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SITTING DAYS—2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>8, 9, 10, 21, 22, 23, 24, 28</td>
</tr>
<tr>
<td>March</td>
<td>1, 2, 3, 21, 22, 23, 24</td>
</tr>
<tr>
<td>May</td>
<td>10, 11, 12, 23, 24, 25, 26, 30, 31</td>
</tr>
<tr>
<td>June</td>
<td>1, 2, 14, 15, 16, 20, 21, 22, 23</td>
</tr>
<tr>
<td>July</td>
<td>4, 5, 6, 7</td>
</tr>
<tr>
<td>August</td>
<td>16, 17, 18, 22, 23, 24, 25</td>
</tr>
<tr>
<td>September</td>
<td>12, 13, 14, 15, 19, 20, 21, 22</td>
</tr>
<tr>
<td>October</td>
<td>11, 12, 13, 31</td>
</tr>
<tr>
<td>November</td>
<td>1, 2, 3, 21, 22, 23, 24</td>
</tr>
</tbody>
</table>

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FORTY-THIRD PARLIAMENT
FIRST SESSION—SECOND 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

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### Members of the House of Representatives

<table>
<thead>
<tr>
<th>Members</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbott, Hon. Anthony John</td>
<td>Warringah, NSW</td>
<td>LP</td>
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<tr>
<td>Adams, Hon. Dick Godfrey Harry</td>
<td>Lyons, TAS</td>
<td>ALP</td>
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<tr>
<td>Albanese, Hon. Anthony Norman</td>
<td>Grayndler, NSW</td>
<td>ALP</td>
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<td>Alexander, John Gilbert</td>
<td>Bennelong, NSW</td>
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<tr>
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<td>LP</td>
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<td>Andrews, Karen Lesley</td>
<td>McPherson, QLD</td>
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<td>Baldwin, Hon. Robert Charles</td>
<td>Paterson, NSW</td>
<td>LP</td>
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<td>Bandt, Adam Paul</td>
<td>Melbourne, VIC</td>
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<td>Billson, Hon. Bruce Fredrick</td>
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<td>Bird, Sharon Leah</td>
<td>Cunningham, NSW</td>
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<td>Bishop, Hon. Bronwyn Kathleen</td>
<td>Mackellar, NSW</td>
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<td>Broadbent, Russell Evan</td>
<td>McMillan, VIC</td>
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<td>Brodtmann, Gai Marie</td>
<td>Canberra, ACT</td>
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<td>Wright, QLD</td>
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<td>Watson, NSW</td>
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<td>Gippsland, VIC</td>
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<td>Dawson, QLD</td>
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<td>Ciobo, Steven Michele</td>
<td>Moncrieff, QLD</td>
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<td>Charlton, NSW</td>
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<td>O’Connor, WA</td>
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<td>Dickson, QLD</td>
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<td>Members</td>
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<td>Party</td>
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<tr>
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<td>Gambaro, Hon. Teresa</td>
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<td>Brand, WA</td>
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<td>Newcastle, NSW</td>
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<td>Griggs, Natasha Louise</td>
<td>Solomon, NT</td>
<td>CLP</td>
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<td>Durack, WA</td>
<td>LP</td>
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<tr>
<td>Hall, Jill</td>
<td>Shortland, NSW</td>
<td>ALP</td>
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<td>Hartseyker, Luke</td>
<td>Cowper, NSW</td>
<td>Nats</td>
</tr>
<tr>
<td>Hawke, Alexander George</td>
<td>Mitchell, NSW</td>
<td>LP</td>
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<td>Hayes, Christopher Patrick</td>
<td>Fowler, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Hockey, Hon. Joseph Benedict</td>
<td>North Sydney, NSW</td>
<td>LP</td>
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<tr>
<td>Hunt, Hon. Gregory Andrew</td>
<td>Flinders, VIC</td>
<td>LP</td>
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<tr>
<td>Husic, Edham Nurreddin</td>
<td>Chifley, NSW</td>
<td>ALP</td>
</tr>
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<td>Irons, Stephen James</td>
<td>Swan, WA</td>
<td>LP</td>
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<tr>
<td>Jenkins, Harry Alfred</td>
<td>Scullin, VIC</td>
<td>ALP</td>
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<tr>
<td>Jensen, Dennis Geoffrey</td>
<td>Tangney, WA</td>
<td>LP</td>
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<td>Jones, Stephen Patrick</td>
<td>Throsby, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Jones, Ewen Thomas</td>
<td>Herbert, QLD</td>
<td>LP</td>
</tr>
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<td>Katter, Hon. Robert Carl</td>
<td>Kennedy, QLD</td>
<td>Ind</td>
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<tr>
<td>Keenan, Michael Fayat</td>
<td>Stirling, WA</td>
<td>LP</td>
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<tr>
<td>Kelly, Hon. Michael Joseph, AM</td>
<td>Eden-Monaro, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Kelly, Craig</td>
<td>Hughes, NSW</td>
<td>LP</td>
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<td>King, Hon. Catherine Fiona</td>
<td>Ballarat, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Laming, Andrew Charles</td>
<td>Bowman, QLD</td>
<td>LP</td>
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<td>Leigh, Andrew Keith</td>
<td>Fraser, ACT</td>
<td>ALP</td>
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<tr>
<td>Ley, Hon. Sussan Penelope</td>
<td>Farrer, NSW</td>
<td>LP</td>
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<td>Livermore, Kirsten Fiona</td>
<td>Capricornia, QLD</td>
<td>ALP</td>
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<tr>
<td>Lyons, Geoffrey Raymond</td>
<td>Bass, TAS</td>
<td>ALP</td>
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<tr>
<td>McClelland, Hon. Robert Bruce</td>
<td>Barton, NSW</td>
<td>ALP</td>
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<td>Macfarlane, Hon. Ian Elgin</td>
<td>Groom, QLD</td>
<td>LP</td>
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<tr>
<td>Macklin, Hon. Jennifer Louise</td>
<td>Jagajaga, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Marino, Nola Bethwyn</td>
<td>Forrest, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Markus, Louise Elizabeth</td>
<td>Macquarie, NSW</td>
<td>LP</td>
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<tr>
<td>Marles, Hon. Richard Donald</td>
<td>Corio, VIC</td>
<td>ALP</td>
</tr>
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<td>Matheson, Russell Glenn</td>
<td>Macarthur, NSW</td>
<td>LP</td>
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<td>Riverina, NSW</td>
<td>Nats</td>
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<td>Melham, Daryl</td>
<td>Banks, NSW</td>
<td>ALP</td>
</tr>
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<td>Mirabella, Sophie</td>
<td>Indi, VIC</td>
<td>LP</td>
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<td>McEwen, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Morrison, Scott John</td>
<td>Cook, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Moylan, Hon. Judith Eleanor</td>
<td>Pearce, WA</td>
<td>LP</td>
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<tr>
<td>Murphy, Hon. John Paul</td>
<td>Reid, NSW</td>
<td>ALP</td>
</tr>
<tr>
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<td>Blair, QLD</td>
<td>ALP</td>
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<tr>
<td>Neville, Paul Christopher</td>
<td>Hinkler, QLD</td>
<td>Nats</td>
</tr>
</tbody>
</table>
## Members of the House of Representatives

<table>
<thead>
<tr>
<th>Members</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oakeshott, Robert James Murray</td>
<td>Lyne, NSW</td>
<td>Ind</td>
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<tr>
<td>O’Connor, Hon. Brendan Patrick</td>
<td>Gorton, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>O’Dowd, Kenneth Desmond</td>
<td>Flynn, QLD</td>
<td>Nats</td>
</tr>
<tr>
<td>O’Dwyer, Kelly Megan</td>
<td>Higgins, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>O’Neill, Deborah Mary</td>
<td>Robertson, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Owens, Julie Ann</td>
<td>Parramatta, NSW</td>
<td>ALP</td>
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<tr>
<td>Parke, Melissa</td>
<td>Fremantle, WA</td>
<td>ALP</td>
</tr>
<tr>
<td>Perrett, Graham Douglas</td>
<td>Moreton, QLD</td>
<td>ALP</td>
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<tr>
<td>Plibersek, Hon. Tanya Joan</td>
<td>Sydney, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Prentice, Jane</td>
<td>Ryan, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Pyne, Hon. Christopher Maurice</td>
<td>Sturt, SA</td>
<td>LP</td>
</tr>
<tr>
<td>Ramsey, Rowan Eric</td>
<td>Grey, SA</td>
<td>LP</td>
</tr>
<tr>
<td>Randall, Don James</td>
<td>Canning, WA</td>
<td>LP</td>
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<td>ALP</td>
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<td>Rishworth, Amanda Louise</td>
<td>Kingston, SA</td>
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<td>Goldstein, VIC</td>
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<td>Robert, Stuart Rowland</td>
<td>Fadden, QLD</td>
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<td>Greenway, NSW</td>
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<td>Gellibrand, VIC</td>
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<td>Longman, QLD</td>
<td>LP</td>
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<td>Griffith, QLD</td>
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<td>Berowra, NSW</td>
<td>LP</td>
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<td>Page, NSW</td>
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<td>Hume, NSW</td>
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Members of the House of Representatives

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<thead>
<tr>
<th>Members</th>
<th>Division</th>
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<tbody>
<tr>
<td>Wilkie, Andrew Damien</td>
<td>Denison, TAS</td>
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<tr>
<td>Windsor, Anthony Harold Curties</td>
<td>New England, NSW</td>
<td>Ind</td>
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<tr>
<td>Wyatt, Kenneth George</td>
<td>Hasluck, WA</td>
<td>LP</td>
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<tr>
<td>Zappia, Tony</td>
<td>Makin, SA</td>
<td>ALP</td>
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</tbody>
</table>

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

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

Prime Minister
Deputy Prime Minister, Treasurer
Minister for Regional Australia, Regional Development and Local Government
Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate
Minister for School Education, Early Childhood and Youth
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Minister for Foreign Affairs
Minister for Trade
Minister for Defence and Deputy Leader of the House
Minister for Immigration and Citizenship
Minister for Infrastructure and Transport and Leader of the House
Minister for Health and Ageing
Minister for Families, Housing, Community Services and Indigenous Affairs
Minister for Sustainability, Environment, Water, Population and Communities
Minister for Finance and Deregulation
Minister for Innovation, Industry, Science and Research
Attorney-General and Vice President of the Executive Council
Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate
Minister for Resources and Energy and Minister for Tourism
Minister for Climate Change and Energy Efficiency

Hon. Julia Gillard MP
Hon. Wayne Swan MP
Hon. Simon Crean MP
Senator Hon. Chris Evans
Hon. Peter Garrett AM, MP
Senator Hon. Stephen Conroy
Hon. Kevin Rudd MP
Hon. Dr Craig Emerson MP
Hon. Stephen Smith MP
Hon. Chris Bowen MP
Hon. Anthony Albanese MP
Hon. Nicola Roxon MP
Hon. Jenny Macklin MP
Hon. Tony Burke MP
Senator Hon. Penny Wong
Senator Hon. Kim Carr
Hon. Robert McClelland MP
Senator Hon. Joe Ludwig
Hon. Martin Ferguson AM, MP
Hon. Greg Combet AM, MP

[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 Australia Services
Hon. Julie Collins MP

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

Minister Assisting on Deregulation and Public Sector
Superannuation
Senator Hon. Nick Sherry

Minister Assisting the Attorney-General on Queensland Floods
Recovery
Senator Hon. Joe Ludwig

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

<table>
<thead>
<tr>
<th>Position</th>
<th>Member</th>
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<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>Hon. Tony Abbott MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs</td>
<td>Hon. Julie Bishop MP</td>
</tr>
<tr>
<td>and Shadow Minister for Trade</td>
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<tr>
<td>Leader of the Nationals and Shadow Minister for Infrastructure and</td>
<td>Hon. Warren Truss MP</td>
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<tr>
<td>Transport</td>
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<tr>
<td>Leader of the Opposition in the Senate and Shadow Minister for</td>
<td>Senator Hon. Eric Abetz</td>
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<tr>
<td>Employment and Workplace Relations</td>
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<tr>
<td>Deputy Leader of the Opposition in the Senate and Shadow Attorney-General</td>
<td>Senator Hon. George Brandis SC</td>
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<tr>
<td>and Shadow Minister for the Arts</td>
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<tr>
<td>Shadow Treasurer</td>
<td>Hon. Joe Hockey MP</td>
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<tr>
<td>Shadow Minister for Education, Apprenticeships and Training and Manager</td>
<td>Hon. Christopher Pyne MP</td>
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<tr>
<td>of Opposition Business in the House</td>
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<tr>
<td>Shadow Minister for Indigenous Affairs and Deputy Leader of the</td>
<td>Senator Hon. Nigel Scullion</td>
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<tr>
<td>Nationals</td>
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<tr>
<td>Shadow Minister for Regional Development, Local Government and Water and</td>
<td>Senator Barnaby Joyce</td>
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<tr>
<td>Leader of the Nationals in the Senate</td>
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<tr>
<td>Shadow Minister for Finance, Deregulation and Debt Reduction and</td>
<td>Hon. Andrew Robb AO, MP</td>
</tr>
<tr>
<td>Chairman, Coalition Policy Development Committee</td>
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<tr>
<td>Shadow Minister for Energy and Resources</td>
<td>Hon. Ian Macfarlane MP</td>
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<tr>
<td>Shadow Minister for Defence</td>
<td>Senator Hon. David Johnston</td>
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<tr>
<td>Shadow Minister for Communications and Broadband</td>
<td>Hon. Malcolm Turnbull MP</td>
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<tr>
<td>Shadow Minister for Health and Ageing</td>
<td>Hon. Peter Dutton MP</td>
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<tr>
<td>Shadow Minister for Families, Housing and Human Services</td>
<td>Hon. Kevin Andrews MP</td>
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<tr>
<td>Shadow Minister for Climate Action, Environment and Heritage</td>
<td>Hon. Greg Hunt MP</td>
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<tr>
<td>Shadow Minister for Productivity and Population and Shadow Minister for</td>
<td>Mr Scott Morrison MP</td>
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<tr>
<td>Immigration and Citizenship</td>
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<tr>
<td>Shadow Minister for Innovation, Industry and Science</td>
<td>Mrs Sophie Mirabella MP</td>
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<tr>
<td>Shadow Minister for Agriculture and Food Security</td>
<td>Hon. John Cobb MP</td>
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<tr>
<td>Shadow Minister for Small Business, Competition Policy and Consumer</td>
<td>Hon. Bruce Billson MP</td>
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<tr>
<td>Affairs</td>
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</tbody>
</table>

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

Shadow Minister for Employment Participation
Shadow Minister for Justice, Customs and Border Protection
Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation
Shadow Minister for Childcare and Early Childhood Learning
Shadow Minister for Universities and Research
Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House
Shadow Minister for Indigenous Development and Employment
Shadow Minister for Regional Development
Shadow Special Minister of State
Shadow Minister for COAG
Shadow Minister for Tourism
Shadow Minister for Defence Science, Technology and Personnel
Shadow Minister for Veterans’ Affairs
Shadow Minister for Regional Communications
Shadow Minister for Ageing and Shadow Minister for Mental Health
Shadow Minister for Seniors
Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate
Shadow Minister for Housing
Chairman, Scrutiny of Government Waste Committee
Shadow Cabinet Secretary
Shadow Parliamentary Secretary Assisting the Leader of the Opposition
Shadow Parliamentary Secretary for International Development Assistance
Shadow Parliamentary Secretary for Roads and Regional Transport
Shadow Parliamentary Secretary to the Shadow Attorney-General
Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee
Shadow Parliamentary Secretary for Regional Education
Shadow Parliamentary Secretary for Northern and Remote Australia
Shadow Parliamentary Secretary for Local Government
Shadow Parliamentary Secretary for the Murray-Darling Basin
Shadow Parliamentary Secretary for Defence Materiel
Shadow Parliamentary Secretary for the Defence Force and Defence Support
Shadow Parliamentary Secretary for Primary Healthcare

Hon. Sussan Ley MP
Mr Michael Keenan MP
Senator Mathias Cormann
Hon. Sussan Ley MP
Senator Hon. Brett Mason
Mr Luke Hartsuyker MP
Senator Marise Payne
Hon. Bob Baldwin MP
Hon. Bronwyn Bishop MP
Senator Marise Payne
Hon. Bob Baldwin MP
Mr Stuart Robert MP
Senator Hon. Michael Ronaldson
Mr Luke Hartsuyker MP
Senator Concetta Fierravanti-Wells
Hon. Bronwyn Bishop MP
Senator Mitch Fifield
Senator Marise Payne
Mr Jamie Briggs MP
Hon. Philip Ruddock MP
Senator Cory Bernardi
Hon. Teresa Gambaro MP
Mr Darren Chester MP
Senator Gary Humphries
Hon. Tony Smith MP
Senator Fiona Nash
Senator Hon. Ian Macdonald
Mr Don Randall MP
Senator Simon Birmingham
Senator Gary Humphries
Senator Hon. Ian Macdonald
Dr Andrew Southcott MP
### Shadow Ministry—continued

<table>
<thead>
<tr>
<th>Role</th>
<th>Member</th>
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<tbody>
<tr>
<td>Shadow Parliamentary Secretary for Regional Health and Indigenous Health</td>
<td>Mr Andrew Laming MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Supporting Families</td>
<td>Senator Cory Bernardi</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Status of Women</td>
<td>Senator Michaelia Cash</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Environment</td>
<td>Senator Simon Birmingham</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Citizenship and Settlement</td>
<td>Hon. Teresa Gambaro MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Immigration</td>
<td>Senator Michaelia Cash</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Innovation, Industry, and Science</td>
<td>Senator Hon. Richard Colbeck</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Fisheries and Forestry</td>
<td>Senator Hon. Richard Colbeck</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Small Business and Fair Competition</td>
<td>Senator Scott Ryan</td>
</tr>
</tbody>
</table>
CONTENTS

MONDAY, 21 FEBRUARY

Chamber
Main Committee—
Private Members’ Motions ................................................................. 539

Petitions—
Immigration .................................................................................................................... .. 539
Marriage ....................................................................................................................... .... 539
Live Animal Exports ........................................................................................................... 539
Medicare: Bone Densitometry ......................................................................................... 540
Education ........................................................................................................................... 540
Aged Care ...................................................................................................................... 540
Forgotten Australians ....................................................................................................... 540
Abortion ........................................................................................................................... 540
Caboolture: Superclinic ................................................................................................. 541
Moodley, Dr Rajendra .................................................................................................... 541
Marriage ........................................................................................................................... 542
Marriage ........................................................................................................................... 542
Voluntary Euthanasia ....................................................................................................... 542
Australian Software Industry ........................................................................................... 542
Marriage ........................................................................................................................... 543
Islamic Apostasy Laws .................................................................................................... 543
Kangaroo Island: Oil Leases ............................................................................................ 543
Australian Development Scholarships ............................................................................. 543
Marriage ........................................................................................................................... 544
Same Sex Partnerships Overseas ..................................................................................... 544
Paid Parental Leave ......................................................................................................... 545
Mr Julian Assange ........................................................................................................... 545
Judicial Misbehaviour ..................................................................................................... 546
Judicial Misbehaviour ..................................................................................................... 546
Judicial Misbehaviour ..................................................................................................... 546
Responses—
Heritage Listing: Dampier Archipelago ................................................................. 547
Australian Post: Pakenham Mail Box ........................................................................... 547
Fair Trade Chocolate ...................................................................................................... 548
Bats at Maclean High School ......................................................................................... 548
Mental Health .................................................................................................................. 549
Administration of Justice ................................................................................................. 550
Paid Parental Leave ......................................................................................................... 551
Administration of Justice ................................................................................................. 552
Administration of Justice ................................................................................................. 552
Administration of Justice ................................................................................................. 552
Child Care ......................................................................................................................... 553
Child Care ......................................................................................................................... 553
Barker Electorate: Eastfront Road ................................................................................... 554
Permanent Residency ..................................................................................................... 554
Bowen Electorate: Internet Access .................................................................................. 557
Burma ............................................................................................................................... 559
International Development Assistance ............................................................................ 559
Farrer Electorate: Blood Donation ................................................................................... 560
Education ........................................................................................................................ 560
CONTENTS—continued

Parkes Electorate: Health Services ................................................................. 561
Battery Hens .................................................................................................. 561
Pearce Electorate: Pharmaceutical Benefits .................................................. 562
Non-Incandescent Light Globes ...................................................................... 562
Schools ......................................................................................................... 565
Gungahlin ..................................................................................................... 566
Burma ......................................................................................................... 566
Pompe’s Disease ......................................................................................... 567
McPherson Electorate: Palm Beach Post Office ............................................. 567
Statement ..................................................................................................... 568

Committees—
Climate Change, Environment and the Arts Committee—Report ............... 568

Committees—
Treaties Committee—Report ...................................................................... 571
Education and Employment Committee—Report ........................................... 572
Aboriginal and Torres Strait Islander Affairs Committee—Report .................. 573
Social Policy and Legal Affairs Committee—Report ..................................... 575

Delegation Reports—
Australian Parliamentary Delegation to Indonesia, Brunei and Laos, 11 to 24 April 2010 ...................................................................................... 577
Australian Parliamentary Delegation to the 31st AIPA General Assembly, September 2010 ................................................................. 578

Assisting the Victims of Overseas Terrorism Bill 2010—
First Reading ................................................................................................. 579

Patent Amendment (Human Genes and Biological Materials) Bill 2010—
First Reading ................................................................................................. 581

Private Members’ Business—
Tourism Funding .......................................................................................... 583
Personal Explanations ..................................................................................... 588

Private Members’ Business—
National Broadband Development ................................................................. 588

Committees—
Foreign Affairs, Defence and Trade Committee—Membership ....................... 595
Education Services for Overseas Students Legislation Amendment Bill 2010—
First Reading ................................................................................................. 596
Appropriation Bill (No. 3) 2010-2011 and Appropriation Bill (No. 4) 2010-2011 ................................................................. 596
Statute Law Revision Bill (No. 2) 2010—
Referred to Main Committee ...................................................................... 596

Main Committee—
Tourism Funding—Reference ....................................................................... 596
Condolences: Australian Natural Disasters—Reference .................................. 596

Condolences—
Australian Natural Disasters ....................................................................... 596

Social Security Amendment (Income Support for Regional Students) Bill 2011—
Consideration of Senate Message ................................................................ 598

Statements by Members—
Commemoration of the Bombing of Darwin .................................................. 619
Page Electorate: Anzac Day Schools Awards ..................................................... 620
Kooyong Electorate: Australia Post ................................................................. 620
CONTENTS—continued

Melbourne Ports Electorate: Melbourne Grand Prix........................................................ 621
Longman Electorate: Australia Day Awards ..................................................................... 621
DonateLife Week ............................................................................................................ 621
Dairy Industry ............................................................................................................... 622
Greenway Electorate: Wentworthville Swimming Pool................................................... 622
Macquarie Electorate: Pendrags Abreast....................................................................... 623
Victorian Government..................................................................................................... 623
Condolences—
  Larcombe, Sapper Jamie Ronald.................................................................................. 624
Main Committee—
  Condolences: Larcombe, Sapper Jamie Ronald—Reference......................................... 626
Ministerial Arrangements................................................................................................. 626
Questions Without Notice—
  Budget......................................................................................................................... 627
  Health........................................................................................................................... 628
  Youth Allowance......................................................................................................... 630
  Health........................................................................................................................... 631
  Climate Change............................................................................................................ 632
  Murray-Darling Basin.................................................................................................. 633
  Mental Health.............................................................................................................. 634
  Flood Levy................................................................................................................... 635
  Multiculturalism.......................................................................................................... 637
  Health........................................................................................................................... 638
  Multiculturalism.......................................................................................................... 639
  Hospitals...................................................................................................................... 640
  Australian Natural Disasters....................................................................................... 640
  Hospitals...................................................................................................................... 641
  Australian Natural Disasters....................................................................................... 642
  Government Advertising............................................................................................. 643
  Middle East.................................................................................................................. 644
Personal Explanations....................................................................................................... 645
Auditor-General’s Reports—
  Report Nos 28, 29 and 30 of 2010-11...................................................................... 645
Documents..................................................................................................................... 645
Social Security Amendment (Income Support for Regional Students) Bill 2010—
  Second Reading........................................................................................................... 645
Committees—
  Economics Committee—Reports.............................................................................. 663
  Economics Committee—Report: Referral to Main Committee.................................... 669
National Radioactive Waste Management Bill 2010—
  Second Reading.......................................................................................................... 670
Business—
  Days and Hours of Meeting....................................................................................... 696
Water Efficiency Labelling and Standards Amendment Bill 2010—
  Second Reading.......................................................................................................... 697
National Radioactive Waste Management Bill 2010—
  Second Reading.......................................................................................................... 702
Private Members’ Business—
  Older Australians...................................................................................................... 703
  Asylum Seekers.......................................................................................................... 715
CONTENTS—continued

Adjournment—
Disaster Relief ................................................................................................................ .. 723
Shortland Electorate: Schools .......................................................................................... 724
Durack Electorate: Regional Tertiary Education .............................................................. 725
Blair Electorate: Queensland Floods ................................................................................ 726
Aston Electorate: Youth Mental Health Services ............................................................. 727
National Service Day—
Indigenous Housing ..................................................................................................... 730
Kingston Electorate: Health Care ................................................................................ 731
Bruce Highway .................................................................................................................. 732
Harvest Moon................................................................................................................... 733
Bowel Cancer ................................................................................................................... 734
Africa ............................................................................................................................... 736
Main Committee
Constituency Statements—
McMillan Electorate: Dairy Farmers ............................................................................... 738
Greenway Electorate: Kellyville Ridge ............................................................................ 738
Forde Electorate: Australia Day Awards ......................................................................... 739
Corio Electorate: Surf Coast Knockout ........................................................................... 740
Independent Youth Allowance ......................................................................................... 741
Victorian Floods ............................................................................................................. 741
Road Safety ..................................................................................................................... 742
Ballarat Regional Integrated Cancer Centre ..................................................................... 743
National School Chaplaincy Program ............................................................................ 744
Chifley Electorate: Local Health Networks .................................................................... 745
Private Members’ Business—
Gas Appliance Safety ..................................................................................................... 746
Murray-Darling Basin ....................................................................................................... 754
Private Members’ Business—
Foreign Ownership of Agricultural Land and Agribusiness ........................................ 762
Violence in Western Sahara ............................................................................................... 771
Coptic Orthodox Community of Egypt ......................................................................... 776
Roberts-Smith, Corporal Benjamin, Vc, Mg ................................................................. 781
Ministerial Statements —
Commemoration of the 2nd Anniversary of the Black Saturday Bushfires ..................... 787
Screen Australia (Transfer of Assets) Bill 2010—
Second Reading ................................................................................................................ 807
Private Members’ Business—
Australian Arts Community .......................................................................................... 812
Tourism Funding ............................................................................................................. 818
Public Libraries ................................................................................................................. 825
Private Members’ Business—
Defence Housing as an Immigration Detention Facility ................................................. 831
Security in Eastern Democratic Republic of Congo ......................................................... 841
Family Law Act 1975 ....................................................................................................... 846
Grievance Debate—
Airport Noise .................................................................................................................. 847
Climate Change .............................................................................................................. 850
Queensland Floods .......................................................................................................... 852
Howes, Mr Paul ............................................................................................................... 854
CONTENTS—continued

Robertson Electorate: Education................................................................. 857
Petrie Electorate: Infrastructure ............................................................... 859
Superannuation ......................................................................................... 861

Questions In Writing
 Coal Seam Gas Projects—(Question No. 32) ............................................. 863
 Regional Infrastructure Fund—(Question No. 104) ..................................... 863
 Dawson Electorate: Election Commitments—(Question No. 128) ............ 864
 Ministers and Ministerial Staff: Mobile Phones and iPads—
 (Question No. 137, 163 and 169) ............................................................. 864
 Ministers and Ministerial Staff: Mobile Phones and iPads—(Question No. 138) ........ 865
Monday, 21 February 2011

The SPEAKER (Mr Harry Jenkins) took the chair at 10 am, made an acknowledgement of country and read prayers.

MAIN COMMITTEE

Private Members’ Motions

The SPEAKER—In accordance with standing order 41(g) and the determinations of the Selection Committee I present copies of the terms of motions for which notice has be given by the members for Murray, Kingston, Calare, Page, Calwell, Moreton, Fowler, Fadden, Chisholm and Blair. These matters will be considered in the Main Committee later today.

PETITIONS

Mr MURPHY—On behalf of the Standing Committee on Petitions, and in accordance with standing order 207, I present the following petitions:

Immigration

To the Honourable the Speaker and Members of the House of Representatives

The humble Petition of the Citizens of Australia, respectfully showeth:

That we re-affirm our support for the Constitution of the Commonwealth of Australia which states “Whereas the people of New South Wales, Victoria, South Australia, Queensland and Tasmania humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth” (Constitution Act 9th July 1900) and the affirmation of 69% of our Australian population that they are Christians, and the statement of one of our founders that “this Commonwealth of Australia from its first stage will be a Christian Commonwealth” (Sir John Downer 1898), and the Opening Prayer of the Parliaments “Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this Parliament. Direct and prosper our deliberations to the advancement of Thy glory” and recognises the importance of these beliefs in ensuring the ongoing stability and unity of our Christian nation. Your petitioners therefore pray the Parliament of Australia will:

1. Review our Commonwealth Immigration Policy to ensure the priority for Christians from all races and colours, especially from persecuted nations, as both immigrants and refugees.

2. Adopt a ten year moratorium on Muslim immigration, so an assessment can be made on the social and political disharmony currently occurring in the Netherlands, France and the UK, so as to ensure we avoid making the same mistakes; and allow a decade for the Muslim leadership and community in Australia to reassess their situation so as to reject any attempt to establish a Muslim nation within our Australian nation.

by Mr Murphy (from 44 citizens)

Marriage

To the Honourable the Speaker and Members of the House of Representatives

RETAIN THE DEFINITION OF MARRIAGE BETWEEN MAN AND WOMAN

We, the undersigned citizens draw to the attention of the House of Representatives assembled, that the definition of marriage as “a union between one man and one woman to the exclusion of all others, voluntarily entered into for life” is the foundation upon which our families are built and on which our society stands. To alter the definition of marriage to include same-sex “marriage”, as proposed by the Marriage Equality Amendment Bill, would be to change the very structure of society to the detriment of all, especially children.

We, the undersigned citizens therefore request that the Marriage Equality Amendment Bill 2009, be opposed.

by Mr Murphy (from 71 citizens)

Live Animal Exports

To the Honourable the Speaker and Members of the House of Representatives

This petition of undersigned citizens of Australia calls on the Australian Government to end the export of live animals from Australia to the Middle East. We the undersigned therefore call on the
House of Representatives to ensure that the Australian government ends this trade and, in doing, restore Australia’s reputation as a compassionate and ethical nation

by Mr Murphy (from 20 citizens)

Medicare: Bone Densitometry
To the Honourable the Speaker and Members of the House of Representatives

This petition, from Soroptimist International Clubs of South Australia, being Adelaide, Barossa, Easter Districts, Mount Gambier, Murray Bridge, Naracoorte, Northern Highlands, Port Pine, Southern District and Torrens, draws to the attention of the House this anomaly in Medicare, affecting all Australia: women at menopause.

Currently there is no Medicare rebate for bone densitometry for women unless there are special risk factors, a broken bone, or until age 70. This is too late for prevention.

Researchers have demonstrated that, if a woman is scanned at the onset of menopause, the risk of developing osteoporosis can be identified. Preventive treatment then is relatively inexpensive and easily managed. (Prof B E C Nordin, AO, Royal Adelaide Hospital)

The direct cost of fractures due to osteoporosis in 2002 was $1.9 billion, the total cost estimated at $8 billion. (Access Economics)

We therefore ask the House that all Australian women on reaching menopause be offered free Bone Densitometry to determine their risk of developing osteoporosis.

by Mr Murphy (from 32 citizens)

Education
To the Honourable the Speaker and Members of the House of Representatives

This Petition of the undersigned draws the attention of the House:

to significant community concerns over the overt and explicit Islamisation of Australian school-age children through the agency of the text-book “Learning From One Another” Bringing Muslim Perspectives into Australian Schools” which is to be introduced into our schools in the coming year.

We, the undersigned, are extremely concerned that a textbook would be introduced into our schools under the guise of “diversity” when it is, quite evidently, active proselytizing.

Such ability to proselytize in our schools has been removed from all other religions, and we are extremely concerned that Islam has, once again, contrived to receive what appears to be special status to advance their religion.

Petition:
We therefore ask the House to:

1. reaffirm its commitment to the ‘wall of separation’ concept concerning church and state that is the foundation of our education system. This ‘wall of separation’ is required to safeguard our multicultural, multi-faith and non-faith liberal democracy that has become the hallmark of the civilised 21st century nation Australia rightfully claims to be.

2. indicate to Muslim educators the inappropriateness of their attempt to proselytize by stealth

3. prohibit the use of this book in schools

by Mr Murphy (from 4,218 citizens)

Aged Care
To the Honourable the Speaker and Members of the House of Representatives

This petition of citizens of Australia draws to the attention of the House the inadequacy of the proposed 1.7% increase in funding for aged care services from July 1, 2010.

Aged care providers should not be forced to cut vital services in order to meet a government funding shortfall which fails to address the rising cost of staff salaries along with general amenities such as electricity, gas and water.

We therefore ask the House to support an increase in funding for aged care services to better reflect the increased costs faced by aged care providers.

by Mr Murphy (from 162 citizens)

Forgotten Australians
To the Honourable the Speaker and Members of the House of Representatives

This petition of a concerned citizen of Australia

Draws to the attention of the House:
That the Forgotten Australians enquiry did not uphold all of its stated terms of reference. The result being, the enquiry did not get to the bottom of ALL problems and cases of child neglect, including but not limited to - clergy abuse, institutionalised neglect and agent abuse. Accordingly victims of this abuse remain unable to access proper legal redress. Also certain departmental faults leading to abuse remain unattended. The eventual findings of the Forgotten Australians enquiry was not on all of the points of reference nor was it on all the topics based on the evidence provided

We therefore ask the House to:

Open an enquiry which will allow all evidence of child neglect, institutional neglect or other agency neglect to be brought to an enquirers attention. If not an enquiry, a government body with the authority to receive and investigate all evidence of child abuse and provide feedback to the Federal Government.

We are looking for a person, person’s, body of parliament to be made aware that many cases of child abuse/neglect have gone un-investigated because certain terms of reference of existing enquiries were not upheld.

by Mr Murphy (from one citizen)  

Abortion

To the Honourable the Speaker and Members of the House of Representatives

This petition of certain citizens of Australia draws to the attention of the House the endangerment of the lives of a large number of unborn babies especially late term abortions.

Your petitioners call upon your Honourable House to uphold the sanctity of human life and to defend the right of children to be born by rejecting any and all attempts by advocates of abortion to destroy these lives in the womb.

Your petitioners also call on your Honourable House to seek ways and means of promoting to the people of our great nation the truth that each baby is a wonderful gift from God, deserving protection and nurturing from conception.

We the petitioners are asking your Honourable House to provide help and counselling for those mothers who find it difficult to cope with an unplanned pregnancy. Surely adoption of the baby would be a preferable option. There are many couples longing to have a baby to love.

by Mr Murphy (from 115 citizens)

Caboolture: Superclinic

To the Honourable The Speaker and Members of the House of Representatives

This petition of certain citizens of Australia asks the House to fund a GP Super Clinic in Caboolture to reduce pressure on our hospital emergency departments and improve access to quality health care services.

by Mr Murphy (from 2,044 citizens)

Moodley, Dr Rajendra

To the Honourable the Speaker and Members of the House of Representatives

This petition of certain citizens of Australia draws to the attention of the House:

Dr. Rajendra Moodley a respected, professional Medical Practitioner who has an excellent extensive record as a General Practitioner, is known to be ethical, well liked and a valuable team member of Stellar Medical at Lowood for the past six (6) years, has had his practicing licensing revoked to the disbelief and outrage of the staff at Stellar Medical, his substantial patients, and colleges.

We therefore ask the House to:

Investigate the procedures involved in the application for renewal of limited registration from the Medical Board of Australia. In particular, the assessment process that Dr. Rajendra Moodley undertook. His reinstatement and ability to complete his final examination is critical to his exemplary reputation and residential status. He has been employed by Stellar Medical for the past 6 years with outstanding success to his Medical career. Having his license revoked after accomplishing years of successful interactions with his patients, under the current legislation he is not able to complete the last of his exams, which gives a failed result without even taking the exam. We request for complete reinstatement to practice, along with the renewal of a limited registration until such time that Dr. Rajendra Moodley, is able to sit his final examination and the results have been assessed.

by Mr Murphy (from one citizen)
by Mr Murphy (from 14,694 citizens)

Marriage
To the Honourable the Speaker and Members of the House of Representatives
This petition of St Michael’s Parish, Kaleen-Giralang ACT draws to the attention of the House:
Not to proceed with providing equal treatment for same sex couples including marriage.
We therefore ask the House to:
Please consider the meaning of marriage. Given the variety of domestic arrangements available in Australia, we request that you protect the unique institution of marriage as traditionally understood and actually lived as the complementary love between a man and a woman.

by Mr Murphy (from 240 citizens)

Marriage
To the Honourable the Speaker and Members of the House of Representatives
This Petition of certain Parishioners of St. Benedict’s Narrabundah within the Federal Electorate of Canberra draws to the attention of the House of my position on the meaning of Marriage. We therefore ask the House to give consideration to the variety of domestic arrangements in Australia and request that you protect the unique institution of marriage as traditionally understood and actually lived as the complementary love between man and woman.

by Mr Murphy (from 160 citizens)

Voluntary Euthanasia
To the Honourable The Speaker and Members of the House of Representatives
This petition of certain citizens of Australia, shows: That because of the Dutch experience 19.61% of the total deaths in the Netherlands were “physician-assisted deaths” and, in 2005, approximately 50% of these were victims of non-voluntary euthanasia, that is, patients who had their lives terminated without their request.
Your petitioners therefore pray that the Parliament of Australia will vote against the Green Party Euthanasia Bill and totally oppose any attempts to legalise or decriminalise the practice of euthanasia otherwise referred to by misleading terms such as mercy-killing or doctor-assisted suicide to ensure that the quality of life of the elderly; handicapped or terminally ill or depressed young people, is not subject to these unjust or unethical procedures and will call all medical practitioners to uphold the Hippocratic Oath to save life and uphold the principles of palliative care to relieve extreme pain, because of the sanctity of life, And your petitioners, as in duty bound, will ever pray.

by Mr Murphy (from 36 citizens)

Australian Software Industry
To the Honourable the Speaker and Members of the House of Representatives
This petition of Australian software industry members draws to the attention of the House the harm to society of patents that restrict computation and information processing.
Such patents actively inhibit, rather than promote innovation. For small to medium-sized software developers, it is neither viable to search patents, nor defend against patent lawsuits. The government’s 2009 Venturous Australia report found that “in new areas of patenting such as software and business methods, there is strong evidence that existing [patent] arrangements are hampering innovation.”
The Australian software industry has a long history of innovating without software patents. This shows that patents are not necessary for innovation. Examples include:

- VET (antivirus, 1989)
- Trumpet Winsock (internet connection, 1993)
- rsync (data synchronisation, 1996)
- netfilter/iptables (firewall, 1998)

Further, due to the rapid evolution of software techniques and the context in which they are used, withholding a technique for 20 years renders it effectively useless to society.
In 2008, the “Advisory Council on Intellectual Property” held a public consultation during their Review of Patentable Subject Matter. Microsoft Corporation was the only respondent regarding software. The Australian software industry can-
not, therefore, be well-represented in the Review’s findings. We were unaware of the public consultation, so could not make a submission. We therefore ask the House to introduce and pass legislation to exclude computation and information processing activities from patentable subject matter.

by Mr Murphy (from 708 citizens)

Marriage

To the Honourable the Speaker and Members of the House of Representatives

This petition of parishioners of Sacred Heart Parish, Cootamundra Draws to the attention of the House a matter concerning constituents’ views on the nature of marriage

We therefore ask the house to please consider our position on the meaning of marriage. Given the variety of domestic arrangements available in Australia, we request that you protect the unique institution of marriage as traditionally understood and actually lived as the complementary love between a man and a woman.

by Mr Murphy (from 103 citizens)

Islamic Apostasy Laws

To the Honourable the Speaker and Members of the House of Representatives

This petition of certain citizens of Australia draws to the attention of the house to the serious danger faced by Muslims who choose to leave their faith. Shari’a (Islamic) Law prescribes the death penalty for adult male Muslims who choose to leave Islam. Most of the Islamic schools also have the death sentence for women. Other penalties are also imposed.

Your petitioners therefore humbly request the House to support all efforts by Muslims to have the apostasy law reformed, so that Muslims who choose to leave their faith are no longer liable to any penalty but are free to follow their new convictions without fear, in accordance with the United Nations Universal Declaration of Human Rights. We also ask the House to use its influence on the Governments of countries where punishments for apostasy are part of the legal system to encourage abolition.

by Mr Murphy (from 14,694 citizens)

Kangaroo Island: Oil Leases

To the Honourable the Speaker and Members of the House of Representatives

This petition of citizens of Australia draws the attention of the House:

The Federal Government has granted oil exploration leases off Kangaroo Island, in areas S10-1 and S 10-2. Oil companies are now able to make submissions for these leases, before November 2010. These areas are the feeding, breeding, calving and resting grounds for some endangered whale species. Furthermore, the Southern Right Whale migrates through this area. Also nearby lies Kangaroo Island which protects and supports a diversity of flora and fauna including the vulnerable Australian sea lion and protected species of albatross. 90% of species around Kangaroo Island are found nowhere else in the world.

The lease areas are identified as zones for consideration as marine reserves within the Commonwealth South West Marine Bioregion. South Australian marine parks in the late stages of planning lie adjacent. Both Federal and State governments recognize these coastlines as areas of unique marine life and biodiversity, which are worth preserving.

The recent spill of oil off the Kimberley coast in Western Australia, and the leakage of oil in the Gulf of Mexico demonstrate the inability to guarantee safe offshore drilling. Similar accidents in waters off Kangaroo Island have the potential to have devastating consequences on marine and bird life, as well as huge costs in cleaning up. These consequences may never be reversed.

We therefore ask the House to:

Rescind the granting of oil leases off Kangaroo Island, to prevent the risk of irreversible damage to our native and other vulnerable species of life.

by Mr Murphy (from 77 citizens)

Australian Development Scholarships

To the Honourable the Speaker and Members of the House of Representatives

This petition of concerned students, on behalf of undergraduate and graduate Australian students, draws to the attention of the House:
The discrepancy that exists between Centrelink payments for local students and the Australian Development Scholarships- ADS for international students which cover tuition fees, living expenses, healthcare, allowances, return air travel etc...

Many Australians question the ADS short/long term advantages to Australia since those foreign students end up back home after their degree completion as per their scholarship requirements therefore it becomes hard to quantify how effective to Australia’s foreign relations would that be. Besides, many students receiving ADS engage in unlawful activities such as providing falsified information to the ATO regarding income and not abiding by the Australian visa conditions in working 20 hours a week during university periods and most take advantage from a strong Australian dollar as compared to other currencies which in turn encourages those students to accept cash-in-hand. In addition, some overseas students forge documents in order to qualify for the ADS especially when it comes to experience and scores.

We kindly ask the House to:
• re-examine the ADS payments to international students in conjunction with Centrelink Austudy payments
• introduce a new visa condition whereby prohibiting work opportunities for those on the ADS
• re-consider the introduction of tight taxation law for those ADS students remitting money overseas
• establish strict criteria for awarding the ADS to international students

by Mr Murphy (from one citizen)

Marriage
To the Honourable the Speaker and Members of the House of Representatives

This petition of citizens of Australia draws to the attention of the House:
• the failure of the government of Australia to provide a system throughout Australia for the registration and certification of marriages or its equivalent for same sex couples;
• this means that such couples are deprived of civil status when travelling or wishing to live abroad, resulting, inter alia, in inability to gain foreign family visas, consequent inability to take up work opportunities overseas, loss of next of kin rights and liability to enormous death duties (being “strangers”) on the death of one;
• furthermore Australia refuses to recognise foreigners’ civil status certificates of same sex couples who come to Australia or wish to migrate here and has failed to seek reciprocal rights with foreign countries;
• we note that Victorian same sex Registered Partnerships are not recognised as equivalent to registered same sex relationships in France, Ireland, UK or in any country that we know of
• which is all a denial of our fundamental human rights We therefore ask the House to:

Take urgent action to introduce a nationwide or consistent system, of sufficient status for it to be likely to be recognised abroad, for registration and certification for such couples and to make its best endeavours to ensure that the civil status of all Australians is recognised by all countries.

by Mr Murphy (from 2 citizens)

Same Sex Partnerships Overseas
To the Honourable the Speaker and Members of the House of Representatives

This petition of two citizens of Australia draws to the attention of the House:

The refusal of the Federal Government through its overseas embassies (for example Paris) to issue certificates of non-impediment, being an essential requirement for Australian citizens living abroad and wishing to enter into foreign registered marriages or partnerships (for example the French PACS), with someone of the same sex whereas they will issue these certificates to people in exactly comparable circumstances but wishing to marry someone of the opposite sex; this policy is a direct discrimination and infringement of the fundamental human rights on the basis of sexual orientation

We therefore ask the House to:

Take action to force the Government to change this policy and to ensure equal rights for all Australians
by Mr Murphy (from two citizens)

**Paid Parental Leave**

To the Honourable the Speaker and Members of the House of Representatives

Unfair Funding of Children’s Care

This petition of certain citizens of Australia draws to the attention of the House our strong opposition to proposals unfairly discriminating against mothers who care for their own children, eg —

1. The Productivity Commission’s proposal in its draft Report (30/9/08) to pay eligible working mothers 18 weeks maternity leave in a package costing taxpayers $450 million per annum.

2. The Government’s commitment to build 260 childcare centres by 2014, the first 38 centres costed at $114.5 million in the 2008 Budget.

Both proposals ignore international research showing the high risk of future behavioural problems and insecure attachment particularly in children aged under 2 years left in daycare (even high quality care) for more than 20 hours a week.

The Commonwealth Government should not use taxpayers’ money to encourage mothers to leave young babies and older siblings in childcare institutions or other non-parental care to rejoin the paid workforce.

Instead, the Government should recompense mothers who give up a whole salary for several years to love, bond with and care for their children from infancy, thus lowering their child’s risk of insecure attachment which can lead to depression and poor mental health, disruptive/uncooperative behaviour in school and poor job prospects with lower productivity.

We therefore ask the House to:

(a) reject paid parental leave;
(b) reverse the decision to build extra childcare centres;
(c) implement policies promoting parental nurturing of Australian children over all other care;
(d) retain and improve appropriate support for the parenting role of sole and at-risk parents.

by Mr Murphy (from 756 citizens)

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**Mr Julian Assange**

To the Honourable the Speaker and Members of the House of Representatives

To the Honourable Speaker and members of the House of Representatives in Parliament assembled: The petition of the undersigned shows:

1. That Mr Julian Assange is an Australian Citizen.
2. That on 2nd December 2010 the Prime Minister stated that the publishing of certain information on the Wikileaks website by Mr Assange was “An Illegal thing to do”.
3. That the Attorney-General of Australia has stated that he has considered the cancellation of the Australian Passport held by Mr Assange.
4. United States Politician, Ms Sarah Palin, has called for Mr Assange to be “hunted down”.
5. Mr Tom Flanagan, Senior Advisor to the Canadian Prime Minister has, on public television, called for Mr Assange’s assassination.

Your petitioner requests that the House of Representatives:

1. Call upon the Prime Minister to explain to the Senate the basis for her allegation against a fellow Australian citizen that he is a criminal.
2. Call upon the Attorney-General to state to the Senate whether he received any request for the cancellation of Mr Assange’s Australian Passport pursuant to the Australian Passports Act.
3. Call upon the Minister for Foreign Affairs to summon the Ambassador for from the United States of America to Australia and demarche condemning the comments of Ms Palin.
4. Call upon the Minister for Foreign Affairs to summon the Canadian High Commissioner to Australia and demarche condemning the comments of Mr Flanagan.
5. Call upon the Governor-General of Australia to provide such protection and assistance to Mr Assange as to which he may stand in need.

by Mr Murphy (from one citizen)
Judicial Misbehaviour
To the Honourable the Speaker and Members of the House of Representatives

This petition of ‘certain citizens and residents of Australia’, draws to the attention of the House the “Urgent need for a Royal Commission of Inquiry” into judicial accountability and the inability to correct unsafe Orders of a Court caused by judicial misbehaviours. The public are denied these rights due to the Cronyism and/or derelictions of duty by curtain Officers of the Commonwealth.

October 2010 a Self Represented Litigant father was refused the right to file an application for a Writ of correction (Certiiorari) in the High Court, required to cause an inquiry into complaints of “Judicial Misbehaviour” like those within the “Administration of Justice” petitions presented: 23/11/09, 15/03/10, and 24/05/10 refused an investigation/inquiry.

This application for a Writ was claimed to be Frivolous or Vexatious in Contempt of s.75(v) of the Constitution, transcript evidence and grounds presented. This judge cited was not a party so the vexatious claim is NOT viable.

We pray Honourable Speaker, and the Public Interest demands “We Seek Leave” it be moved: a pray be made to the Governor-General for an Urgent Royal Commission of Inquiry into:
The acts of Cronyism and derelictions of duty that occur to obstruct judicial accountability.
Denials of the right to file Writs for unsafe Family and High Court Orders.
Obstruction of: “s.75(v) of the Constitution” applications and/or investigations and/or public requests for inquiries into judicial misbehaviour.
We “Seek Leave” this Motion is URGENT Government Business.

by Mr Murphy (from one citizen)

Judicial Misbehaviour
To the Honourable the Speaker and Members of the House of Representatives

This petition of certain citizens and residents of Australia, draws to the attention of the House the attempts to pervert a course of justice created by s.75(v) of the Constitution by certain Officers of the Commonwealth.

Honourable Speaker, in October 2010, a self representative litigant (SRL) father attempted to file an application for a s.75(v) Writ in the High Court of Australia to be told by the Office Manager (Registrar) he would need to seek “Leave” to file such an application. He returned with legal information on this wrongful claim, armed with the rules and law, to be told a judge would be sought to demand “leave be required” for he to file (so Ordered 4 November 2010) for a course of justice created by s.75(v) of the Constitution and s.33 of the Judiciary Act 1903; demanded by s.72(ii) of the Constitution if sought.

We pray, Honourable Speaker, you pray to the Governor-General of Australia for a Royal Commission of Inquiry into:
The people’s ability to cause “Proven Misbehaviour” pursuant to s.72(ii) of the Constitution and how it must be advanced.
The Family and High Courts common practice, and unwillingness to accept s.75(v) of the Constitution applications from SRL’s.
The power and obligation of a tribunal to determine such applications regarding a member of its own tribunal, the High Court denies such power exists.
Are any Court Rules offensive to s.72(ii) and s.75(v) of the Constitution.

by Mr Murphy (from one citizen)

Judicial Misbehaviour
To the Honourable the Speaker and Members of the House of Representatives

This petition of ‘certain citizens and residents of Australia’, draws to the attention of the House the Urgent need for a “Judicial Misbehaviour Committee” due to the obligation for such a Committee created by s.72(ii) of the Constitution and the conflict of interest/cronyism s.75(v) of the Constitution imposes on certain Commonwealth Public Officials when the wrongs of their Family and High Court Brethren are sought to be corrected by s.75(v) Writ, treated as if it is Common Law.

Honourable Speaker, lack of judicial accountability, inability to correct wrongful Orders by Writ is due to judicial demands for “Leave to Apply”,

by Mr Murphy (from one citizen)
then denied without Oral Hearing. Hansard titled “Administration of Justice” petitions; presented 23/11/09, 15/03/10, 24/05/10 and more; all containing complaints of misbehaviour by Commonwealth Public Officials support the Urgent need for this Committee.

The Senate about 7 December 2009, recommended a like Committee be created. Honourable Speaker, in the Public Interest “We Seek Leave” a motion is moved: that a “Judicial Misbehaviour Committee” be created:

Which accepts complaints from the public citing the Federal Judiciary, makes s.72(11) Constitutional recommendations to the House, makes s. 75(v) Constitutional Writ applications on behalf of members of the public, makes recommendations of compensation for judicial wrongs, and has the power to send any matter back to any Federal Court for reconsideration. Starting with the complaints within the aforesaid petitions presented.

Plus, you grant this Motion is URGENT Government Business.

by Mr Murphy (from one citizen)

Petitions received.

Responses

Heritage Listing: Dampier Archipelago

Dear Mr Murphy

Thank you for your letter of 22 June 2010 to the former Minister for Environment Protection, Heritage and the Arts, the Hon Peter Garrett AM MP, concerning the petition in support of world heritage listing of the Dampier Archipelago. As I am now Minister for Sustainability, Environment, Water, Population and Communities, your letter has been passed to me for reply. I regret the delay in responding.

The outstanding heritage value of the rock art of the Dampier Archipelago, including Burrup Peninsula, was acknowledged through the area’s gazetted as a national heritage place on 3 July 2007. National heritage places and world heritage properties are afforded similar protection under the Environmental Protection and Biodiversity Conservation Act 1999.

Under the Australian World Heritage Intergovernmental Agreement recently agreed by the Environment Protection and Heritage Council, the preparation of a world heritage nomination for the Dampier Archipelago would be the responsibility of the Western Australian Government, in consultation with the Commonwealth. A formal assessment of whether the area has outstanding universal value, including a comparative analysis with other similar types of places internationally, would need to be undertaken as part of any future world heritage nomination.

The Australian Government will continue to work cooperatively with the states and territories on world heritage matters and encourage the Western Australian government, and all other Australian jurisdictions, to consider nominating appropriate places for inclusion on the World Heritage Tentative List —the first step in a potential world heritage nomination.

Thank you for bringing the petition to my attention.

from the Minister for Sustainability, Environment, Water, Population and Communities, Mr Tony Burke

Australian Post: Pakenham Mail Box

Dear Mr Murphy

Thank you for your letter dated 25 May 2010 concerning a petition submitted for the Committee’s consideration regarding a request for a street posting box at the corner of Irving Road and Ahern Road, Pakenham. I apologise for the delay in replying.

Under the Australian Postal Corporation Act 1989, Australia Post is responsible for the day to day running of the organisation, including all operation matters. As far as practicable it is requested to perform its functions in a manner consistent with sound commercial practice.

Australia Post has noted that its policy concerning the provision of street posting boxes takes into account the general increased mobility of the population, constant demographic changes, shifts in posting habits and Australia Post’s Community
Service Obligation commitment to offer reasonable postal network access to its customers.

The policy provides that in capital city metropolitan areas and provincial cities, a street posting box facility will be provided at or near all postal outlets. In addition, street posting boxes will be provided so that residents have access to a lodgement point within two kilometres. In providing posting facilities, Australia Post gives preference to sites where adequate postings can be anticipated.

Australia Post has advised that a detailed examination of the suggested area in Pakenham shows that there are currently three posting boxes nearby:

- Corner of Princes Highway and Deveney Street, Pakenham (approximately 650 m);
- Pakenham Post Office at Main Street and John Street (approximately 1.6 km); and
- Corner Leigh Drive and Army Road, Pakenham (approximately 1.9 km).

I am informed that, based on the existing level of demand in the area, Australia Post considers that the reasonable posting needs of the local community are being met by the current spread of posting facilities and that the provision of an additional posting box cannot be justified at this time.

I trust this information will be of assistance.

from the Minister for Broadband, Communications and the Digital Economy, Senator Conroy

Fair Trade Chocolate

Dear Mr Murphy

I am responding to the letter of 25 May 2010 from the previous Chair of the Standing Committee on Petitions, Mrs Julia Irwin, to the then Minister for Trade, the Hon Simon Crean MP, conveying the petition on cocoa products involving child labour. I apologise for the delay in responding.

The Australian Government is greatly concerned about the exploitation of children, including all forms of child labour. Australia is working hard to combat such practices, including through the United Nations and the International Labour Organisation (ILO).

As the petition notes, Australia has ratified ILO convention 182 on the Worst Forms of Child Labour (1999). Australia has also ratified the United Nations Convention on the Rights of the Child (CRC), and its two Optional Protocols. These treaties establish internationally recognised standards against which child protection can be measured and scrutinised globally.

The ILO has set a target of universal ratification of Convention 182 by 2016 and has redoubled its efforts to meet this deadline.

Australia will continue to encourage Member States to commit to the protection and promotion of children’s rights through the ratification of this and other international human rights instruments, including the CRC. In May 2010 Australia also participated in The Hague Global Child Labour conference which adopted a ‘Roadmap’ for eliminating the worst forms of child labour by 2016.

Through our aid program, Australia also supports the United Nations Children’s Fund (UNICEF) in preventing child labour by reducing the debt burden of poor families and by providing better access to primary education for children around the world. In 2009-10 Australia contributed $19.6 million to support UNICEF’s work to protect children globally, including from child labour. This makes us the 10th largest contributor to UNICEF’s budget.

The Government supports the voluntary labelling of products by industry, confirming that imported goods have been produced free from child exploitation. This helps to increase public awareness of the issue and encourages customers to make informed choices.

The Government sees the various activities undertaken through the United Nations, and the ILO, as the most effective means to achieve the outcomes on child labour that we all seek.

from the Minister for Trade, Mr Emerson

Bats at Maclean High School

Dear Mr Murphy

I refer to the letter of 17 June 2010 from the former Chair of the Standing Committee on Petitions, Mrs Julia Irwin MP, to the former Minister for Environment Protection, Heritage and the Arts, the Hon Peter Garrett AM MP, concerning a
petition relating to the relocation of a species where there is a public health risk, in particular, Grey-headed Flying-foxes located at Maclean High School and the surrounding residential area. Grey-headed Flying-fox is a species listed as vulnerable under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). As I am now Minister for Sustainability, Environment, Water, Population and Communities, your letter has been passed to me for reply. I regret the delay in responding.

The Australian Government’s responsibilities under the EPBC Act include protecting certain defined matters of national environmental significance. These matters include world and national heritage properties, wetlands of international importance, nationally threatened species and ecological communities, migratory species protected under international agreements, nuclear actions, the Great Barrier Reef Marine Park and Commonwealth marine areas. In relation to environmental considerations, the government’s involvement in any development proposal is confined only to these specific matters.

The Department of Education and Training recently submitted a referral for consideration under the EPBC Act to disperse the Grey-headed Flying-fox colony at Maclean High School. On 28 October 2010, my delegate determined that the proposal did not require further federal assessment as long as the action is undertaken in a particular manner. A notification of this decision has been placed on the department’s website: http://www.environment.gov.au/. An earlier proposal to disperse the Grey-headed Flying-foxes was withdrawn by the Clarence Valley Council in September 2009.

As you would be aware, the EPBC Act has been independently and comprehensively reviewed by Dr Allan Hawke AC. Dr Hawke provided the former Minister for Environment Protection, Heritage and the Arts with the final report of his review on 30 October 2009 and it was publicly released and tabled in Parliament on 21 December 2009. The government is considering the final report of the review and remains committed to responding.

One of the objects of the EPBC Act is ‘to promote ecologically sustainable development through conservation and ecologically sustainable use of natural resources’. The principles of ecologically sustainable development include that decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations. Further, in making an approval decision under section 133 of the EPBC Act, I must consider social and economic matters, which would include relevant health and safety concerns.

Thank you for writing on this matter.

from the Minister for Sustainability, Environment, Water, Population and Communities, Mr Tony Burke

Mental Health

Dear Mr Murphy

Thank you for your letter of 22 November 2010 to the Minister for Health and Ageing, the Hon Nicola Roxon MP, regarding the proposed removal in the 2010-11 Budget of social workers and occupational therapists as eligible providers under the Medicare-funded Better Access to Psychologists, Psychologists and General Practitioners through the Medicare Benefits Schedule (Better Access) initiative. Your letter has been referred to me as the Minister for Mental Health and Ageing.

The then Chair, Mrs Julia Irwin MP, also wrote to Minister Roxon on this matter on 22 June 2010. I note that there is an expectation under Standing Order 209(b) that Ministers will respond to a referred petition within 90 days of presentation, however due to the Federal election and extended caretaker period there was a passage of some months before the Australian Government could recommence consideration of this issue, hence the delay in responding to the Chair’s letter of 22 June 2010.

I note that there is an expectation under Standing Order 209(b) that Ministers will respond to a referred petition within 90 days of presentation, however due to the Federal election and extended caretaker period there was a passage of some months before the Australian Government could recommence consideration of this issue, hence the delay in responding to the Chair’s letter of 22 June 2010.

The Government has listened to stakeholder feedback indicating that the removal of social workers and occupational therapists under the Better Access initiative was premature in the context of wider mental health reform, including the evaluation of the Better Access initiative which is due for receipt at the end of the year.

Following consultations with the sector about different needs in mental health, the value of the skills of mental health trained social workers and...
occupational therapists to provide vital interventions for people with a mental health disorder has been reinforced.

On 12 November 2010, following consideration of stakeholder feedback and consultations with the mental health sector, Minister Roxon and I announced that social workers and occupational therapists will continue to be able to provide Medicare-funded services under the Better Access initiative. I have attached the relevant media release for your reference.

I trust that the above information is of use.

Attachment

12 November 2010

Better Access to Continue for Social Workers and Occupational Therapists

The Minister for Health and Ageing Nicola Roxon and the Minister for Mental Health and Ageing Mark Butler today announced that social workers and occupational therapists will continue to be able to provide Medicare-funded services under the Better Access Initiative.

In the 2010-11 Budget, the Government diverted funds from the Better Access Initiative to provide additional support to Flexible Care Packages for people with a severe mental illness. This diversion of funds resulted in social workers and occupational therapists no longer being able to provide Medicare-funded services.

Following stakeholder feedback, Minister Roxon asked the new Minister for Mental Health and Ageing to consult further with stakeholders on the Budget decision as a priority following his appointment.

The Government has listened to stakeholder feedback indicating that this change was premature in the context of wider mental health reform and the Better Access Review, which has prompted this announcement today.

“As we’ve been talking to the sector about different needs in mental health, the value of the skills of social workers and occupational therapists has been reinforced,” Minister Butler said.

“We’ve also been talking to our stakeholders about ways to incorporate social workers and occupational therapists into our Flexible Care Packages so people with a severe mental illness can get the best care they need when the Packages begin on 1 April 2011.”

Mr Butler said social workers and occupational therapists will also continue to be able to provide services under other Labor Government-funded mental health programs, such as Access to Allied Psychological Services (ATAPS) and Mental Health Services in Rural and Remote Areas programs.

“The Prime Minister has stated that mental health will be an important second-term agenda and this Government is committed to addressing the mental health needs of the Australian community,” he said.

“The Better Access initiative has become a very significant and fast-growing component of this Government’s expenditure in mental health.

“Better Access is currently undergoing a comprehensive evaluation, which is due for receipt at the end of the year.

“The evaluation will tell us whether we are getting the ‘best bang for our buck’ out of this very large investment, and if we’re not, that’s something we would want to look at tackling as part of the broader mental health reform process.

“As I prepare options to present to the Government for further mental health reform, that evaluation will be an important addition to our evidence base.”

The Government is looking forward to working in partnership with social workers, occupational therapists and the wider mental health sector on mental health reform for the future.

The financial impact of this policy was included in the 2010-11 Mid-Year Economic and Fiscal Outlook released by the Treasurer this week.

MEDIA CONTACTS:
Minister Roxon’s Office (02) 6277 7220
Minister Butler’s Office 02 6277 7280

from the Minister for Mental Health and Ageing, Mr Butler

Administration of Justice

Dear Mr Murphy

I refer to your letter dated 16 November 2010 seeking a written response to a petition submitted to the Committee by Antal Bittman, regarding a
section 72(ii) process under the Constitution. You may be aware that the petitioner submitted related petitions on 15 March and 24 May 2010. The petitions request that the Houses of Parliament use their exclusive powers to terminate the appointments of Justices of the High Court.

The current petition is very similar in substance to the petition of 24 May 2010. In response to that petition, I wrote to the previous Chair of the Committee, Mrs Julia Irwin MP, on 9 July 2010. I advised Mrs Irwin that on the information provided it did not appear that the allegations contained in the petition amounted to any misbehaviour or incapacity on the part of a Justice of the High Court. My recommendation was that it would not be appropriate for proceedings under section 72(ii) of the Constitution to be invoked on the basis of the petition.

Section 72(ii) of the Constitution provides that Justices of the High Court and of the other courts created by Parliament shall not be removed except by the Governor-General in Council, on an address from both Houses of Parliament in the same session, asking for such removal on the ground of proved misbehaviour or incapacity. As the current petition contains no further information as to the alleged misbehaviour or incapacity of judicial officers, I maintain the position expressed in my letter of 9 July 2010 that it would not be appropriate for section 72(ii) proceedings to be invoked on the basis of this petition.

from the Attorney-General, Mr McClelland

Paid Parental Leave

Dear Mr Murphy

Thank you for your letter of 15 November 2010 about a petition submitted to the Standing Committee on Petitions concerning paid parental leave.

The petition calls for Members of the House of Representatives to support a paid parental leave scheme that will be fully operational by 1 January 2011. I note that the petition contained more than 25,000 signatures from Australians who have been waiting many decades for a paid parental leave scheme.

It is with great pleasure and pride that I can inform the signatories that legislation for the Australian Government’s Paid Parental Leave scheme (the scheme) was enacted on 14 July 2010. Payments under the scheme are due to commence from 1 January 2011.

The scheme is an historic reform for Australia and demonstrates the Government’s ongoing commitment to supporting working families. The scheme will give more babies the best start in life, and give parents the financial security to spend more time at home with their new baby. The role of employers in the scheme provides an important signal that having a child is not incompatible with continued labour force participation, even though it is important for parents, particularly mothers, to spend time away from work to care for newborn children.

The scheme will help employers retain valuable skilled and experienced staff through encouraging greater workforce participation and continued workforce attachment. Businesses will obtain the benefits of the scheme without having to fund the cost of Parental Leave Pay and without unnecessary red tape. By supporting the care of newborn children, it will contribute to the productivity of future generations.

The scheme has been fully costed and is funded by the Government. It will provide Parental Leave Pay for 18 weeks at the rate of the National Minimum Wage (currently $570 per week before tax) to eligible working parents whose child is born or adopted on or after 1 January 2011.

To be eligible for the scheme, a person will need to be the primary carer of a child and meet the scheme’s work test, income test and residency requirements. The generous work test means that casual and part-time workers and the self-employed may be able to access Paid Parental Leave, many for the first time.

The primary carer, usually the mother, will need to have worked around one day a week for at least 10 of the 13 months prior to the birth or adoption and have not earned more than $150,000 in the previous financial year. Only the primary carer’s
income counts toward the income test, not the household income.

Government-funded Parental Leave Pay can be taken before, after or at the same time as any employer-funded parental leave, or other employer-funded leave entitlements (such as annual leave or long service leave). From 1 January to 30 June 2011, Parental Leave Pay will be paid through the Family Assistance Office, unless an employer elects to pay, and their employee agrees.

From 1 July 2011, employers will provide Parental Leave Pay to employees who have worked with them for 12 months or more and who will receive at least eight weeks payment. Employers may also choose to provide Parental Leave Pay to other eligible employees. Otherwise parents will receive their payment from the Family Assistance Office.

Australia has waited too long for a national Paid Parental Leave scheme and this Government is delivering this historic reform for families.

Thank you again for providing me with the opportunity to comment on this petition.

from the **Minister for Families, Housing, Community Services and Indigenous Affairs**, Ms Macklin

Administration of Justice

Dear Mr Murphy

Thank you for your letter dated 16 November 2010 seeking a written response to petition 344/611, presented to the Committee on 15 November 2010. The petition requests that amendments be made to clauses 17 and 18 of the Parliamentary (Judicial Misbehaviour or Incapacity) Commission Bill 2010.

The Bill was introduced before the 42nd Parliament on 22 February 2010, and read for a second time on 31 May 2010. The Bill has yet to be introduced before the 43rd Parliament.

The Standing Committee of Attorneys-General is looking at possible models for a national judicial complaints handling mechanism. The Government is considering potential options for to judicial complaints handling in that context, including legislation.

Thank you for drawing this petition to my attention.

from the **Attorney-General, Mr McClelland**

Administration of Justice

Dear Mr Murphy

Thank you for your letter dated 16 November 2010 seeking a written response to petition 345/612, presented to the Committee on 15 November 2010. The petition requests that amendments be made to clause 17 of the Parliamentary (Judicial Misbehaviour or Incapacity) Commission Bill 2010.

The Bill was introduced before the 42nd Parliament on 22 February 2010, and read for a second time on 31 May 2010. The Bill has yet to be introduced before the 43rd Parliament.

The Standing Committee of Attorneys-General is looking at possible models for a national judicial complaints handling mechanism. The Government is considering potential options for to judicial complaints handling in that context, including legislation.

Thank you for drawing this petition to my attention.
Dear Mr Murphy

Thank you for your letters of 22 and 24 November 2010 forwarding a petition recently considered by the House of Representatives Standing Committee on Petitions regarding funding for the Neighbourhood Model Occasional Child Care Program.

I apologise for the delay in responding.

The Australian Government is committed to maintaining support for families and ensuring access to high quality, affordable child care especially in regional and remote areas. A major component of this commitment is the introduction of the new National Quality Framework for early childhood education and child care.

The Government made the decision in the 2010-11 Federal Budget to cease its funding contribution to state governments for the Neighbourhood Model Occasional Child Care program, in order to generate new funds to support the new National Quality Framework.

The National Quality Framework, agreed in partnership with all state and territory governments, will for the first time set a national quality standard for early childhood education and child care providers across the country. This means that all child care providers will be required to deliver better staff-to-child ratios so that each child gets more individual attention and improve staff qualifications so carers are better equipped to help children learn and develop.

The Department of Education, Employment and Workplace Relations is working with the Western Australian Department for Communities to help identify alternative funding streams for affected services where this may be required. The main focus has been to examine the suitability of services to transition to other existing programs, Commonwealth or state, as appropriate.

I understand that several WA Neighbourhood Model Occasional Child Care services have transitioned to operate as Long Day Care centres approved to administer Child Care Benefit, or are in the process of doing so. These services may also be eligible for Sustainability Assistance funding. This funding is aimed at assisting service providers with their day-to-day operating costs. Sustainability Assistance focuses on the provision of places for children aged less than 24 months and/or services that may be operating in geographically remote areas or areas of socio-economic disadvantage.

A number of Neighbourhood Model Occasional Child Care services will be unable to move to a Long Day Care delivery model. In such cases, the Department of Education, Employment and Workplace Relations is exploring a range of options with the WA Department for Communities.

I understand that the WA Government has provided a commitment to fund its remaining Neighbourhood Model Occasional Care services until 30 June 2011.

