relating to the Indigenous Land Corporation and the scheduling of land. The measure would have amended the Aboriginal and Torres Strait Islander Act 2005 to enable the Indigenous Land Corporation to support native title settlement. As the measure has been referred to the Senate Standing Committee on Legal and Constitutional Affairs, and that will not report until the 2011 autumn sittings, we need to defer this measure from this bill to allow the other measures in the bill to proceed. There are issues around the scheduling of land measure. Once again, rather than holding up the more time critical measures in the bill, this measure is being withdrawn to allow the land area measurement in question to be clarified. Once it has been clarified, the scheduling of land measure will be reintroduced separately.

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Ms MACKLIN (Jagajaga—Minister for Families, Housing, Community Services and Indigenous Affairs) (1.43 pm)—by leave—I present a supplementary explanatory memorandum to the bill and move government amendments (1) to (3) together:

(1) Title, page 1 (lines 2 to 4), omit “, veterans’ affairs, Aboriginal land rights and the Indigenous Land Corporation,”, substitute “and veterans’ affairs.”.

(2) Clause 2, page 2 (table item 3), omit the table item.

(3) Schedules 3 and 4, page 10 (line 1) to page 12 (line 27), omit the Schedules.

Question agreed to.

Bill read a third time.

STATEMENTS BY MEMBERS

Tasmanian Government: Hawthorn Football Club

Mr LYONS (Bass) (1.45 pm)—I would like to congratulate the Tasmanian Bartlett Labor government on its decision to renew its agreement with the Hawthorn Football Club and I confirm my support for the continuation of AFL in Tasmania.

This deal represents the best for all Tasmanian interests, having both community and commercial benefits, by guaranteeing the continuation of the Hawthorn Football Club playing a minimum of four home and away matches in Launceston over the next five years. This is tremendous news for all of Tasmania’s football supporters, as well as for the business community and the tourism industry. It will inject millions of dollars a year into the Tasmanian economy.
The arrangement between the state government and the Hawthorn Football Club also provides infrastructure investment of $300,000 for the continuing development of Aurora Stadium in Launceston. Having Hawthorn games at Aurora Stadium is supported by community Aussie Rules associations in Tasmania. Whilst I continue to have criticisms of the lack of financial support for community Aussie Rules by the AFL, not the least of which is that no draft fees are paid to community football clubs in Tasmania, at least this deal will not disrupt community football rosters, which an unreasonable number of additional AFL games would have done. Once again, I wish to put on the record my full support for the initiative taken by the Tasmanian government and the Hawthorn Football Club in their continuing support of AFL games being played at Aurora Stadium in Launceston.

**Pacific Highway**

Mr HARTSUYKER (Cowper) (1.46 pm)—I rise in the House to, again, raise the issue of the urgent need to upgrade the Pacific Highway. The dangerous stretch of highway south of Urunga has claimed another life, with the death of a 38-year-old truck driver. This follows yet another serious three-vehicle accident on the same stretch of road, in almost the same location, on the weekend. Whilst that accident did not result in a fatality, it did involve serious injury.

The two-lane, undivided Pacific Highway sections are past their use by date. Dual carriageway was required years ago and people are rightly cynical about the government’s projected completion date of 2016. The state minister has come out stating that planning is underway. The planning is endless—there is endless public display and endless environmental assessment. The thing that is needed is urgent construction on the ground. It is vitally important that the pace of construction is accelerated, as well as the processes for approval and assessment, so that we can achieve a real increase in the rate of construction. People in my electorate are dying every few months, and it is absolutely unacceptable. The highway is clearly past its use by date. It is not able to carry the degree of traffic which is growing year in, year out. This matter has to be urgently attended to. The state government is not committing enough funds to this highway. (Time expired)

**Greenway Electorate: Wentworthville Swimming Pool**

Ms ROWLAND (Greenway) (1.48 pm)—I have previously spoken in this place about Holroyd council’s proposal to close Wentworthville swimming pool, which will have a devastating impact on residents in my electorate. On Sunday the state member for Toongabbie, Nathan Rees, and I met with Mr Peter Bain and other members of Wentworthville Swimming Club at Wentworthville pool. I commend their determination to keep up the fight on this issue. I commit to continuing to lead from the front on it as well.

Members of the club swim every Sunday morning, from October to March. If Holroyd council closes the pool, the club will no longer be able to take part in this healthy and social activity. Not only are the members of the club concerned about the impacts the closure of the pool will have on themselves but they are very concerned about the impact it will have on our wider community. The pool is a very popular destination for local families during hot summer months. Last Sunday was a scorcher in Western Sydney, with temperatures in the mid-thirties. The pool was packed. If the pool closes, they will no longer have access to their local swimming pool.

Many local schools use the pool for their swimming carnivals, just as I did as a student.
at Our Lady of Mercy, at Parramatta. If the pool is closed, local schools will have difficulty finding a suitable venue for their carnivals. Indeed, I have been informed that it is booked out for schools for many months. Over the past fortnight I have held many street meetings and met locals on their way to work at Toongabbie and Pendle Hill train stations. I have collected hundreds of signatures on my petition to keep our pool open. The message to Holroyd council and to every elected councillor on that council is clear: keep Wentworthville Pool open.

Pharmaceutical Benefits Scheme

Mrs PRENTICE (Ryan) (1.50 pm)—Yesterday in question time I asked the Prime Minister why, after 20 months following the PBAC’s first recommendation that the drug Soliris be listed, it still remains unlisted on the PBS. The consequence of this delay is that patients miss out. In 2000, the timeframe for a TGA approved drug to be listed on the PBS was just over 13 months. Today the average time has swelled to 2½ years.

In 2001, the Howard government introduced a cabinet review for all drugs recommended by the PBAC which exceeded $10 million in cost. That was an efficient process that added much-needed scrutiny. However, the Labor government has allowed the process to degenerate. The time has blown out even more, despite the PBAC making a cost-effective determination.

Sadly, delays to life-saving or life-changing medicine are not the only concern. The other concerning aspect of the government’s role in the PBS scrutiny process is the rejection of 11 out of the 12 cost-effective submissions. These are submissions which have already been heavily and independently scrutinised by the PBAC and, of more concern, is that the government’s rejection is not made on cost minimisation grounds.

Whatever the government’s justification is for delays and, in some instances, rejection of PBS listings the consequence is clear: patients are forced to wait longer or to go without. This increased length of time or, indeed, outright rejection of new PBS listings by this government means things will get worse before they get better.

Woden Valley Festival

Ms BRODTMANN (Canberra) (1.51 pm)—I would like to draw to the attention of the House to the Woden Valley Festival that was recently held in Eddison Park in Phillip in my electorate. The Woden Valley Festival is fast becoming a signature event for Canberra, from a small beginning a handful of years ago. The festival unites the Woden Valley community and links the people who live there with their local services and businesses. The idea for the festival came from the success of the 35th anniversary celebrations of the Woden Community Service in 2004. The first Woden Valley Festival was held in 2008 and attracted 1,500 people, which doubled to 3,000 in 2009.

Eddison Park, the home of the festival, is deeply entrenched in the history of Canberra and the history of our war service. The park used to be the Yamba property, which was owned by the Eddison family. Captain Walter Eddison served in World War I and received the parcel of land as a soldier’s grant. Tragically, all three of his sons died in World War II, a significant and unfair sacrifice for one family.

I would like to congratulate Woden Community Service, particularly Chris Redmond, and the Woden RSL, particularly Peter Collas, for organising this successful event. I would also like to acknowledge the fact that the Eddisons’ sister, Pam Young, was there as a special guest of the festival. An obelisk in the park commemorates the men and
women of Canberra who served Australia during World War II.

Swan Electorate: Mr Tony Manuli

Mr IRONS (Swan) (1.52 pm)—Today I want to talk about Mr Tony Manuli, a gentleman from my electorate. I promised him that I would get this on the record. But first, to set the scene: I am sure we all know who the Englishman named Thomas Crapper is and what he is supposed to be famous for. Well, he did not really invent the flush toilet, but his name is indeed a cloud that hovers over it in history. Did he really give his name to these systems? No, the name was likely derived from the 13th century Anglo-Saxon word crappe. So not only was he not the inventor of the flush toilet; it is also unlikely that he really gave it its name either. What he did was carry the technology forward.

Mr Manuli informed me that he and his partner Jozsef Havasi did invent the dual flush toilet system. I have in my hand the patent application dated and stamped by the Australian Patent Office on 19 June 1979. Mr Manuli delivered this system idea to Caroma in the same year for appraisal and was told they were not interested. In a book entitled *Imagination—100 Years of Bright Ideas in Australia*, I read that in 1980, only one year later, the Caroma company in Adelaide released its revolutionary DuoSet dual flush cistern. What a surprise! It certainly was for Mr Manuli.

By the way, Mr Manuli is not looking for compensation, just recognition. Thomas Lynch said, ‘The flush toilet, more than any single invention, has “civilised” us in a way that religion and law could never accomplish.’ As the member for Swan I am proud to have in my electorate a man who contributed an invention that has saved so much water. It is something we should all reflect on next time we are sitting down.

United Nations Entity for Gender Equality and the Empowerment of Women

Mr DANBY (Melbourne Ports) (1.54 pm)—I would like to congratulate Australia on its role in thwarting the bid of Iran to join the Executive Board of UN Women. Iran has a poor track record on women’s rights. An Iranian woman, Mrs Ashtiani, was just recently sentenced to death by stoning for committing adultery, and the world is campaigning to see that she is not judicially murdered; a number of women activists there have been imprisoned; and women face discriminatory laws in everyday life. I am very, very pleased to see that, having just a few days to prepare for the vote, Australia, together with the United States, Canada and the European countries saw that Timor-Leste trounced Iran in last Wednesday’s poll, receiving 36 votes to Iran’s 19. The other nine Asian candidates, Bangladesh, China, India, Indonesia, Kazakhstan, Japan, Malaysia, Pakistan and South Korea, all received 50 or more votes.

The Iranian women’s activist Irshad Manji said that, on Tuesday, Iran’s plan ‘blew up’. She said:

As news leaked that Iran might help call the shots at UN women, and as human-rights groups began crying foul, polite diplomats got twitchy. East Timor jumped into the race. Dedicated arm-twisting by the United States, Canada, Australia and European countries paid off. On Wednesday, Iran lost the showdown.

All I can say is: vivo Timor-Leste!

Swan Electorate: Mr Tony Manuli

Mr IRONS (Swan) (1.56 pm)—I seek leave to table this patent.

Leave granted.

Gilmore Electorate: Electricity Prices

Mrs GASH (Gilmore) (1.56 pm)—Electricity prices are skyrocketing out of control. Gilmore constituents are telling me
that they simply cannot pay their electricity bills. I have had so many families, pensioners and older citizens come to me saying, ‘How can we pay this bill?’

Mr Sidebottom interjecting—

Mrs GASH—You have to agree. But what can I do? So, in my own electorate, I am encouraging residents who are feeling the pressure to get a copy of their own electricity bill, put on a sticker available from my office and send it straight to the Prime Minister. The message on the sticker reads:
Dear Ms Gillard,
I can’t afford a bigger power bill.
Don’t make me pay more with a carbon tax.
…Please
So far I have had a very positive response to my campaign, with pensioners and families and older citizens alike sharing with me power bills in excess of $1,000.

Mr Sidebottom interjecting—

Mrs GASH—Have some courtesy and be quiet! I do not know how a family can afford power bills of this size, let alone pensioners. The government should be ashamed of this. They are totally neglecting and failing to understand the reality of everyday families and older citizens. We must do something about this electricity situation now. It is time the government helped to address the situation. That is not by introducing a carbon tax.

Hindmarsh Electorate: Westfield West Lakes Shopping Centre

Mr GEORGANAS (Hindmarsh) (1.57 pm)—I rise today to speak about an appalling decision. I am absolutely appalled by the decision that paid parking will be introduced at the West Lakes shopping centre in my electorate. This is a real problem, especially for the elderly people and the socially isolated people who use the shopping centre. They use the shopping centre to use the chemist, doctors et cetera or just to cool off in the very hot summer months. A group, No Car Parking Fees for West Lakes, has been formed down there. This was formed last year when the plan was first spoken about. Over 1,150 signatures were collected on a petition from all the residents around West Lakes, Henley Beach, Semaphore Park and Tennyson who oppose paid parking at the shopping centre.

Socially it is going to impact on a lot of people, as I said, who use the centre for the whole day. It is very sad that it is going to also impact on the traders in the centre, because people do not like to pay for parking in suburban shopping centres. That is not to say that there are not any parks available. We regularly shop down there and there are plenty of parks that are always available. I am appalled by the decision of Westfield at West Lakes shopping centre, and I call on Westfield at West Lakes shopping centre not to introduce paid parking, for the sake of the many residents around there and the many elderly residents who use the centre not just for shopping but as a community hub.

Taxation

Mr BILLSON (Dunkley) (1.59 pm)—On the day when the Assistant Treasurer is boasting about providing certainty for taxation of fly-in fly-out employees working overseas, there are two million Australians who derive their livelihoods from self-employment in independent contracting. They would love to have some clarity from the Assistant Treasurer. Instead, what they get is the Assistant Treasurer’s weasel words of reassurance that the government are not going to do a number on independent contractors and self-employed people, despite the fact that the government have secretly met with the unions on at least four occasions, plotting a plan to do over independent contractors and self-employed people, to drag them into the employee net, which is
just what their union masters require. We get weasel words like ‘no desire to change those laws or make life more difficult for self-employed working people’. Why won’t the government simply say that they will not change the personal services income-tax laws? Why will they not simply give two million independent contractors the opportunity for the certainty of fly-in fly-out workers again?

The SPEAKER—Order! It being 2 pm, in accordance with standing order 43, the time for members’ statements has concluded.

MINISTERIAL ARRANGEMENTS

Ms GILLARD (Lalor—Prime Minister) (2.00 pm)—Mr Speaker, I inform the House that the Minister for Defence will be absent from question time today as he is travelling to Lisbon to attend bilateral meetings in the lead-up to the NATO conference. The Attorney-General will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Broadband

Mr ABBOTT (2.00 pm)—My question is to the Prime Minister. Why does the Prime Minister expect the parliament to approve the National Broadband Network without access to the business case which the government has but is refusing to release?

Ms GILLARD—I thank the Leader of the Opposition for his question. In answer to it I would say that the government at an earlier stage, well earlier, released the implementation study. We have had the parliament considering the question of structural separation. The government’s intentions to build a National Broadband Network to transform our nation’s infrastructure, to make sure that we do not export jobs to countries like Korea, are well known. The National Broadband Network business case has been supplied to the government. It is more than 400 pages long and the government, as prudent and responsible managers, are now analysing the case in detail, running the fine-toothed comb through it, and that is absolutely appropriate when we are dealing with an infrastructure project of this size and this significance to the nation.

The business case will be released publicly in December, as the minister for communications has indicated. What I say to the Leader of the Opposition, though, is that he really should come clean about all of this and indicate that he is not at all interested in the business case. No matter how good the business case is, no matter whatever it says, he wants to demolish the NBN.

Mr Pyne—Mr Speaker, I raise a point of order. In keeping with your admonition to the opposition about questions, that question fitted entirely within what you have asked the opposition to do. It was about the business case of the NBN, and this attack on the opposition leader is completely irrelevant to the question.

The SPEAKER—The Prime Minister will relate her comments to the question directly.

Ms GILLARD—I was asked about the role of the parliament and the NBN business case and I am answering that, Mr Speaker. I am making the simple point that in respect of the parliamentarians who are members of the coalition the business case is absolutely irrelevant to their decision-making because they are already determined to demolish the NBN. It does not matter how good it is for the nation, it does not matter what the business case says, they are all about a three-word slogan yet again: demolish the NBN. That is all that they are committed to. We are committed to delivering this transformative technology to the country. Meanwhile we see in the opposition that they are up to their 17th, 18th, 19th or 20th failed broadband
policy. It is very interesting that on 27 October the member for Wentworth dropped to the Sydney Morning Herald as a story his new plan for CANco. Well, CANco has turned into CAN’Tco, because the opposition has not even bothered further releasing the policy. This is obviously speaking to a division in the opposition. The member for Wentworth believes in broadband, he wants to CANCo. The Leader of the Opposition wants to demolish the NBN, he wants to CAN’Tco.

Mr Pyne interjecting—

The SPEAKER—The member for Sturt is not assisting. The Prime Minister will come back to the question.

Ms GILLARD—As they just go through these very silly broadband policy iterations and sit divided on their front bench, we will be getting on with the job.

Mr Pyne—Mr Speaker—

The SPEAKER—The Prime Minister will resume her seat. I indicate that when there are many things going on, the less interventions the easier it is to intervene. One of the interventions was going to be that we got a bit generous with the clock and there may have been an extra minute because we did not flick it on, which others did not observe. The Leader of the Opposition.

Mr ABBOTT—My supplementary question is again to the Prime Minister in the light of her answer. Given that a bank would not lend a dollar for a project without first seeing a business case, how can the Prime Minister possibly expect this parliament to approve the biggest infrastructure project in Australia’s history without first seeing the business case?

Ms GILLARD—Once again we see in the asking of this question the Leader of the Opposition revealed as a man who wakes up every day having not bothered to carry a conviction from yesterday with him. He has never found a conviction that could not be shed in the interests of political expediency. I can recall, and perhaps the Leader of the Opposition should recall, actions of the Howard government like devoting $10 billion to a water plan. What is very interesting about this comparison is that the Leader of the Opposition says people always do cost-benefit analyses; they always go to the Productivity Commission. His very own shadow minister for broadband, the member for Wentworth, who was the responsible minister at the time, was asked about subjecting that $10 billion to a cost-benefit analysis and the member for Wentworth said, ‘Well, it was not subject to a cost-benefit analysis by the Productivity Commission but there was a lot of analysis done and we published it at the time and defended it.’

Mr Simpkins—Why don’t you release yours?

Ms GILLARD—So let us not have this cant, this is hypocrisy, this forgetting of the past, from an opposition that wouldn’t know what the national interest was if it stumbled over it.

Mr Simpkins interjecting—

The SPEAKER—The member for Cowan is warned!

Ms GILLARD—The opposition in all of this questioning is working on its political interest, which it has defined as wrecking everything in the national interest, including the National Broadband Network, reducing politics to three-word slogans like ‘Demolish the NBN’. We will continue to deliver in the national interest, and the National Broadband Network is in this nation’s interest.

Opposition members interjecting—

The SPEAKER—I hope the ‘father of the House’ feels better getting things off his
chest, but he will do it quietly and show an example.

Health

Ms SMYTH (2.07 pm)—My question is to the Prime Minister. Will the Prime Minister advise the House of the importance of pursuing reforms to our health system?

Ms GILLARD—I thank the member for La Trobe for her question. I know that she is deeply concerned about health services in her community, not only today but for tomorrow. As she would be aware each and every year health costs continue to rise. I refer the House to some Treasury analysis: the Treasury projects that health spending alone will absorb more than the entire revenue collected by all states in around three decades. I think people should think about the force of that number and that if we do not act—if we continue to say to state governments that they should have the disproportionate responsibility for funding hospital costs—then, looking at the next 30 years, what we are saying is that it would take more revenue than the states actually collect. This is not a sustainable position.

We want Australians to have great health services today, decent health services, health services that meet their needs, and we want that to be the case in 10, 20 and 30 years time. In order to achieve that we need to deliver fundamental health reform, including the federal government stepping up to being the dominant funder of health. That is what our health reforms are all about. Those health reforms are about making sure that the federal government has the majority share for funding hospitals and that we fund primary care 100 per cent. Obviously, how well primary care, the first instance care that people need, is going determines the later burden on our hospitals, because too many people end up in hospital because they have not had the appropriate primary care at the right time.

To deliver this health reform, we have entered into an agreement with states and territories around the nation—we are still in discussion with Western Australia—and we need to legislate in this parliament.

Opposition members interjecting—

The SPEAKER—Order! The member for Canning.

Ms GILLARD—And the agreement that we reached with the states was that we would on average take one-third of their GST, but there would be variation from state to state, and that has always been clear.

Opposition members interjecting—

The SPEAKER—The member for Swan.

Ms GILLARD—It has always been clear in the government’s own budgets. I would refer people to the fact that estimates of the amounts of the states’ total revenue that would be dedicated to health were fully reported in the budget and the most recent estimates were included on page 114 of the Mid-Year Economic and Fiscal Outlook. This information has been there for members of parliament and interested members of the public to digest.

Now, apparently, the Leader of the Opposition is going to pretend he did not know about this in order to try to clutch for an excuse to wreck health reform. Members of this House should recognise that, if the Leader of the Opposition gets his way and wrecks health reform, he is then wrecking plans to do things like deliver $7 billion in funding to improve our health system, starting from 1 July this year—that is, wrecking things like an additional $15.6 billion in funding to address increased demand from 2014, and wrecking things like our ability to provide more doctors, more nurses and more hospital beds. There will be 6,000 more doctors, 1,300 new hospital beds and 2,500 new aged care beds.
Mr Dutton interjecting—

The SPEAKER—Order! The member for Dickson.

Ms GILLARD—Australians want improved health services. They do not want the wrecking of the Leader of the Opposition.

Broadband

Mr TURNBULL (2.11 pm)—My question is to the Prime Minister. I refer her to the Australian Bureau of Statistics’ figures that show only 43 per cent of households on incomes of $40,000 a year or less have access to the internet at home. Given that lack of income, not lack of access, is the biggest barrier to internet availability, why is the government building a $43 billion national broadband network monopoly that will, as the McKinsey study demonstrates, raise prices and make the internet more expensive and less affordable?

Ms GILLARD—I thank the member for Wentworth for his question and I welcome very much his interest in equity in Australian society. It surprised me a little bit, but I very much welcome his interest in equity in Australian society. If he has such an interest in equity in Australian society and if he wants to pursue that interest I look forward to his support for the government’s policies and plans, which of course are about fairness and opportunity and making sure we do not leave any Australian behind, and certainly not any Australian child. But now, through the prism of his new-found interest in equity, the member for Wentworth is right. Of course ABS and other statistics show that there is a differential use of broadband between income classes. I do not need that explained to me. I can walk the streets of my electorate to see that very visibly on display. And what is that about? Well, it is about education levels. It is about people who missed out on opportunities and great quality schooling early in life. It is about people who missed out on the transformative power of early childhood education. It is about people who came out of school education and often did not get the first step into the workforce—they did not get that apprenticeship, they did not get that start in life. It is about people who have been dependent on welfare over the long term—people whose skills and self-esteem have corroded as a result. Consequently, these people do not have in many ways the skill set they need to manage our ever-changing world. Of the things we are doing as a government, apart from our transformative agenda in early childhood education, school education, vocational education and training and university education, is committing to a transformation in welfare, in participation and in giving people the skills they need to intersect with the world that that live in and the skills they need for a job.

Questions of price do matter to people on fixed incomes, which is why it is a national disgrace that our broadband is so expensive by OECD standards. From the simple principles of economics and market design that this side of the House understands, to reduce price and increase innovation you need to increase competition. That is why we will provide the National Broadband Network—a wholesale network on which there will be competition and innovation in products at the retail end to drive new service offerings. The price points will obviously vary depending on the service offering that people want, but, because of the competition, we will see better price points at which people can get their broadband.

This is the vision of the future that the National Broadband Network promises for this country. In the meantime, the member for Wentworth is stuck with his CANCo plan, announced to the *Sydney Morning Herald*. He is so unpersuasive that he has not persuaded his frontbench colleagues of the plan. CANCo has turned into CAN’TCo, which
has turned into Never-Will-Do Co. When it comes to understanding the needs of the modern society in Australia for national broadband, the opposition just gets further and further behind.

**Health**

Mr CHEESEMAN (2.16 pm)—My question is to the Prime Minister. Will the Prime Minister advise the House of any risks to achieving reform of our healthcare system?

Ms GILLARD—I thank the member for Corangamite for his question. I very much enjoyed spending time with him at his GP superclinic and talking to him about the healthcare needs of his community.

The member asks about risks to health reform. I am sitting across the table from the principal risk: the Leader of the Opposition, with his plans to wreck health reform in this nation. This is not a fever that has infected the whole of the Liberal Party, wrecking reforms that are in the national interest. Of course, Premier Barnett, in Western Australia, and I are not on the same page on health reform. That is well known. But I will give the Premier of Western Australia this—and it is certainly verified in the articles I have here: unlike the Leader of the Opposition, he does not seek to wreck health reform. He is very clear that he will do what he needs to do to facilitate health reform for those states that have agreed to it. I say to the Leader of the Opposition: have a look at this example.

Then, of course, we have signatures from premiers and chief ministers around the country, other than the Premier of Western Australia. They are signed up to health reform and they want health reform. We have signature after signature, page after page. Yet the Leader of the Opposition, despite this agreement, wants to rip it up and end health reform. In doing that he would be ripping up health reform plan, leaving it in tatters so that we cannot deliver a better system of services, more doctors, more nurses, more hospital beds and more aged care beds to Australians who want them. He just wants to rip this up and throw it in the bin. He is doing all of this because somehow, he says, he was taken by surprise by the fact that the GST arrangements that had been made between the federal government and the states meant that, depending on GST and health expenditure in each state, the percentage of GST subject to the new arrangements could vary from state to state. He was surprised by that. Why was he surprised? I am holding in my hand the COAG health agreement, which says on page 29 that ‘from 2014-15, when the proportion of dedicated GST is fixed, each state or territory share will be determined by the actual amounts in each state or territory’. Why would he have been surprised?

Mr Wyatt—Mr Speaker, on a point of order: the subject of the question was the risks to health.

Mr Perrett interjecting—

The SPEAKER—The member for Moreton will sit there in silence, and then he will probably find out what the point of order is. The member for Hasluck has the call.

Mr Wyatt—My point of order goes to relevance to the terminology of risk. It is about more than just the coalition. I want to know what the rest of the risks are.

The SPEAKER—The point of order goes to direct relevance. The Prime Minister is responding to the question.

Ms GILLARD—I thank the member for Hasluck for his acknowledgement that the coalition is a risk to health reform, but I say to him: do not pick up the Leader of the Opposition’s burden. I think it is the Leader of the Opposition who is the risk to health reform. The excuse he is trying to use is that he did not understand the GST arrangements.
Well, here is the bill that actually specifies those GST arrangements—that has made sure that people have understood it. It has been in the parliament a couple of times, and the Leader of the Opposition has never bothered to read it or come to grips with it. I am holding in my hand another federal government publication that makes clear the GST arrangements and also makes clear the benefits of health reform. Australians around the nation would be asking themselves why the Leader of the Opposition does not want them to have more doctors, more hospital beds and more aged care beds. The truth is that it is because he has never seen a cutback to health or a reduction in health services that he did not want to support. He has a track record as a minister for health, and he is trying to continue that track record as the Leader of the Opposition. Do not wreck health reform. This health reform is important for the nation.