I trust this information is of assistance.

from the Minister for Employment Participation and Child Care, Ms Ellis

Dear Mr Murphy

Thank you for your letters of 22 and 24 November 2010 forwarding a petition recently considered by the House of Representatives Standing Committee on Petitions regarding funding for the Neighbourhood Model Occasional Child Care Program.

I apologise for the delay in responding.

The Australian Government is committed to maintaining support for families and ensuring access to high quality, affordable child care especially in regional and remote areas. A major component of this commitment is the introduction of the new National Quality Framework for early childhood education and child care.

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I understand that the WA Government has provided a commitment to fund its remaining Neighbourhood Model Occasional Care services until 30 June 2011.

I trust this information is of assistance.

from the Minister for Employment Participation and Child Care, Ms Ellis Barker Electorate: Eastfront Road

Dear Mr Murphy

Thank you for your letter dated 22 November 2010 about a petition regarding the repair and reopening of East Front Road, Youghusband, South Australia.

East Front Road is a local road for funding purposes and is the primary responsibility of the Mid Murray Council. The Australian Government, for its part, has committed $2.7 billion for land transport infrastructure in South Australia over the period 2008-09 to 2013-14.

The Government provides a significant level of direct financial support to local governments to assist them to upgrade and maintain their local roads through programs such as Roads to Recovery and the Financial Assistance Grants.

Over the period 2009-10 to 2013-14, the Mid Murray Council has been allocated $2.35 million under Roads to Recovery. The choice of projects to be funded under the program, their management, scope and timing are at the discretion of the local council to ensure that they reflect local priorities. This could include the repair and reopening of East Front Road. In addition, $3.43 million has been allocated to Council as a Financial Assistance Grant for roads and general purpose expenditure in 2010-11.

from the Minister for Infrastructure and Transport, Mr Albanese Permanent Residency

Dear Mr Murphy

Thank you for your letter of 22 November 2010 relating to a petition recently submitted to the Standing Committee on Petitions regarding permanent residency for non-citizens in Australia.

I note that the petition in question, 356/630, is almost identical in text to two petitions, 280/503 and 281/504, that the then Minister for Immigration and Citizenship, Senator Chris Evans, formally responded to through lodgement of a written response to the Committee on 19 July 2010.

Like the earlier petitions, this petition asserts that the Australian Government made a commitment on 26 January 1988 to grant amnesty to overstayers at that time, which to this day, has not been enacted. This assertion is inaccurate.

From a Ministerial Statement to the House of Representatives on 3 June 1988, the then Minister for Immigration, Local Government and Ethnic Affairs, the
Hon Allan Clyde Holding MP, released the report of the Committee to Advise on Australia’s Immigration Policies—Immigration—a commitment to Australia. In his address Mr Holding stated that among other items in the Terms of Reference, the Committee was instructed to ‘note that the Government has ruled out an amnesty for illegal immigrants.’ In a statement on 21 April 1988, former Member of the House of Representatives, Mr Alan Cadman MP, repudiated claims that either he, or the Opposition of the time, supported the notion of an amnesty for illegal immigrants.

Nor is there any consideration at present of providing a general amnesty for people who have overstayed their visa in Australia. Unlawful non-citizens have no entitlement to remain in Australia and are expected to depart. If an unlawful non-citizen refuses to leave Australia voluntarily, they may be detained and removed from Australia at the earliest practicable opportunity.

Persons who overstay their visa by more than 28 days become subject to an exclusion period that prevents them from being granted a temporary visa to travel to Australia for three years. This exclusion period applies whether they leave voluntarily or not.

In comparison to some European countries, Australia has a much smaller population of people living in the country having overstayed their visas. In recent years the number of overstayers at any one time has remained around 50 000. Many people who are recorded as overstayers are merely extending their stay in Australia by a few days or weeks, and leave of their own accord within a short period. Those who overstay for a longer period may be given temporary lawful status through the grant of a Bridging visa. This allows them to make arrangements for their departure from Australia or, if eligible, to seek a further visa.

The Department now has a Community Status Resolution Service available for non-citizens in the community who have an unresolved immigration status. The Service engages with these individuals to assist to resolve their immigration status either through grant of a substantive visa or through departure.

Departmental officers provide information to clients about their immigration and departure options, as well as connect them with appropriate services on a needs basis, to assist them to achieve an appropriate immigration outcome.

The petitions also seek the recognition of migrants and refugees as ‘human’. The National Human Rights Consultation, launched on 10 December 2008, sought to consult with the Australian community to find out ‘which human rights and responsibilities should be protected and promoted in Australia, whether human rights are sufficiently protected and promoted, and how Australia could better protect and promote human rights.’ The Committee received some 35 014 public submissions, as a result of 66 community roundtables held across Australia and three days of public hearings in Parliament House.


Among other items, the report recommends that immigration legislation, policies and practices be examined in an audit of federal legislation to determine their compliance with Australia’s human rights obligations.

On 21 April 2010 the Attorney General launched Australia’s Human Rights Framework which outlines a range of key measures to further protect and promote human rights in Australia.

The Framework is based on five key principles and focuses on:

- reaffirming a commitment to our human rights obligations;
- the importance of human rights education;
- enhancing our domestic and international engagement on human rights issues;
- improving human rights protections including greater parliamentary scrutiny; and
- achieving greater respect for human rights principles within the community.

The situation of those people present in Australia unlawfully, and who might benefit from an amnesty, must, however, be distinguished from that of migrants and refugees who have permission to
remain in Australia. An amnesty is not relevant to their circumstances, and they already receive protection, support and recognition where relevant.

The Skill Stream of the Migration program selects people on the basis of their skills and capacity to enter Australia’s skilled labour market. Applicants are generally required to have skills which have been recognised for migration purposes by a designated assessing authority. An applicant’s age, skilled work experience and English language proficiency are also taken into account. The Skill Stream also includes a number of employer sponsored visa classes where an applicant must be sponsored by an Australian employer to fill a skilled employment vacancy.

The Skill Stream selects people on the basis of characteristics which will enable them to integrate readily into the skilled labour force or to invest or establish businesses in Australia. As the focus is on attracting young, highly skilled migrants the requirements for General Skilled Migration (GSM) are tailored to meet this objective.

Persons applying for a GSM visa need to:
• be under 45 years of age when they apply;
• have a high level of English language skills;
• nominate an occupation on the Skilled Occupation List and be found suitable for that occupation by the relevant Australian assessing authority; and
• have recent work experience in a skilled occupation or have recently completed an Australian qualification.

In relation to refugees within Australia, the following information provides an overview of the protection, support and recognition that recognised refugees are provided under relevant legislation, policy and international obligations commitments.

As a signatory to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (the Refugees Convention), Australia is committed to providing protection to refugees consistent with the obligations set out in the Convention.

Australia recognises the right of anyone to make a claim for refugee status in Australia. I would like to assure you that persons who meet the refugee criteria in the Refugees Convention, or other criteria under international human rights treaties to which Australia is a party, are granted Australia’s protection, subject to meeting all legal requirements set out in the Migration Act and Regulations. These persons are granted Protection visas and thus, permanent residency and have access to Medicare, Centrelink and work rights.

In recognition of the particular needs of refugees, the Government has put in place support mechanisms for refugees who are newly settled in Australia. The Integrated Humanitarian Settlement Strategy (IHSS) provides initial, intensive settlement assistance for refugee and humanitarian entrants for up to 12 months after arrival. This includes assistance in finding accommodation, the provision of certain household goods, information and assistance to access services and become part of the local community and short term torture and trauma counselling.

The Government also recognises the need to prepare people for entry into the workforce so that their skills can be utilised effectively. The Adult Migrant English Program (AMEP) aims to achieve the economic and social participation of migrants and refugees.

The AMEP includes Employment Pathways and Traineeships in English and Work Readiness programs. These programs provide an employment focus, developing pathways to work through work experience placements.

Support is also available to onshore asylum seekers in the community in Australia while their Protection visa applications are being considered. The Asylum Seeker Assistance (ASA) Scheme provides financial assistance to eligible Protection visa applicants living in the community who are unable to meet their most basic needs for food, accommodation and health care as well as meeting torture and trauma counselling costs.

Asylum seekers who are not found to be owed Australia’s protection after an assessment of their claims and who have no other basis to remain are required to depart. Australia’s non-refoulement obligations, found in Article 33(1) of the Refugees Convention, prohibit the return of a refugee to a territory where their life or freedom would be threatened.
I can assure you that no one who raises an asylum claim is returned unless it has been determined that they are neither a refugee, nor a person to whom Australia has obligations under other international treaties.

Under Australia’s obligations under international law, Australia is not required to provide an amnesty to asylum seekers and there is no consideration at present of doing so.

I trust this information is of assistance to you.

from the Minister for Immigration and Citizenship, Mr Bowen

Bowen Electorate: Internet Access

Dear Mr Murphy

Broadband access

Thank you for the opportunity to respond to a petition submitted for consideration by the Standing Committee on Petitions, concerning access to broadband services.

I am aware that there are some areas within the city of Redlands and its surrounds that do not have adequate access to ADSL broadband services.

Access to ADSL can be limited or not available from certain telephone exchanges for a range of technical factors. These include the use of line sharing technologies such as pair gain or remote integrated multiplexer (RIM), the distance of premises from the exchange and the availability of spare ports in the exchange.

While I appreciate the concerns of residents of the city of Redlands, the decision to provide broadband services in a particular region and how these services are priced is a commercial matter for each service provider.

Telstra is a private company and the government does not seek to influence Telstra’s decisions about the day-to-day management of its business. Consistent with corporation’s law requirements, these decisions are left to Telstra’s board and management.

Given the high demand in the Redlands area for ADSL services, I encourage the citizens of Redlands to contact Telstra in regards to upgrading the local exchange to support ADSL service.

As you may be aware, under the existing telecommunications-specific access regime, competing service providers are able to install their own ADSL and ADSL2+ equipment in Telstra’s exchanges. If service providers encounter difficulties in competing with Telstra, including gaining access to Telstra’s local telephone exchanges, they can approach the Australian Competition and Consumer Commission (ACCC), which has powers to enforce access obligations and address anti-competitive conduct.

The ACCC has released a draft record keeping rule requiring Telstra to keep records and give reports to the ACCC relating to access to Telstra exchange facilities. The purpose of this is to ensure that access seekers are not unreasonably denied access to Telstra exchanges by increasing the accountability of Telstra’s decision making processes.

The Australian Government understands that access to affordable, high speed broadband is increasingly essential to the way Australians communicate and do business. It will help drive Australia’s productivity, improve education and health service delivery and connect our cities and regional centres.

The government has established NBN Co Limited to build and operate a new high speed National Broadband Network. The National Broadband Network will be the single largest infrastructure investment made by an Australian Government and will be accompanied by historic reforms to Australia’s telecommunications sector. The National Broadband Network is about more than having a faster internet connection. The productivity gains associated with this investment will mean that the full benefits will continue to flow for decades beyond the completion of the project.

The National Broadband Network will provide access to high speed broadband to 100 per cent of Australian premises. The government’s objective is to connect 93 per cent of Australian homes, schools and businesses with fibre-to-the-premises technology providing broadband speeds of up to 100 megabits per second (mbps).

The government has recently enacted historic legislative reforms designed to separate Telstra, improve access regulation and enhance consumer
safeguards in relation to telecommunications. These reforms will help to increase competition and service innovation, which will benefit all Australians and the citizens of Redlands.

The government is moving as quickly as practical to roll out the network, including to Redlands. However, consistent with any major project of this size and complexity, it is necessary that the planning and design phases are undertaken to ensure that the rollout occurs as efficiently as possible.

Indicative network coverage maps have been published by NBN Co Limited and are available at www.nbnco.com.au/our-services/coverage-maps. These maps provide an indication of the likely coverage and technology that is proposed in Redlands and indicate that Redlands may be served by next generation wireless technologies providing speeds of up to 100 mbps peak speeds of at least 12 mbps. Please note that these coverage maps are indicative only and subject to change.

On 7 September 2010, the Prime Minister announced that as the National Broadband Network is built, regional areas will be given priority to ensure they can more quickly overcome the ‘digital divide’ they currently experience. Fibre will be built in regional areas as a priority and NBN Co Limited will bring forward the introduction of wireless services and satellite services so that regional Australia can get access to better broadband as soon as possible.

The National Broadband Network will ensure that every community in regional Australia gets fair and equal access to affordable high speed broadband. This includes the delivery of a uniform national wholesale price. Wholesale broadband prices will be the same regardless of location and irrespective of the technology platform used to deliver the services. Retail pricing levels will be a matter for Retail Service Providers that utilise the network and it is anticipated the level and range of retail prices will be comparable to existing prices in the market today, while providing a better service.

The government is committed to high speed broadband for all Australians, not just those that live in the capital cities. Since the announcement of the National Broadband Network in April 2009, the majority of the network construction that has occurred, or is in the planning stages, has been in rural and regional Australia.

NBN Co Limited is developing a detailed rollout plan as part of its planning processes and is providing details of the rollout on its website as they become available.

The National Broadband Network will be Australia’s first national wholesale-only, open access broadband network offering equivalent terms and conditions to all access seekers. This means NBN Co Limited will roll out the network and sell wholesale services to Retail Service Providers, who will then provide services to end users. This represents significant structural change in the telecommunications industry and will support vibrant retail competition. The National Broadband Network will be built and operated on a commercial basis, at arm’s length from government, by NBN Co Limited.

The government uses regulatory reform and targeted funding programs to equitable, affordable access to telecommunications services.

Once such targeted program is the Australian Broadband Guarantee which aims to provide an effective transition to the high speed broadband services made available under the National Broadband Network. The Australian Broadband Guarantee provides equitable access to broadband services while the National Broadband Network is being rolled out.

The Australian Broadband Guarantee provides eligible Australian residential and small business premises with access to reasonably priced broadband services by offering financial assistance (in the form of incentive payments) to registered internet service providers to supply services to eligible premises.

Peak data speed of 1 mbps/256 kilobits per second (kbps) upload, and a data usage allowance of 6 gigabytes (GB) per month, with at least 3 GB available during peak periods and 3 GB during off-peak periods. Providers are also required to offer an extended warranty of at least three years on new customer premises equipment. Despite these increases in the minimum standards, the total cost to the consumer has not increased, and
remains set at $2500 over three years, including equipment, installation and monthly fees.

These improvements in the threshold service are designed to ensure that the Australian Broadband Guarantee continues to offer a safety-net for people without access to commercial comparable broadband services. It is not intended to replicate the highest speeds, data allowances and prices that some commercial operators offer.

Many providers also offer services with faster speeds and higher monthly usage allowances, as well as ‘entry level’ services that offer lower speeds and data, but are also priced at lower levels.

My department operates a Broadband Consumer Support section which provides information about broadband services in general and about services available under the Australian Broadband Guarantee. I would encourage residents of the city of Redlands to contact the Broadband Consumer Support section on freecall 1800 883 488 weekdays between 8.30 am and 5.00 pm to discuss what options may be available.

Thank you for bringing the residents of the City of Redlands concerns to my attention. I trust this information will be of assistance.

from the Minister for Broadband, Communications and the Digital Economy, Senator Conroy

Burma

Dear Mr Murphy

Thank you for your letter of 22 November 2010 about the Standing Committee on Petitions’ consideration of a petition regarding Burma’s 7 November 2010 elections.

The Australian Government has noted our deep concerns about the fundamentally flawed election process and patently unfair election laws. It is clear that Burma’s elections fell well short of democratic norms. We remain particularly concerned by reports that the extensive use of coerced or fraudulent advanced votes fundamentally changed the election results. We respect the decision of those democrats in Burma who chose to contest the elections under these unfair conditions, as we do the decision of those who chose not to participate, including the National League for Democracy.

Australia warmly welcomed the 13 November release, without conditions, of Aung San Suu Kyi. On 14 November, Prime Minister Gillard and I issued a joint statement welcoming her release and conveying Australia’s deep admiration for her and her struggle. The Australian Government urges the Burmese authorities to take this opportunity to involve Aung San Suu Kyi and all of Burma’s ethnic and political groups in a genuine process of dialogue and national reconciliation. We continue to call on the authorities to allow freedom of speech, assembly and association and to release all remaining political prisoners.

The Australian Government will be watching very closely what emerges from the Burmese political process, and will be engaging with Aung San Suu Kyi and the international community to determine the next steps to support reform and democracy in Burma. We stand ready to provide any support necessary to help the Burmese people in their struggle for democracy.

Thank you for bringing the petition to the attention of the Government.

from the Minister for Foreign Affairs, Mr Rudd

International Development Assistance

Dear Mr Murphy

Thank you for your letter of 22 November 2010 referring a petition, submitted for the consideration of the Standing Committee on Petitions, regarding Australia’s foreign aid expenditure. In accordance with Standing Order 209(b), my response is as follows.

The Australian aid program aims to assist developing countries reduce poverty and achieve sustainable development, in line with Australia’s national interests. The Australian aid program has doubled in size over the last five years to an estimated $4.3 billion in 2010-11 and, on current economic projections, will double again to meet the Government’s commitment to increase Australia’s aid to 0.5 per cent of gross national income (GNI) by 2015-16. Beyond 2015-16, as economic and fiscal conditions permit, the Gov-
government will progressively increase Australia’s Official Development Assistance (ODA) until we reach 0.7 per cent of GNI.

The Millennium Development Goals (MDGs) are central to Australia’s aid program and focus attention on global development priorities. During the MDG Summit in New York in September, I made a number of commitments to accelerate progress to achieving the MDGs. Between now and 2015, Australia is likely to provide around $1.6 billion for women’s and children’s health, $5 billion for education and $1.8 billion for food security.

Gender equity is integral for economic and human development. In addition to women’s health and education initiatives, Australia’s approach to achieving gender equity in developing countries includes promoting human rights, participation and leadership in decision making and access to economic resources. For example, in Nepal Australia has helped 5,288 women to set up businesses through the United Nations Development Program’s Microenterprise Development Program. This in turn has led to the employment of an additional 5,426 female workers.

I note the petitioners’ request for increased development assistance to address climate change. Climate change presents a global challenge for developing countries and has the potential to reverse progress towards achieving the MDGs. Between 2010 and 2012, the Government will contribute $599 million to assist developing countries respond to climate change. At least 25 per cent of these funds will be directed to small island developing states, including our Pacific neighbours.

Thank you for notifying me of this petition. I trust that this information will be of assistance to the Committee.

from the Minister for Foreign Affairs, Mr Rudd

Farrell Electorate: Blood Donation

Dear Mr Murphy

Thank you for your letter of 22 November 2010 enclosing a petition regarding access by the residents of Hay Shire to mobile blood donor services operated by the Australian Red Cross Blood Service (the Blood Service). I would like to acknowledge the commitment and enthusiasm of the Hay Shire residents to the principles of blood donation.

The Blood Service, through its agreement with the National Blood Authority, is responsible for the collection of blood to meet the needs of the Australian community. The Blood Service is also responsible for ensuring that the collection process is undertaken in a cost-effective manner, given the cost to the Commonwealth and state and territory governments of the activity required to meet these needs is over $500 million annually. These costs, incorporating safety and demand increases, have typically grown by around 11 per cent per annum. The current average cost of producing a bag of red cells is $375. Constant examination of costs that are avoidable or are able to be mitigated by economies of scale is therefore important and consistent with community expectations of accountability and transparency.

The Blood Service has advised that the closest mobile blood donor service in the West Riverina region is an extension of the Griffith static site, which services Hillston and other smaller communities close to Griffith. This service, combined with the Griffith static site, has a combined pool of 2,600 donors, of which 76 loyal donors are from Hay. However, the Blood Service has indicated that the expansion of this service to Hay is unviable at this time due to the travel and set-up times for the mobile service, and the cost of the operation of this service.

I have been advised that the Blood Service has, on a number of occasions, indicated a willingness to work with the Hay Shire Council to look at ways of improving this service for current and future donors. The contact for the Blood Service is Mr Garry Wolfe, Operations Manager, Australian Capital Territory and New South Wales, and he can be contacted directly on (02) 9229 4377. I trust that the above information is of assistance.

from the Minister for Health and Ageing, Ms Roxon

Education

Dear Mr Murphy

Thank you for your letter of 22 November 2010 concerning a petition on secularism in Australian
speak and the learning resource, Learning from One Another: Bringing Muslim Perspectives into Australian Schools. I apologise for the delay in responding.

Whilst the Australian Government plays a leadership role and provides funding for areas of national educational importance, such as the development of the Australian Curriculum, it does not play a role in determining the educational programs delivered in schools or the resources used in their delivery. These decisions are matters for state and territory government and non-government education authorities and, in many instances, are made at the school level.

The development of the Australian Curriculum is being guided by the Melbourne Declaration on Educational Goals for Youn Australians which was agreed to by all Australian education ministers and released in December 2008. The Declaration includes a commitment by all governments to support young Australians to become active and informed citizens, who appreciate Australia’s social, cultural, linguistic and religious diversity. The Declaration is available at www.mceecdya.edu.au.

Thank you for bringing the petition to my attention.

from the Minister for School Education, Early Childhood and Youth, Mr Garrett

The Australian Government is investing a record amount of up to $7.4 billion to implement the most significant reforms to health and hospitals since the introduction of Medicare. Under these reforms, the National Health and Hospitals Network will create a single national unified health system which is nationally funded and locally run to ensure all Australians have access to affordable and high quality health care. In September 2010, the Prime Minister, the Hon Julia Gillard MP, announced further investment through a new regional priority funding round of the Health and Hospitals Fund to improve health services to regional Australia.

While the Commonwealth provides support and funding to the states and territories, the current management and delivery of health and hospital services rests with each state and territory government. Residents of Goodooga and surrounds may wish to raise their concerns formally with the New South Wales Minister for Health. The contact details are as follows:

The Hon Carmel Tebbutt MP
Minister for Health
Level 30
Governor Macquarie Tower
1 Farrer Place
Sydney NSW 2000

I appreciate you bringing this matter to my attention.

from the Minister for Health and Ageing, Ms Roxon

Dear Mr Murphy

Thank you for your letter of 22 November 2010 regarding the petition of residents of Goodooga and surrounds about downgrades and reductions to health and emergency services to the area provided by the New South Wales Greater Western Area Health Service (GWAHS) and Ambulance Service of New South Wales. As per Standing Order 209(b), I am providing a written response to you on the matters raised in the petition.

I note that the petition calls on the House to pressure the New South Wales Minister for Health, the Hon Carmel Tebbutt MP, and managerial staff of the GWAHS to secure the funding of its 24-hour emergency service and reinstate its ambulance service.
ensure that farm animals are treated humanely and responsibly. The codes are reviewed from time to time to keep them up to date by taking into consideration technological and scientific developments.


The codes are being progressively replaced by a new series of nationally agreed standards and guidelines, which will be legislated by the states and territories. All states and territories are now working to implement the first of these, the Australian Animal Welfare Standards and Guidelines—Land Transport of Livestock. The government ensures the inclusion of farming industries and animal welfare organisations, including the RSPCA, in these processes.

I note the petitioners’ comment that other countries have banned the use of battery cage production systems. I am advised that some European countries have banned the use of battery cages, but still permit the use of furnished cages. Sweden has banned cage production systems, but imports of cage eggs now account for around 60 per cent of Sweden’s total egg consumption.

Thank you for bringing this petition to my attention. I trust you will find this information of assistance.

from the Minister for Agriculture, Fisheries and Forestry, Senator Ludwig

Pearce Electorate: Pharmaceutical Benefits

Dear Mr Murphy

Thank you for your letter of 22 November 2010 regarding a petition submitted for the consideration of the Standing Committee on Petitions by the Western Australian community of Merriwa, concerning access to the supply of pharmaceutical benefits by an approved pharmacist.

I note that Brighton Beach Pharmacy cannot be approved to supply medicines subsidised under the Pharmaceutical Benefits Scheme (PBS) as it is not the required distance from the nearest PBS approved pharmacy, as specified in the Pharmacy Location Rules (the Rules). The purpose of the Rules is to ensure that all Australians have access to medicines subsidised under the PBS through an effective, efficient and well-distributed community pharmacy network.

In certain situations I have a discretionary power to approve a pharmacist to supply PBS medicines under the National Health Act 1953 (the Act), where the application of the Rules will result in a community being left without reasonable access to a PBS approved pharmacy. The pharmacist at Merriwa has requested that I exercise my discretionary power and approve the supply of subsidised medicines at the pharmacy.

There is a two stage process for me to exercise my discretionary power. Under the Act, I have three months from the date the request is received in which to decide whether or not to consider the request. If I decide to consider a request, I then have a further three months to decide whether or not to exercise the discretionary power.

In this case, I made the initial decision to consider the pharmacist's request on 15 November 2010. I have until 15 February 2011 to decide whether or not to exercise my discretion.

In deciding whether the Merriwa community has reasonable access to the supply of pharmaceutical benefits I will examine a range of factors, including why the pharmacist’s application did not satisfy the requirements of the Rules, the characteristics and demographics of the local area, the community's current level of access to the supply of pharmaceutical benefits, and any other factors that are relevant to this matter.

I appreciate the strong interest and support from the local community and its representations will be taken into account as part of my consideration of this issue.

I trust that the above information is of assistance.

from the Minister for Health and Ageing, Ms Roxon

Non-Incandescent Light Globes

Dear Mr Murphy
Thank you for your letter of 22 November 2010 to the Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP, concerning a petition on low energy light globes. Your letter has been forwarded to me for reply as I have portfolio responsibility for this matter.

Energy efficiency in lighting is a crucial component of the Australian Government’s response to climate change. Considerable energy is wasted through inefficient lighting from many sources across Australia, including street lighting, homes and office buildings. The Government believes that these areas present opportunities for significant energy savings.

At present, a key focus is the phase-out of inefficient incandescent light bulbs.

The savings to the environment and the economy resulting from the phase-out initiative will be considerable. Across the country, the move to more efficient lighting is expected to save around 30 terawatt hours of electricity over the period 2008 to 2020 and around 28 million tonnes of greenhouse gas emissions over the same period. This is equivalent to permanently decommissioning a small coal-fired power station or taking more than 500,000 cars off the road for good. It is expected to result in savings to the Australian economy of around $380 million per year by 2020 and result in net savings for each household that changes all its incandescent lamps to compact fluorescent lamps (CFLs) of more than $50 per year.

It is important to note that CFLs are not being mandated. More efficient forms of incandescent lighting will continue to be available, such as mains voltage halogen lamps. Mains voltage halogens have a very similar appearance to the traditional incandescent light bulb, can be used in all of the same fittings, and are readily available. However, mains voltage halogens are not as energy efficient as CFL alternatives.

The submitted petition refers to a range of possible health impacts, which it suggests may be related to the use of CFLs. The Government is aware of the concerns of some members of the public about possible health impacts of CFLs, and information addressing possible health impacts of CFLs has been prepared and is available on the Department of Climate Change and Energy Efficiency website at: www.climatechange.gov.au/en/what-you-need-to-know/lighting/faqs/health.aspx. This information was developed in consultation with the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and other specialist health professionals, as appropriate.

In relation to the health concerns raised in the petition, our investigations and advice received from experts indicate that apart from a small number of people with photosensitivity related medical conditions, day-to-day use of CFLs does not pose a hazard to the general public. Information for people with relevant medical conditions is available on the departmental website. The Department is also currently examining options to bring this information to the attention of medical practitioners. I do not consider that a broader public education program is warranted at this stage.

While the matters raised in the petition are not specific, the following information attempts to address the issues raised:

**CFLs and Headaches**

One concern relating to CFLs is the effects of CFL flicker on migraine sufferers. While light sources with a detectable flicker can trigger migraines in susceptible individuals, CFLs flicker at a rate well above that detectable by the human brain and so should not affect migraine sufferers. As part of their normal operation, CFLs flicker at a rate of more than 20,000 times per second, compared to modern linear fluorescent tubes at more than 5,000 times per second, and older linear fluorescents at 100 times per second. Occasionally, fluorescent lamps may develop a fault which causes them to have a noticeable flicker, and these lamps should be replaced.

If light is suspected as the triggering event for migraines, ordinary headaches, or even eyestrain, the primary cause is likely to be glare, highly contrasting or inappropriate light levels. These problems are a result of poor lighting design rather than a feature of fluorescent lamps and can occur with any lighting technology if used inappropriately. Light fittings that enclose lamps and distribute light evenly without compromising
light output and efficiency can help avoid these problems.

**Electromagnetic Radiation**

Concerns have been raised regarding the emission of electromagnetic radiation (EMR) from CFLs. The ARPANSA has provided the following advice on CFLs and EMR.

The predominant EMR emitted by CFLs is the visible light that they are designed to produce, but they also produce small amounts of ultraviolet (UV) radiation and very small amounts of radiofrequency EMR from the high frequency currents produced by the electronics that control the lamp.

CFLs, like all electrical appliances, will produce 50 Hertz magnetic fields from the currents drawn from the supply. Both the lamp and the associated household wiring will produce these fields. The magnetic fields from the wiring should theoretically be lower with CFLs than incandescent globes because of their lower power consumption. Magnetic fields from the lamps themselves may be higher than from incandescent lamps very close to the fittings, but preliminary tests undertaken on a small range of CFLs tested at the ARPANSA did not find any cases where the 50 Hertz magnetic fields, at distances greater than 30 centimetres, were elevated above typical residential levels.

The high frequency electrical currents produced within the base of the lamp will cause some localised electric and magnetic fields. The radiofrequency emissions are constrained by the need to avoid producing electrical interference to well below the limits known to be associated with any health effects.

The ARPANSA will continue to monitor developments in relation to the potential health effects of emissions from these lamps in order to keep the community informed.

**Ultraviolet Radiation**

All general use lamp types, including the traditional incandescent light bulb, produce UV light. The UV levels vary with the type of lamp and light output. UV light levels from CFLs can be somewhat higher than incandescent light bulbs of equivalent (visible) light output. However, these emissions should not be significant when the CFLs are installed in ceiling fittings and, if necessary, could be absorbed easily by appropriate filters in desk or bedside lamps. People concerned about UV exposure should minimise the time spent closer than 30 centimetres from these lamps. Further information about UV exposure for the general population is available on the ARPANSA website at: www.arpansa.gov.au/radiationprotection/Factsheets/is_CFL.cfm.

In cooperation with the ARPANSA and the Lighting Council Australia, the Department has arranged for the development of a list of CFL lamps that typically have levels of UV emissions comparable to tungsten filament incandescent lamps. This will be made available in the near future and may be useful for people with light sensitivity related medical conditions such as Lupus.

Traditionally, we have used light covers, light fittings and light diffusers in our homes for both aesthetic reasons and to reduce glare from bare light bulbs. When used correctly, acrylic light covers can also reduce UV light levels by as much as 94 per cent. Available in a range of styles, light covers should be positioned between the light source (light bulb) and yourself to reduce the level of UV light. It is important that the user cannot see the light bulb once the cover is fitted. For some photosensitive Lupus sufferers, an appropriately selected and dimmed frosted halogen lamp may also provide a suitable light source.

**CFL Mercury Content**

All fluorescent lamps, including CFLs, contain very small amounts of elemental mercury. Government and industry continue to work together to minimise the mercury content of lamps. The new minimum quality standard recently introduced for CFLs includes a maximum mercury content, aligned with the European Commission standard, of five milligrams (one two-hundredth of a gram) per bulb. The ordinary fluorescent tubes in current use contain approximately 15 milligrams of mercury per tube, consistent with the Australian standard. To put the amount of mercury contained in CFLs in context, five milligrams would fit on the tip of a ball point pen. The old mercury thermometers contain approximately 500 milligrams of mercury. With appropriate precautions regarding disposal in place, elemental mercury continues to be used safely in a variety of products,
including lamps, watch batteries and various medical instruments.

Less mercury is released into the environment from the use of CFLs than from incandescent lamps, despite the fact that CFLs contain a small amount of mercury.

The reason for this is that burning coal to produce electricity also produces emissions of mercury. As CFLs use significantly less electricity than incandescent lamps their use results in lower overall emissions of mercury.

Waste disposal and handling is primarily a state and local government responsibility in Australia. Landfill disposal of large amounts of mercury-containing lamps is prohibited in some states. Large amounts are generated by the commercial and public lighting sectors, e.g. from office buildings, retail centres, institutions and roadways. At present, CFLs from homes can generally be disposed of in regular garbage bins, where the garbage goes to landfill. An alternative to landfill disposal is taking mercury-containing lamps to specialist recyclers who are able to safely recover not only the mercury, but also the glass, phosphor and aluminium contained in the lamps.

On 21 July 2010, a national voluntary scheme called FluoroCycle began operations to increase recycling rates and help reduce the amount of mercury entering the environment from the disposal of mercury-containing lamps. The initial focus of the scheme is on the commercial and public lighting sectors, which account for the majority of all lighting waste. The scheme is based on cooperation between government and industry and is sponsored by the Environment Protection and Heritage Council. A national scheme for the recycling of household CFLs may be considered in the future.


As the phase-out of inefficient light bulbs progresses, the Government will continue to consider health issues and examine options to address any significant concerns. I trust that this information addresses the issues raised in the petition and demonstrates that the Government is taking these issues into account in phasing out inefficient lighting.

Please inform me if you require further information.

from the Parliamentary Secretary for Climate Change and Energy Efficiency, Mr Dreyfus

Schools

Dear Mr Murphy

Thank you for your letter of 22 November 2010 regarding a petition submitted for the consideration of the Standing Committee on Petitions about Commonwealth funding for mobile specialist head lice treatment programs and Medicare funding for head lice treatment products.

The Australian Government provides policy and advice on health protection and works closely with the states and territories to implement the National Environmental Health Strategy (NEHS) 2007-2012. The NEHS commits to providing, amongst other things, evidence-based, effective and nationally consistent standards and guidelines that supports the protection of human health such as the control of head lice.

As part of this commitment, the Guidelines for the control of public health pests —lice, fleas, scabies, bird mites, bedbugs and ticks has been developed to assist state, territory and local governments to control public health pests such as lice.

The Guidelines are suitable for other agencies, groups, schools, child care centres, community health centres and individuals involved in dealing with infestations and are available from my Department’s website at www.health.gov.au/internet/main/publishing.nsf/Content/ohp-enhealth-vermin-cnt.htm

The states and territories provide for infestation control through their public health legislation and their departments of education and have developed their own head lice programs.

For example, Victoria has developed a school head lice program consisting of the Parent Managed Head Lice Program and the Municipal Council Programs. Other states and territories have similar programs.
While department of education policies concerning the identification and treatment of head lice vary between the states and territories, they generally advocate that children suspected of having head lice should be excluded from school until treatment has commenced and it is considered to be responsibility of the parent or guardian to detect and treat head lice infestations.

The states and territories also employ environmental health officers who provide assistance and advice to agencies and the public on the management of pest control including head lice. Councils and shires may also have information on organisations in their area which are able to assist with specific problems related to head lice.

The Medicare benefits arrangements are designed to provide financial assistance to people who incur medical expenses for clinically relevant professional services rendered by, or on behalf of, qualified health practitioners both in and outside hospital. The scheme is not designed to accommodate subsidies towards the cost of head lice treatment products or programs.

I do commend the petitioners efforts in wanting to raise more awareness of the impact of head lice in the community. While all levels of government contribute towards addressing this issue, most activity occurs at the local level. I would suggest the petitioners seek further advice at the local level in terms of identifying the need for a mobile treatment program.

I trust that the above information is of assistance.

from the Minister for Health and Ageing, Ms Roxon

Dear Mr Murphy

Thank you for your letter of 22 November 2010 to Senator the Hon Penny Wong, Minister for Finance and Deregulation, referring to a petition submitted to the Standing Committee on Petitions regarding office accommodation in Gungahlin, ACT. Your letter has been referred to me for a response as issues relating to the management of the Commonwealth domestic non-Defence properties fall within my portfolio responsibilities.

In your letter you attach a copy of the terms of the petition from the citizens of the Federal electorate of Fraser that outlines the benefits of locating Commonwealth Departments in Gungahlin.

The Financial Management and Accountability Act 1997 (FMA Act) places responsibility for managing public resources, including decisions relating to commercial property arrangements, with the Chief Executive of each agency. The leasing, buying and location of office accommodation, as well as other property management decisions, has therefore for many years been devolved to individual FMA Act agencies.

While the Australian Government has established a Commonwealth Property Management Framework that articulates the Government’s expectations for good property management, FMA Act agencies make the actual decisions regarding their accommodation arrangements.

Office lease arrangements are decided on a value for money basis. In the context of office accommodation, suitability for purpose, environmental performance of a building, as well as pricing aspects, would be relevant value for money considerations.

In considering any new requirements for office accommodation in Canberra, FMA Act agencies will of course also consider the condition of the commercial property market. With the Property Council of Australia reporting in its ‘Office Market Report July 2010’ that Canberra currently has the highest office vacancy rate of any of the capital cities within Australia, FMA Act agencies seeking office accommodation would have a range of available options for consideration.

I trust this information is of assistance to the Committee.

from the Special Minister of State and Special Minister of State for the Public Service and Integrity, Mr Gray

Burma

Dear Mr Murphy

Thank you for your letter of 22 November 2010 about the Standing Committee on Petitions’ consideration of a petition regarding trade and investment sanctions against Burma.

Australia’s targeted sanctions against the Burmese regime include long-standing visa restrictions against senior members of the regime and their
supporters, associates and close family members; a ban on defence exports to Burma; and targeted financial sanctions. The aim of Australian sanctions is to target key regime figures without punishing the Burmese people. We do not impose trade or investment sanctions, and the Government’s policy is to neither encourage nor discourage trade with, or investment in, Burma.

It is the responsibility of companies and individuals to comply with Australia’s defence export ban and its targeted financial sanctions. The Australian Government does not routinely monitor or investigate Australian companies’ interests in Burma. Any specific allegation of a breach of Australian law implementing sanctions should be reported to the Department of Foreign Affairs and Trade and the Australian Federal Police.

Thank you for bringing the petition to the attention of the Government.

from the Minister for Foreign Affairs, Mr Rudd

Pompe’s Disease

Dear Mr Murphy

Thank you for your correspondence of 25 November 2010 to the Minister for Health and Ageing, the Hon Nicola Roxon MP, regarding a petition in relation to the treatment of Adult (or late onset) Pompe disease with MYOZYME® (alglucosidase-alfa). The Minister has asked me to reply on her behalf.

The Life Saving Drugs Program provides subsidised access for eligible patients to expensive and life saving drugs for serious and rare medical conditions. There are no alternative drugs or suitable therapeutic options for the conditions treated through the LSDP.

From February 2010, MYOZYME has been subsidised through the LSDP for the treatment of infantile onset Pompe disease. MYOZYME is not currently funded through the LSDP for the treatment of late onset Pompe disease.

The Pharmaceutical Benefits Advisory Committee (PBAC) is an independent, expert advisory body comprising doctors, other health professionals and a consumer representative.

In order to consider the funding of a drug through the LSDP, the drug must first be found by the PBAC to meet the LSDP funding criteria, which include that there is evidence acceptable to the PBAC to predict that a patient’s lifespan will be substantially extended as a direct consequence of the use of the drug and that the drug is accepted as clinically effective, but rejected for Pharmaceutical Benefits Scheme listing because it fails to meet the required cost effectiveness criteria. The LSDP funding criteria and conditions are available at the Department’s website at: www.health.gov.au/lspd.

The PBAC has not recommended the funding of MYOZYME through the LSDP for the treatment of late onset Pompe disease. The PBAC has considered submissions on four occasions (July 2008, March, November 2009 and November 2010) and on each occasion found that there was insufficient evidence to demonstrate that a patient’s lifespan will be extended as a direct consequence of treatment with MYOZYME. The PBAC found that there is still considerable uncertainty remaining around the magnitude of benefit gained through treatment with this product, and the extent to which MYOZYME can be reasonably expected to prolong life for late onset Pompe patients.

The outcomes of the November 2010 PBAC meeting were released on 17 December 2010 and are enclosed for your information.

In addition, a Public Summary Document containing full details of the PBAC decision will be available from the Department of Health and Ageing web site 16-18 weeks after the PBAC meeting at: http://www.health.gov.au/internet/main/publishing.nsf/Content/public-summarydocuments.

I trust that this information is of assistance.

from Mr Reddy on behalf of the Minister of Health and Ageing

McPherson Electorate: Palm Beach Post Office

Dear Mr Murphy

Australia Post—closure of the Palm Beach Post Office

Thank you for your letter dated 22 November 2010 concerning a petition submitted for the
Committee’s consideration regarding the closure of the Palm Beach Post Office.

Under the Australian Postal Corporation Act 1989 Australia Post is responsible for the day-to-day running of the organisation, including all decisions relating to the postal network. As far as practicable it is required to perform its functions in a manner consistent with sound commercial practice.

Australia Post has noted that there has been a steady decline in customer numbers and, with up to 60 per cent fewer customers per day compared with similar post offices in the area, the Palm Beach Post Office is no longer commercially viable.

Australia Post has advised that to ensure minimal inconvenience to its post office box customers, it is planning to relocate the boxes to the Elanora licensed post office which is approximately 2.4 km away at The Pines shopping centre. Customers may also opt to have their mail delivered to household or business addresses via the street mail delivery service. In this circumstance they would qualify for free mail redirection for six months.

I am informed that Australia Post has negotiated with a local newsagent, situated in 5th Avenue Palm Beach, to install a post point unit for local residents. This is a self service unit that provides access to a range of stock including stamps, pre-stamped envelopes, postpak packaging products and some satchels. The post point unit opened on Thursday, 25 November. Australia Post has indicated that all staff will be transferred to other outlets within the area.

I trust this information will be of assistance.

from the Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity, Senator Conroy

Statement

Mr MURPHY (Reid) (10.06 am)—Mr Speaker, I will be brief.

Mr Baldwin—That’s unusual!

Mr MURPHY—Yes, it is unusual. Today I have presented a number of petitions that the petitions committee has found comply with the standing orders. I will repeat a remark that I make from time to time about this: the committee may or may not agree with the contents of a petition but its role is to consider whether a petition complies with the rules of the House in terms of its form, content and language. If it complies the committee will authorise its presentation. This approach reflects the historic nature of petitions, the committee’s role as a conduit between the people of Australia and this House, and the House’s respect for freedom of speech.

COMMITTEES

Climate Change, Environment and the Arts Committee

Report

Mr ZAPPIA (Makin) (10.08 am)—On behalf of the Standing Committee on Climate Change Environment and the Arts I present the committee’s report entitled Advisory Report on the National Radioactive Waste Management Bill 2010, incorporating a dissenting report, together with the minutes and proceedings.

Ordered that the document be made a parliamentary paper.

Mr ZAPPIA—In presenting this report I advise the House that the National Radioactive Waste Management Bill repeals and replaces the Commonwealth Radioactive Waste Management Act of 2005. The bill also restores some review and procedural fairness rights in the process of selecting a site for a facility. It also preserves the previous nomination of Muckaty Station.

The bill was referred to the Standing Committee on Climate Change Environment and the Arts by the selection committee on 21 October 2010. On 25 November 2010 the member for Melbourne was appointed as a supplementary member to the committee for
the purpose of this inquiry, and he has submitted a dissenting report.

The committee takes very seriously its responsibility in dealing with a matter referred to it by the parliament and it certainly did so with the inquiry into this bill. When a bill is referred to a committee there are no terms of reference. In determining the nature of the inquiry into the bill the committee noted the long history associated with this matter and, in particular, previous parliamentary inquiries. In fact, there were four separate Senate inquiries into this bill.

The committee noted that the original bill had been referred to the Senate Legal and Constitutional Affairs Committee on 4 February 2010. That committee reported back in May 2010, which effectively means that it had reported back to the House only a few months before this bill was again referred to the committee. The Senate committee had conducted an extensive public inquiry, in which 238 submissions were received and two public hearings were held—one in Darwin and one in Canberra, if I recall correctly.

The Senate Legal and Constitutional Affairs Committee made six recommendations and Greens senator Scott Ludlam presented a dissenting report at the time. The recommendations of the Senate committee were substantially addressed in the revised bill. The Standing Committee on Climate Change and Environment and the Arts also considered the matters raised by Senator Ludlam in the Senate committee inquiry’s dissenting report—in particular, the concern with respect to the dispute about the Muckaty Station nomination. I make it clear that the committee took that dispute very seriously. The compliance with environmental and nuclear radiation standards and the federal minister’s powers were also raised by Senator Ludlam in his dissenting report.

On each of these matters the committee was satisfied that the bill should be debated in the parliament. This bill specifically deals with a site nomination process. The nomination of a site does not guarantee the establishment of a radioactive waste facility. The Environment Protection Biodiversity and Conservation Act; the Australian Radiation Protection and Nuclear Safety Act and the Nuclear Non-Proliferation (Safeguards) Act 1987 will all need to be complied with, including all relevant public consultation provisions, before a radioactive waste facility is approved.

I will just turn back to the nomination of the Muckaty Station. With respect to the Muckaty Station nomination the committee noted that the dispute is currently before the Federal Court. The committee concluded that it would be inappropriate for it to inquire into a matter currently before the courts. In fact, the committee felt that it would be improper for it to do so. The committee also noted that the minister had indicated that the government would respect the court’s decision.

This history of reports and inquiries associated with this matter date back to 2005 and earlier. As I said a moment ago, there have already been four public inquiries into issues associated with this very matter by Senate committees. There exists throughout the community ideological differences on matters associated with the nuclear industry. The committee accepts that. These ideological differences will not be resolved by more costly public inquiries, whether they are by House committees, by Senate committees or by another public body. Ultimately the parliament, through its publicly elected members, will have to decide. The committee, in recommending that the Radioactive Waste Management Act be approved, concluded that the parliament, through its publicly
elected members, will ultimately have to resolve this matter.

**Mr BANDT** (Melbourne) (10.13 am)—We are dealing here with a report into a very important bill—one which will establish Australia’s first nuclear waste dump—and one might expect a rigorous engagement process with full public hearings. Instead, this report—one of the first of its kind presented to this House in the life of this parliament—has not lived up to provisions in the standing orders given to standing committees or to the spirit of open debate and a more collegiate approach to legislation with which this parliament began.

The standing committee had the opportunity to scrutinise the bill, to address its serious deficiencies, to invite public submissions and to recommend improvements. It had until the end of the autumn sittings to do any of these things. It has chosen to do none and deliver an astonishingly brief report three months earlier than required. The extent to which the report has failed to assist members in their decision making is evident in that the committee has left us with no more information with which to proceed than when the bill was referred to the committee in October.

It is worth briefly revisiting the reasons why this bill needed to be referred to the standing committee in the first place. Despite an inquiry being held into an earlier iteration of the bill—an inquiry conducted by the Senate’s Legal and Constitutional Affairs Committee—it did not sufficiently scrutinise the bill on environmental and scientific grounds. It was narrowly premised and flawed, and despite taking evidence from sources outside of government, which is more than can be said for the House standing committee, serious questions remained. First, the framework for managing radioactive waste, most notably the lack of procedural fairness or avenues for judicial review, and a lack of sound science being used to inform it. Second, the heavy-handed wholesale overriding of state and territory laws. The suspension of the Aboriginal and Torres Strait Islander Heritage Protection Act, the exclusion of the Native Title Act and the suspension of the Judicial Review Act have not been justified. Third, there is a complete failure to uphold international best practice, particularly in relation to securing social licence and community acceptance of a radioactive waste facility. And, last, the bill still gives excessive discretionary power to the minister, who will be able to operate with a minimum of transparency.

The siting decision for the nation’s first radioactive waste dump will be subject to less oversight than we would consider appropriate for a shopping centre car park. The House standing committee has resolved none of these questions. In failing to call for submissions, it has based its findings on a single briefing from officials of the Department of Resources, Energy and Tourism.

If we were to be true to our commitments to more robust and consultative legislative debate, the House would resolve to return the bill to the standing committee with the clear instruction that it does not expect to see the bill again until its provisions and its consequences have been properly scrutinised. The committee could then take evidence from those Aboriginal custodians who have found themselves on the front line of this long-running battle to have the government listen to their concerns.

The Senate inquiry into the bill had, after all, a recommendation—recommendation No. 1—that... as soon as possible the Minister for Resources Energy and Tourism undertake consultations with all parties with an interest in or who would be affected by a decision to select the Muckaty Station site as the location for the national radioactive waste facility.
The minister is yet to do so, and the standing committee has failed to properly explain why this is the case.

Members in this place received a letter from the traditional owners of the relevant land trust, the Manuwangku/Warlmanpa Land Trust, late last year, which read:
The last two governments didn't listen to us—you must be different. We have been fighting for the last five years to say we don't want the waste dump in the land. We are again inviting Minister Martin Ferguson and all members of the new parliament to come down and face us in our own country. Come and sit with us and hear the stories from the land.

This committee report was an opportunity to take up that invitation and to date, despite the committee report, there has not been a meeting with the relevant traditional owners, who do not want this waste dump on their land.

Every member in this place has a duty to ensure that their decisions are informed by the best information available, and are made in the best interests of the people of Australia. Members, therefore, have every right to be disappointed in the lack of information they now have before them with which to proceed to a debate on this bill. I sincerely hope that the rushed process chosen by the standing committee does not set a precedent for future reports.

Finally, I would like to pay special thanks to the secretary, Julia Morris, and other staff of this committee, all of whom served the committee professionally.

COMMITTEES
Treaties Committee
Report
Mr KELVIN THOMSON (Wills) (10.18 am)—On behalf of the Joint Standing Committee on Treaties, I present the committee’s report entitled Report 114: Treaties referred on 16 November 2010 (part 1).

Ordered that the report be made a parliamentary paper.

Mr KELVIN THOMSON—The Joint Standing Committee on Treaties report No. 114 contains 21 international instruments tabled in the 42nd Parliament but not reported on before last year’s election. Under the committee’s resolution of appointment, Foreign Affairs Minister Kevin Rudd referred these treaties for consideration again in the new parliament late last year. This report represents the first part of the committee’s consideration of the 40 treaties referred.

Of the treaties considered in this report, three are important to Australia’s international security. Australia’s Acquisition and Cross-Servicing Agreement with the United States updates the framework for reciprocal provision of defence logistic support supplies and services formerly agreed to in 1998. Under the committee’s resolution of appointment, Foreign Affairs Minister Kevin Rudd referred these treaties for consideration again in the new parliament late last year. This report represents the first part of the committee’s consideration of the 40 treaties referred.

Of the treaties considered in this report, three are important to Australia’s international security. Australia’s Acquisition and Cross-Servicing Agreement with the United States updates the framework for reciprocal provision of defence logistic support supplies and services formerly agreed to in 1998. As members may be aware, mutual logistic support agreements do not cover sharing of major weapons systems or munitions. Rather, they support peaceful deployments. Such agreements largely follow a set model, addressing such matters as reciprocal pricing principles. However, for this new agreement Australian negotiators have achieved additional provisions. To protect Australia’s interests in the event of injury or damage to personnel or material support, new liability and claims provisions are inserted. The previous Acquisition and Cross-servicing Agreement with the United States has been critical to joint deployments in Iraq and Afghanistan and elsewhere in the Middle East and in the Pacific. The updated agreement will carry forward this framework for defence cooperation into the future.

I turn now to Australia’s agreement with the Republic of Korea on the protection of classified military information, which also advances an important strategic arrangement. This agreement reflects the regional security
interests of both Australia and the Republic of Korea. It does not create any new obligations for Australia, but formalises an established and beneficial information-sharing arrangement between our two nations for defence cooperation purposes.

Thirdly, Australia’s agreement with the United States for the peaceful uses of nuclear energy updates an important bilateral treaty with both strategic and commercial underpinnings. The United States currently imports more than half Australia’s exported uranium. Some of this—around 36 per cent—fuels the US power sector; the remainder is processed for utilities in other countries. This agreement will continue this trade for an initial period of 30 years, subject to review every five years. For its validation, the United States must meet stringent safeguards and security provisions to ensure that the exported uranium is used only for peaceful purposes. The Australian government has indicated it will continue to advocate for the Comprehensive Nuclear Test Ban Treaty and its adoption by the United States.

Report 114 also reviews taxation arrangements between Australia and 19 other jurisdictions to bring them into alignment with OECD standards. Two are double-taxation agreements with Chile and Malaysia respectively. The convention with Chile for the avoidance of double taxation is intended as a comprehensive measure to reform withholding tax arrangements while also reducing the potential for tax evasion. Australia signed a similar agreement with Malaysia on 24 February last year. The third protocol to that agreement amends it to enable greater exchange of taxation information. The common object of the remaining 15 taxation agreements is the elimination of harmful tax practices in low-tax jurisdictions.

Partner countries with significant currency flows include Vanuatu, the Bahamas, Monaco, St Lucia and Samoa. The committee believes ratifications of all these treaties will be beneficial to Australia and to the agreement parties. Accordingly, the committee has recommended that binding treaty action be taken in relation to all instruments considered in this report, and I commend the report to the House.

Education and Employment Committee

Report

Ms RISHWORTH (Kingston) (10.23 am)—On behalf of the House Standing Committee on Education and Employment, I wish to make a statement concerning the committee’s inquiry into school libraries and teacher librarians in Australian schools. I rise to inform the House of the referral of an inquiry into the role and resourcing of school libraries and teacher librarians in promoting literacy in Australian schools.

The Standing Committee on Education and Training of the 42nd Parliament commenced an inquiry with the same terms of reference in March of last year. The former committee’s inquiry lapsed with the end of the last parliament in July. On 23 November 2010 the Minister for School Education, Early Childhood and Youth asked the Education and Employment Committee to take up the inquiry, and we have resolved to do so.

The committee has access to and will use the 380 submissions and other evidence gathered by the previous committee to develop its report and recommendations. We have also spoken with the chair and deputy chair of the former committee, officials from the Department of Education, Employment and Workplace Relations and representatives of some national organisations representing libraries and teacher librarians.

Without pre-empting the findings and recommendations of this inquiry, the committee has been impressed with the level of passion and dedication that is manifest in the written
and oral evidence presented to the inquiry. There is little doubt that a fully resourced and capable school library, when staffed by a fully qualified and active teacher librarian, makes a significant contribution to the learning outcomes in primary and secondary schools. The committee intends to present its report and recommendations before the end of the Autumn sittings.

Aboriginal and Torres Strait Islander Affairs Committee

Report

Mr NEUMANN (Blair) (10.25 am)—On behalf of the Standing Committee on Aboriginal and Torres Strait Islander Affairs, I wish to make a statement concerning the committee’s inquiry into the high level of involvement of Indigenous juveniles and young adults in the criminal justice system across the states and territories of Australia. It is a tragic state of affairs that Indigenous juveniles and young adults are more likely to be incarcerated today than at any other time since the royal commission into Aboriginal deaths in custody released its seminal report in 1991. In that report, the royal commission said:

... the most significant contributing factor is the disadvantaged and unequal position in which Aboriginal people find themselves in the society-socially, economically and culturally.

That report talked about the sad state of Indigenous disadvantage and deaths in custody.

Currently, the detention rate for Indigenous juveniles is 28 times higher than that for non-Indigenous juveniles. Similarly, young Indigenous adults aged between 17 and 24 years of age are 15 times more likely than young non-Indigenous adults to be imprisoned. There is an alarming rise in the rate of imprisonment of Indigenous women across the country. Adverse contact with the criminal justice system is not confined to offenders; Indigenous people are more likely to be victims of crime, especially violent crime, than non-Indigenous people.

The committee has resumed the valuable work started by the last parliament. The committee has received 110 submissions and has travelled across the continent of Australia, from Fitzroy Crossing to Dubbo, to Perth, to Brisbane, to Melbourne and to Sydney to speak firsthand with those working in cities, regional centres and remote communities. I want to take this opportunity to acknowledge and thank the former chair of the committee in the last parliament, the Hon. Bob Debus, for his longstanding, lifelong interest in Aboriginal and Torres Strait Islander affairs, and particularly his contribution as chair of the committee in the last parliament.

On 28 January 2011, in Redfern in New South Wales, the committee brought together participants from around Australia, including magistrates, state and territory police representatives, NGOs, academics and social researchers, counsellors, justice organisations and others working in diversion and intervention fields, for a roundtable hearing. The committee heard many terrific and wonderful success stories. For instance, Queensland Police Commissioner Bob Atkinson referred to Mornington Island, where robberies had dramatically reduced due to the dedication and long-term commitment of the local sergeant and his wife in developing the Police Citizens Youth Club and other programs working with Indigenous youth. These types of stories are happening across the length and breadth of the country; however, they are quite piecemeal and are without long-term outcomes.

The importance of role models and mentors was raised by many participants at the roundtable. Young Indigenous people are responding well to Indigenous mentors who are from their local community. Shane Phil-
lips from the Tribal Warrior Association in Sydney described the role of a mentor, commenting:

A real mentor enables; they make themselves redundant … People do not want a mentor for the rest of their life. They want someone to help them engage in what they need to engage in and take on the responsibility for themselves.

Another area raised was the lack of appropriate accommodation for youth, particularly out-of-home care and accommodation for those being released from the criminal justice system. Having positive places and positive influences can make a difference. It was generally agreed at the roundtable that supporting parents and families would help reduce intergenerational entrenchment in the criminal justice system across the country.

A major area of concern was the need for coordination within jurisdictions. The constant refrain was that there were silos—departments not talking to departments, organisations not communicating with each other and individuals not chatting to each other about what is going on. Too much buck-passing was occurring across the country. This is a point made by Superintendent Emmanuel from the Western Australia Police Service, who described its core business as the need to stop the buck-passing.

The problems are complex and long standing. We must harness the energy and knowledge of those working in the field to make broad and far-reaching recommendations. The committee is committed to that to reverse the trend, to increase the number of Indigenous young people involved in community life and to prevent them being entrapped in criminal justice systems across the country.

**Dr STONE** (Murray) (10.30 am)—I am the Deputy Chair of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs and I continue the remarks made by the member for Blair, the chair of this committee, who explained very well the importance of this inquiry into the welfare of Aboriginal juveniles in the criminal justice system.

The committee is continuing the business started in the 42nd Parliament by this same committee. We are focusing on identifying how to better prevent or at least significantly reduce the levels of offending and its consequences, especially the imprisonment of Indigenous juveniles and young adults in Australia’s criminal justice system.

It is a fact that high incarceration rates for Indigenous people are a global trend. Data collected by the inquiry shows that Australia is in the most appalling situation where despite the Indigenous population representing only two per cent of the Australian population they represent 25 per cent of the prison population. Indigenous juveniles are 28 times more likely to be in detention than non-Indigenous juveniles. On most days Indigenous youth are half the detainee population across the country. Indigenous young adults are 15 times more likely to be in prison than non-Indigenous young adults and more and more young Indigenous women are also being detained. Recidivism is much more likely for Indigenous adults. Indigenous Australians are more likely to be found in remand and in fact rates of remand for Indigenous Australians increased by over 70 per cent between 1984 and 2007. The numbers of Indigenous men and women in prisons also increased at a rate far higher than for non-Indigenous Australians. This, quite clearly, is not a situation that can be tolerated by any government, and I am pleased to say this is a totally bilaterally supported inquiry.

Offending and its consequences are the outcome of generations of poverty and disadvantage for most Indigenous youth. They represent an enormous human cost in lost
opportunity and human potential. Escalating rates of offending against law and order leave communities fearful and under siege, with a prevailing and growing sense of hopelessness. There is also the significant financial cost of keeping people in prisons who might otherwise be living fulfilled and productive lives.

Our inquiry found that to understand the offending against state and territory laws you also need to take into consideration the extremely low levels of basic education, poor health, high rates of hearing impairment, appalling housing and overcrowding or homelessness, lack of employment, poor parenting skills and the quality of relationships between the Indigenous community and police. Some of those relationships are very good, as the committee chair stated. The relationship between low levels of education and employment and imprisonment are well established.

While tobacco smoking and drug and alcohol abuse have recently been given some attention due to their long term harmful effects on Indigenous communities, middle ear infections that lead to the extraordinarily high levels of Indigenous hearing loss receive far less attention. Obviously a child who cannot hear is at a great disadvantage in school or in any other social interaction. This hearing loss is preventable with early treatment of recurrent middle ear infections, and we heard much about that in our evidence.

As well, the first prevalence studies of fetal alcohol spectrum disorder, FASD, in Western Australian Indigenous communities have estimated that more than 50 per cent of children in some communities have permanent intellectual and physical consequences from their mothers having consumed alcohol during pregnancy. International studies have shown that some 60 per cent of people with FASD end up in trouble with the law. This is a tragic outcome of what is another totally preventable disability. Yet, in Australia, we still do not pay attention to the need for better information for all pregnant women about the dangers of alcohol consumption and for pregnant women with alcohol dependency. They are not receiving much support.

We took expert evidence about the incidence of FASD in the Australian community—in particular, at the Sydney forum which our committee chair referred to—and we commend those now working with the Indigenous communities on this problem. And bear in mind that it is not just an Indigenous issue. We have also received much advice and information about diversionary programs, including mentoring and community based programs aimed at overcoming the family dysfunction and lack of educational opportunities in some communities.

Studies have shown that young Indigenous people are particularly vulnerable to becoming trapped in a cycle of contact with the criminal justice system. This contact includes juvenile convictions compounded by, and compounding, limited education and employment options, drug and alcohol dependence and insecure and poor accommodation. As well, a person’s Indigenous status compounds their economic and social disadvantage.

The amount of Indigenous incarceration in Australia today is a great tragedy. The committee is reviewing both international and national best practice. We will soon be going to New Zealand to see what success they have had. We cannot and will not turn a blind eye to the rising rates of detention and remand in Australia and our committee will frame important recommendations.

Social Policy and Legal Affairs Committee Report

Mr PERRETT (Moreton) (10.35 am)—On behalf of the Standing Committee on
Social Policy and Legal Affairs | I wish to make a statement concerning the committee’s inquiry into the regulation of billboard and outdoor advertising. I wish to thank the former chair, Mark Dreyfus QC, for his safe pair of hands and congratulate him on his elevation to parliamentary secretary and cabinet secretary.

There is little doubt that outdoor advertising works. Indeed, the Outdoor Media Association claims that, at its best, outdoor advertising, which includes billboards and the like, reaches consumers ‘where they live, work and play; where they drive and shop; where they commute; and where they congregate’. As can be implied from this claim, advertising located in a public space is difficult to avoid. Outdoor advertising is proving to be an extremely effective way of getting a message across but, unfortunately, community concern about it appears to be on the rise. For example, complaints about outdoor advertising rose from 16 per cent in 2008 to 24 per cent in 2009. Moreover, the most complained about advertisement in 2009 related to a billboard image. In Australia, advertising standards, including those relating to outdoor advertising, are currently governed by a system of industry self-regulation, which is funded by a voluntary levy paid by advertisers.

On 14 December last year, the Social Policy and Legal Affairs Committee, of which I am Chair, resolved to conduct an inquiry into the regulation of billboard and outdoor advertising. The primary objective of this inquiry is to examine the adequacy of the current regulatory arrangements with regard to advertising that can be viewed from public spaces—that is, where members of the public are unable to exercise their choice not to see that advertising material. So not where you have control with the television remote or where you can say no to the material being offered to you by the spruiker, but where you have no control. The scope of the inquiry therefore extends to everything from advertising on shopfront windows to roadside billboards and transport advertising, right up to floating blimps, banner towing and even skywriting.

Since announcing the inquiry, the committee has received a number of submissions. These submissions reaffirm that there certainly is a level of community concern out there about this issue. For example, the potentially negative impact that overly sexualised images and the objectification of women in advertising has on individuals and the community is a consistent theme in those submissions. As is the embarrassment many parents experience as they feel forced to explain ambiguously-worded, sexually-imbued billboard advertisements to their young children or perhaps even to their older parents. Some submitters have suggested that while the current system of self-regulation relies heavily on the vigilance and commitment of the community to lodge complaints, people are often unaware about how to go about doing so. Moreover, it has been suggested that the Advertising Standards Board, the body responsible for determining whether advertisements have breached the industry code of ethics, is out of touch perhaps with the community standards it purports to uphold.

The Attorney-General, the Hon. Robert McClelland, has requested that the committee inquire into and report on a range of issues. For example, the inquiry will determine whether the current self-regulatory system is working. Is it the best model or are there other models which involve co-regulation or complete regulation? Are community concerns about outdoor advertising being met under the current system of self-regulation? Should outdoor advertising, which cannot be switched off or avoided, be regarded as a
special category of advertising with its own classification system?

In its examination of this issue, the committee will keep in mind current consumer protection mechanisms and the desirability of minimising the regulatory burden on businesses. This inquiry is timely—technology is advancing quickly and all the time, especially when it comes to outdoor advertising. If improvements are to be made to the regulation of billboard and outdoor advertising it is important that they be considered now, with one eye on a future where high-tech, in-your-face advertising may flourish unfettered in our communities.

DELEGATION REPORTS

Australian Parliamentary Delegation to Indonesia, Brunei and Laos, 11 to 24 April 2010

Mr KELVIN THOMSON (Wills) (10.40 am)—I present the report on the Australian Parliamentary Delegation to Indonesia, Brunei and Laos, 11 to 24 April 2010.

Each year, the Australian parliament supports a delegation to three member countries of the Association of Southeast Asian Nations, or ASEAN. As part of this program, I, along with my colleagues Mr Duncan Kerr and Dr Mal Washer, travelled to Indonesia, Brunei and Laos in April last year. The delegation’s activities and visits centred around three themes: environmental challenges, strategies to reduce poverty, and the importance of strengthening links between parliaments and people. In each of the host countries, the delegation learned of the environmental challenges faced and the programs developed to deal with those challenges as well as their hopes for the future.

In Central Kalimantan in Indonesia, the delegation witnessed the work taking place in rehabilitating degraded peat lands and the sustainable management of peat swamp forests in an effort to reduce the impact of greenhouse gas emissions on the environment. The catastrophic impact that deforestation has on wildlife was also seen during our visit to a rehabilitation centre for wild orangutans in the same area, and the link between land degradation, increasing population levels and the impact of natural disasters was highlighted again during a visit to the Australia-Indonesia Facility for Disaster Reduction.

In Laos, significant environmental issues confront the Mekong region. Seventy million people live in the Mekong Basin and future projections indicate increases in temperature, changes in rainfall patterns and more frequent, severe and longer periods of drought. The delegation witnessed how Australia is working closely with Mekong governments to try to manage these critical water resources. At the same time as we saw the tragic consequences of environmental degradation, the delegation was encouraged by the extraordinary achievements the small country of Brunei has been able to make in managing its pristine rainforests, which cover 70 per cent of its landmass, through the Heart of Borneo initiative. Each of these visits reinforced in the minds of delegation members not only the fragility of the planet but the commonality of issues in this region.

Poverty in both Indonesia and Laos is widespread. The delegation was pleased to be able to see the positive impact Australian aid has in a number of communities. We got a fantastic welcome when we visited a village health clinic and a junior secondary school in Central Kalimantan, both of which have benefited from Australian aid dollars. We have been having a bit of a debate about overseas aid recently and I wish some of the aid sceptics could visit these projects and see how much goodwill they generate. People there like us. It is a much better way to spend taxpayers’ dollars. Ramping up the defence budget breeds a circle of suspicion, mistrust
and arms races, whereas aid fosters a virtuous circle of trust and goodwill.

In Laos, 25 per cent of villages are contaminated by unexploded ordnances that remain as a result of the extensive US bombing during the Indochina conflict. These UXOs not only render land inaccessible but create perpetual insecurity for these communities: villagers are sometimes forced to choose between acute poverty or risking injury and death by cultivating contaminated land. The delegation was appalled by the experiences the people of Laos endure as a result of these UXOs. It is the view of the delegation that the United States should match its responsibility for the horror caused by the UXOs with financial support to reduce the human toll and render the land usable in order to reduce poverty in this region.

The delegation was also pleased to visit Brunei, this being the first Australian parliamentary delegation to have travelled to that country. The meetings held there and, indeed, in each host country reiterated the value of strengthening the friendship and links between parliaments and people. On behalf of the delegation, I would like to thank Senator Nick Minchin, who was the other member of the delegation, for his contribution to the delegation and for his companionship and that of his wife, Kerry, during the trip. Senator Minchin’s vast experience and knowledge of issues in the region proved to be invaluable during both our formal and our informal discussions and meetings.

The delegation provided an important opportunity to reaffirm the very valuable relationships and cooperation that Australia has with ASEAN. It is a unique experience to go to AIPA with parliamentarians from the ASEAN region and from countries in other parts of the world to hold dialogues, to establish friendships and to learn more about the cultures of individual nations. Further, it was a privilege to represent Australia as an observer country at the general assembly and to engage with our neighbouring parliamentarians on the interests and concerns shared by so many of the countries in our region.

The 31st General Assembly of AIPA follows the entering into force of the ASEAN-Australia-New Zealand Free Trade Agreement in January 2010, an agreement which is expected to reduce trade barriers and stimulate greater levels of investment between the countries party to that agreement.

ASEAN continues to make good progress towards its goal of establishing an ASEAN economic community by 2015, a goal which Australia will support through the second phase of the ASEAN-Australia Development Cooperation Program by providing policy advice, research and implementation assistance. Progress has also been made on the broadening of regional cooperation, and it is encouraging to see the expansion of the East Asia Summit to include the participation of the United States of America and Russia for the first time, as guests.
The dialogue session with Australia was very well attended by parliamentarians from the ASEAN nations and provided an opportunity to hold constructive discussions on a range of topics, including regional and global security, environmental issues and natural disasters, cooperation in education and science and technology, and trafficking in people and drugs.

In addition to the formal meetings and dialogues, the social functions of the assembly were very enjoyable opportunities to further engage with our neighbouring parliamentarians and to gain an insight into each other’s cultures. It is clear that Australia is held in very high regard by the countries in our region, and many parliamentarians from ASEAN nations have a strong connection with Australia, having been educated in Australia or having family living here.

The delegation was very warmly received, and I would like to thank the host nation, Vietnam, for their friendly hospitality and professional organisation of the 31st General Assembly of AIPA. I would also like to take this opportunity to thank our Australian Ambassador to Vietnam, Mr Allaster Cox, Second Secretary Michael Hoy and their colleagues for their superb support and hospitality during our stay in Vietnam. They are doing a first-class job in representing our country’s interests in Vietnam.

I would also like to thank very much our secretary to AIPA, Mr Peter Banson, who is well known in the corridors of this place. Mr Banson provided excellent support and advice to the delegation. I, and also on behalf of Senator Minchin, would like to thank you, Peter, for doing an excellent job. You are an outstanding representative of this place.

Finally, I would like to say that the 31st AIPA general assembly presented a valuable forum for fruitful discussions and the strengthening of bonds between the parliamentarians of countries in the region. I commend the report to the House.

ASSISTING THE VICTIMS OF OVERSEAS TERRORISM BILL 2010
First Reading

Bill and explanatory memorandum presented by Mr Abbott.

Mr ABBOTT (Warringah—Leader of the Opposition) (10.50 am)—I present the Assisting the Victims of Overseas Terrorism Bill 2010. This bill is an important acknowledgement of the debt that this country owes to people who have been injured or killed in the course of terrorist incidents overseas. We should never forget the high price that Australia has paid due to the efforts and depredations of Islamist terrorists. Since September 11 in 2001, some 300 Australians have been killed or injured in terrorist incidents overseas. We lost Australians in the World Trade Centre. We lost Australians, too many Australians, in Bali—not once but twice. We lost Australians in London and we lost Australians in Jakarta. Some 300 Australians have been killed or injured because they were Australians.

Let us never forget that those bombs went off because the perpetrators of those outrages believe that our way of life is a satanic ex crescence—that is what they believe. People who died or were injured in those terrorist incidents were targeted precisely because of the way of life, the values and the civilisation of which they were a part. Australians have been targeted precisely because they are Australians. Australia has been targeted precisely because we are a part of the Western civilisation and the value system which those terrorists hate. It is very important to remember that Australians overseas were killed or injured precisely because they were Australians.

After each terrorist incident I just mentioned the Australian government was there...
to help. Centrelink assistance was rendered and medical expenses were paid. I want to congratulate governments of both persuasions for the efforts they made to help Australians and to continue to help Australians who were injured and the families of those who were killed in terrorist incidents overseas. But we have to acknowledge that these people suffered for their country in a way not entirely different from the sufferings that our soldiers have faced in the struggle against terrorism. They were not random victims; they were victims because of the way of life in this country and they were chosen as targets because of the way of life of the civilisation in which they participate.

We should not underestimate the ongoing suffering of those people. The member for Paterson and I have some familiarity with the Newcastle victims of the second Bali bombing. Many of them have had to give up their jobs and all of them will suffer permanently because of what they endured at the hands of Islamist terrorism. We cannot think that our duty to them as a nation ends simply because they were given Centrelink assistance to come back to this country and simply because their relatives were given Centrelink assistance to do what they could to help. We cannot think that our duty to them has ended just because their medical expenses were paid for the immediate injuries they suffered. There is a lifetime of pain for those people, physical and psychological, and it needs to be acknowledged, recognised and in some way made up for by the wider Australian community. I want to particularly thank Paul Anicich, one of the Newcastle victims of the second Bali bombing and a former senior partner in the Sparke Helmore law firm, for his continuing campaign on behalf of all the Australian victims of overseas terrorism.

My bill proposes that the national government establish a scheme to compensate the Australian victims of overseas terrorist acts that is analogous with the victims of crimes schemes that have long operated in the Australian states and territories. If an Australian is a victim of a criminal act in this country, he or she will invariably receive some compensation, some monetary benefit, from the state and territory governments. It is not lavish; it is not going to enable people to live in luxury for the rest of their lives—far from it. Nevertheless, it is an important acknowledgement by our community of the unjustified and the completely abhorrent pain and suffering that the victim of crime has suffered. So I am proposing the establishment of a federal scheme analogous to the state schemes purely for Australian victims of overseas terrorist acts. This is a modest, responsible but necessary measure on behalf of those people by the national parliament.

This is not the first time I have introduced this bill into the parliament. I first introduced this bill into the parliament in late 2009, when circumstances were quite different. The former Prime Minister, Mr Rudd, in answer to questions from the member for Paterson, indicated that the government was taking this issue seriously, but I regret to say that no action had been taken by the government at the time of the last election. Since the election, I and the member for Paterson have indicated that we have in no way dropped our concern for the victims of international terrorism, hence the reintroduction of this bill.

I recently received a letter from the Attorney-General, and I thank the Attorney for his letter. I acknowledge the Attorney’s sincere concern for the Australian victims of overseas terrorism, but it is not enough to be just concerned. We need some tangible acknowledgement of the predicament which our fellow Australians find themselves in, and that is what my bill proposes to do.
I accept there are some issues with oppositions proposing measures of this kind. The government in a different context has talked about the constitutional questions surrounding opposition members introducing bills which involve expenditure. In consultation with the clerks, I have been very careful to ensure that those rules are not in any way infringed by this bill. I would welcome this bill being taken over by the government. If the government has another more efficacious way of helping the Australian victims of terrorist incidents overseas, I would be grateful to hear what it is.

One thing I will not do is give up the campaign that I and the member for Paterson have been engaged in since 2005 to ensure that we do the right thing by our fellow Australians who were hurt permanently, simply because they were Australians, at the hands of people who hate our way of life. We must stand by our fellow Australians in trouble. They were targeted because they were Australian. They deserve this modest measure of recognition, help and acknowledgement. I commend this bill to the House.

Bill read a first time.

The DEPUTY SPEAKER (Hon. BC Scott)—In accordance with standing order 41(c), the second reading will be made an order of the day for the next sitting.

PATENT AMENDMENT (HUMAN GENES AND BIOLOGICAL MATERIALS) BILL 2010

First Reading

Bill and explanatory memorandum presented by Mr Dutton.

Mr DUTTON (Dickson) (11.00 am)—The purpose of the Patent Amendment (Human Genes and Biological Materials) Bill 2010 is to clarify current Australian patent law in relation to human genes and biological material. It will amend the Patents Act 1990 to reinforce the distinction between discovery and invention. It will expressly exclude from patentability human genes and biological materials which are identical to, or substantially identical to, such materials as they exist in nature.

A similar bill was introduced into the Senate late last year. It was co-sponsored by the coalition, Independent Senator Nick Xenophon, and the Greens. In this chamber the bill is co-sponsored by the coalition and Independent member for Lyne, Robert Oakeshott. The introduction and debate of an extensive motion by a member of the government late last year, which called for this very amendment to the Patents Act, indicates that there is indeed wide support within this parliament for this change to take place. It is a sentiment that the government should take note of, and I believe should act upon, by supporting this bill.

The issuing of patents on human genes has been and remains a highly contentious issue within Australia and, more widely, internationally. It has been the subject of debate in this House; it has been the focus of a committee inquiry in the Senate also. On one side of the argument are scientists, doctors, patients and organisations that argue that patents on human genes and biological material impede scientific research, restrict development of new and alternative medical tests and in so doing deprive us of chances of the discovery of medicines and cures for some of our most frightening illnesses.

On the other hand though, there are other scientists, doctors, research institutes and biotechnology companies that argue equally forcefully that the granting of patents provides the incentives for discovery, development and invention that can quickly bring us closer to better medical diagnoses, medicines and the cures that we all would seek to alleviate the pain and suffering that so many
endure. By some estimates it is believed that 40 per cent of the human genome has now been patented around the world since a United States Supreme Court decision in 1980 determined that life forms were patentable under US law. Prior to that, the US Patent Office had a position not to patent a biological organism. Since then thousands of patents have been granted with an estimated 25,000 DNA patents issued by the year 2000.

But increasingly, the issuing of patents over human genes and biological material is under challenge. A decade ago President Clinton and British Prime Minister Blair issued a joint statement saying the human genome should be freely available to scientists everywhere. Research institutes and national governments in Europe are calling for such patents to be brought into question, members of the European Parliament have passed resolutions criticising the Euro Patent Office position on genes; and in Canada, state jurisdictions are ignoring gene patents by supporting public health institutes to ignore patents on tests for cancer. The British House of Lords Judicial Committee invalidated patent claims because the synthetic human protein being claimed as an invention was not ‘new’.

In the United States and here in Australia court challenges have been launched against gene patents. While the Australian case has not proceeded, the American outcome resulted in a finding that a corporation’s patents over breast and ovarian cancer genes had been improperly granted and, indeed, were invalid under law. The case is under appeal and is sure to drag on for years. But significantly, the US government has signalled to the courts that it considers that the longstanding policy of the US Patent Office to grant patents over genes was, in fact, contrary to US patent law. At the heart of the American Federal Court decision that the gene patents were invalid was that they were not inventions. That is at the heart of this bill: the distinction between discovery and invention. Only an invention can be patented. Human genes and biological material are not inventions. They exist; they are naturally occurring. Scientists and researchers discover them; they do not invent them. The amendments to the Patents Act provided in this bill will enshrine that distinction in Australian patent law.

To do otherwise will leave considerable ongoing uncertainty for the scientific community and society generally. Two years ago an Australian company, as licensee for an American biotechnology company, sought to prevent Australian hospitals and medical laboratories from testing for breast and ovarian cancer, threatening to sue them for breach of patents if they proceeded without paying thousands of dollars for the company to perform the ‘patented’ genetic testing. Under wide public pressure, rightly, it backed down, but its actions highlighted the disturbing situation that people suffering life-threatening diseases could be denied the tests and treatments that could help them, because a corporation held a patent on the naturally occurring genes that were part of the make-up of their bodies. To retreat to the fundamental basis of patent law: patents are granted for inventions, as we say, not for discoveries of naturally occurring biological materials such as our genes.

That is what this bill strikes. It will clarify that important difference. In doing so it will remove the threat that patents on genes hold to monopolise and therefore restrict vital research. It could indeed accelerate scientific competition and innovation which lead to the knowledge and the breakthroughs to understanding illnesses and disease and eventually the medical inventions that provide cures or better treatments. While the very genes and biological material that form our make-up will not be patentable, unique processes that provide for their isolation, purification or
synthesis will be, thus affording patent protection to biotechnology breakthroughs, just as now. The biotechnology industry will continue to have the scope to patent true inventions.

Two years ago at the height of the concerns over gene patents in Australia, the Senate Community Affairs Committee began an inquiry into this complicated issue. Its report was handed down just three months ago. While that report did not call for a ban on gene patents, it did call for patent laws to be updated to ensure that research into cancer and other diseases could proceed unhindered by threats of patent infringement. It also called for a government response to various national reviews, reports and inquiries into gene patents by mid 2011.

This bill is now being scrutinised by a Senate committee, which should ensure that there are no unintended consequences from these amendments and alleviate concerns that it holds a threat to scientific innovation and research. That committee is also due to report in June. No doubt there will be amendments to the bill, but the parliament will be able to proceed on this critical matter if the government does not.

As renowned scientist Professor Ian Frazer warned in late 2009:

Science sits on the cusp of a surge in the use of genes in the diagnosis and treatment for major illnesses.

… … … …

It is crucial we address this issue now, before the wave of gene technology breaks.

As the inventor of the cervical cancer vaccine, Gardasil, Professor Frazer has benefited greatly from patent law. But he, like so many others, believes that genes are not inventions and they should not be patented. Nobody should be able to own part of each and every one of us. I commend the bill to the House.

Bill read a first time.
has gone backwards. The Gillard government’s own budget papers show that while federal government spending has skyrock- eted from $272 billion to $352 billion under Labor, funding for Tourism Australia has dropped by $13.5 million in real terms. These funding cuts under Labor mean that, in real terms, funding for Tourism Australia has not been lower since the introduction of the landmark tourism white paper in 2003. Under the Gillard government, the tourism industry is wearing the burden of Labor’s debt and deficit without having gotten any of the benefits of their record spending. In response to Labor’s 2010 federal budget, the Tourism and Transport Forum said:

The tourism industry is concerned the failure to maintain Tourism Australia’s current funding levels means that a golden opportunity to capitalise on Australia’s tourism’s strengths has been lost …

I have also moved that this House condemn the Rudd-Gillard government for increasing business costs for local tourism operators through higher tourism taxes. Labor’s addiction to reckless spending has been matched by an addiction to new taxes to fund their record debt and deficit. In their first term alone, the Rudd-Gillard government have introduced more than $1 billion of new tourism taxes on the Australian tourism industry, including: increasing a departure tax called the passenger movement charge by 24 per cent; raising tourist visa fees by more than 33 per cent; and abolishing the private provider system for the Tourist Refund Scheme for the GST. These new tourism taxes were introduced by the Rudd-Gillard government at a time when the Tourism Forecasting Committee was expecting inbound visitor arrivals to drop by 4.1 per cent. At Cairns Airport, for example, for the year ended 30 June 2009, while inbound visitor arrivals fell by 24.3 per cent compared to the previous year, the Rudd-Gillard government took home an extra $2.25 million in tax revenue.

The Labor government say increasing taxes on cigarettes will reduce the number of people smoking, yet they do not believe that increasing taxes on tourism will reduce the number of people travelling. Analysis by the Tourism and Transport Forum shows that regional Australia has been hardest hit by Labor’s increased tourism taxes. Just a one per cent rise in airfares across Australia results in a 1.01 per cent fall in demand, but for Cairns a one per cent rise in airfares causes a 1.32 per cent fall in demand. Labor’s Minister for Tourism, the Hon. Martin Ferguson, said in 2003 that the passenger movement charge was ‘ripping off the travelling public’ when it was levied at $38 per passenger. Yet in his first budget as the Minister for Tourism he increased it from $38 per passenger to $47 per passenger.

I have moved that this House condemn the Rudd-Gillard government for increasing business costs for local tourism operators through the bungled award modernisation. The tourism industry has more award reliant workers than any other sector, putting it at the front line of Labor’s botched award modernisation process. The Queensland Tourism Industry Council said in 2009:

This has led to the creation of a modern hospitali- ty award that does not recognise the diversity of the tourism and hospitality industry and which will impact on the economic viability of tourism and hospitality businesses.

Labor’s botched award modernisation process, which was led by the Prime Minister when she was the Minister for Employment and Workplace Relations, created much uncertainty for tourism operators. The then Chief Executive Officer of Restaurant and Catering NSW/ACT, Robert Goldman, said in 2008:
The Award Modernisation decision was just circulated … I do suggest that many of our worst fears have been realised … Ultimately, Labor’s botched award modernisation process has led to higher business costs for Australian tourism businesses, making them less competitive in the international tourism market, particularly when our dollar is at an all-time high. Many businesses will see an increase in operating costs of over 25 per cent. This represents another broken promise from our Prime Minister, who expressly promised that costs to businesses would not increase as a result of modern awards.

Reflecting on those increased business costs, the Chief Executive Officer of the Hotel, Motel and Accommodation Association, Lorraine Duffy, said in 2010 the ongoing cost of doing business for Australia’s accommodation sector is:

... diluting its attractiveness as a country for investment of major hotels and for smaller operators as a sustainable way to make a living.

I have also moved that this House condemn the Rudd-Gillard government for increasing business costs for local tourism operators through additional superannuation guarantee payments, which will be entirely funded by employers. Many tourism businesses will also be slugged with an additional tax on their payrolls thanks to Labor’s increase in the superannuation guarantee from nine per cent to 12 per cent, which, as I said, is to be entirely funded by employers. The Victorian Employers Chamber of Commerce and Industry and Victorian Tourism Industry Council said in 2010 in response to the increase:

Increased superannuation costs will hurt the business bottom line and discourage the hiring of new labour...

I have also moved that this House call on the Rudd-Gillard government to match the coalition’s commitment to focus on high-yielding business events tourists. The business events sector represents the greatest opportunity to build Australia’s visitor economy. Business events produce the highest daily yield of any sector of the tourism industry. The business events sector contributes an estimated $17.6 billion a year to the national economy, generating 116,000 jobs. Business events also promote and showcase Australian expertise and innovation to the world and attract global leaders and investment decision makers who would otherwise not have come to Australia. As the global financial crisis approached, the Rudd-Gillard government cut funding for Business Events Australia by more than 10 per cent, deserting the sector at the worst possible time.

Only the coalition recognises the importance of the business events sector to building Australia’s visitor economy. The coalition’s Plan for Real Action on Tourism will provide Tourism Australia with a further $10.5 million over four years to increase the marketing capacity of Business Events Australia. This significant investment would bring Australia’s business events marketing capability in line with our international competitors. The coalition’s real action plan would also provide the Association of Australian Convention Bureaux with $17.5 million over four years to operate a business events bid and boost fund. This industry partnership fund will provide the business events sector with a significant pool of funds to coordinate and support bids for key international conferences. The fund will also help maximise delegate boosting opportunities for conferences. The coalition’s real action plan would also focus departments and agencies of the Australian government, such as the Department of Foreign Affairs and Trade, on delivering leads for potential international conferences Australia could host.

I have also moved that this House call on the Rudd-Gillard government to match the
coalition’s commitment to build stronger research foundations in the tourism industry. A strong research foundation is critical to building Australia’s visitor economy. The Rudd-Gillard government has reduced Australia’s tourism research capacity. Labor discontinued funding for the Sustainable Tourism Cooperative Research Centre and moved Tourism Research Australia from Tourism Australia to being a general expense in the Department of Resources, Energy and Tourism. According to a report by its own steering committee on tourism, the Rudd-Gillard government’s policies will ‘leave a substantial gap in the tourism industry research capability’. The coalition’s real action plan would provide Tourism Research Australia with $8 million over four years to grow Australia’s tourism research capabilities.

I have also moved that this House call on the Rudd-Gillard government to match the coalition’s commitment to encourage tourism infrastructure and product development. The coalition has put forward an investment proposal to make sure that our tourism product is in line and competitive with the rest of the world.

The DEPUTY SPEAKER (Hon. BC Scott)—Is the motion seconded?

Mr Haase—I second the motion and reserve my right to speak.

Ms LIVERMORE (Capricornia) (11.19 am)—I am very pleased to have the opportunity to speak on the motion on tourism funding, but I can let the member for Paterson know that I do not support this motion that he has put to the House. In fact, I am very happy to tell him that he would be well served to have a look at the National Long-Term Tourism Strategy, which was signed off by all tourism ministers in December 2009, because many of the long-term challenges and opportunities faced by the tourism industry here in Australia are encapsulated in that tourism strategy and, more than that, the strategy actually sets out a working plan to meet many of the challenges and to make the most of those opportunities.

I want to rebut straight off the first point of the shadow minister’s motion, where he talks about a reduction in funding for Tourism Australia. That is simply not the case. Any suggestion of reduced funding for Tourism Australia is incorrect. Tourism Australia’s funding has been maintained across the forward estimates in the budget. In fact, in response to industry demand following the global financial crisis, which of course presented enormous challenges to our tourism industry—as was experienced in the tourism sector right around the world—$9 million of Tourism Australia funding was brought forward at that time and was matched by an additional $11 million from states and territories and commercial partners. That was an effective increase in the budget for tourism at that time when support was so badly needed.

We take tourism very seriously here in the Labor Party, and I note the presence in the chamber here of the member for Port Adelaide, who was the leader of Labor Friends of Tourism in the previous parliament before his promotion to the frontbench. He is just one example of the enormous support for tourism that exists in the Labor Party and in the Gillard government. Why do we support tourism? It is very simple. Tourism is our largest services export industry. It accounts for some $24 billion each year in exports. The most recent figures, from 2008-09, show that it accounts for over 2½ per cent of our GDP annually and also employs half a million people, which is the equivalent of 4½ per cent of the workforce.

We are very mindful of the challenges the sector faces. While those figures are strong and provide a good base for us to work with the industry to seize further opportunities, we
do have to recognise—and the government does recognise—that this does represent a drop in tourism’s contribution to the economy and a drop in the proportion of people employed in that sector. There is work to be done but the government is hard at work meeting those challenges.

Mr Deputy Speaker, as a Queenslander you would know as well as I do that tourism is particularly important to our state. In Queensland, tourism accounts for $9 billion of our state’s economy every year. Over 50 million people visited our state in 2010. I will be putting out the call in this and every other forum, and in every opportunity I get, to let visitors know right around Australia and around the world that Queensland is very much open for business and we really do want to welcome you back to our state. We are getting ourselves back on track after the floods and cyclones and of course many of the tourism icons in Queensland were untouched by those disasters.

I do not want to buy into the doom and gloom of some people here in the chamber. I want to spend my time in this debate talking up tourism, the tourism industry and the opportunities and experiences that are still very much on offer for tourists in our state.

The federal government was very quick to respond to the flooding and later to Cyclone Yasi in the state of Queensland. It was back in January that the Gillard government and the state Labor government announced that they would contribute $5 million each towards a tourism industry support package. Much of that money is going towards marketing, which is a very important thing that the industry has been calling for. It will include a very strong domestic marketing campaign to assure Australians that Queensland is open for business and that many of the most popular tourism destinations were untouched by those disasters that held peoples attention during January.

While I am talking about the floods, I will mention something in my local area that is very positive for our tourism sector. In early January, when we were facing the terrible flooding in Rockhampton, while we were getting enormous support from right around the country and even around the world, Tiger Airways announced that they would cancel all flights into and out of Rockhampton until the end of March. They basically pulled the plug on Rockhampton not just for that period when the airport was closed due to flooding, which was going to extend for maybe three weeks, no, Tiger told us that they were pulling out until the end of March. There has since been a lot of effort put in locally. I was furious at the time and sent a very strongly worded letter to the managing director of Tiger Airways Australia and I know I was joined in that response by many other people in Rockhampton.

I am pleased to tell the House that Tiger Airways are now coming out and supporting our local tourism operators. They have got a special deal, which was advertised last week, offering very cheap flights to Rockhampton from Melbourne. They will not start again until the end of March, but I do have to give them credit for partnering up with our local tourism operators to get that message out there that Rockhampton is open for business and that people can get there easily and cheaply.

One other thing that Tiger has done—again, I pay them credit where credit is due—is they are now flying direct out of Tullamarine Airport, which is going to make an enormous difference to the accessibility of Rockhampton, Central Queensland and the southern Great Barrier Reef when it comes to attracting interstate visitors to our community.
On another positive note, another example of how the government is supporting tourism and tourism operators is the TQUAL program. The next TQUAL round was announced just a couple of weeks ago. Some terrific projects have taken place in my electorate with the help of TQUAL grants in the last few years. When talking to the CEO of our tourism body this morning she said there is already a great deal of interest in applications for this latest round.

A couple of the ones I have been involved in and opened in the last couple of years include Henderson Park, which is a farm-stay operation 30 minutes north of Rockhampton. It is run by the Barrett family, who have been on their property at Hedlow Creek for about a hundred years. They have an absolutely beautiful set-up there with cabins and, now, the five-star Hedlow Lodge right on the banks of Hedlow Creek. That was done with the assistance of TQUAL funding.

The other one that received funding in the last couple of years is Capricorn Caves. Ann Augusteyn and her team there received money to help them expand their facilities. The great thing about this is that money from the federal government leverages private investment in these tourism operations and really allows them to take what they are offering to tourists to a new level. That is great news for the tourism operators in our electorate. They are a couple of local examples of some terrific investments in our local tourism facilities and I would encourage operators to take advantage of this latest round of TQUAL grants.

It is very clear from these measures—TQUAL, the long-term tourism policy and the response to the floods—that this government is very strongly behind the tourism industry in this country.

PERSONAL EXPLANATIONS

Mr BALDWIN (Paterson) (11.29 am)—Mr Deputy Speaker, I wish to make a personal explanation.

The DEPUTY SPEAKER (Hon. BC Scott)—Does the honourable member claim to have been misrepresented?

Mr BALDWIN—Yes.

The DEPUTY SPEAKER—Please proceed.

Mr BALDWIN—The previous speaker said I had misled the House on tourism funding when I said the tourism budget had been cut. I seek leave to table a report from the Parliamentary Library showing the budget expenditure representing the diminishing value of the dollars provided by the government to the tourism industry.

Leave not granted.

Mr Baldwin—Mr Deputy Speaker, on a point of order: to further clarify my misrepresentation I would state that—

The DEPUTY SPEAKER—No, you cannot clarify. You have made your point.

Mr Baldwin—Then I need to point out where I was actually misrepresented.

The DEPUTY SPEAKER—You have already done that. You wanted to table a document. You sought leave and it was not granted. The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

PRIVATE MEMBERS’ BUSINESS

National Broadband Development

Ms ROWLAND (Greenway) (11.30 am)—I move:
That this House:
(1) notes the:
(a) 19 September 2010 Declaration by the members of the Broadband Commission for Digital Development to world lead-
ers attending the 2010 Millennium Development Goals Summit at the United Nations on the benefits of broadband as a transformative technology for employment generation, productivity growth and the long term economic competitiveness;

(b) OECD report of December 2009 which makes the case for investment in a competitive, open access national fibre network rollout based on benefits to four key sectors of the economy: electricity, health, transportation and education;

(c) positive externalities of broadband in providing increased opportunities to access Australian health and education services, and the linkages between disparities in broadband access and social disadvantage; and

(d) technical limitations of non fibre approaches to national broadband development, particularly in respect of video and other ‘real time’ applications used to deliver health and education services;

(2) recognises the merits of the development of universal broadband access in Australia with an emphasis on options for niche broadband delivered content and applications to provide immediate benefits to areas and groups of identifiable need.

I have moved this motion because I have a fundamental belief in the transformational power of information technology to improve the lives of individuals and their societies. It is a belief forged through legal and regulatory experience and my responsiveness to the needs of the communities I represent. I believe this parliament has a responsibility to our society and its future generations to base its deliberations about broadband development in Australia on a well-informed, sound, factual policy basis. For these reasons I believe it is imperative that Australia firstly place itself in the global policy context. In September last year the members of the Broadband Commission for Digital Development addressed a declaration to the world leaders attending the 2010 Millennium Development Goals Summit at the United Nations Headquarters which called upon them to embrace a common goal of broadband inclusion for all. It states in part:

We believe that broadband inclusion for all will represent a momentous economic and social change commensurate with the very problems that the MDGs aim to solve and that it will be a game-changer in addressing rising healthcare costs, delivering digital education for all and mitigating the effects of climate change. Already we see the transformational progress which digital inclusion offers to youth, women, the elderly and people with mental and physical disabilities in rich and poor countries alike.

Just as I have espoused in this place the merits of the virtuous cycle of education, the Broadband Commission advocates a virtuous cycle for digital development that interlinks technology, infrastructure, policy, innovation, people, government, content and applications. Its advocacy on infrastructure is instructive. Whilst a variety of technologies—such as satellite, wireless and microwave—will undoubtedly be employed, achieving a technology-neutral approach, these technologies require a physical backbone in order to function. Accordingly, the Broadband Commission states unequivocally:

A high-capacity fibre optic packet transport backbone is the fundamental backbone infrastructure that countries need to deploy to support the growth in broadband services.

There are two critical points to note here. Firstly, I reiterate my comments made here on several occasions that Australia’s National Broadband Network is the reality of these internationally irrefutable goals and the steps necessary to implement them. We are creating a national piece of utility infrastructure, regulated as a utility, in the public interest. Secondly, those who are opposed to the NBN are fond of asserting that this government has picked a fixed technology and ignored
other broadband solutions such as wireless. This is a nonsense. The NBN is not just about fixed networks; to the contrary, the NBN augments all other technologies because it is a technology-neutral backbone. The NBN architecture and infrastructure is the only option which represents unlimited technological diversity and, because nothing is faster than the speed of light—which carries the electromagnetic energy that comprises a communication—it alone has capacity that cannot be achieved by anything else in the network layer of the stack. It is little wonder then that some of the most enthusiastic backers of the NBN are in fact our mobile operators.

Here in Australia we are putting the theory of broadband inclusiveness into action and we can be confident that we are on the right path. But do not just take it from me. Take the endorsement of Eric Schmidt, the former CEO and now executive chairman of Google, who recently said at the Mobile World Congress:

Let me start by saying that Australia is leading the world in understanding the importance of fibre. Your new Prime Minister, as part of her campaign and now as part of her prime ministership, has announced ...93 per cent of Australians ...will have gigabit or equivalent service using fibre and the other seven per cent will be handled through wireless services of the nature of LTE. This is leadership, and again from Australia, which I think is wonderful.

This motion also notes the analysis by the OECD of the need for investment in open access national fibre networks in order to deliver benefits in electricity, health, transportation and education, which together are estimated to comprise a quarter of a country’s GDP. The quality of the network, its bandwidth and scalability, is a first-principle issue that is determinative of whether these benefits can be realised. Again, the real-time nature of these services and applications requires bandwidth that can only be achieved by a fibre backbone.

While some in this place have sought to argue that the laws of economics demand we instead revisit wireless solutions, I say this: the laws of economics may be malleable but the laws of physics are not. Radio communications spectrum is a shared resource, which means that practical wireless speeds are incapable of achieving the outcomes of fibre. And, like all attempts to quantify a cost-benefit analysis of public investment in new high-speed fibre networks, the OECD emphasises that, contrary to what some in this place would have us believe, the imperative for direct government investment is not novel. It states:

Policy makers understand the importance of these spillovers and government leaders have committed to promoting the extension and upgrade of broadband networks to benefit from these spillover effects. In the OECD’s Seoul Declaration for the Future of the Internet Economy, ministers agreed to ensure broadband networks attain the greatest practical national coverage and to stimulate investment and competition in the development of high capacity information and communications infrastructures ... The recent economic crisis and emphasis on fiscal stimulus have opened the possibility of governments directing investment to building broadband networks. These types of interventions are not new because telecommunications markets have faced a similar challenge before with ensuring a national/universal rollout of PSTN and mobile networks.

Those rural and regional members in this place who want to ensure that their constituents and their local economies are not deprived of these benefits, and those who, like myself, represent some areas of outer-metropolitan Sydney where accessible and affordable broadband is non-existent, are united in our vindication by the OECD’s analysis.
Finally, the linkages between disparities in access and social disadvantage are well documented by the broadband commission and the OECD, as well as even the most rudimentary analysis of broadband accessibility and postcode. I have placed such evidence before this place on numerous occasions; today I draw on my own analysis I delivered in my presentation to the 2009 Communications Policy and Research Forum, which is widely regarded as one of the leading fora in communications and media thinking in this country. The question I posed there was, ‘Universal broadband in an NBN nation: what’s the objective?’ And my thesis identified a potential model for addressing the disparities in broadband access in Australia and the linkages to social disadvantage. My conclusion was that the objective—the answer to my question—needs to harness broadband as a mechanism to break cycles of educational, employment and other disadvantage. A year later, I am comforted by the goals of the broadband commission, which are aimed at the same.

Moreover, I am looking forward to the broadband debate moving beyond where it has stagnated in the minds of some in this place—beyond the tactics of delay, beyond attempts to argue economics over physics, and beyond a refusal to admit that the private sector alone will not pick up the mantle to make a truly national high-speed broadband network a reality in this country.

I want this debate to proceed—this is the reason I have raised this motion—to a situation where we work in the common interest of those in our society who stand to benefit from the transformational change of the NBN.

I want the debate to move to the competition for opportunities to utilise the NBN from the ground up—opportunities such as running educational access pilots in Mt Druitt; exporting our educational programs to China from regional universities such as Armidale; having telecommuting hubs on the Central Coast of NSW; or having an elderly person in Riverstone, who may be on the verge of entering permanent assisted care, spend an extra year in her own home because her condition could be remotely diagnosed and treated.

In resolving to note the items in this motion we also acknowledge the logic of the NBN as having a sound, globally endorsed policy basis, which is coming to fruition. Our next step as representatives in this place is to ensure that those who matter—the people we represent—are, and remain, at the forefront of our deliberations. I commend the motion to the House.

The DEPUTY SPEAKER (Ms AE Burke)—Is the motion seconded?

Mr STEPHEN JONES (Throsby) (11.40 am)—I second the motion and reserve my right to speak.

Mrs PRENTICE (Ryan) (11.40 am)—I rise on this motion as it is an issue of great interest to me and one that I have worked on for many years. There is no doubt that Australia and Australians will benefit from the provision of high-speed broadband access across the nation. What is in dispute is that NBN Co. is the model with which to deliver it.

If we look at the method of communication delivery and the access of communities in past centuries we see that that was through the roads and the railway lines that were built in those centuries. In this and in future centuries, the connection of our communities, in relation to economic agreements and business going forward, will definitely be through broadband. But just as roads were not the only way of accessing remote communities the NBN Co. will not be the only way to go forward. We need to look at fibre
being delivered not just by a monopolistic outdated telco model but through a model that will deliver opportunities for everyone. A model which will have open access and high speeds and will encourage innovation and competitiveness. The coalition says that that will not be delivered by NBN Co.

Looking forward, we need to find a model that delivers opportunities for our communities. As the member for Greenway said, broadband is a way of delivering improved services across the nation. NBN Co. is not the way to deliver that model. NBN Co. is delivering ADSL2 up to 2030. That year is more than 20 years into the future; that model will be obsolete by the time this project is finished—and at what cost? It will come at a cost of over $2,800 per household at today’s costs. Yet the City of Brisbane is delivering this to every household and every ratepayer in the city at no cost to the ratepayers and at no cost to the city. Quite obviously we should be working hand in hand with private enterprise. We should be looking at a mix. We should be looking at what is already there.

The government would have you believe that there is not already existing broadband in our community. Yet the reality is that there is already fibre—superior fibre. But NBN Co. wants to come along and build over the top of existing fibre networks with an inferior model and an inferior product at the taxpayers’ expense. What a waste of money. This is why, from day one, the coalition has said that this project by the government needs to go to the Productivity Commission.

We cannot justify this sort of expenditure—over $43 billion—of taxpayers’ money at a time when there are so many other demands on those dollars and when private enterprise and other models are not only on offer but working already in other parts of the world. Look at the Amsterdam model. Look at what Huawei are doing around the world. Look at what Axia are doing in Canada. Look at what ETRI and other companies are doing in South Korea.

We do not have the right solution. That is what the coalition is saying. Yes, we support broadband; yes, we support fibre; but the NBN Co. model is wrong. It is restricting advancements; it is restricting competition; and—indeed, the most important part—it is restricting speeds.

Look at some of the projects that are happening around our country now. Already the preliminary one in Tasmania—strangely the government is not releasing the result of that preliminary project for NBN Co.—I understand is well over the estimated cost. Yet the Brisbane City Council implemented a program in a trial which came in at one-third the cost of NBN Co. Doesn’t that send up some warning signs for the government that they could do better, that we must do better—that in the interests of providing a genuinely competitive and a genuinely beneficial system for our country going forward, that we need to look at other models, that we need to refer this to the Productivity Commission, that we need to do a cost-benefit analysis? Because only through doing that will we actually get the best outcome for Australia and the best outcome for Australian citizens.

Broadband as it is, is going to offer some wonderful opportunities. Already our health system is spending millions of dollars compressing information to send through existing fibre systems. By delivering dark fibre around the country, government delivery of health can benefit. What we are saying is that, with the advancement of technology, with the advancement of new systems, it is not just ADSL2++; we can deliver much better and much faster systems with the benefit of partnerships with private companies. You
only have to look at how fast new products and new innovations are developing.

The member for Greenway said she did not want to argue economics. But that is what we do need to argue. Cost-benefit analysis is critical on any project. This will be one of the most expensive infrastructure projects in the history of this country. Our residents need to know that they are getting value for money.

Going forward, we need to look at some of the innovations. We need ubiquitous speeds: the same speed going up as we have coming down. We do not even know tomorrow what is going to be invented or created that can be delivered down broadband, and yet we are still planning a system under NBN Co. which will only deliver what we currently know is in existence to 2030. Are you really trying to tell me that there will be no advances in technology before 2030, that we really do not need speeds more than ADSL2+ before 2030 and we are going to restrict the delivery? It is like giving all the roads to Ford and Ford being allowed to say, ‘We are only going to have Ford cars travel on those roads.’ This is an incredibly prescriptive and restrictive process. We need to open it up to genuine competition and we need to open it up to genuine innovation.

People used to claim that Napster would have been the death of the music industry, because they opened up the music industry online. Yet, what has happened? The latest music star, Justin Bieber, would not be there if they had not opened it up with that opportunity. The record companies rejected him—just as NBN Co. will reject people who are in competition to what they are trying to achieve with their outdated telco model.

The coalition are great supporters of broadband. We have never disputed the necessity of universal access. What we oppose is the plan to create an outdated telco monopoly that will have no scrutiny; intends to build over the top of existing, superior infrastructure; and, most critically, will waste of billions of dollars in doing so. Once again, it is the height of hypocrisy to move this motion today knowing that some of the advances that the member for Greenway spoke about will not be delivered through the NBN Co. outdated telco model. The only way some of the innovations can be delivered is through an open-access, competitive process.

Mr STEPHEN JONES (Throsby) (11.48 am)—It is a great honour to be speaking on the motion brought to this House by the member for Greenway, who has really been at the forefront of taking this important debate up in this House.

In the debate today we have heard something similar to what we have heard in the debate in this House for around four years now. The objection to our visionary NBN plan can be boiled down to three key points. The first objection, as we have heard from the member for Ryan, is that it would all be well if we left it to the market. After 11 years and something like 19 failed broadband plans, it is quite clear that the solution of leaving it to the market certainly has not worked for Australia and it certainly has not worked for the people who live in electorates like the member for Greenway’s, like the member for Cunningham’s or my own—those people who represent constituents in the outer suburbs of capital cities. Whilst I can understand the member for Ryan coming in here and putting on her rose coloured glasses and talking about how wonderful the market has been in delivering broadband services to people in the city of Brisbane—or even the member for Wentworth talking about how excellent the broadband services are in the inner city of Sydney, where he lives—I find it very, very difficult indeed to understand why the National Party members, who purport to represent regional Australia,
have been so absolutely mute in defending the government’s NBN plan. We know that leaving it to the market means a two-tiered system. It means those who live in inner city suburbs will have an excellent, world-class broadband service, but those who live in suburbs that are represented by people in regional Australia will have a B-class, a C-class or even—as the member for Greenway says—access to no broadband services at all.

The second argument that we have seen being developed over the last couple of weeks, particularly by the member for Wentworth, is that somehow wireless is better—that somehow our fibre to the home is going to be redundant technology because radio communications technology is going to fill the space and we will all be better off with that. That is an argument best adored by those in the opposition caucus, but anybody who knows anything about the delivery of broadband services through wireless technology knows that it is complete and utter bunkum.

I suspect the member for Wentworth knows this himself, because he is an early adapter to most new technologies. He very proudly sports an iPad and delivers many speeches in this House from his iPad. As I am sure he is very familiar with the technology inside that iPad, he would know that the designers of wireless technology like iPads and other reading tablets specifically design those products to ensure that, where there is no access to fibre or broadband technology, people will use 3G and the other wireless technologies available but, where there is a broadband hotspot, where broadband technology is provided through a cable, they will default to a broadband WAN, wide area network, service. The reason they do that? Because the producers of that technology know that it is a far superior means of delivering effective broadband technology. If the member for Wentworth spent a little less time looking through his rose-coloured glasses at his opposition policy on this issue and a bit more time reading and looking at his iPad, he would know that his second argument is complete and utter bunkum.

The third argument that is often put by those opposite is: ‘Let’s have another study.’ This one is the most risible of all because it comes from the party that went to the last election championing something called ‘real action’. Their solution to 10 years of failure and 19 failed broadband plans for people in electorates such as Greenway, Cunningham and my own, and many electorates represented by those opposite, was to go and have another study.

The member for Greenway throws down the challenge to those opposite and all of us in this House, and that is: let’s get beyond these horrible debates and let’s focus on the real issues. (Time expired)

Ms BIRD (Cunningham) (11.54 am)—I rise to support the motion put to the House today by the member for Greenway. Her contribution and that of the member for Throsby encapsulated the reason that we, at least on this side of the House, are so adamantly enthusiastic about the National Broadband Network and why it was so resoundingly endorsed by so many people at the last election. We represent outer metropolitan, regional and rural communities who know only too well the failure of the market to deliver what is becoming an increasingly important piece of infrastructure for modern living, and that is fast, accessible and affordable broadband.

I am quite surprised that more members on the other side have not reflected that their offices, like mine, are consistently dealing with people contacting them to complain that, because of old pair-gain systems and outdated copper technology that has not been upgraded, their access to broadband is se-
verely limiting the capacity of their family to operate. What I particularly hear from people is the effect it has on their children because of the importance of broadband as a study tool, not only at school but, obviously, also at TAFE and university. Many universities now have a huge access requirement. Students often have to download lecture documents and discussion papers that are large and take up quite a bit of capacity and time to access. That is an important reason for requiring broadband access.

It is also important for people who are running small and micro businesses at home. Home-based businesses are an often misunderstood growth sector of our economy, particularly in our regions, where a number of people participate in our economy by running such businesses. For them, video access, allowing them to demonstrate their products so that people can view and order them online, is a requirement. This is a growing trend in our communities driving people to seek fast, secure, affordable broadband access.

I represent a region where about one in three of my voters travels outside the region for work every day. I have a very large commuter base—which I know that both of my colleagues who have spoken on the debate today share. The capacity for teleworking and remote work access would decrease the pressures on our cities. For example, if a third of the commuters from my area who go to southern and western Sydney to do back-office jobs in HR and finance were able to work from home two or three days a week over a secure, fast connection to their workplace, it could decrease the demand for new road and rail networks as our cities develop. Through teleworking, a broadband network could address some of the transport and infrastructure issues of our cities, and there is an obvious environmental benefit to having fewer people travelling for work. That is a real opportunity that this broadband network is, importantly, opening up.

I understand that some of those opposite will argue, ‘Well, we also think fast broadband’s important; we just think it should be delivered in a different way,’ but they are living in a bit of a dream world. As the member for Throsby said, they have tried 19 different models. None of them worked. None of them were getting us where we needed to be as a nation. We have bitten the bullet. We are putting in place a model that will deliver that.

With a delegation of this parliament to the United States in September 2009, I visited many tech companies, and they said to us clearly that our model was the way to go, that the models that relied purely on the private sector were failing those who could least afford to be failed: the disadvantaged, the isolated, those who most needed equity of access to participate in a modern community. We see the National Broadband Network as part of delivering access, equity, affordability and growth.

The DEPUTY SPEAKER (Ms AE Burke)—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

COMMITTEES

Foreign Affairs, Defence and Trade Committee

Membership

The DEPUTY SPEAKER (Ms AE Burke)—Mr Speaker has received a message from the Senate informing the House that Senator Faulkner has been discharged from the Joint Standing Committee on Foreign Affairs, Defence and Trade and that Senator O’Brien has been appointed a member of the committee.
EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT BILL 2010
First Reading
Bill received from the Senate and read a first time.
Ordered that the second reading be made an order of the day for the next sitting.

APPROPRIATION BILL (No. 3) 2010-2011
APPROPRIATION BILL (No. 4) 2010-2011
STATUTE LAW REVISION BILL (No. 2) 2010
Referred to Main Committee

Mr ALBANESE (Grayndler—Leader of the House) (12.00 pm)—by leave—I move:
That the bills be referred to the Main Committee for further consideration.
Question agreed to.

MAIN COMMITTEE
Tourism Funding
Reference

Mr ALBANESE (Grayndler—Leader of the House) (12.01 pm)—by leave—I move:
That the following order of the day be referred to the Main Committee for debate: Private Members’ business order of the day—Tourism funding—Mr Baldwin.
Question agreed to.

Condolescences: Australian Natural Disasters
Reference

Mr ALBANESE (Grayndler—Leader of the House) (12.01 pm)—by leave—I move:
That, unless otherwise ordered, at the interruption of the debate at 1.45 pm today the condolence motion moved by the honourable the Prime Minister in connection with this summer’s natural disasters stand referred to the Main Committee.
Question agreed to.

CONDOLENCES
Australian Natural Disasters
Debate resumed from 10 February, on motion by Ms Gillard:
That the House:
(1) acknowledge with great sadness the devastation occasioned by this summer’s natural disasters including unprecedented floods, Cyclone Yasi and bushfires;
(2) extend its deepest sympathies to the families of those who have lost loved ones;
(3) record its profound regret at the impact of this summer’s natural disasters on the economic and social well being of affected communities;
(4) record its admiration for the courage shown by so many in the face of these disasters;
(5) acknowledge the enormous effort of defence personnel, emergency workers, and so many volunteers in responding to these disasters; and
(6) pledge the full support of the Australian Parliament and community to assist affected areas to recover and rebuild.

Mr ROBB (Goldstein) (12.01 pm)—I rise to resume the comments and remarks that I made at the previous sitting. I had just spent some time reflecting on the attitude of all those I represent in an electorate that has been fortunate to avoid these floods and the fires. The fact is that I have never experienced a serious flood myself, but I have twice had to evacuate with my family because of bushfires, once when I was a young fellow on a dairy farm. I remember the trauma of rushing to find those things that we thought were absolutely essential if the house went—all the memorabilia and our favourite things—with five of my brothers and sisters and parents; packing the boot of the FJ Holden; and being taken to a safer place while my father came back to fight the fire. I also remember that one of our neighbours was caught on the dividing fence on our property and was unable to detach
himself. The fire swept over and he died. I remember how the death of a neighbour fighting a fire on our property rocked our community, and I feel very strongly for all of those that have lost loved ones during these floods. It is a traumatic experience. The thing is that, once your property has been burnt out and people have lost their lives, it takes an extraordinary amount of time for a community to recover, both economically and emotionally. Whilst many of us will move on to other things—and probably already have moved on to other issues in our own lives—we should not forget that there are tens of thousands of Australians who will be living the experience for a long, long time.

I do not wish to go over each of the flood events, but I would just like to remind the House of the first Victorian floods, if you like, because in some ways they have become the forgotten floods. They occurred last year in September-October, and there was widespread damage. We saw literally hundreds of thousands of hectares affected and millions of dollars of damage done. Friends of mine at Serpentine on the Loddon have now been flooded four times, I think, since that time. They had some of the best crops they had seen in a lifetime and have lost most of them. They have been hit with every flood that has come through, and I think it is now a total of four that have affected their lives. It will set them back a long way. The family consists of parents with their own property and several sons with their properties. They have worked very hard to establish the agricultural ventures that they have, and it has been a really massive blow. So to witness firsthand the impact on friends gives you a sense of the grief that is being caused and that will continue for a long time to come right across Australia as a result of these various floods, the cyclone and the bushfires that have so affected many lives.

Again I offer sympathies, condolences and thoughts on behalf of all of those approximately 140,000 members of my electorate. One thing that has struck me is that right across the Melbourne community—and I suspect it is true right across Australia—I have noticed the way in which the dire circumstances of so many of our fellow Australians have prompted a response in the community which is still ongoing. We had another flood donation event on Saturday night nearby, at our Middle Brighton baths, with competitions and all the rest. A serious amount of money was raised and a very large number of people were in attendance. That is just one of many, many such events that have occurred—almost spontaneously in many cases—across the community, and I think that is true right around Australia. As I talk to colleagues, they have been amazed at the way in which the community has so generously and spontaneously—for some time now—been responding and giving. Hopefully that is some small token for many, many people of the support and the thoughts that go with our fellow Australians on this occasion.

Mr FITZGIBBON (Hunter) (12.09 pm)—One feels compelled, notwithstanding the distance between me and the events that have been spoken about here over the course of the last few sitting days, to make a contribution and to support those who have expressed sympathy for all of those who have been affected by floods, not only in Queensland but also in Victoria and Tasmania. Of course, we keep in mind those who, over the same period of time, were affected by bushfires in Western Australia.

We are having this condolence debate to do three things. The first is to express our sympathies to those who lost loved ones and those who were injured or somehow physically affected by what we all saw on our television screens and what many members
saw firsthand as local members representing those particular constituencies. It must have been a heartrending thing for them and those close to them. The effect on them has been clear for all of us to see throughout the course of this debate and through their contributions.

The second thing we hope to do by debating this motion is to transmit to all of those who helped others throughout the course of the floods our very great vote of thanks. We are genuinely grateful to them for all that they did throughout the course of those many days, including up to the recent events in North Queensland with Cyclone Yasi. The list of those making a contribution, and therefore the list of those we thank today, is very lengthy and I am reluctant to name them because there are so many. But in the first instance we think of those who are part of the many voluntary organisations, including those in emergency services—the SES, the Bush Fire Brigade—and those who are paid to go beyond the course of duty like those who serve in the police force. One that is very close to my heart is those who serve in the Australian Defence Force.

I was Minister for Defence during the bushfires in Victoria and had the honour of visiting those reservists from the Australian Army who were working in the most difficult circumstances, trawling through burnt houses with the unenviable task of looking for the bodies of those who had not survived. No doubt, in the course of the recent events, members of our Defence Force have faced similar challenges. We are grateful to them all and we thank them all.

The third thing we do by having this condolence debate is to acknowledge and recognise the Australian character and the way in which Australians in times of need always come together, band together to help those most in need. I think it is a trait that is well recognised around the globe and it is one we can be very proud of. On those three points, my sympathies to all those who have been affected, my thanks to all those who helped others in need and my congratulations to the broader Australian community for the way they responded to those people in their hour of need.

Debate (on motion by Me Albanese) adjourned.

SOCIAL SECURITY AMENDMENT (INCOME SUPPORT FOR REGIONAL STUDENTS) BILL 2011

Consideration of Senate Message

Bill received from the Senate.

The SPEAKER—The bill transmitted by the Senate gives rise to some important issues in terms of the role and responsibilities of the House of Representatives.

All members have had access to note from the Clerk’s office which goes into the standing orders and practice of the House which in turn reflect the interpretation and application in the House of the constitutional provisions, particularly those set out in sections 53 and 56 of the Constitution.

As I understand it, this bill provides for increases in payments that are funded by means of standing appropriations in the Social Security Administration Act. I understand further that House practice has been that such bills are proposed laws appropriating revenue or moneys, and that they require a message from the Governor-General in accordance with section 56 of the Constitution.

I present a copy of the note that has been made available by the Clerk’s office, and I present a copy of a letter that I have received from the Attorney-General, Mr McClelland, on the matter.

Mr ALBANESE (Grayndler—Leader of the House) (12.15 pm)—I move:
That the House affirm the constitutional position as stated by the Speaker, and decline to consider the Social Security (Income Support for Regional Students) Bill 2010.

This resolution draws upon three important documents: the Australian Constitution, House of Representatives Practice and Standing Orders. This House simply cannot place the parliament in the position whereby the House of Representatives ignores any of those documents, but in particular cannot simply choose to ignore, out of political convenience, what is stated very clearly in the Australian Constitution.

Under our constitutional arrangements it is the government of the day that is responsible for the management of public revenue and the budget. The government initiates all financial initiatives in the parliament, and that is for good reason. There are a range of initiatives which, by themselves, we could all agree on. We would all like to give extra money to particular groups in society, for example. But the reason that the founding fathers—and they were all men—considered the constitutional issues in the way they did was that they understood that as well as expenditure there has to be revenue; that governments of the day have to put up the budget. They also understood the respective role of the houses of parliament; that the House of Representatives is the people’s house and that the Senate is the house of review, representing states and territories.

The Constitution cannot be clearer; section 53 of the Constitution states:

Proposed laws appropriating revenue or moneys, or imposing taxation, shall not originate in the Senate.

It cannot be clearer than section 53 of the Constitution.

Section 56 of the Constitution reinforces that:

A vote, resolution, or proposed law for the appropriation of revenue or moneys shall not be passed unless the purpose of the appropriation has in the same session been recommended by message of the Governor-General to the House in which the proposal originated.

There is no message of the Governor-General attached to this legislation—none; so it simply cannot be passed by this chamber.

Advice which I have received—and which has been tabled in the House—of the Attorney-General, of the clerks, of the Office of Parliamentary Counsel and of any legal minds which have considered these issues considers the Social Security Amendment (Income Support for Regional Students) Bill 2010 from the Senate to be a proposed law appropriating moneys. All you have to do is read it. The explanatory memorandum presented by Senator Nash states:

Financial impact is approximately $90 million per annum.

That is, if the bill were enacted an additional amount of approximately $90 million would be appropriated on an annual basis. This would be an increase to 2013-14 of approximately $272 million.

The requirements under sections 53 and 56 are not confined to laws explicitly appropriating from the Consolidated Revenue Fund. Laws that cause money to be expended under a standing appropriation are also covered. By altering the purposes for which money may be expended, in this case the category of persons entitled to a benefit, the bill is clearly in contradiction of both sections 53 and 56.

The financial initiative of the executive is enshrined not just in the Constitution, of course, but in House of Representatives Practice and in standing orders. House of Representatives Practice has been used in this chamber since Federation. Page 408 of
House of Representatives Practice clearly outlines the financial initiative of the executive:

- The Executive Government is charged with the management of revenue and with payments for the public service.
- It is a long established and strictly observed rule which expresses a principle of the highest constitutional importance that no public charge can be incurred except on the initiative of the Executive Government.
- The Executive Government demands money, the House grants it, but the House does not vote money unless required by the Government …

Page 431 of Practice deals with section 53 of the Constitution and limitations on the Senate powers of amendment:

Section 53 of the Constitution, as well as limiting the rights of the Senate in the initiation of legislation, provides that the Senate may not amend proposed laws imposing taxation, or proposed laws appropriating revenue for the ordinary annual services of the Government.

Further, page 567 of Practice states:

A private Member may not initiate a bill imposing or varying a tax or requiring the appropriation of revenue or moneys. This would be contrary to the constitutional and parliamentary principle of the financial initiative of the Executive—that is, that no public charge can be incurred except on the initiative of the Government.

Indeed, this practice has been perfectly illustrated by the member for Forrest’s motion concerning this very matter. Advice was provided to the member that it would not be in order for a private member to present a bill to the House to extend the youth allowance in the way proposed in the bill, as it would contravene the practice of the House and be contrary to section 56 of the Constitution.

So, rightly, the member for Forrest moved a private member’s motion rather than a private member’s bill. She accepted that that was the situation, as did the entire House of Representatives when we considered the private member’s motion on this matter last year. The same was the case when I put forward a private member’s bill in 2001 on equal rights for superannuation for same-sex couples. It had to exclude Commonwealth public servants because, as a private member, I could not appropriate funds. That is the role of ministers. I respected that. We have to respect the processes of this House if government is to have the respect of the people.

Indeed, a message from the Governor-General for the appropriation of public moneys may only be requested by a minister. Page 568 of House of Representatives Practice makes this clear:

It would not be possible for a private Member to obtain the Governor-General’s recommendation for an appropriation. Furthermore, of those bills requiring a Governor-General’s message, only those brought in by a Minister may be introduced and proceeded with before the message is announced. Therefore, only a Minister may bring in a bill which appropriates public moneys.

It cannot be clearer, and every member of the House of Representatives must understand that this is what we are debating, rather than the substance of the bill. People have views as to the substance of the bill that may vary. Certainly, it is the case, though, that we have to—and every member should—respect the Constitution and not engage in some form of anarchy where people, for opportunistic reasons, can take whatever position they like rather than respect the Constitution, House of Representatives Practice and the standing orders. We all know the rules of the game, and the Constitution cannot be clearer. That is why the standing orders reflect this as well.

Standing order 180 clearly spells out the principle again, and these standing orders were adopted unanimously by this House when this parliament convened. There were no objections by those opposite, there were
no objections from the crossbenchers and there were no objections from government members. We all supported standing order 180, which says very clearly:

All proposals for the appropriation of revenue or moneys require a message to the House from the Governor-General recommending the purpose of the appropriation in accordance with section 56 of the Constitution.

For an Appropriation or Supply Bill, the message must be announced before the bill is introduced—

and—

For other bills appropriating revenue or moneys, a Minister may introduce the bill and the bill may be proceeded with before the message is announced and standing order 147 (message recommending appropriation) applies.

This bill would, if enacted, significantly affect public revenue and appropriate revenue by clearly increasing what would be paid under a standing appropriation.

The bill proposed by the opposition amends the Social Security Act 1991 to change youth allowance payments. The effect of the amendments proposed would be to increase the amount of money appropriated from the Consolidated Revenue Fund. Senator Nash—only on 10 February, in her speech on the second reading debate in the Senate—said the following:

… this is not about fiscal responsibility of the government and bringing budgets back to surplus. I say that it has everything to do with fiscal responsibility of the government, and our responsibility as members of the House of Representatives to act in accordance with our obligations under the Constitution. This is irresponsible behaviour from the opposition. The Leader of the Opposition still has not accepted that he is not the Prime Minister. It is one thing to oppose; it is another to try and wreck the federal budget and play politics with the national economy.

If you support having this bill debated then next week we will have another bill appropriating money for another purpose that may or may not be worth while and that people may in general support. But the reason the Constitution, House of Representatives Practice and the standing orders are framed the way they are is that budgets have to be put together, with expenditure as well as revenue. And you do not have to just to believe me—believe the Manager of Opposition Business. He said last week on ABC Radio that he accepted that, even if the bill passed the House of Representatives, the government was not obliged to send it to the Governor-General and it would not become law. This is what the Manager of Opposition Business had to say—and it gives up the game of what they are really about on that side of the House:

It potentially would lead to a constitutional crisis. I mean, the weight of constitutional opinion would be on their side, that they did not need to present it to the Governor-General. That’s true, because the opposition and the private members can’t have money bills adopted. They have to be initiated and they have to be presented to the Governor-General by the government.

I say to the House of Representatives: game, set and match. The Manager of Opposition Business, who will speak after I conclude, was stating the exact opposite of what he said on ABC Radio last week, where he said:

That’s true, because the opposition and the private members can’t have money bills adopted. I was the Manager of Opposition Business in the dark era of the Howard government, and I never once even thought about taking this opportunistic direction. Never once did we attempt this. It is contrary to the Constitution and contrary—

Ms Marino interjecting—

Mr ALBANESE—We have more regional seats than the Liberal Party. Not once did we take this opportunistic view. Indeed,
in 2008, when the opposition last tried this, the Manager of Opposition Business, Mr Hockey, interjected—it is in the Hansard of September 2008—‘What we want is the government to adopt this position’. He gave up again in that debate that private members’ bills can be moved in this fashion.

So we have a situation in which the High Court of Australia has considered some of these matters in the Pape case. We have the Attorney-General, the Office of Parliamentary Counsel, the clerks of the House of Representatives, the Speaker of the House of Representatives, the Constitution, House of Representatives Practice, and standing orders, but those opposite say: ‘Don’t you worry about that. Let’s just consider this and pass it even though, because there is no message attached, it will not make any difference to anybody.’ Let me be very clear: there is no message from the Governor-General attached to appropriate money, so it does not make any difference, but they will engage in this as a stunt. They understood and accepted last December, when they moved a private members’ motion to put the views that members of the House had, as is appropriate.

We facilitated in this new parliament the voting on private members’ motions and private members’ bills. Private members’ motions are completely legitimate for members of the House of Representatives to express their views with. They have done that, and the government has taken on board the views of many members with the announcement that we have made today. I thank those members, particularly all of the members on the crossbenches, who have engaged in a constructive fashion regardless of what way they vote on this particular issue. They have engaged constructively and understood the balance that needs to be made between political objectives to achieve an outcome and behaving in a fashion that respects the role of this House of Representatives.

We have a great honour and a privilege in sitting in this chamber. It is an honour and a privilege that we cannot use simply for opportunistic purposes. It is an honour and a privilege in which we have to respect the law, the Australian Constitution, the House of Representatives, the standing orders and, in this case with my resolution, Mr Speaker, your determination on this matter. It is correct. It is in line with all of the history that has been conducted in this House without exception. That is why I commend the motion that I have moved to the House and support your determination on this matter.

Mr PYNE (Sturt) (12.32 pm)—Respectfully, I have to disagree with the motion of the Leader of the House based on the advice that you have presented to the chamber. The opposition does not agree with the government that this bill cannot be considered and we do not agree with your ruling, Mr Speaker, that the parliament cannot consider this bill. It is our view that the parliament is perfectly capable of considering this bill. It is quite capable of amending it, of defeating it and of passing it. We fully accept that, under the Constitution, once the parliament has passed a bill it is up to the government whether it presents it to the Governor-General for royal assent. That is quite clear in the Constitution. The Constitution does not say that the parliament cannot even consider a bill, motion or any other action the House of Representatives wants to take. At election time the public elects 150 members of the House of Representatives. This is the people’s House and it has the capacity to determine its own rules and to do whatever it chooses to do. We are not in any way in breach of the Australian Constitution by sitting here today and considering a bill—considering what is simply a piece of paper in the form of a bill which would deliver justice for rural students rather than the gov-
government’s latest volte-face today, which is a review being brought forward 12 months.

Today’s vote is not about the legal technicalities of this bill, this House and the Australian Constitution. Today’s vote is about whether we vote for rural students or with the government’s review. Mr Speaker, we very rarely disagree with your statements to the House, but on this occasion our view is that the government is hiding behind legal technicalities in order to avoid what they have accepted is an unfairness. If the government wanted to it could right now adopt the coalition’s bill. It could immediately adopt the bill passed by the Senate. If the government had any good faith at all it could immediately adopt the Senate bill and make it its own bill. We would be more than happy to let it sail through the parliament today so that inner-regional students across Australia would be given the opportunity to have the same access to youth allowance as their cousins in other parts of rural Australia.

There is an inherent unfairness in the way the youth allowance has been developed by this government. Let me give you a very short, potted history. After holding out for 12 months against the government’s youth allowance changes introduced by the now Prime Minister because of their unfairness across all of regional and rural Australia, we were determined that money should flow to as many rural students as possible, so we did a deal with the government to pass as much of the youth allowance reforms as we could that would affect rural students in a positive way. We said at the time that inner-regional students were being discriminated against, we did not like it, we did not support it but we were not prepared to stop money flowing to other rural students in order to punish them in the way the government has punished inner-regional students. But we did in the Senate move a motion at that time—I think Senator Nash moved the motion and was supported by the entire coalition—that would have included inner-regional students in the definition of the criteria for youth allowance. That was defeated by a combination of the Greens and the government in the Senate.

So we are acting entirely consistently with the approach that we took at the beginning of this youth allowance debate. We believe that rural students do not have enough access to tertiary education. The Senate inquiry found that, while 55 per cent of students in metropolitan areas go on to tertiary education, only 33 per cent of students in rural and regional areas go on to tertiary education. It seems utterly remarkable to me that the Labor Party, which claims to be the party of social justice, would change the law in a way that would actually make it harder rather than easier for rural and regional students to get to university. I cannot fathom why they would go down that track but they have. So what we are saying today is that the House should be given the opportunity to consider this bill that has come from the Senate. We should be given the opportunity to consider it and we should pass it.

The legal technicalities that the Leader of the House has hidden behind are all very well for a government that refuses to accept the mistake that they made previously with the youth allowance. I say to the Independents and crossbenchers: if we consider this bill today, if we allow this debate to occur, it is open to the government at any point in the debate to adopt this bill and make it their own.

I know that this morning they gathered the crossbenchers together with the Attorney-General and told them that this is unconstitutional and cannot be done, and said that they will bring forward a review. The member for Lyne has put out a press release saying that they have reached another historic agreement
with the government. But this agreement with the government simply brings forward a review by 12 months and accepts the unfairness of the eligibility criteria, because otherwise the government would not say:

... the government will ensure that the new eligibility arrangements which would be implemented from 1 January 2012 would eliminate the distinction between inner regional and outer regional students ...

They have accepted the unfairness of their criteria and yet the crossbenchers have agreed apparently that they should change these rules that they have admitted are unfair on 1 January 2012.

If they are unfair, why wouldn’t they change the rules immediately? Why wouldn’t they ensure that all students, including those who graduated from year 12 in 2009 in inner regional areas, are able to access the youth allowance? If they know that that is unfair, why wouldn’t they act immediately to open the doors to the youth allowance for those students? They could apply at Centrelink tomorrow if we change the rules so that all those students from 2009 are not discriminated against. Under the government’s backdown today what we will end up with are students who qualified for the youth allowance before 2010, students who qualify for the youth allowance from 1 January, 2012 and a cohort of students in 2009 and 2010 who are operating on rules that the honourable member for Lyne, his compatriots on the crossbenches, the government and the opposition all say are inherently unfair.

So what I say to the crossbenchers is: wash away that unfairness, get rid of it. Make the rules for youth allowance apply immediately. Allow all those students from 2009 to apply. I can tell you what is going to happen. Students and their families in all our electorates after this latest shambles from the government—this latest backdown, which is just another embarrassing bandaid measure designed to cover their embarrassment because of their failure—will ask, ‘How come because I graduated in 2009 I should somehow not be able to access the youth allowance whereas my brother, my sister, my best friend or whoever, who graduated in 2010, will be able to access the youth allowance?’ It makes absolutely no sense.

So what I say to the crossbenchers and obviously to the opposition is: the government’s backdown does not solve the problem; it simply creates a new problem. I understand that the government have told the independents that they have given them an ironclad guarantee that what they do will have the same effect as the Senate bill, but what the Independents need to understand is that that is not true. What the government have promised you will not deliver what the Senate bill would deliver.

The Senate bill, if we pass it today, will mean that every student who should be able to access youth allowance because of their circumstances will be able to do so under the old rules. Whereas, if you stick with the government’s backdown position today, there will be a cohort of students who will not be able to access the youth allowance they otherwise would have and so you will have cemented in place an unfairness which would not be in place if the coalition’s bill is passed today. It is a very important distinction.

The government says it will give you an ironclad guarantee that they will adopt the coalition’s changes in the Senate. Just like the ironclad guarantees, I assume, on the solar panels program, on the emissions trading scheme, on the carbon tax promise before the election, on health reform which has been changed over and over again, on the start date for the national curriculum and on the mining tax. I could go on and on about ironclad guarantees. There was the implementation of the Murray-Darling Basin plan...
which was a cast-iron guarantee before the 2010 federal election—

**Mr Chester**—Cash for clunkers.

**Mr PYNE**—The cash for clunkers scheme! The list of government ironclad guarantees, hyperbole and over-the-top claims and announcements does not match their delivery. It never does and yet here is an opportunity for the crossbenchers to vote with the opposition to ensure that rural students are given the youth allowance that they deserve.

I know it is very intimidating when the government gathers together the Attorney-General, public servants and others and says, ‘You’re being unconstitutional.’ But the House of Representatives is supreme in this country. We are a parliamentary democracy. If the House of Representatives wants to debate a motion or a bill, we are perfectly entitled to do so. If it is passed, amended or defeated, that is the end of the matter, but it is certainly up to the government whether it is presented to the Governor-General. But that is a different distinction from whether we can consider it. If we do not consider this bill today, we will be establishing a precedent that the executive can intimidate the parliament into not debating a motion, a bill or any other matter which they deem to be an appropriation.

The President of the Senate, John Hogg, who is a Labor senator and not a member of the coalition, says the Social Security Amendment (Income Support for Regional Students) Bill 2010 is not an appropriation bill because it does not create a new appropriation but simply adds to an appropriation that is already present. The coalition has found the savings necessary to fund this change to youth allowance through the Education Investment Fund at least until a review can be properly and thoroughly conducted that establishes how to get rural students to university—how to get them into tertiary institutions. These constant bandaid measures are not sufficient or acceptable. I note that, apart from one, every one of the crossbenchers represents a rural, regional or inner regional electorate. Our constituents will be watching very closely to see whether the crossbenchers stand up for rural students or are bamboozled by the government into not doing what they are quite entitled to do in this House, which is to consider a bill and then leave it in the government’s hands to reject it by not presenting it to the Governor-General.

I have said all along that we fully accept that, under the Constitution, the executive has to present bills to the Governor-General and that we cannot do that. That is a time-honoured tradition going back to the English Civil War, and we certainly have no proposals to change the way the executive deals with the Crown; but that does not mean that the parliament cannot consider a bill. If this debate had occurred in the 17th century, it would have been regarded by the English parliament as a vital debate about what the House of Representatives—or, in that case, the House of Commons—was capable of doing. I can assure you that our forefathers in previous parliaments would never have been intimidated into not considering a bill because they were taken to a room by the Attorney-General and intimidated into saying that they could not even consider a bill in the parliament—but that is what is happening today.

Finally, the House needs to understand that even if the government gets its way and stops this bill from being considered today—and even if it implements its backdown, which it announced in the dead of night last night to the *Telegraph* in the hope that it would cut off this debate today—there are thousands of students across Australia who will miss out on youth allowance. But the
other choice is to consider this bill, pass this bill and force the government through political pressure to change the youth allowance immediately, starting from tomorrow, so that every student who is entitled to government support for their youth allowance to enable them go to tertiary institutions has the opportunity to do so. If we do not pass this bill today, and if we do not even consider it, families across Australia will think that their parliament has let them down.

Mr McCLELLAND (Barton—Attorney-General) (12.48 pm)—I note your statement, Mr Speaker, and I support the motion moved by the Leader of the House to affirm the constitutional principles as stated by you. I note that the Manager of Opposition Business has suggested various mechanisms to facilitate debate on the substance of the Social Security Amendment (Income Support for Regional Students) Bill 2010 without passage of the bill, but that is not the issue at hand. These are not mere technicalities; these are fundamental constitutional principles and I will focus on those.

In summary, under Australia’s constitutional arrangements, the government of the day is responsible for the management of public revenue and the budget. The government therefore initiates all financial initiatives in the parliament, and this is reflected, as has been noted, in sections 53 and 56 of the Constitution. Section 53 specifically provides that such laws shall not originate in the Senate. Section 56 states that such laws shall not ‘be passed unless the purpose of the appropriation has been recommended by message of the Governor-General’ to the House. The Governor-General’s message can only be given on the advice of the government of the day, and, as the Leader of the House has outlined, the House of Representatives standing orders reflect the government’s constitutional responsibilities. I will now run through those arguments in some detail. I also note that my letter to you, Mr Speaker, has been tabled.

The bill proposes to amend the Social Security Act 1991 and would have the effect of increasing the amount of youth allowance payments made from consolidated revenue under a standing appropriation. As has been noted, the explanatory memorandum itself suggests that the financial impact would be in the order of $90 million per year. The Leader of the House has referred to sections 53 and 56 of the Constitution. I will not re-read those, but I will refer to the constitutional history that underpins those provisions. Essentially, the two provisions reflect the important principle of our constitutional heritage that the business of government in the Anglo-Australian context, reflecting our history and heritage, is conducted by the Crown—more commonly referred to in Australia as ‘the executive’. But that business, which necessarily requires a continual supply of money, is conducted with the approval and under the supervision of the parliament. Indeed, the constitutional history was noted by Attorney-General Barwick in his opinion on the operation of section 56 of the Constitution in advice dated 20 February 1962. Mr Barwick, as he then was, referred to the following extract from the British Budgetary System by Sir Herbert Brittain, which was published in 1959—a few years before Mr Barwick’s advice. It reads:

Underlying the Parliamentary procedure on Supply is a rule of the House of Commons which is of fundamental importance … ‘This House will receive no petition for any sum relating to public service or proceed upon any motion for a grant or charge upon the public revenue, whether payable out of the Consolidated Fund or out of money to be provided by Parliament, unless recommended from the Crown.’

That last phrase is crucial. On the basis of that historical analysis, the author concluded:
Only the Crown, therefore, can initiate proposals for expenditure and in the House the Crown’s right and responsibility in this respect are exercised by Ministers in the Government of the day. No private member, on either side of the House, can exercise such initiative or move for an increase in any grant above the sum proposed by the Government.

Again, that indicates that the initiatives come from the Crown and are exercised by ministers of the government of the day.

Indeed, a review of this historical context makes it clear that the underlying purpose of these provisions is to ensure that the government of the day retains control over legislative initiatives for public expenditure. In his opinion, Attorney-General Barwick highlighted the rationale of these provisions by reference to Hearn’s *Government of England*, a historic edition of 1886 reflecting the history that we have inherited. That sets out:

It is … a fundamental rule of the House of Commons that the House will not entertain any petition or any notice for a grant of money, or which involves the expenditure of any money, unless it be communicated by the Crown.

This was to avoid, as the historic text describes:

… the scramble among the members of the Legislature to obtain a share of the public money from their respective constituencies, of the ‘log-rolling’, and of the predominance of local interests to the entire neglect of the public interest …

In other words, the executive having the overall functions of government in mind before proposing initiatives.