Broadband

Mr TEHAN (2.21 pm)—My question is to the Prime Minister. I refer to comments made by the Minister for Broadband, Communications and the Digital Economy at the National Press Club when launching his first attempt at the National Broadband Network in 2007. He said: ‘We’re not proposing fibre to the home at this time’ because it is a ‘more expensive proposition’ and ‘there’s no point building something that people can’t afford to use.’ Why has the government suddenly decided that struggling families can now afford to pay upwards of $100 per month to access telephone and broadband services under the National Broadband Network, when less than three years ago even the minister said it was ‘expensive’ and ‘something people can’t afford to use’?

Ms GILLARD—I thank the member for his question. I am prepared to send to the member some information about the track record of our National Broadband Network policy from 2007 to 2010, when the government determined, after advice and study, that it would move to a fibre-to-the-home model. I will also make sure that we send him the information that shows, from the Tasmanian example, what prices can be achieved through the National Broadband Network. The government has moved to this model because we did not want this country to end up with inferior technology to that of other countries around the world. We did not want this country in five or 10 years time to be exporting jobs that Australian families need to countries overseas because they have got better technology. And we did not want Australian consumers of broadband services in this country, whether they be businesses or households, to pay such high prices in world terms. We have very high broadband prices. Look at the OECD data and it will tell you Australians are paying top dollar for broadband. We can make a difference to that through the construction of the National Broadband Network and price competition.

I understand that the member who asked the question was not here for all of this history, but I would put to him some very simple propositions. Do you want families in your electorate to have jobs? If you do, tick the National Broadband Network. Do you want families in your electorate to have the benefit of more competition, better broadband products and lower prices? Then tick the National Broadband Network. Do you want to see services like health and education delivered to constituents in your electorate—services, for example, like the ones we will support through Medicare so that people can have consultations online using the power of the National Broadband Network? Give it a tick. Do you want the GDP advantages that have been modelled and stated by organisations like the OECD? Well, give the National Broadband Network a tick.
It is about competition. It is about competitiveness. It is about productivity. It is about the services of the future. It is about jobs. That is the vision of the National Broadband Network. That is why we are doing it. I would say to the member who asked the question: please do not quickly succumb to the Leader of the Opposition’s counsel to you to be a wrecker and demolisher of every positive proposition you see. I am sure you came to this place wanting to make a contribution in the national interest. I look forward to seeing you do so by supporting the National Broadband Network.

Hospitals

Ms ROWLAND (2.25 pm)—My question is to the Minister for Health and Ageing. How are the government’s health reforms improving hospital services in local communities and how have these reforms been received?

Ms ROXON—I thank the member for Chifley for her question. She of course has a keen interest in this. I know she is excited that—

Opposition members—Greenway!

Ms ROXON—Greenway. The member for Chifley and the member for Greenway are excited about these reforms! The member for Greenway has a GP superclinic in Blacktown that is now open for invitations to apply. She has 18 new beds that are due to open at the hospital in Blacktown. I know that, amongst other members in this House, she is very concerned to make sure that the health reforms do go ahead, because they are delivering to her community and have the potential to deliver even more to her community. We are giving hospitals the resources that they need to open more beds. Thirteen hundred extra beds are part of the commitment to the COAG agreement—

Mr Dutton—Eleven!
tioned, is getting 18 beds. There will be 16 new beds at Gosford Hospital. I do not think our two members whose electorates are serviced by Gosford Hospital on the Central Coast will be very pleased to find out that the Leader of the Opposition intends to rip out those beds and beds that are starting to service people in communities across the country. Our health reforms are providing the funding that hospitals need to be sustainable now and into the future, and Mr Abbott, the Leader of the Opposition, has said that the opposition are determined to rip those beds out of our hospitals.

Broadband

Mr O’DOWD (2.29 pm)—My question is to the Prime Minister. I refer the Prime Minister to the ACCC report into telecommunications services, released last week, which found that the average cost paid by households for telecommunications services decreased by over six per cent in 2008-09 and by over 18 per cent for wireless broadband. Given that households are paying less and less for telecommunications services, and especially for wireless broadband, why has the NBN implementation study recommended that the NBN Co. should be permitted to increase real prices for its broadband services?

Ms GILLARD—I thank the member for his question. Can I say to the member that what we know from international studies, including the work of the OECD, is that Australia has very high broadband prices. We know that. Then we ask ourselves, ‘What is the solution?’, particularly when we know people’s demand for broadband, for the services that broadband can bring, is growing over time. You do not need to be an expert in telecommunications to work that out. Just think about your own home use or business use of broadband services 10 years ago compared with what you use today and imagine where we will be in 10 or 15 or 20 years time. Then think about the service adaptation that we are seeing, like the service adaptation in health, where you can have a consultation with a doctor through video conferencing in real-time with the diagnostics on the page so that if you are in a rural community and the doctor is in a metropolitan centre you can converse with each other as if you were in the same place. Obviously requirements for data transfer are growing.

In these circumstances the solution the nation needs is the National Broadband Network bringing fibre with its capacity and bringing competition on price. This is pivotal to an understanding of the National Broadband Network—that retail providers will be competing on price, on the quality and innovation of their products. If you believe that competition is a good thing, if you believe that markets work best when there is competition, if you believe, having looked at other areas of human experience in our market economy, that competition has brought benefits, then you would support competition in the retail service provision in the national broadband area, and that is what the National Broadband Network will bring.

So can I say to the member opposite who asked the question: I am sure that your constituents ask you, as a new member, ‘When will I get better broadband services?’ I know that members get these questions all the time. I do, members of the government do and clearly members of the opposition do. We know that, because many members of the opposition have been out spruiking about delivery of broadband to their constituents even though they then come to this parliament and oppose it. We have got the member for Dickson, who has been out there saying that he is working hard to ensure residents in Pine Rivers have access to broadband. We have got the member for Dawson, who is urging broadband equity.
Mr Christensen—Mr Speaker, a point of order under relevance. What have the coalition’s comments got to do with the question? The question was about pricing.

The SPEAKER—The member for Dawson will resume his seat. The Prime Minister understands that her response needs to be directly relevant. The Prime Minister.

Ms GILLARD—What I am pointing to is the communication to constituents about price questions and the benefits of retail competition—the question I was asked. To the member for Dawson, who raises the point of order, I note that he was running on the ABC news saying that he urged broadband equity, so I thank him for his support for the National Broadband Network. It is much appreciated. Thank you very much.

Mr Hockey—That was our policy actually.

Ms GILLARD—Now the shadow Treasurer is yelling out, ‘It’s our policy.’ Is that ‘CANCo.’, ‘CAN’TCo.’, ‘Won’t Co.’, ‘Slow Co.’? Which policy is that? Is it No. 16, 17, 18, 19, 20?

Opposition members interjecting—

Ms GILLARD—Which policy is the shadow Treasurer shouting about? As the opposition sits there in denial of the future, as the opposition sits there weltering in its bitterness and its divisions, as it sits there privileging its political interests over the national interest every day, we will get on with the job of building the National Broadband Network. (Time expired)

Health

Ms O’NEILL (2.35 pm)—My question is to the Treasurer. Will the Treasurer update the House on the government’s health reforms and how they will ensure value for money from our health dollars? How has this approach been received and what is the government’s response?

Mr SWAN—I thank the member for Robertson for that very important question, because three weeks ago I introduced into the House the most significant reforms of federal-state relations relating to health in decades. These health reforms and the changes to federal-state financial relations are not just about delivering better value for every health dollar—

Mr Robb interjecting—

The SPEAKER—The member for Goldstein is warned!

Mr SWAN—they are also about improving the quality of health care into the future. This is particularly important given the challenges of an ageing population. These reforms are absolutely essential so that future generations can have access to affordable health care. As the Prime Minister indicated before, without substantial action, without substantial reform, healthcare costs will consume the entirety of state government budgets when it comes to their own source revenue in 2045-46.

This is an enormous challenge for Australia. It is not one where we can stick our head in the sand and say it will go away, like those opposite. It is a challenge that this government intend to meet. We have a passion and we have a commitment to deal with the long-term challenges facing this country, and in the area of health care they are great. But of course those opposite have decided that they want to wreck this package. They would rather see the government fail than the country succeed. They would rather wreck any reform in the name of short-term political advantage, because they are not interested in the long-term national interest. That is why they are currently misleading the Australian people about the nature of this package. The Prime Minister went through all of those misleads before.
They are claiming that nobody knew there would be different amounts of GST. That has been there in all of the statements. They are out there actively misleading the Australian people and they are doing it because they are embarrassed by their opposition to this essential reform. The states signed up to this package at COAG. Western Australia said they would not sign but they were prepared to cooperate. Premier Barnett is on the record as having said that because even he understands that there needs to be very substantial reform.

At the same time as they are threatening this package in the Senate they are also opposing vital savings that we are putting in place, vital savings that are necessary to get value for money. The opposition, the Liberals, are now opposing $3.9 billion worth of savings in the Senate—more wrecking; this time trying to wreck the budget.

They come into this House and say they are very concerned about the budget deficit. They go up into the Senate and say, ‘How can we make it bigger?’ They are up there opposing essential savings—$3.9 billion more—and for that they should be condemned. This government is absolutely determined to put in place the long-term reforms which will deliver quality health care and do it in a way that is sustainable and affordable for all Australians.

**Broadband**

Mr HARTSUYKER (2.39 pm)—My question is to the Prime Minister. I refer to the claim by the Minister for Broadband, Communications and the Digital Economy on ABC radio this morning that the government’s telecommunications bill has nothing to do with the NBN and that the bill does not even mention the phrase ‘National Broadband Network’. Given that the telecommunications bill mentions the phrase ‘NBN’ 62 times, the explanatory memorandum mentions NBN 136 times and the second reading speech mentions NBN seven times, how can the Australian people have any faith in the government’s arguments in support of the NBN when its own minister does not even know what is in his own legislation?

Ms GILLARD—I welcome the question. First and foremost, I will get the transcript checked because from dint of long experience I know that claims made by the opposition do need to be checked and checked extensively. Second, I would say to the member who asked the question that anybody who has seen the minister for communications talk about the National Broadband Network—talk about it in detail at length; talk about its technical capabilities, sometimes at extraordinary length—would know that he is a man who is fully conversant with the National Broadband Network, how it is being delivered and what it can do.

But I would also say to the member: this is the Parliament of Australia, where we are supposed to be focusing on the issues that most matter to the nation’s future. When a transcript about an individual interview is a thing of the past, what will matter to this nation’s future is the power and capacity of the infrastructure that we are proposing in the National Broadband Network. Once again my challenge to the opposition is to stop dancing around the substance of the debate and actually get up and justify why you want Australia to have a fourth-, fifth-, sixth- or seventh-rate solution to our National Broadband Network needs. Why do you want to export jobs to Korea and Singapore so that they will be done by people there, rather than by Australians? Why do you want to deny Australians the service innovation in health and education that will come from the National Broadband Network? Why do you want to deny Australians the benefits of the GDP growth that will come from the National Broadband Network? Why do you
want to deny Australians the price advantages of having competition in the retail network? Why do you want to take all of these things away? Now the reality of this debate when we strip it all down—

Mr Pyne—Mr Speaker, I rise on a point of order. The Prime Minister was asked what confidence we could have in a minister who does not even know his own legislation. She has not dealt with the confidence she has in the minister. She is dealing with everything else.

The SPEAKER—Order, the Prime Minister has the call. She will be directly relevant to the question.

Ms GILLARD—Being relevant to the question I was asked about the National Broadband Network, about this government’s degree of confidence in the network, in the Minister and in our program for change, let me say I believe Australians deserve to have a broadband network that is equal to the challenges of today and tomorrow. I believe Australians deserve to have the jobs of the future rather than to see them exported. I believe Australians deserve to have the benefits of price competition on the network. I believe Australians deserve to have the services innovation we will see from the network.

I would say to the member: I understand that in the lead-up to the election the opposition was politically mispositioned on broadband. It had a policy it was so ashamed of that the Leader of the Opposition would not even bother going to the launch and now it has got its ‘CANCo., CAN’TCo.’ policy. But it is time to rise above this political interest, their humiliation in moving policy and just acknowledge they are wrong and it is time to act in the national interest. Acting in the national interest is facilitating the delivery of the National Broadband Network.

Pharmaceutical Benefits Scheme

Ms HALL (2.44 pm)—My question is to the Minister for Health and Ageing. Minister, what action is the government taking to minimise the cost of drugs to the taxpayer and how have such plans been received?

Ms ROXON—I thank the member for Shortland. New members may not know that she has campaigned long and hard on making sure that drugs are affordable for the many pensioners and low-income earners in her electorate. So I am sure that she is amongst many on this side of the House who were interested when the government earlier this year was able to reach an agreement with Medicines Australia that was good for business, was good for taxpayers and, all importantly, was good for patients. But unfortunately, despite the fact that this agreement reached by the government with Medicines Australia meets all of those tests, it does not meet the tests that the Leader of the Opposition and the Liberal Party apply in deciding whether or not they will vote for measures in the House or in the Senate. This is a measure which will deliver $1.9 billion of savings, and this comes in the context of a PBS which funds thousands of drugs every year to millions of Australians at a cost of billions of dollars, which both sides of the House have supported for many, many years. But unfortunately, when an agreement is reached to try to keep that extraordinarily beneficial scheme sustainable into the future—to allow us room to put new drugs onto the PBS, to make sure that it is affordable so that low-income earners can get the assistance of concession payments and, when they reach their threshold for the PBS of 52 prescriptions, they can get their drugs at a lower price—the Liberal Party puts all of that at risk by opposing this agreement reached between Medicines Australia and the government.
It is based on a theory of improving competition, making sure that the taxpayer pays the price for a drug which is currently being paid through a discounting arrangement so that the taxpayer does not have to pay an extra amount to pharmacists or others that are somehow in the supply chain. We want to improve that competition, but the new Liberal Party does not seem to even believe in competition anymore. They certainly do not believe in fiscal responsibility, because if they vote against this measure in the Senate they are shooting a $1.9 billion hole in the budget, on top of a $10 billion mistake to their costings during the election campaign. I might just also add, for people who remember this dispute during the campaign, the Liberal Party supported these measures at that time. Not only did they support them; they thought an extra $1 billion of savings could somehow be eked out of this arrangement. Now they do a backflip. They come into the parliament, they oppose our sensible measure that has been agreed with Medicines Australia and they run away from their extra $1 billion worth of savings. It is a shame to have the opposition in this House oppose a measure that is agreed to by business, oppose a measure that benefits taxpayers and, most importantly, oppose a measure which is of benefit to patients.

Broadband

Mr ABBOTT (2.47 pm)—My question is to the Prime Minister. Given the substantial price increases that will accompany the introduction of the National Broadband Network and the Prime Minister’s inability so far in question time to justify or explain these price increases, again I ask: why won’t she release the NBN business case that she has and is hiding before she expects the parliament to vote on this $43 billion project?

Ms GILLARD—To the Leader of the Opposition I would say: just because you make something up does not make it true. Your contention about pricing is wrong. Can I say to the Leader of the Opposition: I understand, coming from across the political divide, he may not want to take advice from us, but perhaps at some point he should talk to people with expertise in this industry. I refer him, for example, to Paul O’Sullivan, the Optus CEO, who says—and it goes directly to the question of price:

Optus is supportive of the government’s bold plans to create a single wholesale network which will bring high-speed broadband, cheaper pricing and choice to all 22 million Australians.

The Optus CEO—would he know something about pricing in telecommunications? He goes on:

I would urge all sides in this debate now to rise above politics and do what it takes to ensure that all Australian consumers and businesses can benefit from real competition in fixed line for the first time.

The Leader of the Opposition may have been misadvised. He may have got these erroneous facts into his head. It is time for him now to actually do some patient work and to look at the National Broadband Network, to look at what experts are saying about it, to look at the fact that Australians pay high prices for broadband and to look at the fact that the industry is telling us—and the Tasmanian example bears it out—that by creating a model with retail price competition you get cheaper prices, because that is what competition is all about. Surely the man who is the CEO of Optus would know something about price competition, and that is what he has said. Of course, I could refer the Leader of the Opposition to many others in the industry who have made comparable statements about the National Broadband Network.

The premise of the Leader of the Opposition’s question is wrong. Consequently, the conclusion he is seeking to found on that premise is wrong. He is acting to deny the
benefits of competition in telecommunications. I always thought—

Mr Wyatt—Mr Speaker, I rise on a point of order on relevance. The question that the Leader of the Opposition asked was: why won’t the Prime Minister release the NBN business case?

The SPEAKER—It may be a good point, but those that have been here a long time might remind the member for Hasluck that the questions have always been taken in toto. If things are mentioned in the question and the minister is being directly relevant to those things in the question, that would suffice, given plenty of the advice I get from people who read Practice to me. Even though I hoped it would be well rewritten, I am now losing faith that it will be.

Ms GILLARD—When I am asked a question the premise of which is wrong, I will correct that premise because the House should not be left under any misapprehension. The Leader of the Opposition is not telling the House factual information. I would have thought that it was axiomatic that people who join the Liberal Party believe in competition and the benefits of competition. It would truly turn the founders of the Liberal Party in their graves to see what an ideological shambles the Liberal Party is in the modern age and how determined it is to wreck rather than serve the national interest.

BROADBAND
Suspension of Standing and Sessional Orders

Mr ABBOTT (Warringah—Leader of the Opposition) (2.53 pm)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Member for Warringah moving the following motion forthwith—That this House requires the Government immediately to publish the National Broadband Network Business Case.

We heard the Prime Minister today assert repeatedly that the National Broadband Network is in the national interest. What we require the Prime Minister to do is to stop asserting it and start proving it. If the National Broadband Network is as vital, necessary and worthwhile as she says, why is she scared of releasing the business case—which she has been sitting on and hiding for some time—during the very sitting fortnight that she expects the parliament to approve this $43 billion investment?

The Prime Minister asserts that there is some grotesque falsehood in the idea that the NBN is going to raise telecommunications prices. Let me give a simple economics lesson to the Prime Minister: $43 billion of investment has to be recouped. The people investing that money will want to get it back. That is $43 billion more that is being invested in broadband and this Prime Minister thinks that it will not make any difference to the price that consumers are charged. What a completely clueless Prime Minister we have.

She says that it is impossible to release the business case because it needs methodical study and that it is 400 pages long—oh, dear, 400 pages long! It is as if this parliament and its members are incapable of reading and digesting a 400-page business study over the weekend. We are capable of reading that document, we want to read that document and we believe that the policy of this parliament will be so much better if it is informed by that document.

This is a government which is constantly saying that it wants evidence based policy, and now it will not release the evidence on which it says its policy is based. Shame on this weak, divided and cowardly government for not giving the Australian people the evidence on which its policy should be based.

The Prime Minister is telling us that the National Broadband Network is too impor-
tant to be delayed and too important for this parliament to be detained for a few days by 400 pages of evidence. Let us not forget the last time this government came into this parliament and said that a policy was too important to be delayed, to be subjected to scrutiny and to be subjected to evidence—the pink bats program. We all know what the pink bats program did: there were hundreds of house fires and there were deaths. Another policy that was also too important to be delayed was the school halls program. We all know what happened there: $16 billion was spent on $8 billion worth of value, if we are lucky. This is a government which rushes into things and makes decisions without subjecting them to the proper scrutiny that responsible government decisions need.

Let me make this prediction to the House: the National Broadband Network will turn out to be the school halls program on steroids. The school hall program wasted $8 billion. As it is currently constituted, the National Broadband Network could easily end up wasting tens of billions of dollars. No responsible parliament could make a decision of that nature without access to all the evidence that is currently available. The business case is currently available. I say to the Prime Minister and the government, and to the people and the parliament of this country: the business case must be released before the decision is made.

I could argue at this time the merits of the National Broadband Network. I could talk about the error of replacing a competitive market, which has driven down prices, with a government monopoly that is certain to raise prices. I could argue the mistake of spending $11 billion to buy the Telstra copper line network only to close it down. I could argue the folly of stringing out $43 billion worth of cable on power poles that will desecrate the garden suburbs of our cities and towns. I could argue all these things, but now is not the time to argue the merits or demerits of the National Broadband Network; now is the time to say that decisions should not be made until we have the evidence before us. The government has the evidence. It should give the evidence to the parliament and let the parliament make the most informed decision that it can.

In the end, this is not about the quality of the National Broadband Network; this is about the quality of the decision making of this parliament. I say to every member of this parliament, including members who support the National Broadband Network but do not necessarily trust the decision-making processes of this government, here is a chance today to try to ensure that this parliament actually is its best self, that this parliament actually rises above the ordinary argy-bargy of politics and says, ‘Let’s for once try to make a decision that is truly based on the best evidence available.’

The Prime Minister has spoken at length today about the fact that an implementation study was published. I congratulate the Prime Minister. I think it is good that there was an implementation study. I think it is great that the government published that implementation study. But there is more, Prime Minister. There is now a business case over and above the implementation study. If you think it is good to publish the implementation study and argue for the National Broadband Network based on the implementation study, why not publish the business case too? Why not allow this parliament to make the extraordinary decision to spend $43 billion worth of public money—more money than was ever spent on the Snowy Mountains scheme, by far the biggest investment ever made in this country by a government agency—on all the evidence, and on the best evidence, available?
What do this government and this Prime Minister have to hide? Has she read the 400-page study? Maybe it is beyond her? Maybe she has and it undermines the government’s case? Maybe she has not and she just does not trust us, the parliament, with the study? I do not know the answer to that question. I just think that whatever this parliament is to decide on the National Broadband Network it will be far better decided if we have all the evidence available. I think this parliament is intelligent and discriminating enough to be able to make a sensible decision, and it will be a more sensible decision the more evidence we have. Give us the evidence. Do not expect us to make a decision without the evidence. What is wrong with a government which tries to ramrod and steamroll the parliament into making the most important decision of this term of parliament without the evidence? Let the sunlight in, and give us the evidence. Let the sun shine on the business case for the National Broadband Network and, if that is not possible for this government, may the judgment of Senator Faulkner echo around this chamber again and again that this is a government which is long on cunning but very short on courage. It does not have the courage to produce the evidence for its own policy.

The SPEAKER—Is the motion seconded?

Mr TURNBULL (Wentworth) (3.02 pm)—I second the motion. It is vital that we deal with this today. This parliament is being asked to approve the largest infrastructure investment in our nation’s history completely and utterly in the dark, and we have been misled by remarks made today by the Prime Minister about the pricing of the NBN. She said again and again that it was a falsehood to say that the NBN will result in increases in internet prices. Well, it is actually even a longer document than the business case, Prime Minister, but I am sure you have read it. The McKinsey implementation study, page 356, sets out the key assumption: a one per cent real increase in price over time—that means one per cent on top of inflation, so, four per cent a year for a decade. We have had prices for telecommunication services going down year after year. Now they are starting to go up under the NBN. We are going to have a massive fiscal burden of $43 billion on the taxpayer for a National Broadband Network that most Australians will find more and more unaffordable.

The government is creating a gigantic monopoly which will have to be fed. It will need revenues. It will have no competition with it at the fixed line level. The Prime Minister has brushed that concern aside. But the OECD did not brush it aside. The Treasury did not brush it aside. What were the two concerns the Treasury made clear in their advice to the incoming government? They were, firstly, a threat to the public balance sheet, with the spending of so much money with so little consideration and, secondly, the concern about establishing a massive fixed line monopoly—precisely what the OECD complained about.

The government, notwithstanding its claimed commitment to doing rigorous cost benefit analyses of major infrastructure projects, has refused to do one for this project. The biggest of them all will not be subject to a cost benefit analysis. It does not have the rigour, the discipline, to ask the question, ‘What are we trying to achieve?’ and if what we are trying to achieve, as I assume we are, is universal and affordable broadband, then the next question to ask is, ‘What are the most cost-effective ways of achieving that?’ There is no question this is the most expensive way to achieve it and it is difficult to see, particularly in the light of the massive investment and the advice from McKinsey, that this is going to make internet access
more affordable. Rather, it will make it less affordable.

It is an affront to the democratic process that such a vast investment is being put before the parliament and the government is sitting on a business case and refusing to make it available until after the parliament has risen and everyone has gone back to their electorates. This is treating the parliament with contempt. It is the most arrogant act of a very arrogant and reckless government, because they know that if this went to the Productivity Commission the folly would be exposed. They are concerned that if the business plan is published before the parliament rises the Prime Minister might have to answer some questions on it and it might turn out that she knows as little about the business case as she did about the McKinsey study. Only a moment ago she essentially accused the Leader of the Opposition of lying when he said that it would push prices up. She accused me of lying when I said it would push prices up.

The only evidence we have—apart from commonsense, always the most compelling counsellor—is the advice of McKinsey. The government paid $25 million for a report that said if you spend $43 billion on a network it is going to result in higher prices. It was worth every penny, Prime Minister, it really was. It was a great deal. But the Prime Minister did not read it, and there is the bottom line. Universal broadband, yes. Affordable broadband, yes. What the NBN is going to deliver is less affordable broadband. The digital divide will get deeper and wider. The people who the Prime Minister has such great interest in on her long walks around her electorate, people on low incomes, will find it harder and harder to get access to the internet because of this massive overinvestment. That is why we need the business plan, not next month, today.

Ms GILLARD (Lalor—Prime Minister)

(3.08 pm)—Now that the hysteria is over, let’s actually have a look at a few facts. One always finds with the opposition that if you inject a few facts into their ranting and raving then their case falls away. Fact No. 1: how did we get here with our telecommunications system? Let us look at the words of the OECD about how we got here. The OECD has commented:

Australia has fallen further and further behind the rest of the world since the Liberals and Nationals voted to privatise Telstra … without ever putting in place the arrangements to properly protect competition and services in regional areas.

There are those of us in this parliament who remember the Telstra privatisation debate. Members from rural and regional areas, including from the coalition, raised in this parliament time after time how the failure of the coalition to deal with the competition questions would disadvantage regional Australia. But the coalition did nothing. So this has resulted in a situation where, when we compare ourselves with countries with which we compete, when we compare ourselves with comparable nations around the world, Australia is now ranked 17th out of 31 countries for fixed broadband subscriptions. We are down the rankings. We also pay more for broadband than OECD countries. For average subscription prices Australia is the fifth most expensive overall. This is a recipe for disadvantaging Australians today and our international competitiveness tomorrow.