Consistent with this view, the *Final report of the constitutional commission* of 1988 saw section 56 reflecting the well-established principle of Westminster parliamentary democracy:

… financial initiatives are the preserve of the Crown. The Executive Government is charged with management of the public revenues and other public moneys and it alone may request public authorisation of expenditures. This request is formally communicated to the House by message of the Governor-General.

This ‘fundamental principle’ has been confirmed by the High Court of Australia in 2005, in *Combet v Commonwealth*. In their majority judgment, Gummow, Hayne and Callinan and Heydon noted:

… it is the Executive Government which begins the process of appropriation. This the Executive Government does by specifying the purpose of the appropriation by message to the House of Representatives.

Similarly in that case, Justice Kirby referred to a discussion of the issues in Lane’s *commentary on the Australian Constitution* and concluded that:

… the initiative for proposed appropriations belongs to the Executive Government, in accordance with s 56 of the Constitution.

The constitutional history that I have just run through is reflected in the standing orders, and in particular standing orders 180 and 147, which, again, the Leader of the House has outlined. I will not again describe those.

As has been indicated, there has been the controversy concerning: what is a law appropriating revenue or money? Indicating a degree of historic rivalry, yes, it is to be noted that the Senate’s view has not always corresponded with that of the House of Representatives on these matters, and the Senate has taken a different view in respect of this bill. The fundamental difference appears to relate to the question: what constitutes a law appropriating revenue or money? But, with respect, I think that the view of the Senate on this point is incorrect. I base my views on the weight of authority, including Attorney-General Barwick, to whom I have referred. The weight of authority is that the requirements under sections 53 and 56 are not confined to laws containing a clause explicitly appropriating the Consolidated Revenue Fund.

CHAMBER
Laws that cause money to be expended under a standing appropriation are also covered, specifically a law that alters the purpose for which money may be expended under a standing appropriation—for example, by increasing the categories of person entitled to a benefit or changing the formula by which that benefit was calculated to increase the amounts that could be paid out is covered. This was a view adopted by the House of Representatives Standing Committee on Legal and Constitutional Affairs in its 1995 report on the third paragraph of section 53 of the Constitution. In the context of considering the first paragraph of section 53, the committee concluded:

… a bill which increases expenditure under a standing appropriation should not be originated in the Senate …

Indeed, more recently, in Pape v Commissioner of Taxation, the 2009 decision of the High Court of Australia, Justices Gummow, Crennan and Bell cited the following statement in the fifth edition of *House of Representatives Practice 2005* when referring to appropriation bills:

… while not in themselves containing words of appropriation, would have the effect of increasing, extending the objects or purposes of, or altering the destination of, the amount that may be paid out of the Consolidated Revenue Fund under existing words of appropriation in a principal Act to be amended, or another Act.

Again, that refers to ‘the effect of increasing’ being particularly relevant.

Further, in the opinion by Attorney-General Barwick dated 20 February 1962, to which I have referred, and in a separate opinion that he gave on 26 November 1962, Mr Barwick set out a similar view in relation to section 55, reasoning that it is equally applicable to the principles of section 53. In that 26 November opinion he stated that, under section 56 of the Constitution, a Governor-General’s message is necessary ‘to the passage of a bill to increase benefits under the Social Services Act or to liberalise the conditions under which such benefits are payable’. I emphasise those words: ‘or to liberalise the conditions under which such benefits are payable’. With respect, Attorney-General Barwick was entirely correct on the history that I have outlined. It is clear that the purpose and natural consequence of the Social Security Amendment (Income Support for Regional Students) Bill would be to liberalise the conditions under which youth allowance benefits are payable and thereby to increase the amount of youth allowance payments paid from consolidated revenue under that standing appropriation in the Social Security (Administration) Act.

It follows that the bill is a proposed law for the appropriation of revenue or moneys within the meaning of section 53 of the Constitution and, as a result, could not properly have been introduced into the Senate and could not properly be passed by the Senate. On the same basis the bill is a proposed law for the appropriation of revenue or money within the meaning of section 56 and as such requires a message from the Governor-General to pass through the House of Representatives, and no such message has been obtained. It is clear, therefore, that there is no proper basis for the bill to proceed in the House of Representatives, and I support the motion moved by the Leader of the House.

**Mr TRUSS** (Wide Bay—Leader of the Nationals) (1.00 pm)—The Attorney-General has just given us a long, complicated lawyer’s speech, and I am sure the lawyers in the House are very impressed. I invite the Attorney-General to come to my electorate and give that speech to the students who have not been able to get a university education this year. We are dealing with a serious issue, an issue that surely all members of parliament with goodwill would want to resolve. In this country, students who live outside capital
cities have far less opportunity to get a university degree than those who live in cities.

The government often want to herald their social justice qualifications—they have a Minister for Social Inclusion and they say they care about a fair go for everyone—yet they have allowed to be entrenched in this place a system of student support that guarantees that people living in regional areas will not have the same opportunity to get a university degree as those who live in cities. Surely, this is an issue that the government would want to address. They have had three years in office, they have created the problem and they have not been willing to address it. They have not been willing to make the key decisions which would ensure that all Australians got a fair opportunity to have a tertiary education.

When you do not get that tertiary education, that is not the end of your disadvantage; it gives you a disadvantage when it comes to seeking employment in almost whatever career you want to enter. If you have not had the opportunity to get to university because the costs of getting there are too great, then you are disadvantaged throughout your life. If that is not the case, why do we have universities at all? Why does anybody have a university degree? Surely the reason is that the government and indeed our whole society believe that that kind of education is important—to give people a fair go and to make them as productive as they possibly can be in our community.

So we have an issue here. It is not an issue about the so-called rights of the government and it is not an issue about the Constitution; it is about whether or not people in regional areas are entitled to access the independent youth allowance so they can get a tertiary education. The government are hiding behind legal technicalities because they are not prepared to deal with the issue. If they were prepared to give students a fair go, they could find ways within the Constitution and within the bounds of their own arguments which would deliver the result that the coalition is seeking through this legislation.

What is their last minute offer to the Independents and others who are critical in this issue? ‘We will have another committee of inquiry.’ Another review—as if we had not had reviews. There have been at least two Senate inquiries that have gone on for months. Thousands of submissions have come in. Most of us as local members of parliament have received scores of letters on the issue. We know what the facts are, we know how it has to be solved and we could do it now; instead the government is going to have yet another committee, another review, and a decision perhaps in time for students in 2012. What about the students of 2011? They have a classic gap year. They are the ones who are left out altogether. There is no funding for them to get the education they need to assure their future careers.

If the government are really committed to fixing this problem, they should not give us a stack of legal arguments and they should not give us a lawyer’s address that might impress the High Court; they should give us some answers and some reasons why we should believe the government are going to address this issue. Do not just fall over and believe that the government some time, way in the future, might actually be intent on taking action.

It was not very long ago that the Leader of the House was accusing us of stunts and opportunism—which might be credible if it came from somebody else—but he can solve this issue immediately. He can solve it by picking up Senator Nash’s bill from the Senate and making sure we get the message from the Governor-General so that it can be dealt with promptly and immediately, so that
income support can flow to students now, not some time beyond 2012 if it ever gets to that stage.

It was not very long ago also that we had the Leader of the House boasting about how well the House is now functioning in the national interest, about how the parliament has adopted important reforms and about how he is cooperatively negotiating legislation. Here is a chance for him to actually prove it, to deliver results, instead of a long line of gobbledegook and legal arguments about why it should not be done. Indeed, there is only one thing that is more complicated than the government’s gobbledegook and that is students trying to access the youth allowance. The gobbledegook that the government is putting up will not cut the mustard when you talk to people who are trying to get access to university.

So what is going on? The government is trying to prevent debate on this bill. We are not even allowed to talk about it. The principles of this bill have already been agreed to through a motion supported by the House, so it is not as though the government does not know what the members of parliament think about this issue. We want it fixed and we have said so in a resolution of the House. It has now been debated at length in the Senate, it has been considered in great detail and obviously it is a matter of significant national interest.

Unfortunately, it did not get the support of the government in the Senate. Quite surprisingly, it did not get the support of the Greens. The Greens, who walk around regional Australia and try to suggest that they are the new-found friends of people who live in country areas, would not support a bill that would enable regional students to go to university. Now they want to do some kind of a deal to put in place another committee. Frankly, that will not wash with the students who want to be at university now; they do not want to wait for some endless committee process.

This bill addresses the government’s decision early last year to alter the eligibility criteria for the independent youth allowance. These changes mean that students from inner regional areas have to work more hours over a longer period before being considered independent. Effectively, we have students in those inner regional areas who have to take a two-year gap after leaving school instead of taking one year, and they have to work full time on a continuous basis. They have to find a job that simply does not exist in those sorts of towns. People are not prepared to put on someone they know is only a short-term employee who is about to go off to university. The government does not seem to recognise how blatantly unfair and discriminatory these requirements are or that these requirements will result in many people, who would undoubtedly be able to make fine professionals, not being able to get the qualifications that they need.

Let me ask the obvious question: why should someone who lives in Gloucester, in the electorate of the member for Lyne, have a greater opportunity to attend university than someone who lives in Port Macquarie, Taree or Wauchope? That is what the current laws provide. Yet it seems that some people think that should be entrenched for another year. I think that is unfair. Why should somebody in Gunnedah or Tenterfield in New England have a greater opportunity than a student in Attunga or Armidale? It does not make sense to me.

But let me give you a classic case, and this may be the illustrative example of Labor’s incompetence in this area. Have many people have heard of the town of Kaimkillenbun, which is in the electorate of the honourable member for Maranoa? It is a little town of
about 100 people on the black soil plains of the Darling Downs. If you live on one side of the street in Kaimkillenbun you can access independent youth allowance—but if you live on the other side of the street in Kaimkillenbun you cannot. It is a town of 100 people. What is wrong with the people on the other side of the road? Why can’t they get the same benefits, the same university education, as somebody who is in a house on the other side of the road? It simply makes no sense. A town of 100 people is divided by this government’s legislation—and it is not prepared to fix it.

We have also been told that this particular piece of legislation is inappropriate because it would blow the budget. It is a bit odd for the government to say that the very day after they did a deal with the Greens to give them $360 million and find another $50 million for the member for Denison. They could find all that over the weekend—to try to get in place their new tax to pay for the floods—but the $90 million that is required to fix this problem in relation to the independent youth allowance cannot be found. Apparently that is too much trouble.

In fact, they do not have to go looking around for it, because at election time this was part of our fully costed budget commitments. We identified where the money was going to come from—from the Education Investment Fund. It is one of the few funds that the coalition left to the incoming Labor government that has not been totally squandered. There is still around $2 billion of uncommitted funds in the Education Investment Fund. That is about seven times the amount necessary to fund the bill over the forward estimates. Treasury costed this policy before the election and they found no fault with it. The money is there. The money is available. It is a simple matter of the government putting in place the mechanisms so that it can be transferred for this purpose and used to make sure that people in inner regional areas are able to get a tertiary education.

The Education Investment Fund has already been raided by the government. So it is not as though we would be the first people wanting to spend some of it. But we were going to spend it on an educational function, trying to get regional students a tertiary education. Labor raided it for $2½ billion last year to fund a clean energy initiative. They took $2½ billion out of the education fund so that they could fund a clean energy initiative—one of those I think they have axed now. But that is the way the government operate. Presumably, it is now heading across to their flood funding or some other purpose. In other words, it is all right to use the education fund to finance a failing carbon capture and storage project but it is not all right to use it to support tertiary education for regional students. I think that is hypocrisy.

The bill that Senator Nash presented to the Senate, which is now before the House—and which we are being told we cannot even talk about today—is fully costed. It redresses a clear case of discrimination against 20,000 regional students. It is a bill about social inclusion. It is a bill about social justice. It should be voted on. It should be debated in this House. A government review that will report back in some months time, without any real promise that we will get a decent outcome anyhow, is not a substitute, and it is particularly not a substitute for the students of 2011—the class of 2011 that will not now exist; the class of 2011 that are in the gap year, when there is no assistance for students in this situation.

I agree that in the longer term—and this was very much clearly a part of the coalition’s election platform—there ought to be a better way to fund students. There ought to be a better way to provide living support on a
permanent basis so that those people who have to travel to get their university degree get the financial assistance that they need. That should be an objective that we all work towards. Some of this work was done by the Senate committees, and they have got some ideas that certainly could be progressed in this regard. The proposal that the coalition has on the table was always intended as an interim measure, until that more fundamental reform could take place. This bill provides an opportunity to put that in place. We can deal with it. It should be debated in the chamber.

If the government believe there are technical deficiencies in what we are doing, let them get on the front foot and come into the House with a way in which they believe this matter can be dealt with correctly and immediately, rather than trying to fob off Independents and others with yet another committee of inquiry. This is an important issue about social justice for regional students. The parliament has the opportunity today to readdress this problem and give to people who are being denied an education this year the opportunity to set about getting the qualifications they need for the future. The parliament can fix the problem today and it should do so.

Mr Bandt (Melbourne) (1.14 pm)—In opposing the government’s motion, and in moving an amendment that would put financial responsibility at the centre of this debate, the Greens are upholding the Constitution. We are upholding the Constitution because the bill currently before the parliament, the Social Security Amendment (Income Support for Regional Students) Bill 2010, is not an appropriation bill. There is a strong line of argument that explains why this is not an appropriation bill.

If the argument is that it is an appropriation bill because it is going to result in the expenditure of money, then arguably any bill that passes the Senate is an appropriation bill, because almost any bill that one could imagine that would pass the Senate may require a public servant to do something, it may require the government to do something, it may require a committee or a tribunal to act in a certain way, and that will involve the expenditure of money—possibly even greater than the government had initially anticipated. More importantly, there is a strong line of argument, equally as strong or stronger in my submission than that advanced by the Attorney-General, that says: where there is an existing appropriation that is unlimited, the parliament has already passed the appropriation bill and the parliament has said, ‘We do not know how much money this will cost, but we are prepared to write an open cheque to pay the money, because it is important.’ When parliament subsequently amends the criteria to access that pool of money, that does not amount to an appropriation bill within the meaning of the Constitution.

It is not only the Senate that believes that, it is not only the advice from the Clerk of the Senate to the President, and it is not only the President who believes that; in fact, this House did exactly that in 2007. In 2007 there was a bill that originated in the Senate. It was the National Health Amendment (Pharmaceutical Benefits) Bill 2007, and it created an entitlement to pharmaceutical benefits in respect of prescriptions issued by optometrists, and it was to be funded out of a standing appropriation in the principal act. That bill passed the Senate, it came to the House and it passed without demur from the then opposition. The reason it passed is that the House has accepted that, in instances such as this, it does not amount to an appropriation bill.

The Attorney-General referred to a number of authorities and I have had a look at those authorities. It is very clear that the
courts say: ‘This is about the law-making process. We are not adjudicating on a final law. We will not trespass into that, because that is a matter for the parliament to resolve.’ It is a matter for the House, the Senate and the government exercising executive power, and the other members who make up the parliament, to reach agreement amongst themselves about how they are going to proceed.

In previous parliaments, for reasons that one can readily imagine, where the government has had the numbers in the House of Representatives, when a bill has come here the government has simply been able to say, ‘This does not amount to an appropriation bill.’ But that does not mean that that is necessarily the case, and it does not obviate the fact that the parliament still has to decide what it is going to do with it. We have not confronted a situation before where we have a minority government and where legislation has been brought before the parliament to determine how we are going to deal with it. Those past practices may be well and good, but they do not speak to the situation that we find ourselves in now.

I am concerned that by adopting the principle that anything to do with money is automatically an appropriation bill or that anything to do with an existing appropriation is automatically an appropriation bill we in this parliament are ceding an enormous amount of power to the executive—power that ought to lie in the hands of this parliament. If we are to say that anything to do with money requires the minister to have a message coming from the Governor-General, we are diminishing the role of the Senate to initiate legislation other than appropriations legislation and I think we are diminishing the opportunities that are available to the cross-bench in this House.

As a matter of principle we should be able to debate this bill. I would not support this bill; I would vote against it. The Greens do not support this bill if we are able to debate it, but I should emphasise that that is not because of the substance that this bill speaks to. My electorate of Melbourne has the highest number of students of any electorate in the country, and many of them live in residential colleges and they have come from regional areas. I know the enormous difficulty that people have in getting access to the independent rate of youth allowance and having enough money to live on. That is why, for quite some time, the Greens have been saying that we need a new test that will make sure that rural and regional students are not put at a disadvantage and that we do not have a continuation of the figures that we see at the moment where we know that students who do not come from the city are twice as likely, if not more likely, to not complete their first year because of the unique pressures that they face. That is why we want to see a new universal test that would mean that if a student has to travel more than 90 minutes to get to their university, they should be entitled to an independent rate of youth allowance.

I cut my teeth as a student politician around cost of living and access to university campaigns. I have seen governments from both sides, over many, many years, reduce the level of youth allowance to the point where it is far, far less than unemployment benefits. And systematically governments of both persuasions have restricted access to it. I do note the irony in that these very criteria and restrictions that we are debating at the moment arose effectively out of a deal between the coalition and Labor to reform the youth allowance.

It is absolutely clear that rural and regional students need better treatment, and that is why we need a better test that will enable everyone to get access to youth allowance. But the reason that I would not
support this bill if we were allowed to debate it is that it is financially irresponsible, in the parliament that we have at the moment, to put up bills that would involve additional spending of money without having before the parliament, either in law or in some other way, a means by which they are going to be funded. We are completely able to do that; that is within our means. That is why, when this bill was before the Senate, we moved a motion that a message be sent to this place to ensure that the mining tax was increased sufficiently to enable the payment of increased youth allowance.

That amendment did not succeed in the Senate, and that is very disappointing. Given the balance of this parliament, we should not be in a situation where we are spending money in an irresponsible manner without saying where it is going to come from. It is not good enough to say by press release, as the coalition has done, that we would cut this program or that program, especially when that program has already been dipped into by the Leader of the Opposition for flood reconstruction; you cannot double dip. It is not appropriate to simply issue a press release to say: ‘If we were in government, this is how we would fund it.’

There is a means by which the parliament could do it and that has not been taken advantage of. That is why the amendment that I am moving to this motion that has been circulated in my name—that the bill proceed when parliament has agreed to a method to finance the measures contained in this bill—seeks to put economic responsibility at the centre of how we deal with this question in this finely balanced parliament.

The Constitution and the authorities that have been referred to send a very clear message—that is, it is up to the parliament to decide which bills it will pass and which ones it will not. We need to put the question of economic responsibility at the centre so that we can have a better deal for regional and rural students, and so it is funded in a fair way that does not leave a hole in the budget.

I am concerned that we find ourselves potentially in a situation where we diminish opportunities in the future that are available to this crossbench and to this parliament to legislate in innovative ways. I note that, despite some of the claims that might have been made by the Leader of the House by voting against this motion, it ought not be taken in any way as dissent from your ruling, Mr Speaker. This is not a matter of dissent from the ruling of the Speaker; this is a matter of the House collectively deciding how it will conduct its own business on a very important matter. It is not within the standing orders in the form of a motion of dissent from the Speaker; it is simply an opinion about how the House ought to conduct its own business.

I move the amendment in the terms that have been circulated. I hope that we are all able to take advantage of the opportunities offered by this new parliament. I hope we are able to have debate about a very important issue, and we do not respond simply by shutting down debate about an important constitutional issue. Ultimately, I hope we can get a better deal for rural and regional students but in a way that is economically responsible. I move:

That all words after “That” be omitted with a view to substituting the following words:

“the bill proceed when parliament has agreed to a method to finance the measures contained in the bill”.

The SPEAKER—Is the amendment seconded?

Mr Oakeshott—I second the amendment and reserve my right to speak.
Ms MARINO (Forrest) (1.26 pm)—We in this House should be able to debate this bill today. I represent the students who are most affected by this in the south-west of Western Australia. I hope that they and their families are watching this today. I hope that they can see to what lengths this government is prepared to go to continue to discriminate against their right to a higher education. I hope they are watching.

This is a shame; it is worse than that. I have been working on this since 2009, since this government chose to discriminate against students in rural and regional areas like the south-west of Western Australia. It is an indictment on this parliament that the two houses of this parliament have voted for the rights and the opportunities of regional students, and yet now we have this opportunistic process to try to prevent that debate.

Senator Evans actually wrote to the President of the Senate. Senator Hogg's response was:

You have sought my assistance in 'drawing this matter to the attention of Senators so that steps may be taken to ensure that the Bill does not proceed—

a preconceived outcome. The President of the Senate continued:

While I am happy to table your correspondence and the Attorney-General's advice (and this reply) for the information of senators, it is quite inappropriate for you to ask me to take steps to ensure that a bill does not proceed on any basis, let alone on the basis that the House of Representatives has a different view of its constitutionality.

These are the lengths that this government is prepared to go to to prevent rural and regional students from having access to youth allowance. That is a real indictment on this government. We all know that the Australian Constitution is a grand document and the framework for this debate but the spirit of the Constitution is as important as its wording. Section 53 says:

> Proposed laws appropriating revenue or moneys, or imposing taxation, shall not originate in the Senate …

But it is pertinent to this debate to ascertain whether the Social Security Amendment (Income Support for Regional Students) Bill 2010 does in fact appropriate money—and it does not. According to the Clerk of the Senate, in her submission to the Senate committee which examined this bill:

The Social Security Amendment (Income Support for Regional Students) Bill 2010 is not a Bill that appropriates money. It does not contain any clause that could be characterised as an appropriation.

She makes the important point in her submission that appropriations are already made for youth allowance and the Social Security Act of 1991 provides for income support for students in Australia. The funding for this act does not set a limit on expenditure; that is, the Social Security Act of 1991 does not identify a cap on spending.

The discrimination against some students based on where they live is not a result of the act setting a cap but of the policies of this government putting that discrimination into legislation. The changes to youth allowance did not put a cap on expenditure; they simply applied a discriminatory basis against recipients in certain geographic areas—like my own. So young people in my electorate who are already disadvantaged, who are already less likely to be able to access higher education, are being further discriminated against. The Clerk of the Senate also referenced this point, in saying:

When the parliament agrees to a standing or special appropriation, the relevant agencies have effectively been given a perpetual blank cheque for payments to be made. This means that a change to a bill of entitlements, such as providing wider access to income support, does not need to appropriate any money because the appropriation is already in place.
To make this clearer, I ask that members look at the legislation that passes before them every day. We have heard that nearly all the legislation has a financial impact and most of it involves an additional expense, even if it is simply in administration. But how many of these are appropriation bills? Most are not, because our constitutional forebears recognised the need for common-sense and practicality. They saw the need for acts of parliament that managed programs without calling them appropriation bills.

The Constitution of Australia implicitly directs the government and the parliament not to discriminate against any individual on the basis of where they live in our great nation. I can see Senator Nash nodding her head. She understands this very well because that is what we have seen here. Students today in my electorate are being discriminated against and the 2011 cohort and their families are currently being affected by this. They are moving from their regional area to a metropolitan area. We are losing some fantastic people and families—some wonderful resources from regional areas—on the basis of this discriminatory legislation.

We can fix it today if we debate this bill. It is inappropriate that you should be discriminated against just because you live in a regional area. It is an indictment of this government that it has allowed this to continue since the budget of 2009. This could have been fixed at any time. The government is well aware of this. This parliament—through the election of 150 people to this House, and through the Senate—has said that it needs to be fixed. So let us take the opportunity to fix it and fix it now. My students, my families and the 20,000-plus students and families around this nation are asking and begging for this. They beg me and I am sure they beg Senator Nash. If you had families and students affected by this, you would be standing up here like me and saying, ‘End the discrimination now. Let us debate this bill today.’

We all know the disaffection that regional students feel. It is alive and well, every day, and that is why we are so committed to this. We know what it is doing. I meet the families on a daily basis. I meet them in the supermarket. I meet the mums and dads that are saying, ‘We might now have to take an extra job.’ I have young people whose whole lives and careers have now changed. What is worse, I have young people who are actively not choosing year 11 and year 12 courses that lead to university because they know their families will not be able to afford it, on this basis. I have families who say to me, ‘We have to choose which one of our family members can go to university,’ as a result of this. They choose one member. Would you want to be one of those families? And how do you think the siblings feel? That is all wrapped up in this.

We are not taking this lightly, because this is as serious as it gets in a regional area. We need this to be fixed and fixed now. Another review is not what we need. It is not what the families need. It is not what those families who write to me, ring me and email me on a regular basis want. We know that the elected members reflect the will of the people—and the will of the people has been expressed by both houses. That is the will of the people. The government could and should agree to a fair and just system of access to Youth Allowance, right now. They could do that in the May budget if they chose to. They could do it today. It would indicate the strength of this parliament and the strength of the people’s voice in this parliament.

I believe that last year this House expressed its will in directing the government to act on Youth Allowance. It continues to refuse to do so. It continues to not allow this issue to be debated or action to be taken im-
mediately. The students whom I represent in the south-west of Western Australia and all of the other great young people around this nation who deserve equity of access to youth allowance and therefore their higher education should have this access.

The DEPUTY SPEAKER (Hon. Peter Slipper)—The original question was that the motion be agreed to, to which the honourable member for Melbourne has moved as an amendment that all words after ‘that’ be omitted with a view to substituting other words. The immediate question is that the words proposed to be omitted stand part of the question.

Mr CHESTER (Gippsland) (1.36 pm)—In opposing the government’s motion I endorse the comments of the member for Forrest because this debate is all about a fair go for regional students. I would also like to reflect on what we are seeing here today: the true colours of this government and its so-called education revolution as it attempts to effectively gag this debate on one of the most important issues facing rural and regional communities.

The Social Security Amendment (Income Support for Regional Students) Bill 2010 has passed the Senate and should be debated in this chamber. If the government wants to hide behind constitutional issues it can bring in its own legislation to reflect the intent of the Senate bill. A failure to do so is an insult to the thousands of young regional Australians trapped in the mess that was created by the former Minister for Education, Julia Gillard.

Make no mistake, the government’s attempts to block debate on this bill have nothing to do with the Constitution, nothing to do with the rights and wrongs of student income support; they have everything to do with protecting the hide of the current Prime Minister. From the day the former education minister started amending the system of student income support, she talked big and she delivered a mess to regional Australia. This was no education revolution; it was tinkering around the edges and it distorted the system to such an extent that regional students have borne the brunt of the changes. The government at that time insisted that the changes were budget neutral, but at the same time this government was throwing $900 cheques around like they were confetti at a wedding. It is an appalling message that they sent to the students of Australia: the Labor government believed that plasma TVs were more important than giving regional students a fair go and handed out $13 billion in cash handouts and have shafted regional students in the process.

I congratulate the Senate, and in particular I congratulate Senator Fiona Nash, for introducing this bill. I thank her for her doggedness and her determination because she understands the plight of regional students. She is a woman of substance, much like the member for Forrest and the member for Murray and others who have spoken in the past on the need to get a better deal for regional students.

We have heard from several members on this side already, and many on this side understand the problems with the current system of student income support. There are a few on the other side who I believe understand as well but they are just too scared to come out publicly and raise their voices. Whatever happened to this government’s promise to let the light shine in? Let us have this debate, let us do the right thing by regional students and start fixing the mess. There is absolutely nothing to stop this government adopting the bill and introducing it themselves if they are so worried about its constitutionality. Minister Evans has already publicly acknowledged there is a problem with the current system. He is trying to cut a
deal with the Independents for a review and changes to be made next year. But if that
deal goes ahead, we will have another class of forgotten students—the class of 2009—who
will be out of the loop in respect of the issue of inner regional independent youth
allowance. I say again: the government has the capacity to fix the mess now and deliver
a fair go for all regional students rather than the discriminatory boundaries we currently
have between inner regional and outer regional.

The Leader of the House claimed earlier
that his side has more regional members of parliament—and finally one regional MP has
made his way into the chamber—so let us hear from them. Let us hear from the re-
gional MPs from the Labor Party’s side. The member for Corangamite, the member for
Bendigo, let us hear what they have to say because their students are also being dis-
criminated against in this process. They clearly did not care enough to come in here
and listen to the debate here today, or perhaps they have been gagged as well?

Mr Albanese—Where are your mates? You’ve got none!

Mr CHESTER—I would invite members from the other side to come over and partici-
pate in the debate.

Mr Albanese—Where are your mates? Where are they?

Mr CHESTER—I take up the Leader of the House’s comment about where are they?
Where are your regional MPs? Why aren’t they speaking out? Have you gagged them as
well?

Mr Albanese—Mr Deputy Speaker, I rise on a point of order: it is a bit rough when
there are no members of the National Party in the chamber to hear him speak, for him to
be critical of—

Mr CHESTER—What’s your point of order?

Mr Albanese—He is casting aspersions on members, which is against the standing
orders!

The DEPUTY SPEAKER—There is no point of order. The Leader of the House will
resume his seat.

Mr CHESTER—I invite regional MPs from the other side to speak up on youth al-
lowance, to speak up on the issue of inner regional and outer regional boundaries. I
invite them to speak up because the member for Corangamite has towns like Colac, which
is considered inner regional. They have to have different workforce criteria for partici-
pation in the independent youth allowance, so I invite them to come out and speak and
raise their voices on this issue.

The bill, which has passed the Senate and
should be debated in this House, is not the
final solution, but it is a lot better than the
current mess of inner regional and outer re-
gional boundaries which exist today and dis-
criminate against so many regional students.
What we need is a complete overhaul of the
system of student income support with a fo-
cus on levelling the playing field. In the in-
terest of fairness and equity, regional stu-
dents should have a tertiary access allowance
they can access which compensates them and
their families for the additional costs of mov-
ing away from home, which metropolitan
students do not incur.

This government cannot keep hiding be-
hind its ‘education revolution’ slogan. It has
to deliver a better deal for regional families,
and this bill should be debated. By declining
to consider the bill, the House is denying a
fair go for regional students.

Dr STONE (Murray) (1.41 pm)—There is another very important right which we
need to consider in this debate today—that is, Article 26 of the Universal Declaration of
Human Rights. In 1948—that long ago—it stated:

… higher education shall be equally accessible to all on the basis of merit.

Is this government claiming that we are all dumb and stupid in rural Australia, that the merit that is found in rural Australia is not equal to that found in urban or metropolitan Australia? The consequences of what they are trying to do today—that is, to shut down a possibility of ruling out the inequities of inner and outer regional criteria for independent youth allowance—are denying thousands of country students access to tertiary education. The outcome of that is to remove a generation of rural professionals. Are we to look overseas for all trained doctors, nurses instead? Are we going to spend the same millions on trying to orientate them to Australian cultural circumstances, because there will not be rural generated professionals? The only professionals who, in too many circumstances, will come to country areas are those from the country. We are eliminating their chances of getting qualifications because so many Australian rural parents cannot afford the $20,000 or so it takes to have a student kept in accommodation, food, transport et cetera beyond their home.

It is just a tragedy. This is all about the current Prime Minister, the former Minister for Education, refusing to swallow her pride and acknowledge that she got it very wrong. It is one thing to come into this chamber and say, ‘Look, this attempt to get the thing right, somehow it is against the Australian Constitution’, but we have out there right now more than 10 to 15 per cent of students unable to access university from country areas—an inequity which is not only against the Universal Declaration of Human Rights, but it is also against any sense of Australian decency. The Prime Minister should be deeply ashamed. She should right now be talking to her Leader of the House and asking, ‘How can we fast track a debate where we simply restore the criteria of the coalition for both inner and outer regional students, and then we move swiftly towards a far better way to fund youth students in rural areas into the future so they can afford to go to university?’

People in my electorate have been rallying. We have had deputations. We have had parents in my office weeping because all their lives they have hoped to have their child reach their full potential by going to university and now they are seeing those hopes dashed. We have just come out of seven years of the worst drought on record. We have now experienced the worst flood on record. There is no cash for my families, but those families are designated ‘inner regional’. Their students are supposed to find 30 hours of work per week over an 18-month period within two years—and those 30 hours are not the average; they are the minimum for each week. Those students are supposed to survive a two-year gap period when very few universities in Australia will contemplate making an offer with a two-year gap—

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! It being 1.45 pm, the debate is interrupted in accordance with standing order 43. The resumption of the debate will be made an order of the day for a later hour this day. The honourable member will have leave to continue speaking when the debate is resumed.

STATEMENTS BY MEMBERS

Commemoration of the Bombing of Darwin

Mrs GRIGGS (Solomon) (1.45 pm)—I would like to share with the House my attendance at two commemoration services over the weekend to mark the 69th anniversary of the bombing of Darwin. The 19 February 1942 bombing was the first time since European settlement began that Australia had been attacked on its own soil. Darwin was
attacked by the same strike force that several months earlier attacked Pearl Harbor. The attack on 19 February was the first of 64 air raids between February 1942 and November 1943. The two attacks on 19 February killed more than 240 people and injured 400 more. Most of Darwin's civil and military facilities were destroyed, including 20 aircraft and eight ships that were anchored in Darwin harbour.

I was privileged to attend a wreath-laying ceremony held by the Australian American Association at the USS Peary memorial in Bicentennial Park, a memorial for the two-thirds of the crew who were killed while their destroyer was anchored in Darwin harbour. Later that day, I joined a crowd of hundreds who filled the Darwin Entertainment Centre to commemorate the 69th anniversary of the bombing of Darwin. I was heartened to see a representative of the Japanese government in attendance, the first time this has happened since these commemorations began. Consul-General Dr Masahiro Kohara said to a number of people that he was extremely sorry for the Japanese bombings and the damage they had caused. US Consul General Michael Thurston also attended the events and spoke about how important it was that America honoured the many soldiers who had died: more than 90 American soldiers were killed in the bombings. (Time expired)

**Page Electorate: Anzac Day Schools Awards**

Ms SAFFIN (Page) (1.47 pm)—I would like to congratulate Blue Hills College, a school in my electorate of Page, which was chosen recently as the New South Wales state winner in the primary school category of the Anzac Day Schools Awards. You can imagine how excited the students were, particularly the teachers and the principal, about receiving this honour. On the day of the presentation—we had a lovely ceremony—I said to the children: ‘This is really awesome. You’ve not only won this prize whereby you get a commemorative plaque and a cheque for $1,000,’ which I handed over to them, ‘but you were first in the state.’ They knew all that, but it was lovely to see the looks on their faces when they realised it was such a big deal. It was nice to be there. It was also lovely to be there with Vietnam veteran Ken Jolley, Cec Harris from the local RSL, Allan Hodge from the RAAF Association and 41st Battalion Captain Warren Walsh. I would really like to put on the record the good work of teacher Mrs Helen Hill, who helped the children and made sure they got that attention. (Time expired)

**Kooyong Electorate: Australia Post**

Mr FRYDENBERG (Kooyong) (1.48 pm)—I rise to raise an important issue in my electorate. On 11 February this year, Australia Post closed the post office at 254 Whitehorse Road, Balwyn, after the lease expired. Australia Post have said explicitly that the closure was not due to a broader rationalisation of their facilities but, rather, merely due to the expiry of that particular lease. In discussions with Australia Post, they have said they are considering alternative sites in the Balwyn Road area and, after a series of representations, they have now established a post point site at the Balwyn Newsagency. The post point, while welcome, is only a shadow of a fully functioning post office, as it can only sell basic post-office products such as stamps, satchels and packaging products.

Understandably, the local community is very concerned about the closure of the post office, which attracts hundreds of people a day to its store. Whitehorse Road is a bustling commercial district, and traders will be adversely affected by the closure—so too the many elderly residents in the area, who have
told me they would find it difficult to travel the lengthier distances to other retail outlets in Belmore Road, Balwyn North; Whitehorse Road, Surrey Hills; and Whitehorse Road, Balwyn.

I have appreciated the discussions to date with Australia Post and I acknowledge the strong support of the President of the Balwyn Traders Association, Ian Bird; the Mayor of Boroondara, Nicholas Tragas; and the state member for Box Hill, Robert Clark. I call on Australia Post to do everything they can to find an alternative site as quickly as possible. Our community needs and deserves a fully functioning, standalone post office.

Melbourne Ports Electorate: Melbourne Grand Prix

Mr DANBY (Melbourne Ports) (1.50 pm)—Over the summer, it was good to see that the Lord Mayor of Melbourne finally caught up with the attitudes of most locals in questioning the ongoing viability of the Grand Prix in Melbourne. I recently did a survey of 600 locals, and there was 10 to one majority support for leaving the race. As locals we suffer from access routes being blocked and we are subjected to noise and fumes. In particular, the low flyovers by FA18s of inner urban Melbourne have caused a great deal of consternation ever since they started.

The Grand Prix may have been a good deal in 1996, when it cost the government only $1.7 million; but, with falling crowd numbers and taxpayers footing a $50 million-a-year bill, the government should cut its losses and walk away. I have been in contact with the Minister for Defence, Stephen Smith, about the Grand Prix, and he advised me that this year the federal government would not be organising a low-altitude FA18 flyover of our area. Rising costs, dwindling crowds, fed-up local residents, an ambivalent Melbourne mayor, no more FA18 flyovers: to me, everything points to Melbourne saying ‘thanks for the memories' but gracefully declining to renew the Grand Prix contract, especially since it costs the taxpayers of Victoria $50 million a year.

Longman Electorate: Australia Day Awards

WYATT ROY (Longman) (1.52 pm)—I would like to take this opportunity to congratulate two of my constituents who on Australia Day were awarded Medals of the Order of Australia: Mr Bruce Simpson and Mrs Edith Cuffe. They are both deserving recipients of this honour and have contributed to the Longman and broader communities.

Mrs Cuffe was recognised for her dedication and work with the Abbey Museum. For the past 15 years Edith has been the driving force behind the Abbey Museum as its CEO and the coordinator of the unique Abbey Medieval Festival. Both the Abbey Museum and the festival are well respected and enjoyed by the community at large. Their success is testament to the many years of hard work that Edith has contributed.

Mr Simpson is equally deserving of the recognition for his contribution to our nation. Bruce was recognised for his work in promoting and documenting the history of drovers in Australia. Droving is at the heart of Australia’s history. Bruce’s work will ensure that generations of Australians to come will have insight into its history. Both Mr Simpson and Mrs Cuffe deserve the recognition they have received. I offer my personal congratulations to them.

DonateLife Week

Ms BRODTMANN (Canberra) (1.53 pm)—This week is DonateLife Week. Last Friday I attended its launch by the Governor-General at the National Library. The launch reminded me of the generosity of the 309
families who donated the organs of their loved ones last year, transforming the lives of 931 Australians.

The Governor-General launched the Book of Life, which includes the stories of many brave families who have been touched by organ and tissue donation and transplantation. The Governor-General also agreed to be the inaugural DonateLife Ambassador. Robyn Gough told the story of her daughter, Melody. Melody died on Christmas Eve in a car accident. Her family knew she wanted to be an organ donor and knew she had registered to be a donor. She saved the lives of three other Australians.

This week also marks the establishment of the Parliamentary Friends of Organ and Tissue Donation Group. My colleague the member for Brisbane and I have asked all members and senators to join this group. We have had a great response, so thank you very much.

The theme for the week is: any day is a good day to talk about organ donation. I encourage those in this parliament to take part in the DonateLife Walk at 6.45 am this Wednesday around the lake. I will see you at Regatta Point. Let us join the rest of Australia in talking about organ and tissue donation. I would love to see you at the walk on Wednesday.

**Dairy Industry**

Mr BRUCE SCOTT (Maranoa) (1.54 pm)—I rise today to express my disappointment in supermarket giants Coles and Woolworths, who are continuing to sell their own-brand milk for $1 per litre. My electorate of Maranoa has a large number of family owned dairy farms and smaller family owned local stores, who are being hurt by this unconscionable trade practice of these supermarket giants. I want to ask members of this House: are you on the side of family dairy farmers and the small businesses or are you on the side of the supermarket price bullies Coles and Woolworths? That is the fundamental question for this House.

The action of the supermarket giants in using their own-brand milk as a loss-leader not only has the potential to destroy family dairy farmers but is already impacting on many local stores in our country towns. They must be brought to account. I wonder if the managers of Coles and Woolworths take the time to think about our hardworking dairy farmers, who rise at 4 o’clock in the morning and work until late at night, and about the small country convenience stores that are always open when you run short of something. Do they think of them when they are buying their cafe latte on the way to their board meeting? No, I don’t think they do. It is about time these supermarket giants were brought to account. I call on this parliament to make sure we are on the side of family owned businesses: the dairy farms and those many small convenience stores. *(Time expired)*

**Greenway Electorate: Wentworthville Swimming Pool**

Ms ROWLAND (Greenway) (1.56 pm)—I rise to update the House about my local community’s campaign to save Wentworthville pool from closure. I am pleased to say that two Fridays ago I presented Councillor Vasee Rajadurai from Holroyd City Council with a petition that was signed by over 1,100 local residents who want to keep the pool open. In a recent survey undertaken by *The Sun Parramatta* newspaper, local residents were asked: should Holroyd council close down its smaller pools and build a superpool? A resounding 90.9 per cent of those surveyed said no.

It is clear to me that the people of Pendle Hill, Toongabbie and Girraween want the pool to stay open. This includes people like George Roux, who wrote to me after signing
my petition, urging me to keep up the fight on behalf of local residents. In his letter, Mr Roux raised the countless positive benefits of keeping the Wentworthville pool open, such as for school swimming carnivals, to encourage children to get active and stay healthy and to increase participation in learn-to-swim classes. I could not agree more.

The recent heatwave in Sydney was a timely reminder of how much this community needs a local swimming pool. If Wentworthville pool were to close, local families would have no reprieve from the heat that can engulf Western Sydney in particular. I would like to thank every one of the 1,181 people who signed my petition. I will continue to fight to keep Wentworthville pool open so that current and future generations can continue to enjoy this important community facility.

Macquarie Electorate: Pendragons Abreast

Mrs MARKUS (Macquarie) (1.57 pm)—
I rise today to acknowledge the passionate efforts of Jan Caldwell and Gillian Brown, who are working tirelessly to raise awareness of Pendragons Abreast. I met with Jan, the Chairperson of Pendragons Abreast, and Gillian to discuss ways of both increasing the membership of the Blackheath based organisation and raising the much-needed funds to assist the group to buy their own boat.

Jan and Gillian are breast cancer survivors, which highlights that their commitment to Pendragons Abreast is indeed coming from the heart. Pendragons Abreast are members of Dragons Abreast Australia, a charity that has 43 clubs nationally and in excess of 2,000 members. The aim of dragon boat racing is to have fun, create a team environment and cater for people with disabilities, offering them a social network that is essential, particularly when faced with a life-changing experience such as breast cancer.

Dragon boat racing has proven to be a saviour for many breast cancer survivors, providing something to strive towards while also offering an outlet to have fun and improve their health and personal wellbeing.

I commend Jan, Gillian and all involved in Pendragons Abreast for both encouraging women to seek early detection and raising awareness of breast cancer while having lots of fun. It is a fantastic concept, and I am very supportive of what they are trying to accomplish. (Time expired)

Victorian Government

Mr MITCHELL (McEwen) (1.59 pm)—
Recently we have witnessed some of the ugliest discrimination in Australia by our country’s elected representatives. In the past few weeks the coalition have not only unveiled their views on each other but unveiled their views on discrimination and multiculturalism. In Victoria we have seen a clear example of what the Liberal Party are capable of doing when in government. The Baillieu government in Victoria champion discrimination and try to divide the Victorian community. They are bringing back unlimited rights to religious organisations, which will allow them to discriminate against gays and lesbians, single mothers and people who hold different spiritual beliefs. These organisations will now be able to refuse employment and services to people who do not conform with their views. By doing this Baillieu is supporting inequity, prejudice and bigotry.

The previous Victorian Labor government fought to eradicate discrimination and promote multiculturalism. The Baillieu government is doing the complete opposite. It is continuing the Liberal tradition of tearing down equality and opportunity. To make things worse, the Baillieu government has also taken away the power of the Victorian Multicultural Commission and put it in the
Department of Premier and Cabinet; therefore, weakening the VMC’s independence.

The SPEAKER—Order! In accordance with standing order 43, the time for members’ statements has concluded.

CONDOLENCES
Larcombe, Sapper Jamie Ronald

Ms GILLARD (Lalor—Prime Minister)

That the House expresses its deep regret at the death on 19 February 2011, of Sapper Jamie Ronald Larcombe, while on combat operations in Afghanistan, and place on record its greatest appreciation of his service to our country and tender its profound sympathy to his family in their bereavement.

It is my sad duty to report to the House that on Saturday night Australian time Sapper Jamie Larcombe serving with Mentoring Task Force 2 in Afghanistan was killed in action. He was killed along with an Afghan local national who was employed as an interpreter. Both were struck by gunshots and, despite immediate first aid, were unable to be saved. As a result, there are two families in grief, two families in shock, and we mourn with them today.

Sapper Larcombe’s parents, Steven and Tricia, his three younger sisters, Ann-Marie, Emily and April, and his partner, Rhiannon, will be grieving for him very deeply indeed today. The small community of Kangaroo Island, which is a small and close-knit community, will be in mourning for him today. His second family, the 1st Combat Engineer Regiment, will also be mourning for him today, coming as this does so soon after the loss of Corporal Richard Atkinson, who was laid to rest just seven days ago.

I want to say a word about our combat engineers because they are some of the most remarkable individuals in the Australian Defence Force. These are soldiers who build bridges and roads for our forces. They clear landmines and other obstacles. They locate and disarm booby traps and roadside bombs. Their main weapons are patience, steadiness and courage and they stand in a very proud tradition. The 1st and 2nd Combat Engineer regiments trace their origins back to the first weeks of World War I in 1914, and in the past 12 months these close-knit units have been paying a high price. Jacob Moerland and Darren Smith were lost last year, Richard Atkinson and now Sapper Larcombe this year. Today in honouring Sapper Larcombe, I honour all combat engineers, whose work is so critical to the task at hand.

Last year when I spoke to this parliament about our strategy in Afghanistan, I wanted our nation to be under absolutely no illusion about the dangers that lay ahead. I warned then that there would be hard days, and this is one of those days. Every day we lose a soldier is a hard day and every loss hits us as hard as the first loss hit us. Our grief and our gratitude will never diminish, and neither does our determination. Jamie Larcombe knew why he was in Afghanistan and he did not resile from the job. Nor should we: our purpose in being in Afghanistan is very clear. Working under a UN mandate our forces are in Afghanistan to take the fight to the insurgents, to assist with building governance and capacity and of course to train the Afghan National Army. Jamie Larcombe died doing these three things. He was there to mentor and train, he was part of our efforts in Afghanistan, and he was taking the fight to insurgents. He was doing what he was trained for. He was doing what he signed up for.

As we mourn for Sapper Larcombe, let us never mix sorrow with pity. It is obviously hard from our safe and comfortable civilian existence to understand this, but this is the life our soldiers chose. They could do jobs here at home but they freely chose the life of a combat soldier with all of its dangers and
with all of its risks, and despite those risks they go on.

The road is hard, but the cause is right. Sapper Larcombe’s loss was not in vain and we best honour his sacrifice by maintaining our resolve and backing his mates as they continue to do the job until the job is done. May this brave young soldier rest in peace and may his family and friends take comfort from the condolences today of a grieving and grateful nation.

Mr ABBOTT (Warringah—Leader of the Opposition) (2.05 pm)—I rise to support the Prime Minister and to echo her eloquent words. Yes, Australia mourns another fine soldier, Sapper Jamie Larcombe, killed in action in Afghanistan. We grieve for him and our thoughts and prayers are with his friends and his family at this sad time. We also grieve for the Afghan interpreter who was killed by his side.

Above all though, we wish to encourage and support members of the Australian armed forces who are doing their country’s work in a very dangerous place. We owe it to our soldiers to ensure that their objectives are clear, achievable and important, and they most certainly are in this case. They are building a civil society in Oruzgan Province, training the Afghan army and effectively degrading the capacity of the enemy. It is most certainly in Australia’s national interests to build a safer and a freer world; it is one of the universal aspirations of mankind. Mr Speaker, there is no such thing as a casualty free combat commitment. Soldiers understand that and we should too. So we salute Sapper Larcombe and wish his comrades a successful campaign and a safe return.

Mr STEPHEN SMITH (Perth—Minister for Defence) (2.06 pm)—I rise to associate myself with the remarks of the Prime Minister and the Leader of the Opposition in expressing condolence for Sapper Jamie Larcombe. It is another terrible blow for our nation, another tragedy for an Australian family. I express my condolences to his parents, Steven and Tricia; his younger sisters, Ann-Marie, Emily and April; and his partner, Rhiannon. At just 21 years of age, Sapper Larcombe was our 23rd death in action in Afghanistan, operating, as he was, south-east of Patrol Base Wali in the Mirabad Valley. As the Prime Minister and the Leader of the Opposition have indicated, he was another member of our 1st Combat Engineer Regiment, which has a proud history of almost 100 years. Coming so soon, as it does, after the death in action of Corporal Richard Atkinson, this will be a terrible blow to the combat engineers and a terrible blow to our Army and our Defence Force personnel. It will also be a terrible reminder to 22 other families, in particular the Atkinson family, with Richard Atkinson’s funeral just one week ago.

At 21 years of age, Sapper Larcombe had been in the Army for just over three years. He recently saw his third anniversary of entrance into the Army. He conducted operations in Operation Padang Assist, in humanitarian assistance and disaster relief, and also as part of the Mentoring Task Force-Two. In addition to his death, we saw the death of an Afghan interpreter assisting Australian Defence Force personnel in Oruzgan Province, and we express our condolences to his family. Sapper Larcombe will have our deepest gratitude and our deepest respect, killed in action, as he was, under a United Nations mandate operating under the International Security Assistance Force in Afghanistan, seeking to pursue Australia’s national security interests by helping to stare down international terrorism. Our thoughts are with his family, his loved ones and his friends.

Mr ROBERT (Fadden) (2.09 pm)—I join the Prime Minister, the Leader of the Opposition and the Minister for Defence to honour
a fallen sapper, Jamie Larcombe, who, along with his Afghan interpreter, was tragically killed in Afghanistan just two days past. Too short has been the time since last we were here to honour one of our own. It is a poignant reminder that freedom is never free. We stand here, in the nation’s parliament, because fighting men and women stand there, on the battlefields of the world, where freedom, justice and liberty are scorned. Sapper Larcombe is the fourth engineer to be tragically killed in action in Afghanistan. He and his sapper mates bear a tremendous burden—nerves on edge, senses attuned to the slightest change in terrain, skills pushed to the limit. For all of the might of the Western world’s amassed armada in Afghanistan, it still comes down to a sapper to clear an obstacle, detect a mine or search a tunnel. As a combat engineer, it was Sapper Larcombe’s duty to go forward ahead of his mates to clear the path, his only companion the knowledge that every step forward kept his mates safe.

Ever since the 1st Field Company of engineers stormed the beaches of Gallipoli and within seven hours were building a road for ease of movement, sappers have been on the front line and have undertaken the difficult but necessary work with the skill and humour that only sappers can muster. Sapper Larcombe extolled the virtues of those original Anzacs, serving at the front, protecting those who come so closely behind.

As in ages past, so much of the burden falls on the loved ones at home. We offer our sincerest condolences to Jamie’s parents, Tricia and Steven; his sisters, Ann-Marie, Emily and April; and his girlfriend, Rhiannon. You have lost an only son, an only brother. Whilst you may never again follow his footsteps in the red soil of the outback, you can follow his heart, which, to the end, cared for those to whom he was entrusted. You as a family have paid a tremendous price so that our freedom can truly remain free. For that, our nation is indebted and we honour your only son as he joins the hallowed ranks of those who have fallen.

The SPEAKER—As a mark of respect, I invite honourable members to rise in their places.

Question agreed to, honourable members standing in their places.

MAIN COMMITTEE

Condolences: Larcombe, Sapper Jamie Ronald

Reference

Mr ALBANESE (Grayndler—Leader of the House) (2.12 pm)—by leave—I move:

That the resumption of the debate on the Prime Minister’s motion of condolence in connection with the death of Sapper Jamie Ronald Larcombe be referred to the Main Committee.

I add my condolences to Sapper Larcombe’s family.

Question agreed to.

MINISTERIAL ARRANGEMENTS

Ms GILLARD (Lalor—Prime Minister) (2.12 pm)—I inform the House that the Treasurer will be absent from question time today as he is attending the G20 finance ministers meeting in Paris. The Assistant Treasurer and Minister for Financial Services and Superannuation will answer questions on his behalf. The Minister for Employment Participation and Childcare and Minister for the Status of Women will be absent from question time this week as she is attending the 55th session of the UN Commission on the Status of Women, in New York. The Minister for Regional Australia, Regional Development and Local Government and Minister for the Arts will answer questions in relation to employment participation. The Minister for Families, Housing, Community Services
and Indigenous Affairs will answer questions in relation to status of women issues. The Minister for School Education, Early Childhood and Youth will answer questions in relation to child care on her behalf.

QUESTIONS WITHOUT NOTICE

Budget

Mr ABBOTT (2.13 pm)—My question is to the Prime Minister. Will the Prime Minister inform the House why it was right to announce cuts of $412 million from the Solar Flagships, the National Rent Affordability Scheme and the Australian Learning and Teaching Council at the National Press Club on 27 January but it is wrong to proceed with these cuts now? How can the Prime Minister claim that 2011 is the year of decision and delivery when tough decisions are abandoned within just one month?

Ms GILLARD—The year 2011 is a year of decision and delivery, and it is a year of rebuilding Queensland and the rest of the nation. In order to do that, you need to be able to responsibly fund that rebuilding. That is why I announced a $5.6 billion rebuilding package with a $1.8 billion levy, together with cuts and reprofiling the right package for the nation. In order to legislate the flood levy, the bill needs to pass the House of Representatives and the Senate—of course that is true—and we came into this parliament faced with the blatant political irresponsibility of the Leader of the Opposition. He says on the one hand, ‘Rebuild Queensland.’ On the other hand, he has no idea how to do it. When he sought to put together a funding package to rebuild Queensland, the best he could do was to snatch a One Nation email out of the system and follow it home.

Opposition members interjecting—

The SPEAKER—Order! The Prime Minister will return to the question.

Ms GILLARD—in the inbox, printed out by the Leader of the Opposition and stapled to his costings. That was his response. Once again, the package he put forward did not add up. We are used to—

Mr Pyne—Nasty Julia!

The SPEAKER—The Prime Minister will resume her seat. The House will come to order. The Prime Minister was asked a question. She will directly relate her answer to that question, but those on my left will sit in silence.

Ms GILLARD—So once again, when the legislation was brought to the parliament, obviously a big question was: which way was the coalition going to vote? The coalition, rather than voting for fiscal responsibility and rather than voting for the rebuilding of Queensland, instead decided to follow One Nation down a path, which is what their costings were about—

The SPEAKER—Order! The Prime Minister will direct her remarks to the question.

Ms GILLARD—and to produce costings that did not add up, in just the same way that they produced the $11 billion black hole during the election campaign. Consequently, to secure rebuilding Queensland and to secure this $1.8 billion package to secure the rebuilding that is needed around the nation, the government has of course discussed this legislation with people of goodwill in the parliament. In discussing this with those people of goodwill in the parliament, the government has made adjustments to the package of
less than three per cent. Let me say that again: less than three per cent. So we have, crystal clear before this parliament, two sides on this debate—and I include the Independents who care so passionately about rebuilding—

Opposition members interjecting—

The SPEAKER—The Prime Minister will resume her seat. The House will come to order. The House expects that this is a true question-and-answer period. There will not be debate in the answers, and there will not be debate through interjection. The Prime Minister has the call.

Ms GILLARD—Thank you very much, Mr Speaker. There are two sides to this debate: people prepared to work together in a spirit of goodwill to rebuild Queensland, prepared to work together in a spirit of goodwill to do the rebuilding that is necessary around the rest of the nation and prepared to work together in a spirit of goodwill to get the financial issues right; and then those who stand for political irresponsibility, who stand in the way of appropriately funding the rebuilding of Queensland and the nation, and who are so bereft of ideas, policy and plans that, when they sit round the shadow cabinet table, what they wait for is someone to run in a One Nation email so they can adopt it as their policy.

Mr Pyne interjecting—

The SPEAKER—Order! The Prime Minister has the call. The member for Sturt will resume his seat. The Prime Minister has the call. The Prime Minister is finished.

Mr Albanese—Mr Speaker, I raise a point of order with regard to disorderly conduct. The Manager of Opposition Business persisted in abuse throughout the Prime Minister’s answer, in a disorderly way.

The SPEAKER—Order! The Leader of the House will resume his seat. Without need for prompting from the Leader of the House, I simply say to him that I have noted the behaviour. In particular I have noted an expression that, I just informed the member for Sturt, has been open to other interpretations by people that have contacted me from outside. The interpretation of the expression that is being used—which I do not think is the intention of the member for Sturt—has brought the House into a bit less repute, but I have been charitable in saying that there is no intention of the member for Sturt to have any other connotation to his expression. It would just help if he could be silent for at least 45 seconds. That is the length of the question. To think that he could be quiet for four minutes, the length of an answer, perhaps is going beyond the expectations of anybody in this place, but his performance in the first answer—and that of a number of his colleagues; he was not alone—was below the standard expected, especially by people that view us from outside.

Mr ABBOTT—I have a supplementary question to the Prime Minister. If the Prime Minister has surrendered these savings, will she now identify further savings so that the government will pay as it goes, as she promised at the National Press Club?

Ms GILLARD—I can say this to the Leader of the Opposition: we will identify savings to match this minor adjustment—less than three per cent—and we will not be looking for a One Nation email to help us do it.

Mrs Bronwyn Bishop interjecting—

The SPEAKER—I will ignore the interjections of the member for Mackellar, but I will remind her that she cannot interject.

Health

Ms O’NEILL (2.22 pm)—My question is to the Prime Minister. How is the government supporting our hospital system and patients following the recent Council of Australian Governments meeting?
Opposition members interjecting—

The SPEAKER—The Leader of the Nationals cannot be asked a question, so I think he can forget trying to answer questions.

Ms GILLARD—We are clearly going to have one of those days when the volume is dialled up by the opposition because so are the divisions. Just remind me how it goes: the shadow minister hates the shadow Treasurer, they both think the deputy leader is useless and they all hate the member for Wentworth. I think that is how it goes.

The SPEAKER—Order! The Prime Minister will come to the question.

Opposition members interjecting—

Ms GILLARD—On the question of health and a healthcare agreement, I thank the member for her question and for asking a question in the national interest. When we came to government the health system was showing the stresses and strains of the Leader of the Opposition having been one of the longest servers in the portfolio of the Minister for Health and Ageing that the nation had ever known. His legacy, when we came to government, was not enough money in the system, not enough doctors, not enough nurses and no reform. Indeed, the Leader of the Opposition used to proudly give speeches about how one would not bother with reform.

The SPEAKER—The Prime Minister will turn to the question. The Prime Minister is required to be directly relevant to questions under the standing orders. She will relate directly her remarks to the question.

Ms GILLARD—Having inherited this health system, the government stepped up to what was the underlying problem, which is health costs rising sharply every year—they rise greater than the CPI; they rise greater than the GST. With the federal government year after year under the Leader of the Opposition putting as a percentage less and less into public hospitals and with the rate of increase of the GST not keeping pace, inevitably the financing of state governments was being squeezed and this was not sustainable in the long term. Indeed, had this been allowed to continue without any reform, you would have seen a time when it would have taken all of state government budgets—

The SPEAKER—Order! The Manager of Opposition Business on a point of order.

Mr Pyne—Mr Speaker, I listened to your admonition in the first part of question time about my not interjecting on the Prime Minister, but I put it to you that the Prime Minister was asked a question about the COAG health reform announcement and has spent the first half of her answer simply slagging off the Leader of the Opposition. If I am going to be called to order about using that expression, what are we supposed to do if we are provoked by the Prime Minister to the extent that she is provoking us?

The SPEAKER—I have been asked a question, but I do not answer questions on points of procedure. Under the rules and the standing orders, you sit there quietly because you are not allowed to interrupt. They are the standing orders. The Prime Minister has returned to the question. I am listening carefully. The Prime Minister will continue to relate directly her remarks to the question.

Ms GILLARD—Because of the pressure of the unsustainability of this, reform was sought by the federal government. Indeed, states and territories had been pleading for years with the federal government, with the Leader of the Opposition—but with those pleas falling on deaf ears—for structural reform. At the Council of Australian Governments meeting, which took place following the last sitting week, we have struck a new national agreement which delivers that reform—a new national agreement where the
federal government and state and territory governments will step up as equal partners in growth. This is a major structural financing reform which will end forever the spectre that funding public hospitals could become unsustainable for state governments.

But with this increase in resources come new requirements for reform. We are going to make sure money goes where it is needed through a single national funding pool, more transparency than ever before, so Australians can see dollars in and dollars out in their healthcare system. We have used our market based tools to ensure that these reforms work effectively—an efficient price to be set so we see no more waste and less bureaucracy with eight bureaucracies heralded in earlier reforms not being proceeded with, empowered local communities through local hospital networks and a transformation in the role of local communities in our healthcare system. We are also stepping up to improve our primary care system, because everybody knows that if you can be kept well and not need to go to hospital that is best for everyone—best for the patient, best for the system. This is a new national reform agreement that will herald a new era of health care: more money, more doctors, more nurses, less waste, less bureaucracy and less waiting time.

Youth Allowance

Mr PYNE (2.28 pm)—My question is to the Prime Minister. When the opposition fought to restore fair access to youth allowance for kids from the bush, the government labelled it ‘unsustainable and irresponsible’. Will the Prime Minister inform the parliament why it was irresponsible to give youth allowance to more rural students two weeks ago but the right thing to do now?

Ms GILLARD—I thank the shadow minister for his question and I can very simply answer it. The government has always been committed to a better and fairer deal for students. We did that because when we came to government after more than a decade of neglect of the needs of country students the participation rate of country students in university was going down. I say to every member of the former government, including the member who asked the question, that they were part and party to the participation rates of regional students going down—a great national shame. The government moved to change that system to make it better and fairer, to end the spectre that some money was going where it was not needed and to bolster participation rates of country students.

In generating those reforms we worked with members on the crossbenches and, ultimately—and is it not interesting to remember this now?—we entered into an agreement with the person who asked the question. I shook hands with the shadow minister on an arrangement which then went through the parliament. But he made it immediately obvious to me that, whilst he wanted to secure additional changes to the package, and was prepared to reach an agreement with me on the package, he was not going to defend that package. So instead of having the political responsibility to say to his colleagues, who then complained about it, ‘I signed off on it; I stand by it,’ he, of course—as we expect from the member for Sturt—actually walked away from these reforms.

These reforms have been benefiting students around the country and they have been benefiting students in rural and regional areas. We have seen a 25 per cent increase in dependent youth allowance recipients from rural and regional areas. We have benefited more than 85,000 young people who now receive the maximum rate of youth allowance, a higher rate of youth allowance or a payment of youth allowance for the first time. More than 29,000 are young people from rural and regional areas. More than
25,000 additional students who need to move away from home to study now receive scholarships. This includes more than 10,200 students from regional and rural areas. More than 190,000 additional students now receive scholarships towards their education costs. More than 45,300 are students from regional and rural areas. So I am happy—any day, any time—to compare this government’s record for regional and rural students against the government that went before, of which the shadow minister was a member and a minister. I am happy to compare track records any time.

Of course, as part of those arrangements we also agreed that there would be a review, and we have agreed to bring that review forward by 12 months. We have worked with people of goodwill who care about students to deal with that. But I can say that we will not give way to the coalition’s hypocrisy, we will not give way to the coalition walking away from a deal and we will not give way to their fiscal irresponsibility because once again they are in this parliament with an unfunded bill, and they could not even find a hint as to how to fund it from One Nation this time.

We will keep delivering for regional students and improving the system for regional students, and I am very happy to bring forward a review by 12 months to do just that.

Mr McCormack—Tell that to the country kids you won’t give youth allowance to!

The SPEAKER—Order! While the member for Riverina is being annoying, he is wasting his time—we cannot really hear him up here. He will cease interjecting.

Health

Mr SYMON (2.32 pm)—My question is to the Minister for Health and Ageing. How will health reform improve the funding and efficiency of the health system, and how have these reforms been received?

Ms ROXON—I thank the member for Deakin for his question, particularly because I understand it is his birthday today. I wish him happy birthday as well.

But more importantly than the member for Deakin’s birthday is that the electorate of Deakin, along with every other electorate across the country, is going to benefit from our new National Health Reform Plan, which is a truly national agreement. Our plan is going to produce a sustainable, efficient and improved health system.

As the Prime Minister has already said, the Commonwealth is stepping up to 50 per cent growth in the system. So in electorates like Deakin, which is fast-growing and where there is a high reliance on our health services, having the Commonwealth sharing the growth, and having that money following where the population is and where the services are needed, is vitally important for reform.

Of course, the importance of this reform has been backed up by the response that we have seen from clinicians and health experts, who have been calling for these reforms for well over a decade. As the Prime Minister mentioned, the Leader of the Opposition ignored those claims from stakeholders; but let me just give you a brief taste of some of the responses to our plan, because it has been so widely supported.

Andrew Pesce from the AMA:

We will have a national health system that is transparent, economically responsible and geared to providing the best possible outcome for patients.

Stephen Leeder, an academic leader in this area says the package:

… sets up a structure that should enable basic patient care to be better, especially for people with long-term problems.

John Deeble, the architect of Medicare says:

I think Julia Gillard’s is a pragmatic solution.
And even Alan Kohler says that this deal:
… should be used as a template for everything else states do, including education and public transport.

Of course, the Liberal Party have absolutely no plan to tackle this problem, but they will have a choice when the legislation comes before the parliament whether or not they will support these important changes.

We know the Leader of the Opposition to date has opposed everything we have done in this area. But the time will now come that he has to make a choice whether to support this or not. In fact, we know he opposed this deal before the meeting was even finished. He was out there giving a press conference on Sunday afternoon, saying it was a bad deal before he had even seen what was in the agreement. That is absolutely a measure—

Mr Dutton—So did you, Nicola!

Mr Laming—So did Kevin!

Ms ROXON—Perhaps those who are interjecting opposite have not had a chance yet to see the Essential Media Communications research report that was actually just given to me after we came into question time and which says that 67 per cent of the population approve of our health deal. Interestingly for those who are arguing opposite—particularly the member for Dickson, who is always more focused on internal Liberal Party matters than others—62 per cent of Liberal voters support this package, just not the Leader of the Opposition or the health spokesperson.

The time will come very shortly when the Leader of the Opposition and the Liberal Party will have to make a decision whether they are going to simply continue to oppose every health reform that will deliver for patients or whether they will act in the national interest to back this plan which clinicians and experts across the country, and every state and territory leader—including two Liberal premiers—think is a good deal. The time has come for the Leader of the Opposition to support this health reform.

Climate Change

Mrs GASH (2.36 pm)—My question is to the Assistant Treasurer and acting Treasurer. Will the Assistant Treasurer inform the parliament why the government ruled out a carbon tax before the election, but will now impose a carbon tax which increases the price of petrol? Why was a carbon price out of the question in August 2010 but is now a necessary government priority?

Mr SHORTEN—I thank the member for her question. In terms of climate change, there is no question that the government has to act to set a price on carbon. That has been very clear. What is more perplexing to me is the inability of the opposition to form a position on climate change. What we need in order to assert and put downward pressure on rising energy prices is to provide certainty with a price for carbon. That is why we have the position which we do. When we talk about certainty and we talk about climate change, I think it also reasonable to say that this government is very committed to certainty, unlike the opposition. We cannot even get certainty on who is running the opposition. Of course, I am referring to Samantha Maiden’s very interesting article, which I am holding up, with its characterisations of the various wannabe leaders of the opposition.

Opposition members interjecting—

The SPEAKER—Order! The minister knows he has to relate his answer to the question.

Mr SHORTEN—We have the poodle. No prizes for guessing who that is. We have the million-dollar man—

The SPEAKER—Order! The Assistant Treasurer will resume his seat.

Mr Pyne—Mr Speaker, I rise on a point of order. While it is amusing to hear the
wannabe leader talk about wannabe leaders, it is hardly in order for him to use that prop.

The SPEAKER—Order! As the member for Sturt and the minister know, props are tolerated but not encouraged. I think the minister has got the general gist across of what he is wanting to show. The minister will answer the question.

Mr SHORTEN—All right, and I will not even go to who the rat is in the opposition.

The SPEAKER—The minister will return to the question.

Mr SHORTEN—You’d need a big bit of cheese in front of some of these front-benchers.

Opposition members interjecting—

The SPEAKER—The member for Fadden! The member for Flinders! The Deputy Leader of the Opposition! The Assistant Treasurer has the call.

An opposition member interjecting—

The SPEAKER—The Assistant Treasurer will resume his seat. Regrettably, my radar is off. I do not know who made that statement, which I would have asked to have been withdrawn. The person can consider themselves lucky. It is not helpful at this stage. If you have had your fun, that is enough. The Assistant Treasurer has the call.

Mr SHORTEN—Stroke those whiskers! In terms of the issue of climate change, the only way to exert downward pressure on rising power prices is to set a price on carbon. The problem is—

Opposition members interjecting—

Mr SHORTEN—No, no, what we need is investor certainty. The real problem with fighting climate change is that the opposition are too busy fighting each other to do anything on climate change.

Mr McCormack interjecting—

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The SPEAKER—The member for Riverina is warned!

Murray-Darling Basin

Mr WINDSOR (2.41 pm)—My question is to the Minister for Sustainability, Environment, Water, Population and Communities. Given the recent interim recommendations of the Regional Australia Committee into the Murray-Darling Basin Authority’s Guide to the Basin Plan, could the minister elaborate on recent initiatives announced in Dubbo last Friday?

Mr BURKE—I thank the member for New England for the question and, in particular, for the work that the parliamentary committee, led by the member for New England, is doing with members of both sides of the parliament in working with communities to make sure we have a constructive approach to building strong communities at the same time as we are working towards preserving and improving the health of the Murray-Darling Basin river system itself.

There were three recommendations that the committee put in an interim report to me a couple of weeks ago. Those three recommendations went, firstly, to wanting to see whether or not the buyback system is capable of being conducted in a more strategic fashion; secondly, wanting to look at some taxation arrangements which have been holding back some of the programs that we have; and, thirdly, wanting to look at how environmental works and measures might be able to lead to a more efficient use of the environmental assets within the basin.

I am pleased to report that in Dubbo on Friday, on behalf of the government, I was able to give the beginnings of our response to each of those three issues, and I want to thank all members of that committee for their work in highlighting those issues in the way they have. In a similar way, some of these issues have been highlighted to the govern-
ment through the irrigation roundtable attended by the agriculture minister, the Minister for Regional Australia, Regional Development and Local Government, and me.

To take each of those three issues in turn, there is some connection between the first two. The taxation arrangements have themselves prevented some of the strategic buy-back programs from going ahead. It is important if you want to be able to purchase strategically from the outer channels that you have a local irrigation authority lead it. If it is simply done by the Commonwealth, you run the risk of a situation where you pay a premium on the outer channels. Having purchased that water, they are then free to trade back in on the water market at a lower price and essentially all you end up doing is getting bad value for money for the Commonwealth. If it is led by the irrigation authority then they can close the channel once the buyback has taken place, thus not just making that allocation available to go back to the environment but also freeing up some of the conveyance water that was there as well.

Those taxation issues are now resolved by a letter that was signed off by the Prime Minister on Friday morning, and there will be legislation which will be introduced to the parliament fixing those problems with taxation that go to the difference between when the liability was created and when the deduction was then claimed back over three years. That legislation, when it is introduced, will backdate to April 2010. There is still more work that we are doing in bringing about a more strategic approach to buybacks, but that is at least an early dividend on those programs. It has allowed round 2 of the private irrigation operators program to now be launched in New South Wales, putting a further $373 million on the table in this strategic area.

Finally, on environmental works and measures, I have contacted all my state colleagues within the Murray-Darling Basin, and there is an intention now for all basin water ministers to meet in April outside of the ministerial council process. That meeting will be for ministers themselves to put the items on the agenda that they want, but I have put as the first listing of items on the agenda from the Commonwealth a request for them to bring forward proposals for more effective use of environmental works and measures. There is a lot of good work that irrigators have done to be more efficient, and I do believe it is a fair call for us to see if we can manage some of our environmental assets more efficiently as well.

I want to thank all members of the House for their participation on the Windsor inquiry. It is a very big part of making sure that around this time next year we can deliver certainty for communities.

Mental Health

Mr MITCHELL (2.46 pm)—My question is to the Minister for Mental Health and Ageing. How will enhancements to primary care assist ageing Australians and those with mental health issues?

Mr BUTLER—I thank the member for McEwen for his question. As this House knows, this government and this Prime Minister are strongly committed to health reform and to building a modern healthcare system that extends the extraordinary achievements that our country made last century to building Australian health outcomes well into the 21st century. Central to that task is building a robust and integrated primary healthcare network. As members well know, primary care in Australia is largely delivered through a market based fee-for-service system funded through Medicare; and, while this system works very well for most Australians, it leaves gaps for many others. These gaps par-
particularly affect older Australians and Australians experiencing mental illness. That is why the government accepted the central recommendation of the Bennett commission—to establish a network of primary healthcare organisations—and that is why an accelerated rollout of Medicare locals and a GP after-hours service were central to the recent COAG agreement achieved by the Prime Minister a couple of weeks ago.

Medicare locals will transform the coordination and the delivery of good-quality primary care in local communities. They will ensure that patients are assigned a GP after discharge from hospitals to reduce the chance of readmission—a chance that is particularly high for older Australians and Australians with mental illness. They will play a critical role in facilitating arrangements between aged-care facilities, GPs and allied health professionals to increase the number of services being delivered at aged-care facilities, because we know that when those arrangements are in place residents simply receive more services. They will manage the GP after-hours service, which was fast-tracked by the Prime Minister at the recent COAG agreement. While this is obviously great news for all Australians, including older Australians living at home, it is simply a godsend for registered nurses working night shift at residential aged-care facilities, whose only resort when a resident falls ill is often to call an ambulance. These connections between aged care and primary care are critical to reducing the number of traumatic, avoidable hospital admissions from aged-care facilities, which currently occur about once every 20 minutes or so.

The most common feedback that I have received from Australians experiencing mental illness, particularly severe mental illness, is the lack of good integration between the different clinical and non-clinical support services that they receive. Medicare locals will be able to deliver, for the first time under a Commonwealth health program, integrated packages of care that deliver clinical and non-clinical support services wrapped around their individual needs—a reform that will be more responsive to individual needs and a reform that undoubtedly will deliver better outcomes. More broadly, Medicare locals will quickly become innovators in this important area of quality primary care lifting our research effort in this important field and driving the continuous improvement in health care for Australians.

This is a welcome and overdue reform. It will deliver better outcomes in health for all Australians but, importantly, it will help ensure that older Australians and Australians living with mental illness get access to the same level of good-quality primary health care that the rest of us take for granted.

Flood Levy

Mr HOCKEY (2.50 pm)—My question is to the aspiring—err, the Assistant—Treasurer. I refer the Assistant Treasurer to the Treasurer’s—

Government members interjecting—

Mr HOCKEY—We all aspire to be Treasurer!

Government members interjecting—

The SPEAKER—Order! The member for North Sydney will resume his seat. The member for North Sydney has wasted some of his question time, but not all of it is his responsibility. I will take note of that, but he should go directly to his question.

Mr HOCKEY—I refer the Assistant Treasurer to the Treasurer’s statement on 9 February in this House in relation to the flood reconstruction, when he said:

There is no way of funding it without a levy …

On 18 February, from London, the Treasurer said in response to the concessions made to the independents:
We have said that we will make further savings in the Budget and we will do that, and we will outline that on Budget Night.

I ask the Assistant Treasurer: why was it impossible to find further savings in February but it will be possible to find further savings in March? *(Time expired)*

Mr Albanese—Mr Speaker, I rise on a point of order. The shadow minister’s time had clearly expired.

The SPEAKER—Order! Obviously not directly enough, I gave a hint that I was going to allow more time. Order! I acknowledged that the member for North Sydney had contributed to his loss of time because of remarks that he added early in his question and there was then a reaction by those on my right that ate up a bit more time. Given that he was—at the member for Reid’s pace—trying to conclude his question within the 10 seconds I was going to allow him, that is why I acted in that way. The Assistant Treasurer has the call.

Mr Shorten—I would like to thank the Assistant Treasurer, sorry the minister, sorry the shadow minister for, sorry, the shadow Treasurer—

The SPEAKER—The minister will answer the question.

Mr Shorten—Sorry. As the opposition leader knows sometimes you have those momentary blackouts don’t you?

The SPEAKER—The minister will get to the question.

Mr Shorten—The question goes towards saying that the Treasurer on 9—

Opposition members interjecting—

The SPEAKER—Order! The minister has the call.

Mr Shorten—The shadow Treasurer has asked a question quoting the Treasurer on 9 February talking about the need for a levy. Then alluding to 18 February the shadow Treasurer quoted selectively from the Treasurer again. This government will make sure that it does what it has to do to fund the reconstruction which is necessary due to this flood damage.

This government is the only major party in here with a plan to help Queensland and other areas of Australia which were disastrously affected by the floods. What we propose is that two-thirds of the reconstruction be funded from the reallocation and reprioritisation of existing government programs and from changes to the programs. We are proposing that one-third of the reconstruction bill comes from the levy. That is what we have said we are going to do and that is what we are going to do. However—

Mr Christensen interjecting—

Mr Pyne interjecting—

The SPEAKER—Order! The member for Dawson and the member for Sturt!

Mr Shorten—the opposition seem to be making some play of the negotiations with the crossbenchers which will see $150 million change from the initial proposition which will then be found by budget time by analysing where further cuts can be made to compensate for the arrangements that have been struck in the negotiations over this flood levy.

But let us be clear. There is an assumption in the question somehow that, if given their druthers, the opposition have a better plan. They do not have a better plan. In their propositions for costings I think the shadow Treasurer made a mistake that the shadow finance minister might not have made in that he double counted some of the money which was promised for their cuts. I can understand the well-reported frustration of the capable shadow finance minister that he is not writing the questions which the shadow treasurer is asking. Let us be clear, there is no contradiction in what the Treasurer has said. We
will fund this reconstruction. All I would say to the opposition is that if they will not lead and they will not follow then just get out of the way and let Australia get on with flood recovery.

Multiculturalism

Ms PARKE (2.55 pm)—My question is to the Prime Minister. Will the Prime Minister outline to the House the importance of national leadership and shared values in debates surrounding Australia’s migration program and multicultural society?

Ms GILLARD—I thank the member for Fremantle for her very important question, raising as it does an important issue that confronts this House and this nation as it sits this week. We have proudly created a multicultural society with record levels of postwar migration. Indeed, I stand here as one example of that migration. Overwhelmingly, across those years, that multiculturalism, that unity, that non-discriminatory immigration policy has had bipartisan support. I am prepared to pay tribute to Prime Minister Menzies who supported postwar migration. I am prepared to pay tribute to Prime Minister Menzies for creating the Colombo Plan. I am prepared to pay tribute to Prime Minister Holt for ending the White Australia policy and to Prime Minister Malcolm Fraser for admitting Vietnamese boat people to this country and for creating SBS as one expression of our diversity and unity—bipartisanship all of the way.

For those of us who represent growth communities in this country—and I do—know that in those growth communities there is often pressure on people when they see inwards migration. People easily fear change; people easily fear difference. When they see increased pressure on public services sometimes that fear can turn to resentment. It is the job of national leadership to reassure in the face of that fear and to explain to people that there is ultimately nothing to be afraid of. Just as we have incorporated migrants in this country in the past we will incorporate migrants in this country in the future. As well as reassuring it is the job of national leadership to make sure that we plan services and communities properly so that fear does not turn to resentment.

There is another path and that is seeking to channel that fear and that resentment into political gain. We have seen that other path used in national politics. We saw it used by One Nation. I am so glad that this nation defeated that spectre of One Nation by coming together as political parties across the divide of this aisle and putting One Nation last on how-to-vote cards. I am really proud our nation did that. But I would have to say that spectre of those ugly politics, that grubby path, is before us again. The principal task of this parliament this week is to banish that spectre again.

Ms GILLARD—It will require the Leader of the Opposition to do some difficult things. It will require the Leader of the Opposition to replace his shadow minister for immigration.

Ms GILLARD—It will require the Leader of the Opposition to replace his shadow parliamentary secretary but, in the interests of banishing that ugly spectre from national politics, that is what the Leader of the Opposition must do this week.

Ms GILLARD—We have a clear path forward which we should be on together—bipartisanship about multiculturalism, bipartisanship about the rights and responsibilities of citizenship and bipartisanship about a non-discriminatory immigration policy. Let’s
hope that is how we end the week. I fear that is not how it started.

The SPEAKER—Without outlining them, I direct the Manager of Opposition Business, the member for Sturt, to withdraw three interjections that were beyond the pale.

Mr Pyne—in deference to you, I withdraw, Mr Speaker.

The SPEAKER—I thank the Manager of Opposition Business, and I suggest to him that given my warnings earlier today he desist from interjecting. I simply say to others glaring and getting awfully upset about the proceedings of this House that there are some occasions when it is better to allow a course of action for an answer to be done in its completeness without interruption, and I believe that that was the course of action that was appropriate on this occasion.

Health

Mr ABBOTT (3.00 pm)—My question is to the Prime Minister. I ask the Prime Minister: will she inform the House why she claimed in her year of decision and delivery speech last November that the Commonwealth share of hospital funding will increase to 60 per cent and that the GST will be taken from the states but then dumped these changes within three months? How can what was right then be wrong now? Hasn’t the year of decision and delivery become the year of backflips and broken promises?

Ms GILLARD—We know that maths was never the Leader of the Opposition’s strong point, so let me explain to him the reforms that I have entered into and why I have entered into them. They provide to the states and territories the same amount of growth money as would have been provided under earlier reforms. That means that we will be an equal partner in growth: fifty-fifty for the future. Of course, it will be in the interests of the Commonwealth to properly fund primary care to keep people out of acute hospital beds because we are equal partners in growth.

I can understand the Leader of the Opposition’s naivety about all of this—because he never did it as health minister over five long years—but to strike a national health agreement with profound reform consequences requires you to get agreement from the states and territories. It was clear that we did not have agreement from Western Australia, and, following the election in Victoria, it became clear we were unlikely to hold agreement from Victoria. So in those circumstances I made a decision about how we could deliver national health reform and growth money with the key reform elements in place and get a national agreement.

I knew it was not going to be easy, but at the Council of Australian Governments meeting I did it. I did it in the nation’s interest and in the interests of every Australian. Profoundly I did not want someone in Perth or someone in Broome to have different healthcare arrangements to someone in Brisbane or someone in Cairns. I did not want people in Brunswick to have different healthcare arrangements to people in Burnside in South Australia. I wanted people the nation to benefit from more money in hospitals, from more doctors, from more nurses, from more transparency, from more local control and from more efficient pricing. I wanted them to benefit from that, and I wanted them to no longer have to tolerate the waste, the waiting times and the bureaucracy that have been characteristics of the system today. In those circumstances, I moved to the agreement that I struck at the Council of Australian Governments meeting.

Let us just for one moment consider the alternative. Presumably the Leader of the Opposition remains committed to the things that he did as health minister: a declining percentage of hospital funds, GP cutbacks so
that there were always GP shortages, never training enough nurses and $1 billion out of public hospitals—these are the things that the Leader of the Opposition stood for as health minister. If the Leader of the Opposition no longer stands for those things, wouldn’t you think that, having been opposition leader for this amount of time, he would have a comprehensive healthcare plan? After all, of all the areas of public policy that he should have a grip on, health should be the one where he has the best grip—five years as minister. But what do we see from this Leader of the Opposition? Negativity, carping and no plans. We will get on with making a difference for people around the country, and you get on with your whingeing because you are incapable of anything else.

Multiculturalism

Mr HUSIC (3.05 pm)—My question is to the Minister for Immigration and Citizenship. Will the minister outline to the House what the government is doing to support multiculturalism in Australia? How is this strategy being received? Are there any risks to this strategy?

Mr BOWEN—I thank the member for Chifley for his question. Last week I announced the government’s new multiculturalism strategy. Our response to the report of the Australian Multicultural Advisory Council The people of Australia is an opportunity for the government and for the House to say clearly and openly Australian multiculturalism has worked and to embrace that principle renewed. Australia invites new members of our community to fully participate in our society. The celebration of new cultures takes place in an environment of freedom and respect and traditional Australian values and, whenever there is a conflict between those values, of course those traditional Australian values must always win out. Not only has the Australian economy benefited from the immigration of those from diverse backgrounds of great skills but our society has also benefited from the cultures they have brought with them and sustained in this their new homeland. People come here not to change our values but because of them—because Australia is a place of freedom and tolerance and because Australia is a place of freedom and democracy. They come not to change that but because of that.

We on this side of the House are proud of what multiculturalism has meant and continues to mean to Australian life. In launching this new strategy last week, I noted that multiculturalism was not the exclusive child of the Labor Party or the Liberal Party. I pay particular tribute to former Prime Minister Fraser, who first made multiculturalism explicitly the national policy, and the Prime Minister also paid tribute to her predecessor a few minutes ago. It is the responsibility of elected officials to ensure that the debate on immigration and multiculturalism is handled sensitively, maturely and—most importantly—honestly. It is incumbent on all political leaders to uphold the values of freedom of religion and respect, and any pandering to or encouragement of any prejudice in the community has no place in the Australian political discourse.

Let me say this very clearly: this government condemns in the strongest possible terms the statements like those of the parliamentary secretary to the Leader of the Opposition last Friday. Senator Bernardi said: ‘Islam itself is the problem.’ As I said earlier, multiculturalism is based on the traditional Australian values of democracy and freedom, including freedom of religious expression. Any attack on any religion’s traditions is an attack on the freedom of religion of every single Australian. It is important not only that this side of the House condemns those remarks but that all members of this House condemn those remarks and that the
Leader of the Opposition not only distances himself from those remarks but also explicitly condemns the remarks of his own parliamentary secretary.

Multiculturalism and harmony depend on the promotion of mutual understanding, not the perpetuation of intolerance. Comments like those from Senator Bernardi do a great disservice to the traditions of his party. More importantly, they do a great disservice to this nation.

Hospitals

Mrs Andrews (3.08 pm)—My question is to the Assistant Treasurer. What will the Commonwealth’s share of the funding of any new hospital building be during the period of the government’s latest health reform proposal?

Mr Shorten—I am just trying to recall the seat that the member represents—McPherson. Congratulations for winning the preselection for McPherson, too. In terms of Commonwealth arrangements on hospital funding, the government remain committed, as we have since being elected, to reforming hospital funding in Australia. What we have done since the election, what has been negotiated most recently at COAG, is that 50 per cent of funding of the COAG arrangements will be done by the federal government. From 2014 to 2020, there will be $16 billion extra spent by the Commonwealth in this COAG arrangement. When we have a look at what has been done in terms of health reform and the efforts of the opposition—

Mrs Bronwyn Bishop—Mr Speaker, I rise on a point of order. I am just watching the minister get an answer from his colleague over there.

The Speaker—The minister was sat down because you have risen on a point of order. Now, come to your point of order.

Mrs Bronwyn Bishop—The point of order is that we are supposed to have direct answers given these days, under the new so-called ‘paradigm’. This is the same old preamble—not answering the question in particular. He was asked by the member for McPherson about capital funding for a particular hospital building. By now he might have the answer from his colleague.

The Speaker—I thank the member for Mackellar for reminding us of the question.

Mr Shorten—I always love it when the Leader of the Opposition gets his spiritual mother up to help him out! I did not ask the member to run her point of order, but I listened very carefully. In terms of infrastructure expenditure, just to assist the member for McPherson, our Health and Hospitals Fund is $1.8 billion, for which bids are currently open. We will be allocating up to $5 billion going forward. The member for McPherson is always welcome to go to the government website to find the answers to these questions, as well as question time.

Australian Natural Disasters

Mr Ripoll (3.11 pm)—My question is to the Prime Minister. Will the Prime Minister update the House on the government’s reconstruction efforts following the recent natural disasters?

Ms Gillard—I thank the member for Oxley for his question. As members of the House would know, not only does he represent a flood affected region but, indeed, his own electorate office was flooded. I did want to draw the attention of the House to a number of announcements that have been made about further assistance for those affected by natural disasters since the House last sat. When the House last sat, of course, we did in part talk through arrangements that had been made for natural disaster assistance. They included: the Australian government disaster relief payment; emergency money; the in-
come subsidy arrangement, which helps people who, either as working people or as small business owners or primary producers, are unable to go about their normal income-earning activity because of natural disaster; concessional loans; clean-up money and the like to support people, whether they be in small businesses or households; and some relief for householders who need to purchase new household effects and deal with the consequences of natural disasters in their home.

Since the parliament has last sat, the government has made two important announcements. I do direct people's attention, particularly those from Queensland, to the announcement that we made to support community groups in Queensland. I know that in the member for Oxley’s area—just one subset, but it was true right across Queensland—community groups have come to the fore, and many community groups themselves have been impacted by the natural disaster. So, under category C of the natural disaster relief and recovery arrangements, we are providing recovery grants of up to $25,000 for not-for-profit organisations in 36 local areas affected by recent disasters. Of course, under our standing arrangements for natural disasters, that is funded 75 per cent by the Commonwealth and 25 per cent by the state.

I also had the opportunity in the week the parliament did not sit to tour cyclone affected areas. I did that with the member for Kennedy. It was in his electorate, and I thank him for accompanying me during that visit. The member for Kennedy arranged for me to see some people who had been quite devastated by the cyclone in Tully Heads. Their homes have been very, very badly hit by the cyclone and will need a lot of assistance to get back. It also enabled me to meet with local banana growers, representatives of the Cardwell community, the Mission Beach community and Dunk Island community and to talk broadly with the local council about local needs.

I want to draw people’s attention to the fact that we have announced a specific cyclone recovery package. It is modelled on what was done in Cyclone Larry, but it is actually an improvement in significant areas. It provides for concessional loans of up to $650,000—that is a higher level. It provides for a grant component of up to $50,000. It provides for wage assistance to help businesses remain viable and to hold their workforces. It provides a $20 million rural resilience fund to enable communities to recover and come through. So I direct the attention of members in affected areas to these announcements. They will no doubt be called on to provide information to their local constituents. I believe it is very important to bring that to the House’s attention so that the right information can get to local community members.

Hospitals

Mr DUTTON (3.15 pm)—My question is to the Prime Minister. Will the Prime Minister confirm to all Australians that the 50-50 growth funding proposal for public hospitals will not commence until 2017—that is, 10 years after Labor first promised to fix public hospitals? As the government’s promise not to introduce the carbon tax did not last 10 weeks, why would anyone believe that a promise from this government would last 10 years?

Ms GILLARD—What I can say to the member and what I can absolutely confirm is that the track record of the Howard government when it came to a percentage of public hospital funding was all one way: down, down, down. Under this government and under our health reform proposals, it is all one way: up, up, up. It is an increased percentage from the federal government, because we care about public hospitals. Gone
are the days of the Leader of the Opposition ripping a billion dollars out.

What we are doing to the end of this decade is investing more than $16 billion extra in growth funds. That comes on top of having increased the Australian healthcare agreements by 50 per cent. It comes on top of making resources available for elective surgery to get through waiting lists—and that has financed, I believe, around 70,000 procedures. It comes on top of the amount of money that we have made available to upgrade emergency departments. It comes on top of the investments we have made in primary care, like GP superclinics. It comes on top of reversing our shortage of doctors by getting doctors into training. We were short of doctors, courtesy of the Leader of the Opposition, and we have moved to address that. We will train 6,000 doctors by the end of this decade. It comes on top of our investment in increased nursing places; we are training around 1,000 new nurses each year. I am very proud of those investments, which are making a difference.

We are making sure that money is not given without reform. There are no blank cheques. States will need to reform their systems—one transparent national pool, so you will know where the money goes. That is something the Leader of the Opposition could never have achieved, and indeed did not have the wit to dream of. Local hospital networks are another thing the Leader of the Opposition did not achieve and did not have the wit to dream of. This comes on top of making sure that around the country we know where efficient prices are being obtained—where there is no waste. Once again, the Leader of the Opposition does not have the reform drive to bring our market based tools to bear on a system like the healthcare system.

So I say to the shadow minister who asked the question that perhaps, rather than coming into question time asking questions like this, he would be better off seeing if he can think of a healthcare plan, because at some point people are going to turn to the shadow minister and say, ‘Well, if you are carping about the government’s plan—with its $16 billion, with its 50 per cent funding, with its transparency, with its efficient price, with its new standards, with its less waiting time, with its less waste, with its less red tape, with its more money, with its more doctors, with its more nurses and with its more investment in primary care—what is your plan?’ We will be awaiting the answer from the shadow minister for health, because we have not heard one yet.

**Australian Natural Disasters**

**Mrs D’ATH** (3.19 pm)—My question is to the Minister for Defence Materiel. Will the minister advise the House of the assistance provided by defence equipment and support crews during the Queensland floods and Cyclone Yasi?

**Mr CLARE**—I thank the member for Petrie for her question. Last time the parliament sat we heard a lot of stories about the incredible work that our pilots did in terrible conditions. This question gives me an opportunity to thank the men and women who put those pilots in the air and helped to keep them there.

Last year I spoke to an old pilot who told me that unless the ground crew can get you to the start line a pilot is not worth two bob. Over the last few weeks of this terrible summer, there have been a lot of men and women doing a lot of work to get our planes and helicopters to the start line. One of them is a man named Col Beal. Col heads up the Black Hawk maintenance team at Oakey. Our Black Hawks have already flown more than 700 hours this year. For every hour in
the sky, there are a lot more hours of repair and maintenance on the ground, and that has meant that Col’s team has done a lot of work early in the morning and late at night. Some of his team came back from Christmas holidays, others had their own homes flooded. Col had his head under a Black Hawk the day that his car was washed down the street in Toowoomba when the inland tsunami hit that town. It is because of people like Col and his team that we were able to deliver so many supplies to isolated communities and winch so many people to safety.

One of those people was an old lady who lives near the town of Forest Hill in the Lockyer Valley. On 11 January this lady got the shock of her life when she found a sergeant in a full flight suit and a helmet standing in her lounge room. It was 7.30 at night. He had been winched into her backyard into water waste deep. He waded around to the front steps and into her house and told her that it was time to go. She said, ‘Don’t worry, my daughter is coming around to pick me up.’ Unfortunately, that was not going to happen, because her house had been isolated and all the roads had been cut off.

The lady then went and got her purse and had a look for some change. She told the pilot: ‘Sorry love, I don’t have enough money for a helicopter.’ He told her: ‘Don’t worry, this one’s a freebie.’ She then went into the kitchen to put the kettle on and said, ‘Would you like a cup of tea?’ He said that he would love one but that they did not have time. He had been in the house for about 20 minutes. It was pitch black and the helicopter was still hovering overhead with three other people who had been rescued that afternoon and it was running low on fuel. He finally got her to the front door and onto her steps where he put a harness around her and, with live electrical cables only two metres away, was able to winch her to the safety of the Black Hawk.

This was only able to happen because of a patient and brave sergeant, because of the men and women hovering overhead in the Black Hawk and because of the men and women back at Oakey who had been working through the night to get that Black Hawk to the start line. It is a nice story. It is a nice story from a terrible day in a terrible month. It is also a timely reminder for all of us here that saving lives, just like rebuilding Queensland, requires us all to work together.

Government Advertising

Mr CIOBO (3.24 pm)—My question is to the Prime Minister. Will the Prime Minister confirm that the government has spent $13 million on government advertising like the one I am holding that claims that for the first time the Australian government will take dominant funding responsibility for our health system? How can the Prime Minister justify spending $13 million of taxpayers’ money making a claim that has been proven to be completely false?

Ms GILLARD—Now I have heard everything: a representative of the political party responsible for the ‘Unchain my heart’ campaign and the Work Choices campaign—in its hundreds of millions of dollars, together with the mouse pads that I presume we still have not managed to get rid of—coming into this place and raising a question about government advertising. But I will at least give the member who asked the question credit where it is due. I think he is one of the Work Choices supporters on the back bench still out loud and proud. That advertising worked for him. When he watched those ads and got the mouse pad, the pen, the coffee cup and all the rest of it, it certainly worked for him.

The government, of course, has advertised in the past and—here is the news—there will be things that we advertise in the future. It is appropriate to get public information to peo-
people about changes in government services, including reforms.

Mr Pyne interjecting—

The SPEAKER—The member for Sturt is warned!

Ms GILLARD—What the member may want to acknowledge is that the reform agreement entered into at the Council of Australian Governments meeting is a reform agreement that has the support of the Premier of Western Australia and the Premier of Victoria. This may cause the member to think to himself: ‘When people who were there who run states and health services are prepared to sign up to this reform, what should I conclude from this?’ What he should conclude is that it is not appropriate to come into this House and carp and whinge, particularly in circumstances where you have got no policies and no plans for the future.

Middle East

Mr MELHAM (3.26 pm)—My question is to the Minister for Foreign Affairs. Will the minister update the House on the developments in the Middle East?

Mr RUDD—I thank the honourable member for his question. The international community, including people in this country, remain engaged with recent developments in the Middle East because, ultimately, they impact on us all. If the democratic transformation process in the Middle East goes wrong in countries like Egypt, there are profound implications in terms of terrorism, the power of Iran in the region, what happens to global energy prices and what happens with the future of international people movements.

What we have seen across the Middle East in recent times is a universal cry for freedom. We have seen this right across the region. We have seen a call for freedom of expression, a call for the right to peaceful protest, a call for the right of freedom of political association and, above all, a call for the ability to have free and fair elections. These are rights enjoyed here, but Freedom House tells us that across the world half of the human family at present do not have these freedoms.

Of course, in a time of political change and political transformation, there are many uncertainties that lie ahead. For example, what will happen in Egypt? What will now happen in Tunisia? What will happen in other parts of the region? What many are concerned about is whether non-democratic forces using the new-found democratic freedoms of the region will exploit those opportunities and, if given the chance, then wind back the clock on democracy, as we have seen most atrociously in Iran.

That is why the international community has a responsibility now to stand by the people of Egypt and support them at a difficult time of political transformation. That is why we have senior officials from Australia and a number of other countries meeting in Brussels on Wednesday of this week. That is why we are in contact with foreign ministers around the world at present. That is why we are also in direct contact with the interim Egyptian government about the needs they have now to stabilise food prices, in order to maximise economic and social stability at a time of radical political change.

Beyond all of this, I could simply say to honourable members that we have also been seized by recent developments in Libya. Today I have instructed the Department of Foreign Affairs and Trade to call in the Libyan ambassador to register our condemnation, together with that of other states around the world, of the flagrant use of lethal force against innocent civilians in Benghazi. The threat of the continued use of lethal force has been reiterated only this morning by the son of Colonel Gaddafi, Saif Gaddafi. We have
upgraded the travel advisory for Libya. We have something short of 100 Australians registered as resident in Libya, and our consulate-general in Tripoli remains in contact with Australian residents there.

Early this morning I also spoke to the foreign affairs minister of Bahrain. Honourable members will know that in Bahrain we have also seen a loss of life, but the Bahraini authorities have decided in the last three days to withdraw their military from the streets and to also instruct their police to use non-lethal means to deal with peaceful protests. We will continue to monitor this closely.

This is a time of great uncertainty across the region, with protests in Morocco, Algeria, Libya, Sudan, Saudi Arabia, Yemen, Bahrain, Jordan, Syria, Iran and Iraq. The time is now for political transformation and support for these countries around the world.

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

PERSONAL EXPLANATIONS

Mr FitzGibbon (Hunter) (3.31 pm)—Mr Speaker, I wish to make a personal explanation.

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

Mr FitzGibbon—I do indeed, Mr Speaker.

The SPEAKER—Please proceed.

Mr FitzGibbon—On Friday, 11 February, Fairfax newspapers ran untrue and malicious stories about me which were entirely without foundation and which Justice Garling of the New South Wales Supreme Court described as ‘disgracefully misleading’. These stories were published despite the fact that I have commenced defamation proceedings against Fairfax. I will continue to energetically pursue Fairfax for substantial aggravated damages for the harm its journalists have done to both me and my family.
Dr STONE (Murray) (3.33 pm)—In continuation, I want to make it very clear that this government has no other option, if it really does believe in the rights of rural students to tertiary education, but to move urgently to reinstate the criteria that the coalition had for all rural students in relation to independent youth allowance and then to move as swiftly as possible to introduce a comprehensive new way for rural students to be able to equitably access tertiary education.

The problem is that the boundaries or zones that this government now uses to discriminate between inner and outer regional students were not designed to have anything to do with how close a tertiary education institution is to a population or the socioeconomic status of families in those zones. In fact, they were introduced for medical doctor retention purposes. It was either laziness or stupidity that saw them simply adopted to separate out the haves and the have-nots in terms of potential access to tertiary education.

It would not be so bad if the government at least understood and helped the rural universities now in country areas. But they have not built at all on the coalition legacy of trying to make sure that there are some tertiary education offerings beyond the tram tracks of metropolitan Australia. So there is no option for country students. In a place like Shepparton, which has a La Trobe University campus, there is only a very limited offering of university courses. It is no good if you want to do medicine, law or engineering. There are only business courses and some arts courses available. So I have to repeat: this government has neglected and callously disregarded rural students on so many fronts. It has not built up tertiary education offerings in regional Australia. It has introduced this nonsense approach to divide those who can still, under the old coalition criteria, apply for a one-year gap year and only 15 hours of work a week to become independent youth allowance recipients. It has left people in so-called inner regional Australia—and that includes people in towns like Shepparton and up to Deniliquin—with a two-year gap period that universities very rarely acknowledge as acceptable, and it leaves them in despair. In fact, in my electorate of Murray, there was an enormous drop in those even applying for tertiary entrance this year; and that is a tragedy. Students did not even aspire anymore to trying to gain a university qualification, even though their merit was as great as it ever had been, and even though, in ignoring the merit of country students, it is a direct violation of their human rights. I repeat: this is a travesty of justice for country students. The solution is in the hands of this government and it can be delivered today.

We do not have any alternatives, and for this Prime Minister—the architect of the problems we have on our hands today—to encourage her Attorney-General to say this is all about a constitutional problem and we should not even debate the bill: how cynical and callous can you get. I can imagine would-be tertiary students in my electorate listening to that and again despairing about the two-speed economy and the two-speed access to things like future tertiary education that is being encouraged by this government. I certainly will not be supporting either the amendment that has been moved or the proposition that we completely walk away from the needs of country students today. I urge this government to look at the rights of country students and to act with some humanity and sense of equity and fair play.

Mr OAKESHOTT (Lyne) (3.37 pm)—I think there are many of us in this chamber from regional areas who are salivating at the chance to talk about better regional access to education and I know there are many members of parliament who are also salivating at the chance to have some parliamentary push-
back on the executive. This is therefore a welcome debate before the House this afternoon. I need to also reflect and hopefully remind the House why we are able to have this debate: it is because we have a working parliament with tight numbers.

We have had a successful vote on the opposition motion on youth allowance because we were able to negotiate in this parliament the ability of private members to bring forward motions and private members’ bills for debate in this House. We are having a vote because this parliament allows for debate and consideration on private members’ bills. I think generally we are talking about regional education because of some sensitivities of many members of parliament pushing the importance of regional education and access and participation in education.

We are also talking about some of the deeper questions faced by a chamber such as this with regard to the roles that are played by a parliament and members of parliament versus those played by the executive. Again, it is not a debate that is normally had when there is a majority government, so I welcome this opportunity. Hopefully, all members will reflect on why we are having this debate and the advantages that come with a tight parliament, and hopefully those traditions can now continue whenever a majority government returns in the future.

I think the point was made in earlier debate about reflecting on traditions of parliamentary procedure and practice; however, it is also fair and quite right to say that this is a unique set of circumstances, and so those traditions need to be lined up against the realities of the moment. We should not be afraid of, if need be, shaping precedent for the future and being aspirational about shaping a direction for this parliament and the people of this country that is in the national interest.

With regard to regional education, access to education and youth allowance, I would not be on my feet right now if it were not an important issue. To be fair to all sides of politics, I know many members of parliament, both privately and publicly, have also expressed similar views. We can bang on about the politics, but the reality is there is an issue, there is a problem and it does need to be resolved. Before we get there, however, we are also in denial if we do not recognise there is a constitutional question before the chair. I will not say whether I agree or disagree, but there is a question before the chair. The clerks of the House of Representatives deserve to be listened to. Their advice and the advice from the Speaker deserve to be heard. We can deny it, but I think the legal advice to government and the detail that has been provided deserves to be listened to and considered.

From my perspective, I accept the fact that an appropriation without savings is questionable with regard to constitutionality. We can argue yes or no, but what is without doubt is that, if a precedent is established from this legislation, it is definitely unwieldy with regard to the way government would operate into the future. So we have constitutional lawyers at 10 paces, but in the end the question is: can government function with members of parliament in US congress style putting up private members’ bills with money attached to them and without savings measures? That deserves consideration, and I accept that that is a step too far for functioning government.

However, there is an amendment from the Greens and it captures the compromise position. If there were to be savings measures attached to bills in the future, that is a sensible move for parliamentarians to demonstrate in whatever they want to bring forward as a preferred issue that it is important to them. If they can attach to that legislation savings
measures of an appropriate amount, I think it is a sensible amendment to the principles of how an Australian House of Representatives could or should work into the future.

That amendment is one that I will certainly be supporting, and I will be interested to see how all parties deal with it. I can only guess that the government will violently oppose it, again from the executive position. The question will be for the opposition to consider, because denying that as an opportunity when going for an even higher standard of having direct access to the Treasury bench from opposition is an odd position. The question of Treasury or bust versus a compromised position where all of us have to meet the discipline of presenting bills with financial savings as well as any money requests, I think, is important for a parliament in its dealings with the executive and the Treasury.

In the case of the bill that has come from the Senate, and in particular from Senator Nash—and I congratulate her, by the way, for bringing this bill forward and bringing the issue forward to this House—I hope it is an example to some of her party colleagues, not in this place but in the other place, who got us into this mess or were a party to getting us into this mess. At the end of the last parliament, the Senate cut an ugly deal that created this concept of ‘inner’ and ‘outer’ regional areas and placed a geography test on top of a poorness test. That has proven to be a failure. So for Senator Nash to pick that up early and bring it on, I think, deserves congratulations, and hopefully the Senate has learnt a lesson on the back of that.

Mr Chester—Say it again, Rob; she’s here now.

Mr OAKESHOTT—I just praised Senator Nash, who has just joined us. What is not in that legislation in detail, which is unfortunate—I gather it is in press releases and in public commentary—is the nation-building fund as the funding mechanism. That, for me, is a problem—that it is not actually identified in the bill. Going back to that previous point is the reason why. It would have been handy for the funding mechanism to be identified, as well as savings measures alongside that. The nation-building funds do place pressure on the budget bottom line. If there is a spend from that, they are accounted for in the budget cycle and they therefore need to be addressed as a budget item. Therefore, it is not as if these nation-building funds are off on one side as something that can be tapped without budget consideration. At the moment we are all going through the regional round of the Health and Hospitals Fund. That will have budget implications. There are important capital expenditures that are hopefully going to be announced over the next three or four months for many regional projects. Wagga, in front of me, is one example; Port Macquarie is one; so is Tamworth, next to me—look at all the hands go up. These have budget implications and are an example of why these nation-building funds cannot just be tapped without broader budget consideration. So for me it is not an either-or.

The other problem with the nation-building funds is that, if we just tap the education funds or nation-building funds generally, what they were going to be used for starts to be questioned. The EIF, as part of the agreement that was reached with government, does have a regional capital round attached to it, and that will hopefully be opened by government soon. I have been meeting with many vocational education providers and universities who want to develop some really good projects for education, many in regional and rural Australia. Therefore, another genuine concern is this either-or choice between youth allowance and the EIF. I would prefer that we be able to see the EIF do its job of providing capital
projects for education in regional Australia and that we do what we can to get the result of better youth allowance outcomes for regional and rural students within Australia and tackle that topic of engagement with education and increasing participation rates.

In response to all of that, what I have tried to do is capture the very real substance of the issue that has been raised, and that is the issue of this ‘inner’ and ‘outer’ regional designation and the problems associated with that for many students. The electorate of Lyne is no different to any other. I now have a line right down the middle of the electorate—a line in the Lyne—where there are those that are in and those that are out and have a different set of rules of qualification for independence. But I also do not want to see a constitutional argument, rightly or wrongly, used as a show stopper in getting this issue addressed, either wittingly or unwittingly.

So, in response, over the past week several of us have been trying to reach an agreement with government on the substance of the issue, and we have reached an agreement in the following terms. It is that the government will bring forward by 12 months the review which is required by the social security amendment act to report by 1 July this year. That is only about 16 weeks away. It is not just another committee; it is the legislated review that is part of these youth allowance changes. This is bringing it forward to a time now 16 weeks away—something that is not in the substance of the bill itself, by the way. So we can now bring that forward and start that process of considering the impacts of the recent reforms, including the capacity of regional students to access higher education and appropriate savings that can be made to pay for extensions in eligibility for youth allowance. The changes will be informed by the findings of the review. The government will present legislation to the parliament this year with a view to implementing new eligibility arrangements with effect from 1 January next year—so 2012. The government will ensure that the new eligibility arrangements which would be implemented from 1 January would eliminate the distinction between inner regional and outer regional students, so we have blown up that concept—that deal that was done in the Senate—of the hybrid model and the geography test put on top of the poorness test, which is the fundamental problem that we are debating today. The final agreement point is that the solution will be evidence based, financially responsible and sustainable in the long term. Given the tough budget environment, any new spending needs to be offset by savings. If there is any political capital in this at all, in my view it is that last point. Depending on events today, if this is where we end up then the arguments around the savings measures and the ability for as much money as possible to be put into youth allowance based on a poorness test are an important fight for all of us regardless of political persuasion.

I will be surprised if we get down to the substance of the bill, because I do think there is a constitutional fight to be had. I acknowledge the amendment that has been put up by the Greens, and I think that is a sensible compromise position for the parliament in its relationship with the executive. I certainly think that provides some good prudential boundaries for members of parliament when they bring bills in in the future. I hope to see, either through this bill or through the actions of government through the agreement reached, the issue of regional participation in education finally getting addressed, and addressed in an equitable manner.

Mr TEHAN (Wannon) (3.52 pm) — I find it alarming that we are here today debating whether we can debate the Social Security Amendment (Income Support for Regional Students) Bill 2010, but it does not surprise
me that we are doing it when you look at the newspaper headlines of today such as that in the Tasmanian Advocate ‘Students urged to lobby for equity’:

The fight continues to give Devonport and La-trobe students the same youth allowance entitle-
ments as their North-West counterparts.

The member for Braddon is quoted in this article. Mr Sidebottom said he was happy to debate the issue again. I look forward to Mr Sidebottom joining us so that we can debate this in proper terms.

The DEPUTY SPEAKER (Hon. Peter Slipper)—The honourable member for Braddon, I think, is the term that the member for Wannon intended to use.

Mr TEHAN—Thank you, Mr Deputy Speaker. This is a very important speech and I got a little bit excited and carried away. The Courier Mail headline is ‘Backflip on youth: Gillard blows millions’:

In a spectacular backflip likely to cost hundreds of millions of dollars, the Gillard government will today announce it is fast-tracking a review into regional youth allowance.

‘Gillard cave-in heads off crushing defeat’ says the Daily Telegraph:

The Gillard government has caved in to a $300 million Coalition demand and will overturn its youth allowance laws in an extraordinary political precedent.

‘Coalition push on student pay bill’ says the Age:

The federal Coalition hopes to make history today by forcing Labor to relax youth allowance eligi-
bility for regional students.

That is why Labor does not want to debate this bill. I have a word of warning to the crossbenchers on this; private members’ bills are worthless unless they lead to action. We can have debates and we can talk for 12 months or for two years, but unless we get action on this issue the debating will be meaningless and the private members’ bills will be meaningless.

I use an example of a family in Tarrington in the electorate of Wannon who have con-
tacted me. In this family currently there is a student who under the old rules is accessing independent youth allowance and attending university in Melbourne. There is another member of this family who wanted to do exactly the same thing this year, but they have not been able to and, under what is being proposed by the government, they will be left in limbo. Fortunately, if these changes go through, there will be a third member of the family who will be able to access once again independent youth allowance and will be able to go to university. But, as a word of warning to us all, we have to do our best to look after the student that has been left out.

While she is here in the chamber, I would like to praise Senator Nash for her bill. She has been like a dog at a bone on this issue and in defending regional and rural Australian students. I congratulate her on her fore-
sight in getting this bill through the Senate and into the House today. I also praise others on this side who passed a bill on this through the House last year. It goes to show that what we need is action now.

I understand that what has been agreed by the government with the crossbenches is to bring forward the review into what is happen-
ing to regional and rural students as a result of the changes which were made to the independent youth allowance. We do not need another review. I am sure a visit by the Prime Minister or the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and the crossbenchers to any regional or rural electorate will suffice because there is no issue for young people in my electorate—and, from what I have heard, from other members—that has hit a nerve like this independent youth allowance issue. It is seen as

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discriminatory and the record sadly is backing that up.

A report just released called *Deferring a university offer in regional Victoria 2010* shows that 30 per cent of those who defer do not take up their offer or remain in their course. We are forcing more people to defer their course to get income so they can work, yet in regional Victoria 30 per cent of those students will not end up completing their course. More than 81 per cent of those who defer are in the two lowest quartiles of socioeconomic status. These laws are targeting the most vulnerable, those people who cannot afford to go to university. They are the ones who are being disadvantaged. Only 7.8 per cent of city students deferred in 2010 compared with 15.2 per cent of regional students. There is an inequality between city and country areas—that is the divide. As Toni Jenkins from the Southwest Local Learning and Employment Network said when she read this report, data indicates that the academic profile of students in our region is just as high as in metro areas. It is clear that other factors, such as financial hardship, are impacting on their outcomes. We have the evidence already; we do not need another review. We do not need a gag on a debate on independent youth allowance. What we need is action—we need action so that regional and rural students can access the income that they need to go to tertiary education this year and next year.

**Mr CHRISTENSEN** (Dawson) (3.59 pm)—I rise to speak on the Social Security Amendment (Income Support for Regional Students) Bill 2010 as a representative who lives in an area that is classified as an inner-regional zone of the Australian Standard Geographical Classification Remoteness Area. I represent students in the Mackay region, who are discriminated against by this legislation which restricts the independent status of youth allowance.

The members opposite have created the situation where students in some regional areas, such as those in Mackay, are treated differently to others when it comes to youth allowance. They have created the situation where students in different towns in the same region are treated differently when it comes to youth allowance. And they have created a situation where students on different sides of the street are treated differently when it comes to youth allowance, as the Leader of the Nationals outlined in the House earlier.

They have effectively created an apartheid policy in relation to youth allowance: a student apartheid. You can either get access to the independent rate of youth allowance through one set of circumstances or you can jump through a whole heap of other hoops and hurdles as students in Mackay have to do.

Today, we have the opportunity to do something about this disgraceful situation. Now we have the Labor Party trying to shut down the debate; trying to stop the vote just in order to save face. Those opposite are very happy to put politics before students; they are happy to continue to screw students over in order to save face on this issue. What a hardhearted bunch these people are. These students are real people we are talking about; they are affected by this atrocious situation—this student apartheid that the government have created. They are real people, often from families who are struggling with rising costs of living already who want the best for their children, but who are unable to fund their university degrees.

And why would that be? We could look at the University of Queensland, which outlines on its website the costs that an average student incurs. I note that many Mackay students do find their way to Brisbane to study in degrees that are not offered locally. UQ says that a student living in shared accom-
Ammodation and off campus would pay approximately $14,248 for rent, food and utilities, and approximately $3,210 for establishment costs when setting up their accommodation. That is more than $17,000 in the first year alone.

But wait, there is more. UQ goes on to mention the additional living expenses, such as public transport, entertainment, telephone costs, textbooks, photocopying and clothing. And there is more: personal access to a computer and the internet is recommended for all students. And for those who need a car to get about it can vary from anywhere between $5,000 to $25,000 and $90 a week fuel costs. That is a costly exercise for most people, particularly students.

The bill that the coalition wants to put before this House helps those students and helps average families who send their students off to university. It does so by allowing students easier access to a higher rate of youth allowance, this being the independent youth allowance.

On this side of the House we have all had numerous people contact our electorate offices about this apartheid situation. I just want to draw the House's attention to two of these people in my electorate of Dawson. The first of these is 62-year-old Stephen Parker, who happens to be the father of a young daughter who has begun studying a medical degree in Townsville. She does not get that independent rate of youth allowance, even though for all intents and purposes, she is independent. She just does not get it because it is too hard to get under the current arrangements.

Mr Parker, who is going to retire in about three years time, wrote to me about this matter, and towards the end of the letter he says: I would not be writing to you at all if I lived in Townsville, Brisbane, Sydney or any other capital city. ... My peers who live in these places have no such burdens to face and indeed many will avail themselves of assistance as well. Living outside of these places puts extra costs on families not to mention the additional hassles of finding accommodation, security and all the other worries of having children living away from home. Many of these costs are substantial. It is these extra costs that should be helped with by the government.

Sadly, all too little consideration is given to these costs under the present scheme.

For Senator Nash, who was here earlier, and for all those who are lobbying to change this, Mr Parker goes on to say that he wants to thank this side of the House for what they have done so far and he encourages us to continue lobbying for these changes.

I also want to mention the case of young Matthew Flor. His father, Darrell, wrote to me about this situation and he said that Matthew:

... completed a work placement at Team Engineering in Mackay for which he was paid. The amount that he was paid allowed him to qualify as an independent student for youth allowance purposes according to the criteria that was published on the Centrelink website at the time. Matthew finished his work placement on the 27th June, which allowed him a few days to complete his application for youth allowance before returning to Rockhampton to commence study for term 2. Using the criteria available on the Centrelink website, he completed his application and lodged it in person at Mackay Centrelink on the morning of 1st July 2010 ... The Centrelink employee who accepted his application actually congratulated him on providing all the required information for independent status, and advised that he should not have any trouble with qualifying.

Matthew was later advised that his claim was rejected because the rules for independence changed on 1st July 2010.

One day late—so Matthew misses out now because of the hard heartedness of those members opposite. His family now has to scrimp and save, and no doubt Matthew has to chip in as much as he can—as much as a
struggling student can—all because they created this apartheid situation. Here, now, is our chance to overturn this disgraceful piece of legislation; to give Matthew Flor, Ms Parker and many other Mackay students a fair go.

Members of the House have been pressured to say that the legislation that we are proposing is unconstitutional. Those opposite claim that it is unconstitutional, or that it is about appropriation or whatever they can dredge up to try to ensure that this bill does not see the light of day. But not everyone on the Labor side actually agrees. The President of the Senate, Labor Senator Hogg, put the view that the bill in question does not appropriate money, and he went on to say that it:

… does not need to do so because any funds required to support the measures in the bill have already been appropriated by the parliament in the form of a special appropriation of indefinite amount in section 242 of the Social Security Administration Act 1999.

The Clerk of the Senate has also said that parliament has agreed to a standing or special appropriation under the Social Security Act, which has effectively given a:

… perpetual blank cheque for payments to be made. This means that a bill to change entitlements, such as providing wider access to income support, does not need to appropriate any money because the appropriation is already in place.

That is pretty much clear cut: this bill is not about appropriation and it is completely constitutional. There is absolutely no reason to hold this bill up. I say to the House: let this bill be debated, let justice and fairness for Mackay students prevail and let this bill pass.

Mr McCORMACK (Riverina) (4.07 pm)—This is about fairness, equity and assisting regional students to have the same opportunities as those who live in capital cities. If, as this government often claim, their focus is on regional Australia, here is the chance for the government to put action where their words are—real action, real policy and real hope for country students. Here is the test. It is not a geography test. It is not a test between inner and outer regional students. Allow the bill to be debated on the floor of the House of Representatives. What does the Prime Minister have to hide? I would like to see the Prime Minister show genuine leadership and help the bill pass. If the Prime Minister decides not to do this then I would like her to tell the students of Wagga Wagga, Junee, Tumut, Gundagai, Coolamon, Batlow and Adelong in my electorate—and all of those students in all of the other electorates, including those in Labor electorates, and also those in Mackay—why she will not allow them fair and just access to independent youth allowance.

Labor’s claim that the coalition’s policy to fix youth allowance for regional students is not offset with savings is a nonsense, a lie and a disgrace. As stated in the accompanying document to the bill, the coalition proposes that this be funded from the Education Investment Fund so as to be budget-neutral. The Social Security Amendment (Income Support for Regional Students) Bill 2010 was introduced by the shadow parliamentary secretary for regional education, Senator Fiona Nash, last September. It follows a similar motion that was moved and passed in the House of Representatives. The bill was passed in the Senate on 10 February 2011, with 35 votes in support and 33 against. The Greens and Labor opposed the bill—what would you expect? Independent Senator Nick Xenophon and Family First Senator Steve Fielding voted with the coalition. The Labor government, in an unprecedented move, wants to scrap the bill, even sounding out the possibility of Governor-General intervention. This is an extraordinary move by a government running scared from the parliament because it knows it will and it should
lose the vote on the floor of the House of Representatives.

The changes to youth allowance which passed the Senate will not even be considered by the people’s house if the government has its way. How undemocratic. How unfair. How un-Australian. This is in conflict with the 2008 precedent established when the Rudd government allowed a coalition bill that had originated in the Senate and which sought to increase the pension to be presented to the House of Representatives. A motion to do exactly what this bill proposes passed the House of Representatives with crossbench support last year. The government knows it would again, and it is too weak and too insipid to face the music this time. We do not need another review. This is, if the Prime Minister is to be believed, to be the year of delivery and decision—not delays—so just let the bill be debated and let it be passed. Students in the inner regions who cannot access youth allowance will be the big losers if this government persists with this abhorrent and discriminatory tactic.

Mr CROOK (O'Connor) (4.11 pm)—I am bit surprised we are having this debate. This, in my view, has been through this House once before on the back of the member for Forrest, and the vote was won. There was a passionate plea from the Senate. In fact, I thought there was a fire in the Senate on Thursday, as the bells were ringing so often, and the Social Security Amendment (Income Support for Regional Students) Bill 2010 was brought back to this place.

I think it is a shame that we have got to this point where we are now putting pressure on the Speaker. I think the government should have used the opportunity and realised that this motion would be won in the House as it was last year when the member for Forrest got her motion up. With the great work of Senator Nash in the Senate, I think that the government should have taken the opportunity, bitten the bullet, realised the error of their ways and looked out for those inner regional students in this situation. It is a lost opportunity. It is a shame that there was any inequity in the first place. That to me is the biggest travesty in all of this—how a line on a map can determine whether or not you get youth allowance. It is clearly and blatantly wrong.

Mr WINDSOR (New England) (4.14 pm)—There are a few issues that I would like to raise. Essentially, we are looking at two issues here. One is the substantive issue of youth allowance. We have talked about that a lot. In the previous parliament there was legislation that came in. I was involved in some of it, and I think the member for Sturt would remember that there were games played. The outcome that we are dealing with at present was not a perfect outcome. In fact, a deal was eventually done in the Senate. I think the member for Lyne has referred...
to it as ‘a dog of a deal’. I think most of us recognise that it was not perfect and that it was to address a certain sum of money rather than a sum of students. Nonetheless it did occur, and I remember quite clearly that the Minister for Education at the time and the current Prime Minister was trying to negotiate with one of the senators—who will remain nameless for this exercise, but I think most people who were closely involved at the time would know which senator I am talking about. I tried to negotiate a better outcome in terms of a regional package for students who were going to be disadvantaged, particularly that cohort of students who were going to have to leave home to find a job to prove that they were independent of their home so they could achieve an independence test for the youth allowance. That was a proposal of about $30 million which died in a ditch but would have got the support of government at the time had in fact, one particular senator seen the benefits to country students of taking on that regional package.

The youth allowance is an issue that all country members are very concerned about. There was also an issue—and I still think it is an issue—where city based students in particular use the independence test to obtain income and then live at home. They get the benefits of both worlds. There is no doubt in my view that under the Howard arrangements there was rorting going on in the system. On extreme occasions two fathers would exchange cheques for $18,600 to prove that their children were independently earning income over a period of time and, therefore, could access the public purse for assistance. I can remember—and I think the member for Sturt can remember quite clearly too—how there were issues of retrospectivity which have since been cleaned up. Because of the various constituency bases in here there were issues of city based children who did have the option of living at home and attending a university accessing the public purse to the same degree as a country child at Walgett, where they do not have a university and have to leave home to study. The member for Parkes, which includes Walgett, is sitting in front of me. So there are still inequalities—and they were in the coalition’s argument as much as they were in the government’s argument at the time.

Before moving on to the second part of the issue I want to bring some members of parliament and the community up to date on what happened in the previous parliament. During the coalition years the income test for students had a cut-off point that started at $34,000 to $42,000. It was $34,000 at one time and $42,000 at another. Students’ family income, once it reached $42,000, started to decline in terms of the capacity of that student to access youth allowance. That is not saying it disappeared immediately; it started to move backwards. I was supportive of the then Rudd government in addressing that issue, because there are a lot of kids, country or city, who could not go to university because their parents were relatively poor. The $42,000 ramp-down figure was far too low. The emphasis changed slightly and was done to within a dollar figure rather than trying to address the substantive issue. The government increased the income test. I have had countless parents in through my doors and I am sure other members have as well. When the debate is solely about the independence test, when you refer them to their accountant the penny very often drops and they say, ‘Oh, I didn’t realise that; I didn’t realise that my child could obtain youth allowance at relatively high income levels.’

I will give some examples. For a family income of $80,000 with two students at university, if they had taken the year off to prove that they were independent under the old arrangements or even under the current
arrangements, the family would get $28,000 annually. That is not $28,000 each; that is the assistance that the family gets. Under the family income arrangements, based on the $80,000 income the family would receive $21,300. The cut-off level for that family would have been $72,000 under the old arrangements. They would have got nothing. For a $100,000 income in the same example, that family would still receive $17,300 under the independence test. That is not as good as being independent, because the family would get $28,000, but it is still a substantial sum of money bearing in mind that the ramp-down started at $42,000 previously. Even at $138,000 family income those two students, where one is in year 1 and one is in year 2, would have the first-year student get $6,250 because of the various scholarship arrangements that were put in place. They were not in place under the old arrangements. The second-year student would get $3,250 plus a small youth allowance. But even a dollar youth allowance allows you access to the Start-Up and Commonwealth scholarships. So even at that level that family would receive about $10,000 assistance by way of youth allowance based on income. The cut-off level is actually $139,000.

I raise those issues because a lot of parents out there think the only way to get youth allowance is through the independence test—the gap year plus the 30 hours a week on average and all the things that we are talking about in this piece of legislation. So we are very supportive of youth allowance, there is no doubt about that. There is a deal that has been done. It is not a review; it is an arrangement. It will happen; there is no doubt about that.

The other point that we have to be serious about is the constitutional issue. I am as emotive about youth allowance as anybody else in this room, but we have to have a parliament that can actually function. I congratulate the senator for bringing this bill to the parliament because it has highlighted an issue that will now be addressed. The crossbenchers have been very active over the last few months on that particular issue. That is a good thing and it will be addressed as of January next year.

I have sought independent legal advice. I think anybody who has taken the time to get some independent constitutional advice on this would see and there is no doubt in my mind, contrary to what the Senate have said—and they can say what they feel; I do not have a problem with that—that under sections 53 and 56 of the Constitution this bill is not a legal entity in terms of the capacity to deal with it in the House of Representatives. In this hung parliament, I signed a document that guaranteed supply to the government. Supply is the budget bills. If we go down this route, we are going to start to develop an arrangement which allows any of us to bring in a money bill, which I have a no doubt that this is in that it appropriates money not from the education infrastructure fund but from the social security administrative standing fund. It is an appropriation bill in any language.

If it is an appropriation bill, I would accept the advice of the clerks. I think all of us have the highest regard for the clerks in this parliament. We might question the Speaker from time to time. I do not terribly often, irrespective of which side of the parliament the Speaker is from. I think I have once. We must respect the judgment and the knowledge of the clerks in terms of where we sit in the House of Representatives. I have also sought other independent constitutional legal advice and it indicates to me at least that there are some issues here. This means of introducing legislation through the Senate and appropriating money from existing funds is inappropriate. What do we do about that? What have the crossbenchers done about it?
We have attempted to recognise that there are these two issues, which are different issues.

One is a vehicle to achieve an outcome which Senator Nash should be respected and praised for. It is an outcome that should have been achieved a year or more ago, whenever the legislation came to the parliament. Now we find that, if in fact this bill did get up, it would be unconstitutional and the government would have no recourse other than to advise the Governor-General not to endorse it. So nothing would happen to the substantive issue that we are trying to achieve here in getting a better outcome for students in inner-regional areas. The way to overcome that particular problem is to come up with a solution that addresses the substantive issue. That is being done in conjunction with negotiations with the government and will come into play, as the member for Lyne said, from 1 July and will then be implemented on 1 January next year. That is a good outcome for what I think most of us are trying to achieve.

The other outcome is to go through the antics of this constitutional challenge arrangement about whether it is an appropriation bill from a standing fund and whether the Senate can introduce a private members’ bill that appropriates money, including the whole argument about whether it is money because the word ‘appropriation’ has not been mentioned in the bill. I think we have to go past that and recognise that it is an issue, maybe it is something that needs to be sorted out in a legalistic sense on another occasion, and distance the two issues from each other. We get the best of both worlds in a sense. We have stability in the way our system works. In theory—and I know the member for Sturt would not go anywhere near this particular example that I am about to talk about—you could run a political campaign based on waste and mismanagement and deficit budgeting, create the deficit and the waste and then accuse the government of a particular agenda.

Particularly in a hung parliament I think we all have some degree of financial responsibility. If we start this merry-go-round going—and I know it is a great issue—we can create chaos in terms of the economic circumstances in which we live and that can have ramifications far beyond university students into interest rates and a whole range of economic parameters that exist. I will be supporting the government on this particular legislation. I am proud to have been involved with my crossbench colleagues who have been dealing with this issue for some time now. I am proud of the arrangements that we have been able to negotiate within the parameters of appropriation and the parliamentary process to achieve a much better outcome for country students in the inner regional areas.

Mr FITZGIBBON (Hunter) (4.28 pm)—I must say that for an issue which has been described in some quarters as building to a constitutional crisis there appears to be an enormous amount of consensus in this chamber both this morning and this afternoon. I want to congratulate each of the crossbenchers for their contribution to the debate. It is very clear to me that they are seeking the very same outcome as those of us on the government side of the House—that is, a fair and equitable scheme which supports rural and regional students who choose to travel to attend a university.

I do acknowledge also—and the member for Sturt might be surprised at this—that there is a good deal of goodwill on the opposition benches as well. I do believe that most on that side want the same thing as the government and those on the crossbenches want and that is a fair and equitable scheme for those young people living in rural and re-
Regional Australia. The problem is that those on the opposition benches, like all of us who have sat on the opposition benches, have seen an opportunity to score a political point and so to build some political capital in rural and regional Australia. If you read their contributions today, you will be in no doubt that that is the case.

Contributors before me have made the point that, when the government made its original adjustments to the independent youth allowance for students, it was done in agreement with those who still sit on the opposition benches, so I think I am entitled to claim that there is a fair degree of politics creeping into this debate. I, as a person who represents a rural electorate, find it disappointing that they would seek to exploit the concerns and anxieties of some of those rural students just so that they can build their political capital in this place today.

I have two children who are beyond their teens—they are aged 20 and 21—and one teenage child. I have a longstanding habit of describing them all as teenage children, and the fact that they have gone beyond that point I suspect somewhat reflects my age and the time I have been in this place. But I have three children attending university, and long before this became a public debate they complained to me, rightly or wrongly, about how so many of their friends were receiving the youth allowance and living at home with parents who were earning very good incomes while they, the teenage kids of a politician, were unable to secure any assistance at all. I am not suggesting that those listening to this debate should have a great deal of sympathy for my children—I certainly would not suggest that. My wife and I are in a happy position to support them in their studies, but they also do a lot to support themselves in their studies. Each of my three children work an enormous number of hours as they work their way through their education.

Let us go back to theaws and ask ourselves what this whole policy change was all about. As the member for New England pointed out, we previously had a qualification regime for establishing independence which was open to abuse—there is no doubt about that. There is surely no-one on the opposition side who would claim that the regime for determining independence was not open to abuse—of course it was. Running parallel to that, as the member for New England also pointed out, was a very tough means test which started the taper rate, I think, in the high 30,000s of income and eventually tapered off in the low 40,000s of income. In other words, rural students were knocked out of the prospect of securing income support from the government while they studied at university if their parents had a family income of around $40,000.

In this day and age, that is a very tough means test indeed—no-one could argue otherwise—so the government’s approach was to attempt to put equity and fairness into the regime. This was not a savings measure. I think that is a very important point. Members opposite are out there in their electorates trying to present this as a savings measure on the part of the government. It was never a savings initiative; it was about taking a bucketful of money of the same value and making sure it was fairly spread throughout the students who are seeking assistance in this country. As a matter of principle, no-one could argue with tightening the test for establishing independence but raising the means test so that students with families earning income above that $40,000 or $43,000 or whatever it was at the time were still able to secure income support. Then, of course, we had the debate in this place, and the government reviewed the situation, accommodated some of the concerns and—as I said earlier—made some changes in agreement with those who sit opposite. It is very sad today to
see them taking the opportunity to score political points and to push the government beyond the agreement that was made.

On the question of the constitutionality of the Social Security Amendment (Income Support for Regional Students) Bill 2010, the Leader of the House has very well articulated the position, citing advice from Mr Speaker, the Attorney-General, the clerks and others. So we should not be wasting our time arguing about whether this bill contravenes section 53 of the Constitution; we should be sticking as best we can to the proposal on its merits. I am really fearful of the amendment moved by my good friend the member for Melbourne, because it creates something which I have never seen in this place: any time a backbench senator wants to introduce a bill and they meet with success, they can send it off to the House of Representatives and the precedent will be set for this House to potentially give assent to the bill and therefore have to worry about the fiscal consequences somewhere down the track.

I ask honourable members to think through that proposition. The government sets a budget annually on its best assessment—what it expects the revenue to be over the next 12 months and what it expects its outlays to be. It is not an exact science because those revenues and outlays will be determined by the strength of the economy and other factors. If we have people coming into this place on a weekly basis passing bills and then expecting the government to find the funding, it will make the whole budgetary process a farce. We will have to have a mini-budget every fortnight to adjust the budgetary settings to accommodate the bill already passed by the parliament. No doubt the founding fathers had in mind when framing the Constitution the need for the executive to have certainty over its budget proposals so that it could accommodate its outlays over the course of the next 12 months with some confidence. I appeal to all in the House to continue to discuss and debate the issue. Today the Prime Minister talked about another review on the key issue—that is, how we accommodate and take care of our rural and regional students—but let us not undo more than a hundred years of convention in this place just to score a cheap political point.

Mr ALBANESE (Grayndler—Leader of the House) (4.38 pm)—I rise to close this debate, which has been extensively participated in by members of the government, members of the opposition and the crossbenchers. There has been some debate on the substance of the bill that was moved in the Senate, but we have to remember that the motion that I moved is essentially about the proper procedures of this House. The member for Sturt said, ‘On this occasion, our view is that the government is hiding behind legal technicalities.’ The member for Wide Bay said, ‘The government is hiding behind legal technicalities.’ That was a theme.

Mr Pyne—Why don’t you adopt our bill?

Mr ALBANESE—The Manager of Opposition Business gives it away yet again. He says, ‘Why don’t you adopt our bill?’ Inherent in that is his understanding that the bill is unconstitutional. You simply cannot say that the Australian Constitution does not matter, House of Representatives Practice does not matter, the standing orders do not matter, it does not matter what the view of the Speaker is, it does not matter what the view of the clerks of the House is, and it does not matter what the views of the Attorney-General and the Office of Parliamentary Counsel are. You simply cannot wish that away. That is not a responsible way for this House to act. The only thing missing from the speeches of some of those opposite was: ‘What makes this viable is the vibe,’ as Dennis Denuto said in The Castle. No legal argument has been put forward. Indeed, the Manager of
Opposition Business made it very clear, consistent with his views over a long period of time, that it is not within the powers of this House to pass a private member’s bill or a bill that has come from the Senate which seeks to appropriate funds. He made that very clear. We did have a statement from the member for Murray, who, of all people, said that the Universal Declaration of Human Rights was cited to override the Constitution, House of Representatives Practice, standing orders and appropriate processes.

I want to also say that the government opposes the amendment moved by the member for Melbourne. We do so because that amendment, which suggests that the bill proceed when parliament has agreed to a method to finance the measures contained in the bill, does not override the constitutional concerns under section 53 and section 56 of the Constitution. I appreciate the fact that the member for Melbourne came into this House as a member of a political party that historically has been based in the Senate—therefore, a political party that unashamedly wants to see a shift in power from the House of Representatives to the Senate. That is not my view; that is not the view of this House. This House, under the Westminster system, has the responsibility to be the place where government is formed. That is the role that we play. The executive is derived from a majority on the floor of the House of Representatives. That is why the founding fathers constructed the Constitution in the way that they did. For opportunistic reasons, you cannot simply say: ‘We will ignore that.’

I respect the views of the member for Melbourne. I understand why the member for Melbourne has taken the position that he has. But I say to the other crossbenchers and, indeed, to the opposition—who have declared their opposition to this amendment moved by the member for Melbourne—that opposition is indeed justified. Certainly, a number of members opposite who spoke—

Mr Pyne—I haven’t declared—

Mr ALBANESE—are you changing your position now, member for Sturt? The member for Sturt is showing what this is all about. This is not about substance or about youth allowance; this is actually about trying to create chaos in this House, trying to make the position unworkable and trying to cause these issues. The member for Melbourne argued that the National Health Amendment (Pharmaceutical Benefits Scheme) Bill 2010 was the same and was passed by the House, but, if you look at the advice of the Clerk, he makes it clear that this is not a helpful example. In his advice he said: ‘The PBS bill is not a helpful precedent for the regional students bill.’ That is because this bill was sponsored by the government, the expenditure was for agency operating costs, and government lawyers and drafters did not consider the bill an appropriation bill. This is because agency appropriations are separate and specific appropriations agreed by the government. As such, this bill did not need a message from the Governor-General and was not considered to increase an appropriation.

So have been no exceptions since Federation to the way that the government is dealing with this bill. But I say to the House that we should not go down the road of questioning rulings made by the Clerk of the House or the Speaker of the House, or the proper functioning of the House in accordance with the Constitution, House of Representatives Practice and standing orders. In all organisational forms, whether it be the parliament or the local football club or indeed the rules of sporting codes, you have to abide by the rules. Some of that is based upon stipulation, in terms of a strict application of those rules. Some of it is based upon convention—convention that people will stick to the rules
that have been established. The standing orders are important and the *House of Representatives Practice* is important, but nothing is more important than the Australian Constitution. We are a parliamentary democracy. The foundation of the parliament’s functioning is derived from the Australian Constitution. I commend my motion to the House. I ask that the House not support the amendment moved by the member for Melbourne. I ask that we engage in this House in a way which pays due respect to the Constitution and to the rules and practice of this House.

The **DEPUTY SPEAKER (Mrs D’Ath)**—The original question was that the motion be agreed to. To this the honourable member for Melbourne has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The question now is that the words proposed to be omitted stand part of the question—in other words, at this point those who support Mr Bandt’s motion should vote no.

Question put.

The House divided. [4.51 pm]

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**AYES**

Adams, D.G.H.
Bird, S.
Bradbury, D.J.
Burke, A.E.
Butler, M.C.
Champion, N.
Clare, J.D.
Combet, G.
D’Ath, Y.M.
Dreyfus, M.A.
Emerson, C.A.
Ferguson, M.J.
Garrett, P.
Gibbons, S.W.
Gray, G.
Griffin, A.P.
Hayes, C.P.
Jones, S.
Kelly, M.J.
Leigh, A.
Lyons, G.
Marles, R.D.
Melham, D.
Murphy, J.
O’Connor, B.P.
Oakeshott, R.J.M.
Parke, M.
Pibersek, T.
Rishworth, A.L.
Roxon, N.L.
Saffin, J.A.
Sidebottom, S.
Smith, L.
Symon, M.
Thomson, K.J.
Wilkie, A.
Zappia, A.

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**NOES**

Abbott, A.J.
Andrews, K.
Baldwin, R.C.
Billson, B.F.
Bishop, J.I.
Broadbent, R.
Chester, D.
Ciobo, S.M.
Coulton, M. *
Dutton, P.C.
Fletcher, P.
Frydenberg, J.
Gash, J.
Haase, B.W.
Hawke, A.
Hunt, G.A.
Jensen, D.
Kelly, C.
Ley, S.P.
Marino, N.B.
Matheson, R.
Mirabella, S.
Moylan, J.E.
O’Dowd, K.
Prentice, J.
Ramsey, R.
Robb, A.
Roy, Wyatt
Scott, B.C.
Question agreed to.

Original question put:

That the motion (Mr Albanese's) be agreed to.

The House divided. [4.57 pm]

(The Speaker—Mr Harry Jenkins)

Ayes............. 73

NOES

Adams, D.G.H. Albanese, A.N.
Bird, S. Bowen, C.
Bradbury, D.J. Brodtmann, G.
Burke, A.E. Burke, A.S.
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Gibbons, S.W. Gillard, J.E.
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Griffin, A.P. Hall, J.G. *
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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.
Pilibbersek, T. Ripoll, B.F.
Rishworth, A.L. Rowland, M.
Roxon, N.L. Rudd, K.M.
Saffin, J.A. Shorten, W.R.
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Tehan, D. Van Manen, M.
Truss, W.E. Vamvakinou, M.
Turnbull, M. Windsor, A.H.C.
Vasta, R. Zappia, A.
Wyatt, K.