The Leader of the Opposition has spoken today in this place as if the parliament has never before had an opportunity to talk about broadband, as if the parliament has never before had the opportunity to debate and consider broadband. The opposition tries to pretend, when it gets up every morning, that somehow its sins of yesterday have been forgotten by everybody and they do not exist. We know, of course, that broadband has been
debated in this parliament. We have had Senate report after Senate report, inquiry after inquiry—all participated in by the opposition. We have had the implementation study and the information flowing from that. As that information became available in the public domain, more and more of it backing the need for the National Broadband Network, what did the opposition do? Did it rationally digest this information? Did it feed it into its policies and plans? No, of course it did not. The reality is—and everybody in this parliament knows it—the opposition is not calling for the release of the business case because it is interested in the information in it. It is not interested in the business case at all. Whatever the business case says, the opposition has already locked in a policy setting of demolishing the NBN. It is irrelevant to them what was in the implementation study. It is irrelevant to them what is being debated in this parliament. It is irrelevant to them what has been discussed in Senate inquiries. They do not care about the facts because they have already locked into their policy setting: demolish the NBN. Whatever the business case says, the opposition will simply stay in its fixed position, in denial of the future, out there trying to demolish the NBN.

I understand that there are other members in this parliament, not the opposition but other members of this parliament, who actually understand the need for the NBN, who are not in denial of the future, who will properly read and absorb the business case of the NBN and then go out and tell their constituents the truth about it. I understand that there are members in this parliament of that ilk. They are not sitting on the opposition benches. I say to those members that the government will release the NBN business case. But I also say to those members that this is a document of over 400 pages. It is lengthy, it is detailed and it looks at complex commercial and financial issues of costs and pricing and a number of these matters are commercially sensitive.

Opposition members interjecting—

Ms GILLARD—I note that the opposition interjects at this point. There have been times when opposition members have been out there fearmongering about what the government’s NBN proposal means for Telstra shareholders and the price of Telstra shares. I ask those opposition members who have been pretty happy to engage in that fearmongering: why would you put yourselves on this destructive course of saying, ‘Just release the national broadband business case,’ without due regard to the commercially sensitive information in it? Why would you recommend that course of action when you have been known in the past to go out and fearmonger about Telstra prices?

The government is in the process of analysing the national broadband business case. We will work through the confidential information and we will release to the public the maximum amount of information that we can. When that information is released, people will see there a corporate plan that sets out objectives and priorities for the next three years. They will see that that corporate plan is to be updated once a year. They will see details of the process of designing, building and operating the National Broadband Network. They will see the details of the government’s case for the affordable fast broadband it will provide and they will see the business assumptions that underpin the case. That information will be made available.

I also say to the coalition that, when that information is made available, we know what will happen. We know that the coalition are not going to do anything proper with that information. We know that they are going to cull through it to clip a word here and a fig-
ure there to try to use them out of context, out of sequence, in a mischievous way to try to pursue their case of demolishing the National Broadband Network.

For those of us who genuinely care about Australians having opportunities in the future, I would refer them to the OECD work that talks about the competition that the National Broadband Network will bring to retail prices. The member for Wentworth is out there trying to create the impression in people’s minds that there is no retail competition. He knows, if he is being honest with Australians, that retail competition is good for pricing. He knows as well that the structural separation of Telstra is a profound reform agenda in telecommunications long sought after to end a vertically integrated monopoly, with all of the costs and implications for service provision, particularly in rural and regional Australia, that that has had.

Finally, if the opposition truly were in any way interested in, expert in or concerned about broadband and the access for Australians to broadband, how could you possibly explain their shambolic performance in relation to their own policy generation? Does anybody remember those days in the campaign when the broadband policy came out? The Leader of the Opposition thought it so irrelevant to the nation’s future he did not even bother attending the launch. Then, of course, the shadow spokesperson was put on the bench because he was so embarrassing and they fielded the member for Bradfield. That was what: their 15th, 16th, 17th, 18th go at trying to get a policy together? And even that policy has not stuck, because, since the election, we have had the shambles of CANCo. The member for Wentworth was out there spruiking CANCo only to be hauled back by persons unknown who do not want to support his broadband policy.

We will leave this shambles to the opposition. We will inform the public debate. We will work with those members of parliament who care about the delivery of broadband and we will, of course, be releasing to them the National Broadband Network business case, having dealt properly and appropriately with the question of commercially sensitive information. The Leader of the Opposition and the opposition do not care less about this national policy question. They are only interested in playing politics, and you could not see a bigger example of that than this conduct today.

The SPEAKER—Order! The time allotted for the debate has expired.

Question put:
That the motion (Mr Abbott’s) be agreed to.

The House divided. [3.22 pm]

(The Speaker—Mr Harry Jenkins)

Ayes………… 74
Noes………… 71
Majority………  3

AYES

The requirements for an absolute majority not having been satisfied, the motion was not carried.

Mr ABBOTT (Warringah—Leader of the Opposition) (3.29 pm)—On indulgence, Mr Speaker: given that there has been a clear expression of the will of the House, and indeed a clear expression of the will of the Senate, may I suggest that it would assist the working of the parliament if the government took note of the clear will of this House and published that—

The SPEAKER—The Leader of the Opposition will resume his seat. It was an overly ambitious seeking of the call on that matter.

QUESTIONS WITHOUT NOTICE

Broadband

Mr NEUMANN (3.30 pm)—My question is to the Minister for Health and Ageing. How will the National Broadband Network and the government’s e-health investment improve the delivery of health care for all Australians?

Ms ROXON—I thank the member for Blair for his question, because in his electorate, where he has both urban and rural constituents, they will benefit significantly from the broadband network, being able to access e-health services into the future. This investment in the National Broadband Network will actually mean that we are capable of things in the health system that have not been delivered before. The infrastructure that is being built is going to provide universal, reliable and superfast broadband to homes, schools and hospitals. This is going to make

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the system capable of developing nationwide e-health services like telemedicine, online consultations, electronic health records, coordinated care and online health education. In the member for Blair’s seat the potential for being able to link, for example, Ipswich Hospital with far flung services and communities to the west of Ipswich is going to change the way health care can be delivered into the future. It will allow, for example, in-home monitoring and care for the elderly. It will allow long-distance emergency intervention and remote care using video communications.

You do not need to just take the government’s word for this. Have a look at other commentators and their views about what the National Broadband Network will do for the health system. Access Economics reports that telehealth in Australia will deliver between $2 billion and $4 billion of benefits each and every year, especially for the elderly and rural and remote communities. We can look at the member for Bradfield in The Wired Brown Land. He says—

Mr Fletcher interjecting—

Ms ROXON—It is unusual to interject when you are actually being quoted from and the member for Bradfield probably will want to hear this. He said in his book:

Equally importantly, there would be a continuing ferment of innovation. With multiple service providers able to deliver services over the new network, there would be new ideas emerging all the time, including many attractive choices which are not available today.

You can look at the National Information and Communications Technology report, where they say that the NBN will provide a unique opportunity to catalyse change in the way that health care is provided. In fact, they go so far as to say that we have the opportunity to use the NBN as a catalyst to jump-start Australia into a leading position in telehealth care. Why would you stand in the way of that? Listen to Steven Love, a pharmacist who is an NBN customer in Tasmania. He says:

The NBN will provide huge potential for lots of new applications, especially in health, which are of an interest to me being a pharmacist.

It is time for the opposition to listen to the community instead of continuing to campaign, as they did in the election, to scrap e-health, to close GP superclinics and to not support GP after-hours services. The benefits and potential of health care being delivered through the National Broadband Network are enormous and it is about time the opposition started to listen to the community.

Ms Gillard—Mr Speaker, I ask that—

Opposition members interjecting—

Ms Gillard—I do not normally feel bad closing question time but, as I understand it, under the new standing orders and arrangements which we talked about, question time does end at 3.30. But I will await the member for New England’s question on Monday. I am sure it is going to be a humdinger. With those words, I ask that further questions be placed on the Notice Paper.

AUDITOR-GENERAL’S REPORTS

Report No. 15 of 2010-11

The Speaker (3.34 pm)—I present the Auditor-General’s Audit report No. 15 of 2010-11 entitled Food Standards Australia New Zealand.

Ordered that the report be made a parliamentary paper.

DOCUMENTS

Mr ALBANESE (Grayndler—Leader of the House) (3.35 pm)—Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings and I move:
That the House take note of the following documents:
Sydney Airport Demand Management Act—Quarterly reports on movement cap for Sydney airport—
1 April to 30 June 2010.
1 July to 30 September 2010.
Workplace Relations Act—Agreement making in Australia under the Act—Report for 2007-09

Debate (on motion by Mr Hartsuyker) adjourned.

QUESTION TIME: ALLOCATION OF THE CALL

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (3.36 pm)—On indulgence, Mr Speaker, I make a brief statement in relation to the allocation of the call during question time. The government has been asked about the allocation of the call during question time. The practice of the House is that the Speaker controls the allocation of the call at all times subject to well-established conventions such as the alternation of the call between government and non-government members. The Australian Greens Party and the ALP agreement provides for a fixed and fair allocation of questions for Independents and minor party members, with the first question no later than the sixth question in each question time. I confirm the government’s commitment to this and I have discussed the matter with the Chief Government Whip as well as the non-government members, and I have advised the Manager of Opposition Business that I would this week be making this statement to the House.

During each question time, after five questions have been asked and answered, the call would ordinarily be given to a government member to ask the sixth question. In order to ensure that the commitment in the agreement is implemented in full, if at that point—that is, after the fifth question—a non-aligned member rises to seek the call, the Chief Government Whip has asked that no government member seek the call. I want to place this matter on the record for the benefit of the orderly functioning of the House and confirm that this will have no impact on the number of questions being asked by the opposition during question time.

Mr PYNE (Sturt) (3.37 pm)—On indulgence, I have had discussions with the Leader of the House in relation to this matter. The opposition is perfectly relaxed about the government ceding one of its, usually, 10 questions to the crossbenches to be asked. I do make the point that the opposition will be seeking at the end of each question time to ask the 20th question, given that the agreement that we reached with the government and the crossbenches was that there would be 20 questions asked each question time. The Leader of the House’s proposition would mean that if the opposition did not ask the last question we would only have 19 questions being asked. So it is our intention to hold the government to the agreement that we made with them that there would be 20 questions each day. We do welcome the opportunity to ask 10 questions, for the government to ask nine and for the crossbenches to ask one of the government’s number.

The SPEAKER—The Speaker now looks forward to next question time! To enable me to make some comments could I admonish the member for Dickson and ask him to take a seat. Uncharacteristically, I know that he is very keen to celebrate today. I say to him that, having achieved the roaring 40s in years, he might rely on the 40 rather than the roaring! He should now work out who tipped me off!
The SPEAKER—I have received a letter from the honourable member for Wentworth proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The failure of the government to protect the interests of taxpayers and consumers in the rollout of the NBN.

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 TURNBULL (Wentworth) (3.39 pm)—We have seen an extraordinary demonstration of defensiveness, incoherence and confusion from the government as it attempts to explain to the Australian people why it refuses to allow this massive infrastructure investment—$43 billion—to be scrutinised by the public by the publication of a business plan and business case or, indeed, by the Productivity Commission in a rigorous cost-benefit analysis.

We have under-invested in infrastructure for the last 30 years, in road, rail, water. I just see this as another part of infrastructure that we need to go through, stocktake and prioritise. And I don’t know if it will rank in priority.

What about the Productivity Commission itself. Dr Michael Kirby from the Productivity Commission was asked recently about how they would proceed to look at a project like the NBN. He was not phased at all—this is their job; they do analyses of these kinds. He said:

The key steps are considering the objectives you want to achieve, considering the full range of options that might help, considering the impacts and the costs and benefits of the various alternatives, and then making a selection that leads to the greatest net benefits to the Australian community. That is the way to go.

We say he is right. We also agree with Treasury Secretary Ken Henry, who said, famously, in September of last year:

Government spending that does not pass an appropriately defined cost-benefit test necessarily detracts from Australia’s wellbeing. That is, when taxpayer funds are not put to their best use, Australia’s wellbeing is not as high as it otherwise could be.

Our job as members of parliament is to protect the interests of the Australian people. And,relevantly here, there are two great in-
terests: there are the interests of the Australian people, as taxpayers—to see that their $43 billion is well spent, to see that the policy objective of universal and affordable broadband is being achieved in the most cost-effective way—and then there is the interest of consumers and users of the internet and businesses that use the internet, to ensure that it is an effective universal system and, above all, that it is affordable, because if it is not affordable you defeat the whole purpose. If you spend billions of dollars running a broadband system past millions of homes and the people who live in those homes, or a substantial percentage of them, cannot afford to buy the service, then you have created a massive white elephant.

There is no point in the Prime Minister trying to fool the House—standing up here and complaining about high internet prices today, when in fact her proposal is going to put those prices up. And she talks about competition. This is a critical part of the analysis that we have to take into account. For years—decades—there has been criticism of Telstra as a vertically integrated telecommunications company and of the fact that Telstra’s customer access network is a fixed line monopoly in large measure, which other retail providers of telecommunications services have to get access to. The member for Bradfield wrote an excellent book about this, describing the challenges that telco competitors faced. He argued compellingly the case for structural separation, and he was right. Governments from both our side and the Labor side should have done that years ago, and it would have been in the best interests of Telstra as well.

But that is now in the past. We are looking at the present and the future. The single most important issue on the structural side is competition. Yes, you can end the vertical integration, but you do not need to build a completely new network to do it. You simply need to separate, on terms that are fair to the shareholders of Telstra and in a satisfactory way, the customer access network. That had been the policy of those who advocated that for many years. If you establish a monopoly over a fixed line to the home, even if you have equivalent pricing to the retailers that use that monopoly network, the monopoly network will have the extraordinary power to charge higher and higher wholesale prices. The Prime Minister seems to overlook this point.

We know that prices will go up and we know that, around the world, the ideal is to have what is called facilities based competition—that is, competition between two or more fixed line providers. Of course, this is exactly the point that the Treasury and the OECD made in that recent report. Far from praising the NBN for increasing competition, the OECD report says—and I am quoting from page 108—that ‘multiple studies have stressed the value of competition between technological platforms’. It expresses concern that a monopolistic incumbent like the NBN could forestall the development of as yet unknown superior technological alternatives. Far from endorsing this business-plan-free NBN, it recommends an alternative: ‘to let the market guide choices between the various Internet service options’. The report goes on to say that ‘to that end, it would be desirable to maintain competition between technologies’.

Part of the NBN plan and part of the economics that will no doubt, we hope, be revealed in this business plan—if we ever see it and see enough of it to be able to understand what they are planning to do—is to contractually prevent Telstra from competing with the NBN on its HFC cable network. The argument of the plan, as honourable members know, is that the fibre optic network will replace the copper customer access network, which will be decommissioned. The HFC
network, on which pay television, broadband and voice are carried at the moment, is going to be there for many years, probably decades. It is available there as a real competitor with the NBN, potentially. It passes 30 per cent of Australian homes. Because it is there, it would provide real discipline for this great big new monopolist—the NBN—and ensure that we had lower prices. But, for no reason other than the economic interests of the NBN, that competition is being taken out of play. In order to make sure that the ACCC cannot interfere with that, the legislation that was regretfully passed by the House this week but that is yet to get through the Senate actually prevents the Trade Practices Act’s authorisation procedure from applying to that agreement.

The government claims to be interested in markets. The Prime Minister has talked about markets and competition. She has recently discovered a devotion to those things, which came as a surprise to us. She expressed her interest in competition and markets, yet she is creating the biggest telecommunications monopoly we have seen and one in which the power of the government, the power of the parliament and the power of legislation are being used to prevent competition.

If this project were being undertaken by the private sector—a public company, for example—the management, or the board would have to present a detailed business case to their shareholders. They would have to persuade their shareholders that the project was going to add value to their shareholdings, that it was going to increase dividends and that it was going to be a wise investment of the shareholders’ funds. They would be accountable to the analyst community. There would be conference calls, meetings and presentations, and they would have to answer a lot of questions. They do that in the real world. In the world of business, that is what happens. But here in Labor land—the fantasy world that the Prime Minister and the Minister for Broadband, Communications and the Digital Economy seem to be occupying—under this government you can commit to a $43 billion project without a business plan. Normally you have the business plan first.

Indeed, today I downloaded from the internet an application for a small business loan from one of our leading banks. It has a list of the things you have to bring along to the bank manager. We have all been through this. For a company, you have to bring the articles of association and all that stuff. One of the things on the list is a business plan. If you want to borrow $20,000, $30,000 or $40,000 from a bank for a small business, you have to produce a business plan. But this government believes that it can take $43 billion from the taxpayer and not provide any business information at all.

The consequences of this overinvestment are potentially catastrophic. We are talking about a massive excess investment well beyond what is actually needed. Honourable members on the other side have said, ‘Broadband is good’—we agree with that—‘therefore the NBN is good.’ But that is like saying, ‘Roads are good, therefore any road investment is good,’ or ‘It’s good to have bridges over a river, therefore we should build bridges anywhere.’ You cannot argue from the general to the particular in this way. They have confused the means—the means being a fibre-to-the-home network across 93 per cent of Australia, and wireless and satellite for the rest—with the end. The end, the goal, is not a national fibre-to-the-home network. The goal is universal and affordable broadband.

They point to deficient areas of service, including in the suburbs. The honourable member for Greenway talked about areas in
her electorate which are poorly served, and she said that my electorate is better served. That may be the case, but the answer therefore is to address and rectify the areas of underservice, whether they are in the cities or in the bush. That can be done for a tiny fraction of $43 billion, because nobody seriously suggests that there is nowhere in Australia where broadband access is inadequate.

We talk about 100 megabits per second as being a goal. Honourable members should try this experiment. Get access to internet at that speed and compare it with internet access at 10 or 20 megabits per second. They will find it very difficult to tell the difference, frankly. That is one of the reasons telcos have been unable to effectively charge substantial premiums for increased speeds. But in Melbourne the Telstra HFC network has been upgraded to DOCSIS 3.0 and is running at 100 megs now. So why would we overbuild that network? There is 30 per cent of Australia covered by the HFC network that can run at 100 megs or better now. Why in heaven’s name would we be spending billions and billions of dollars to overbuild network assets that are capable of delivering connectivity at the very speed—the very high speed—the government says is desirable?

This is so poorly thought through. They have gone from one bad policy to another and they have ended up with the single most expensive way to deliver a national broadband network. It may well be universal, in the sense that everyone will have access to broadband through one technology or another, but it will not be affordable. The government cannot run away from that. This network will not only cost the taxpayers of Australia and cause future generations to pay higher taxes to pay it off but it will make broadband more expensive, and therefore it is a self-defeating policy. (Time expired)

The DEPUTY SPEAKER (Hon. Peter Slipper)—Before calling the Leader of the House, I remind honourable members on my left that it is disorderly to interject other than from your own seat.

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (3.55 pm)—I am pleased to speak on this matter of public importance today on the issue of the National Broadband Network. It is another opportunity for the government to pursue our case of the importance of the National Broadband Network for Australia’s future economic prosperity. We had today an extraordinary position whereby the Leader of the Opposition moved that the government immediately publish the NBN business case. He did that as if he were asking that a motion at some branch meeting be tabled. He did that as if there were no consequences for the shareholders of various telecommunications companies, of which of course the largest is Telstra, with 1.4 million shareholders. He did that as if there were no consequence or concern that might be there about commercially sensitive information and whether that should be made available or not. It might be just one of those political things—argy-bargy where you have one side against the other—were it not that this is actually the alternative government of the nation. Rather than act responsibly, the alternative government of the nation is prepared to do anything and say anything in order to try to secure a political point.

The proposer of this MPI today played up his business experience. It is true: he is an experienced and successful businessman. He knows full well that the idea that you just publish a 400-plus-page business case without any regard whatsoever for the commercial implications of that is simply not tenable. He would not have done it in any of the businesses in which he was involved.
Mr Fletcher—What about the idea of committing to spend $43 billion without a business case?

Mr ALBANESE—The member for Bradfield’s interjection gives up the game, because he has agreed with my point as a result of that interjection. The member for Bradfield has had a bit to say. He said:

In fixed-line telecommunications today—

... most Australians live in cities where there is more than enough commercial incentive to provide broadband services.

He is ignoring the reality out there that there is very different access to broadband, depending, for example, on whether you live in my electorate or whether you live in regional Australia, in places like Mount Isa or the Sunshine Coast in Queensland. Those opposite show again and again with their comments how out of touch they are. It is little wonder that they remain on the other side of the chamber. I cannot decide which is more out of touch: denying the digital divide or the big economic issue that was raised by the shadow Treasurer this week of the leafblowers at Parliament House. That has been the shadow Treasurer’s contribution to the economic debate this week. It has been an absolutely extraordinary performance from him this week.

The shadow minister also raised the issue of the cost-benefit analysis and why it is necessary. He ignored the fact that the McKinsey report, which is over 500 pages, looked at the detailed costings and found that the cost estimates are conservative and looked at the financial revenues and returns and found that a strong, viable business case exists, with NBN repaying taxpayers their investment, with positive returns from year six. He certainly did not look at his own record, where he committed $10 billion of public money to the Water Plan when he was minister. That was done in January—I was shadow minister at the time and I certainly recall it—without going to cabinet or Treasury or the finance department, without getting any advice from anybody. When he was
asked about that—because he had no cost-benefit analysis at any time—he said:
Well, it wasn’t subject to a cost-benefit analysis by the Productivity Commission, but there was a lot of analysis done, and we published it at the time and defended it.
They did indeed defend their position, even though they appear to be walking away from many of the comments and commitments that were made in the time in which the member for Wentworth was water minister.
He also mentioned the NBN report and quoted selectively from it. The fact is that the OECD report said this:
NBN is a “far-reaching reform project” to “fill the gaps in the broadband internet sector.”
It said:
NBN “will improve internet services for the entire population and promote a fairer competition between private firms on retail services.”
Further:
… calling the dominant operator’s vertical integration into question is also welcome, as it will stimulate competition in the DSL Internet sector, and it can be expected to yield substantial benefits …
On fairness and access and the issue of the market, it said that the NBN:
… will avoid the risk of a geographic digital divide insofar as it will cover the entire population … whereas if it were done by the private sector it would be done more gradually and only to the most densely populated areas.
Further:
… due to Australia’s size and relatively low population density, it would be difficult for more than one competing fixed telecommunications network to exist.
It found that:
… management of the NBN by a public enterprise not involved in commercial activities ensures that private operators accessing the NBN will each get fair treatment on the basis of uniform nationwide pricing.
That is what it found. The NBN is a wholesale network which will provide the backbone of the modern system. You will then have retail competition on top of that, as we are already seeing in Tasmania. Getting rid of the structural separation is therefore particularly important, which is why the legislation before the parliament this week is important.

Mr Turnbull—Why are you misleading us on the OECD report? The OCED did not say that.

Mr ALBANESE—He had 15 minutes himself, but he continues to blow away. They were direct quotes from the OECD report. The member opposite lives in his own fantasy when it comes to these issues, and he keeps saying it. He keeps having essentially one policy, which is delay, and when that does not work it is wreck. They told us to wait for the ACCC advice, then to wait for the implementation study, then to wait for the response to the implementation study. They told us to wait for the Senate Select Committee on the National Broadband Network, and it had five different reports. Then they wanted a delay for a Productivity Commission inquiry, which they will not even say they will listen to. Then they said they wanted a committee of politicians to oversee the NBN rollout—politicians, not experts. Then they said they do not like the McKinsey report because it does not say what the honourable member wants them to say. Their criticism is extraordinary. When we made our announcement, Senator Joyce, who was the previous shadow infrastructure minister, claimed it was coalition policy which had been adopted. When he has been asked about Productivity Commission reports, he has said, ‘I use them when I run out of toilet paper.’ That is his view of Productivity Commission reports. Yet you expect us to take you seriously when you raise issues of Productivity Commission reports.
The fact is that those opposite had 20 failed broadband plans. In all of them, there was not a single cost-benefit analysis of any of their own policies. Indeed, as the Prime Minister stated in question time today, plan No. 20 was leaked due to the internal chaos occurring over there with the former Leader of the Opposition, who would like to be the Leader of the Opposition again and the shadow finance minister, who would like to be the shadow Treasurer and therefore would like to be the deputy leader, who would like to be the Leader of the Liberal Party. Because of all that chaos it was leaked to the *Sydney Morning Herald*, but we never saw anything more of it. They leaked out that there was this grand plan, the new Malcolm Turnbull policy on broadband, post election, post the election debacle.

Remember back then during the election campaign there was the alternative government and the then shadow minister stood up with the then shadow finance minister—that extraordinary press conference that the Leader of the Opposition could not even be bothered attending—where you had advisers up the back saying, ‘End it, end it now, just stop.’ One of those hooks from the *Bugs Bunny Show* is what they needed. That is what they needed at their press conference, hoicking him out of the screen, because the policy they put out during the election campaign was so pathetic that it did not last a day after 21 August. But now they have said they have a grand new plan. They announced it through the pages of the *Sydney Morning Herald*. I think they have an obligation to put out that policy, to put out their alternative, and we will have the debate.

The McKinsey and KPMG study is supported by hundreds of studies that indicate that investment will drive significant economy-wide benefits. We know that the NBN is of vital importance in its benefits across the economy for education, health and smart infrastructure. Indeed, Access Economics has identified that Australia could save between $1.4 billion and $1.9 billion a year if 10 per cent of the workforce teleworked just half the time. But those opposite have never had a plan. They had 20 separate policies. They took a public monopoly and turned it into a private monopoly and called it reform. People in Australia, particularly in the regions, did not benefit. They continued to go backwards as a result of that. What we hear from those opposite is that we should just wait for the market to deliver. They did not deliver during their 12 long years of waste, of opposition. They simply could not deliver it. What this government is determined to do is to actually deliver this reform, deliver this nation-building infrastructure, because it is vital for our future.

Mr HARTSUYKER (Cowper) (4.10 pm)—I certainly welcome the opportunity to speak in this matter of public importance on the National Broadband Network. It is interesting to hear the member for Grayndler, the Minister for Infrastructure and Transport, quoting from the OECD, but they were very selective quotes indeed. What did the OECD actually say about infrastructure in regard to its recommendations rather than what the OECD said about how the government had justified its decision to proceed with its project? The OECD said with respect to infrastructure:

- Systematically publish the cost/benefit analyses with sufficient details for the projects evaluated.

That is the very nub of the discussion we are having today. It is disregarding the recommendation of the OECD, an organisation it seeks to quote, because it will not publish a cost-benefit analysis. The OECD went on to say:

- Independent evaluation should be made mandatory for investment projects exceeding a certain amount.
I have to say that $43 billion is a very substantial ‘certain amount’ indeed. The OECD also went on to say:

An alternative to this picking-the-winner strategy would be to let the market guide choices between the various Internet service options on the basis of prices that reflect costs, factoring in externalities that ought first to be evaluated. To that end, it would be desirable to maintain competition between technologies and, within each technology, between Internet service providers. This would be consistent with the planned vertical separation of Telstra and with other aspects of the reform that seek to promote competition.

There we have what the OECD says. But what is the government doing? It is pretty much doing the opposite. It is actually eliminating competition. It is creating a new 21st century Postmaster-General so that it can create its own cosy monopoly. Why do we need this monopoly? We need this monopoly to ensure that the government can keep prices up. That is what this is all about. It is not about, as it is claiming, cheaper internet services; it is about creating a situation where it can artificially retard competition to push up prices.

This week we have seen the government directly voting against the interests of taxpayers and directly voting against the interests of consumers. In doing so, the government has voted down the best chance it has to provide affordable broadband to all Australians. We saw today the Labor government vote against sending the National Broadband Network to the Productivity Commission for a vitally important independent analysis. We have the minister refusing to release the business case for the NBN, despite the Senate ordering its release yesterday through the coalition and crossbenches. The government has voted against submitting the $11 billion deal with Telstra to the ACC for analysis and Labor is still refusing to allow a joint standing committee of the parliament to oversee the NBN rollout.

Mrs Moylan—Shame.

Mr HARTSUYNKER—Shame indeed. This comes on top of its regulations exempting the NBN from scrutiny through the Parliamentary Standing Committee on Public Works. You would have to ask why this government fears scrutiny so much. What has it got to hide? Why does it fear scrutiny? That is what we want to know. Yesterday, the Australian Financial Review summed up the government’s position:

The government should have nothing to fear from such transparency. If the project is the no-brainer the government claims it to be, it will have no trouble passing. The suspicion is that the government knows the NBN will pass no such scrutiny, and is nervous about its capricious policy-making being exposed.

We all know what happens when the government undertakes its capricious policymaking routine. We have had the pink batts, and they were a burning success. We have had the school halls. I remember in the member for Lyne’s electorate the Hastings Primary School was to get a $150,000 COLA for the cost of a million dollars. That was a great success; that was capricious policy making.

They spent $2.4 billion on pink batts, there was a $2 billion blow-out on the school halls program and now they are going to spend $43 billion. What are they going to say? They are going to say, ‘Trust me,’ ‘Trust me,’ they are saying. ‘We know what’s good for you. We know you don’t need competition. We know that we can manage this program properly, even though we’ve stuffed up the pink batts, we’ve ruined the school halls program, we made a mistake with the Green Loans program and we’ve had to restructure virtually all our environmental programs. We’ve had the computers in schools program go over budget.’ Everywhere you turn, they
are policymaking disaster. There was the failure of the GroceryWatch website. There was the disaster of Fuelwatch. They are a policymaking disaster zone and yet they are going to spend $43 billion without a cost-benefit analysis and ask the Australian people to trust them. I know the members on this side of the parliament certainly do not trust this government, and we know the Australian people have lost confidence in this government. It is this House that stands between the Australian people and an absolute financial debacle that our grandkids will be paying back for years and years and years.

One of the other things that is really concerning to me as the shadow minister for regional communications—and out in the regions many people are on lower incomes than those in the larger metropolitan centres—is that this policy is actually becoming discriminatory. The government is imposing a postmaster-general type monopoly and effectively pushing up prices for broadband. What is that going to mean for affordability for people? It will mean low-income earners whose taxes are subsidising this white elephant are not going to be able to afford to connect to it. The figures from the ABS show that just 43 per cent of households earning under $40,000 a year access the internet at home. Those households will be paying with their taxes for Labor’s cost overruns, they will be paying for Labor’s inefficiencies and they will be paying for those people who can afford to access the internet. It will be the low-income earners who are actually cross-subsidising the high-income earners who will be able to take advantage of this situation.

Let’s have a look at Tasmania for a moment. One of the things you note when you look at every offer out there in ‘commercial land’—as opposed to la-la land, which the minister works in—is that every offer out there is price based. They are all very much commodity based, looking at the price point to try and attract business. But what do we see with the NBN in Tasmania? You can get 100 megabits for $139.95 with a 200 gigabit per month download limit. So what we see is $139.95. Are people earning under $40,000 a year going to spend $139.95 to take advantage of 100 megabits per second and a 200 gigabit download? I do not think so. So we have a situation where the market is demanding cheaper prices. The statistics are showing reducing prices for internet services, and what does the government’s strategy require? In order to be successful it needs growth in the real value of internet services, and that is not happening out there in the market. You can see by the rollout in Tasmania that people are not rushing to this product. The providers are not getting the market penetration that they would want, and I think that is one of the reasons for all this secrecy. They can see as this process is rolling out, as this infrastructure is being rolled out, that it is a market flop. It is a market flop and they do not want to subject it to the Productivity Commission’s review. They do not want to have third-party oversight because the writing is already on the wall. If you cannot sell it in Tasmania, how could you possibly sell it in Broome? If you cannot sell it in Tasmania, how could you possibly sell it in Weipa? Why are the people in Tasmania so averse to taking up a new ‘miracle product’, the product that everyone was going to beat the government’s door down to get?

It is absolutely outrageous. We are embarking on a project of huge magnitude. We are embarking on a project that is going to take our grandkids a generation to pay back, because no commercial investor is going to subscribe to this project to allow the government to keep its contribution to only $26 billion. No commercial investor is going to invest without a return. The government is totally incapable of showing where the revenues are going to come from to pay for the
commercial component of this project, which means it is the poor old taxpayer who is going to have to pay. It is the poor old low-income earners who are going to miss out on cheap broadband. It is the Labor government up to its old tricks, proving it is just incapable of implementing policies on an effective and an efficient basis.

Ms ROWLAND (Greenway) (4.20 pm)—After having to sit through that, I want to quote someone with some eminently sensible views on this issue:

It is time for Australia’s communications infrastructure to take the next leap forward. High speed networks, multi-megabit services and next generation broadband are the key to our future economic and social prosperity …

It is a journey … of ‘ever increasing bandwidth’ and the challenge as a nation is … to secure critical infrastructure that will remain relevant in the broadband race.

Mr HARTSUYKER—At what price?

Ms ROWLAND—A member of the opposition interjected on those words, but they are eminently sensible words. They are the words of Senator Helen Coonan in 2006. What a visionary! Let’s make no mistake: when people opposite come in here and say that they need more information to make a decision, more information to know how they are going to vote on this issue, that is simply not the case. We know that is not the case because even today, if we go to the Liberal Party website, we can see that this is their policy. Page 1: ‘The coalition will cancel the NBN,’ regardless of everything else. So do not come in here and say that you need more information. Do not come in here and say that you need an examination. Your mind is made up. I have raised this countless times in this place and outside, asking about this. Surely your mind is made up, because it says it in your own policy. Not one person on that side has contradicted me on this issue. Their policy clearly states it is to destroy the NBN.

We have heard talk about how prices for broadband are coming down. They are not; they have been going up. We remain one of the most expensive countries in the OECD for broadband. I ask again: after 12 years of thinking they could look at this issue and after 18 failed plans, what did they do? No-one opposite has answered me on the issue of their broadband rankings per electorate. I hate to break it to you, Member for Cowper, but your electorate is still the 20th worst electorate in Australia for broadband access. He has the chance to make it better and he should take it. To date, nothing that the people opposite have proposed has worked and yet they come in here and say they have got a better plan. No, this is your plan.

For the benefit of those opposite, let us have a bit of background in telco 101. The network architecture is made up of a number of layers. At the top you have the retail level with the applications and the retail services. At the bottom you have the wholesale network layer. The way you engender competition for consumers at the top is to make sure that the wholesale level is competitive. That is exactly what the NBN is. You engender competition for consumers at the retail level by effectively regulating the wholesale level.

Mr Craig Kelly interjecting—

Ms ROWLAND—The member opposite is yelling out. I have one four-letter word for him: ACCC. The ACCC is the regulator in this area. Everyone who is going to be a retailer on this network will get the same wholesale price—

Mr Craig Kelly interjecting—

Ms ROWLAND—His electorate is one of the very worst. I will gladly give him the ranking of his electorate. The people who are able to get the retail benefits are the access seekers. If they get the same wholesale price
do you know what that means? It is really interesting. It means that they can compete on price and non-price quality for people called end users. They can compete on getting better retail pricing. They can compete on innovation. They can compete on service delivery. The whole price and non-price competition regime depends on getting the wholesale level right.

Of all people, the member for Wentworth comes in here and bangs on about the issue being the lack of income. Firstly, what would he know about lack of income? If you want to talk about affordability and how this will benefit consumers, I suggest those opposite get a Gregory’s and come out to Blacktown and Mount Druitt to see communities that are crying out for transformational change in health, education and social inclusion. This is what they have been crying out for. Do not just take it from me. I have stood up in this place and gladly given examples of people in my own electorate who want this to happen. It is not some flight of fancy that has been made up. Believe or not, people actually want superfast broadband to transform their communities.

You have to ask why broadband services are so expensive and why we are so bad in the world rankings. It is a price and non-price problem. It is also a failure of facilities based competition in Australia. Those opposite rant about how we should have competitive networks that the market will deliver, but the market has not delivered—the market has failed. For us on this side, when the market fails we step in for the good of the end user. We see when market failure occurs and we say, ‘Governments need to do something about it.’ This is what we believe in.

I am waiting for a few things from the other side and they are welcome to let me know. I am still waiting for them to enlighten me on what they did for broadband pricing in 12 years. Not one of them has been able to answer that.

This motion talks about consumers and I will mention again that there are two levels of consumers: there is the individual end user and there is the retail end user. At every single stage in the NBN implementation those two groups of consumers are protected. As I have said, the retail level is protected by the ACCC regulating a wholesale price. End users are protected because as consumers they are getting, amongst other things, a raft of benefits that went through the other night as part of the new regulatory regime.

There are also the accompanying reforms in universal service. How many inquiries did we have into the USO that produced no substantive benefit in Australia while those opposite were in government? There is the customer service guarantee and priority assistance. All of these things are being improved for consumers.

Do not take it from me; take it from ATUG, which is one of the leading consumer telco organisations. I will read one of their suggestions about the NBN to the Senate inquiry in 2008:

- **End User Choice**—network design is central to competition and choice … When infrastructure competition is not possible, services competition based on open access and service equivalence at a wholesale level must be ensured.

Guess what? That is what the NBN is. So to come in here and say that the consumers of Australia are not being served by the NBN is a complete farce. We have not only many individuals but also many businesses telling us that they want the NBN and that they need high-speed broadband in order to compete on a global level and to make distance irrelevant. For those regional members who come in here and simply interject but who have never participated in this debate, I say to
them that they should go back to their communities and see that the tyranny of distance is alive and well when it comes to broadband.

We had the member for Cowper also say that our grandchildren are going to curse us for the NBN. I would tell him the exact opposite: over the break, go back to your electorates and speak to some young people—

A government member—Not the young Nationals; people under 50.

Ms ROWLAND—No, not the young Nationals; we need people under 50. Go back to your electorates and speak to young people because in a few years they are going to be writing theses about this period of Australian history. They are going to talk about the dinosaurs who sat opposite and did not want high-speed broadband.

In no other country in the developed world producing high speed broadband networks have we had people in a parliament speaking against it so fervently for the sake of destroying it. You wonder why Singapore has managed to develop the way it has. You wonder why Korea has been able to do it. You wonder why all these countries have been able to take their economies forward, taking jobs from young Australians. It is because they understand the importance of the NBN. What we need to ensure in a global labour market is that young people have access to the NBN to be able to compete with everyone else. If you don’t like young people, go ahead and don’t like them; we on this side do. (Time expired)

ADJOURNMENT

The DEPUTY SPEAKER—Order! It being 4.30 pm, I propose the question:

That the House do now adjourn.

Child Care

Ms LEY (Farrer) (4.30 pm)—I rise today to speak on a topic that is of great concern to many Australian families: the rising cost of child care. Many Australian families are experiencing real financial stress. Interest rates have been steadily increasing and families are finding it difficult to make ends meet. Yet this government is intent on increasing costs further. This Labor government has obviously recognised that its legislation to reduce the childcare rebate and to remove indexation of the rebate for the next four years is unpopular. It is so unpopular that they have progressively pushed it down the list, to the last sitting week before Christmas, in the hope that it will slip on through, under the radar. But, for Australian families, this legislation will be like receiving a lump of coal in their Christmas stockings. It is a Grinch-like cash grab from a desperate Labor government.

Their aim with the Family Assistance Legislation Amendment (Child Care Budget Measures) Bill 2010 is for the government to make savings of $86 million over four years, with the savings going towards the cost of implementing the government’s National Quality Agenda for Early Childhood Education and Care. However, this agenda will further increase the cost of child care by imposing new ratios and qualification prerequisites on the industry. Parents will be left picking up the tab as childcare centre overheads increase.

This Labor government is floundering on child care. In 2007 they promised to end the double drop-off. We are still waiting. Then came the massive backflip on building 260 new childcare centres, and we now see their intention to increase the cost of child care by reducing the childcare rebate and ceasing indexation for the next four years.

The minister is insistent that child care will only increase by 57c a week. Minister Ellis needs to dispense with the sandpit photo opportunities and instead sit down and
have a serious conversation with childcare providers. Child care has to remain affordable and accessible. Yet the minister’s head is firmly embedded in the sandpit when it comes to listening to childcare providers. On the off chance she is listening to this broadcast now, I would like to take the opportunity to put on the record what some providers have said.

I will start with what Matthew Horton, the CEO of GoodStart, said in the Daily Telegraph on 3 October:

Our early findings indicate we will raise fees from $2 a day up to $20 a day in NSW centres …

Vicky Skoulogenis, from Childcare NSW, has said that:

Everyone will increase their fees, across the board … and the government needs to recognise it.

And Lyn Connolly, from the Australian Childcare Alliance, which represents approximately 70 per cent of all long-day-care centres, has said that cost increases could be as high as $22 a day. This is not affordable for parents, and the minister must focus on that message. It is time for her to start to listen and really hear what the childcare sector is telling her. She needs to accept that the figure of 57c a week that she constantly bandies about is nothing more than a furphy, based on incomplete forecasting data.

It is expected that 20,700 families will be affected by the capping of the rebate and the freezing of indexation. This will be a progressive increase for families, as more and more are affected over the duration of the indexation freeze. When the additional cost increases from the national quality agenda measures come into effect, families will really suffer. The concern is that, without affordable and accessible child care, parents will have trouble returning to work. I urge the minister to sit down with parents and try to understand the struggles they face in finding and affording child care. Of course we need to ensure that high-quality child care is available for our children but without the massive cost imposition and disruption to the industry that will inevitably eventuate under Labor’s model.

With the rising of parliament next week, I look forward to meeting with as many families and parents, as well as providers of long-day-care centres, preschool centres, mobile centres, and in-home care—an important and often overlooked area of the sector—as possible and finding out how we can progress policy in the opposition to make child care fit within the family budget so that it becomes more affordable each and every day.

**Same-sex Marriage**

Ms PARKE (Fremantle) (4.35 pm)—I would like to take this opportunity to set out my views on same-sex marriage in response to the request by a great many of my constituents that I do so. Like the member for Throsby, I intend to advocate for change in accordance with the processes of my party.

Put simply, my view is that discrimination against same-sex couples is unjustifiable, and for too long it has been a hurtful and oppressive aspect of life in Australia, and of public policy in Australia—as it has in many countries. Unfortunately that discrimination exists today, and one aspect of the discrimination is in the law that prevents same-sex couples from choosing the relationship status that we call marriage.

Marriage equality is about extending to all Australians the capacity to choose a relationship bond and name that represents the most formal and traditionally respectable relationship status. While some approach this debate by saying that it is the practical or procedural or legal discrimination that really matters, and that marriage, as a form of relationship, is only a matter of symbolism or terminology, I take serious issue with that view. I take issue with it because terminology and sym-
bolism and the conceptual categories they create form the essence of the black magic that enables discrimination in the first place. The fact that same-sex couples cannot marry is precisely the kind of categorical exclusion that underpinned the practical exclusion of such couples from the recognition and legal benefits that others have enjoyed as of right.

On the matter of practical equality, I am proud to have been part of a Labor government that, in its first full parliamentary year, made huge strides in removing legislative discrimination against same-sex couples in a wide range of Commonwealth laws. The two bills that were passed—a general law reform bill and a specific bill dealing with superannuation—had the effect of eliminating legislative and administrative discrimination against same-sex couples and their children in areas including taxation, social security, health, aged care, veterans entitlements, workers compensation and immigration among others.

As I said when I spoke on the bills in 2008:

Australia’s commitment to various international agreements should have prevented same-sex couples from having to wait this long to achieve the equality that they, and other civil rights groups, have campaigned for.

… it is my very firm view that the legislative framework of any country should be constructed and, more importantly, renovated to take account of the international standard of human rights. Article 26 of the International Covenant on Civil and Political Rights—one of the three elements of the International Bill of Human Rights—states that everyone is equal before the law and entitled to the full protection of the law.

The imperative to remove discrimination against same-sex couples, therefore, comes from a position of basic logic and from a foundation of fundamental human rights. Of course, this was the finding of the Human Rights and Equal Opportunity Commission, as it then was, in its 2007 report Same-sex: same entitlements.

Above all things, the argument for marriage equality proceeds, in my view, from two key principles. The first is the principle against discrimination—that is, that any couple that seeks to form a relationship bond of the kind we call marriage should be able to do so, rather than being discriminated against on the basis of sexual orientation. The second is that, by extending marriage equality to same-sex couples, which means extending its scope, we are not in any way lessening the value of marriage. Like happiness, marriage is not a commodity to be divided up between participants. Anyone who takes the view that its exclusivity is part of its value is only acknowledging the fundamental discrimination that exists in that exclusion.

To finish, I would add the final observation that marriage equality, in my mind, should not be about reinforcing a sense in which marriage is a relationship status that naturally sits at the top of some relationship hierarchy. There are many couples and families who do not choose marriage. I hope in future that will include both opposite-sex couples who have made that choice and same-sex couples who are making that choice for the first time rather than having no choice at all. But couples and families that are not founded on marriage are in no way necessarily less committed or less deserving of respect, if that is the best word, than those who choose marriage.

In the end, the commitments we make to each other, and to our families and children, are the commitments that lie in our heart. They are commitments that we live up to and make real and meaningful by our actions, and in the depth and endurance of our care, love and loyalty. Names matter inasmuch as they should not be exclusionary or discriminatory, and that is why marriage equality for
Mr FLETCHER (Bradfield) (4.40 pm)—

I rise to speak on the question of relative broadband penetration levels in different electorates and the conclusions we can draw from this for some of the pressing policy issues that are presently before the parliament. A member opposite has repeatedly advised the House that the electorate which has the highest broadband penetration of all 150 electorates is my electorate of Bradfield. That is correct. Research provided by the Parliamentary Library, drawing upon Australian Bureau of Statistics data, says that the percentage of subscribers with broadband in the electorate of Bradfield is slightly over 75 per cent. It is certainly correct that the percentage of broadband in electorates ranges from that level down to the much lower levels of 51 per cent and 33 per cent at the lower end of the spectrum.

The question is: what policy conclusions ought we draw from this and what is the sensible way to proceed? Let me explain some of the facts in relation to broadband penetration in my seat of Bradfield. There is very good broadband infrastructure in many parts of the electorate. Many parts of the electorate are fortunate to be served not just by the Telstra copper network but also by the Optus hybrid fibre co-ax network, and in some areas there is also the Telstra cable network. So some parts of the electorate are fortunate enough to be served by three different networks. Other parts of the electorate receive quite poor service: I regularly receive complaints from constituents in North Turramurra that it is not possible for them to get broadband at acceptable speeds. I would argue that the conclusion we can draw from these facts, and from the data about penetration by electorate across the country, is that a policy which proposes that we spend $43 billion to tear down existing networks in every electorate across Australia, regardless of the level of service already provided in that electorate, is a policy that does not make sense and is not a wise use of public money.

We have seen in the case of the Building the Education Revolution policy of the Labor Party that the design of that policy has led to the perverse outcome that private schools and Catholic schools have received better value for money from the allocation of public money because of the way that the scheme has been set up. That seems a very odd thing for the Labor Party to have delivered as a policy outcome. Their approach on broadband seems equally odd. It seems curious in the extreme, looking at it purely from an equity point of view, that it should be proposed that the same amount of money should be spent in electorates which are already well served as in electorates that are less well served, but that is the implication of the Labor government policy to spend $43 billion on removing the existing networks and building a brand new network.

There are plenty of other reasons why Labor’s policy is not a good one, but I suggest that the argument which proceeds from the fact that some electorates have better broadband service today than others is not a good argument in favour of spending $43 billion to replace broadband infrastructure everywhere. A vastly better policy approach would be to target public sector spending in areas of need. I will stand up and say I would like to see improved infrastructure in North Turramurra and in other areas of my electorate which have deficient service, as I would like to see increased spending in areas of market failure everywhere, which is the policy of the Liberal Party when it comes to broadband. The notion that because the electorate of Bradfield, along with a number of other Liberal electorates, has good broadband penetra-
tion and other electorates do not is not somehow an argument in favour of this policy. Spending $43 billion ubiquitously is not a wise use of public money. It is not a compelling or persuasive argument.

Canberra Electorate: Greek Community

Ms BRODTMANN (Canberra) (4.45 pm)—I would like to take this opportunity to acknowledge the significant contribution of one of the most dynamic and influential groups in my electorate: the Greek community of Canberra. Last month I took part in the annual commemoration of Oxi Day at the Hellenic Memorial on Anzac Parade. ‘Oxi’ is the Greek word for no. Oxi Day commemorates 28 October 1940, the day the then Greek Prime Minister, General Metaxas, rejected Mussolini’s ultimatum that Italy stationed troops in his country. Italy then invaded Greece through Albania, and Greece found itself at war with Italy. Greece amazed Italy and the rest of the world by successfully rejecting the Italian advance, and won the first victory for the allies in the Second World War. This achievement was all the more significant because, at the time, Greece was a small country of only seven million people, compared with Italy’s 44 million.

Oxi Day has become a symbol of Greece’s independence and is commemorated in the thousands of expatriate Hellenic communities around the world each year. My colleague the member for Hindmarsh tells me that Oxi Day holds the same significance in the national psyche in Greece as our Anzac Day, so it is an incredibly important day. It was a pleasure to take part in the ceremony at the beautiful Hellenic Memorial on Anzac Parade, with its intricate mosaic map and the little islands that play havoc with your high heels. The Canberra commemoration was attended by representatives from the Embassy of Greece, the Cyprus High Commission and the New Zealand High Commission, the ADF, the ACT government and the Canberra Greek community, including John Kalokerinos. We even had members of the large Melbourne Greek community join us.

The Greek community has been a major contributor to Canberra for more than 80 years and, for a community of around 5,000 people—some say it is 10,000—it really punches above its weight. The first Greek cafe, the Highgate Cafe, was opened in Kingston in 1927, in the same year as Old Parliament House. The cafe was owned by Harry Notaras, a migrant from the island of Kythera. Theo Notaras started the Capital Cafe in Civic later that year, so they have played a major role in this community. The Notaras family has been a major contributor to the cultural fabric and development of Canberra for decades, along with a number of other families, including the Efkarpidis and Liangis families.

The Greek Orthodox Community of Canberra and Districts was formed in the late 1940s and became the catalyst for community life and centres. The community built the Greek Orthodox Church of St Nicholas in Kingston in 1968. Father George Carpis has been its parish priest since the 1960s and has dedicated his life to the spiritual life of the community. The community is currently led by its president, Paul Levantis, who runs one of the largest ethnic language schools in Canberra. In the 1990s the Greek community added a preschool in Yarralumla and an aged-care home, with 20 residents, to its suite of services. The aged-care home was a collaboration between the ACT government and Sotiria Liangis, a philanthropic Canberran who in 1996 was honoured with the Medal of the Order of Australia for her service to the Greek community.

Canberra’s Greek community organises a range of cultural and charitable activities throughout the year and these include the
Greek Glendi, a day-long festival of Greek food, dance and culture which is part of the ACT National Multicultural Festival. No discussion of the Greek community in Canberra would be complete without commenting on the Hellenic Club of Canberra in Phillip, which is also in my electorate. The club opened its doors in 1979 and, since then, it has grown into the largest club in Canberra, boasting over 50,000 members, with more than one in six Canberrans as members. The club makes a significant contribution to the wider community and gives almost $1 million each year to support local charities, cultural activities and sporting groups. The president of the club is Greg Diamond, and I commend him, the board and the staff for their service to the Canberra community.

As the great romantic poet Percy Shelley wrote in the preface to his poem *Hellas*:

We are all Greeks. Our laws, our literature, our religion, our arts have their root in Greece. But for Greece … we might still have been savages and idolaters;

The Greek community has contributed an enormous amount to Canberra. They have enriched our cultural, spiritual, linguistic and business life and have generously helped those in need, along with youth community organisations and sporting organisations. It gives me great pleasure to acknowledge their significant contribution and I thank them for all they have done for Canberra.

Mr Ewen Jones—Yassou, yassou.
Ms Brodtmann—Yassou.

McPherson Electorate: Palm Beach Post Office

Mrs Andrews (McPherson) (4.49 pm)—As I have previously advised the House, Australia Post has announced that it will close the Palm Beach post office on 26 November. This will devastate the Palm Beach community, the businesses, the local economy and those who rely on the post office’s services.

More than any other issue I have experienced in my position as the federal member for McPherson the closure of the Palm Beach post office has galvanised the community into action. Since the announcement, a public rally, organised at necessarily short notice, saw an estimated 140 people attend, outraged at the actions of Australia Post. My office and the offices of my state parliament and local council colleagues have been inundated with support for keeping the Palm Beach post office open. I understand that hundreds of letters have been sent to the Minister for Broadband, Communications and the Digital Economy, requesting his intervention. It is unfortunate that the minister has not seen fit to do this. Responses from the minister, to both the local people and the media, have been little more than a washing of the hands and finger-pointing at Australia Post’s independence. However, the minister does have the ability to consult with the Australia Post board, being the relevant minister, but has so far declined to do so on this issue. I have presented a petition to the Petitions Committee, calling on the minister to do just that.

Again, with necessarily little time to distribute the petition, we have had almost 3,000 petitioners sign and indicate their support, which is an overwhelming response. These people, as locals, realise that closure of the Palm Beach post office will hurt local businesses and the local business community and will especially inconvenience the elderly and disabled. A post office acts as a hub for this community. This post office is surrounded by small businesses, and many customers not only go to the post office but also go to the bank, the pharmacy and other shops close by. A post office—the Palm Beach post office—is part of the local community and a very important part.
It is not as if Australia Post or the minister is unaware of the impact that removing a post office has on the community. Indeed, you do not need to look far from the Palm Beach post office to witness the impact. A year or so ago, the Burleigh Heads post office, also in my electorate, was ripped out of the Burleigh CBD. Australia Post argued that it was relocated, not closed, but these semantics are of complete unimportance to the local businesspeople. The retailers of James Street have never had it tougher. Combining overall difficult economic conditions with the removal of a major drawcard to the CBD has been devastating. It used to be difficult to get a car park in James Street. Now it is easy.