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Ellis, K. Briggs, J.E.
Swan, W.M. Schultz, A.

* denotes teller

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Vasta, R. Zappia, A.
Wyatt, K.
Mr CRAIG THOMSON (Dobell) (4.59 pm)—On behalf of the Standing Committee on Economics, I present the following reports of the committee, together with the minutes of proceedings of the committee: Advisory report on the Tax Laws Amendment (Temporary Flood Reconstruction Levy) Bill 2010 and the Income Tax Rates Amendment (Temporary Flood Reconstruction Levy) Bill 2011, and Interim report: Review of Wild Rivers (Environmental Management) Bill 2010.

Ordered that the reports be made parliamentary papers.

Mr CRAIG THOMSON—by leave—
The dimensions of the Queensland flood disaster have been staggering. Between 30 November 2010 and 24 January 2011, 35 people have died as a result of flood related incidents. This is the foremost tragedy of these events, and the committee unanimously extends its deepest sympathies and condolences to the families and friends of the victims.

From the end of November 2010 through to mid-January 2011, flooding occurred over large areas of South-East and Central Queensland, with areas such as Condamine and Chinchilla being flooded several times. In addition, in North Queensland the Herbert River flooded, with the town of Ingham being isolated. Almost every river in Queensland south of the Tropic of Capricorn and east of Charleville and Longreach, except for the south-east coastal fringe south of Maryborough, reached major flood levels at some stage between 26 November 2010 and 7 January 2011. From 10 January to 12 January 2011, floods affected South-East Queensland, causing major flooding of the Lockyer, Bremer and Brisbane rivers. These were the most destructive floods of the December-January period.

The loss of property has been devastating. As of 21 January 2011, an estimated 5,400 homes across Queensland saw flooding over the floorboards. The number of affected homes is 21,000, while a further 15,000 had flooding in their yards. Three thousand six hundred homes were evacuated and 5,900 people were evacuated. In response, the government established over 70 evacuation centres. The property damage has had a terrible effect on individuals and families. The Australian Council of Social Services stated:

Some of this will have an effect on people that lasts many years. Even though the flood itself was relatively short in duration, if your house and all your household possessions were destroyed—family records were often completely lost—that may have all sorts of impacts, material, emotional and psychological. In many cases it will take many years for people to rebuild their lives to the point they were before the flooding.

Of Queensland’s 73 local government areas, 51 have had a disaster declaration since the events started, and 14 of those local government areas have been severely affected by the flooding. Ninety thousand kilometres of local government roads have had some form of damage.

Cyclone Yasi ripped through the Queensland coast near Innisfail and Cardwell on the morning of 3 February 2011. Rated category 5, the cyclone featured extreme conditions such as wind gusts of up to 285 kilometres per hour, a lowest air pressure of 929 millibars at Tully and a five-metre storm surge at Cardwell, just south of Mission Beach. The environment also suffered. Preliminary figures show that Cyclone Yasi de-
destroyed 150 homes and left a further 650 uninhabitable. A further 2,275 homes were moderately damaged and tens of thousands of homes were without power for a long period of time.

At the same time, we saw floods in Victoria. At the end of January, the Victorian Department of Primary Industries calculated that the damage to agriculture could be as much as $2 billion. This includes over 41,000 hectares of field crops, over 51,000 hectares of pasture, 83,000 tonnes of hay and silage, and almost 2,000 kilometres of fencing.

In evidence before the committee, the Queensland Treasury outlined progress so far in that state. On 15 February, the Premier tabled the Queensland Reconstruction Authority Bill in the Queensland parliament. The new independent authority will manage and coordinate the government’s program of infrastructure reconstruction and recovery within disaster affected communities. It will be overseen by a Queensland reconstruction board which will be chaired by Major General Slater. The primary mechanism for responding to natural disasters is the Commonwealth-state natural disaster relief and recovery arrangements. The Australian and Queensland governments are developing a national partnership agreement which is intended to further strengthen the governance and accountability provisions of the NDRRA. This will include detailed performance monitoring and reporting arrangements and new governance arrangements, including the establishment of the Australian Government Reconstruction Inspectorate.

There is a minority report in which members of the opposition say that it is unclear how or where the money will be spent. Quite clearly that flies in the face of the way in which this money is to be monitored and used and the purposes for which the money is being raised, and that is to make sure that we can rebuild Queensland and the areas that have been affected by the disaster.

We also heard evidence from the Insurance Council of Australia. They have allocated reserves of over $2 billion to meet costs arising from the Queensland floods, which comprise some 43,000 claims. For Cyclone Yasi, half a billion dollars has been allocated, comprising 30,000 claims. There were two issues that the Insurance Council identified. The first is developing a standard definition for ‘flood’, which needs to happen, and the second is developing publicly available flood data that insurance companies can use to accurately determine the flood risk for individual properties. There was some discussion and evidence from the Insurance Council about ways in which insurance could be better used more globally. The view of the majority on the committee was that natural disasters are a reminder that there are a range of significant policy issues in the insurance field that would benefit from a government sponsored review. The committee encourages the government to look at such a process.

The Commonwealth response to the floods is worth putting on record of course. On 27 January 2011 the Prime Minister announced a package to help rebuild flood affected areas. The government estimates that its contribution to the reconstruction of essential infrastructure would be $5.6 billion. This is made up of two-thirds coming from savings in government programs and one-third coming from the flood levy, which was the bill that the committee in particular was asked to look at.

What is interesting is the response of the markets once that announcement was made. The markets are very sensitive to public pronouncements in relation to the economy, and
this was one of those. The markets made it quite clear—for example, Citi stated:

The package helps to moderate some pressures on inflation from the flood.

At the margin the package assists the RBA in managing the inflation impact from the rebuild.

The Commonwealth Bank said:

There are some attractive features to these proposals. Adding an (essential) rebuilding overlay to an economy already at full employment carries with it some inflation risks. Making room by lifting taxes and cutting spending looks appropriate even though the fiscal backdrop remains very good.

Christopher Joyce, the managing director of Rismark, said:

More specifically, the government is trying to reduce the inflationary consequences of the floods for fear of the influence they have on monetary policy. This makes sense.

Craig James from CommSec said:

... this is the right levy for the times—modest in size, temporary, progressive and applying to those on higher incomes ...

The proposed operation of the bill is that it raises a one-off levy that applies to individuals’ taxable income in 2011-12. It is projected to raise $1.56 billion in 2011-12 and $235 million in 2012-13. Funds raised will be paid into consolidated revenue, where the arrangements that I have already mentioned come into place in terms of monitoring their spending. The levy does not apply if a taxpayer earns less than $50,000 annually. If the taxpayer earns between $50,000 and $100,000 in 2011-12, then the income above $50,000 is taxed at a rate of 0.5 per cent. If the taxpayer earns more than $100,000 annually, then they pay $250—the tax on their income up to $100,000—and then their income above $100,000 is taxed at one per cent.

With this structure, the levy is clearly progressive. In evidence, both the Australian Council of Social Security and the Australian Council of Trade Unions supported this feature. Certain classes of taxpayers can be excluded from the levy. This comprises those people who are affected by the natural disaster between 1 July 2010 and 30 June 2012. In order for the exemption to apply, the Treasurer must make a legislative instrument to this effect.

It is worth noting that the total number of taxpayers earning in excess of $50,000 is 4.84 million. From this figure, we subtract the 185,000 people who are estimated to be declared exempt from the levy, which leaves about 4.66 million people who are expected to pay the levy. This is out of a total of 10 million taxpayers, so it is just under half of taxpayers.

By way of comparison, the committee asked the Treasury what proportion of taxpayers paid the one-off increase to the Medicare levy from 1.5 per cent to 1.7 per cent to help pay for the gun buyback scheme in 1996-97. The answer was that 6.9 million individuals paid the Medicare levy, so just over two million people paid the levy out of 8.6 million taxpayers. That made up 80 per cent of taxpayers at that time, whereas this levy only affects fewer than 50 per cent of taxpayers.

This is a levy that is required to make sure that we are able to meet the challenges of the rebuild in Queensland. Two economists appeared before the committee. Each of them had differing views in relation to how the funds could be raised, but neither of them said that raising the levy was a wrong option for the government to look at. Quite frankly, the markets have said that this is a response that we should and must take.

It is interesting also to note the response of the public. There has been poll after poll in relation to this, and they have shown overwhelming support for the levy. It is
worth mentioning polls because the member for Moncrieff, the deputy chair of the committee, ran a poll on his website as to whether the levy should be paid. When we came into the House, I think it was running at around 70 per cent in support of the levy. Even those opposite know that this is a levy that is supported by the general public.

At a time of widespread tragedy and devastation, the broad spectrum of Australian society has responded to the floods and other natural disasters in a multitude of ways such as through donations of money or goods, giving others temporary accommodation, and clean-ups. Governments are repairing and rebuilding infrastructure. The question presented by the bill is how the government may pay for the rebuild. The committee is of the view that we can fund the recovery of essential infrastructure so as to reflect our wider response to the disaster. In evidence, the Australian Council of Trade Unions referred to our need to take collective responsibility for each other. They said:

… as a nation, we believe we need to take collective responsibility for each other’s welfare, particularly in times of disaster …

This is a levy that is required. It is something that is needed. The recommendation of the majority on the House of Representatives Standing Committee on Economics has recommended that the House of Representatives pass this bill.

Mr Ciobo (Moncrieff) (5.13 pm)—by leave—I rise on behalf of coalition members to speak to the dissenting report that was put forward by the coalition members to the House of Representatives Standing Committee on Economics with respect to the reference of the Income Tax Rates Amendments (Temporary Flood Reconstruction Levy) Bill 2011 and the Tax Laws Amendment (Temporary Flood Reconstruction Levy) Bill 2011.

All members of the committee are joined and united in the view that this summer was a time of trial and tribulation not only for Queenslanders but, indeed, across much of Australia. The summer of 2010-11 proved to be a very bad one indeed, and we have already heard the chairman outline a number of consequences where we saw extraordinary loss, damage and suffering—unfortunately not unprecedented, though, in this country. Australia has for many, many decades certainly been a country of extremes when it comes to weather. For those that have had their homes inundated in flooding—the 21,000 or so affected—to consider that in Queensland alone, for example, 51 of the 73 local government areas were declared areas of emergency just highlights that this was an incredibly bad summer. To compound the flooding that took place across parts of Queensland and Victoria, we also had, for example, Cyclone Yasi, which struck North Queensland and in particular the townships of Tully and Cardwell and surrounding communities.

That really is at the epicentre of what gave rise to the inquiry that was undertaken by the economics committee. On 27 January of this year, we saw the government announce its new flood tax. Estimating that it would be liable for repair and reconstruction to the amount of about $5.6 billion, the government announced this new flood tax in the context of saying it was necessary to raise money through taxation coupled with, at that stage, about two-thirds of the funding being sourced from spending cuts the government was making. Much of this has now been overturned, but I will go to that in a moment.

The coalition members of the committee were the ones who instigated this report. The coalition had concerns about the government’s continued predisposition to impose new taxes as part of its fiscal solution. The concern of the opposition—of coalition
members—was that once again we saw Labor revert to form, seeing higher taxing and more spending as the way forward. So the coalition took the view that what we needed to do was to work in a cooperative way with the government, and we made a number of options available to the government. The first was that the Leader of the Opposition signified that he was willing to work with the Prime Minister in a constructive and bipartisan way to identify cost savings that could be achieved in the budget so that Australians did not have to face the prospect of yet another new tax under this government. That offer was rejected by the government.

So, as part of our attempts to ensure that we hold the government to account, we proposed—and referred to the economics committee—that these bills be subject to a short, sharp inquiry. We worked in a constructive way with the government for only a one-week time period for this inquiry, and indeed the inquiry itself took place over the course of one day. We felt as coalition members of the committee that it was appropriate that there be as comprehensive an investigation as possible—given the parameters and the time frames involved—for us to look at this new levy raising nearly $2 billion. It was disappointing, therefore, as part of the process and the investigation into this new flood tax, that after only 45 minutes, with a very clear need for there to be additional questioning of Commonwealth Treasury officials, the Labor Party gagged coalition members from seeking an extension of time with respect to questioning of Commonwealth Treasury officials. It seems entirely unnecessary when there were adequate breaks in the course of the day for the committee to continue questioning, and it raises the question of why the government refused to allow the additional questioning on a new $2 billion tax when it could easily have been accommodated in the work program that the committee had. But, that notwithstanding, that was an issue of process.

With respect to the merits or demerits of the new flood tax, the evidence is clear, and it is summarised in the dissenting report that coalition members put forward. The evidence is clear that the reason why this new flood tax is not the appropriate response to the natural disasters that we have had is that it creates a new precedent. First of all, we know that this new flood tax is unnecessary. It is entirely arbitrary and there is no connection that has been made by witnesses or indeed by the government about why, with $5.6 billion in estimated and forecast expenditure required by government for the repair and reconstruction effort, a flood levy of $1.8 billion needs to be raised. It is entirely arbitrary.

So we remain inquisitive as to why this amount was the amount that the government has decided to raise. Bear in mind that, when it was first announced on 27 January, the government said that two-thirds of the required expenditure would be found through savings, yet despite this much has actually been overturned. For example, the government announced the reversal of some $364 million under the Solar Flagships program and the National Rental Affordability Scheme to secure the support of the Greens. In addition to that, $50 million of funding cuts under the Australian Learning and Teaching Council have also been reversed, which was made necessary by the government attempting to buy the support of the member for Denison as well. These examples just highlight the fudgy figures this government works on when it comes to something as important as imposing a new tax on the people of Australia.

In addition to that, we raised our concerns about the fact that, had there not been billions of dollars of wasted expenditure previ-
ously, again this flood tax would not be necessary. This is a government that wasted over $2.4 billion under Building the Education Revolution, that wasted another $1 billion or thereabouts under the failed insulation program and that then says it needs to tax the Australian people $1.8 billion as part of a flood rescue tax, as it likes to package it. The reality—clear from the evidence—is that it would have been entirely unnecessary had money not been wasted to the tune of billions of dollars.

But, from an economic perspective as well, there were clear arguments made that there was no economic rationale in favour of this new tax. In particular, I would highlight two economic experts that gave evidence to the committee: Mr Saul Eslake and Professor Warwick McKibbin, both of whom gave very detailed information about the merits or demerits of the flood tax. Both highlighted that there were effectively three pathways available to government when it came to the repair and reconstruction costs that needed to be met: to impose a new tax or increase an existing tax or taxes; to reduce spending on another program or programs; or to borrow the necessary funds and repay the debt over time—or a combination of all three of those. Mr Eslake in evidence said:

I would be concerned if every time a significant or expensive natural disaster or indeed any other exigency fell to the Australian government the response was to slug the 40 per cent of the population who are considered rich enough to bear an additional tax burden. I think that would be problematic, although there is an element of political judgment in that as well as economic. But, obviously, if you continue to increase marginal rates of tax on a segment of the population by large amounts or with high regularity over time then there could well be some adverse consequences for incentives to work, save, invest and the like, which have been well documented in the economics literature.

Professor McKibbin said:

I wish to comment on the principle of how to finance the cost of a natural disaster or any temporary negative economic shock. The main reason for focusing on this issue despite the relatively small amount of money involved in the current case is to make sure that important principles are in place for future disasters and future economic decisions which may be of significantly larger magnitude.

Most economists who study public finance would support the view that taxation is not the optimal way to finance the reconstruction of infrastructure after a natural disaster. The argument has a long tradition in economics. The two economic experts that gave evidence to the committee made it very clear that, out of all the pathways available to government, this government’s choice was the least preferable. That is part of the reason that the coalition members formed the view that these bills should not be supported. In addition to that, unintended consequences were highlighted. It is clear, based upon the evidence that the committee heard, that among a multitude of foreseeable unintended consequences there also exists the very real likelihood that, as a result of the government imposing this new flood tax, next time—and there will be a next time, unfortunately—a natural disaster occurs Australians will be less willing to dig into their pockets to make a donation to support. The reason they will be less willing is the very realistic expectation that the government will impose a new tax or increase taxation as part of the relief and reconstruction effort. For this reason as well, the coalition members were unimpressed with the government’s path to imposing a new tax. Further to that, there are significant transaction costs associated with the new tax, which Professor McKibbin referred to. He said that he expected up to 10 per cent of the revenue from the tax could be lost through churn in collection.

In addition to that, an issue that concerned coalition members and senators is the moral
hazard of the Commonwealth vis-a-vis the states. We heard from numerous witnesses, including Mr Bradley, the Queensland Under Treasurer, and the Insurance Council of Australia, that there is a very real moral hazard whereby, as a consequence of the natural disaster funding arrangements that exist in this country, the states are effectively underwritten by the Commonwealth government. Various states have taken different decisions in seeking reinsurance of public infrastructure. The state of Queensland took the decision not to seek reinsurance, arguing that it was uneconomic to do so. I sought advice from Mr Bradley, as the Queensland Under Treasurer, as to what the premium was expected to be and an answer was not forthcoming, unfortunately. That notwithstanding, what is clear and what is on the record is that Queensland took the decision not to undertake commercially available reinsurance because it knew that the Commonwealth would, in time of crisis, step in. The imposition of this new flood tax exacerbates that problem both politically and economically. Politically, we as coalition members feel the argument can already be made that for any state government the decision to go to the Commonwealth to seek reconstruction repair costs is enlivened by the fact that the politics and precedent that this new flood tax creates make it politically more acceptable for a state government to do precisely that.

The final argument that the committee had concerns about was those who will be paying for this new flood tax. The ACTU made the argument that those who can afford it should pay the tax. This is despite the fact that the flood tax kicks in at over $50,000 a year unless the recipient has received the Australian government disaster relief payment. As it currently stands, the average wage in Australia is $65,000 a year, so we already know those earning below the average wage will have to pay the tax. There is also, unfortunately, a high likelihood of inequities arising as a consequence of the design of this new tax. Professor McKibbin said:

I am sure that there are Queenslanders out there who had no insurance, who incurred significant damage and did not receive any assistance from the government. They will now be hit with the levy.

This reason more than any other highlights the gross inequity of this new tax, where those least able to afford it, those earning below an average wage and those who have suffered economic harm as a consequence of these natural disasters will now have that harm magnified as the government imposes this new flood tax on them. For all of these reasons, coalition members recommended to the committee that the bills be rejected and not supported through passage of this House.

The DEPUTY SPEAKER(Mrs D’Ath)—Does the member for Dobell wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr CRAIG THOMSON (Dobell) (5.27 pm)—I move:


The DEPUTY SPEAKER—In accordance with standing order 39(d), the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

Economics Committee

Report: Referral to Main Committee

Mr CRAIG THOMSON (Dobell) (5.27 pm)—I move:

That the order of the day be referred to the Main Committee for debate.

Question agreed to.
NATIONAL RADIOACTIVE WASTE
MANAGEMENT BILL 2010

Second Reading

Debate resumed from 21 October, on motion by Mr Martin Ferguson:

That this bill be now read a second time.

Mr IAN MACFARLANE (Groom) (5.28 pm)—Today is Groundhog Day with the National Radioactive Waste Management Bill 2010. For me in particular a lot of time has been wasted to get us to where we are today. This bill moves to establish a national radioactive waste management facility for low-level and short-lived intermediate-level waste. While the bill seeks to repeal the coalition’s original act of 2005, it still maintains the basic crux of that legislation. I indicate to the House that the coalition will support this bill. This is one of the few good pieces of legislation we have seen come into this House in recent times and, unlike the Labor Party when they were in opposition and we moved a bill on this matter, we will ensure a responsible approach is taken.

This bill is well overdue; this facility is well overdue. We need to ensure that a repository is built as soon as possible, bearing in mind two basic facts. The first is that there is radioactive waste currently being treated overseas that has come from our Lucas Heights reactor, and which has to be accepted back into Australia in 2015. It is simply ridiculous to suggest that we will not take that waste, bearing in mind the commitments and contractual obligations that we have made.

But probably more important is the fact that around Australia, in highly unsuitable—yet so far safe—places, low-level nuclear waste is currently being stored. Where might that be? In shipping containers in car parks of hospitals, in basements of buildings in central CBDs and in hospitals, where state governments, who have abdicated their responsibility in this area, have no option but to maintain the waste in its current position.

For the 11½ years of the Howard government, the coalition sought to act in the national interest and construct this repository in a suitable location based on the highest level of scientific assessment and suitability. At every single opportunity the federal Labor Party and the state Labor governments opposed and hampered this process—every step of the way. They worked against establishing a waste repository. It gives me no pleasure to see the hypocrisy that is on show here today by those who sit opposite, who now realise that they could have saved 10 years of time by supporting the government of the day when we first put this forward.

In fact, the Labor Party attempted to hamper the process despite the fact that they themselves had begun this process. They themselves, under the then Prime Minister Paul Keating—by comparison a leader to what we have now—actually realised that something had to be done and trucked the first federal radioactive waste to Woomera. The Minister for Resources and Energy argues that this bill implements an ALP election commitment to repeal the Commonwealth Radioactive Waste Management Bill 2005. Whilst this bill does repeal that act, it does so merely by replicating the many clauses of the existing act in this current bill. Labor is simply trying to save face. All of this is a waste of time; we need to get on with it.

For all their bluster about the coalition currently being obstructionist, we are not as hypocritical—by any measure—as this current government were when they were in opposition and had to deal with this issue. In fact, we have always supported good policy, both previously when we were in opposition under the Hawke and Keating governments and now on those rare occasions when this
government brings forward reasonable, well researched and well thought through legislation.

The coalition is supporting this bill, as it is really coalition policy in the first place, and always has been. But, of course, in supporting this bill we acknowledge that the Labor Party has had a conversion on the road to Damascus. If you look back at what was said in 2005 you realise just how big the hypocrisy is today when they put forward this legislation and ask us to support a bill which we have always supported; to support a principle which we have always supported and to support a principle which we have never politicked on, unlike those who sit opposite.

The coalition appreciates that most Australians benefit either directly or indirectly from the medical, scientific and industrial use of radioactive materials. I am but one of them, and without the benefit of radiation would not be here talking to you today. Some might see that as a blessing, but I am forever grateful.

While safe, the current storage of radioactive waste in this country is not ideal; in fact, to say anything of the kind would be an incredibly optimistic view. When I was the Minister for Industry, Tourism and Resources I remember the campaigns run by those who sit opposite when we tried to progress the issue in relation to the storage of nuclear waste and the proposals to give consideration to including nuclear energy in our future energy mix. I remember vividly the rubbish that was talked by those opposite, who were only interested in trying to scare people—they were not interested in finding solutions. They tried to twist and turn an argument for their own benefit when they knew, and certainly the health ministers, the resource ministers and premiers of those Labor states knew, that this waste was being stored right in the middle of cities. It is refreshing to see the honesty that those who sit opposite now have. It is refreshing to see they have capitulated and come to their senses.

We are also hearing some refreshing thoughts from the Minister for Resources and Energy, at last emboldened enough to put himself. We always knew he was a supporter of nuclear energy, and I do not in any way deride him for that. I congratulate him for his foresight, for his vision and for his understanding that if Australia wants to have clean baseload energy in the future, nuclear energy is an option we need to consider. Will the Labor Party have the courage to have the same debate on nuclear energy that they are now promoting on the storage of nuclear waste? Will the Labor Party have the courage to admit that if we do not have that debate in a honest, open and factual manner then we may leave Australia exposed in the future to a lack of clean energy, something none of us want?

We have seen an acknowledgement in their rush to impose a flood levy that the Labor Party are doing what the coalition had already decided to do, and lower their commitment to zero-emission coal. I suspect there are a number of reasons for that, and if they are the same reasons as ours then they are that that issue is progressing too slowly to be a viable alternative much before 2030. And the question remains: at what cost? Whilst the coalition still believe it is an area that needs to be pursued, we believe that the coal industry has more than ample capability to do the preliminary research and the building of the pilot stations themselves. I am sure, when we look at some of the record profits being turned in by the resource companies—which I welcome; I like to see companies making profits—that they could devote a little of those profits to the research and development area of clean coal.
With the Labor Party walking away from zero-emission coal, what is their alternative for low-emission electricity in a baseload sense? I suspect they do not have one. Apart from the minister for energy, they are still tied up in the same ideological debate that caused them to oppose this very bill when the coalition brought it forward in 2005. That same hypocrisy is still on show. There are people who sit on those front benches along with the minister for energy who, deep down inside, know that it is irresponsible not to consider nuclear energy, but they hide behind their political games. The day will come when people on that side of the chamber will have the courage of their own convictions and the courage that they should have as leaders of Australia to actually admit that nuclear power has fewer deaths per terawatt hour than any other form of baseload energy. May they come to that realisation as soon as possible. It is amazing that they could be so blinded in the 21st century.

Going back to the issue of the storage of nuclear waste, we have to make sure we have a long-term solution to this issue. Radioactive waste is a reality in Australia, for the reasons that I just outlined. It is because of radiotherapy, because of nuclear medicine and because we want to save the lives of fellow Australians. There is no point in delaying this. There is no point in putting up amendments to try and hold back the tide. The reality is that it is irresponsible not to proceed with this—with due caution but on the basis that it has to be built as soon as possible. The reason we are now jammed up against a deadline is, of course, because of those who sit opposite. They had their chance; they failed. They had a second chance, and the Prime Minister went to an early election. So here we are again, trying to debate legislation that was not needed in the first place and should have been acted upon earlier.

As we look at the requirements, Australia’s current radioactive waste totals around 4,020 cubic metres of low-level and short-lived intermediate waste, and about 600 cubic metres of long-lived intermediate waste, including 32 metres arising from the return of the reprocessing internationally of ANSTO’s spent research reactor fuel, which is due for return to Australia in 2015-16. That is four years from now. It is probably appropriate at this point that I also speak in relation to a foreshadowed amendment that I understand will be moved by the Greens. It is to delay this legislation further. I assure the House that the coalition will be voting with the government on this bill and against that amendment. There is simply no sense in delaying and no time to delay this any further. I say to those in the Greens who want to delay this: what is the alternative? Are you going to stop this research? Are you going to stop this nuclear waste building up? Are you going to tell Australians that they can die from cancer? Is that your solution? Or are you going to join the Labor Party in the end, who will eventually realise the error of their ways and say, ‘This is just nonsense. Let’s get on with it’?

It is sensible to find an appropriate site for the storage of this waste. There has certainly been a process which has been gone through. We did of course find a suitable site in 2002 in South Australia, where nuclear waste was already being stored in a suboptimum facility—an open-sided galvanised iron shed. It is still there, to the best of my knowledge, waiting for a proper site to be built. But guess what, Mr Deputy Speaker: another Labor premier showed that he is about politics and populism before pragmatism and reality. The Premier of South Australia, Mike Rann, decided to stop that dump going ahead. He is a South Australian premier who has uranium mining in his own state and whose own people are benefiting from that uranium. His
own people are benefiting from the medical research done that created the nuclear waste. It was double hypocrisy by the Premier of South Australia, and that is why the process then moved on.

There were two preferred sites, and a site of 40 acres on a pastoral lease 20 kilometres west of Woomera was named as the preferred site. But, of course, we had to abandon that site and look elsewhere, thanks to the hypocrisy and the obstructionism of the state Labor government. Luckily, parliament passed the Commonwealth Radioactive Waste Management Act in late 2005. It was opposed at every step of the way by the Labor Party. That bill then facilitated a search in the Northern Territory. In 2007, the Howard government announced that the Northern Land Council’s nomination of Ngapa land as a potential site for the Commonwealth radioactive waste management facility had been accepted, and so the process began again. Between 2007 and now, we have reached a an agreement between the Commonwealth and traditional owners which also permits the nomination of other sites by the Northern Land Council. They have agreed with the Ngapa site. Labor have indicated that they will honour this deed and the current bill permits this.

I conclude by urging everyone to talk sensibly about this issue. Frightening people for political purposes is not something I have ever engaged in in this House and, on a matter as serious and important as this, politics should be put to one side. What is required is strong and decisive action to get this radioactive waste out of the car parks, out of the basements and out of the hospitals and into a site that is purpose built to store it in absolute safety. The coalition will support this bill. As I have said repeatedly, we will ensure that Australia gets what it needs in this regard. But, once this debate is over, I hope the Labor Party looks at the issues that the Minister for Resources and Energy has already outlined with regard to where we go with baseload electricity in Australia: clean energy that we need if we are going to lower our emissions. I hope that we will again, just by chance, see the Labor Party engage in a debate, as they have on this since they have been in government, that has a scientific, factual base to it, and that we consider where nuclear energy fits in Australia’s future. I do not mean to embarrass the Minister for Resources and Energy by raising this matter twice in this speech, but unfortunately there are too few people of his calibre who sit on the other side and Australia needs to have a debate if we are to secure our clean energy future, just as we need to pass this legislation if we are to provide a safe repository for the radioactive waste that has come about simply by saving Australians’ lives. I commend the bill to the House.

Mr BANDT (Melbourne) (5.47 pm)—The National Radioactive Waste Management Bill 2010 is about Australia’s first nuclear waste dump. This nuclear dump is dangerous and unnecessary. This nuclear dump is in the wrong place. This nuclear dump is opposed by the traditional owners. This dump is being rammed through the parliament against the wishes of Territorians.

I spoke at length this morning about the process chosen by the House of Representatives Standing Committee on Climate Change, Environment and the Arts for conducting its inquiry into this bill. The cynically short, non-consultative and closed process by which it ultimately recommended the bill be passed with no further delay was far from a useful use of House resources. It was a waste of time. The end result of the committee process is that members at this point have no more information before them with which to make a judgment on whether or not to give this bill a second reading than
they did when the bill was referred to the committee in October.

However, the inquiry whitewash is nothing compared to the heavy-handed means adopted in facilitating the passage of this bill. Let me remind members what the Labor Party said about the Howard waste dump legislation when it first tried to dump nuclear waste in the Northern Territory. A joint release from the member for Kingsford-Smith, the member for Lingiari, Senator Carr and Senator Crossin stated that they were ‘profoundly disappointed’ by the legislation. They said:

The next chapter has opened in the Howard Government's nuclear waste dump fiasco, with the Government today accepting a highly controversial site nomination at the Northern Territory’s Muckaty Station, before scientific testing of the area.

Labor called for consultation with the locals rather than bullying by the government and stated clearly that the traditional owners had been stripped of their rights and that they pledged to repeal the Howard laws. Now in government, Labor, under the tutelage of the Minister for Resources and Energy, has adopted the approach of the Howard government, as we have just heard so eloquently expressed by the member for Groom. The Labor-era waste dump legislation, like the Howard legislation, overrides state and territory laws, suspends the Aboriginal and Torres Strait Islander Heritage Protection Act 1984, excludes the Native Title Act 1993 and suspends the Judicial Review Act 1991.

The Labor legislation, like the Howard legislation, gives extraordinary discretionary power to the minister and allows him to operate with an absolute minimum of transparency. The Labor legislation, like the Howard legislation, ignores any commitment to procedural fairness and all avenues for judicial review. The Labor legislation, like the Howard legislation, ignores best science available in order to fast-track the supposedly volunteered dump location. Minister Martin Ferguson’s legislation, like the Howard legislation, completely fails to uphold international best practice, particularly in relation to securing community acceptance of the waste facilities. Article 29 part 2 of the United Nations Declaration of the Rights of Indigenous Peoples states:

States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

Yet here is the minister mimicking the Howard government’s best efforts to dump nuclear waste facilities on a community of people who do not want it.

The last two governments didn’t listen to us—you must be different.

The locals wrote that to every member of this House late last year. They said:

We have been fighting for the last five years to say we don’t want the waste dump in the land.

Come and sit with us and hear the stories from the land.

All the while the minister is arguing that his consultations are complete. That is because he inherited the deal done between a select few individuals living in the area and the former government, enabling him to claim that his obligations are finished. As a result, the traditional owners are taking action in the Federal Court. The first hearings of this process are on Friday, which might explain the government’s desire to push this legislation through parliament so quickly.

How did we get to this appalling situation? How did we get from a situation where Labor in opposition claimed that the local community was effectively bribed into accepting the waste dump on their land to a situation where the minister in the Labor
government is claiming that this bill is ready to pass while the traditional owners write heartfelt letters to all members of this place asking to have the minister come and meet with them? How is it that a Labor government is pointing to a few individuals with whom a deal has been struck, and using that to claim that the local communities have been consulted and are content with this proposal?

This parliament should be in no doubt as to the regard in which the minister holds its members. The Senate Legal and Constitutional Affairs Legislation Committee majority report of 7 May 2010 had as its first recommendation, that the minister:

… undertake consultations with all parties with an interest in, or who would be affected by, a decision to select the Muckaty Station site as the location for the national radioactive waste facility.

As recently as December, Senator Sherry, replying to a question on notice asked by my colleague Senator Ludlam in the October Senate estimates, reiterated what we already knew. He said:

The Minister has not met the Indigenous land owners who oppose the nomination …

I struggle to find a more brazen example of the disregard that a minister has for parliamentary process, consultative public policy and basic human rights. Labor, led by Minister Martin Ferguson, is putting a nuclear waste dump on the land of Territorians and Indigenous Australians, who do not want it. If we have any doubt as to what this bill is really about, we need only listen to the person who drafted it, the member for Groom, who spoke before and made the point very clearly that this is the first step in a debate about Australia having a nuclear powered future.

Given the disregard that this government through its spokesperson in the Minister for Resources and Energy has had for the parliament, evident in its stubbornly proceeding with the bill while simultaneously ignoring the recommendation of the Senate inquiry majority report, I move in the terms that have been circulated in this chamber:

That all the words after “That” be omitted with a view to substituting the following words:

“the House declines to give the bill a second reading until the Minister for Resources and Energy acts on recommendation one of the Senate Legal and Constitutional Affairs Committee majority report of 7 May 2010, namely that the Minister ‘undertake consultations with all parties with an interest in, or who would be affected by, a decision to select the Muckaty Station site as the location for the national radioactive waste facility’.”

I ask all members, whether or not they support nuclear power, whether or not they support nuclear waste being dumped in Central Australia, to ask themselves how they can oppose an amendment that simply asks the minister to meet with the people in whose backyard this waste dump is going to be. I commend the amendment to the House.

The DEPUTY SPEAKER (Mr KJ Thomson)—Is the amendment seconded?

Mr Wilkie—I second the amendment and reserve my right to speak.

The DEPUTY SPEAKER—The original question was that this bill be now read a second time. To this the honourable member for Melbourne has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The question now is that the words proposed to be omitted stand part of the question.

Mr RANDALL (Canning) (5.56 pm)—I am pleased to speak on the National Radioactive Waste Management Bill 2010. We know that this current bill seeks to repeal and replace the Commonwealth Radioactive Waste Management Act 2005 and subsequent Commonwealth Radioactive Waste Management Legislation Amendment Act 2006.
The National Radioactive Waste Management Bill 2010 will enable a site that is volunteered for consideration for use as a national radioactive waste management facility.

I want to speak on this bill because I think we have to bring some common sense to this parliament and to this nation. That is what this bill does. You cannot be a miner and a user of radioactive material and then say, ‘But we don’t want to dispose of it after its use.’ It is bizarre. It is like a shipping coal to one of our export countries and them saying, ‘We don’t want to use that; we want to send it back to Australia because it might pollute our soil.’ It is a fatuous and silly argument and that is why I expect it is coming largely from the Greens, because on this issue both the Labor Party and the coalition are in agreement.

There has to be a proper management regime for nuclear material being used and properly disposed of. Australia has the capacity to do this. We are a massive nation with all the right ingredients to store the material that we produce and use in a responsible way. Like my coalition colleagues I obviously welcome the progress of this debate throughout the House in establishing a national management facility in Australia. We know that for some years the coalition has recognised the need for such a facility. We need an informed and responsible approach to managing Australia’s radioactive waste. You just cannot pretend that we do not mine it and do not use it.

A facility is crucial to a long-term strategy to managing radioactive waste in Australia and this needs to be gotten on with. For too long it has been dragging on. The Howard government introduced the original legislation in 2005 and here we are six years later in 2011 looking at a rejigged bill which the Labor Party in opposition totally slammed, opportunistically denied, tried to defeat and scared people with. Here today they have retreated the Howard legislation into a bill. That is why we are supporting it: because it is legislation that has to happen, as is said here, in the national interest. We are not fairies at the bottom of the garden who are going to pretend that this is not something that happens in Australia and, if we shut our eyes for long enough and bury our heads in the sand for long enough, it will go away. We need to get on to it, particularly because we have something like 32 cubic metres of spent research reactor fuel returning to Australia in 2015-16 after being processed internationally.

Our hospitals and a whole range of other industries in Australia use radioactive isotopes for accurate cutting and measuring etcetera and those have to be disposed of. To stop them being stored in basements of hospitals and in containers at the back of industrial sites, we need a proper disposal management regime in this country to responsibly deal with the waste that we produce. You could draw a whole lot of parallels about the waste with coal and other fuels and try to relate them to this, but it is so wacky that we have been brought here today to debate this bill. The legislation will pass, no matter what the amendment is that the member for Melbourne has moved in this place, because there is a bipartisan approach to be responsible on this issue, whereas the Greens want to hang their hats on some sort of international scare campaign on nuclear.

Let us look at the wider philosophical debate. The Labor Party do not necessarily come to this issue with clean hands. They have tried for years and years to stick to the old three-mines policy generated back in the days of the Whitlam government and, at the same time, they have tried to rejig and morph the policy so that uranium can be mined at Olympic Dam in South Australia. That is still part of the three-mines policy, even though
Rum Jungle in the Northern Territory, for example—which was one of the mines—no longer exists. We have this cute debate, which is ideologically driven, running in this country. Even though we have massive reserves of nuclear material—something like 40 per cent of the world’s known reserves of nuclear material—we are saying that we should not be exporting it. The Labor Party still will not deal with India because it has not signed the nuclear non-proliferation treaty, yet through the back door India is buying its uranium from countries like Kazakhstan. It is a ‘responsible’ country, of Bobrat fame, which is supplying material to India through the back door because it can, and we are missing the opportunity. How ridiculous is that! Australia is missing out on an opportunity where we would not only have some control over who buys it and who gets it but also have some control over what is done with it.

Every time you talk about nuclear in this country, the first things you hear about are Three Mile Island and Chernobyl. Three Mile Island and Chernobyl happened decades ago. When people want to talk about them, remember that comparing those archaic facilities at Three Mile Island and Chernobyl with nuclear facilities today is akin to comparing an FJ Holden to a Lamborghini. They were FJ Holdens, and they broke up and fell apart, but nothing in any way like that has happened since. The modern nuclear reactor today delivers clean, unpolluted power. The Greens will say, ‘Shock, horror—nuclear power!’ but there are energy depleted countries in Europe such as France, 70 per cent of whose power generated for domestic use comes from nuclear reactors.

On a study tour I was fortunate enough to do in Italy, I went to the area around Milan and I was told that some years ago they had had a national referendum to ban any future nuclear power generation. Guess what: they are walking away from that now as they are going to build five new nuclear reactors in Italy. Obviously, one of the reasons for that is the games that were being played by the old Russia and its satellite states which cut off the gas to Italy. As a result, their industry came to a grinding halt and they realised that they could not be held to ransom by other states in Europe but had to generate their own power. Because they have no natural resources such as coal, gas and oil to generate power, they are off building new facilities.

Of course, Italy and other countries are going to face the same problems as we are—that is, where to store it. I know the argument about ‘Not in my backyard’. Nobody wants a nuclear reactor built in their backyard—in their electorate. Ask every one of the 150 members of this House, ‘Are you happy to have a nuclear reactor in your electorate?’ and they will say, ‘No way,’ but then behind their hands they will say, ‘But it’s a good idea—it would probably not be a bad idea if we actually had cleanly generated power delivered through a very, very low-cost fuel which Australia generates 40 per cent of.’ It would be the same with the storage. You could ask, ‘Do you want to store nuclear waste in your electorate—in other words, in your backyard?’ The answer would be: ‘Oh no, you can’t do it here.’ It would be terrible—you would have people marching in the streets led by, I expect, the Greens in their little pixie outfits and, as a result, it would not happen. But a solution was arrived at and, as the states reneged on this agreement to go forward, it was decided that somebody needed to volunteer and select the most appropriate site.

My colleague the Hon. Ian McFarlane, the member for Groom, the former Minister for Industry, Tourism and Resources and now the shadow minister for energy and resources, said that this bill seeks to find a na-
national radioactive management facility for low- and intermediate-level radioactive waste. It is simply replicating what we have already done, and there is a need for a centralised long-term radioactive management plan and storage. That is simply being cut and pasted by the Labor Party, but the storage facility was eventually found in the Northern Territory at Muckaty Station. The Greens member of this House—who, as I digress, unfortunately got here on Liberal preferences, so we will have to do something about that next time; we saw what happened in Victoria last time, and maybe we should take note of that—just told the House that there is a ‘divided community’ at Muckaty Station.

Can I say to you, ‘Wake up, old son,’ because for all the native title issues throughout this country there can be a whole lot of claimants and title challenges from within the same family. You are seeing this regarding the facility that they want to build in the Kimberley for the processing of gas. One Aboriginal group, led by Mr Roe, is opposed to it, and the other side, led by Wayne Bergmann, who is trying to get decent jobs and income for his people in the region, has endorsed it. The courts endorsed him and two other members to go forward and negotiate before it is taken off them by the Western Australian state government. As a Western Australian, I feel quite passionate about this. We have the potential in our state to further develop the resources sector—the traditional mining of iron ore, gold and nickel; it is the richest mining province in the world—and add nuclear to that, because BHP’s Yeelirrie site is being progressed by a Liberal coalition government. It is sensible and in the national interest to get on with our resource that is used throughout the world for all the proper reasons. At Muckaty Station you will have somebody in the Aboriginal clan, or dynasty, who wants a better deal and wants to be in charge. They will go off to the High Court, as they do—they will probably get legal aid on the way—and will make sure that they string it out for as long as they can. But, at the end of the day, this is the most sensible place. Geologically, it is the most appropriate place. It is geologically stable, from a weather point of view it is dry and lacks in humidity, and no-one, to speak of, lives there. It has a very sparse population. Barely anyone lives in that arid and desolate part of the Northern Territory.

My colleague from the Northern Territory has a few issues with this because the old NIMBY issues come into her backyard, but, at the end of the day, the Commonwealth has found a site. We could look at other territories. I do not suspect that Cocos Islands, Norfolk Island or Lord Howe Island necessarily want to do a deal. They do not have the right geological framework to store this material. But, deep underground, with the technologies that are used now, this is an income for the local Indigenous people to make use of. It is only sensible and right that they are given the opportunity to do this rather than saying, as we hear in this place so often, ‘We know what’s better for you, you poor Indigenous people. You don’t know how to look after your affairs. We’ll look after them for you.’ We can see where that has got them—welfare dependency and all those sorts of things.

So, allow self-determination, allow an income for the people in this part of the world and allow a proper regime in this country that can be managed so that a facility can be built properly in order to get nuclear waste out of hospital basements and the backyards of industrial sites. We need a proper framework in place so that we can go forward. The Labor Party are supporting it and thumbing their noses at the Greens alliance that they are involved in at the moment, because they know that they will get this through the
House. This side of the House supports sensible nuclear waste management. I endorse the bill.

Mr ADAMS (Lyons) (6.11 pm)—The purpose of the National Radioactive Waste Management Bill 2010 is to establish a facility for managing, at a single site, radioactive waste currently stored at a host of locations across the country. As has been said, in many capital cities, around hospitals and many other sites, we have a lot of radioactive waste. This bill will ensure the safe and responsible management of this waste arising from medical and industrial areas and the research of radioactive material in Australia. The bill ensures the Commonwealth’s power to make arrangements for the safe and secure management of radioactive waste generated, processed or controlled by the Commonwealth. This has to be done on a voluntary basis. No site can be considered a potential location as a radioactive waste management facility without the voluntary nomination of the site and the agreement of persons with relevant rights and interests.

The sites mentioned that have been considered before include the Harts Ranges, Mount Everard, Alice Springs and Fishers Ridge near Katherine. The bill no longer singles out the Northern Territory as the only location to be considered. The minister must first consider whether a facility can be built on land nominated by a land council in the Northern Territory, including the current nomination. For example, the land councils of the Northern Territory have been given the first opportunity to nominate land to see if it is suitable for a waste facility. If the minister believes that it is suitable, the minister can obtain more information about land rights and interests in the site and also look at the physical site itself. It includes the collection of water and soil samples to help make a decision. Once a site has been selected, it will be put forward for regulatory approval. However, this does not guarantee the establishment of a facility. When all of this has been done and the site fails in some way and it is not feasible, the minister may open the nationwide nomination process. This allows the Ngapa peoples to have procedural fairness in any decision to select a site, including the current nomination at Muckaty Station.

The bill repeals the Commonwealth Radioactive Waste Management Act 2005 and applies a decision-making process based on natural justice. Natural justice puts in place a code of fair procedure. At its core is the hearing rule: a right to be heard by the minister before a decision is reached. The bill also reinstates the Administrative Decision (Judicial Review) Act 1977. This will allow persons aggrieved by a decision to apply for judicial review and ensure a higher level of accountability for decisions. A facility will not be established unless it meets environmental and regulatory requirements under the Environmental Protection and Biodiversity Conservation Act 1999, the Australian Radioactive Protection and Nuclear Safety Act 1998 and the Nuclear Non-Proliferation (Safeguards) Act 1987. A regional consultation committee will also be established to communicate with local communities during the environmental and regulatory approval process and the construction and operational stages of the project. This open and informed process will help raise awareness through dialogue, address local concerns and ensure government transparency when establishing a national radioactive waste management facility.

I think we have to be realistic that nuclear waste needs to be stored. The safest way to store it is in our own backyard, as we will then be certain that all the standards for safety and security are met. Any facility built here will store radioactive waste generated, processed or controlled by the Commonwealth or a Commonwealth entity. This is
crucial to a long-term strategy for managing radioactive waste in Australia. Of course, that waste is generated in saving lives in hospitals, and it is generated in Australia. We have to take care of our own waste. This government’s intention is that the facility will manage Australia’s waste rather than just the waste from Commonwealth authorities. State waste will be accepted after detailed negotiations with the states have occurred. It is an improvement on our predecessors, who left the states and territories to make their own arrangements for managing these wastes, despite international best practice favouring centralised, purpose-built facilities.

I know there are many storage facilities in Tasmania. They are often the topic of conversation in the press when there is a scare, and there must be many others around this country. When the public becomes aware that they are just down the road, around the corner, underneath where they are working or whatever, people start to get a bit of an idea that there is something that this country must come to grips with, and that is the storage of its nuclear waste. This bill would allow it all to be put into one spot and will minimise the risk of any loss of control. It will help keep control of the radioactive material, therefore making it safer and more secure.

Two important facts provide compelling arguments as to why Australia should be at the forefront of nuclear spent fuel and waste storage research. Australia is a major exporter of uranium and nuclear power. It is the world’s largest and most promising source of low-carbon energy for most countries. In past public debates, proliferation has been the most important issue for objectors to nuclear power, while arguments about waste storage have centred on the technical questions of long-term stability and security of the storage systems. There are good reasons Australia should accept nuclear waste and store spent fuel prior to recycling. One reason is that Australia has a huge area suitable for long-term, relatively dry and geographically stable storage sites that meet that criterion. Most of them are remote from significant human habitation.

Another reason is that Australia is more politically stable than other countries that will inevitably attempt to enter the large-scale business opportunities of storage and handling systems. There is a very good reason why we should exploit our unique capacities in this activity. If we allow nuclear waste to come to Australia, not only do we make the world a safer place and protect our country from the major threat that nuclear waste poses to us but we could earn large sums of foreign exchange. As part of any plan, taking others’ waste could be an industry in itself for us into the future.

The argument about making the world a safer place by taking waste is also considerable. Nuclear waste stored below a desert in Australia is much less likely to become a dirty bomb than waste stored alongside a nuclear reactor in France or America. Making use of fuel rods or, in the future, fuel pellets would greatly reduce the chance of a dirty bomb exploding in a large city—and that is the major risk that waste poses for us. The natural causes of release of waste into the environment are easy to manage in Australia. We run a lower risk of radioactivity reaching our shores from a desert location inland from the Indian Ocean than from temporary storage facilities in California or Japan.

For our own good, we should offer a little patch of Australia to store nuclear waste. It is not a huge amount. Over 50 years Australia has accumulated a total of 4,020 cubic metres of low-level and short-lived intermediate and low-level radioactive waste. About 50
cubic metres is annually accumulated here. We do not produce any high-level waste. Other countries have a lot more, and maybe, in the long term, we might look at storing other people’s waste—of course, at a cost.

I do think that we have to get over the fear of nuclear materials and start understanding what risks there may or may not be by using it. There are fears about all sorts of things, and the best way to deal with that fear is to understand it. We need to understand what we are dealing with. We are beginning to understand a bit more about nuclear energy. New generations are coming to understand that, as we look at the need for a low-carbon future, we certainly have to have a debate on nuclear energy.

The only reason we have not had to do this in Australia is that nuclear is still very expensive compared to other power sources, such as coal. But there may be a day when we will have to consider it—and that day is getting closer all the time. Therefore, we need how best to use it and how to store and secure the waste safely. We need to work towards investigating ways to make the waste less potent and ways to more quickly break down that waste. It is important to have an understanding of the science and to have people with the necessary skill base.

This bill allows many options to be considered. There needs to be full consultation with the people and organisations that may have an interest in the location of such a waste site, and we need the proper checks and balances. This facility should be of great benefit to Australia in many ways. We need to have a debate about nuclear energy in Australia. We need to think about what will happen if we do not clean the coal that we have in the ground. We have 400 years of coal reserves based on present usage. Coal is a major, major fuel for us, but, if we do not find a way to clean it, we will need to look at another source. The Greens, who have spoken in this chamber, are opposed to nuclear energy and to coal. So we could be in trouble if they win the day. I support this bill. I believe it is a good bill and that it will take us forward as a nation.

Mr HAWKE (Mitchell) (6.25 pm)—I rise to endorse the National Radioactive Waste Management Bill 2010 as a long overdue measure this parliament ought to take in implementing what I regard as a vital piece of our national infrastructure. I reject the proposed amendment by the Greens, and I will get to that in a moment. I endorse the comments of the member for Lyons. It is a brave man inside the Labor Party who stands up and calls for the use of nuclear power, and I encourage him to pursue that line. We have seen in recent times union leaders coming forward and saying that they feel that nuclear power is a good way for this country to proceed. We have seen more and more Labor members realising—after decades of inaction—that nuclear is a viable and long-term strategic option in Australia’s interests.

However, I do want to correct the member for Lyons on a couple of points that he made. He contended that the coalition had done nothing in government and that somehow we are here today because of coalition inaction. We are standing here today after 11½ years of coalition policy stating that we need a centralised waste management system because of the intransigence of the Labor Party in opposition. They opposed us in that endeavour. Why did they oppose us? They opposed the centralisation of waste management in Australia because they could not resolve their own internal political tensions. Labor, the Greens and the left of centre in Australian politics have always sought to create fear out of the nuclear issue. That is why I think the comments of the member for Lyons were radically different here today. I endorse his comments, because it is long
overdue that the left of centre of Australian politics came to grips with technology and with the realities of the world in 2011.

I say to the member for Lyons that it is not that we are only now learning about the use of nuclear power and how valuable it could be. It has been in operation for decades. Australia has been mining uranium for decades. We have been using the benefits of nuclear medicine for decades. These benefits have been obvious to those people following and interested in the debates on nuclear power, nuclear energy generation and the use of nuclear technology in this country. These benefits have of course escaped the notice of the Labor Party.

In the 2007 election campaign the Labor Party sought to run a series of fear campaigns around this country on the siting of nuclear power plants. The front page of local papers in my electorate of Mitchell carried a big picture of a reactor tower and the words ‘Nuclear plant coming to Mitchell’. That might have been a plan proposed by the member for Werriwa—who I notice is here in the chamber—because that was certainly replicated right across this country, particularly in marginal electorates. I thought that was a shallow and defeatist set of campaign tactics. We have to seriously consider these very important technologies for the future, not cynically campaign politically on such an important and vital part of this country’s future.

We have one of the world’s largest reserves of uranium. We were held back for decades by Labor’s three mines policy. People talk about trade cartels. Labor had a three mines policy for so long in ignorance of the opportunities that we are provided by this fortunate land that we live in. The coalition’s longstanding position has been one of support for this concept, and we support this bill. We are behaving responsibly in opposition. We are behaving in the national interest. For 11½ years we sought to act in the national interest and construct a repository in a suitable location. I note that the member for Solomon is here in the chamber today. She is here in defence of her constituents—and I think she is doing a great job in that regard.

Years ago there was a proposal for a suitable site in northern South Australia. The only reason that facility did not go ahead was Labor Party intransigence by the Rann government. That is what we have seen from state Labor governments around the country: a lack of leadership and a lack of vision for their state and for their country. We have seen short-term temporary politics overtaking long-term national interest and decision making. People in this country are sick of it. No wonder every Labor state Premier is as unpopular as Captain Bligh in the rebellion. No wonder every state wants to reject them. We would have had a centralised waste management facility in a suitable location—which was identified in the report—in northern South Australia many years ago, and everything would have proceeded in a much safer way for ordinary Australians. Labor has been content to allow the storing of radioactive waste containers in car parks, hospitals and inner city areas all around the country—totally unsuitable arrangements. That is why this bill is important. It is why a centralised facility in a suitable location is important to all Australians. We do have to handle the waste that is generated by nuclear activity, and it is something that Labor has opposed.

I want to endorse the remarks of the member for Groom. I think he has a great understanding, as a former Minister for Industry, Tourism and Resources, of what this issue represents. In listening to what the member for Lyons had to say, it is interesting to note that, yes, we are a signatory to the South Pacific Nuclear Free Zone Treaty, and we do have obligations in this country. Yet it
seems to me that the Labor Party and the Greens, in particular, are always talking about meeting our international obligations in relation to so many things. We have international obligations for the safe handling of nuclear waste and yet that has not figured in their policies nor in their campaigning for so long. That is why this parliament has to override by necessity—using its powers under section 51—state and territory laws in relation to waste handling. It has to do that. The member for Lyons’s comments, while welcome, are long overdue in this case. The irrationality that has pervaded this debate from members of the Labor Party has been extraordinary.

When you look at the benefits that nuclear technology has brought to us, nuclear medicine today enables doctors to produce quick and accurate diagnoses of a wide range of conditions and diseases in persons of any age. When we look at the provisions of this bill, in Australia we have to recognise that we do not deal with high-level waste. We deal with low- and intermediate-level radioactive waste. It makes sense to centralise, in a safe way, the waste and to have a facility for dealing with it. I think it is odd to hear the remarks in this place, especially by the member for Melbourne, about the benefits of nuclear medicine to increase the standard of health care for all of our citizens and about the benefits of nuclear technology in an advanced and modern society.

The position of the member for Melbourne is that the location in the Northern Territory would be the wrong one, but he has no proposal for where to centralise waste management in this country. It is absolutely unsatisfactory to come into this chamber and say, ‘It’s the wrong place,’ and to have no alternative. I think it is absolutely the wrong position to come in here and say, ‘I really want the benefits of nuclear medicine; I want the advances that come from nuclear technology’—we live in a society where people do enjoy the benefits of it—and then say, ‘We don’t like the waste.’ Radioactive waste is a very unfortunate by-product of this technology. It is the level of technology that we have reached at this time in human development. We have to deal with it in the best way we can and in the most advanced way we can. We cannot be half pregnant on this issue. We cannot have nuclear generating facilities like Lucas Heights in Sydney and hospitals that use nuclear technology and not deal with the waste in the most intelligent fashion that we can. We must.

It is vital that this bill is supported as quickly as possible, and that is why the opposition is moving to do so. I think that the Greens have not just missed the practical and common-sense arguments about the importance of this technology to our country’s health and other benefits; they have also missed their own arguments on climate change. It is no accident that countries like France have so many nuclear power plants and have no problems with nuclear power. With the advances in technology, with fourth and fifth generation plants, and the way it is moving and progressing all around the world, we can move down this path in a very safe fashion. It is not an accident that other countries have lowered their emissions. Australia is one of the highest emitters of carbon, per capita, in the entire world and it is primarily because of our power generation. Everything this government has attempted to do around the edges that has not dealt with power generation is a waste of our time. We have wasted so much time. We can tackle carbon emissions through the use of nuclear power, and we can do so intelligently, in a forward-thinking fashion that provides energy generation for Australians for a long time to come.

It would not be a surprise to those opposite that I am a supporter of nuclear power.
plants. It would not surprise the member for Werriwa—who may or may not have been the architect of the scare campaign all around Australia about nuclear power plants—that I was not a supporter of the one that was reported on the front page of my newspapers in Mitchell. Mitchell is an unsuitable site for a nuclear power plant, just by virtue of it being in a metropolitan area, and it was wrong of the Labor Party to try to scare my constituents into thinking that there was ever a plan to put a nuclear power plant in Mitchell. It was wrong of them to scare communities across this country that they may have had a nuclear plant coming towards them. That was a wrong thing to do. But I am a supporter of nuclear power. I think there are appropriate sites in a country so large and a population so small.

I think that many of the provisions of this bill are improvements. While it does call for the repeal of the coalition’s previous act, I do think that there have been some improvements made in this bill. However, I also note that much of the original legislation is replicated in the bill before us today. They have not reinvented the wheel. They have fulfilled their promise of repealing the previous act and they have used large sections of the act and added new provisions. So it is a little bit cute of the Labor Party to come in here today and say that the coalition did nothing for 11½ years when, at every turn, the coalition proposed to deal with radioactive waste in the very manner prescribed in this bill. The reason it never came to fruition is that Labor at federal level and state levels across this country opposed it, at every step of the way, for pure political interest. That is why we are here as an opposition behaving differently. We support this bill because the right thing to do. We support this bill because we do need a centralised waste management facility in this country to ensure the safety and security of Australians in our metropolitan areas and to ensure that waste is properly handled, sensitively handled, in the right way and the best way that we know how. That is why I support this bill.

Mr ZAPPIA (Makin) (6.37 pm)—I also take the opportunity to speak on and support the National Radioactive Waste Management Bill 2010. As Chair of the Standing Committee on Climate Change, Environment and the Arts, this morning I presented an advisory report on the National Radioactive Waste Management Bill 2010 to this House. I will take the opportunity to very quickly summarise some of the points I made when I presented that report, and in doing so I also hope to respond to some of the comments made by the member for Melbourne.

This morning I pointed out to the House that this bill in fact replaces the 2005 act introduced by the previous, coalition government—the Commonwealth Radioactive Waste Management Act 2005. It is also a bill that was redrafted after having been presented to a Senate select committee early in 2010. Having been redrafted, it was presented to the House on 21 October last year at which time it was then referred to the Standing Committee on Climate Change, Environment and the Arts for consideration. There were no terms of reference for the inquiry, as is the case when a bill is referred to a committee, and so the committee determined the basis on which it would conduct its inquiry. In doing so, it looked at the very long history associated with the management of nuclear matters in this country. It ultimately made a report to the House.

The member for Melbourne was appointed as a supplementary member to the committee for the purpose of the inquiry into this bill. He in turn submitted a dissenting report. I say to the member for Melbourne: I respect his right to disagree with the work and findings of the committee. He is entitled
to do that, but I believe he is wrong in attacking the members of the committee, who, I should point out, were unanimous in their recommendation to the House of the report that I presented this morning. In my view, the members of that committee did their work very diligently and took the matter very seriously. The fact that the committee was able to conclude its work within a four-week time frame in no way belittles the commitment of the committee or the work that was carried out.

The committee carefully analysed the matters that had taken place up to the point where this bill had been referred to the committee. Amongst those matters was the fact that since 2005 there had previously been on four occasions matters referred to a Senate committee associated with this very issue. On all of those occasions reports were brought back. I have done a quick count of the number of public submissions that were made in the course of those four reports alone, and there were something like 637 public submissions on this issue made prior to the committee making its decision.

Prior to that, there had also been a long-running history of public debate, public discussions and public consultations on a whole range of matters, again, very much associated with the matter that is before us. Having taken all of those matters into account, the committee determined that it would conduct its inquiry on the basis of three key areas. One was in terms of the very last report of the Senate select committee, which reported in May of last year, only some five or six months before the bill was reintroduced to the House. The committee determined to consider, firstly, to what extent the minister had taken into account the recommendations of that committee; secondly, the principle matters of concern raised in the dissenting report of the Senate select committee by Senator Scott Ludlam; and, thirdly, the critical issues associated with the differences of opinion with respect to the nomination of Muckaty Station as a site to be considered. On the basis of those three matters, the committee proceeded with its inquiry. I will take each of those matters separately.

In respect of Muckaty Station, the government was prepared to honour an agreement with the traditional owners of Muckaty in 2007; in fact, a nomination deed had already been signed with the traditional owners of Muckaty Station at the time. That deed still stands, and my understanding is that the minister met with a delegation of the Ngapa clan and executive members of the Northern Land Council in Darwin on 3 March 2010. At that meeting they confirmed their continuing support of their nomination. On that basis, it would seem clear to me that it would be in breach of an agreement properly entered into with a group of people for the government to do anything other than honour that nomination and agreement. Furthermore, the minister has made it quite clear that, should the matter of the Muckaty Station nomination being currently challenged in the Federal Court result in anything different, then the minister would honour the court’s decision.

I also stress the point that the nomination with respect to Muckaty Station is currently before the Federal Court. It was taken to court by an Indigenous person who claims that he was not properly consulted and not in agreement with the nomination. The committee considered that and the seriousness of that statement. In doing so, it felt that the appropriate place for such a matter to be resolved is in fact in the courts and not by a public inquiry of the committee.

I repeat what I said a moment ago: the minister has made it clear that the government will respect whatever the court’s decision is. Again I stress that whilst the commit-
tee in no way implied or intended to suggest that the nomination process was not being questioned, the committee also felt that the proper place for that to be resolved was in the courts and not by the committee, and that is exactly what is happening.

With respect to the other matters raised by Senator Scott Ludlam in his dissenting report, which have essentially been raised again by the member for Melbourne in his dissenting report to the report by the standing committee of this House that I presented this morning, they essentially come down to questions of safety matters associated with both the nuclear industry and the environment. Again, the committee quite rightly accepts that those are legitimate matters of concern. The committee, however, is also very conscious of the fact that this is essentially a three-step process: a site is nominated; the minister makes a determination as to whether the nominated site becomes selected after a process has been gone through; and then, if the relevant hurdles are overcome, a site is chosen for the development of a radioactive nuclear waste facility.

For the selection process, there are three critical acts that will come into play before a final decision is made. Nomination of a site does not imply, nor does it guarantee, that the site will in fact be chosen to establish such a facility. Prior to that occurring, the Environment Protection and Biodiversity Conservation Act will apply with respect to protection of the environment, therefore any procedural aspects associated with public consultation, public submissions and environment protection matters are covered in the framework of that act. Secondly, with respect to radioactive matters and nuclear safety, both the Australian Radiation Protection and Nuclear Safety Act 1998 and the Nuclear Non-Proliferation (Safeguards) Act 1987 also apply and both need to be complied with prior to a decision being made. If there are concerns about this site being suitable or that it may not meet international standards, then those concerns need to be addressed by implementing changes to those two acts, because they create the framework under which the approval will ultimately be granted. If there is a deficiency, the deficiency lies in those two acts, not in the act that we are currently debating. Therefore, again, the committee was satisfied that matters of nuclear safety and environmental protection were adequately covered in the process which follows the nomination process, because those acts are still relevant.

The third matter raised in the dissenting reports relates to judicial review and procedural fairness. In the revised bill that we are now debating, those matters have in fact been embraced by the minister. Certainly the procedural fairness does not apply retrospectively to the nomination of the Muckaty site. That matter has been dealt with and an agreement or deed has been entered into with the Ngapa people. With respect to any future nomination or any other nomination, judicial review and procedural fairness will apply. And judicial review and procedural fairness will apply once a nomination is made even with respect to the Muckaty Station site.

So the process from here on in provides for all of those matters to be taken into account. That is certainly my understanding. On that basis the committee felt that the bill as it currently stands should not only come to parliament but should be supported because the government has responded quite responsibly to the matters that were raised in the course of the public inquiries. In essence, we—the committee—accept that ultimately there will be differences of opinion about a range of matters and we accept that there will be ideological differences between people throughout the community and between members within this parliament. We also accept, however, that this matter has been
ongoing for almost 11 years now, under the previous bill and now this bill.

We have some 4,000 cubic metres of low-level and short-lived intermediate-level-radiation material, which has accumulated over the last 50 years and is currently housed in various places around the nation. It is my view, as it has been the view of several other speakers here tonight, that it makes much more sense to have a properly constructed facility to store that material. That is exactly what this bill hopes to do. If the particular site that has been nominated falls through, then the process from here on in is that, firstly, it will be on the basis of a voluntary nomination, so a site has to be volunteered by a community. Secondly, anyone throughout Australia can nominate a site, whereas the previous act restricted it to the Northern Territory. Thirdly, once a site has been nominated, matters of judicial review and procedural fairness will entirely apply.

In his second reading speech the Minister for Resources and Energy went through, I believe quite thoroughly, each of the matters associated with this bill and why we need to proceed with it. We certainly will continue to accumulate nuclear waste. We certainly have had the debate about where it is best located—and, again, I accept comments by a previous speaker that nobody ever wants to have the nuclear waste in their backyard. The reality, however, is that it needs to be stored somewhere. It is my view that if you go through a thorough process, which this bill certainly does, both of complying with all the relevant acts and of ensuring you have a site that is best suited geologically for the storage of waste material, you should then proceed to develop a facility. That is what this bill does. It is my view that we should support the bill.

Mr FRYDENBERG (Kooyong) (6.52 pm)—I rise to speak in favour of the National Radioactive Waste Management Bill 2010, which repeals the Commonwealth’s Radioactive Waste Management Act 2005. The bill will lead to the establishment of a facility managing in a single site radioactive waste. This is important because radioactive waste in Australia is currently stored in multiple sites, and this creates handling and storage concerns that could otherwise be allayed with the creation of the single secure repository. Over the last five decades Australia has accumulated approximately 4,000 cubic metres of low-level and short lived intermediate-level radioactive waste. In stark contrast, and as has been pointed out in this House, Britain and France produce on an annual basis approximately 25,000 cubic metres of such waste. Low-level waste, according to the second reading speech of the Minister for Resources and Energy, includes:

... lightly contaminated light laboratory waste such as paper, plastic, glassware and protective clothing, contaminated soil, smoke detectors and emergency exit signs.

Intermediate level waste arises from the production of nuclear medicines, from overseas reprocessing of spent research reactor fuel and from disused medical and industrial sources such as radiotherapy sources and soil moisture meters.

In the words of Dr Adrian Paterson, the CEO of the Australian Nuclear Science and Technology Organisation, who testified to the Senate Legal and Constitutional Affairs Legislation Committee:

The current situation where radioactive waste is held in over 100 separate locations around Australia is not conducive to the safety and security of that material, nor is it consistent with international best practice.

He goes on to say:

The opportunity that this legislation provides is for that management practice to now be established at a national level and to be available nationally to all of the small holders of these used sources and the orphan sources in Australia.
So here we have it, the technical experts and the people we trust to protect our safety advising us that this bill will make a positive difference. Critically, passage of this bill is urgent and the Greens tactics to delay it should not be supported because Australian spent fuel waste, which was transported to France and Scotland, will be transported back to Australia in 2015-16 and will need to be immediately and safely stored.

While the coalition supports this bill, it is important to acknowledge that during the years of the Howard government, when we advocated and legislated for a single national facility, the Labor Party at a federal level and Labor governments at a state and territory level put up obstacles at every turn and did their best to impede progress. The Rann South Australian Labor government in 2003 and the Martin Labor Northern Territory government made clear their opposition to coalition efforts to find a suitable central repository. Julia Gillard’s hypocrisy in taking to the election a policy that would repeal the coalition’s 2005 Radioactive Waste Management Act seems hollow in light of the bill that they have now put before the House.

This bill assumes many of the features of the coalition’s legislation and will still see Muckaty Station in the Northern Territory remain a potential site for radioactive waste. It is a site that was selected during the coalition government’s process after nomination, importantly, by the Northern Land Council. In the telling words of the Greens, Labor’s bill is ‘a cut and paste’ from the previous Howard government. This grandstanding from Julia Gillard and her party is both typical and cynical. But more dangerous than the ALP on this important issue is the Greens, who according to their election platform want to close down the reactor at Lucas Heights. This retrograde step must never be allowed to get traction.

Radioactive materials in Australia are being put to valuable use in the fields of medicine and industry. The Australian Nuclear Science and Technology Organisation is responsible for providing 85 per cent of nuclear medicines to hospitals in Australia and in so doing helping to treat patients who are suffering from a range of diseases, including cancer. According to the Minister for Resources and Energy, around 500,000 patients annually benefit from radioisotopes in medical procedures. These facilities are clearly important to our society and need to be continued and supported.

As has been made clear by the member for Groom in his statement to this House, the debate about this bill provides an important opportunity for the leadership of the Labor Party to declare itself in favour of a comprehensive and immediate debate about pursuing the benefits of a civilian nuclear power industry. As we all know, the member for Batman is ahead of the pack and leading his colleagues out from underneath their ideological covers. Bob Hawke, who said of nuclear power, ‘It is intellectually unsustainable to rule it out as a possibility,’ and that quotable AWU leader, Paul Howes, are among the other outspoken nuclear proponents. Nuclear power is a carbon neutral baseload energy source. With Australia’s energy needs to double in coming decades and our desire where possible to transition to a less carbon intensive economy, we must consider nuclear energy in the mix. The facts tell the story. Australia is home to 38 per cent of the world’s known recoverable uranium reserves and we export it to more than 10 countries, to which we should add India immediately.

With 31 countries hosting 440 reactors in the world today and more than 55 reactors currently under construction, nearly half of them in China alone, the international message is clear: get on board because you are already being left behind. New technology is
getting more cost-effective and power plants quicker to build. Decades of experience since the explosions at Chernobyl and Three Mile Island indicate that reactors are inherently safer too. Ziggy Switkowski, the pre-eminent voice in the Australian nuclear debate and until recently chairman of ANSTO, believes Australia can have its first operating reactor by 2020 and 50 in place by 2050 providing 90 per cent of Australia’s energy needs. This message has already been heard loud and clear by the Democrat American President, Barack Obama, who recently committed $1 billion in federal loan guarantees for the next-generation reactors, and the former Labour Prime Minister of Great Britain, Gordon Brown, who described nuclear power as ‘a fundamental precondition of preparing Britain for a new world’.

If it was good enough for the American Democrats and the British Labour Party to enthusiastically embrace nuclear power, why is it not good enough for their left-of-centre political cousins here in Australia? To paraphrase Paul Keating, they are still back down in the time tunnel. Australia’s long-term energy future requires a comprehensive and bipartisan debate about nuclear power. This is long overdue. It is time Julia Gillard took the lead. So, too, is Australia overdue in finding an appropriate and secure facility to store our existing stockpile of radioactive nuclear waste. This bill meets this end and I commend it to the House.