A closure of the Palm Beach post office will impact on Palm Beach; that is assured. Australia Post argued: ‘The next closest post office is only 2.4 kilometres away. It’s not that far.’ Well, ‘far’ is relative. It will feel like a long way to the retailers whose customers are going elsewhere. It will feel like a long way to the seniors of the area who used to wander down to the post office to mail a letter or pay a bill, maybe grab a coffee or a paper and then walk back home. It will feel a long way for our seniors, the disabled and those without personal transport. It will feel a long way for the businesses that may have multiple trips to the post office during the day just in the course of their business.

And it will certainly be felt over Christmas, when the lines at the post office are the longest, when even the most tech-savvy of us will return to traditional mail to wish our family and friends well and when we wish to send parcels of gifts to our loved ones interstate or overseas. It does not make sense to close a post office before Christmas, the busiest time of the year. And it does not make sense to close this busy Palm Beach post office at all.

I urge the minister to take note of the petition when it is tabled and to take the pleas of the people of Palm Beach seriously. Australia Post have ridden roughshod over the people of Palm Beach, and the minister should intervene.

Victoria State Election

Mr SYMON (Deakin) (4.54 pm)—On 27 November the people of Victoria will choose their next state government and, in many ways, the state electorates that lie within my federal electorate of Deakin will be a major determinant of the outcome. As with most elections, the level of public interest might start off slowly, but it is certainly increasing as election day in Victoria draws near.

For instance, the state seat of Mitcham sits wholly within the borders of Deakin, apart from a small patch down in Aston. Tony Robinson has been the local member for Mitcham since winning at a by-election in 1997. Tony Robinson was one of the key drivers of the federal seat of Deakin receiving funding through federal and state governments to grade-separate the railway crossing at Springvale Road. It was Melbourne’s No. 1 red spot for traffic congestion and has been a long, long-running problem. It is a real pleasure for me as a federal member to be able to work that closely with a state member to achieve a result that benefits the whole community. It is a $140 million project that simply would not have happened if levels of government were not working together, and that includes working right down to the local level. Of course, it is not just motorists that benefit from a project like that but train users, bus users, local traders—because people can now park outside their shops instead of being stuck in a traffic jam—and pedestrians. Just to get from one side of the railway line to another is a very hard task when the boom gates are down for 218 trains a day.
Tony has proven his track record with projects like that. In the lead-up to the state election, he has committed to many more local projects, such as a $500,000 investment in the development of a Swim Centre for Excellence at the Aqualink Nunawading precinct; and a redevelopment of Mullauna College, a great secondary school that lies within the electorate of Deakin and will be even better with new infrastructure. There is also on his list an upgrade to the Blackburn Railway Station to put in new shelters and seating on the platforms, CCTV cameras and extra lighting for safety in such a public space. A really good commitment that he has let me know about is to install a pedestrian crossing outside Blackburn Primary School on Surrey Road in Blackburn, a $280,000 commitment, which really ties in well with the brand-new building that Tony attended when I opened it only a couple of weeks ago. It is a full-size basketball court with a music stage, the perfect thing for a school with 450 students. It is very busy and they certainly do need that pedestrian crossing. It just goes to show that, by having your finger on the pulse locally, you can achieve some of these things, and it is certainly good to look ahead to what needs to be done.

The other state electorate that I will concentrate on that straddles my federal electorate of Deakin is the state electorate of Kilsyth. It is one of the most marginal electorates in the state of Victoria. It is held by a margin of just over 200 votes by the other side. It went right down to the wire in 2006. I have known the Labor candidate there, Vicki Setches, for many years. She has lived locally for most of her life and she is one of the hardest-working community people I have ever met. She is a great advocate for just about any group she is involved with. She is always there, always in my ear and always in many other people’s ears. I think she would really make a fantastic state member for the district of Kilsyth.

Since becoming the candidate, Vicki has had the great pleasure to be down at Ringwood Secondary College just recently with many other candidates and members to announce the funding of up to $100 million to refurbish or rebuild seven secondary schools in the region. They are Norwood, Maroondah, Parkwood, Ringwood Secondary College, Heathmont College and Croydon Community School. It is a great achievement to get that sort of commitment, because these schools were built back in the fifties and sixties, when the area was a bit different but also when students’ and teachers’ needs were a lot different. When classrooms were built, they only had one power point because there was not much to plug into it. There were no computers. There were no networks. In a lot of the schools, even though the buildings may still be sound, they are not made for the uses that we expect them to be used for in the 21st century, so that sort of funding is a great commitment. That was also done in conjunction with Peter Lockwood, the candidate and previous member for Bayswater.

In addition, the state Labor Party has pledged $30 million to Maroondah Hospital. That is great. That is for a new critical-care unit, and that is in addition to the funding that I and Nicola Roxon pledged. (Time expired)

Mr McCORMACK (Riverina) (4.59 pm)—I rise today to alert the House to a serious disease threat to one of the important agricultural industries in the Murrumbidgee Irrigation Area, in my electorate of Riverina. The citrus industry based around Griffith, Leeton and Hillston comprises 8½ thousand hectares. It is the largest citrus-growing region in Australia, produces about 200,000 tonnes of fresh oranges and juice every year,
exports about a third of its crop and has a retail value of around $500 million. The Riverina citrus industry has watched with growing alarm the devastation caused by—

The SPEAKER—Order! It being 5 pm, the debate is interrupted.

House adjourned at 5.00 pm

NOTICES

The following notices were given:

Mr Dutton to present a bill for an act to amend the Patents Act 1990 to prevent the patenting of human genes and biological materials existing in nature, and for related purposes.

Mr Turnbull to move:

That the Public Works Committee Amendment Regulations 2010 (No. 1), as contained in the Select Legislative Instrument 2010 No. 173, and made under the Public Works Committee Act 1969, be disallowed.

Mr Abbott to move:

That this House calls on the Prime Minister to immediately publicly release the full business case in relation to the National Broadband Network to justify the Government’s expenditure of $43 billion dollars.
CONSTITUENCY STATEMENTS

Maranoa Electorate: Mr Lyle Morton

Mr BRUCE SCOTT (Maranoa) (10.33 am)—I rise to honour a true outback hero from my electorate of Maranoa. Mr Lyle Morton was one of the longest serving councillors on the Diamantina shire. He epitomised the true spirit of the outback, dedicating his life to his community. Mr Morton passed away at the age of 86 on 3 November this year.

Mr Morton was born in Birdsville in 1924. He grew up at Roseberth station at the homestead which was referred to as ‘The Bluff’ along the Diamantina River, which he left to attend school in Adelaide at Scotch College. School years were to be a tough time for Mr Morton, with little opportunity to return to his beloved home in the bush. In 1949 he returned home and married Phyllis Beech, a Birdsville nursing sister.

In 1955 Mr Morton embarked on what was to become a long and rewarding career with the Diamantina Shire Council. He was elected councillor and chairperson in his first term. He held the position of deputy chair of the council in March 1967 and was again elected chairperson in 1967, 1975, from 1980 to 1982 and from 1984 to 1991. After 35 years of service to his community he retired from the council in 1991 but still remained an avid and active member of the Diamantina shire and community.

Mr Morton was passionate about improving life for residents of the Diamantina shire. Along with his many wonderful achievements as councillor was his determination in obtaining an electric light service for Birdsville and laying bitumen on the local airstrip, even though money was tight.

In recognition of his service and dedication to the Diamantina Shire Council and his community, Mr Morton was named a Member of the Order of the British Empire in 1988. He received a certificate for 30 years of service to local government from the Local Government Association of Queensland in 1988 and in 1991 he was awarded an Australia Day Citizen of the Year award. His most treasured award, however, was being named the Diamantina Shire Council’s Senior Citizen, received during his last year in local government.

Mr Morton was a true Australian to his bootstraps. He was a fine horseman; he rode some of the roughest and toughest horses in the outback and in his own district. He was a tough but fair man and he never asked his men to undertake a job that he himself could not do, a quality so rarely seen today. Mr Morton was, above all, a passionate advocate for regional and rural and, particularly, remote communities, and his family should be proud of his achievements.

I pay tribute to Lyle Morton and I pass on my condolences to his extended family. I have been privileged to know him and his achievements in his very full life.

Mr JOHN HURLEY

Mr BYRNE (Holt) (10.36 am)—I rise today to pay tribute to and to recognise the efforts and achievements of a very special person in my electorate, John Hurley, the Principal of the Thomas Mitchell Primary School. I often talk in this place about outstanding people and individuals who make a difference in my electorate through the sheer force of their commitment,
their vision and their leadership. That leadership indelibly shapes the schools that people like John Hurley teach in and lead, and in many cases they physically imbue the schools with strong community and student development values.

John has profoundly influenced the lives of the students who attend the Thomas Mitchell Primary School in Endeavour Hills. Thomas Mitchell is a very special school. It is culturally and ethnically diverse. In fact 436 of the 700 students there come from non-English-speaking backgrounds from over 70 countries. One of John’s great achievements has been to ensure that the growth and development of children is the primary focus of all decisions made by his school. In particular, John has been able to transform the school to make it, for example, one of the best primary schools in the state in maths. In doing so, John has been a driving force in making Thomas Mitchell Primary School an outstanding model school that many local children wish to attend. It has even led Shaun, a student at the school, to state on the website:

I think Thomas Mitchell is the best school ever. I have learned a lot from this school. It has a lot of cool excursions (like Canberra) and good maths activities and a lot more. If you are a Mum or a Dad looking for a school for your child to go to next year I advise you to come to Thomas Mitchell Primary School. I think Thomas Mitchell ROCKS!

That is a tribute to Principal John Hurley. John has really been a visionary in creating fantastic programs such as Earn and Learn and Lexiles Reading whilst also cracking down on bullying to ensure that students are provided with a safe learning experience. John has also ensured that he has a great relationship with the local community and he encourages them to use the school’s facilities.

John worked with students to organise a casual clothes day in September 2010 which raised nearly $1,400 for the Isabella and Marcus fund, a charity set up to raise money for research into a rare brain tumour that killed one of Thomas Mitchell’s students. According to John Hurley, the free-dress day was ‘spectacular’, as Isabella’s death was a shock to the whole school community. The success of this initiative has led to the school running the day every year to raise more money for the Isabella and Marcus fund.

John has also appreciated the two-year period when we have been undertaking major building projects, with the construction of a new gymnasium under the BER and the recently completed conversion of the old gymnasium into an architecturally designed early learning centre.

John Hurley has made a difference to his student’s lives by his passion, his commitment and his vision. We need more John Hurleys in the education system. I commend John to the House.

McPherson Electorate: Surfboard Industry

Mrs ANDREWS (McPherson) (10.39 am)—I rise to speak about the surfboard manufacturing industry. There are approximately 200 surfboard manufacturers located between Burleigh Heads and Coolangatta on the southern Gold Coast. Some are small manufacturers producing one or two hand shaped boards per week, and there are also larger manufacturers producing much greater numbers.

The Gold Coast surf industry as a whole is a significant contributor to the local economy. According to an AEC group report prepared late last year for the Gold Coast City Council the total output of the industry in 2007-08, both direct and flow-on, was estimated to be approximately $3.3 billion, creating approximately 21,760 full-time equivalent employment positions.
on the Gold Coast. The industry contributes approximately 9.4 per cent to the local economy and it supports almost 13 per cent of total employment within Gold Coast city.

Without the board shapers, an integral element of this industry, there is the potential for the rest of the industry to suffer. Over the course of the last year I have worked closely with board manufacturers on issues affecting them. The issue raised consistently by all the board manufacturers I have spoken to is the difficulty they have in attracting labour. In their view, the most significant factors are the lack of recognition of the skills required and the lack of formal qualifications. The difficulty in attracting and retaining workers has meant that manufacturers have had to look overseas to countries such as Japan in order to recruit skilled workers. This in turn has created additional financial and administrative burdens on these businesses because they have to cover the costs of temporarily relocating overseas workers to Australia as well as dealing with visa and entry requirements.

Ideally, the void in skilled labour should be filled by Australian workers, and the coalition is clearly committed to this objective. In April this year, the Leader of the Opposition visited local manufacturer D’Arcy Surfboards. He met with representatives of D’Arcy Surfboards, DMS Shapes and Chris Garrett Shapes and saw and heard firsthand the training and related issues. As a result, the coalition committed to the funding of a pilot program in surfboard manufacturing training, to the value of half a million dollars, on the southern Gold Coast. This program, had it gone ahead, had the potential to be rolled out throughout the country, alleviating the skill shortage and giving the surfboard manufacturing industry a more stable future nationwide.

The government did not bother to match our commitment or engage with what is an important industry, as outlined earlier, for local employment and economic growth. As a result, local board shapers, manufacturers and industry representatives have moved to address the issue themselves and last week established a steering committee to work towards the formation of the Australian Surf Craft Industry Association. The meeting to establish the association was well attended with around 150 representatives, including from Surfing Australia, Andrew Stark and Chris Symington, CEO and sport development manager respectively, and the general manager of Connecting Southern Gold Coast, Jim Wilson.

I would like to acknowledge the hard work of the local industry which has led to this important development and assure them that they can count on my support. Specifically, I would like to thank Stuart D’Arcy and Michelle Blauw, from D’Arcy Surfboards; Dan MacDonald and Rebecca Clark from DMS; and Chris Garrett from Chris Garrett Shapes. — (Time expired)

**Chifley Electorate**

Mr HUSIC (Chifley) (10.42 am)—I have previously remarked on the diversity of the great electorate of Chifley, which is made up of so many people who have arrived from different lands and who now work so hard to benefit this one. I hope to have an opportunity to recognise and congratulate many of those various people who are working so diligently to make our community a better place in which to live. Today, I would like to make special mention of my fellow Australians who have come here from the shores of the Philippines and of their children born here but respectful of their heritage.

Many Filipino Australians have made their homes in Chifley—in fact, nearly eight per cent of the electorate is comprised of residents who were born in the Philippines. There are many
attributes of Filipino Australians that I hold in high regard, particularly their industry, hard work and commitment to community. They have made an active contribution to civics, citizenship and engagement.

Today, I would like to congratulate them on their passion and commitment to making a difference in all aspects of community life, which has enriched the Chifley community. They have dedicated their energies to a range of community, business, social and sporting organisations, some of which I have had a real pleasure working with, including the Association of Golden Australian Filipinos and Dorothy Del Villar; Philippine-Australian Community Services Inc. and Julie Nunez; and Sydney Australian-Filipino Seniors Inc. and Julio Sanchez—they have been going strong for 23 years and, in October, I attended a function with the members for Greenway and Lindsay in Blacktown. I also want to mention the Filipino Australian Movement for Empowerment, whose recent formation of its Woodcroft sub-branch I attended in October, along with the Australian-Philippines Services League.

They are a part of a range of vibrant community organisations, some of which also help arrange cultural celebrations, bringing together Filipino and Australian community members. Celebrations include the upcoming inaugural Philippine Lantern and Cultural Festival in Western Sydney, the annual Sydney Fiesta Kultura, and the Philippine Independence Day celebrations, which I have had the pleasure of attending. And this weekend I am looking forward to dropping in to the Philippine lantern festival and the Philippine Healthcare Association dinner.

There are many who provide spiritual guidance and support to Filipinos in Chifley, and I would like to make reference to two individuals in particular, Father Raning and Father Severino. A number of people have also been very busy setting up successful enterprises and businesses in our community, who need to be congratulated, including Jaspher De Leon and her husband, Gil, who are the proprietors of Jasmy Waffles in Rooty Hill.

I have appreciated the opportunity to discuss and consider a range of public affairs issues with senior representatives from Filipino Australian media outlets such as Nonoy Perdon from *Bayanihan News* and Dino Crescini from the *Philippines Sentinel*. There are a number of individuals I would like to recognise: Tom Baena, Gil Belarmino, Neil Galang, Joseph Laquian, Roberto Lastica, Mila Martin, Arnold Melchor, Arturo and Tess Sayas, Shirley Watt and Sofia Young. I also want to thank my friends and fellow basketballers at the Rooty Hill Leisure Centre. Those I have not mentioned always know they have my great support and admiration.

Macarthur Electorate: Wollondilly Community Men’s Sheds

Mr MATHESON (Macarthur) (10.45 am)—On 5 November I had the privilege to attend the AGM of the United Wollondilly Community Men’s Shed. The Wollondilly Community Men’s Shed is a community based volunteer organisation that aims to promote and improve men’s wellbeing in the local community. The shed volunteers are a fantastic group of people who provide the elderly and marginalised members of the local community with a safe and healthy environment in which they can enjoy each other’s company and collaborate on projects for the benefit of the local community while developing links with other members of the local community.

There are currently three men’s sheds operating within the Wollondilly area: the Oakdale Workers Men’s Shed, the Tahmoor Uniting Men’s Shed and the Warradale Men’s Shed. The
sheds are a fantastic community initiative run by the community for the community. They provide men of all ages with the opportunity to share their life experiences and skills. They provide facilities for these men to take up a hobby or to work with others on community based projects such as landscaping, gardening, do-it-yourself fix-it jobs, carpentry and wood turning.

The Wollondilly Community Men’s Sheds promote men’s health and wellbeing by facilitating shared learning activities. The sheds allow men in the local area to return to a productive and inclusive lifestyle which they may no longer have access to due to retirement, sickness, unemployment and social or geographical situations. The sheds also give men the opportunity to meet with other men in their local area, providing them with a sense of companionship and peer support which is so important in some of the more isolated areas in the region.

Wollondilly Council has been instrumental in supporting the men’s shed program. The council has identified these sheds as contributing to improved mental health of the men in the region. The sheds provide council and local health and wellbeing organisations with a way to engage with men in the area through providing information on men’s physical health and mental health. For example, during National Men’s Health Week, through the men’s sheds men were given free health check-ups.

I would like to honour the hard work of Bob Lester from the Wollondilly Shire Council in overseeing the United Wollondilly Community Men’s Sheds program. I also thank the council for getting behind such an initiative and important community program. I congratulate the newly elected executive of Clive Hales, Ken Quarnby, Phil Hughes, Bev Garrick, Jackie Cheives, Tony O’Toole, Ron Grills, Terry Atkins and John Bartle on their appointments. I hope to see more of these men’s sheds in the Macarthur region as well as across the country. These sheds are a fantastic initiative and make a huge difference in the lives of men in rural and regional communities.

World Diabetes Day

Ms HALL (Shortland) (10.47 am)—Monday was World Diabetes Day and it was important that the Australian parliament recognised the significance of the day and pledged its support for research and provision of services to people with diabetes. I congratulate the member for Hindmarsh on the motion that he brought before the parliament. I know that it was a motion that had the support of all members of this House.

The number of people developing diabetes is growing by a staggering 275 new cases each day. There has been a 20 per cent increase in the number of people with diabetes in the Shortland electorate since 2007. Our health system is fast becoming unsustainable just because of the fact that more people are suffering from diabetes. I refer the House to a report from the Standing Committee on Health and Ageing in the last parliament about obesity. That is one of the contributing factors to diabetes.

Access Economics estimates that the cost of type 2 diabetes is $34.6 billion, consisting of $12 billion in financial costs and $22.2 billion in net costs of lost wellbeing. Over the next three decades diabetes expenditure is projected to increase by over 400 per cent. As a nation this is an issue that we really cannot allow to continue. We need to address it. It is estimated that the people living in the Shortland electorate with type 2 diabetes contribute $12 million in health costs per year.
If not well managed, diabetes can lead to complications such as heart attacks, stroke, kidney damage, blindness and amputation. The really scary thing is that a lot of people do not even know that they have type 2 diabetes. I would encourage people to be tested regularly for it.

On 30 October, I launched the Walk to Cure Diabetes in the Hunter. On that day young Dane Boyd, who came to Parliament House earlier this year, came onto the stage and helped me launch the walk. He then joined me on the walk. It is an interesting fact that there are 1,048 people in the Shortland electorate with type 1 diabetes, of which Dane is one. I thank Dane for joining with me on 30 October, launching the walk and walking alongside me with his mother and my family. Diabetes is a disease that we as a nation need to come to terms with and address as a matter of urgency.

Renewable Energy

Mr IRONS (Swan) (10.51 am)—As you would be aware, Mr Deputy Speaker, there have been many high-profile problems with the government’s energy efficiency and renewable energy programs. There has been confusion surrounding some programs such as the solar panel rebate scheme, which was unexpectedly cut off by the former environment minister. Then there was the disappointing decision of the government not to shortlist any of the eight Western Australian projects submitted under the Solar Flagships program, despite all having the backing of the WA government and despite five projects being progressed in Queensland.

Of course, few people will ever forget the tragic Home Insulation Program which has left a nation nervously waiting for government inspections to confirm their houses are safe from fire. Much of the public focus with this mismanagement has been on how ordinary people have been affected, but it is also true that the installation industry suffers a great deal as well.

Recently, mail received from a self-employed electrician in my electorate, Mr Dave Glossop, reminded me of the importance of considering the industry. In his email, Mr Gossip raised some problems he has been encountering with one of the renewable energy programs. I thought I would share these issues with the House today. Mr Glossop wrote:

I am a qualified electrician and electrical contractor. I am licensed to install any piece of electrical equipment anywhere in the world. However, to be a part of the Australian renewable energy scheme, I am forced to do a course that is nothing more than reading the installation manual as I would do with any other piece of equipment. It takes a week, costs upwards of $800, costs me personally a week’s wages as I am self employed and then you are forced to join the Clean Energy Council, plus accreditation of $300. All this just to get the renewable energy credits processed for the end user, what a laborious and costly exercise and for what? I can do all of this legally and professionally but without this ridiculous accreditation the end user cannot claim credits. Why?? I want to install wind power in my own home and then for my customers but I am forced to do a Solar Photo Voltic course even though I will never use solar. Where is the logic in this? Please explain why, as a professional electrician I am forced to go through bureaucracy and torture of this process just so the end user can claim back REC’s. It’s not about the installations practice because I can do it now, legally and professionally. I have installed methane generation power stations already and the power is being supplied back to the power authority without any of this bureaucracy. This process needs to be streamlined. As a nameless person once said….Please explain????

The Clean Energy Council has responded to Mr Glossop, saying—

Mr Ripoll interjecting—

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Mr IRONS—I hear the member for Oxley. The council has said:

The federal government, through its RE legislation and Office of Renewable Energy Regulator requires that electrical workers are accredited through the Clean Energy Council where Renewable Energy Certificates are claimed.

It is important that the government maintain the highest safety standards. This should always be the first priority and there have been serious problems with their approach in the past. However, it is also important that they show understanding of how the industry works.

I advise the House that I have written to the Minister for Climate Change and Energy Efficiency and asked him to look into this matter on behalf of my constituent.

World Diabetes Day

Ms SAFFIN (Page) (10.55 am)—Like the member for Shortland, I too want to draw attention to World Diabetes Day on Monday and I thank the honourable member for Hindmarsh for bringing it to the House’s attention. It is a big health issue and sadly diabetes is on the increase. It is of particular significance in my electorate where there is a high incidence of diabetes, particularly in the Aboriginal and Torres Strait Islander community. So it is something we all need to be mindful of and we need to ensure that people have access to not only treatment but also preventative measures, though it does not work for everybody, and also that they have access to nurse practitioners in the area of diabetes—that is really important.

I was just given a plaque from Life Education Australia, which I know some other honourable members received if they are also Life Education ambassadors. The plaque says, ‘For a safer, smarter life,’ and it has Healthy Harold on the plaque. The Hon. Alan Cadman, who heads up Life Education Australia, was just in the parliament and he presented me with the plaque. It is a wonderful organisation and something I know that all honourable members support. I thank him and Jay Basik, the CEO, and Caroline Watson, who were also here to present me with that.

There is another issue I want to raise. Yesterday I attended an event in the parliament, co-hosted by the honourable member for Fremantle and Senators Xenophon and Heffernan, to do with gene patents—an issue that has been raised in this place before. The honourable member for Fremantle had a private member’s motion to which I spoke. It is one of those issues that will not go away. As I said on local radio in my electorate, it is an issue where the patents law needs to be unwrapped, in a sense, so that we can deal with the issue where discovery of something pre-existing in nature—gene sequencing—has actually been patented. That is the issue we have to deal with. It is good that honourable members are drawing attention to this issue. Also, the day before I met with Natasha Stott Despoja, whom I want to recognise because she first raised the issue in the Senate and she did some really good work on it.

Flinders Electorate: Ms Amanda Drennan

Mr HUNT (Flinders) (10.57 am)—I rise to support, acknowledge and speak up for the tremendous work and commitment of Amanda Drennan, a 22-year-old swimmer and Paralympian. She lives on Phillip Island and has been the pride of that place. She has represented Australia internationally with great success, great acclaim and great achievement. She is a joy to meet because of her enthusiasm, her commitment and her dedication. Next year, she will be doing an extraordinary thing—she will swim around Phillip Island in Westernport Bay. That
will be a swim of approximately 65 kilometres. She is doing this for a number of reasons. Firstly, she is doing it to raise awareness and to push the case—and raise money—for renewed hospital services on Phillip Island. Phillip Island cruelly lost Warley Hospital after the 2007 federal election, when the incoming Rudd government refused to honour the coalition’s pledge of $2½ million of federal funding to ensure that Warley Hospital remained in existence. The hospital subsequently closed, to the detriment of the community on many fronts, and the community is now fighting—with my total support—to have the hospital reopened as part of the state owned Bass Coast health network, to be linked in to Wonthaggi hospital.

Amanda is literally putting her body on the line. She will swim 65 kilometres around Phillip Island. I have been roped in, and have agreed, to swim a little over 1,000 metres along the way with her. After I made this agreement, I was informed that she will be doing it in a shark cage and there is only room for one in the shark cage. So I am committed to swimming on the north side of the island not the south side, which is near the penguins and the seals and is famous for its great white sharks. Many of my colleagues have encouraged me to swim on the south side of the island; I feel that it is extremely unfair and ungenerous, and I will swim on the north side of the island!

But this is Amanda’s story and Amanda’s day, and she deserves the recognition. Her immediate concern is to seek a meeting with Minister Nicola Roxon, the health minister for the Commonwealth of Australia, to push the case for federal funding for Warley Hospital. We will also push the state government. I ask the minister to make time available, at a time of her convenience—we will be very flexible—and a place of her convenience—we will be very flexible—and a place of her convenience, to support Amanda and Warley Hospital. (Time expired)

Oxley Electorate: Trade Training Centre

Mr RIPOLL (Oxley) (11.00 am)—On 5 November, the Minister for School Education, Early Childhood and Youth, Peter Garrett, announced funding of $219.6 million for 58 new trade training centres. Of that, $4.5 million has been provided to, amongst other projects, set up a trade training centre in my electorate of Oxley. This western corridor trade training centre campus will be located adjacent to Woodcrest College and will offer training courses to students from three local partner schools: Woodcrest College, Forest Lake State High School and Redbank Plains State High School. This is a fabulous partnership between schools to deliver the best outcome for their students. Students will be able to learn traditional trades such as carpentry, landscape gardening, hairdressing and electrical and mechanical trades, just to name a few. They will do this while still at school, as part of their formal education process.

Congratulations must go to these schools and their principals, who have fought hard to secure this funding and create this unique partnership. I also want to congratulate Llew Paulger, the senior project leader, who said: ‘This is a fantastic opportunity training-wise for students to make sure there is a smooth flow from high school into skills training, straight into the workforce. We’ve got really tight industry links for the whole program.’ And this is where the success of these trade training centres will deliver great outcomes for young people.

The funding is part of the Gillard government’s $2.5 billion investment in vocational training and education. It means real money, real facilities and real outcomes for young people. The Trade Training Centres in Schools Program has already delivered 35 completed projects; 130 projects are under construction right now, and 64 are in the planning stage. We expect 64 trade training centres to be ready for the 2011 school year—next year. These trade training
centres are delivering on the government’s commitment to an education revolution. The Gillard government is delivering record funding to the education sector, but also directly to students and schools, and to parents through tax concessions. That is ensuring that we have a world-class education system in this country, one that comprises all the components of what education should be about.

Trade training centres are a very important part of this government’s plan to address the skills shortage in our economy. A modern education system means delivering students who have choices and pathways to employment and who are not just finishing school with nothing on their horizons. Of course, not every student will go on to university or other forms of higher education, but the old system—of finishing at year 10 or even year 12 and then commencing learning a trade—did not deliver the options and flexibility that students need.

At the new western corridor trade training centre campus, the students will be able to work directly with local industry to create highly skilled, high-end jobs. This really will deliver for my local students and their schools. It is a great initiative and a great partnership. There ought to be more of it right across the country.

The DEPUTY SPEAKER (Mr Murphy)—Order! In accordance with standing order 193 the time for constituency statements has concluded.

CRIMINAL CODE AMENDMENT (CLUSTER MUNITIONS PROHIBITION) BILL 2010
Second Reading

Debate resumed from 27 October, on motion by Mr McClelland:
That this bill be now read a second time.

Mr ROBERT (Fadden) (11.03 am)—I am pleased to rise to make some comments on the Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010. I am aware, of course, that the provisions of this bill were referred to the Senate Foreign Affairs, Defence and Trade Legislation Committee as recently as October this year for inquiry and report, with the report due to come through in the autumn period of 2011. According to the Selection of Bills Committee, the bill may be inconsistent with the recommendations made by the Joint Standing Committee on Treaties when it reviewed the convention in the 42nd Parliament. The proposal to refer the bill to the committee was then signed by Senator Rachel Siewert.

This is a significant issue with respect to our international obligations. The bill includes the legislative measures necessary to give effect to the Convention on Cluster Munitions. We were one of the first countries to sign the convention on 3 December 2008. It is an important convention; there is no question about that. We certainly took an active role in negotiating the convention. I think we all agree that the long- and short-term impacts of using cluster munitions, especially in population-centric areas, can have devastating effects on the community. We have all seen representations and images of either artillery-launched or air-launched cluster munitions and what they can do if five to 10 per cent of those small bomb munitions do not explode. We all understand the cost this has on civilian life, especially on the children who come into contact with a cluster munition. However, it is important to ensure that we explore all areas of the bill and that, if indeed there are defence concerns, we address those concerns appropriately and sensitively, cognisant of the use of these munitions in relation to our armed
forces and allies. At present, we have almost 3,000 combat troops, men and women, deployed overseas.

Whilst the bill will enjoy the support of the coalition in the House, we have reserved and will continue to reserve our right to amend the bill in the Senate, subject to any of the findings of the Senate inquiry that may have an impact on our defence posture or, indeed, our defence capabilities going forward. I will certainly keep my comments brief in that respect. We will wait on the report from the Senate inquiry. On the surface, the bill does not appear to raise any major concerns; hence, it will pass through the House with the concurrence and support of the coalition. But I do reiterate that we will reserve our right to amend the bill in the Senate should any untoward consequences arise from a view to go forward with the treaty.

Ms ROWLAND (Greenway) (11.06 am)—I rise to speak in support of the Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010. This is an amendment to the Criminal Code Act 1995. You realise the seriousness of the nature of the subject matter of this bill when you look at what it is amending. It is amending division 72 of the Criminal Code, which, as you may well know, Mr Deputy Speaker Murphy, has some of the most heinous crimes listed in this part, including explosives and lethal devices.

This bill amends Australian domestic law to ensure consistency with the Convention on Cluster Munitions. Australia signed this convention in December 2008 as part of our commitment to a world free from cluster munitions. A cluster munition is defined in the convention, but I think it is very neatly summarised by the United Nations Development Program, which states:

Cluster munitions are weapons that, when launched or dropped by aircraft, disperse large numbers of sub munitions over wide areas that can be the size of two to four football fields. These sub munitions, or bomblets, are usually designed to explode upon impact. Often they fail to do so and remain unexploded and unstable on the ground.

Certainly, for me at least, that definition sends a shiver up my spine.

The passage of this bill will place Australia in a position to ratify the convention. The convention is very significant as it prohibits all use, stockpiling, production and transfer of cluster munitions. The convention also provides for adequate provision of care and rehabilitation for victims, clearance of cluster munition contaminated areas, risk education and destruction of stockpiles. At the heart of the convention is a commitment to:

… put an end for all time to the suffering and casualties caused by cluster munitions at the time of their use, when they fail to function as intended or when they are abandoned …

This legislation forms one part of the measures necessary for Australia to implement the convention. The government is also working to ensure that the doctrine, procedures, rules and directives of the Australian Defence Force are consistent with the convention. Moreover, through the Mine Action Strategy, the government fulfils its obligation to support victims and to clear and destroy munition remnants. As part of this strategy, the government has committed $100 million over the next four years to reduce the threat and socioeconomic impact of landmines, cluster munitions and other explosive remnants of war.

I note that this bill was introduced into the parliament by the Attorney-General during Disarmament Week. Disarmament Week was established by the United Nations in 1978 as a way of promoting awareness about the need to disarm and to highlight the severe and adverse con-
sequences of the arms race. While growing up, I thought that the arms race was insidious. I was personally very disturbed by the threat of war, but I realise today that even more insidious is the death and maiming that occurs from war. It is not just a threat; it is actually occurring.

While Disarmament Week may have been established in response to the arms build-up that came to characterise the Cold War, the continued use of cluster munitions sadly means disarmament remains an important issue for the international community. Cluster munitions kill, and they kill indiscriminately. They lead to the destruction of innocent lives in a most horrific and graphic manner. The United Nations Development Program’s Bureau for Crisis Prevention and Recovery estimates that cluster munitions have caused over 10,000 injuries or deaths across the world. I can think of nothing more senseless than the death of a child, and certainly the death of a child in this manner. I note a report from the organisation called the Cluster Munitions Coalition. This is not a report from decades ago, during the various conflicts in the Mekong region; it is a report from March 2010. It states:

Five children were killed and one injured when a cluster submunition exploded in a village in Lao PDR’s Champasak province on 22 February 2010. The incident highlights the need for urgent action to assist survivors and ensure the clearance of cluster munition remnants when states parties to the treaty banning cluster bombs gather for their first official meeting in the Lao capital, Vientiane, this November.

... … … … … …

According to Lao government sources, a group of eight children found a … cluster submunition while they were feeding buffalo in rice paddies about 2 km from the village … near the border with Thailand. The device exploded while the children were playing with it in a hut on stilts in the rice paddies. The blast instantly killed five of the children and injured one, while two who were farther away were not harmed. The US widely used … cluster submunitions—also called pineapple bombs because of their resemblance to the fruit—in bombing raids over Lao PDR in the 1960s and 70s.

I will talk in a minute how some children actually think that these munitions are balls or other toys that they can play with. It simply drives home the insidious nature of these things.

Since World War II cluster munitions have targeted over 30 countries and territories, including Iraq, Afghanistan, Kosovo, Lebanon, Chechnya and Western Sahara. Their use has had devastating impacts, not just on human life but on the ongoing sustainability of these countries. They have had a detrimental impact on food security, for example. They contaminate arable land and kill livestock. Food insecurity, as we all know, is already a significant problem in war-torn countries, and the use of cluster munitions simply makes the problem worse. They have a long-term devastating impact on communities, causing severe damage and destruction to shelter and water, again leading to health and hygiene problems.

Put simply, cluster munitions cause damage so significant that they hinder the economic growth and development of emerging countries. Much of the work that we do through international agencies like the World Bank to implement practical measures to improve the lives of people in emerging economies will be undone as long as these weapons of insidious destruction continue. They create poverty in countries that are already plagued by poverty. It is also alarming that at least 75 countries have stockpiled billions of cluster munitions. Indeed, the convention says that the states parties to the convention are:

Deeply concerned also at the dangers presented by the large national stockpiles of cluster munitions retained for operational use and determined to ensure their rapid destruction …
According to the UNDP, most of these cluster munitions are of the type known to have high failure rates. As I mentioned, cluster bombs often fail to explode upon impact. This has significant long-term consequences for communities that are turned into minefields. I mentioned the Lao PDR. Thirty years after the conflict in Laos efforts are still taking place to clear the 75 million unexploded cluster bombs across the country. In July 2003 UNICEF warned that more than 1,000 children had been injured by weapons such as cluster bombs since the end of the war in Iraq. According to Carol de Rooy, the then UNICEF representative in Iraq:

Cluster bombs come in interesting shapes that are attractive to children. Many children are injured or killed because they see a shiny metal object, sometimes in the shape of a ball, and they have to go and pick it up and play with it.

The thought of innocent young lives being lost at the hands of unexploded cluster munitions is deeply saddening, and I am deeply disturbed by the thought of innocent lives being lost in this way. That is why I welcome the efforts of this government to move as quickly as possible towards lodging Australia’s instrument of ratification for the Convention on Cluster Munitions.

The bill will create offences that reflect the range of conduct that is prohibited by the convention. This includes creating a new offence of using, developing, producing, acquiring, stockpiling, retaining or transferring a cluster munition. The bill will also create an offence of assisting, encouraging or inducing a person to commit these acts. As the Attorney-General said in his second reading speech, this offence includes a person providing financial assistance to, or investing in, a company that develops or produces cluster munitions where that person intends to assist, encourage or induce the development or production of cluster munitions by that company. The details of this offence are outlined in proposed subsection 72.38(1). These offences will carry a maximum penalty of 10 years imprisonment for individuals and $330,000 for bodies corporate.

I welcome the provisions on banning investment. I note that Switzerland, for example, recently moved to ban its investment in cluster munitions. They are poised to join a number of other countries that have outlawed these investments. The Cluster Munition Coalition has welcomed this step and has called for more countries to follow suit to eradicate what I think they very rightly describe as the ‘double standard of banning cluster munitions while allowing financial institutions to benefit from their production elsewhere’.

Act for Peace is the international aid agency of the National Council of Churches in Australia. They warn that many financial institutions across the globe provide loans to companies that manufacture cluster munitions. Although I recognise that these financial institutions are not directly funding the production of the munitions, Alistair Gee, the Executive Director of Act for Peace, has warned:

… providing finance to these manufacturers allows them to free up other funds to continue making an internationally banned weapon.

In the spirit of this bill and in the spirit of the Convention on Cluster Munitions, I urge financial institutions to reconsider this practice and cancel the funding they provide to these companies.

In conclusion, this bill builds on Australia’s commitment to a world free from cluster munitions. Our determination to ratify the convention as soon as possible reflects our commitment to pursuing international peace. I commend the bill to the House.
Mr SIMPKINS (Cowan) (11.16 am)—I welcome the opportunity today to speak on the Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010 and to support the Convention on Cluster Munitions. As is often the case when Australia signs and ratifies very worthy conventions, we are not the problem in a lot of ways. There are other places around the world which we wish would sign and ratify these conventions. While I do not think that the use of cluster munitions by the Australian Defence Force was ever an issue, it is good that we sign and ratify conventions such as this to help add weight and momentum to a very good cause and a safer world.

Cluster munitions are air dropped or ground launched weapons. During their flight they eject submunitions and bomblets. They are called ‘dumb bombs’. There is nothing highly technical about them. They are expended during flight, hit the ground and are designed to kill personnel and destroy vehicles, runways and powerlines—basically a range of different targets. They are designed to all explode on impact, but we know there will be a 10 per cent failure rate, where they do not go off on impact. As the previous member said, these cluster munitions have a terrible history of maiming people. I will mention more about that later.

The Convention on Cluster Munitions was adopted in May 2008. On 1 August 2010 it became binding international law, six months after it was ratified by 30 states. We look forward to Australia ratifying it as soon as possible, once we have passage of this bill. More than 100 states have signed the convention, but of course the next step of ratification is required. Cluster munitions were invented in World War II by the Germans initially, as I understand it. They were almost simultaneously invented by the Americans and others. So they have been around for quite a while. Between the 1970s and the 1990s, some 34 countries were involved in the production of these weapons. The weapons can have as few as two submunitions per round or as many as 2,000. As I said, around 10 per cent are not likely to go off. That indicates very clearly the sorts of weapons that were fired over Laos during the time of the sixties and seventies, which was referred to earlier.

Since the early 2000s, related forms of weapons have been produced which can deactivate or even self-destruct in accordance with the way they are built. So these are smarter weapons but they are not technically defined as cluster munitions under the convention. I understand that, since February 2005, over 13,000 casualties around the world have been attributed to cluster munitions. Of those, 98 per cent have been civilian casualties—the worst kind. Of that 98 per cent, 27 per cent have been children. For weapons designed to have a military purpose, the impact has been the very greatest upon civilians.

As the member for Greenway has said, the impact of cluster munitions has particularly been felt in Laos. In early 2009, I had the honour to be part of a delegation to an interparliamentary conference in Vientiane, the capital of Laos. While in Vientiane, we had the opportunity to get a better appreciation of the effect that unexploded cluster munitions have had on that country. There have been many deaths and maiming of a great number of children because cluster munitions appear to be very interesting to inquisitive children. Members of our delegation were able to visit a local hospital and rehabilitation centre where people who had been maimed, the survivors of these munitions explosions, were trying to get their lives back in order. That is a terrible tragedy. Apart from these terrible weapons being on the ground, there is the problem of unscrupulous people asking local villagers to look for scrap metal in

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the forest, in the jungles of Laos. That has encouraged more people to investigate the metallic objects on the ground—again, to their great detriment.

I welcome this bill. The convention bans the use, development, production, acquisition, stockpiling, retention and transfer of cluster munitions, as well as the assisting, encouraging or inducing of any person to do any act prohibited by the convention. Rather than speaking on the main features of this bill, I note the Attorney-General is here and we probably should get on with the process of moving this bill through. I note as well that the shadow minister mentioned that the Senate will be having a closer look at the bill and amendments may well come out of that consideration. It is important.

The convention was ratified on 1 August by 30 nations, meaning that it is already in force. A lot of progress has been made. We should make sure that this bill delivers everything that needs to be delivered. I look forward to it passing, once all these issues have been sorted out and the Senate has properly dealt with it. I thank the House for the opportunity.

Ms JULIE BISHOP (Curtin) (11.24 am)—It is perhaps opportune that the Australian parliament is raising the issue of cluster munitions at this time. The happy news of the engagement of Prince William and Kate Middleton and the prince’s offer of his mother’s engagement ring has been a timely reminder to the world of the passion and dedication that Diana, Princess of Wales, demonstrated in her tireless effort to create a world free from landmines. The graciousness and generosity of spirit for which she was known and loved stayed with her at all times through immense personal challenges.

In August 1997, just days before her death, Princess Diana visited Bosnia to draw attention to terrible consequences of landmines, particularly the effect on children. It is in the context of this bill and the news of the royal engagement that the coalition again pays tribute to the work of Princess Diana and shares the disappointment of all that she was not able to personally receive the Nobel Peace Prize awarded to the International Campaign to Ban Landmines, a campaign that she championed so passionately.

The coalition under the Howard government was proud to play an important role in support of Princess Diana’s vision and legacy. Australia was one of the original signatories to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. In 1998 the Australia parliament gave effect to the mine ban convention, which required the Australian Defence Force to destroy Australia’s stockpile of antipersonnel landmines, and the Howard government took this step several years before the necessary deadline. The Howard government also supported these initiatives with funding of $100 million over 10 years, and this was backed up in 2005 with a further $75 million over five years. Our firm commitment to ending the use of landmines was again highlighted in 2006, when Foreign Minister Downer released an AusAID publication on AusAID mine action.

I believe the Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010 is another positive step in continuing the action initiated by the Howard government. We welcome the fact that the Australian government was among the initial signatories to the convention of cluster munitions in Oslo in 2008. Speaking in parliament on 18 November 2009, just 12 months ago to the day, I stated the coalition’s support for the prompt ratification of the convention. The convention:
will expand international efforts to reduce the harmful impacts of explosives on civilians. It will also help promote the development of those countries worst affected, many of which are in our region.

It is a sad reality that the region in which Australia finds itself has fallen victim to the scourge of landmines and unexploded ordnance. Areas that could be used for agriculture or commercial activity, for example, continue to lie unused.

The coalition is pleased to note that the current bill addresses the concerns raised by the Department of Defence and the recommendations of the Senate Standing Committee on Foreign Affairs, Defence and Trade in their inquiry into the prohibition of cluster munitions. That inquiry took place in 2006. It is crucial to our long-term national security interests and the safety of Australian Defence Force personnel that we maintain:

... the right to retain or acquire a limited number of munitions for the development of, and training in, cluster munition detection, clearance or destruction techniques, or the development of cluster munition counter measures.

Importantly, the bill also protects Australia’s right to engage in joint military operations with non-state parties. We note, however, that the provisions of the current bill were referred to the Senate Standing Committee on Foreign Affairs, Defence and Trade on 28 October for inquiry and report. As such, and as my colleague the member for Cowan indicated earlier in this debate, the coalition reserves its right to amend the bill in the Senate should the committee make further recommendations and should such amendment be necessary.

Mr McCLELLAND (Barton—Attorney-General) (11.29 am)—in reply—I thank honourable members for their contributions to this debate. I was present when the member for Cowan gave his presentation and his military knowledge was certainly informative and instructive. I appreciate as well the contribution from the shadow minister for foreign affairs and I endorse her comments in respect of the late Princess Diana. In fact I recall that, when I was first elected to parliament, I served as deputy chair of the Joint Standing Committee on Treaties and, during our inquiry into landmines, Princess Diana wrote to the committee commending us on our work. That letter would, I suppose, be with the parliamentary records. It would be quite notable.

The government is pleased to present this bill, which provides the legislative measures necessary to give effect to the Convention on Cluster Munitions—a high priority for the Australian government and indeed, quite evidently from the debate, for all members of the Australian parliament. The convention bans the use, development, production, acquisition, stockpiling, retention and transfer of cluster munitions, as well as the assisting, encouraging or inducing of any person to do any act prohibited by the convention.

There are three main features to the bill. First, the bill creates a new offence of using, developing, producing, acquiring, stockpiling, retaining or transferring a cluster munition. The bill also creates an offence of assisting, encouraging or inducing a person to do any of those acts. An example of the conduct that would fall into this offence is where a person provides financial assistance to, or invests in, a company that develops or produces cluster munitions, but only where that person intends to assist, encourage or induce the development or production of cluster munitions by that company. The offences are serious; they carry a maximum penalty of 10 years imprisonment for individuals or $330,000 for bodies corporate. This penalty reflects, as I have said, the serious nature of the offences that this bill creates.

MAIN COMMITTEE
Second, the bill creates defences to those offences which reflect the range of conduct that is permitted by the convention and recognises the fact that we may be in partnership in respect of military operations. The government has, wherever possible, sought to preserve the language of the convention in the bill in order to ensure that the range of conduct that is prohibited by the convention is the subject of criminal offence under Australian law. The bill creates a defence for persons who acquire or retain cluster munitions for the permitted purposes or for the purpose of destruction when authorised by the Minister for Defence. The bill also creates a defence for persons who transfer cluster munitions to another state party for the purpose of destruction.

In order to encourage individuals to contact the police or the Australian Defence Force in order to surrender cluster munitions, rather than handling the dangerous explosives themselves, the bill creates a defence for persons who, without delay, notify the police or the Australian Defence Force that they wish to surrender cluster munitions. We recognise, however, that continued interoperability with certain non-states parties is consistent with Australia’s national interests and international obligations. Therefore, the bill allows Australia to continue to maintain cooperative military relationships with other countries that are not parties to the convention. Continued cooperation between states parties and non-states parties is central to the protection of international security, as well as Australia’s national security interests. The convention permits continued military cooperation and operations between states parties and non-states parties, subject to some restrictions.

The government also believes that Australian personnel should not face the threat of prosecution for serving alongside allied forces that continue to use cluster munitions. The bill creates a defence for persons whose conduct takes place in the course of the permitted range of military cooperation and operations. Notwithstanding this defence, it will be an offence for a person to use, develop, produce, acquire, stockpile or retain cluster munitions, even in the course of combined operations with countries that are not party.

The defence will also apply if a person expressly requests the use of cluster munitions in a situation where the choice of munitions used is within Australia’s exclusive control. A separate defence protecting visiting personnel from the armed forces of countries that are not party to the convention while such personnel are in Australia is also included. These individuals are not required to comply with the convention’s obligations and are therefore protected, to a limited extent, from the criminal offences of stockpiling, retaining and transferring cluster munitions. Nonetheless, such visiting forces would not be excused from prosecution if they were to use, develop, produce or acquire cluster munitions in Australia.

The convention is a remarkable humanitarian achievement that recognises the tragic impact of cluster munitions particularly on civilian populations and, more often than not, children of those civilian populations.

The bill is a significant step towards Australia meeting its obligations under this important convention and will strengthen Australia’s legal framework regarding weapons that cause significant and indiscriminate harm to civilians.

Question agreed to.

Bill read a second time.

Ordered that the bill be reported to the House without amendment.
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.

Mr SYMON (Deakin) (11.36 am)—It is my pleasure to speak to the address-in-reply and it is definitely a privilege to be back here to be able to do this. I certainly thank the constituents of Deakin for placing their trust in me.

The seat of Deakin was created back in 1937 but, since that time, it has been won by a Labor candidate at only three elections: 1983, 2007 and now, 2010. It is one of those frustrating seats for someone from my side of politics. It has always been marginal, but only just, on the other side. I have watched many years go by with very close results, and it is a very humbling experience for me to be elected twice to the seat from a party that has held it only once before.

As the first Labor member to be re-elected in Deakin, I look forward to the trend of seats being won by Labor in eastern Melbourne and being returned at the next election. I think it is a good sign that that can happen in that part of Melbourne. It is also very encouraging to see that the seat of La Trobe, my neighbouring seat, has also started off in that direction. That is also a great result. I place on record my thanks to the electors of Deakin for placing their trust in me for the second time as I continue to deliver on the local promises and commitments made during the last parliament and through this year’s election campaign.

In my first address-in-reply in 2008, I spoke about the precarious nature of employment and the lack of security of workers’ entitlements in the construction industry in particular. I noted at the time that the Howard government’s GEERS scheme did not fully protect a worker who had suffered through the devastating experience of losing their job, their last week’s or fortnight’s pay, their redundancy and notice payments and all their accrued leave—all on the same day when they arrive at work and find a padlock on the gate. It is still far too easy for dodgy employers to place a company in the hands of administrators or receivers and walk away from the corporate mess with their employees’ money in their pocket. Invariably in this situation it is not only the employees who lose out but also the creditors, contractors and a long list of people who all get burnt in this situation.

Although I spoke about it in my last address-in-reply speech because I had seen it in my previous line of employment, I have also seen it in my current line of employment. I have had local businesses do exactly that and workers have been thrown out of work with absolutely no money and no notice. They are very frustrating and ugly situations, and the more that can be done to prevent those things happening in the future the better. One of the things that we are doing in the current Gillard government is responding to one of the flaws in GEERS—that is, the present cap on redundancy payments. Currently the cap is set at 16 weeks, but the flaw with that is that it does not matter how long a worker has been at a company. Therefore,
someone who may have worked at a company for six or seven years may be entitled to the same amount under this scheme as an employee who has worked there for their entire life—let us say 30 or 40 years. That does not bear much of a reflection on any industrial agreement or arrangement. The change that is being proposed is particularly good.

From 1 January 2011 workers’ redundancy payments through GEERS will be based upon their length of service, up to a maximum of four weeks for every year of service. This comes in advance of the legislation to be introduced that will enable the Fair Entitlements Guarantee, as committed to by Labor at the last election. That will provide more certainty to workers and their families who, through no fault of their own, end up on what can be a financial scrapheap. The Fair Entitlements Guarantee is a great step forward for all working people, but especially targeted for those most at risk. It does not apply to directors or excluded employees of companies under the Corporations Act, but it does apply to the portion of income up to $108,300 per annum. The Fair Entitlements Guarantee will, through legislation, protect up to three months unpaid wages and unpaid deductions from those wages like salary sacrifice payments to super—the employees own money—and unpaid annual leave, unpaid long service leave and up to five weeks payable in lieu of notice. Importantly, it is a legislated outcome, whereas GEERS is an administrative order and can be changed. A legislated outcome is something that employees will be able to count on.

In my first speech, I also spoke about other potential solutions to resolve the problems with security of entitlements issues for employees. One of those I have always been particularly interested in are the portable leave schemes—portable long-service leave, portable redundancy schemes. They work in some industries—the building and construction industry and to some degree in contract cleaning. They provide workers, who would otherwise not get those entitlements, a way to actually qualify. It provides, in what may well be a transient industry, a path to long service. There are not many people in the building and construction industry who could stand up and say, ‘I have worked for one employer for 10 years.’ That is not how the industry works. Most people are employed on a job-to-job basis. Very much the same can happen in contract cleaning and other similar transient industries. If there is an example to be made of those sorts of schemes, and I think it should, that is one way to relieve part of the burden of what becomes the taxpayers’ burden when a company goes under, because it is the government that funds these payouts through GEERS or through the Fair Entitlements Guarantee when it is introduced. So there is a way around some of it and that is to actually get those payments done at the time and recorded, but be held centrally and not be held on an employer’s books where they can be treated as a tradeable commodity—maybe against a loan to the company, for instance.