Ms PARKE (Fremantle) (7.02 pm)—The National Radioactive Waste Management Bill 2010 is intended to repeal the Commonwealth Radioactive Waste Management Act 2005 and put in place a proper process to establish a facility for managing, at a single site, radioactive waste arising from medical, industrial and research uses of radioactive material. I fully support the repeal of the Commonwealth Radioactive Waste Management Act 2005, which the Howard Government rammed through the parliament and which was described variously as ‘extreme’, ‘arrogant’, ‘heavy-handed’, ‘draconian’, ‘sorry’, ‘sordid’, ‘extraordinary’ and ‘profoundly shameful’.

In 2008, the Senate Environment, Communications and Arts Committee found that the CRWMA legislation was unfair and discriminatory, that consultations and decision-making processes should reflect the interests of all clan groups in the immediate area, that a new foundation for building Australia’s nuclear waste policy was needed and that the legislation should be repealed. There is now a new bill before the House which itself has been the subject of some debate.

The area in question is a place north of Tennant Creek known as Muckaty Station. It has become the proposed site as a result of an agreement between the Howard government and the Northern Land Council. I understand that the class of traditional owners is disputed and is the subject of a Federal Court action at the present time. There are nevertheless a number of Aboriginal communities from the Ngapa, Milwayi, Wintirku, Ngarrka and Yapakurla groups in the Muckaty area identifying themselves as the traditional owners of the Manuwangku/Warlamapa Land Trust who strongly object to a nuclear waste dump in the vicinity of their land.

I note the concerns expressed about the bill by the former member for Solomon, Damian Hale, in a speech in this place on 18 March 2010, and by the member for Barkly in the Northern Territory, Gerry McCarthy, in a submission to the Senate Legal and Constitutional Committee dated 5 March 2010. In that submission, Mr McCarthy said he supported ‘the development of safe and secure processes for the transport and storage of Australia’s nuclear waste on a national level with reference to the security of our genera-
tion and our future generations’. However, Mr McCarthy also said: ‘If the decision is based on the testimony of an extended family group living far-removed from Muckaty Station then the total dislocation of the Waramungu and Warlmanpa tribal communities of the Barkly that I represent is at stake … Any determination to proceed without direct, open and accountable consultation with the wider contemporary Indigenous community representing the neighbouring clans, moiety and tribal groups of the central Barkly will effectively lead to generational division and conflict among the very people the Minister has set out to support.’

I am aware that the road to this point has been long and tortuous and that there is a desire to achieve a solution to the vexed issue of the disposal of nuclear waste produced in Australia. Nevertheless, a number of issues have been raised with respect to the bill and I would like to speak to some of them. The first is the issue of community consent. The international human rights principles set out in the Declaration on the Rights of Indigenous Peoples, and the UN Permanent Forum on Indigenous Issues, require the ‘free, prior and informed consent’ of affected communities. While the Northern Land Council signed off on this deal with the previous government some years ago in circumstances that are unclear, it is clear that the persons affected by a radioactive waste storage facility go well beyond persons who have a formal proprietary interest in the land on which the facility is constructed.

The bill allows ‘persons with a right or interest in the subject land’ to comment upon the proposed approval of a nomination and declaration of a selected site. It is indicated in the explanatory memorandum, and I am assured by the minister’s office that the phrase ‘persons with a right or interest in the land’ is to be interpreted broadly in accordance with normal administrative law and natural justice principles to mean all persons affected by the proposed approvals and declarations. Second, the bill provides that a failure to comply with the procedural and due process provisions in the proposed legislation, including requirements for consultation with affected communities, will not invalidate nominations or ministerial decisions. Again, I am assured by the minister’s office that these provisions relate only to technical breaches of the procedural and due process provisions and will not permit wholesale abrogation of the right of interested parties to be fully consulted. Further, concerns have been raised that the minister’s absolute discretion in relation to declarations and approvals is not required by the legislation to be constrained or shaped by criteria such as community consent or other scientific, environmental, social, cultural or economic considerations. I am, however, assured that all such considerations will be taken into account in the context of the required assessments under the Environment Protection and Biodiversity Conservation Act.

I conclude by making the general observation that we should always guard against the notion that remoteness equates to emptiness, which seems to be the view of the member for Canning who said, when speaking on this bill a little earlier today, ‘no-one lives there’. I am not at all suggesting that such a view informs this bill—I know it does not—but it is important to acknowledge that there are people affected by this proposed legislation whose geographical situation means, at the very least, that they tend to have less access to the nerve centres of policy and politics. That makes it critical that we acknowledge that such people have a deep and abiding connection to the land and that they are, and always be will be, entitled to have their views listened to and taken into account.

Mrs GRIGGS (Solomon) (7.08 pm)—I rise today during this debate on the National
Radioactive Waste Management Bill 2010 to express my concerns about the proposed nuclear waste facility at Muckaty Station in the Northern Territory. My opposition to this waste facility is well known and it was a key issue in my electorate during the last election.

I oppose the placement of the proposed nuclear waste facility at Muckaty Station in the Northern Territory. My concerns relate to complaints by some of the traditional owners of a lack of appropriate consultation, and the minister’s failure to adequately respond to the Senate inquiry into the dump laws. The government has also failed to show the respect due to the traditional owners of the land, by not properly consulting them about plans for a nuclear waste dump at Muckaty Station north of Tennant Creek.

I understand that the minister is yet to meet with all of the Aboriginal people who claim an interest in Muckaty Station, or those who claim to be the traditional owners. Minister Ferguson should travel to the Northern Territory and meet them and hear their concerns and the concerns of all Territorians. I believe that the Gillard government is not showing sufficient respect for the views of the Northern Territory community about this issue.

From my perspective, the federal government is ignoring or overriding legislation which was passed in the Northern Territory parliament and which seeks to ban the imposition of nuclear dumps: the Northern Territory Nuclear Waste Transport, Storage and Disposal (Prohibition) Act 2004. Territorians and the people in my electorate want our concerns to be taken seriously and we want a proper consultation process with the local community most impacted by the decision to locate this waste facility at Muckaty Station. I do not believe these are unreasonable requests.

I am a committed team player and a strong supporter of the current leadership of Tony Abbott and Julie Bishop, and yet I must take a different position on this issue because I undertook to my electorate during the last election that I would stand up for them. I remain true to my commitment to the people of my electorate and I remain opposed to this decision.

Ms BURKE (Chisholm) (7.10 pm)—I rise tonight to speak on the National Radioactive Waste Management Bill 2010. I rise in support of the bill before the House. At the outset, though, I put on the record that I have no time for uranium mining or for the use of uranium as a form of energy source in Australia. So it is odd, in some respects, for me to be talking on a radioactive waste bill but I have been passionately opposed for a very long time to the mining and use of nuclear material because I do not think we have resolved what you do with the waste at the end of the day. This bill articulates the issues around the consequences of using nuclear material. This bill deals with safe, low-level waste. Across Australia there is a substantial amount of it stored in very vulnerable, unsafe situations. The majority of our public and private hospitals probably have some form of low-level nuclear waste sitting in storage somewhere and the people in those buildings do not even know it is there. Nuclear medicine is something that we have fostered, enhanced and utilised in Australia to great effect but the by-product of that nuclear medicine is low-level nuclear waste and at some stage we in Australia must take responsibility for that waste and put it into a storage facility.

This bill is about finally biting the bullet and saying, ‘We are going to have a sensible debate—a sensible discussion—about where that waste will be stored.’ We can procrastinate for yet more and more years. We can have more and more inquiries. We can agree
with the Greens and conduct another endless inquiry—as the Senate has done on so many occasions that we are losing count—or we can finally say, ‘Yes, we accept that nuclear waste of low-level radioactive material must be placed somewhere,’ and put it into a safe depository.

Time is of the essence. In 2015-16 material that Australia has sent overseas for processing will be returned. It will be arriving on a ship on our shores sometime soon and it needs to be put somewhere safe. So I want us to have the discussion about where that ‘somewhere safe’ will be.

The act also quite clearly states that a decision that is made about a site is made on a voluntary basis with all natural justice issues being considered. We then go into a four- to five-year process of determining the environmental suitability of the site and ensuring that where the site is established there is community consultation. Once the site is approved there is then another four to five years of legislative framework to go through before a site can be established.

The previous speaker, the member for Solomon, was speaking up for her community and I commend her for that. I think that was a very brave stance. She is standing up for her community but she is a bit misled and a bit misguided, because it was the previous, Howard government that signed the deal with Muckaty Station. That was the deal that the Labor Party determined that we would not quash. We would not enter into an agreement with individuals and ignore that.

But the bill does not say Muckaty Station will become the depository site. It does not actually enact Muckaty Station. It very clearly states, ‘We will again start the process of looking for appropriate sites on a voluntary basis and we will then enter into community consultation.’ Unfortunately, I did not hear the other speakers—I was in the chair upstairs—but I am sure that other people have mentioned that the current Muckaty Station is, in fact, part of a dispute in the courts at this moment, and it would be highly inappropriate for members of parliament to influence that ongoing Federal Court dispute.

We need to at some stage say, ‘Yes, there is somewhere for the waste to go. There is somewhere sensible for the waste to be placed.’ We need to be making that decision so that we can go down the path of community consultation and environmental establishment and not put this off to the never-never on the NIMBY process.

I will be honest. As I said at the outset, I am totally opposed to uranium mining; I am totally opposed to the use of uranium as a form of energy within Australia. But I understand that we have a responsibility to the waste we already have—to manage that appropriately, to place it somewhere sensibly, and to ensure that we enter into a rational dialogue with the individuals who may be exposed to where this site is placed. We cannot put off that debate for ever and ever. I commend the bill to the House.

Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (7.16 pm)—I welcome the opportunity to respond to what has largely been a constructive debate to what is a very important bill, the National Radioactive Waste Management Bill 2010. I begin by thanking the Standing Committee on Climate Change, Environment and the Arts for its advisory report into this bill, because it has very much been part of the debate before the House this evening.

As the committee noted, since 2005 radioactive waste management legislation has been the subject of four previous parliamentary inquiries, providing opportunities for consideration of evidence and submissions from members of the public. Members of the
public were invited to comment on the bill last year during an inquiry by the Senate Standing Committee on Legal and Constitutional Affairs. The report notes that ‘the government’s bill has substantially addressed the recommendations of the Senate Legal and Constitutional Affairs Legislation Committee’.

Whilst I will not go into detail on the debate and the contribution by all members, I will spend a little more time responding to the dissenting report of the member for Melbourne and addressing some of the assumptions contained therein, including his contribution to the debate this evening. The honourable member and his party colleagues are playing an old political game. On the one hand they express support for establishing a single national radioactive waste facility and then with the other they erect every conceivable barrier to prevent this realisation. I simply note that the process leading to this bill in Australia commenced in 1988. It is time that we fronted up to our responsibilities.

Based on his dissenting report and subsequent media statements, and reinforced in his contribution this evening, the member for Melbourne does not support the concept of a national radioactive waste facility. For instance, the member for Melbourne suggests that this bill allows the minister to make a decision that is not scientifically informed. The truth is that the bill’s framework is solidly underpinned by sound science. In 2009, extensive biophysical studies were completed and presented to the government by Parsons Brinckerhoff on the current nominated site.

Under the bill, similarly detailed site studies will be conducted for any other land nominated and being seriously considered as a site before any ministerial decision to select a site for full regulatory assessment. Any selected site would be referred for assessment under the Environment Protection and Biodiversity Conservation Act 1999. The facility will be subject to regulatory requirements of the Australian Radiation Protection and Nuclear Safety Act 1998 as well as those of the Nuclear Non-Proliferation (Safeguards) Act 1987. The bill ensures that these fundamental requirements are not bypassed—nor should they be. Against this framework and given the undoubted intelligence of the member for Melbourne, it is tempting to conclude that ‘sound science’ is simply a euphemism for an outcome that he agrees with.

The member for Melbourne’s dissenting report also suggests that there is something inherently wrong with the Commonwealth passing laws within its legislative competence that are inconsistent with or contrary to state legislation. This is not a view of the writers of our Constitution, who made specific provision in section 109 to allow for the supremacy of this parliament’s laws. Some examples, for the information of the member for Melbourne, of Commonwealth legislation overriding state law are the Native Title Act, the Environmental Protection and Biodiversity Act and, of course, the World Heritage Properties Conservation Act 1983. Perhaps the honourable member for Melbourne could raise the repeal of these acts, particularly the latter, in his next party room meeting! Perhaps he now wants the Franklin River dam to actually be built!

It makes sense that these overriding provisions operate only to the extent necessary for the facility to be established and to operate as intended. Surely it is appropriate that an Australian government facility intended to benefit the whole of Australia should be regulated through Commonwealth laws and no single state and territory law should have the capacity to frustrate a benefit going to all others. The fact is that the member for Melbourne and his colleagues erect these straw
men as arguments because of their ideological opposition to all things nuclear.

Perhaps, in terms of his argument about whether or not the Commonwealth should override state laws, he should also have a more detailed discussion with the member for Denison on his desire for the Commonwealth to legislate with respect to potentially overriding state and territory laws on the issue of gambling in Australia—proposed legislation supported by the Greens party room.

Need I point out that around 500,000 patients annually benefit from radio isotopes in medical procedures such as cancer diagnosis and treatment. Australians, including the Greens and the member for Melbourne, are responsible for creating nuclear waste from the use of mobile phones, iPods and computers. Accepting the benefit of these technologies means that we are all responsible for finding a safe location based on science to store Australia's nuclear waste. As a community, we have failed miserably in this endeavour since 1988. As a 2010 Victorian Auditor-General's report into hazardous waste stated:

... there is little assurance that hazardous waste is stored and disposed of appropriately.

The bill the government has introduced is aimed at ensuring that radioactive waste from the production and use of nuclear medicine is appropriately stored. Indeed, the member for Melbourne ought to be aware of the following facilities in his own electorate, which neighbours my electorate of Batman in the northern suburbs of Melbourne, which use nuclear material in medical and other research: the Peter MacCallum Cancer Centre, the Royal Children's Hospital, St Vincent's Hospital and the University of Melbourne. Radioactive waste is stored at Peter MacCallum, right in the middle of Melbourne, and there is also a significant amount of material at Melbourne university. All four sites produce the same kind of waste, which will be managed under the provisions of this bill. This waste is therefore routinely transported throughout his electorate and many other electorates of the Commonwealth parliament—without, to my knowledge, any demonstrations against it by the honourable member or candidates from his party.

A national radioactive waste management facility is an essential element of a long-term strategy to manage Australia's radioactive waste. Perhaps the most sensitive issue that has been exploited by the Greens and the Australian Conservation Foundation—who have been hand in glove with the Greens on this issue—has been their opposition to this bill in terms of traditional owners. I remind the House that traditional ownership of land in the Northern Territory is established through processes set out in the Aboriginal Land Rights (Northern Territory) Act 1976. Generally, this involves the Aboriginal land commissioner conducting hearings and publishing a report which the relevant land council considers in reaching its conclusions on who are the legitimate traditional owners.

Muckaty is a large cattle station covering 238,000 hectares, with seven clans, each with traditional ownership of a separate and
distinct area of land. In relation to the land presently nominated as a site for the national radioactive waste facility, following the well-accepted process I have outlined, the Northern Land Council concluded in 2007 that the traditional owners were the Ngapa clan. Under the Aboriginal Land Rights (Northern Territory) Act only traditional owners are empowered to consent to third party use of Aboriginal land. This was the basis on which approval has previously been given by groups other than the Ngapa people for a railway, a gas pipeline and mining projects on Muckaty Station.

Contrary to the suggestion by the Australian Greens and the ACF, it is inconsistent with the Aboriginal Land Rights (Northern Territory) Act to suggest that all traditional-land-owning groups on Muckaty Station must give their consent for all decisions about third party use of land on Muckaty Station. Against this background, it would clearly be inappropriate for a minister to treat a group of Indigenous people as traditional owners of a particular piece of land when an independent land council has made a different decision. One might say that it also flies in the face of Indigenous self-determination, something we on this side of the House long fought for.

I remind the House that there are Federal Court proceedings challenging the Northern Land Council’s consultation with traditional owners in nominating the land. I cannot speak for the honourable member for Melbourne, but the Gillard government will accept the court’s decision on this matter. However, we do know that throughout these court proceedings the Greens have consistently suggested that the Northern Land Council have got the wrong traditional owners and that the right traditional owners were not consulted. To present this as a matter of fact is to pre-empt the Federal Court’s decision.

As a former member of the Melbourne bar and officer of the court, the member for Melbourne should know it is unethical to pre-empt a decision of the court for political gain. It speaks volumes about the nature of his political ethics and those of the Greens and the ACF that each feel they can legitimately pick and choose who is and who is not a traditional owner. In the Labor Party we do not pick and choose traditional owners to suit our political circumstances or campaigns we seek to pursue for short-term political gain. We respect due process. We respect land councils. We respect Indigenous self-determination, which is facilitated by the Northern Land Council. The Greens respect only those that agree with them.

In conclusion, this bill will allow for the siting, construction and operation of a radioactive waste management facility. The legislative framework is based on volunteerism in identifying a site. Establishing the facility will be conditional on comprehensive environmental and other regulatory approval processes. These are conducted independent of the project proponents and ensure Australia adheres to international best practice. In commending the bill to the House, I indicate to the House that the government opposes the second reading amendment of the member for Melbourne.

If I were to undertake consultation as the minister at the present time, it would have to be pursuant to the terms of the existing act, which we seek to repeal this evening. I am not prepared to enter into negotiations with third parties on the basis of an act that does not allow procedural fairness and other protections, and whilst the Federal Court is considering issues associated with the determination of traditional ownership and the site nomination of the Ngapa. As I have indicated on many occasions, I await and will respect the Federal Court decision. As soon as this bill is passed and litigation concludes, I will
consult widely with the parties that have rights, interests or legitimate expectations with respect to any nomination.

In actual fact, this bill for the first time gives me as the minister potential to actually consult beyond the traditional owners with what could be broadly described as affected parties. That capacity does not currently exist in terms of the act that operates with respect to the issue of siting a nuclear repository in Australia at the moment. Indeed, unlike the Howard government’s legislation that we are seeking to repeal, this bill will enable those consultations to occur subject to judicial review and procedural fairness.

Can I also say in response to some of the contributions that this debate is not about nuclear power; it is about our basic and fundamental responsibility to meet our international obligations to establish a single national nuclear repository in Australia in accordance with our international obligations.

Mr Wilkie interjecting—
Mr Bandt interjecting—

Mr MARTIN FERGUSON—Yes, the interventions speak in terms of what I regard as the rampant hypocrisy of the member for Melbourne, time and time again seeking to pursue short-term political activities using traditional owners to suit his own short-term political needs. He stands condemned. It is time for the Australian parliament to front up to its responsibilities and to actually ensure that we store our waste, which is basically used to look after the health and wellbeing of Australians, with half a million Australians per year benefiting from nuclear medicine. I commend the bill to the House and reject the amendment moved by the member for Melbourne.

The DEPUTY SPEAKER (Ms K Livernmore)—The original question was that this bill be now read a second time. To this the honourable member for Melbourne has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The immediate question is that the words proposed to be omitted stand part of the question. There being more than one voice calling for a division, in accordance with standing 133(b) the division is deferred until 8 pm.

Debate adjourned.

BUSINESS

Days and Hours of Meeting

Mr ALBANESE (Grayndler—Leader of the House) (7.31 pm)—by leave—I move:

That the time and order of business for the sitting tomorrow, Tuesday, 22 February 2011, be as follows, unless otherwise ordered:

(1) the House, at its rising, adjourn until tomorrow at 12 noon;

(2) government business have priority from 12 noon until 2 pm and from 9.30 pm until 10.30 pm; and

(3) during the period from 12 noon until 2 pm any division on a question called for in the House, other than on a motion moved by a Minister, shall stand deferred until the conclusion of the discussion of a matter of public importance.

Speaking briefly to that, I do this as a courtesy to the House so that all members can be informed. I inform the House that tomorrow at 12 noon debate will recommence on the Tax Laws Amendment (Temporary Flood Reconstruction Levy) Bill 2011 and the Income Tax Rates Amendment (Temporary Flood Reconstruction Levy) Bill 2011. This is important legislation which is a priority for this government and a priority particularly for those Queenslanders who need Queensland to be rebuilt, along with those who have been affected by the other natural disasters over the summer. In order to increase the time of the sitting, whilst minimising the extra sitting late at night, this is an appropriate measure.
I can inform the House that, in order to make up for the cancellation of the adjournment debate tomorrow night in this chamber—debate will continue on the flood reconstruction levy legislation until 10.30 pm and there will then be no adjournment debate, so the House will finish at its ordinary sitting time—there will be a one-hour adjournment in the Main Committee, which will balance up that change. This has been agreed to by the Manager of Opposition Business, and I thank him for his cooperation on this matter. There is a need for the government to have this legislation passed this week. We will endeavour to not have the parliament sit late on Wednesday night in order to pass this legislation, but we will do what is necessary to ensure that that can indeed be carried, because this is legislation which is vital for the interests of Queensland in particular and, I think, the interests of Australians who want to see us getting on with the job of reconstruction.

Question agreed to.

WATER EFFICIENCY LABELLING AND STANDARDS AMENDMENT BILL 2010

Consideration resumed from 26 October 2010.

Second Reading

Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (7.35 pm)—I present the explanatory memorandum to this bill and I move:

That this bill be now read a second time.

This bill amends the Water Efficiency Labelling and Standards Act 2005. It allows the setting of additional criteria for registration of a product under the Water Efficiency Labelling and Standards Scheme. To understand the context of the proposed changes I will first give an overview of the Water Efficiency Labelling and Standards Scheme (known as the WELS Scheme).

The scheme was established by the Water Efficiency Labelling and Standards Act 2005 and is part of the COAG agreed National Water Initiative. The WELS Scheme is also supported by complementary state and territory legislation to ensure comprehensive national coverage.

The WELS scheme’s objectives are to:

- Conserve water supplies by reducing water consumption;
- Provide information for purchasers of water-use and water-saving products; and
- Promote the adoption of efficient and effective water-use and water saving technologies.

The scheme aims to achieve these objectives by requiring that all water using products specified under the scheme are registered and labelled to indicate their assessed water efficiency when offered for sale. The labels indicate the water efficiency rating of a product, on a scale from zero to six stars, with six stars being for the most efficient products. The labels inform purchasing decisions in the same way as energy rating labels on electrical appliances.

The minister determines which products are WELS products, and the standard to be met by them. I will now briefly explain the origins and intent of this bill.

While plumbing products included under the WELS determination are subject to the WELS Scheme, these plumbing products are also subject to the WaterMark certification scheme which operates under normal state and territory plumbing regulation.

WaterMark testing and certification is intended to ensure that products are fit for use and will not threaten the safety of the reticulated water supply. WaterMark certification
is required before a plumbing product can be legally installed, while WELS registration and labelling is required before a WELS product can be legally sold.

This regulatory difference means that in some cases consumers can unknowingly purchase plumbing products that, while legally available, are not able to be legally installed. In addition, the presence of WELS labels on products which are not WaterMark certified may be misconstrued by consumers as suggesting that the products are broadly government endorsed and are fit for use. The proposed change to the scheme will remove this potential source of discredit to the WELS Scheme.

In 2007, following an extensive public inquiry, the House of Representatives Standing Committee on Environment and Heritage recommended in its report *Managing the flow: regulating plumbing product quality in Australia* that the Australian government:

… make the necessary legislative changes to establish WaterMark Certification as a prerequisite for compliance with the Water Efficiency Labelling Standards Scheme.

The government agreed in principle, subject to further examination as to how the recommendation could be most efficiently and effectively implemented. The government also wished to avoid inappropriately expanding the Australian government’s responsibilities relating to plumbing regulation. Following subsequent examination of these issues, I and the government are satisfied that the committee’s objectives can be achieved through this proposal.

The proposed amendment will introduce a general provision enabling additional plumbing requirements, such as those established by the states and territories, to be included in the WELS Scheme by ministerial determination.

Once the bill is enacted, a determination made under that provision will make WaterMark certification a prerequisite for all plumbing products required to be registered under the WELS Act.

The industry strongly supports this amendment, which will provide positive outcomes for consumers and plumbers, with only minimal impacts on the requirements for WELS registrants. I commend the bill to the House.

**Mr HUNT (Flinders) (7.40 pm)**—In addressing the Water Efficiency Labelling and Standards Amendment Bill 2010 I want to put the issue of water management into a broader context. The coalition has a proud role in having been the authors, the progenitors, and I was fortunate enough to have had a role as Parliamentary Secretary to the Minister for the Environment and Heritage at the time of the creation, development and passage of this bill. This bill and the notion of urban water efficiency fit into the three-taps approach which we take to water conservation and management in Australia.

The first of those taps is in relation to water efficiency. Water efficiency can be either urban—mostly the subject of this bill—or rural. I will deal with those two elements in a minute. The second of the taps is in relation to stormwater reuse and recycling. The third is in relation to the capture, management and harvesting of water in times of flood so as to ration that water for use in times of drought and to mitigate floods. Those three taps—water efficiency, stormwater capture and recycling and the potential for new dams—represent the essence and the heart of what we want to achieve with water conservation and management in Australia through Commonwealth action. The first of those goes to the heart of this bill.

This bill relates to water efficiency labelling and standards. In 2005, the coalition
created the world’s first national Water Efficiency Labelling and Standards Scheme, the WELS Scheme. That dealt with water efficiency labels on shower heads, washing machines, toilets, dishwashers, urinals and taps. These labels give consumers a relatively easy-to-understand set of star ratings and water consumption information on the water efficiency of different products. The scheme has been widely supported through industry, though some view that the scheme has not been sufficiently stringent in dealing with noncompliant products—and I understand that. The 2007 House of Representatives Standing Committee on Environment and Heritage review of plumbing standards found that the committee ‘shared HIA’s optimistic view that the WELS Scheme is an important step towards a nationally consistent water product labelling scheme’.

In addition, the WaterMark certification is a trademark owned by Standards Australia. Licensed plumbers are generally obligated to install only plumbing equipment which has WaterMark certification. We recognise that the overlap between the WELS Scheme and the WaterMark certification has caused some inconsistencies, and this bill seeks to overcome that problem by allowing the minister to make a requirement for the WELS registration to have WaterMark certification, simplifies the matter by ending the duplication problem and there is widespread support for it. This was a recommendation of the 2007 House of Representatives Standing Committee on Environment and Heritage review of plumbing standards. In particular, Dr Mal Washer, the member for Moore, on our side has been instrumental in bringing these ideas to the fore, ensuring that they are on the public record and that there is generally bipartisan support. I acknowledge his role and accept that this is an area of common action with the government.

In the context of our three-taps approach, I note that, whereas there is strong agreement on this bill, there is deep disappointment that the national replumbing of rural Australia, which was championed with $5.7 billion under the previous government, has largely ossified under the current regime. There has been delay, denial and rejection of serious attempts to upgrade Australia’s irrigation infrastructure with potentially 600 or 700 billion litres of water savings per annum going begging as a result, whether for the Murray irrigation area, Coleambally, the farmers of Bourke or the farmers of the Murray-Darling Basin region of southern Queensland. There are areas throughout the Murray-Darling Basin where farmers have put together proposals which have been denied. In particular—and the member for Farrer is here—the Menindee Lakes project has been waiting for three years to begin. It was ready, it was on the table and it should have been upgraded and begun.

Having said that leads me to the second of the areas which constitute our three taps, and that is stormwater harvesting and recycling. Both of these are areas primarily of state jurisdiction, but for which there needs to be Commonwealth leadership. There has been very little done in South Australia, which has enormous stormwater harvesting potential, as is the case in Victoria.

We then move to the recycling component of that, and that is an element of personal passion. Whether it is the Gunnamatta outfall, which has recently been the subject of a commitment to close by the new Baillieu government in Victoria, or the hundreds of outfalls around Australia, this is a wasted resource. It is a source of pollution, and this is the moment in history when we should be gathering that water, recycling it and using it for industry and agriculture rather than using drinking water when a viable alternative is available.
Finally, we capture our water in dams. Our population has almost doubled since we had any serious work on dams over 35 years ago. Certainly on the eastern seaboard there has not been a major new dam in over 20 years, and we have had significant population growth. We need to look carefully at those places which could feasibly and environmentally be seen as places for capturing and storing water. The most likely option is the expansion of existing dam sites. That is a sensible way to go, and allows us to capture water in times of flood, to mitigate those flood actions—where possible—and to use that water in times of scarcity. That is what has always happened; it is what should happen and we should not be afraid of addressing an issue which is about ensuring that we have the adequate supply of water for the population that is real and in place in Australia today.

Having said that, we support this bill; we thank the government for their cooperation and we will offer it safe and swift passage.

Mr ADAMS (Lyons) (7.47 pm)—The Water Efficiency Labelling and Standards Amendment Bill 2010 amends the Water Efficiency Labelling and Standards Act 2005. It allows the setting of additional criteria for registration of a product under the Water Efficiency Labelling and Standards Scheme.

The scheme was established by the Water Efficiency Labelling and Standards Act 2005 and is part of the COAG agreed National Water Initiative. The WELS scheme is also supported by comprehensive state and territory legislation to ensure national coverage.

The WELS scheme’s objectives are to conserve water supplies by reducing water consumption, to provide information for purchasers of water use and water-saving products and to promote the adoption of efficient and effective water use and water-saving technologies. They are pretty good aims and objectives. The scheme aims to achieve these objectives by requiring that all water-using products specified under the scheme are registered and labelled to indicate their assessed water efficiency when offered for sale. The labels indicate the water efficiency rating of a product, on a scale from zero to six stars, with six stars being for the most efficient products.

The labels inform purchasing decisions in the same way as energy-rating labels on electrical appliances. Once enacted it is intended that the minister will determine the WaterMark Certification which will be required for the WELS registration. This will implement recommendation 2 of the House of Representatives inquiry report, Managing the flow: regulating plumbing product quality. The bill’s potential impact, however, is not limited to this proposed action.

Water conservation is becoming much easier with a number of gadgets—if I can use that term—coming onto the market as people try to save water as there is now a price on water use. It is certainly getting people to focus on how much water they use and to find products which can assist them. In fact, a number of people have brought pieces of equipment to my office to show what can be done to reduce water usage, particularly in our greywater systems.

For instance, a new idea was brought to me by Toby Meredith, who used to be one of my constituents and who has now moved into Hobart. He has been working with friends, David Fisher and Quentin Davenport, who invented the Drainwave. You may remember seeing them on The New Inventors on 18 November in 2009. They realised that although the installation of low-flow toilets has greatly reduced our water consumption, this positive outcome has had an unintended consequence: increasingly damaging our
sewerage system, which is designed for significantly higher flush volumes.

This new idea, as I said, is called Drainwave, and it allows world’s best practice in flow fixtures to be installed without having any detrimental effect on plumbing systems. Using two inlet ports, the Drainwave collects greywater from general household use—sink, shower, washing machine et cetera—and combines this outside the house with blackwater from the toilet. When the water reaches 9.5 litres, the Drainwave self-activates to release a batch of water, which surges through the pipe network to the main sewer line to minimise blockages. The invention repeats the process between 16 and 34 times a day per person. It is an ingenious way of saving water, while making sure there are no blockages.

That is just one idea, and there are many others coming through to help people save water domestically. It is important that there are some regulations so as to know what exactly has been approved, for what use and to ensure the ideas perform in the way that they are supposed to and consumers get what they are paying for. The bill will help us achieve those goals. It would be good to see local government ensure that they start being more proactive in their water measurements. I know that there are some councils in Tasmania that still do not have water meters attached to their systems. Though the councils were the ones that failed to put those meters in place, there are now three authorities in the state which have to take over that work. It is hard to get the big picture of water use in different catchments and different cities without having some uniform measurements of water. We are still grappling with this in our country. We still need to do this, and there are all sorts of arguments being used as to why we should not. You only have to read the *Mercury* newspaper over the last couple of months to see that.

There are systems being developed to not only measure precipitation, water flows and domestic and industrial water use; there are also models one can use to measure different water uses and their runoffs, how much gets retained and how much is returned to the watertable. During the House of Representatives Standing Committee on Primary Industry and Resources inquiry into farming the future, we had representation from the Murray Irrigators Support Group regarding an invention by John Padman, called the ‘Padman Stop’, which is a 100 per cent watertight control structure used in conjunction with a fast watering system, also called low-energy irrigation, developed by the same inventor. As the report said, in the trial sites it was demonstrated that it is possible to control water application fairly accurately onto the bay, where it flows, and to achieve the highest efficiency possible. More research is being undertaken on application rates and frequency of irrigation. These sorts of schemes are vital knowledge that we need if we are to deal with the climate change scenarios that we have had presented to us.

These days you cannot just build a dam on a farm and think you have water storage. There are many aspects of water saving. They may include drip irrigation, measurement of soil water flows and even the takeup of water by different crops. So when we are considering these aspects of water savings, there must be an overall strategy to help all the different users of water to save or reuse the water they are allocated. There are many opportunities in this area, and into the future we must make sure that we have the proper processes and that people know what they are getting for their money. During the inspections of the committee, it was very interesting to note the amount of work going on in trying to minimise the effects of climate change, possible future droughts and any other natural or man-made changes to our
lifestyles. We need to continue to reduce the amount of water we use for production or we will have to increase production with less water—great challenges for us as a nation. I am sure that we can get there by being innovative and using the intellects and the capacities that we have in our nation.

This legislation allows many of these inventions and new ideas to be assessed properly and given some efficiency tag that will allow inventions to gain value by being properly assessed for their efficiency. I support the bill.

Dr STONE (Murray) (7.57 pm)—I too rise to contribute to this debate on the Water Efficiency Labelling and Standards Amendment Bill 2010. There is probably no bigger demand in Australia than for water use efficiency, whether it is a case of urban consumption or food production. Of course, we also use an enormous amount of water in our mining activity, and where would we be without some of our freshwater fishing? The issue in Australia, as we face some of the biggest floods in European history in this country, is that we have an overabundance of water in some parts of the country from time to time but scarcity of water is in fact usually the order of the day in the most populated parts of the country. Therefore, one of the first things our pioneers set out to do was to make sure that there was enough water secured in various reservoirs and dams to tide us over when there was less rainfall. Australia therefore has, per capita, some of the highest levels of water stored in the world.

This particular bill is a very well-aimed attempt to make sure that a consumer can choose a product that they can be quite comfortable with in terms of its level of water consumption, whether it is a water-saving product or a water guzzler. However, there have been some complications over the years in trying to make sure the consumer has good information about the product. The House of Representatives Standing Committee on Environment and Heritage, which met in 2007, had an extensive public inquiry and determined that there needed to be necessary changes to establish Watermark certification as a prerequisite for compliance with the WELS scheme. WELS, of course, stands for Water Efficiency Labelling and Standards.

There had been a complication where one of these means of certification was confused with the other, so we now have a situation where Watermark testing and certification—which it is intended to ensure that products are fit for use and will not threaten the safety of the reticulated water supply—are required before a plumbing product can be legally installed, while WELS registration and labeling is required before a WELS product can be legally sold. This regulatory difference means that in some cases consumers can unknowingly purchase plumbing products that, while legally available, are not able to be legally installed. The proposed changes to this scheme remove this potential source of confusion and potential discrediting of the WELS scheme, so it is a sensible move to sort things out and let the consumer be as fully informed as they need to be. I need to say, though, that we need to extend this capacity for consumers to understand the water savings of a product they buy.

Debate interrupted.
in accordance with the standing order. No further debate is allowed.

Question put:
That the words proposed to be omitted (Mr Bandt’s amendment) stand part of the question.

The House divided.  [8.04 pm]
(The Speaker—Mr Harry Jenkins)

Ayes…………  57
Noes…………  5
Majority……  52

AYES
Adams, D.G.H.  Bird, S.
Bradbury, D.J.  Brodtmann, G.
Burke, A.E.  Butler, M.C.
Byrne, A.M.  Champion, N.
Cheeseman, D.L.  Clare, I.D.
Collins, J.M.  D’Ath, Y.M.
Danby, M.  Elliot, J.
Ferguson, L.D.T.  Ferguson, M.J.
Fitzgibbon, J.A.  Georganas, S.
Gibbons, S.W.  Gray, G.
Grierson, S.J.  Griffin, A.P.
Hall, J.G. *  Hayes, C.P.
Husic, E.  Jones, S.
Kelly, M.J.  King, C.F.
Leigh, A.  Ley, S.P.
Livermore, K.F.  Lyons, G.
Marles, R.D.  Melham, D.
Mitchell, R.  Murphy, J.
Neumann, S.K.  O’Connor, B.P.
O’Neill, D.  Owens, J.
Parke, M.  Perrett, G.D.
Plibersek, T.  Ripoll, B.F.
Rishworth, A.L.  Rowland, M.
Saffin, J.A.  Secker, P.D. *
Shorten, W.R.  Sidebottom, S.
Smyth, L.  Snowden, W.E.
Symon, M.  Thomson, C.
Thomson, K.J.  Vanvakinou, M.
Zappia, A.

NOES
Bandt, A.  Katter, R.C.
Oakeshott, R.J.M.  Wilkie, A.
Windsor, A.H.C.

* denotes teller

Question agreed to.

PRIVATE MEMBERS’ BUSINESS

Older Australians

Ms HALL (Shortland) (8.13 pm)—I move:
That this House:

(1) notes that:
(a) Australia has an ageing population;
(b) age discrimination exists within Australia and that this discrimination impacts on the strength of society, economy and the lives of older Australians;
(c) ageing should not only be considered as an economic and social cost to government, rather, the positives of an older population should be recognised and promoted by government;
(d) all older Australians deserve to live with dignity; and
(e) the knowledge, life experience and skills of older people provide enormous benefit to Australia and the social fabric of the nation;

(2) acknowledges that:
(a) older workers have the ability to make an enormous contribution to the economic prosperity of Australia;
(b) most volunteer work is undertaken by older Australians and provides an enormous economic social contribution to Australia; and
(c) older Australians provide an enormous amount of child care which provides economic value to the nation; and

(3) calls on the Government to consider:
(a) new and innovative approaches to engage older Australians and address their needs;
(b) encouraging Government departments to introduce senior friendly practices, such
as dedicated seniors phone lines and customer service officers;
(c) aged care accounts for all workers to fund their needs as they become older; and
(d) highlighting and promoting the advantage of employing older workers.

Australia has an ageing population. It is not a phenomenon restricted to Australia—rather, it is a phenomenon that is being experienced by most developed countries. The general response is one of despair and hysteria at the cost of an ageing population and its impost on a country’s GDP. In Australia we have two reports that looked at our ageing population. The first was the Intergenerational report delivered in conjunction with the 2002-03 budget and the second was included in the Australia to 2050: future challenges report. Both reports highlight the cost associated with an ageing population, but neither discuss possible benefits.

In the Intergenerational report one of the first points that was made was that a steadily ageing population is likely to continue to place significant pressure on Commonwealth government finances. That shows right from the outset that the approach of the Howard government at that stage was towards looking at the cost, removing that cost and dealing with that cost.

Similarly, Australia to 2050: future challenges identifies ageing with spending pressures. It states, ‘Ageing of the Australian population will contribute to substantial pressures on government spending over the next 40 years.’ It goes on to project an increase to 27.1 per cent of GDP in 2049-50 on ageing related spending. It continues along the same lines as those of previous governments, highlighting the costs to Australia of an ageing population. It talks about issues such as health spending associated with an ageing population as well as other aspects that relate to it such as aged care spending.

I then looked at the Productivity Commission’s report Economic implications of an ageing Australia. Apart from a section on volunteering, it also concentrates on the cost to Australia of an ageing population. It talks about the percentage of Australians who will be over the age of 65 by 2044-45 and looked at the fact that improved life expectancy and control over our fertility was contributing to this ageing population. After reading all the reports that I managed to get my hands on, I could be forgiven for thinking that Australians being healthier and living longer is actually something that should be avoided. I mentioned that the Productivity Commission’s report referred to the fact that volunteering did make a contribution to our economy. It mentions the figure of $21 billion to $30 billion for volunteer work done within the community. The majority of volunteer work is performed by people over the age of 45. If you factor in the informal childcare arrangements, that figure goes up to $42 billion—quite a significant contribution.

It is little wonder, given these reports and the general attitude that exists, that ageism and age discrimination have become rampant in Australia. As a nation, we tend to look at negatives instead of promoting positives. I congratulate the Attorney-General, Robert McClelland, and the Minister for Mental Health and Ageing, Mark Butler, for the creation of a full-time commissioner for age discrimination. This is the first step in addressing age discrimination. Ageism and age discrimination are very subtle. They are hidden barriers that work as major disincentives to older Australians continuing in paid employment and being able to enjoy the life choices and quality of life enjoyed by other Australians.

Ageism is based on stereotypes and so entrenched in our society that it is accepted as the norm. Young people are vital, vibrant, creative—what we all aspire to be. Industry
advertising is based on making people look younger, whilst mature members of our society are portrayed as tired, worn out, inflexible and not having anything to offer. Implicit in this is the concept that young is good and something we should all aspire to, whilst old is bad and something that we want to avoid.

When the new member for Longman was elected at the age of 20, it was hailed as a new era in politics. I wonder how the election of an 80-year-old to parliament would have been received. I suspect it would have got the opposite response. The COTA website lists some of the myths and realities about ageing, and I will share some of these with the House tonight. They include the following:

**MYTH** Ageing equals sickness, disability and dementia.

**REALITY** Two out of three people aged 65 years and over rate their health as good to excellent.

**MYTH** Older people are a burden on society.

**REALITY** 80% of people 70 years and over live independently without help from care services.

**MYTH** The ageing of the population is a looming crisis.

**REALITY** People are living longer, many enjoying an active and healthy older age.

The list of myths goes on, and I will seek to table it at the end of my speech. The challenge for our society is to put aside these myths and address this discrimination. I have worked to utilise and harness the valuable resources senior Australians offer our nation. The starting point is to end discrimination in the workplace. The majority of age discrimination complaints received by the Human Rights Commission in 2008-09 related to employment, and most of those related to the employment of people over the age of 45. It is important to note that unemployment is the greatest cause of poverty; so by denying employment to older Australians you are denying them financial security.

The ageist culture that exists in Australia makes it possible for employers and recruiters to discriminate against older workers. Recruiting companies usually place in employment workers under the age of 45. The employees of those companies invariably screen out mature workers, and this means that employers do not even get the opportunity to consider older workers. Older workers are deemed to have outdated work skills, to be unable to learn new skills, to be over-qualified and too experienced, to be inefficient and to be at risk of developing a disability—which in turn is another form of discrimination.

I refer members to a paper published by the Australian Human Rights Commission titled *Age discrimination—exposing the hidden barrier for mature age workers*, as it details the issue more graphically. The government recognises that Australia is not harnessing the skills and the expertise of mature workers, and this recognition along with the appointment of an age discrimination commissioner are vital steps that will address the needs of older Australians. In the lead-up to the last election, the government committed to introducing a new, improved work bonus. This legislation has been introduced into the parliament, and the new, improved work bonus will commence on 1 July. The government has also delivered pension reforms, and in the lead-up to the last election it made a number of commitments to older Australians.

As our society ages, Australia needs to look at new and innovative ways to meet the needs of senior Australians. It is imperative that we develop a system that will ensure the long-term financial security of older Australians, which means greater emphasis on employment, superannuation and other financial initiatives. The long-term viability of our aged-care sector needs to be addressed and initiatives such as aged-care accounts, similar to the social insurance scheme that oper-
ates in Germany, should be considered. The establishment of dedicated lines for seniors in government departments has been successful in other jurisdictions and is worthy of investigation. There is a need for a government campaign to address ageism in our society and this needs to be included in our education system. It needs to be looked at from preschool to universities, where our doctors, lawyers and social workers are trained. They need to rid themselves of negative stereotypes. Finally, I would like to see Australia lead the push for a binding international agreement that deals specifically with the rights of older people.

The DEPUTY SPEAKER (Mr S Georgas)—Is the motion seconded?

Mr IRONS (Swan) (8.23 pm)—I second the motion. I congratulate the member for Shortland for bringing this motion to the House. I know her passion for the seniors in our society is strong. It is great that we share a role in the House of Representatives Standing Committee on Health and Ageing, as we do with the member for Hindmarsh, who is sitting in the chair at the moment. It is great to be able to rise tonight and speak to this motion. Obviously, as the Deputy Chair of the House of Representatives Standing Committee on Health and Ageing, I am pleased to speak on this motion. It provides a welcome reminder of the crucial role that seniors play in Australian society.

Australia has an ageing population. There is no doubt about that. The 2010 Intergenerational report, produced by Treasury last year, shows that Australia’s population of over 65s is set to increase from three million in 2010 to 8.1 million in 2050. Proportionally, this represents an increase from 13.5 per cent to 22.7 per cent. Almost one-quarter of Australians will be aged over 65 by 2050, and this should focus the attention of all members in this place. I think all of us would agree that the government’s current systems and structures are not capable of coping with such change. We are running out of time to get the structures in place. The demographic change is happening now. The Intergenerational report shows that by 2020 there will be an extra 1.2 million seniors and the proportion of over 65s will rise to 16.4 per cent of the total Australian population. We must prepare now. That is why I have kept a close eye on this government’s policies on ageing and, in particular, its aged-care policies.

It is important to discuss aged care when considering this motion because pressure on the aged-care system is perhaps one of the most talked about consequences of our ageing population. The distinction between community and residential aged-care concerns, as outlined in Grant Thornton’s Aged care survey, is well known and understood by the public. Most of my constituents tell me that they want to stay in their homes for as long as possible. I think the Howard government recognised this, acknowledging that the investment in community based aged care was as important as investment in residential aged care. Residential aged care is usually divided into low care and high care.

For a long time, controversy has surrounded the subject of issuing bonds for aged residential care. The recent crisis has stemmed from the fact that the government funding mechanism for residential beds no longer reflects the real cost of providing a bed in the 21st century. Year after year, government bed offers remain unallocated despite unprecedented demand for beds. This is because aged-care providers simply cannot afford to provide even basic care at the government subsidy rate. The situation is worrying seniors across my electorate of Swan and, I am sure, across most of Australia.

Recently an aged-care provider in my electorate, Swan Care, circulated a petition...
calling for residents to let Canberra know about the right of Australians to quality care. I support this petition and am pleased it has had a good response from residents in Victoria Park in the heart of my electorate of Swan. I understand this petition is currently with the Petitions Committee and the government will soon be required to respond.

Whilst there is certainly plenty for the government to do in relation to aged care, we must resist seeing an ageing population as a challenge or a problem. Instead we should see it as an opportunity. In the Intergenerational report the government used negative language, seeing seniors as a burden and a challenge that the government must find a solution to. We in the coalition take a different approach. We believe that people living longer and healthier lives should be a cause for celebration. Far from being a burden, all seniors are taxpayers, paying the GST and many other hidden taxes, and continue to contribute to the economy and to the welfare of all Australians. I note that the member moving this motion has acknowledged that the positives of an older population should be recognised and promoted by the government and I congratulate her for that.

The second part of this motion acknowledges the potential of older Australians to provide an enormous contribution to the economic prosperity of Australia. There are many seniors in my electorate of Swan that continue to work after the retirement age. This is commendable and a sign of things to come as we live longer and healthier lives. The Assistant Treasurer is in the House tonight. One of the things that many of the seniors in my electorate talk to me about is the fact that there is a disincentive for them to do part-time work. That is something that perhaps the Assistant Treasurer could look at. Seniors avoid doing work at universities and schools at exam times because of the penalties they face after earning a certain income over a certain amount of time. That work is not being done by seniors who are quite capable of doing it. I get the sense that many seniors do not re-enter the workforce, however much they might want to, because of a combination of age discrimination and regulations, which I just spoke about.

Age discrimination is a genuine problem that requires a genuine solution. During the 2010 election, the coalition announced the seniors employment incentive payment policy—a good initiative to tackle age discrimination in the workplace. The policy would provide a one-off payment to employees to help overcome their initial reluctance to appoint older job seekers. This was a genuine attempt to tackle age discrimination. The coalition should rightly take some credit for taking this proposal to the electorate and the government should take note of it.

Most members in this place would agree that if seniors want to work and contribute to Australian society they should be free and able to do so. Many retired people say to me that they are reluctant to get involved in the workplace again, however much they want to, for fear of losing their entitlements. This means that in some circumstances it makes no economic sense for some seniors to contribute to the workforce, even if they are available and willing to do so. At a time when skills shortages loom again, this seems a great shame. An example of what we could be missing comes from the work of Inge Dahners, a lady I nominated for the WA Senior of the Year awards. Inge’s efforts working for Southcare in Manning earned her the runner-up award. I also spent time with Maggie Richardson, who won a seniors award last year. Maggie is an important contributor to the local communities and associations in my electorate. The member for Shortland spoke about the value of volunteer work by the seniors in our population.
The overall complexity of the government system is a point that the member for Shortland has also picked up on, with part of her motion suggesting that the government consider aged-care accountants for all workers to fund their needs as they become older. This may well be a good idea: many elderly people come to my office for help in completing government forms. The complexity of getting older is perhaps something that the parliament needs to address.

The motion goes on to acknowledge that most volunteer work is undertaken by older Australians and recognises that seniors provide a significant amount of child care to the nation. Both these points are valid, especially within my electorate of Swan. As the federal member, I am fortunate to be able to visit many voluntary and charitable organisations in the electorate. The majority of the volunteers who put in the hard yards at these organisations are seniors. In fact, it would be fair to say that many voluntary organisations would not be able to function without seniors. It is certainly true that seniors play an important role with child care as well. This is plain to see at meetings of the Grandcare group, which supports grandparents who, for one reason or another, have the duty of raising their grandchildren. I always try to attend their events and am always impressed by their absolute and unquestionable dedication. Grandparents who have taken on the role of parenthood, some of whom are in their 60s and 70s, are not compensated by either the state or federal government.

In conclusion, I thank the member for Shortland for putting this motion before the House. Barring an unprecedented baby boom, Australia’s population is going to age. The fact that people are living longer and healthier lives should be a matter for celebration. However, we must plan for the future to ensure that all older Australians can live fulfilling and active lives and, most importantly, can live with dignity. I call on the government to provide this to senior Australians in my electorate of Swan and across Australia.

Mr CRAIG THOMSON (Dobell) (8.32 pm)—I thank the member for Shortland for moving this motion on older Australians. We share a common border in some communities that contain some very impressive and dedicated aged communities. I also commend the member for Swan for his contribution. He is a man of great compassion and always makes a good contribution to debates on these types of issues and he did so again today.

My electorate is what Australia is going to be like in 20 years time. Over 25 per cent of the population in my electorate is over 65 years of age. So much of the debate that we hear in the media and in public about generational change and what is going to happen in the future is already happening on the Central Coast of New South Wales. We have some experience of that in fact. The Dean of the University of Newcastle medical school told me that our area is ripe for study by medical schools for the very reason that it is what Australia will look like in the future. The sorts of issues and problems we have in health care and aged care on the Central Coast can be studied because it mirrors the Australia of the future.

Before I get on to a little bit more detail about some of the issues that affect my electorate specifically, I will talk about federal Labor’s record. The member for Swan expressed some disappointment with this government’s performance, and I am a little bit disappointed in him about that. I think he should have been a bit more charitable, because this government has always stood for fairness for older Australians and has done more for older Australians in three years than the previous government did in 12. The Gillard Labor government is committed to a
A strong and secure economy so it can provide services such as world-class hospitals and aged-care facilities for older Australians. In relation to aged care funding, for example, the level of funding per resident has grown significantly faster than CPI due to indexation and policy changes. There has been a three per cent average annual increase in CPI—6.3 per cent average annual increases in funding per resident from all sources—over the last three years, but there has been a 20.1 per cent increase in income per resident over the last three years. We have put our money where our policy mouth is and made sure that those who are in aged care are being looked after and are being provided with more money than they were in the past.

We have also delivered one of the biggest reforms to the age pension in more than 100 years. Over the last year, our pension reforms have driven increases for pensioners: the age pension is now worth an extra $100 a fortnight for a single pensioner and an extra $74 for couples combined. We increased the utilities allowance by around $400 to provide support for the increasing cost of gas, water and electricity. New pension indexation arrangements will make sure that the pension keeps pace with the cost of living. Federal Labor has increased the single pension from 25 per cent to 27.7 per cent of male total average weekly earnings and will keep the benchmark at this higher level. We have introduced a new pensioner living costs index. Our changes are affordable and sustainable. The Commonwealth seniors card was introduced by a former federal Labor government, and the Gillard Labor government has continued to deliver for self-funded retirees. We have delivered a new seniors supplement for self-funded retirees who have a Commonwealth seniors card, now worth $795 a year. We have also delivered a national transport concession scheme to give state senior cardholders concessions when they travel interstate and provide more senior access to free internet in their community through a national rollout of our broadband seniors program. As part of our economic plan, Labor will also give seniors a tax break on savings accounts. A new, 50 per cent discount on up to $1,000 of interest earned by individuals, including interest earned on deposits held in banks, building societies, credit unions and annuity products, will benefit around 740,000 self-funded retirees and age pensioners.

To help mature age workers save for their retirement, federal Labor will allow individuals aged 50 and over with total superannuation balances below $500,000 to make up to $50,000 per annum in concessional superannuation contributions. This will start on 1 July 2012, and doubles the cap of $25,000 which was scheduled to apply. Federal Labor has also acted decisively to protect self-funded retirees from the full impact of the global financial crisis, providing draw-down relief for three consecutive years as well as economic stimulus payments.

When you compare that to the coalition’s record, you find the comments from the member for Swan quite surprising. The coalition failed to increase the base pension beyond indexation in 12 years. The Leader of the Opposition and the cabinet of the former coalition government actively rejected a proposal to increase the single age pension. When he was shadow minister, Tony Abbott said he thought federal Labor’s pension increase was not affordable—but he will make pensioners pay more for their groceries to pay for his unfair paid parental leave scheme. Tony Abbott’s new tax on thousands of Australian companies like supermarkets, petrol stations and power companies will increase prices for pensioners. Tony Abbott will scrap Labor’s reforms to superannuation, including lower fees, tax breaks on savings and incentives for mature age workers.
that will give more Australians increased support in their retirement.

The member for Swan quite rightly raised the issue of being able to work and earn money and not have that affect the pension—but it is Labor that has delivered in this area. It is an important issue for Australians generally, as our productivity growth has certainly been low in comparison to OECD standards and much lower than it was 10 years ago. Encouraging older Australians to work is important for the economy and provides opportunities for older Australians to contribute and provide valuable expertise in the areas that they seek to work. Many age pensioners take on part-time and occasional work, and they should be encouraged and rewarded for their valuable contributions to our community.

The work bonus allows pensioners to keep more of the money they earn from part-time work. It disregards an amount of employment income from the pension income test. The work bonus was introduced as part of Labor’s 2009 pension reforms. Many age pensioners want to undertake part-time, seasonal or contract work but are concerned about the impact on their pension. From 1 July 2011 the Gillard government will introduce a new, more generous work bonus for age pensioners. It will increase the amount an age pensioner can earn before affecting their pension. The new work bonus will allow age pensioners to earn up to $250 a fortnight without it being assessed as income under the income test. Under these changes, the work bonus can be annualised. This means pensioners will now be able to build up any unused amount of their $250 bonus every fortnight for up to 12 months. This actively encourages and enables more older Australians to work and contribute to the workforce.

In the time remaining I would like to talk about some local issues and particularly pay tribute to the Toukley senior citizens—with whom I know the member for Shortland has also had a very long and close relationship. Toukley used to be in the electorate of Shortland but is now in the electorate of Dobell. Under the stewardship of Bruce Kirkness at the Toukley and District Senior Citizens Club, we have an activity centre that provides a vast range of activities. It gets older Australians out of their houses, contributing to the community and being active, and they are made to feel part of our local community. At one stage the club had more than 5,000 members and was the largest seniors group in the Southern Hemisphere. It still has one of the largest memberships in Australia. The club does a fantastic job for the people of Toukley, Gorokan and the north of my electorate and those in the south of the member for Shortland’s electorate.

This is an important motion. We need to make sure that we provide every opportunity for older Australians to contribute to the Australian economy. We need to make sure that they are not discriminated against, that they have work opportunities and that they can play a part in our local communities. The member for Shortland should be commended for bringing this motion to the House. I seek leave to table a document on behalf of the member for Shortland.

Leave granted.

Mr SLIPPER (Fisher) (8.42 pm)—In speaking to this motion, let me say at the outset how fortunate we are as a parliament that the member for Shortland has seen fit to bring forward this motion. It states some very obvious truths but also encourages our consciences to look at what we as a nation owe to those people who have contributed so much to make sure that our country, Australia, is such a wonderful place in which to
live. The member for Shortland highlighted—through a very cleverly worded list of points in her motion—some of the challenges confronting older Australians. I think they are challenges that we collectively, as elected representatives, ought to try to make easier for older Australians to face.

We are as a nation extremely fortunate. We live in relative peace. Most residents are respectful of others and their rights. We have a wonderful lifestyle, and we have a laid-back appreciation for the many good things that we have. Older Australians, in particular, are extremely altruistic. While many of us tend to look at issues on the basis of the hip-pocket nerve, often older Australians will say, ‘This government decision is not good for us personally but it is good for our kids and our grandkids and therefore is good for the country.’ Older Australians have worked hard and have helped to encourage the world to recognise that Australia is a civilised country, a good international citizen and a country which, as the years go on, will play an increasingly important part in the world.

Despite hardships including the global economic crisis and, more recently, the terrible floods and Cyclone Yasi, which have brought real tragedy and hardship into the lives of many, as a nation we still do our best to keep a smile on our faces and look at the bright side of life. All of us would have seen on television the pictures of older Australians who had lived in their communities for their entire lives and who lost everything. We saw how cheerful they were, how optimistic they were and how, while they wanted some government assistance, they did not expect government to do everything for them. Older Australians are role models for younger Australians. They have values, they have standards, they have principles and they have ethics that younger Australians could, on many occasions, do well to emulate.

The tendencies and the characteristics of older Australians are those which we all admire and which make us proud as individuals and as a nation. Of course, we all recognise that one of the challenges that our nation faces is the increasing age of our population. We have a declining birth rate—which is, happily, not quite as declining as it once was—and we have an ageing population. We are also fortunate that we have a lengthening life span, and that, along with modern medicine, brings other challenges and opportunities. It can be extremely expensive for a community to meet the costs of medicine and technology which can prolong life and improve quality of life, but I think that we as a country really ought to do whatever we can, because we are in effect repaying a debt to people who have helped to make this nation as great as it is.

It is often said that compulsory superannuation will solve all of our problems; it will not. Compulsory superannuation will go some way towards meeting the costs of an extended life span, but it is important to recognise that not everyone has the ability to maintain the same standard of living in retirement that they enjoyed during their working lives. The term ‘ageing population’ is well known in discussion circles and in the media, and it is important to see our ageing population not as a problem but as a challenge. We need to make sure that we as a country engage as much as possible the very many talents of older Australians. As life expectancy extends, we need to encourage as much as possible those older Australians to continue to contribute productively to Australian society.

On the Sunshine Coast we have lots of older Australians who are retired and who are active and energetic. Frankly, without the input of older Australians on the Sunshine Coast, our volunteering organisations would not be able to perform as they do, they would
not be able to do the wonderful job that they do, and our community would be very much for the poorer. Governments cannot afford to pay for every service, and older Australians, through their active involvement in community organisations, have an incredible ability, an incredible capacity and an incredible record in making sure that their fellow Australians enjoy a wonderful lifestyle and a wonderful standard of life. It is important that we never lose sight of the benefits and advantages of an ageing population that includes citizens who are sensible, mature, skilled, caring, responsible and respectable and who are still able to contribute much to our Australian society.

We have lots of seniors and retirees who want to be involved in charity work, and thank heavens that such a thing occurs in our society. Our community organisations need these older Australians, and they ask for very little. What we as elected representatives have to do—and I suggest this in a bipartisan way—is to recognise that contribution and at times give a little bit of extra assistance to people to whom we as a community owe so much.

In the time available to me, I would like to briefly draw attention to a number of hardworking senior members of the community in my electorate of Fisher on the Sunshine Coast and highlight very clearly the value of our older residents. Dawn Chalkley and Eric Brusewitz, who live at Kawana Waters, have had years of experience in organising charity drives. In retirement they have continued to use their know-how to benefit the community in such matters. They launched and managed a collection drive in early 2009 to help the victims of the Victorian bushfires, and that successful campaign was followed by support for the flood victims. That campaign had a wonderful response and was extraordinarily successful. Eric and Dawn were passionate about the need and they were determined to make a difference. They worked hard despite some minor challenging medical conditions which made it extra difficult. They are examples of the value of the experience, wisdom and maturity of older Australians.

Another hardworking senior in our community is Florence Woods of Maleny. Mrs Woods was the recipient of the Fisher Citizen of the Year award on Australia Day this year for her efforts through various community groups. She has worked hard to make a real difference for her fellow citizens for over 25 years. In conjunction with the Fisher Australia Day Committee, I was pleased to be able to present this award to someone who is so passionate about staying active and helping her community. Mrs Woods has volunteered with the Maleny Show Society catering committee for 25 years, where she is regularly seen marshalling the troops at the annual show. She has also been the chairperson of the youth fellowships at her Presbyterian church for 20 years and president of Erowal Nursing Home auxiliary for 10 years. On top of that, Mrs Woods has been with the Maleny Hospital auxiliary for five years and the Maleny Busy Needles for the past three years. She has been an energetic and committed community worker and she has made an incredibly positive and practical difference to her fellow citizens in the Sunshine Coast hinterland.

These examples highlight the energy, commitment and willingness to help that is common among senior Australians. They highlight the value of older Australians and retirees who may be retired and no longer working for wages but who are still working to make a difference in the community. The knowledge, experience and skills of mature people like Dawn, Eric, Florence and many others in Fisher on the Sunshine Coast and around the nation provide a great benefit to the local community.
I think that volunteer work carried out by older Australians is volunteer work which we as an entire community should encourage, and we should facilitate other people to perform in a similar way. These people are altruistic, they love Australia, they have helped to make us great, and they want to make this nation an even more wonderful place in which to live.

Mr HAYES (Fowler) (8.52 pm)—I commend the member for Shortland for her obvious dedication to improving the lives of our senior citizens as evidenced by this motion. There is no doubt that older Australians provide an invaluable source of wisdom and contribution in various ways to our community. Unfortunately, this contribution is not always appropriately recognised and encouraged. I believe, however, that the current government is on the right track towards recognising and improving the status of elderly Australians. The current work bonus giving incentives to senior Australians to encourage them to continue to participate in the workforce is particularly significant given the current dynamics of Australia’s ageing community. The initiative recognises that older people have a lot to offer, and it is important that we recognise that their contribution not only to the workforce but to the community in general is highly valued.

Federal Labor recently delivered what can only be considered the biggest reform to the age pension in more than 100 years. The reform, which increased the pension by $100 a fortnight to single pensioners, has truly made a difference in managing everyday living costs for those individuals. The recently introduced initiative to provide better aged-care facilities for elderly Australians of non-English-speaking backgrounds is a great step towards improving the quality of life for this unique group of Australians. Equipping aged-care service providers to deliver appropriate aged care to older people from culturally and linguistically diverse backgrounds is extremely significant in my electorate, which, as you are aware, Mr Deputy Speaker Scott, is the most culturally diverse electorate in Australia.

I have the distinct honour of having a very close relationships with a number of senior associations in my electorate, most of which cater to the members of different cultural groups. I wish to name a couple. Firstly, the New South Wales Vietnamese Elderly Friendship Association has over 2,000 members in south-west Sydney. It is one of the most prominent associations of its kind and a true role model for other organisations seeking to cater to the elderly from unique cultures. I have visited the organisation on a number of occasions and I was truly touched by the spirit of friendship and the general zest for life of its members.

The organisation, under the president, Mr Mieng Van Nguyen, a committed and highly motivated leader, provides members with various sources of entertainment but, more importantly, social interaction as well as education. The association is currently undertaking the ambitious task of setting up a library room to provide facilities for learning English as well as helping the seniors to develop their computer and internet skills so they can fully participate not only in the local community but also in Vietnam.

The Indo-Chinese Elderly Hostel with President Mr Harry Tang is another culturally specific aged-care facility in my electorate. Its members, as well as the management, were extremely grateful to receive recognition from the Commonwealth by being awarded 32 new aged-care beds as part of the government’s current round of aged-care approvals. The association’s role in ensuring that senior citizens in the broader Chinese community have access to quality aged care is highly commendable.
Another organisation I will quickly mention is the Cardinal Stepinac Village, an aged-care facility with a difference for elderly migrants from Croatia. I was particularly touched by the initiative of the CEO, Matt Smolcic, and the president of the board, Mr Milan Bogovich, to hold a fundraising evening to raise money for the Queensland floods. To take from one’s own pension and give to fellow Australians is a quality that younger generations can be truly inspired by.

What really struck me from my visit to Cardinal Stepinac Village were the awards that they gave to staff, particularly volunteers. Oddly enough, as the member for Fisher just indicated, most of the volunteers are elderly people. A number were actually residents of the village as well as young people. The wisdom, the knowledge of life that is acquired with age is something our community should value. (Time expired).

Mrs ANDREWS (McPherson) (8.57 pm)—I rise to support the main points of the motion put forward by the member for Shortland. My electorate of McPherson has a significant number of older Australians and, in my opinion, they make a considerable contribution to our community. Today there are two specific issues outlined in the motion that I would like to address, the first being the contribution of seniors as volunteers. Volunteers are very important to local communities, and the southern Gold Coast is certainly no exception. In many instances it would be easy to miss their contribution as most are not out trumpeting their own successes; they are in the background working hard generally for no reward other than the satisfaction of helping a fellow human being. The bulk of our volunteers are senior Australians—retirees who, having left their paid work life behind, have begun another work life. There is no pay. The hours may be long and the work not glamorous, but the rewards are there in the sense of satisfaction in helping others and making a contribution to the wellbeing of the community.

I have firsthand experience of the operation of Scouts Queensland and know the extent to which that organisation relies on volunteers not just as scout leaders but to assist with administration, promotion, committee work and fundraising. Many of the volunteers in scouting contribute a huge number of hours and many of them are in the age bracket of 50 years and over. Without the contribution of the senior members of scouts, that organisation would struggle to continue to provide programs for today’s youth.

Neighbourhood Watches operate successfully with the support and contribution of seniors, who are the backbone of the organisation. Community safety would surely be compromised without their dedicated contribution to their neighbours and to the residential areas in which they live. Volunteers in policing, veterans support groups, women’s shelters, playgroups, groups linked to our churches and, indeed, even organisations that focus on supporting seniors themselves would struggle without the participation of seniors. If volunteering were to diminish, there would be a significant social cost. The non-government organisations that utilise the efforts of volunteers would simply cease to exist if they were forced to rely upon paid employees.

The second issue I would like to address today is that of employment related age discrimination. Let me start by acknowledging that discrimination on the basis of age continues to exist in relation to employment and that this is to the detriment of those who are discriminated against and of employers who do not receive the benefit from the contributions that seniors can make to businesses. Those positive contributions include experience, a mentoring role, reliability and loyalty to work colleagues and to the employer.
Age discrimination does not necessarily start when a potential employee becomes officially a senior, or even close. It can start much earlier. Some organisations prefer to recruit juniors. Others prefer to present a youthful exterior to the marketplace and recruit accordingly. Sadly, there are industries that are reluctant to consider an employee who has not even reached middle age and, with this being the case, you can understand the struggle that someone who is perceived to be at the end of their working life faces. According to the National Seniors Association 2010 election submission:

In 2009 almost 60,000 Australians aged over 55 counted as discouraged workers, that is: they wanted to work but had stopped looking because no one would employ them. The main reason cited was 'being considered too old by employers'.

We need to combat this, and we should be looking at ways to do so. The Henry review noted that, relative to OECD countries, Australia’s participation rates are low for men and women aged between 55 and 64 and that ‘incentives for existing workers to remain in work are critical’.

There are some positive things that we can and should be doing, and I will deal with just one of those. We should be encouraging employers to look at flexible working arrangements that would benefit both the employer and the employees themselves, particularly work patterns and the arrangement of working hours: for example, the organisation of part-time work, job-sharing arrangements and flexibility to look at part-time hours worked perhaps over five mornings or five afternoons rather than two to three eight-hour days.

Our seniors contribute in many ways that they do not realise. They deserve our respect and they deserve our support, just as they support the broader community.

The DEPUTY SPEAKER (Hon. BC Scott)—Order! The time allocated for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Asylum Seekers

Mr MORRISON (Cook) (9.03 pm)—I move:

That this House:

(1) notes that:

(a) Australia has a long and proud record of resettling more than 700,000 refugees since the Second World War;

(b) there are 10.4 million refugees around the world and less than 1 per cent will be offered a resettlement place;

(c) Australia’s current refugee and humanitarian program is set at 13,750 with 6,000 of those places going to refugees mandated by the UNHCR and referred to Australia for resettlement;

(d) the current Government has lost control of our borders with more than 9,000 irregular maritime arrivals to Australia since August 2008;

(e) as a result of the failure to protect our borders, places in the offshore Special Humanitarian Program (SHP) are being taken up by onshore protection visa applicants and their families; and

(f) women who have been identified by the UNHCR as being in danger of victimisation, harassment or serious abuse have been rejected by Australia because there are no longer any places left in our offshore SHP; and

(2) calls for the Government to:

(a) give priority processing to the following visa applications within the SHP:

(i) offshore applications for subclass 201—In Country Special Humanitarian Program Visa which offers resettlement to people who have suffered persecution in their country of nationality and who
have not been able to leave that country;

(ii) offshore applications for subclass 202—Global Special Humanitarian Visa for those subject to substantial discrimination and human rights abuses in their home country and who are sponsored for entry by an Australian citizen or permanent resident who is not, and has never been, a subclass 866 visa holder;

(iii) offshore applications for subclass 203—Emergency Rescue Visa for people who are referred to Australia by the UNHCR and whose lives or freedom depend on urgent resettlement; and

(iv) offshore applications for subclass 204—Women at Risk Visa for women who are registered as being of concern to the UNHCR;

(b) confine immediate family members of subclass 866 protection visas holders, that includes irregular maritime arrivals, to eligibility for sponsorship only through the primary visa holder as a secondary applicant for a subclass 866 protection visa; and

(c) cap the number of visas available in the refugee and humanitarian program in the following ways:

(i) 6,000 subclass 200 visas for people identified by the UNHCR and referred to the Australian Government as mandated refugees;

(ii) 3,750 subclass 866 protection visas for primary and secondary applicants, including irregular maritime arrivals and their immediate families; and

(iii) 4,000 subclass 201, 202, 203 and 204 visas.