Because these schemes are portable and operate across Australia, if someone does not work for a while or they leave the industry and then come back later, in many cases that service is there waiting for them. These schemes have now been operating for over 25 years and many tens of thousands of employees, hundreds and thousands, have actually benefited, and I think other industries should certainly look at this example. In terms of portable long-service leave, it is also something that governments can look at because these are long-term liabilities that are not always at the front of an employee’s mind; it is not something you would generally see on a weekly wage packet.
Without a doubt the issue of most concern when I campaigned for election back in 2007 was Work Choices. Foisted upon an unsuspecting public by John Howard and the Liberal Party, this repugnant legislation stripped away working people’s rights and entitlements with no recompense or opportunity to change the outcome. As a member of the Labor government in the 42nd Parliament I was especially proud at the commencement of the Fair Work Act, an act that delivered fairness back to workplaces right across Australia. But it must be remembered that every single member of the Liberal and National parties tried to vote down the Fair Work Bill when it was progressing through this place. They wanted to keep Work Choices. It was their creation and they wanted it to remain in place to continue the rip-off of Australian working people.

In 2007 I promised that if I were elected Labor would fix the Springvale Road level crossing in the suburb of Nunawading, which is geographically right in the centre of my electorate. This involved a commitment of $80 million of federal funding and a commitment to work with the Victorian state Labor government to make the project happen. There is a bit of a history to this project. It had been promised by the Liberals for many years. But it had not happened. We saw plenty of stunts—TV cameras and visits—but no work. That is the problem, because, whilst there was no work going on, the daily traffic jams continued at what was Melbourne’s No. 1 red-spot intersection as identified by the RACV. In fact it got worse, because there is more traffic on our roads and we have more trains on our rail lines.

The Liberals made promises prior to 2007, but, rather than trying to work with the state government, they spent most of their time blaming the state government, and there ended up being a lot of finger pointing and arguing. But there was no result. By working with the state Labor government, the Springvale Road grade separation is now complete. The Commonwealth put in $80 million; the state government put in $60 million. Work started in July 2009. It was done differently to previous grade separations. A lot of work was done on weekends and a lot of work was done out of hours. Many times the road crossing would be closed for a few days so work could continue around the clock. So what would have taken 18 months only a few years ago in this case took six months. Although it was inconvenient at times—when you have a six-lane road like Springvale Road closed for a few days and trains not running—the payoff was not having to put up with that interruption for 18 months. So, by January 11, trains ran under Springvale Road in Nunawading for the first time ever. Every since the rail line went out there in 1882, there has always been a level crossing. However, I suspect the traffic was not that dense in 1882.

Above ground only last year there were 218 trains a day and 50,000 vehicles using the crossing, all competing for the same little patch of ground. The boom gates would come down, the cars would stop and the trains would bank up and that would go on all day. You could have traffic jams on a Sunday banked up for a kilometre or more. But if you go there now it is free-flowing traffic. If someone who did not know the area were driving by, they may not even notice there was a railway there—except they might notice the brand new Nunawading station. Architecturally designed, a very different cutting-edge design, it has really changed the character of Nunawading. Nunawading had developed along the highway in recent years, but down towards the railway was looking quite rundown. It has really opened up the area and I expect there will be a great deal of complementary development that will improve the suburb greatly and make it better all around for everyone.
At a recent count, Nunawading station was used by around 3,000 people a day, and I am sure that will increase because of the facilities it has. It has closed-circuit TV monitoring all day and all night long, it is fully staffed from first train to last, it has remote controlled bike lockers and it has good undercover access and car parking. Those are the sorts of things we need as local infrastructure if people are going to be attracted away from cars to use public transport. It is a great example and I hope we can commit to more like that in the future. They are not cheap but they certainly make a difference to not only those in the local electorate but also the tens of thousands of people a day who pass through intersections such as that.

I now turn to some of the other local commitments given in 2007 and delivered in the last term of government. There was funding for the Croydon Memorial Pool and the Croydon leisure centre. A total of $600,000 was delivered not only to save millions of litres of water but also to retain the outdoor Croydon Memorial Pool as a continuing operation. That is greatly valued by the local community. There were huge protests when the council decided to shut it down a few years ago. It is one of the few full-size outdoor pools left in Melbourne and people keenly wait for it to open each summer. Lots of kids go there and have a great time. In 2007 we committed $150,000 to fund an upgrade to the Keystone Hall in Croydon at the Little Athletics track. With the assistance of Maroondah City Council, which invested a similar amount, we now have a wonderfully light, safe and modern facility for various community groups that use the hall and, of course, Little Athletics participants.

Another local commitment was $500,000 to fund the building of a pavilion at Glen Park football oval in Bayswater North. This project is also now complete. It has allowed the Glen Park community centre to fully utilise their existing buildings, which have been refurbished by the council. The council piggybacked on our funding and topped it up, and that was great. The East Ringwood Junior Football Club now does not have to share their change rooms with the community centre, which was not easy when there was lots of mud in there on a weekend and people tried to do art classes on Monday morning. It has certainly solved that problem and made it a much better place for everyone. There is no more hosing out or cleaning of mud before the start of each week. The junior football club now has rooms to store gear. They do not have to pack everything away in a container on the other side of the ground at the end of each weekend.

In 2007 we also committed to a $200,000 upgrade of Bedford Park Central Ringwood Community Centre. It now has a brand-new space in what was an old dungeon, if I may call it that. It was a condemned area downstairs that had been an old boxing ring. It had no emergency access or natural light. It is now a great usable area for all the community. The main hall at the centre was repainted and the floor was sanded and varnished. This project was also assisted by funding from the Maroondah City Council. In the suburb of Nunawading we committed $150,000 to upgrade the gymnasium at Walker Park. This has been delivered and the gymnastics club is now able to use the new equipment and enjoy the improved safety facilities that were so badly needed. It is very pleasing to be able to stand in this place today and report that every local commitment of 2007 has been delivered to the community of Deakin in full.

I now turn to local infrastructure that was committed to in 2009, with the GFC. There is a large amount of infrastructure happening in Deakin. Some of it is finished and some of it is still going. It will continue for quite a while. The Ringwood soccer and multipurpose sports
The pavilion was funded with a $2.9 million grant under the RLCIP and is nearing completion. Again, there was money from Maroondah City Council and the state government, so we get even more value out of the project. When complete, the pavilion will have a terraced seating area under cover, changing rooms that cater for males and females, unlike the old facility, along with disabled access. It will have a boxing gym, club rooms and office space for regional sporting associations. In addition, the ground has been upgraded from grass to an all-weather artificial surface, and it will be lit so it can be used at night. Last year the ground was green and lumpy and the year before it was as black as a piece of asphalt, but it was supposed to be grass. It was not what you would call a friendly playing surface. The car park has also been upgraded so that buses can now bring kids in and there is more space for spectators to park.

I cannot talk about infrastructure in Deakin without talking about the various Building the Education Revolution projects. The National School Pride program provided grants to every school in the electorate to undertake upgrades of school ovals, to undertake maintenance works and to buy electronic whiteboards. All of these things were valuable and well used, and really popular locally. Then came the continuing part of the program, the Primary Schools for the 21st Century program. Many schools have already got their new facilities; many are now opened; some are due to be opened but are already in use, and that is great; and we still have some under construction. The important part is that BER is providing not only infrastructure for our local schools but also great local employment.

There are examples in particular with some of these schools that I well remember—Burwood East Primary School being one of them. I present school awards each year—the Deakin Student Award—and in 2008 at the school assembly, where we had to be outside because they had nowhere inside, it rained on all of us. It was an assembly—it was an awards presentation—so we sat there and got wet. The school will not have to do that anymore because they now have a hall where students can have their assembly and do those sorts of things rain, hail or shine.

I would like to take my remaining time to thank all of the volunteers who helped in my campaign for the seat of Deakin, for the countless early mornings, late nights and weekends, helping out with the myriad of tasks that some people do not see and with the tasks that people do see. No-one can do all of those jobs by themself. In particular, I thank my electoral office staff who worked beyond the call of duty. Thank you to Fergus Vial, Dimity Paul, Greg Curtin, Cal Viney, Barb Godfrey and Clint Quealy. I would also like to thank just a few volunteers: Ray Jackson, Greg Napper, Ian and Kathryn Holmes-Elliot, Steve Grimant, and Trevor and Lea Chambers to name a few. I also must thank my lovely and very understanding wife, Cheryl, and my understanding children, Jessica and Angie, who put up with me not being there for so much of their time. I try to make it up. I know it is always going to be remiss of me. (Time expired)

Ms LEY (Farrer) (11.57 am)—I am very pleased to speak to the address-in-reply at the start of the 43rd Parliament in the year 2010. As we come towards the end of the sitting year I would like to take this opportunity to provide a snapshot of my electorate and into the heart of rural Australia. The electorate of Farrer has grown since I became the member in 2001 and it now occupies some 250,000 square kilometres, an area roughly the size of New Zealand. Your electorate, Madam Deputy Speaker Livermore, may be larger but not many are. You are shak-
ing your head, so not many are. As rural members of parliament we share, I know, a love of rural Australia and an understanding of some of the important differences about what makes our constituents tick and what drives our communities compared to the communities in the city and on the coast. Both types of Australia are equally important to the success of this nation.

In Farrer, events that have taken place in my electorate over the last two weeks have revealed the state of the nation as it applies to the people that I represent. Like many areas, the prospect of a royal wedding was greeted with great enthusiasm even from those of us who acknowledge that one day, inevitably, we will be a republic. It was a great good-news story and I was delighted to hear the Prime Minister open yesterday’s question time with congratulations to Kate and William.

Rather paradoxically, this parliament has been urged to get in touch with its feelings towards same-sex marriage. I note simply on that subject that there was no legislation on the table before the parliament affecting the current status of the Marriage Act, but rather a proposal that we as local members get in touch with our constituents on this subject. It is a somewhat penetrating glimpse of the obvious to ask local members to refer to their constituents for their views. My constituents are continually in touch with me as I travel the electorate and if I do not run into them then they certainly email me. If they have got something to say, they say it. We will, of course, as a parliament discuss issues around the recognition of same-sex couples, as we have many other critical social matters over the last few years.

According to Roy Morgan Research, in my electorate of Farrer 29 per cent of Australians say that homosexuality is immoral. I vigorously disagree with that assessment in terms of rights and the recognition same-sex couples should have. I am always suspicious of statistics, but perhaps the research indicates that we need to work harder to convince some who are not as comfortable with the idea of same-sex relationships. We in the Liberal and National parties—I certainly speak for the Liberal Party—are committed to equal rights under the law for same-sex couples.

For my children, it is almost a no-brainer. When you compare my class of 1979 and my daughter’s class of 2010, you see that attitudes towards homosexuality, towards gays and lesbians, have changed dramatically. I take pride in our society recognising that change, but there are still young men and women in our small country towns who are, quite honestly, tortured, distressed and very worried about societal attitudes to their sexuality—something that they feel they do not personally have control over. So there is more work to be done in our rural areas. Our communities need to embrace the differences between every child and, as they grow through adolescence, every type of relationship.

The drought that has defined so much of inland New South Wales has finally broken. For the first time in seven or eight years, no part of New South Wales is in drought. I am absolutely delighted that the dust, crop losses and low water allocations are coming to an end for most of my constituents. But this is, of course, a country of droughts and flooding rains, and we have seen some pretty horrendous flooding rains in the towns near Albury, in the central and mid Murray and up into the Riverina—represented by my colleague the member for Riverina—in the last few weeks. I must convey my distress on behalf of those who have been affected, particularly those who were growing the crop to break the drought, to break the long run of bad luck, and have had it absolutely washed away. We will not know until harvest time,
in another month, exactly how bad the damage is, but I was disheartened to hear from some-
body who drove between Lockhart and Boree Creek—two of the badly affected areas—that
all they could smell along the trip was rotting crops. I do not know how much more some of
the farmers can take. We are resilient, persistent and tough, but this has been an enormous
shock.

If banks and lending authorities can do more to assist, including stepping back and letting
people ride out just one more year, I would certainly appreciate it. I do thank the state agen-
cies who have come forward and done so much. I am not happy that we still do not have an
exceptional circumstances declaration for floods worked up, but there is more work to be
done. I would like to see that come to fruition, for some real help for flood affected farmers.

As the local member in my part of the world, I can never get away from the issue of water.
As I have said many times, the electorate of Farrer is defined by water. It contains most of the
New South Wales Murray River—except for the far reaches of the upper Murray-plus the
lower Darling River and the Menindee Lakes. Therefore, it contains a substantial part of the
southern Murray-Darling Basin. Let there be no mistake—wherever I have been travelling in
the last few weeks, the primary concern, the primary worry and the primary suspicion con-
cerns this government’s mishandling of the Murray Darling Basin Authority’s Basin Plan to
claw back water from the region’s food bowl and agricultural sector for what can only be de-
scribed as excessive environmental gain. I am sick of those of us who stand up for irrigated
agriculture being characterised as environmental vandals. There is no doubt that we can have
a balance, that we can look after the interests of productive farming and the interests of the
environment side by side and have healthy rivers, healthy wetlands and a strong, productive
environment that supports a strong, productive agricultural sector. It is not necessary to close
farms to open wetlands.

We have now had two parliamentary inquiries, and the Murray-Darling Basin Authority has
been forced to undertake an additional socioeconomic study, because of genuine concern from
the coalition and the basin communities about consultation and how this process is being run.
As I did the other day, I remind the government that this is a message they could have re-
ceived directly if they had attended any of the sessions across the basin. If they had attended,
they might have heard the voice of at least one of my constituents. For example, Joe Cottam
from Berrigan has penned his thoughts. In part, he writes:
In thirty seven years in Berrigan I have seen this area boom with rice and grain production, cattle, sheep
and dairy industries. Then an enormous decline due to drought, water cutback, local red gum forest in-
dustry (now a National Park) caused shut down of sawmills and further loss of employment in the area!
All our businesses have been hanging on waiting for the drought to break. If a proposed 37% water cut
happens the drought will continue and many businesses will just close.
The Murray Darling Basin inquiry has to get a balance of Social, Financial and Environmental out-
comes!
Rand Wilson, of the local Finley Chamber of Commerce, says:
I have lived in the Basin for almost fifty years, I have worked in the Basin. I have farmed in the Basin
and have operated a retail business in the Basin and I have taken a particular interest in the history and
development of the area in which I live.
With the benefit of this fifty years affinity with the area I call home I can assure you that if adopted, the plan, as set out in the Guide for the proposed Basin Plan, has the potential of returning the economy of this area to that of the 1930’s.

Yet another submission to the MDBA’s current but seemingly short-circuited Basin Plan consultation from Kerry Hawker, from the Murray Valley, states:

I am one of the tens of thousands of people who have been overlooked by the Plan. Hardworking families who have invested their life savings in the rural towns across the Basin.

I fear that one day my children and grand children will not be able to buy food grown and produced in Australia —it will be imported.

We’ve forgotten what it is like to lend a mate a helping hand. This is what makes us Australian —not kicking rural people in the guts after a severe drought.

Madam Deputy Speaker Livermore, like you I am a member, for the purposes of the inquiry, of the parliament’s Regional Australia and Regional Development Committee, chaired by the member for New England. We know the committee has work to do. I am delighted that in December and January I and other members of the committee will be travelling through the Murray-Darling Basin. We will not complete all of our visits in that time because our consultation will be real and genuine, but we will be starting to look at some of the areas directly affected and we will start to make our assessment as a committee independent of the Murray-Darling Basin Authority.

As members of parliament, we will make our assessment of the real, human cost of the proposed cuts to water allocations. It is absolutely vital that we work together across this parliament, that we acknowledge those who want to see a healthy river system and the continuation of irrigated agriculture and that we find way. I know that there is a way. The previous, coalition, government allocated $5.9 billion to a fund set aside as part of our $10 billion water plan to replumb rural Australia. This funding was to be used to help farmers become more productive with less water. We all know that we face a future with less water. This $5.9 billion fund was to replumb rural Australia.

Imagine my disgust when earlier this week in the Senate, in answer to a question on notice, it was revealed that a mere $450 million of this over $5 billion fund had actually been spent for the purpose for which it was allocated, and at no stage did the government say they were taking this money off the table because they had other uses for it. No, the money is presumably still sitting there with that tag attached to it, but I am not confident that this government are going to use it for the purpose that was originally intended. I would encourage the government, in the steps they take in concert with the Basin Plan—because it is the water minister that has the final decision—to recognise that you cannot make the adjustments without giving sufficient assistance to communities. I do not mean compensation or structural adjustment. Those allocations are great for the short term and for those who receive them, but they do not help communities remain sustainable in the long term.

We have to remember that we are looking at a unique environment but it is not an environment in its original state. The Murray and Murrumbidgee have been permanently altered by the Snowy Mountains Scheme, which I think was completed in 1974. There were 16 dams built in the Snowy Mountains along with 225 kilometres of tunnels and aqueducts; power stations; pumping stations; and 23 locks, weirs and barrages on the Murray River. It is a permanently altered, regulated river. So our aim should not be to restore it to something that it might
once have been before humans came but to maintain it as a healthy working river. As I said, I think that we can find a way, and I look forward to that.

I will move back to more local issues in Farrer. Two weeks ago it was my pleasure to attend the opening of a new home for the Flying Fruit Fly Circus at Albury, built with the support of Commonwealth and local government funding. I acknowledge the attendance on the day of the Minister for the Arts and Minister for Regional Australia, Regional Development and Local Government Simon Crean. I think that he was spending a week in rural Australia and I hope that he heard the messages about the needs of regions, which extend far beyond water and the arts, important though those things are. Those needs extend to hospitals, health and education.

I have long been a supporter of the Flying Fruit Fly Circus. It is Australia’s only full-time circus-training institute for children. For 30 years the ‘Fruities’ have played an important role in the development of contemporary circus in Australia. Today the Flying Fruit Fly Circus graduates are working, teaching and performing in many new and emerging professional companies here and abroad. Other graduates are just as happily working in mainstream business due to the opportunities that being connected to the circus has created for them.

The Flying Fruit Fly Circus is a school, and in the last two weeks it has also been my pleasure to visit no fewer than five schools in the electorate, on a tour I did of the mid-Murray. It is always terrific to spend time in primary schools and see the new infrastructure. I did share some of the parents’ disappointment that the Building the Education Revolution, for the money, did not create the additions to the schools that they would have liked. All the same, I recognise the great spirit and the great enthusiasm that is with our teachers and our parents in our communities. The schools are often very small and there is a huge fundraising task for a dedicated band of parents. Boy, do they rise to the task, each and every time! I saw the Stephanie Alexander supported kitchen garden at the Barooga Primary School. There was an allocation of money to that school but what the parents raised as well is phenomenal. The school will have a really well-developed garden, a great kitchen and it will teach children vital skills for the future.

Another key issue in Broken Hill in my electorate concerns the government’s proposal to land a GP superclinic in the city. I, along with the parliamentary secretary for primary health care, met with local medical community groups to engage in a real dialogue with the sector. We canvassed the views of 30 representatives from one of 11 communities where the government has chosen not to engage in community consultation. I put on the record today, for the benefit of the health minister, that what Broken Hill tells us it wants is a community-government coordinated approach so that its medical fraternity can maintain continuity of care, build on an existing system, improve facilities and attract quality staff to the bush. There is real concern in Broken Hill that a GP superclinic will threaten this and existing private practice expansion plans. I hope that the Minister for Health and Ageing will engage in a constructive dialogue with me as the local member and with the medical community so that we use what we have, we build on what we have and we recognise the contributions that local GPs have made, putting their own money and their own investments at risk in their private practices. I hope that we build on all that for the future.

Like every member in this House, I could not do my job without the support of my staff in my Canberra office, in my Broken Hill office and in my Albury office. Everything they do...
they do in the name of the local member and in the spirit of public service. I thank them for that because the hours which electorate staff work are often long, sometimes unexciting and sometimes unrewarding, although I like to think that the rewards do come. We all share in those rewards when we have a breakthrough, a win, when we solve what may seem, in the big picture, a small problem in a moment of time, in an ordinary life, but it makes such a difference to those who get the benefit of our help. As an electorate office, we are a place of last resort. We relish the challenge and love to help where we can.

After nearly 10 years in this place, can I say what a privilege it is to be the local member for Farrer in an electorate which has grown more than twice in size since I was first elected. I mentioned earlier that my youngest daughter is completing year 12—she finished her last exam yesterday. So now my three fabulous children, aged 22, 20 and 18, are moving out into the world. When you come to this place with children aged 8, 10 and 12 you certainly look forward to this day. I am not just saying that it gets any easier, but the role of being a parent to adult children allows us more time and freedom, when we can do our jobs in Parliament House without the constant concern about what is happening back home. I think that Main Committee for its indulgence today.

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (12.16 pm)—In responding to Her Excellency the Governor-General’s speech, I would like to say how proud I am to represent the people of the Maribyrnong electorate, a very special electorate where 34 in every 100 of my voters were born overseas and 51 in every 100 of my voters speak a language other than English at home. I admire the efforts that migrants have made in Australia and the multicultural aspect of my electorate. The electorate of Maribyrnong, like many electorates in the west and the north-western suburbs of Melbourne, has benefited in recent years from a Labor government in Canberra and a Labor government in Victoria. I look at the Building the Education Revolution, the largest single infusion of new spending in schools in my area in many decades. I look at the primary schools where at last we are building facilities for children which are as good as the homes they live in. The importance to me of the education infrastructure investment we have seen is that for many years in colonial Australia, indeed right up until World War II, we were building schools which were better than the homes that Australian children lived in. That sent a message about the importance of education.

After World War II, with the explosion of our population and the suburbs, perhaps we lost our way in building schools which were as good as the homes people lived in, sending a message about the quality and importance of education. Now we have restored the balance. Looking at what the federal government and the state Labor government have done in my electorate, I also need to talk about the Sunshine Hospital within the Western Health network. Sunshine Hospital had experienced its spurts of growth under federal Labor governments. It was first established in the Whitlam area. Then we had periods of conservative administration in Canberra when nothing was done. I am pleased to say that, especially with the fine work of our Minister for Health and Ageing, who has the neighbouring electorate of Gellibrand, the Sunshine campus of the Western Hospital network has been receiving much overdue resources.

The big infrastructure projects have not only been in health and in schools. I must talk about what we are doing with the Maribyrnong defence land, first established as a defence
facility at the start of World War I, building ammunition for our troops. It was the remount facility for our light horse serving in the Middle East and in Europe. For many years, the defence land served this nation in terms of ammunition and troop procurement. It has now ceased to have an active defence function.

We have negotiated an arrangement with the Victorian government that will see a balanced, sustainable community with significant economic, environmental and social benefits for Maribyrnong and Melbourne’s inner west. It is the largest pocket of undeveloped land so close to the GPO of Melbourne. The space of the Maribyrnong defence land is three times the size of the Vatican and there will be arrangements where much of the river’s environmental values and much of the open nature of the site and its heritage will be preserved, right back to the first Indigenous occupation of this land, to when it was a horse-training facility for its defence iteration, and now to provide marvellous quality housing for Melbournians and Victorians to live in very close to the city.

Unlocking the site has been a passion of mine for some time and I am pleased that as the federal member I was able to help pave the way back in 2007-08 for the site to be transferred to VicUrban, the Victorian government’s land development authority, to develop the site. VicUrban has undergone an extensive consultation process with the local community to secure input into, and broad community ownership of, a shared vision for the development of the site. Just last week, I was pleased to be involved with the state member for Footscray to help launch that shared vision. We hope to see over 2,000 people contribute to the consultation to develop this site. The Department of Defence has undertaken to appropriately prepare and securely clean the site. It is anticipated that 2,500 families will be able to move in and join the community values and the environmental and heritage benefits of this quite remarkable piece of land. This project demonstrates the partnerships that can be achieved between state and federal governments, local government and the community.

In talking about infrastructure and the contribution of this government to my special electorate of Maribyrnong, I should of course refer to roads and rail infrastructure. We see extra lanes being built on the Western Ring Road and a new regional rail link to free up congestion of the rail network. With regional rail, the federal and Victorian governments have announced plans to improve access to Sunshine and Footscray railway stations with improvements to local roads as part of the $4.3 billion regional rail link. We will see works that include the removal of two level crossings on Anderson Road in Sunshine as well the transformation of railway stations.

The regional rail project to which the Gillard government has contributed $3.2 billion includes new dedicated regional tracks from the west of Werribee to Deer Park and along the existing rail corridor from Sunshine to Southern Cross station. This will generally separate regional trains from metropolitan trains for the first time, giving Geelong, Bendigo and Ballarat trains their own dedicated tracks through the metropolitan system. Key features for Sunshine station in my electorate will see the removal of the level crossings that I have referred to between Ballarat Road and Wright Street, a new footbridge and plaza entries at the station, a new platform and improvements to station safety and amenity.

I also welcome the announcement by the Brumby government to fund grade separation of the Main Road-railway level crossing at St Albans. I have always supported the local community in trying to reduce congestion and to greatly improve safety at this very busy local inter-
section. These are invaluable projects for the western and north-western suburbs of Melbourne. To ensure that our area is one where families can happily and healthily grow and businesses can thrive, quality transport infrastructure upgrades are integral to community progress. I am pleased that work on the Western Ring Road is progressing well.

The 28-kilometre-long Western Ring Road extends from the junction of the Princes and West Gate freeways in Laverton to Sydney Road in Fawkner. The ring road is part of the M80, which also incorporates the 10-kilometre-long Metropolitan Ring Road. This road carries up to 142,000 vehicles per day, with up to 16 per cent of these being commercial vehicles. There are a series of capacity and safety improvements being undertaken at key locations in the Western Ring Road by our government. Lane widening and safety improvement works on the Western Ring Road will enhance the capacity to improve traffic flow, improve reliability by mitigating weaving and diverging of traffic, maximise traffic flow, and reduce congestion. The Australian government is contributing $900 million to the Western Ring Road upgrade, with the Victorian government contributing $300 million.

There are some other local infrastructure initiatives that are very important to the people of Maribyrnong. One of these is the Milleara hub. Earlier in the year the Moonee Valley community celebrated the opening of a new $4.3 million Milleara Integrated Learning and Development Centre for Children, which will provide much-needed education, health and family services in the area around East Keilor and Avondale Heights. The federal Labor government provided over $2.8 million to the Moonee Valley Council for the new centre from the $1 billion Regional and Local Community Infrastructure Program. Importantly, during the construction more than 70 tradespeople were supported, including 24 apprentices, and 23 new ongoing jobs would be created as a result of the finished centre.

The regional integration plan is a key part of our economic stimulus plan delivering local jobs in communities across Australia by building infrastructure for the long term. The project was the result of strong feedback from the community that a dedicated children’s health and learning centre was needed. Investing in the health of our children is the best investment we can make as a society and I am pleased the government supported this particular project.

But the list goes on of the contributions to infrastructure in my local area and electorate. The Gillard government has also partnered with the Essendon Football Club—the Bombers—to deliver a new sporting and community hub with state-of-the-art facilities designed to meet the needs of the Australian Paralympics Committee as well as the growing community demand.

The Gillard government is investing $6 million towards the $28.7 million project, which is expected to include a club administration centre that will incorporate the Australian Paralympics Committee’s Victorian administration. Training, medical and rehabilitation facilities for use by the club, the APC, Australian Paralympic athletes and teams. There will be a fully accessible indoor club and community facility for the Australian Paralympics Committee, the Essendon Football Club and the community to use. There will be a learning multimedia area which can be used by local schools and during club community programs, as well as additional car parking and upgrades of existing club facilities for club, APC and community use.

This renovation is going to provide the Essendon Football Club with state-of-the-art facilities and forging an alliance between an elite AFL football club and the Australian Paralympics
Committee that will ensure that aspiring athletes with disabilities will achieve their dreams. And of course it is a valuable facility for the local community.

Sixty-five days after the appointment of the government, I should talk a little about the national perspective. It has been about 65 days since my appointment as Assistant Treasurer and Minister for Financial Services and Superannuation. This is a position of great responsibility and privilege. It is a portfolio that affects millions of Australians and represents a great opportunity to deliver further improvements that will increase the quality of life of all Australians and deliver us a sustainable economic future.

The Gillard government has developed strong and far-sighted policies on superannuation to simplify the system for working Australians and provide them with a secure retirement income. The key plank of our plan is to take the superannuation guarantee from nine to 12 per cent. I would encourage the opposition to come on board with a scheme which will ensure the adequacy of retirement income for millions of Australians.

One of the gifts of the last 100 years of life in Australia is that we live a lot longer than we ever did before, as the member for Berowra is aware. I will of course continue to work week in and week out to continue Labor’s strong record in developing a superannuation system that will improve the retirement savings of all of our citizens, build the nation’s prosperity and strengthen our financial security.

As the parliamentary year draws to a close, it is with some passion, and indeed some regret, that I no longer have the immediate responsibility for disability services, but I recognise the privilege I had in the first term of government to work with people with disabilities and their carers. I believe the government has made some advances in its first term. I do believe that we made disability an area of political priority, but there is certainly much that has to be done before people with disability and their carers are treated as equal citizens in this country.

I knew only a passing amount about disability when I was elected as the member of parliament for Maribyrnong, but my eyes have been opened since to the second-class existence that people with disability live. Imagine if we put two million people—approximately the number of full-time carers and people with profound or severe disabilities—in a city and built a wall around them. Then we said to these people that we had exiled in this city that from birth to death and at every point in between that they would get second-class outcomes. If we said to the parents of a child who in the early months of life is not developing as hoped or expected, ‘You will find it difficult to get advice and diagnosis; then the waiting time for early intervention services will be long; when you search for a preschool or child care or primary school you will again have a very invidious and very isolating process of finding support. And again you will find it hard when you need to find the money to support you to get physiotherapy, occupational therapy and paediatric assistance’.

Effectively we say to people with disability that when you go to secondary school, you will find it difficult to get adequate integration support; when you leave school, it will not be clear how you will find a job; you will experience higher unemployment rates; you will have lower levels of home ownership and greater levels of income insecurity; you will be discriminated against when you catch aeroplanes or trains; and the media will ignore your issues. If we did this to two million people picked at random and exiled them, you would have a riot, a revolution. But this is what we do to people with disability every day.
I should acknowledge that, in the work that has to be done to improve the situation I have just described, people with disability are fortunate to have the Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, and her team, and now Senator Jan McLucas, working to deliver real improvements to their lives. I particularly look forward to the Productivity Commission’s study into a long-term care and support scheme. The report will be released next year and will help provide us with a road map of how we can ensure equal treatment for people with disability and their carers in our very lucky country. I know the government will treat the report with the seriousness it deserves.

Finally, I would like to express my ongoing support for the people affected by the Victorian bushfires of 2009 and for those involved in the reconstruction of the bushfire hit areas. I had the opportunity to coordinate the federal government’s role in bushfire reconstruction. We have seen good examples of the different levels of government working together with local communities to ensure that government assists rather than hinders people in their very difficult personal and financial reconstruction and recovery.

Rebuilding is a long process and there is still a long way to go, but I salute and recognise the determination of literally thousands of individuals and families to make the best of what was a tragic disaster completely beyond the dimensions of anything we had previously experienced in this country. The Australian government stood side by side with Australian people through this time of difficulty and that work continues.

Whether looking at the electorate of Maribyrnong or at the nation as a whole, the role of the government is to encourage quality jobs and to provide quality services, such as transport, health and education, so that families and communities can thrive. I believe that the Gillard and Brumby Labor governments have delivered a strong economy responsibly. Both governments have made record investments in my home area of the western suburbs of Melbourne—upgrades to hospitals, schools and transport, as I have mentioned. In the months and years ahead, I hope to be able to continue to help deliver for local communities, to help build on the pride that so many take in their local community, to keep serving people with disability and their carers and to improve the financial security in retirement of millions of Australians.

One of the most important decisions on the near horizon for voters in our community is the Victorian state election on 27 November. The responsible and competent record of the Brumby government through the GFC has, along with the federal government, helped us into the calmer waters of today. Given the state government’s carefully costed, yet far-sighted, vision and agenda for the times ahead, I would urge Maribyrnong voters to return them at the end of this month. As a minister and a local member, I look forward to hearing the concerns of the Maribyrnong community in the new year and helping build an even better and stronger community than we have today.

Debate adjourned.

ADJOURNMENT

Ms HALL (Shortland) (12.33 pm)—I move:
That the Main Committee do now adjourn.

Wannon Electorate: Employment

Mr TEHAN (Wannon) (12.33 pm)—Given the issue I am about to address, it is interesting that I am following a member of the Labor Party who has been very influential in the trade
union movement, because this issue, at its heart, goes to the fact that the Labor Party is beholden to the trade union movement. The member for Maribyrnong has not waited to listen, unfortunately, because he might have been informed if he had.

The very important issue I would like to address today is award modernisation. When the award modernisation process was being discussed, the Prime Minister made a promise to all Australians, including rural and regional Australians, those working, high school students and small business owners. The Prime Minister promised Australia a fair work system in which the tribunal had the power to be flexible when needed to ensure that no worker was worse off under the new award system.

Following a second decision by the full bench of Fair Work Australia on the minimum hours needed to work, students in Avoca, Hamilton, Warrnambool and Terang, towns in my electorate of Wannon, seem to have been excluded from this promise. Leticia Harrison, Matthew Spencer, Jack Thompson and Jordan Tressider, who all lost work due to changes in the retail award minimum shift—from two to three hours—are still confused as to why. In an electorate like Wannon, which covers 14.25 per cent of Victoria, towns like Avoca, Hamilton, Warrnambool and Terang are the norm. So it is a fair bet that students in similar towns, which number well over 50 in my electorate, are facing the same predicament under these award changes.

There are generally two options for students seeking work: retail or hospitality. Hospitality poses problems for school students, because they must generally be 18 years old to serve alcohol, rendering them inappropriate for small hospitality businesses. That leaves retail as the primary option. In the country, retail businesses usually close at 5.30 pm on a weeknight and 1 pm on a Saturday. On Sundays they are usually closed as owner-operators make time for their own families. So when and where can a student living in rural or regional Victoria now work for a three-hour block? Where can they get the opportunity to gain experience, responsibility and learn the value of a hard-earned dollar?

No small business owner wants to hire someone for a period in which they do not work, and nor would a student want to be paid for work they did not do. Also, for a family owned and operated business, where every dollar counts, owners cannot be blamed for thinking about their bottom line. So, when students can only work for 1½ or two hours before or after school, why did Fair Work Australia rule against changing the minimum shifts in the retail award? The full bench of Fair Work Australia has stated that time travelled to and from work is a major consideration in rejecting calls for changes in the retail award. Let us consider why country students could be excluded from such consideration. Often parents are travelling to or from a town where the student goes to school, so they can get a ride to and from school. Often the students live in a town, so they can walk to or from the business employing them. In other cases, if they live on the outskirts of town, they might be able to make their own way there. None of these scenarios justifies the ruling by Fair Work Australia to keep the minimum shift in the retail award at three hours for students living in country Victoria.

Fair Work Australia also ruled that employing students for two hours would remove employment for part-time workers. Why are part-time workers more important than students looking for work? I will continue to fight on this issue until we get change in this area. There is no justification for the current rulings by Fair Work Australia. I call on the Prime Minister

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to honour her word to intervene and get the relevant minister to make a ministerial directive in this area so that students in my electorate and across Victoria can get back to work.

**Fraser Electorate: NEWPIN**

Dr LEIGH (Fraser) (12.38 pm)—On 1 November I visited UnitingCare Kippax in West Belconnen and was shown around by Gordon Ramsey and Uniting Care national director, Lin Hatfield Dodds. It was at this time that I was able to familiarise myself with NEWPIN, the New Parent Infant Network, which is a program that aims to increase children’s safety, well-being and life opportunities through early intervention. NEWPIN has received considerable praise since its introduction to Australia. I was similarly impressed by the potential of the program to break the transmission of intergenerational disadvantage through the positive construction of social networks and community based involvement.

NEWPIN is a program targeted at disadvantaged families most in need and facing child protection issues. In UnitingCare Kippax, NEWPIN takes place in a setting that aims to mimic a comfortable lounge room and kitchen. The program aims to foster healthy internal relationships by teaching skills such as how to cook a meal with three cranky kids around your feet. It aims to alleviate financial and emotional stress on families and to encourage both cognitive and noncognitive development. At UnitingCare Kippax I was informed that 30 per cent of families served by the centre were Indigenous. Gordon Ramsay told me that their work was ‘fundamentally about hope and reconciliation’. It is also the case that former users of the program in Australia are also being employed by NEWPIN.

We know relatively little about intergenerational patterns of poverty, but we do know that a son whose father is out of work for six months has triple the odds of being long-term unemployed when he grows up and a boy who witnesses parental violence in childhood is six times as likely to hit his spouse in later life. Correlation is not causation, but early experiences seem to matter.

In Australia, our early childhood programs owe a great deal to randomised evaluations of high-impact early childhood intervention programs carried out in the US. There, careful economic evaluations based on randomised trials from the Abecedarian, Perry Preschool and Early Training projects have shown that providing intensive assistance to disadvantaged children and their parents is not just morally right; it can be wildly cost-effective too.

These programs admitted children into preschool at an early age, sometimes as young as four months, and focused on developing cognitive, language and social skills. The target population was extremely disadvantaged. From a young age their IQ scores were below the US average. In the Perry Preschool program, two-thirds of girls in the control group had fallen pregnant in their teens, while more than half the boys had been arrested.

When researchers followed both the treatment groups and the control groups they found that those who received early childhood intervention were doing better on most measures than those in the control group. The programs cost, in Australian dollars, about $15,000 to $50,000 per child, yet they easily paid for themselves in reduced welfare spending, higher tax revenues and less crime. Set against sometimes disappointing results from other antipoverty programs, early childhood interventions look even better.

A program like NEWPIN appears to follow very much in the vein of the Abecedarian, Perry Preschool and Early Training projects. Because it is targeted at a very disadvantaged
population, it is potentially extremely cost-effective. For this reason, it would be useful to have a randomised evaluation of an Australian program like NEWPIN. In Australia there have been two small-scale evaluations of NEWPIN but neither—to the best of my knowledge—used random assignment.

This is not because random assignment is impossible. A handful of randomised trials of small early intervention programs have been run by researchers at the University of Queensland, while major early childhood programs are currently undergoing randomised evaluation thanks to researchers at the University of Chicago, Geary Institute at University College Dublin and other institutions.

We should also be reluctant to dismiss randomised trials on the basis that no potentially worthy program should ever be denied to someone. The very reason that a randomised trial denies treatment to those in the control group is that we do not know whether or not the program works. Indeed, anyone concerned about the ethics of random assignment need only look to the NRMA CareFlight team, led by Alan Garner, which has been running the head injury retrieval trial, a randomised evaluation of use of the NRMA CareFlight helicopter.

I commend the hard work of those at Uniting Care Kippax and the promising developments being undertaken through programs such as NEWPIN. I hope that through them we will continue to improve the evidence base around early childhood programs. There is no contradiction between rigorous evaluation and a great sense of hope and optimism about our ability to break the intergenerational poverty cycle once and for all.

Logan and Albert Rivers

Mr Van Manen (Forde) (12.43 pm)—I wish to speak today about some of the key environmental issues in respect of the Logan and Albert rivers, two of the key waterways in the electorate of Forde. These are issues that an ETS or a carbon tax will do nothing to solve. These issues will only be solved via practical, on-the-ground action.

When I was a child I grew up near the Logan River at Waterford and we spent plenty of time swimming and fishing in the river. These are not activities that I would undertake or recommend today, given the recent water quality reports.

The Logan is one of four rivers in the Forde electorate—and the longest, stretching back to the Great Dividing Range. The Logan River is joined by the Albert River at Carbrook before flowing into Ramsar listed southern Moreton Bay. The catchment is affected by a variety of land uses—from the rural areas of North Maclean and Chambers Flat to the urban areas of Waterford, Bethania and Loganholme, to the mangrove forests and aquaculture farms near the river mouth.

The 2010 ecosystem health report card showed the Albert and Logan rivers to be two of the worst in South-East Queensland, with the Logan River remaining in the D category and the Albert River dropping from an A-minus to a B-minus. After testing 16 sites in the Logan River catchment, most of the area failed to meet ecosystem goals set out by the study. Out of the 19 freshwater catchments in South-East Queensland, only four scored lower than the Logan River, which has not scored higher than a D in four years. Sites stretching from Waterford to Moreton Bay completely failed to meet health standards.

The main issue for the Logan and Albert waterways is fine sediment or suspended sediment which comes predominantly from urban and industrial areas, agricultural activities such as
grazing, and degraded river banks, including the banks of creeks within the catchment that ultimately drain into the rivers. The Logan and Albert Conservation Association believes that a large contributor to these poor results is the high nutrient and sediment levels being produced by development. The Logan and Albert Rivers Catchment Association believes that development and rural and urban refuse are the main problems that demand immediate attention. The association would like to see a greater awareness in the community of the importance of the rivers.

Logan City Council’s river clean-up program revealed that an average of 600 items were removed from the Logan River every fortnight between July 2008 and June 2009, with one-fifth being food wrappers. Healthy Waterways scientific experts believe that better processes are required in the development of greenfield sites, along with ensuring that the sediment created from rural area changes does not make it into the river.

In addition, new cities at Flagstone and Yarrabilba call for action to ensure that the health of the rivers does not deteriorate further. The same level of funding must be given to both the hard infrastructure and the green infrastructure. Buffers between houses and waterways are vital, along with pollutant traps in the design process. Further support in the areas of education and finance needs to be looked at for landowners. Rivers affect the whole community, linking the health of residents to social, economic and environmental issues.

It is pleasing to see that these issues have been recognised by Logan City Council and particularly by Councillor Lisa Bradley. Councillor Bradley is seeking to set up a proactive forum of locals, business people, state and federal politicians, environmental groups and farmers to educate and devise strategies and solutions to some of the issues mentioned earlier. Council approval is currently pending on this forum, and Councillor Bradley has invited me to be part of the forum to protect and save two of the main rivers in the Forde electorate. It is an invitation I am happy to accept.

Corangamite Electorate

Mr CHEESEMAN (Corangamite) (12.48 pm)—Today I rise to reflect on the tremendous work that natural resource management groups do within my own electorate and within the Corangamite CMA and the wonderful contribution that they make throughout our regions and our rural areas. Yesterday I was pleased to receive advice from Minister Tony Burke that 453 successful community action grants were granted under the federal government’s sustainable land management practices framework.

In my electorate of Corangamite a large number of groups were successful in receiving grants of up to $20,000 for their work. I would particularly like to acknowledge the Woady Yaloak Catchment Group; the Friends of the Marine Discovery Centre, which is between Point Lonsdale and Queenscliff; and the Bellarine Landcare Group, who were successful in picking up a grant for some important work in the St Leonards area. I would also like to congratulate the Southern Otway Landcare Network, the Upper Barwon Landcare Network, the Geelong Landcare Network and the Otway Agroforestry Network. All of these groups have lots of active volunteers who participate in natural resource management.

The Corangamite Catchment Management Authority, which shares a similar region to my electorate and also covers parts of the federal seats of Corio, Wannon and Ballarat, has some 5,000 active Landcare participants throughout that area. They certainly make a significant
contribution to our environment and to our landscape, particularly in protecting and enhancing our more valuable landscapes and ensuring that farming communities are worked with so that they can continue to farm in a more sustainable way in terms of fencing riparian zones and planting out creeks. In many parts of my electorate agroforestry is being added to farming enterprises, which of course has been very valuable.

I am pleased to see the member for Flinders here today. In fact, he came down and campaigned for the Liberal Party through the course of the federal election. I would like to report to him that all the areas and groups he engaged with responded by lifting the Greens vote at the cost of both the Labor and Liberal parties. I am pleased that he is here today and I am pleased that he enjoyed his time in my seat. He certainly did a tremendous job there in lifting the Greens vote to the cost of both of us.

As the member for Flinders realises and recognises, Landcare and environment groups play a very important role within my part of the world. My seat is similar to his seat. Our communities are very much environmentally aware. In many regards the federal seat of Flinders is almost the sister of the federal seat of Corangamite and it is, indeed, a very similar part of the world. Both are coastal electorates and they are, of course, delightful areas.

Nevertheless I am here today to recognise the contribution that the natural resource management groups do play. The Gillard government recognises, through various funding mechanisms, the important contribution that they make and I certainly look forward to working with those groups and with the government to ensure that adequate resources are put into this important area. (Time expired)

Carers Allowance

Phillip Island Wildlife Hospital

Mr HUNT (Flinders) (12.53 pm)—Deputy Speaker Slipper, may I say it is always a pleasure to speak in your presence. Let me begin by setting out a case of injustice in relation to one of my constituents who lives in Bass Coast. Malcolm Halliday is 67 and has been a full-time carer for his wife for several years. I spoke with Malcolm only a few days ago. He looks after his wife 24 hours a day. There are, of course, moments of calm and moments of peace and moments when one is in respite, but Mr Halliday’s is a permanent task—as is that of many carers of those with infirmities coming from age or disability. It is a great and noble thing they do. It is motivated by the deepest of human emotions, but it requires strong and real support from the parliament of the state and the parliament of the nation.

Malcolm receives about $100 a fortnight in carers allowance and, in order to shop for food, he arranges for his wife to go to respite care for six hours one day a week. This respite care, which he very much appreciates, is organised through the Commonwealth Carer Respite Service. This allows him to catch the bus to Wonthaggi to do the weekly grocery shopping. Malcolm is vision impaired and he cannot drive. That is why he needs to use the bus service. There has not previously been a charge for the respite care but he has now received a letter informing him that the Australian government will be charging him a monthly bill of $88. This is a person of limited means, with his own impairments, who has a wife in need of full-time high care, which he gives in the home—saving the Commonwealth tens of thousands of dollars every year.
Clearly there is an injustice here. I will be writing to the minister and asking the minister to review the case. This is manifestly wrong. A person of limited means, who himself has his own impairment and who is taking care of his wife—who would otherwise require tens of thousands of dollars of contribution from the Australian government—has been slugged with a significant impost on a very limited carer’s income. It is not right. It should not stand. It must not stand. I will take action on behalf of Mr Halliday, and I hope that the minister will listen, respond and recognise that there has been a manifest injustice in this case.

The second element that I want to raise is a more positive one and it also relates to the Bass Coast. This time it is the case of the Phillip Island Wildlife Hospital. I recently visited Phillip Island, which is in my constituency, and had the joy of taking along my family. My little girl Poppy had watched *Penguin Island*, a series on the ABC, which featured Phillip Island, particularly the work of the Phillip Island Nature Park. As part of that, it focused on the care, maintenance and protection of the penguin colony on the south-western tip of Phillip Island.

Part of the work of the nature park and part of the work of the conservation groups is to establish a fully operational Phillip Island wildlife hospital, which in particular will focus on the care and maintenance of the penguin colony but also other birds—for instance, shearwaters or Cape Barren geese—and other native animals on the island. There are many animals on the island. It is a beautiful place. It is of course famous for its koalas, although the numbers are now down below 100 on Phillip Island but, fortunately, there are thousands of koalas on nearby French Island. The proposal for a wildlife hospital requires additional funding. I will be looking at it as part of the coalition’s environment policy—and I am very hopeful of being able to make a future announcement. But right now, at this point in time, I would commend the proposal to the Commonwealth for funding to have the hospital established and its work expanded. I commend that proposal to the minister and ask for his consideration.

Reid Electorate: Stitching Hearts

Mr MURPHY (Reid) (12.59 pm)—I am very pleased to acknowledge in this place this afternoon the wonderful work of a volunteer group in my electorate of Reid called Stitching Hearts. Stitching Hearts started seven years ago with only two ladies and has now grown to eight dedicated members. Each fortnight they meet at the Concord Senior Citizens Centre to sew and to review the work they have done at home. One lady even travels a great distance from Gosford to help.

The aim of the group is to sew beautiful quilts for people and groups in the community who they feel might need a little extra comfort, including people in aged-care homes, disabled people and individuals who come to their attention who might be lonely or unwell. Two members of the group hold this aim dear to their hearts, as they are mothers of children with disabilities themselves. The ladies estimate that they have made and distributed over 300 patchwork quilts, including quilts they have donated to local organisations for fundraising activities. Their very first quilt was made and donated to the Catholic Women’s League for their National Convention Raffle. It was queen-sized and comprised of over 1,000 hand-sewn, one-inch hexagons. The quilt raised more than a staggering $8,000 for the league and gave Stitching Hearts the motivation to keep sewing.

The group relies on donations of materials from other sewers in the community who know of their good work as well as community grants, particularly those from the City of Canada...
Bay Council, which provides vital funding, as well as Drummoyne Rotary. The group purchased a second-hand sewing machine, which they repaired, and another sewing machine was donated to the club to help with their very valuable community work. One founding member, Mrs Darleen Fawl, notes that the group hopes that recipients of their quilts gain comfort from the bright, happy colours and warmth and she jokes that the ladies all agree that a day spent sewing quilts is a much more worthy and enjoyable way to spend a day than wasting it on housework!

The group has donated quilts to St Mary’s Villa, Concord; Grosvenor Disability Centre, Summer Hill; FRANS Respite House, Croydon; Claffy House Women’s Refuge, Burwood; St Anthony’s Respite House, Croydon; Lucas Gardens School; St. Joan of Arc Hostel, Haberfield; Yaralla Aged Care; Concord Hospital; and the list goes on. Stitching Hearts recently donated 31 handmade quilts to Lucas Gardens School, a school for severely physically and intellectually disabled children. Each quilt was made to suit the interests and preferences of every child, reflecting their likes and personalities.

The numerous appreciation letters and very personal thank you letters that the group have received are not surprising given their dedication and compassion and the care they put into their invaluable community work. I would like to read in part from a few of the thank you letters that the group has received recently. The first is from St Anthony’s Family Care, in Croydon. It says:

I am writing to you on behalf of St Anthony’s Family Care Flexible Respite Service staff, children and families to thank you for your kind donation of 12 hand made blankets to our new respite centre—Mary Mackillop Children’s Respite House for children with disabilities.

As a charitable organisation, we rely on such donations to ensure that we can continue to provide services and activities that meet the varying needs of our clients. Your hard work and generosity has assisted us to make our respite house a comfortable homely environment for children and families.

The second letter is from Lucas Gardens School. It says:

Thankyou for the amazing gift of quilts that you brought to our children at the end of last term. They were truly the most beautiful gifts anyone has ever made or given to our children. The creativity and care taken in all of the design work for the quilts, as well as the high degree of skill involved was evident to all our staff and to our parents too, and was indicative of your compassion and care for our children.

We all felt overwhelmed when we saw the quilts and knew that they were far too special to keep at school, but that they should adorn the children’s bedrooms, where they could be seen and enjoyed every day by the children and their families. I expect you may well receive a few notes from the parents too as many of them expressed their sincere delight and gratitude to us, and indicated they would be sending thankyou letters.

The third is from Family Resource and Network Support Inc., otherwise known as FRANS. I will read from it very briefly:

On behalf of the Management, Staff and, more importantly, the participants and families/carers involved with FRANS Inc.; I would like to express our appreciation for your … generous contribution of 8 hand stitched quilts to our Respite House in Croydon.

It concludes:
Many participants and families/carers in the area will be very thankful for you support.
On behalf of my electorate, I congratulate all of the members of the Stitching Hearts quilting group and thank them for their marvellous efforts for the benefit of so many in our community who are disadvantaged. I trust their work will continue to receive community support so that it can continue for many years to come. Well done, Stitching Hearts!

Question agreed to.

Main Committee adjourned at 1.04 pm
QUESTIONS IN WRITING

Home Insulation Program
(Question No. 35)

Mr Fletcher asked the Minister for Climate Change and Energy Efficiency, in writing, on 18 October 2010:
In respect of the premises referred to in my letter to the Minister dated 22 April 2010,
(a) what investigations has the Government undertaken into allegations that a fraudulent rebate claim
was made under the Home Insulation Scheme,
(b) what were the outcomes, and
(c) what steps have been taken to recover any monies paid to this alleged fraudulent claimant.

Mr Combet—The answer to the honourable member’s question is as follows:
(a) This matter has been referred to my Department’s Fraud Investigations Team who are being ad-
vised by the Australian Federal Police.
(b) As this matter is under investigation I am not at liberty to provide further details.
(c) As I have previously stated, where any firm is found to be engaging in fraudulent activity, they will
be investigated and if warranted, prosecuted to the full extent of the law.

Hizb ut-Tahrir
(Question No. 36)

Mr Fletcher asked the Attorney-General, in writing, on 18th October 2010:
What consideration has been given, and what steps have been taken, to declare the organisation Hizb ut-
Tahir as a terrorist organisation in Australia.

Mr McClelland—The answer to the honourable member’s question is as follows:
Hizb ut-Tahir is not a proscribed group in Australia under the Criminal Code. The Government pro-
scribes organisations under the Criminal Code on the advice of relevant security and intelligence agen-
cies.
The issue of which organisations should be proscribed as terrorist organisations remains under active
review by the relevant agencies.
It is the Government’s longstanding practice not to comment on the status of any consideration being
given to the possible listing of Hizb ut-Tahir or any other organisation under the Criminal Code.
Before listing an organisation, I must be satisfied on reasonable grounds that the organisation is directly
or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act or ad-
vocates the doing of a terrorist act.