I have very strong views on the government’s failed border protection and immigration policies. I do not think that is a secret in this place or anywhere around this country. I hold those strong views because, if we continue with the failed policies that have been in place for the last 2½ years, boats will continue to come and, when boats come, people put their lives at risk. I do not think there is anyone in this country that could deny that that is a fact. We know, sadly, that over 200 people have met that fate as a result of those journeys we know about. People die on boats. I have said it before, and I never want to see it happen again. I hold this view because, as long as we have this type of arrangement in place, people who are in places offshore seeking our protection as they have for many, many years will be denied their right and their place under our program to seek protection and gain that protection, and that is the subject of the motion before the House this evening. Thirdly, I hold these views very strongly because I believe in the integrity of Australia’s immigration program. This immigration program has been an enormous success for this country, and I want to see that it remains a success in this country. I believe in its integrity, I believe in its intent and I believe that the confidence of Australians in this program needs to be upheld and proven. That is particularly the case in this area where the government has failed so badly and so damaged public confidence in our program because of its failures on border protection.

In one of these areas, in November of last year Captain Simon Hartley of the Salvation Army came to see me. We met in Melbourne. He was joined by other Salvation Army officers, a member of the Chaldean community here in Australia and a member of the Ethiopian community, who raised with me some very distressing cases. One of those who saw me was Ms Abate. She is a former refugee from the Kakuma Refugee Camp in Kenya. She came to Australia under our refugee program four years ago. Her mother has been living in virtual slavery since she was traf-
ficked to Saudi Arabia. She wrote to me and others, and she repeated this story on the day. She said:

My mother Sofia … is an abused domestic servant in Saudi Arabia. She had to flee Ethiopia and was trafficked to Saudi Arabia. As a Christian, illegal woman now in hiding she has no real options and suffers abuses on a regular basis. My mother has been sexually abused, beaten, humiliated and has no one to protect her. No UNHCR, no police force, no women’s shelter. It is just suffering.

The woman who wrote this is an Australian citizen, and she asked the question in her letter:

How can my government abandon me?

Another woman wrote to me with a similar circumstance. She says:

I have a sister … a mandated UNHCR suffering in Kakuma.

A captain of the Salvation Army Kenyan divisional headquarters:

… has intervened to save her. However, she still fears for her safety. Gangs operate freely. Women have been raped and killed. Corrupt police demand money from her and threaten her with deportation if she does not comply. She lives in constant fear …

She says:

It saddens me that my government has abandoned relatives of Australian citizens.

The motion I have put tonight is coalition policy. It is a policy that seeks to give priority to the offshore applicants who seek our protection under our program. It is a policy that is designed to ensure that at least 10,000 out of our 13,750 places will be given to people who apply offshore.

I respect the fact that there are some in all political parties who will not always share the views of their parties in putting forward measures in what is a very difficult area. I respect those views, I respect those who hold them and I respect their right to have their say. If they seek to have their say in this debate, then I welcome that and I encourage and challenge those opposite to let those on their benches who have different views to their government speak up and say the same thing, as I am proud to say happens in the Liberal Party. I commend them for their strength of view and for their compassion.

Each year the Australian government provides 13,750 permanent places. There are three main components to this program. There is what we call the mandated refugee program where we take 6,000 people from camps in places around the world in cooperation with the UNHCR, there is the offshore special humanitarian program and there is the onshore special humanitarian program.

The onshore program is for those who arrive by boat without a visa—what I refer to as illegal entry. They seek protection under that section of the program. There is protection for 6,000; there is not protection for any other places under that system. The balance of the places are allocated based on the applications that are received and the judgments that are made. But those who turn up and make onshore applications take priority under the system as it is currently designed.

In 2009-10, the number of visas granted to offshore applicants was 3,233. When the coalition government left office, the number in 2007-08 was 4,795. It is no coincidence that the number of offshore applications granted to special humanitarian applicants has fallen by about 2,000 and the number granted to those who arrive by boat has increased by about 2,000. This is what is occurring under our program, and I simply do not think it is fair.

Take the case of Afghan applicants for protection in this country: if you are outside this country and you make an application, based on the figures of the Department of Immigration and Citizenship, one in 10 get a
protection visa. If you arrive in this country by boat as an Afghan asylum seeker, the Department of Immigration and Citizenship confirm that in the first nine months of last year you had a 96 per cent chance of getting that. That is what I call a pull factor. I think those who are sitting and waiting and waiting—not two years, not three years but, if you go to the Thai-Burma camps, three generations—are waiting too long. I think we should restore some balance to our system. Those who cannot get on a boat are the immobile. Why are they immobile? Because typically they do not have resources. They are typically women, they are typically frail and they are typically unable to work the system through the smugglers and others to get them to a point where they can get on a boat. They have no voice at all. There are plenty in this place who want to say in this debate that they stand up for those who have no voice, but I can tell you the woman sitting in Kakuma had no voice in this place until this motion. This motion says: ‘We hear you; we think you should have a place. We think that there should be a place reserved for you that shouldn’t be crowded out because of a government that wants to pursue a failed border protection policy that has seen your place taken by those who might come by other means.’ There is enough suffering in this world.

This is a terribly vexed issue. It is a very, very hard issue and there are no easy choices. The alternative to what I have proposed in this motion is that we simply say that anybody who comes will get that visa, that these other visas will not be compromised and that we walk away from the capping system we have for our special humanitarian refugee program. This is a suggestion that others I am sure will put and that I have heard. I respect that suggestion, but I believe it would compromise our position of seeking to discourage people from getting on those boats. I think that position would encourage people to get on those boats and I do not want to do anything that would do that. While I respectfully listen to that suggestion, I cannot agree with it. The only way I can help that woman in Kakuma is to put forward a motion which says that we will reserve that place for her.

It is interesting that those who sit offshore, those who are recognised as refugees and get a visa for this country, wait 52.6 weeks for that decision. Even with the delays that are being experienced in our detention network today under the government’s failed policies, those who get the answer they are looking for wait 22.8 weeks. I can guarantee where they are waiting offshore pales into all sorts of horrid comparisons to what others might be experiencing in the detention network in Australia. There were people particularly on this side of the House during the last government who did many things to improve our system of detention in this country. They should be commended for that and this government has continued many of those initiatives. That would be a far better place to wait. This motion suggests that those who have had their protection claims assessed would be released into the community under temporary visas and their places would not be taken up with a permanent visa until one was available. These are our proposals. This is a difficult issue and I think this is a decent proposal. I seek the support of the House for it.

Dr Leigh (Fraser) (9.13 pm)—In 1983, I was attending Sutherland Primary School in the electorate of the member for Cook. One day a person from the computer company MicroBee came and set up a computer
at the back of the room. It was the first computer most of us had seen. The program was a database of the First Fleet and each of us took it in turn to search the name records to see if our ancestors were on a ship. In that classroom, every 11-year-old child wanted an answer to the same question: ‘Could I possibly be descended from a boat person?’

Nearly three decades later, how is it that some people in Australian politics think they can use the term ‘boat person’ as a form of abuse? When they celebrate Australia Day, do they think the arrivals of 1788 held valid visas? Why do they applaud the courage of one risky sea journey to reach Australia but spread fear and loathing about another?

In my own electorate, I have had the privilege of meeting some extraordinary migrants. Last year I attended a prize-giving ceremony for an art competition run as part of Refugee Week. First prize went to a Karen Burmese woman who had woven a traditional crimson tunic. Because she did not have a proper loom, the woman had taken the mattress off her bed and fashioned a loom from her pine bed base. It is hard not to be overwhelmed by the courage and spirit of Australia’s migrants.

The great success of multiculturalism has been the way suburban Australians have, without fuss, welcomed successive waves of new migrants into our neighbourhoods. As a local member of parliament one of the things that I most enjoy is to stand in a school assembly amidst children from all ancestries in the world and sing with them those lines from the national anthem:

For those who’ve come across the seas
We’ve boundless plains to share …

Yet today, that consensus threatens to shatter. Senator Cory Bernardi tells us, ‘Islam itself is the problem’. And according to journalist Lenore Taylor, the member for Cook, Scott Morrison, told shadow cabinet last year that the coalition should capitalise on the electorate’s growing concerns about Muslim immigration. Neither of them have been rebuked by the Leader of the Opposition.

In his motion today the member for Cook continued his efforts to make political capital out of the Australian refugee program. Yet, like the coalition’s election costings, his efforts are riddled with errors. The motion conflates the refugee and special humanitarian components of the humanitarian program, which are effectively quarantined from each other in terms of the number of visas granted and the priority accorded to processing them.

The motion erroneously suggests that Australia has rejected women at risk because irregular maritime arrivals have crowded them out, a mistake repeated by the member for Cook in his media release last November. This is not the case. The number of places available for refugees overseas is not affected by the number of protection visas granted to onshore applicants, and that includes irregular maritime arrivals.

Australia continues to settle a significant number of refugees from overseas. Indeed, the Labor government has increased the program since coming to office, with an additional 250 places in 2009-10 following an increase of 500 places in 2008-09. This brings the total program to 13,750 for 2010-11. Beyond this, Australia also works to improve the situation of displaced persons in the region by providing substantial support to the Office of the United Nations High Commissioner for Refugees and the International Organisation for Migration.

Still, if we overlook the factual errors in the member for Cook’s motion, it is plain that he is trying to make a simple point: the government should give preference to asylum seekers applying offshore rather than to those who apply onshore. This is simple enough to say, but hardly straightforward to
implement. It raises the question: when the coalition’s proposed cap has been filled, what should we do with those people who arrive in Australia with valid visas and who then apply for protection? What should we do with irregular maritime arrivals found to be refugees? Should they stay in indefinite detention? Perhaps that is the kind of solution that appeals to people who wish for a return to the ‘grand old days’ of the Howard government’s migration policy. But whether you look at it from the point of view of compassion or cost-benefit analysis, indefinite detention for those who come to our shores does not make sense.

We should control our borders—of course we should—but controlling our borders does not require us to add to the suffering of people who merit our compassion. The current refugee program is a reasonable response by the Australian community to a worldwide challenge. Australia needs policies that are based on a humanitarian response, not only because that is what we committed to as signatories of the 1951 refugee convention but also because it reflects the concerns and interests of the community.

While scrutinising the flaws in this motion, let us not miss the broader context in which this motion is being moved. In the Sydney Morning Herald last Saturday, commentator Mike Carlton quoted Bruce Baird, the predecessor to the member for Cook, and a man who served the Liberal Party in the NSW and federal parliaments for 20 years. Indeed, when I lived for a time in Pennant Hills, Mr Baird was my state member of parliament, and even though I was, of course, a member of Young Labor, he did earn my grudging respect. Last week, Mr Baird said of the Liberal Party:

There’s no doubt the party has shifted to the right. It seems like One Nation is calling the tune. They are going for the blue-collar, right-wing vote. Moderate views in the federal party have largely disappeared.

As the Prime Minister told the Lowy Institute last year:

… it would take about 20 years to fill the MCG with asylum seekers at present rates of arrival.

Yet there are those who claim that asylum-seekers are a threat to the Australian way of life. They are on the wrong side of history.

There are those who think that Australia’s religious freedoms are too narrow to apply to all religions. They, too, are on the wrong side of history.

There are those who tell us that when a rich nation like ours is hit with a flood, our generosity to Indonesia should cease. They are on the wrong side of history.

There are those who tell us that when family members are lost in a tragic accident off Christmas Island we should deny the survivors a chance to attend the funeral. They, too, are on the wrong side of history.

If you read the history books you will see that the seeds of hatred have been sown before. Brewing up racial discontent has its own special recipe. Start with a cup of rhetoric about how ‘those people’ with their ‘strange customs’ are different from ‘us’. Add a spoon of envy about how those outsiders always seem to get better treatment than ‘ordinary Australians’. And for good measure, why not dash in a suggestion that they could be happier if they just went home where they came from. Then give the pot a good stir, and let it simmer until it is hot enough to serve up to the electorate.

Believe it or not, there is even an academic literature on hatred. Harvard economist Ed Glaeser points out that inciting racial hatred will always be a tempting—

Mr Ewen Jones—Mr Deputy Speaker, I rise on a point of order. The point of order is
on relevance; we have got a motion here and I wish he would just start talking to it.

The DEPUTY SPEAKER (Hon. BC Scott)—There is no point of order.

Dr LEIGH—Harvard economist Ed Glaeser points out that inciting racial hatred will always be a tempting strategy for political entrepreneurs, but only when a minority group reaches a certain size. Italian-Australians: too big—they might fight back; Luxembourg-Australians—hard to get the base fired up; but Middle-Eastern Australians—just right.

I was asked this morning by a journalist who I greatly respect, ‘Why are you bringing this up today?’ It is a good question so, in closing, let me try to answer why I do not think we should merely let the issue drop.

When Pauline Hanson brought her extremist ideology onto the floor of this parliament in the late 1990s, some people said ‘Just ignore it and it’ll go away.’ They meant well but, as the subsequent rise of One Nation showed, they were grievously mistaken. Sometimes you just have to draw a line in the sand. Here is mine.

If there is someone attacking a religion, that matters to me—even if it is not my religion.

If there is someone suggesting that asylum seekers are a threat to our way of life, that matters to me—even if I am not an asylum seeker.

And if there is a father who wants to attend the funeral of his child, that matters to me—even if it is not my child.

I urge the House to oppose the motion.

Mrs MOYLAN (Pearce) (9.23 pm)—From 2001 to 2005 I, with others in this place—the member for McMillan was one—worked to encourage changes to the Migration Act and its administration. Concern heightened in the public domain about the treatment of asylum seekers and the administration of detention centres, forcing important changes.

Changes included an agreement that 12,000 or so refugees living in the purgatory of the temporary protection visa system would be given permanent visas and that the Ombudsman would regularly report to this parliament as to why people continued to be held in immigration detention. These changes resulted in a greater level of public and parliamentary scrutiny. One of the single most important changes was that children would no longer be held in detention centres, except as a last resort.

Notwithstanding the inclusion of a declaration in the Migration Act to this effect, today we have over 1,000 children in detention. I notice a call by a Greens senator to have another investigation regarding children in detention, while the matter could be immediately resolved by honouring the existing declaration, and I would strongly urge the Minister for Immigration and Citizenship to do so. Detention centres are no place for children.

We have seen the unedifying spectacle and the treatment of Seena, the nine-year-old boy orphaned through the Christmas Island tragedy in December last year. This is an example of political callousness at its very worst, and I rise today to call on the government and the opposition to stop the political tactics and to end the escalating, hysterical rhetoric over who can produce the toughest policies, and for men and women of conscience in this place to call for the end of the politicisation of asylum policy.

In regard to this specific motion, I appreciate and share many of the concerns outlined by my colleague the member for Cook in bringing this motion to this place. In particular, I share the concern about the many women who daily face life-threatening situa-
tions in refugee camps. Of the 10.4 million refugees currently in the world, according to the UN, Australia’s generous resettlement program will take less than 0.0001 per cent per annum. This is the number that will find their way to our shores each year, and it would therefore be reasonable to craft policy in proportion to the dimension of the challenge faced in Australia—not to ramp it up with political rhetoric.

The real deficiency, though, of the current system is that in 1996, by a deliberate decision of the government, the number of onshore protection visas and the number of visas available under the Special Humanitarian Program were linked, so there is now a shortfall of places for special humanitarian visas. However, this motion intimates that somehow onshore applicants are less entitled to and less worthy of permanent protection than offshore applicants. It seeks to allot 3,750 visas to onshore applicants, or 787 fewer visas than the number granted to onshore applicants in 2009-10. This presupposes that asylum seekers would again be held in indefinite detention, or that temporary protection visas would be reinstated.

This would create the situation which in the past prolonged the pain and prevented the resettlement of asylum seekers. Apart from the obvious human trauma this policy engendered, it was administratively demanding and costly. The logical solution would be to delink the two programs and to allocate specific numbers for each of those programs. The fact is that once an asylum seeker reaches our shores we have a legal, social and moral obligation to assess the claim and then provide asylum. This obligation must be separated from our voluntary commitment to offshore resettlement programs.

The contention that temporary protection visas and mandatory detention will in some way stop the boats is not supported by history. Mandatory detention was introduced as a deterrent by the Labor government in 1992, when a small number of people arrived by boat. Ten years later, there had been 5,000 boat arrivals. In the five years prior to temporary protection visas being introduced, there were 3,103 boat arrivals. In the five years following the introduction of temporary protection visas, there were over 11,000 arrivals.

If we are serious about stemming the flow of refugees, we must desist from punitive policies and join with our regional neighbours and the international community to prevent the tyranny, genocide and war which cause people to flee from their homelands. We must prepare to share the burden of those who come to the region seeking asylum. After all, few people would choose to leave their home and make such a perilous journey without good cause.

Australia is working hard to restore peace and the rule of law in Afghanistan, through diplomatic and military commitments and through our government and non-government aid agencies. Our nation has tragically sacrificed 23 young Australians in that cause. It therefore seems to me incongruous that, in committing to restore order in a country in which we recognise the dangerous conditions, when the persecuted escape and come seeking sanctuary we lock them up in prisons which we have conveniently labelled ‘detention centres’.

I call on all my colleagues from all parties in this chamber to speak up for a bipartisan resolve. That resolve is to step up our diplomatic efforts, for a policy proportionate to the real dimensions of the issue and to explore durable, humane options to stem the terrible toll of refugees forced to leave their homelands. The real test of our humanity and decency is how we manage when people seeking asylum come knocking on our door.
Debate interrupted.

ADJOURNMENT

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

That the House do now adjourn.

Disaster Relief

Mr TRUSS (Wide Bay—Leader of the Nationals) (9.30 pm)—The government’s welfare payments for flood and cyclone victims is beginning to look like the latest multimillion-dollar administrative bungle of the Rudd-Gillard government. Early in the new year the Prime Minister announced payments of $1,000 for adults and $400 for children in areas affected by flooding. Later these benefits were extended to cyclone victims. When the Prime Minister announced the payments she outlined eligibility criteria which were very restrictive. Hardly anyone would qualify. Centrelink staff were dismayed because, after all the Prime Minister’s media hype, they were the ones who were going to have to tell desperate flood victims that they did not qualify. Within hours the Prime Minister was back to the media to say she had asked the acting Attorney-General to fix the problem. At his second attempt the eligibility criteria were relaxed to reflect those which applied in the flooding of early 2010. These criteria were very generous—probably too generous, considering the scale of the flooding and cyclone damage around Australia.

Your house did not have to be flooded or even get wet to qualify for these thousand-dollar payments. You did not have to be flooded in or flooded out. You did not have to lose any property. You did not have to lose any wages and you could still qualify for these thousand-dollar payments. If you were unable to leave your house for 24 hours; your suburb or town was cut off for 24 hours; or if you lost electricity, sewage or some other utility for 48 hours, you qualified for this thousand-dollar payment. On this basis much of Brisbane, Townsville, regional cities which had their power cut off or were isolated for a day or more—everyone living in those areas qualified for these grants. I estimate at least two million Australians would qualify. If your suburb was isolated, even if it was going about its normal business—the supermarkets were there, the food was still available to sell, the pub was still open and the poker machines were still running—you still could qualify for this thousand-dollar payment. If people were on holidays, unemployed, welfare beneficiaries or had awards that gave them paid leave in these circumstances, they still qualified for the thousand-dollar payment. Millionaires qualified. I was told of a lottery prize winner who had received the thousand dollars. You could qualify if you could not get home even if you did not want to go home. Indeed, the payments were available to a whole range of people who had suffered no personal hardship, very little disadvantage or very little inconvenience.

Of course, many people did not claim, because they felt guilty about asking for money in these sorts of circumstances, but already around $500 million or more has been paid out. Potentially around $1.5 billion will be paid. There are many people who did not claim who now want to because the government has said they do not have to pay the new flood tax if they get this benefit. So people who did not really need it or felt they did not deserve it now want to claim because that gets them off the new tax payment as well.

This has been an absolute nightmare for Centrelink, and I admire their staff. The government changed the guidelines at least four times and then repeatedly changed the interpretation. I had three cases last Friday where two members of a family were approved but another member who applied a few days
later in exactly the same circumstances did not get the grant. There are now examples of Centrelink endeavouring to recover the money from many of these people even though they met the criteria. It was the fault of the criteria that people who did not need the benefit were paid the money rather than those who claimed according to the rules as they applied at that stage.

I have heard all sorts of stories about the fantastic days the pubs and poker machines had. One town is reported to have sold out of flat screen TVs. In addition to that I had a call from a local bank appealing to us to stop this because they had run out of cash in the bank to pay out these amounts. There are at least 1,400 cases of fraud that are being investigated. There are many people who deserved and needed this payment, but the government’s administration of the guidelines was so inconsistent that, indeed, many people who did not need it received the money.

**Shortland Electorate: Schools**

Ms HALL (Shortland) (9.35 pm)—When members leave this place and return to their electorate it is an opportunity to see how the programs and legislation that have passed through this parliament work and also to connect with the communities that they represent. Last week, when I was back in the electorate, I was privileged to visit three schools: Mannering Park Public School, Valentine Public School and Belmont High School. In addition to that I met with and was interviewed by students from St Joseph’s Primary School, which is situated at Charlstown.

I will start with my visit to Mannering Park Public School. It was for the swearing in of the leadership team. That leadership team is going to be at the forefront of all decisions that are made in that school. They are role models for the students who attend that school and they make policy decisions for the school. They implement the rules of the school. They are a very special group of students. In addition to meeting with the school leadership group and pinning the badges on, I also had a look and inspected the new classrooms, the Aboriginal education room and the outdoor area that had been built with the Building the Education Revolution money.

Mannering Park Public School is a school that has a number of disadvantaged students attending it. It is not a school situated in a wealthy area, but it is a school that is situated in a beautiful area that has in the past struggled for finances to build the kinds of classrooms that it needed and to get the kind of equipment that has become available to it. It gave me great pleasure to see the Building the Education Revolution money spent in such a positive way within the school.

I also visited Valentine Public School for the swearing in of the school parliament and I presented the badges to the library monitors as well. At the school parliament I shook hands with the prime minister and the leader of the opposition and I learned of the various portfolios that all the students held. Once again it is an example of students being involved and learning about the political process within their own area. It is a very positive experience to see how these young people are learning about and demonstrating leadership and learning about the political process on the ground in their school. It was a real pleasure to visit Valentine Public School.

Later that day I also met the new principal of Belmont High School, Geoffrey Robinson, who has come to Belmont High School from Moree. He succeeded Peter Morgan, who is one of the most outstanding educators I have ever had the privilege to meet. Peter retired as principal of Belmont High School at the end of last year but he maintains his...
interest in education and he continues to send me his thoughts on educational issues along with articles that he feels are very important for my education. He is working still within the education sector as a consultant.

I also met the school captains of Belmont High School, which I thought was a very good move by the principal. We talked about things within the school. I asked them to look over some of the information that I put together in a book I give to students about looking at the future—a school leavers kit. I talked to them about the House of Representatives Standing Committee on Health and Ageing inquiry into youth suicide that is taking place at the moment. I asked them whether or not they would be interested in being involved in a forum with school leaders later in the year. It was a very exciting experience visiting all the schools back in my electorate and it was great meeting with the students from St Joseph’s Catholic school and being interviewed by them for the local newspaper.

Durack Electorate: Regional Tertiary Education

Mr HAASE (Durack) (9.40 pm)—I rise this evening to address the issue of tertiary education for country students, a very topical situation I may add given that this government should hang its head in shame for the drastic cuts to access for country students that have been enacted since this government came to power. The institution I wish to discuss specifically is the Geraldton University Centre. It is a model of regional tertiary education that is unique in Australia as it is not a university nor is it a campus of a university. It is a not-for-profit, incorporated body aimed at supporting students and delivering university courses in Geraldton on behalf of a range of universities.

The GUC was established in 2002 in response to alarming statistics showing that the Mid West area rated 281 out of 290 regions nationally in terms of university access. Further, a study concluded that while 21 out of every 100 year 12 students in the metropolitan area go on to university, the number for the Geraldton region was eight out of every 100 students. Today 172 people have graduated with university degrees. The majority work as nurses and teachers back in the Mid West region and across regional WA and provide vital services to those communities, services that are difficult to staff because metropolitan people generally with no experience of the bush are loath to move out of those metropolitan areas.

The Geraldton University Centre is in a position to provide an alternative to relocating to Perth or undertaking external studies for students from the Mid West, Gascoyne, Indian Ocean, Pilbara and Kimberley regions. These communities represent some of the most socioeconomically disadvantaged in Australia, a group specifically targeted by this federal government to reach a 20 per cent higher education participation rate by 2020. The current funding for the GUC relies on a percentage of each government dollar given to umbrella universities for each student enrolled in those universities, for example in Western Australia, Curtin, the University of Western Australia and Murdoch University.

But there is some additional funding that is helping the GUC. The Hollomby Foundation was named in honour of the late Joe Hollomby, a local charity worker known as the ‘Shortbread Man’. Joe Hollomby raised more than $1 million in Geraldton making and selling shortbread. He was tragically murdered in 2008 at the age of 94. The foundation provides a central structure and means of administering financial support for the benefit of Mid West students and the Geraldton University Centre programs and initiatives.
The GUC aims to raise $1 million over three years for the foundation and so far since July last year they have raised $65,000 already. The GUC is seeking government funding of $2.4 million over five years. That is just $2.4 million over five years while they expand course availability and increase student numbers to a sustainable level. If adequately funded, the GUC can fully develop a creative local solution for tertiary education delivery which may then be applied throughout Australia.

Population modelling predicts that Geraldton’s population will grow to conservatively 51,000 by 2020, and if the city reaches its full potential with the development of the mid-west iron ore province we would expect that population to run to 70,000. The mid-west still ranks in the bottom 10 per cent for university participation in the country. The Geraldton University Centre’s Hollomby Foundation operates a scholarship program for those undertaking study at the GUC, and scholarships range in value from $500 to $5,000. The Hollomby Foundation and the Geraldton University Centre are both working very hard to create a situation in which country kids can have a tertiary education. But they cannot do it without help, and that help—a mere $2.4 million over five years—would be chicken feed for this government’s budget of some $350 billion.

Blair Electorate: Queensland Floods

Mr NEUMANN (Blair) (9.45 pm)—Usually the new year brings with it a feeling of refreshment, a new beginning, the chance to undo, redo or redress. Resolutions abound, often about behaviour and choices aimed at improving our waistlines, our fitness or our spending habits. Sadly, the new year of 2011 will be remembered for more raging and pestilent weather than we could have imagined, and South-East Queensland has felt the brutal end of nature’s fury. We all know about the effects of La Nina—we have seen the images day after day and night after night on our television screens. Some of us have spent many long hours working alongside people who have lost everything. Volunteers have given of their time and energy as well as our tirelessly dedicated men and women in the SES, the police force and the ADF. The conditions have been appalling, and for many people the situation is dire and often heartbreaking. I have been humbled by what I have seen. I have been honoured to witness so much commitment, courage and resilience. It is that strength of character—the courage to face the worst and to plough on—that I want to talk about today.

The city of Ipswich is at the heart of the electorate of Blair. It has suffered so much of late. It is no stranger to flooding. Ipswich has endured inundations for many years. The worst many people thought were in 1974 or 1893, but the flooding of 2011 was worse still. Ipswich has grown rapidly. People have suffered. But Ipswichians are made of stern stuff. We have reinvented our city over and over again after depressions, closures and economic upheavals. With heavy industry closing down, many predicted the end of Ipswich, but they were wrong. When the mining industry wound down, a death knell was sounded—wrong again. The GFC many thought would be catastrophic—wrong again. And with the flooding they will be wrong again.

The Ipswich Chamber of Commerce and Industry, in partnership with the federally funded Business Enterprise Centre Ipswich Region and the Ipswich City Council, sprang into action long before the flood waters even peaked. A business recovery initiative was put together and put into action. Business people were surveyed to find out what they needed and how they could help. Free daily workshops were held for business to help smooth the pathway for access to funding
and assistance. A one-stop business recovery shop was set up to centralise all the information and support. A business recovery package was put together and hand-delivered to businesses in nearly 20 areas throughout Blair and beyond to Toowoomba, Grantham, Gatton and into Brisbane. A sense of optimism and purpose galvanised the flood affected areas and gave purpose and direction to all those who could help.

This business recovery initiative has proved so successful, so admired and so respected that other chambers of commerce around Queensland have sought to emulate its approach in flood affected areas. The Ipswich Chamber of Commerce and Industry, the Business Enterprise Centre Ipswich Region and the Ipswich City Council, in partnership with the Queensland Times newspaper and the local radio station River 949, initiated a buy-local campaign which they call Shop Ipswich, which has an image of a heart at the centre. Shop Ipswich highlights how buying locally can have a powerful and immediate impact on business recovery. Shop Ipswich helps people and business locally. Shop Ipswich is about building consumer confidence and local confidence as well. It is a campaign that has attracted many others.

Following its launch by the Ipswich mayor, Paul Pisasale, and the Ipswich Chamber of Commerce and Industry just a couple of weeks ago, Shop Ipswich has already attracted widespread attention. I was pleased to be there along with the state member for Ipswich, Rachel Nolan. Even our competitors the Gold Coast chamber of commerce have been in contact and organised for their members to come and experience Shop Ipswich firsthand. It is only the beginning of what Shop Ipswich can achieve in our city and in our region. I congratulate the President of the Ipswich Chamber of Commerce and Industry, Michael Munt, the Ipswich Chamber of Commerce and Industry’s board and its members. I am pleased to be a member of the chamber. I thank Tony Axford and the staff at the Ipswich Business Enterprise Centre, the Ipswich City Council Office of Economic Development and the local staff of the Queensland Department of Employment, Economic Development and Innovation for their tireless and dedicated commitment to the Ipswich area and Ipswich business people. I commend all those who have worked and are now working to ensure that Ipswich emerges from the devastating floods of 2011. I am sure that the Ipswich business community will advance with optimism, progress and determination. I urge all local residents to shop locally and shop Ipswich.

Aston Electorate: Youth Mental Health Services

Mr TUDGE (Aston) (9.50 pm)—I rise to speak about the urgent need for better youth mental health services in my electorate of Aston in outer eastern Melbourne. I raise this in the parliament because I believe it is one of the most urgent needs in my electorate. As you would be aware, Mr Speaker, mental health is a significant issue for many Australians, particularly for young people. It is estimated that a quarter of all young Australians will suffer from a mental illness, be it anxiety, depression or a substance abuse disorder, at some stage. Around one in 10 young Australians will experience an anxiety disorder in any given 12-month period. In Aston, the incidences of mental disorders are particularly high. They account for over half of the burden of disease and injury amongst 15-to-24-year-olds in Knox. Depression amongst men and women, anxiety disorders amongst women and suicide amongst men are all present at higher rates than the state average. We do not know why this is the case; we just know that the incidences are higher.
While the statistics paint a picture of the prevalence of the problem in my electorate, they do not reveal the anxiety, the pain or the loneliness that many sufferers face; nor do they reveal the sense of worry or hopelessness that a family can sometimes feel when one of their loved ones is afflicted by a mental disorder. No-one is immune to mental health issues, and there is barely a family member in Aston—or, indeed, in Australia—who has not suffered either directly or indirectly as a result of a mental health disorder. There are already some outstanding services that cater for young people with mental disorders in my electorate, but more must be done. We need services that are tailored to young people, that are accessible in terms of location and price and that coordinate health providers. Youth services are particularly important. We know that about 75 per cent of mental health problems emerge before the age of 25. We also know that, when people suffering from mental health issues are given the appropriate care, medical treatment and support, they recover and can lead healthy and fulfilling lives. This must be our objective: provide appropriate services so that young people can access them readily and easily.

Health professionals that I have spoken to are particularly impressed with the headspace foundation, which operates mental health centres, known as headspace centres, in various parts of Australia. Headspace, as you are probably aware, was established by the Howard government in 2006. The centres offer a one-stop shop for a range of free services so that young people need not be referred from one health professional to another and be forced to re-tell their story. There is currently no headspace centre in the east of Melbourne, although there are in the south, the north and the west. I would like to see one in Knox, in my electorate, in order to address the issues that I have described.

In early April, I will be convening a youth mental health public forum at Fairhills High School in my electorate as a way of raising awareness of youth mental health issues and encouraging public input on how we can better address the issue. I will be hosting this in conjunction with Kristin Michaels, the CEO of the Eastern Ranges GP Association, and Chris Potter, the CEO of Knox Community Health. Both Kristin and Chris have expertise and a deep commitment to youth mental health in the outer east.

Mental illness is the No. 1 health issue amongst young people in my electorate. It can have a devastating impact on people’s lives if proper treatment is not provided. I want to ensure that adequate services are made available to young sufferers in the outer east of Melbourne. Their lives are ahead of them and I want to ensure that they have every opportunity to be the best they can be.

National Service Day

Mr ZAPPIA (Makin) (9.55 pm)—On Sunday, 30 January, I attended the annual memorial service held by the Para Districts Sub Branch of the National Servicemen’s Association of Australia. It was one of many services held around the country to commemorate National Service Day, which officially falls on 14 February each year. The service was led by Padre Trevor Rogers, himself a nasho, as they are affectionately referred to, and held at the Cross of Sacrifice site in Salisbury, where the local nashos have erected their own memorial. Cadets from the TS Stuart naval cadet unit and the 49th Australian Army Cadet Unit participated in the service. As patron of the Para Districts Sub Branch of the NSA, I regularly attend their events and consider the members as personal mates. I refer to the nashos—John Badcock, Graham Beagley, Gerry Bingham, Don Blackmore, Tony Cutler, John Fisk, Neil
Monday, 21 February 2011   HOUSE OF REPRESENTATIVES  729

Hamilton, Tom Howells, Lawrie Hunter, Brenz Kriewaldt, Andrew Lafferty, Mick Lennon, Des McAuliffe, Kevin McQuillan, Clarrie Mitchell, Frank Morris, Noel Reid and John Rowe—who were all at the Salisbury service. I apologise if I have left anyone out.

Between 1951 and 1972, over 290,000 young Australian men were called up for compulsory national service in the Army, the Navy or the Air Force. Some 20,000 of them served in military operations in Borneo, Malaysia, Papua New Guinea and Vietnam. Nashos have their own special place in Australia’s history. In the first scheme, between 1951 and 1959, all young men aged 18 years were called up and were required to undertake 176 days of standard recruit training in the Navy, the Air Force or the Army. This was followed by five years in their respective reserves. In the second scheme, between 1965 and 1972, men aged 20 years were selected by a birthday ballot. Those selected were called up for two years full-time service. This was reduced to 18 months in 1971. National service was ended 38 years ago by the Whitlam government.

After the memorial service, I was asked to address the gathering. In doing so I commented on how quickly we move on from the past and how quickly events are consigned to history, yet how significant those events were to communities at the time. It is easy and perhaps convenient to forget that, in the case of the nashos, these were young men who had their lives disrupted, and in some cases changed for ever—sometimes for the better, sometimes for worse. They did not choose to enlist, although many, having been conscripted, volunteered to serve overseas and others remained in the defence forces after they had completed their national service training.

We sometimes forget the anxious wait for parents and family members, waiting to see if their sons would be called up and, if so, if they would be sent into a war zone. We often forget that 212 nashos died in active service and some 1,500 were wounded. Around 40 per cent of those killed in Vietnam were nashos, and we often forget how soldiers were treated by some people on their return home from Vietnam. We quite properly pay due respect in this place to each soldier we lose in Afghanistan. I take this opportunity to pay my respects and convey my condolences to the family, friends and colleagues of Australia’s 23rd casualty in Afghanistan, 21-year-old South Australian Sapper Jamie Larcombe. It was a different era, but each nasho who died, like Sapper Jamie Larcombe, was also a young Australian life lost in serving our country.

The nashos, however, have not forgotten. Their experience was real, their service was real and their memories remain. As Clarrie Mitchell emotionally, but with dignity, stated as he placed his poppy at the Salisbury memorial: ‘This is for you, Percy’—referring to his late brother and fellow nasho. The camaraderie amongst them and their sense of humour is clearly evident to anyone who associates with them. What is also evident is that they do not seem to have any regrets about having been called up, and most of those I speak with talk positively about having served. In fact, there is a widespread view amongst nashos that all young men should undergo a similar kind of civic service to the country, and it should not necessarily have to be in the armed forces.

The construction of a national memorial in Canberra after eight years of design, fundraising and construction meant a lot to the nashos I spoke with. Many South Australian nashos, led by the state president and a personal friend, Graham Wilson, travelled to Canberra to be present for the official dedi-
cation ceremony on 8 September last year. I could not attend the dedication ceremony but I have since visited the memorial. It was a long time in its planning and construction, but it provides national recognition and respect to those Australians called up for national service between 1951 and 1972. Tonight I take this opportunity to recognise them.

Mr LAMING (Bowman) (9.59 pm)—The third Closing the Gap report was released by the Prime Minister last week. Looking through it for the outcomes that we, of course, expect to see in these reports but getting little more than inputs made me turn my mind to exactly what is happening with the health of Indigenous Australia. In the report there was just one precious phrase, which referred to petrol sniffing and volatiles abuse as having fallen. Apart from that, it was simply, three years after we started this process as a parliament, yet another dusty speech about inputs to the problem and precious little about outcomes.

Tonight I will focus on housing. We all know that from employment and housing come the hope of better health care and education, but it starts at home—with having somewhere safe, healthy and inspiring to live. Right now, the in some ways impressive amounts of money that are being injected into Indigenous housing are going the same way as all the money before them, because one simple, essential antecedent factor is being ignored: how do we involve Aboriginal Australians in the construction of their own housing? How has this government turned Indigenous housing into a spectator sport, where Indigenous Australians simply watch the white teams roll in, build the houses as quickly as they can and get out as quickly as they arrived? As long as Indigenous housing is something that drops in and is left behind with no maintenance plan and no Indigenous crews to look after it, we will have nothing more to look forward to than more degraded housing desperately in need of upgrade—and that can happen within months.

These are not small investments: we are talking $400,000, $500,000, $600,000 or, in some remote cases, $800,000 for a very modest two-bedroom dwelling. Indigenous families are crying out for a chance not to have 10, 12 or 14 people, on average, in their dwellings. There are communities that have up to 20 people living in a house. How can children hope to sleep at night and turn up at school when they live not only in that kind of overcrowding but in squalor? The answer is simple: there are enormous working-age populations in these communities that are completely disenfranchised from the idea of being able to move from school into a reasonable paying job that has a training component to it and a hope of a future. The opportunity is right there, with this focus on Indigenous housing, but it has been completely lost, and you need look no further to see this than Wadeye in the Northern Territory, where tens of thousands of dollars are being spent per day. That money is spent not on the houses but on the multilayered consultancies that are working out what home design and home colour we want. Those consultancies are not consulting at all about the basic premise: can any of these young Indigenous blokes pick up a spanner and give it a go, work on a housing site under supervision and call that house their own? It is as though this is some novel idea that has never been thought of or trialled before.

We in mainstream Australia have created the only culture in the world that relies on another culture to build shelter for it. Show me another place in the world where it has come to this. The money is now there, but, in the guise of having to rush out the housing as fast as we can, we are not waiting for Abo-
ional townships and communities to build those houses and, with it, gain the experience these young Aboriginal males and females of working age need, just to have a chance at entering that career. They are not all going to be home builders—they may well move into other areas—but they will have had an opportunity to build 20, 40 or 100 dwellings. Once the job is finished they can build accommodation for the teachers, nurses, doctors and police who work in these communities; then they can build the civic centres. We need to turn it into a revenue model and make these properties valued. The best way to do that is to write the names of the people who built the houses on them. If you tear those apart, you are tearing down the work of your own brothers and your own skin group. But, no, we do not do that.

We have learned no lessons from the past but we forge ahead on this futile scheme of transferring surpluses to large building alliances that engage one, two or three Indigenous workers shovelling cement or sweeping down the slab. Let us create genuine training opportunities that can lead to a career. Let us not do job capacity assessments for an individual; let us do them for the entire community and not stop until every single Aboriginal person of working age has had the chance, like the rest of us, to follow a career and build a passion. Something happened in 2008: the member for Gorton, as the then Minister for Employment Participation, removed that tensioning spring—that drive to get involved in community activity—in his communication with his Centrelink line staff. As we dig deeper, we will find that that act in 2008 did more damage in this area than anything in the last 10 years.

**Kingston Electorate: Health Care**

*Ms RISHWORTH (Kingston) (10.04 pm)*—I rise to speak about the important investments in health care that this government has made in my electorate of Kingston. Ensuring health care is affordable and accessible to people when they need it is critical to ensuring a good quality of life. After years of neglect of our health system by the previous, Liberal government, it took the election of this Labor government to restart investment in our health system—training more doctors, nurses and allied health professionals and investing in critical health infrastructure, programs and equipment. These investments continue to be critical to the southern suburbs of Adelaide, where I live.

The government recently announced that six local medical practices in Kingston will receive grants of up to $500,000 under the Gillard government’s Primary Care Infrastructure Grants scheme. These grants are designed to help local GP practices expand their facilities and provide more services to local communities. The southern suburbs of Adelaide are growing at a very rapid pace, and this investment means that more families and residents will have access to good quality primary health care. Dr Sasha Mottram, from the Seaford Day and Night Clinic, one of the six successful clinics, said, ‘The money we have secured under the Primary Care Infrastructure Grants scheme will enable us to construct another section of our clinic and employ more specialists and GPs to provide a range of allied health services to the community.’

This government is also delivering on its commitment to improve access to GPs outside business hours, through the Gillard government’s $10 million General Practice After Hours Program. I welcomed the announcement that three GP practices in my electorate will benefit from a grant of $100,000 to assist with the costs of operating outside normal hours. GPs are often the first port of call for families when they fall ill, and they do not fall ill just during business hours. It is critical that we invest in after hours GP services so that more Australians can contact a
doctor when they need to. Dr Shankar Mahadeva, from the Dyson Family Practice, said, ‘This funding will help us to contribute to provide high-quality GP services to the community after hours.’

These grants build on a number of previous investments by this government in healthcare in southern Adelaide. Stage one of the $25 million Noarlunga GP superclinic is currently in operation. So patients have access to services at the Aboriginal health clinic as well as some broader services. Construction is now well underway on stage two and the superclinic is expected to be fully operational later this year. The superclinic will bring together GPs and allied health professionals to provide a diverse range of services, with a particular focus on chronic disease management.

The member for Aston spoke previously, and I would like to congratulate him on the effort that he is putting in for young people with mental health issues. Ensuring that individuals have access to mental health services is critical if we are going to help improve quality of life. I am pleased that at the recent election Labor made a commitment to expand the Headspace program and to include a service in the southern suburbs of Adelaide. The process is now underway to identify a service provider for a Headspace service at Noarlunga. We know that two-thirds of all people with a mental illness experience their first symptoms before the age of 21. So it is critical that young people have access to quality mental healthcare. Headspace has a proven track record when it comes to helping young people with mental health issues.

Training health professionals is also a key to this government’s strategy to improve our healthcare system, and this includes not only doctors but also nurses and midwives. This government is determined to address the dire workforce shortages in medical and health professions. This dire workforce shortage was a legacy of the previous government. We as a government are doubling the number of GP training places to 1,200 a year by 2014 and have already funded training for over 1,000 new nurses per year.

Ensuring that these new health professionals have a place to train is essential. I am pleased to have officially opened the nursing skills laboratories at the Flinders University School of Nursing and Midwifery in southern Adelaide last Monday. I thank them for their hospitality and their very lifelike demonstration. The Gillard government provided $1.8 million to assist the university with these renovations.

I have outlined the investment that this Labor government is making to our health system right now in the electorate of Kingston, but we also have a plan for our healthcare system in the future. The historic agreement that was reached between the federal government and the states and territories last Sunday is an important reform, and I commend the reform to the House. (Time expired)

Bruce Highway

Mr SLIPPER (Fisher) (10.09 pm)—There is a very important issue confronting the Sunshine Coast, and that is the need to upgrade the Bruce Highway from Caboolture to the Sunshine Coast to six lanes. The Howard government, following lobbying by me, as the member for Fisher, and other federal members, increased the Bruce Highway to six lanes as far as Caboolture, which removed the worst bottleneck between Brisbane and the Sunshine Coast. But, given the fact that we are one of the fastest growing areas in Australia, the failure to increase the width of the Bruce Highway to six lanes from Caboolture to the Sunshine Coast is having an effect on the development of the...
Sunshine Coast and the ability of people to travel to and from the capital and to and from the Sunshine Coast. We need the Bruce Highway to be six lanes the entire way. That would mean that people would be able to travel from the Sunshine Coast to Brisbane at a reasonable speed and in a reasonable amount of time. There is a major need to widen the road to six lanes north from Caboolture to make the highway more efficient, safer and better able to do its job as a major transport corridor.

The inefficiencies of the Bruce Highway have been a major problem for many years. Sometimes it takes an hour and a quarter to travel to Brisbane and on other occasions it takes up to three hours. As we are one of the fastest growing areas in the nation, we need the Bruce Highway to be upgraded to three lanes each way, as more and more people need to commute to and from Brisbane each day. Because the Sunshine Coast is one of the most desirable tourist destinations in Australia, many people travel from Brisbane to the Sunshine Coast. Eighty per cent of our tourists travel by road from Brisbane to the Sunshine Coast. That road is in high demand, and that demand continues to grow. The four lanes we have from Caboolture to the Sunshine Coast clearly are manifestly inadequate to meet the needs of today.

It is now rare for people to travel to or from the Sunshine Coast to Brisbane by car and not have to deal with some sort of traffic disruption—whether it be general congestion due to high traffic volumes or a complete gridlock due to an accident. The need is now beyond a joke. It is of vital importance that something be done about this infrastructure, to relieve the frustrating, dangerous and economically damaging delays that now occur on a daily basis. I urge the government to continue to look closely and seriously at upgrading this road. The Bruce Highway is the most important lifeline for road transport from Brisbane north to other parts of Queensland. It is the major link between the Sunshine Coast and Brisbane for thousands of commuters, truckies, tourists and retirees, and it is way overdue for further improvements, particularly the widening north of Caboolture.

The crucial need for work has been dealt another blow due to the decision in late January by the Labor government to cut some $86 million from a planned upgrade of the section of the highway between Caboolture and Caloundra, with funds to be diverted to help with vital flood repairs. I certainly support flood repairs and those flood-affected communities, including the community at Conondale, being assisted by the government. But it really is important to recognise that the upgrading of the Bruce Highway is not an optional, airy-fairy project; it is something that is entirely necessary.

The government’s funding cut of $86 million took $86 million out of a project that was worth $195 million. I think this is completely unnecessary, unwise and retrograde. I believe that the government ought to reconsider this matter because it really is being pennywise and pounds-foolish to deny infrastructure upgrades to the Sunshine Coast which are vital as far the development of this important area is concerned. I have written to the Minister for Infrastructure and Transport to highlight further the need to improve the Bruce Highway by increasing the number of lanes from four to six. I ask the government to reconsider the retrograde decision that was recently made to wind back the improvements and I ask them to instead accelerate these improvements. South-East Queensland is rapidly growing and needs the Bruce Highway to be upgraded now. (Time expired)

Harvest Moon

Mr SIDEBOTTOM (Braddon) (10.15 pm)—What do you get when you have got a
long growing season, rich volcanic soils, a mild maritime climate without the extremes of heat in summer and cold in winter, pristine waters and attention to detail? You get very flavoursome vegetables. Where I live, in Forth, we have got all of these things. Let me name some: beans, broccoli, carrots, kabocha, onions, potatoes, swedes, brussels sprouts, cabbage, cauliflower, lettuce, leeks, pumpkins and zucchini. You get flavoursome vegetables and a first-class product. What do you call it when you have a proprietor named Neil Armstrong and you have a business called Forth Farm Produce? You call it Harvest Moon—although I think he was a fan of Neil Young and the album. Anyway, the story is that Harvest Moon is named after Neil Armstrong.

On Friday, I had the pleasure of opening the new packaging shed at Harvest Moon. Harvest Moon was a recipient of $2 million of nearly $20 million that was put together in 2009 for the north-west and the north of Tasmania in the face of the impending closures of our local paper mills. Harvest Moon was one of about 123 applicants seeking nearly $120 million—and we had only $20 million—and it was one of the 36 successful projects that were finally assessed, with projected budgets of nearly $35.5 million. Harvest Moon received $2 million of that. It employs something like 350 people, and this additional funding will allow it to employ another 40 or 50 people.

This scheme, devised by the Labor government in the wake of these closing manufacturing centres, has been an excellent template that has been working very well. I congratulate AusIndustry, in particular, and Geoff Atkinson, the Tasmanian director and manager, for successfully completing these projects.

As I mentioned, Harvest Moon is a major fresh vegetable provider not just for local markets in Tasmania but also for the mainland. It also exports throughout the world. It is one amongst many fresh food providers in my local area. I note that of the 36 successful projects, 28 were from the north-west coast, and, of the 28, 15 are associated with food production. It is our great strength. We hear people in this parliament talking about food security and the need to preserve and invest in our rich farming land. That is what many people are doing so successfully in my local area.

As well as Harvest Moon, we have also got Brandsemas, Perfecta, Webster Fresh, Premium Fresh, the Strawberry Patch, Forest Hill Farms and New Life Industries, which specialises in zucchini. All of these businesses are devoted to fresh food production and/or processing of those foods for export, particularly to the mainland and beyond. Part and parcel of that is the excellent logistics system that they have been able to develop, not just road transport with businesses like Chas Kelly but also the TT-Line, which allows for the daily transport of all this fresh product to the mainland.

I would like to congratulate Neil Armstrong—or ‘Moon’ as we affectionately call him; we have played many games of footy together—Mark Kable, Steve Evans, Peter Wyatt, Greg Heathcote, Leigh Richardson, Andrew Bott, Andy Doran and many others at Harvest Moon who produce first-class product in a very professional way. I congratulate them on not just the $2 million but also the $4 million expansion of their plant. (Time expired)

Bowel Cancer

Mrs MOYLAN (Pearce) (10.20 pm)—Over the last year or so, one of the most talked about issues in my electorate, and one that I have the most correspondence about, is the matter of bowel cancer screening. Bowel cancer is Australia’s second most lethal can-
cer, after lung cancer. It kills 73 Australians every week and it affects men and women, yet nearly all cases can be cured if they are found early. It is 13 years since the government’s own expert medical body recommended that all Australians aged 50 and over be screened for bowel cancer every two years, and it is almost five years since both sides of politics committed to introducing a screening program. So I am pleased to have the opportunity to speak on behalf of all of those constituents who have written to me and contacted me about the continuation of the bowel cancer screening program. The program remains available as a one-off test only, and it is restricted to individuals turning 50, 55 and 65. That means that more than five million at-risk Australians are currently missing out on this life-saving program.

There are many forms of cancer which impact on Australians from all walks of life, and I doubt that there would be anyone in this place or, indeed, in Australia, who has not been impacted by cancer—whether it is a friend, a family member or themselves who have had to face what is a challenging and frightening ordeal.

Bowel cancer is preventable, and if it is detected early the survival rate is excellent. The National Bowel Cancer Screening Program is the most effective measure available through the Australian government for immediately reducing cancer death in Australia. It has the potential to save more than 30 lives per week. Screening helps to find bowel cancer early, when treatment has the very best chance of success. If you are 50 or over, the Cancer Council recommends doing a simple screening test every two years. Regular screening is important, because you can have bowel cancer without any noticeable symptoms.

Since the launch of the Cancer Council’s campaign, more than 20,000 emails have been sent by constituents to federal members of parliament asking them to put bowel cancer screening on the health agenda. The fact so many supporters of this cause have taken the time to email me and my colleagues clearly demonstrates how important this issue is to Australians. That is why this government must expand the program to include two-yearly screenings for all Australians aged 50 and over.

Estimates for the annual cost of a fully implemented National Bowel Cancer Screening Program have ranged from $39 million to $140 million. Even at the higher end, the program is by international benchmarks a strong public health investment. Multiple studies, both in Australia and internationally, have demonstrated the cost effectiveness of bowel cancer screening.

A study published in the Medical Journal of Australia in October 2009 reported:

… even in its current nascent form, the National Bowel Cancer Screening Program was highly effective in identifying early-stage tumours that are easier and far less expensive to treat.

Under the World Health Organisation’s principles of screening, the program is not valid until it moves from one-off faecal occult blood testing to continual or biennial screening for the indicated age group. A plan for full implementation is therefore urgently required to uphold the program.

In planning its health budget, I urge the government to strongly consider funding a biennial screening program. If fully implemented, this program can potentially achieve a major breakthrough in bowel cancer treatment. As I said earlier, everyone has been touched by cancer in some way. When thinking of one’s own experience, I am sure nearly everyone would find it difficult to deny the merit of supporting this initiative. We all know, and the government has often stated, the importance of preventative health.
I think this is one of those preventative health programs that has great merit, can save lives and can certainly save money in the long run. According to Terry Slevin, education and research director for the Cancer Council Western Australia, if you had a choice, you would want to go through bowel cancer screening in order to save your life. Once again, I urge the government to make sure that there is a robust screening program and that it continues.

Africa

Dr LEIGH (Fraser) (10.25 pm)—The Third World has shrunk. For most of the past century, the development challenge has been how to get the rest of the world up to the living standard of the top one billion. Now that challenge has been reversed. With rapid growth across much of Asia, the future looks increasingly bright for billions of Indians and Chinese. As economist Paul Collier puts it, the challenge now is to raise living standards for ‘the bottom billion’. These are the one billion or so world citizens who live in countries with stagnant growth rates, with living standards at about the level of 14th century Europe. Most of the bottom one billion live in Africa. In the 1970s, both China and India had African per capita development levels. Since then, per capita incomes in India have doubled and those in China have quadrupled, but in sub-Saharan Africa incomes barely rose from 1970 to 2000.

Yet over the decade since 2000, there are hints that things might be changing, with sub-Saharan per capita incomes rising at around three per cent per year. Although this is modest by Asian standards, economist Edward Miguel suggests that things are starting to go right for Africa. Despite the occasional step backwards, Africa has undergone a wave of democratisation. Miguel also points to rising commodity prices, increasing mobile phone usage, and fewer conflicts, notwithstanding the gut-wrenchingly awful violence in Sudan and the Congo.

For Africa, some novel development strategies have been suggested. Miguel proposes rapid conflict prevention support as a means of targeting aid to fragile states at times of drought or falling commodity prices—as a means of insurance against collapsing into war. If left unchecked, dangerous climate change could make some of the driest places on earth—like Chad and Niger—even drier. So, while we should deal with climate change here in Australia by putting a price on carbon, a 2008 Lowy Institute report by Joel Negin and Glenn Denning also suggested that Australian aid agencies can play a vital role in using our agricultural expertise to improve productivity in African farms and assist with adaptation to climate change.

Recognising that resources have more often been a curse than a blessing to Africa, some experts have proposed a natural resource charter available at www.naturalresourcecharter.org. It has 12 economic principles for governments and societies on how to best manage the opportunities created by natural resources for development.

For Australia, aid to Africa this year amounts to around $201 million. We give because this region is one of the most impoverished in the world. For the most part, our donations are driven by generosity, but it so happens that even a selfish Australia would want to donate. By raising African living standards, we create new markets for our exports and probably also reduce the threat of extremism.

Overseas aid is an area where people have sometimes focused too much on inputs such as aid as a percentage of national income rather than outputs—poverty reduction. As in other areas of the aid portfolio, AusAID are
working hard to ensure that the effectiveness of our aid to Africa is maximised. Under Bob McMullan, my predecessor as the member for Fraser, AusAID created the Office of Development Effectiveness to provide what it describes as a ‘health check of the Australian aid program’. ODE has not pulled its punches, with past reports suggesting that Australia might have been overinvesting in technical assistance. Discussing evaluation, ODE has in the past emphasised the importance of carrying out more impact evaluations, asking not only whether the program was properly administered but also whether it helped improve the lives of the poor.

My personal view is that the Australian aid program should carry out more randomised trials—a rigorous evaluation tool that is becoming increasingly common in the developing world. Much as I admire the audacity of big push strategies such as the Millennium Villages project, I think we can learn more when programs can be rigorously evaluated. More recently, the Minister for Foreign Affairs has established an independent panel to undertake a review on the future direction of Australia’s aid program. The expert panel—Sandy Hollway, Stephen Howes, Margaret Reid, Bill Farmer and John Denton—are carefully scrutinising how we can improve the effectiveness of our aid program. This kind of analysis is critical if we are to maintain public support for the Australian aid program. I look forward to their report.

The SPEAKER—Order! It being 10.30 pm, the debate is interrupted.

House adjourned at 10.30 pm
The DEPUTY SPEAKER (Hon. Peter Slipper) took the chair at 10.30 am.

CONSTITUENCY STATEMENTS

McMillan Electorate: Dairy Farmers

Mr BROADBENT (McMillan) (10.30 am)—Murray Goulburn in my electorate have a very diverse customer base through exports and their local base. Having regard to what I said about the plight of dairy farmers last week, it is very important that we recognise that the farmers in Western Australia and perhaps some in South Australia, Victoria, Queensland and New South Wales are under direct threat from the price of milk being at $1. They are under direct threat because they do not have another market to sell into. They sell into the current milk market for consumption within Australia.

Only a few years ago, the major supermarkets said to Murray Goulburn, ‘Your Devondale cheese only has 17 per cent of the market; you’re out of here.’ Murray Goulburn said: ‘Fine. We are big enough and diverse enough. We will take our product out of your supermarket and we will sell to the independents and we will export it.’ And that is exactly what they did. The problem is this: if you are a farmer who is not connected to a major exporter that has a diverse range of opportunities for supplying the world, you are probably already finished if we have regard to what the two major supermarkets have decided to do.

I heard the Coles spokesman. I heard what he said about supplying the consumer with the best price, being competitive in the market and all of those sorts of things. But sometimes what we think is about to happen has actually already happened. What has already happened is that Coles have decided that milk in the litre line is going to be $1 in perpetuity. Therefore, they are condemning those farmers that now supply that market to oblivion. That has probably already happened. You are probably already gone if you are supplying that market and you are unable to diversify what you are selling.

I think this is a tragedy. I think the family farm is very important. I think that supplying fresh milk to our families and our children is very important in those states. What will they be doing in future? They will probably be buying it from Murray Goulburn in great truckloads and carting it interstate as the base milk product. The only answer is us as a collegiate of parliamentarians addressing the major problem. And that is that we have two major supermarkets supplying the market. That is a much bigger issue than that of the plight of dairy farmers, who are caught in between. (Time expired)

Greenway Electorate: Kellyville Ridge

Ms ROWLAND (Greenway) (10.33 am)—I wish to raise some important issues currently being experienced by residents in the suburb of Kellyville Ridge in my electorate of Greenway. Kellyville Ridge forms part of the important growth area in the northern region of Greenway, a landscape which I grew up knowing as little more than farmland and bush, adjacent to other new and near-new suburbs of The Ponds and Stanhope Gardens. It now comprises nearly 2,000 households and over 4,000 residents and continues to expand, bringing with it an increasing emphasis on access to essential services.
However, as I listen to local residents, they consistently highlight their frustration at the inability to secure two basic yet vitally important services—a local high school for their children and high-speed broadband services. The latter I have raised many times in this place as a real-life case study for the benefit of the National Broadband Network. Only a few weeks ago I held a mobile office in Kellyville Ridge on a Friday afternoon and, despite temperatures of over 35 degrees, scores of local residents turned up to discuss these important issues with me.

I share the concerns of Kellyville Ridge residents about the lack of a local high school. For many parents who settled in the suburbs 10 years ago, their children have now reached or are approaching high school age. The local primary schools—John Palmer Public School and Kellyville Ridge Public School—feed into Glenwood High School. This would not be a concern—it is an excellent high school—except for the fact that it has at least five other feeder primary schools. Last year over 1,300 students were enrolled at Glenwood High, and this number will only continue to grow as more children reach high school age and these suburbs expand.

I also appreciate the grievances of local parents in Kellyville Ridge on another level. They recall that when the land was first released, and for many years thereafter, a parcel of land was set aside for a high school and was signposted as the future site of a Kellyville Ridge high school. The reality is that many residents moved into Kellyville Ridge and its surrounding suburbs expecting that a high school would be built locally. I have been contacted by a huge number of discouraged parents who have tried to enrol their children in several other high schools. However, they tell me they have not been successful because they live outside the catchment areas of these schools. That is why I will assist local residents to make the case for the New South Wales government to build a new high school in Kellyville Ridge. I believe it is a very strong case, as demonstrated by the degree of community support. It is not an issue that I am prepared to brush aside as purely a state government matter and therefore not my problem. That is because it goes to the heart of what residents in west and north-west Sydney expect and deserve—quality service delivery from their local representatives who put the needs of their constituents first. That is what I am committed to doing on this issue for the people of Kellyville Ridge.

**Forde Electorate: Australia Day Awards**

Mr Van Manen (Forde) (10.36 am)—Australia Day saw many wonderful members of the Forde electorate receive recognition for their contribution to the community. I am very pleased to share with you the community spirit that was demonstrated on that day and the great contributors that keep our electorate on track. Australia Day awards honour the outstanding achievements of recipients and nominees, celebrating Australian excellence in our community.

The Forde community was fortunate to celebrate the achievement and contribution of unique Australians who were recognised with a special award. I would like to take some time to name some of these exceptional community members and to sincerely congratulate them. A Neighbour of the Year Award and Centenary Medal were given to June Hintz, a wonderful artist who lives in the Forde electorate and co-runs Mothers Against Drugs, a much needed group that assists young carers in the community. Her warm and caring nature combined with her artistic flair ensure her work remains an integral part of the carers community. Yet, we are...
struggling to obtain renewal of their funding for the next three years. I will continue to pursue that on her behalf.

Tanah Merah resident Wendy Ive was the recipient of the mayor’s Spirit of Logan Award and is well known in the community for her work in helping others in need. She supports many charities in the area and is always around to lend a hand when needed. Wendy’s community spirit and positive attitude truly embodies what it is to live in Logan and the Forde community. Also, Mr James Hall was nominated for a community service award for his services: volunteering for Meals on Wheels, mentoring students in Upper Coomera State College and various other community roles as a volunteer.

The Forde community was also fortunate to have over 70 residents receive It’s An Honour awards including the Medal of the Order of Australia, Centenary Medal, Officer of the Order of Australia, Commendation for Brave Conduct, National Medal, Public Service Medal and the Australian Fire Service Medal. I am extremely proud of these recipients and I am grateful to have such exceptional Australians in our community. I warmly congratulate them all and wish them all the best for their future endeavours.

Corio Electorate: Surf Coast Knockout

Mr MARLES (Corio—Parliamentary Secretary for Pacific Island Affairs) (10.38 am)—I would like to talk this morning about golf, which is an auspicious thing to do this morning as a good Victorian boy, Aaron Baddeley, I hope as we speak, is closing out the Northern Trust Open and will be the first Australian to win on the US tour this year—touch wood. But the particular aspect of golf I would like to talk about is an international golfing event, the Surf Coast Knockout, which was held in my region earlier this year. This was an event which was remarkable for a number of reasons. Firstly, it was a revolutionary style of golf tournament devised by the PGA of Australia. The knockout format over six holes is a world first. It is, if you like, Twenty20 golf.

That it was held on the Surf Coast made it all the more remarkable. This was a major coup for the Greater Geelong region. Many parts of Australia would have dearly loved to host this event. It is recognition of the great golf courses in our region as well as our capacity to host major events. The final day of play was broadcast live on Channel 10. Five hours of Sunday afternoon prime time free-to-air television provided a fantastic opportunity to showcase the best of our region. It was also more than double the national media coverage received by similar PGA events with around the same prize purse.

The PGA is committed to its knockout format and was thrilled with the success of the Surf Coast tournament. More than 4,000 people attended the event, many non-traditional golf fans, which suggests that this type of event could entice a whole new audience to the sport. The PGA has since been contacted by both the European and US PGA tours. They like the concept and see opportunities to replicate the format internationally.

Despite the success of this trailblazing tournament, I believe that for a number of people in Geelong the Surf Coast Knockout seemed to fly under the radar. This needs to change. We need to see the City of Greater Geelong, Geelong Major Events and the Geelong business community really embrace this tournament. This event has the potential to showcase Geelong each and every year on a Sunday afternoon, free-to-air, prime time spot at the height of summer. The importance of that opportunity should not be underestimated. We all saw how well
our city looked during last year’s telecast of the UCI Road Cycling World Championships, and that was a one-off event for Geelong. The Surf Coast Knockout is an annual event and could be annual event not just for the Surf Coast but for the entire Greater Geelong region.

I congratulate Cotton On for their support of this year’s event. To have a successful Geelong business get on board was fantastic to see. It was also wonderful to see the Geelong Advertiser and K-Rock get behind this great event in the way that they did. I would like to thank the PGA for having faith in the Surf Coast Knockout and in particular Andrew Langford-Jones, who was the inspiration for it. Now is the time for Geelong to embrace this. It is a fantastic opportunity for our city and for us to see our economy grow.

Independent Youth Allowance

Mr TEHAN (Wannon) (10.41 am)—I rise today to talk on the issue of the independent youth allowance and to highlight a report called the Deferring a University Offer in Regional Victoria report of 2010. I also want to comment on Prime Minister Gillard’s humiliating back down on independent youth allowance today. The Deferring a University Offer in Regional Victoria report of 2010 shows that 30 per cent of those who defer do not take up their offer or remain in their course. More than 81 per cent of those who defer are in the two lowest quartiles of socioeconomic status. Only 7.8 per cent of city students deferred in 2010, compared with 15.2 per cent of regional students. As Toni Jenkins from the South West Local Learning and Employment Network highlights, other data indicates that the academic profile of students in our region is just as high as in metro areas. So it is clear that other factors, such as financial hardship are impacting on their outcomes.

What this shows is that regional and rural students are at a disadvantage to their city cousins when it comes to accessing tertiary education. That is why the coalition took a policy to the last election to bring back the independent youth allowance as it was and not have zonal discrimination against inner regional students. Today it would seem that the Gillard government has finally got the message and will bring in the changes to the policy that saved the government $300 million for their budget bottom line but that, sadly, did so at the expense of regional and rural students. That it has taken this long for the government to make this humiliating back down is an absolute disgrace. Regional and rural students have suffered through missing out on accessing a tertiary education while Julia Gillard has over a period of 12 months failed to see the error of errors before reluctantly doing so today. As this report shows, as many as 15 per cent of those who wanted to access a tertiary education deferred doing their course because the government messed up the independent youth allowance. This back down today is a humiliating one for the Labor government. But it is a back down that was needed and that will benefit regional and rural students.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Before calling the next member, I would just gently remind the honourable member for Wannon that he ought to refer to the Prime Minister by her title and not by her actual name.

Victorian Floods

Mr DREYFUS (Isaacs—Cabinet Secretary and Parliamentary Secretary for Climate Change and Energy Efficiency) (10.45 am)—I rise to speak about the recent flooding in my electorate of Isaacs, which continues to prevent some residents from returning to their homes and has resulted in lost revenue for a number of local businesses. The beginning of 2011 has
challenged the resolve of many communities throughout Australia with natural disasters of floods, cyclones and bushfires leaving a trail of devastation and a reconstruction bill which is likely to run into many billions. In Victoria, flooding has substantially impacted many communities in regional areas over the past few months, which was amplified at the beginning of February by a weather system attributed to the tail of Cyclone Yasi soaking the state.

Our communities in south-east Melbourne did not escape, with suburban streets turned into rivers, properties and cars inundated in a matter of minutes, and roads and businesses closed for days after the initial deluge. While the damage was not on the devastating scale that was suffered in Queensland or northern Victoria, this was a very unusual event for south-east Melbourne. The suburbs in my electorate that experienced the worst effects of the flooding were Bangholme, Mentone and Mordialloc. As the clean-up effort continues, parts of Bangholme in particular are still underwater. A number of properties and local businesses remain underwater. Property owners are expecting a significant clean-up bill once the water is finally removed.

On Friday, 11 February I visited properties and local businesses in Bangholme to see first-hand the effects of the flooding and the problems Melbourne Water and the City of Greater Dandenong are currently working to rectify. I spoke with local residents, many of whom have lived in the area for decades, about the impact of the ferocious rainfall of 4 February on their homes and properties. Melbourne Water representatives advised that 175 to 200 millimetres of rain fell in a four-hour period and indicated that this rainfall event was in excess of a one in 500 year event.

The days preceding my initial visit to Bangholme saw a coordinated effort by the City of Greater Dandenong and state government authorities to pump the enormous volume of water away from these properties and businesses. I would like to thank the workers from the City of Greater Dandenong and Melbourne Water for their continued efforts, and I commend the residents for their patience in this difficult situation. I am looking forward to the authorities continuing to work together to achieve a permanent solution to the drainage issues in this area to ensure that the problem does not occur again. It is a difficult coordination task. The Mordialloc Creek system is in two municipalities—those of Kingston and Greater Dandenong—and Melbourne Water and VicRoads both have responsibilities in the area. It will require the cooperation of all these authorities to resolve the drainage problems, but I am confident that this will occur.

Road Safety

Mrs GASH (Gilmore) (10.48 am)—Ten years on and the fight to have seatbelts on buses continues. Ten years ago a school bus accident took the life of a 15-year-old local boy and a group of parents formed the Belt Up for Safety Action Group. Glenda Staniford was a major force in persuading the former Howard government to allocate $40 million to allow bus companies to fit seatbelts on school buses. But that is not the problem. The problem lies with getting the New South Wales state government to change the existing law and make it mandatory to fit seatbelts in school buses, especially on country rural roads. Coaches have compulsory seat belts. Cars have compulsory seat belts. Why are school children treated differently and their lives worth less?

I would like to read an editorial from one of our journalists at the local paper, the Milton Ulladulla Times. It is by Katrina Condie and it says it all:
EVERYDAY I strap my two children into their five-point safety harnesses before we drive out the driveway and into the traffic.

Next week, I’ll be placing my tiny five-year-old daughter on a bus with no seatbelts, that travels along a winding road, reaching speeds of up to 80 and 100 kilometres per hour.

It makes me feel physically sick in the stomach to think about what could happen to her—and the other children—if that bus rolls or crashes head-on into another vehicle at high speed.

Little people, school bags, books, lunchboxes thrown upside down, through windows and on top of each other.

It would be horrific. It would be devastating.

It would shatter our community.

And, it would be totally unnecessary.

This sort of catastrophe is preventable simply by the introduction of a law that states rural school buses must have seat belts.

Other states have done it. Why can’t NSW?

Our kids are brought up knowing the importance of belting up in the car. Suddenly they are put on a bus and are taught it’s OK to break that rule. Parents lose control. Governments are in control.

Governments have a duty of care to look after our kids. They aren’t doing that.

A team of dedicated and determined mothers, many of whom have children who have finished school and are now adults themselves, have spent 10 years fighting. Now it’s time for a new generation to join the fight.

With my eldest daughter starting kinder this year, there’s a lot of challenges to deal with. But most important is her safety when she is out of my care. The Times has supported the BUS Action campaign for a decade and we will continue to do so.

But now, it’s personal!

As I put my little girl on the bus next week, and every day after that, I’ll be waving her off with a tear in my eye and hoping and praying that she makes it home safely.

Come on, state candidates - stand up, take action and keep our kids safe.

It is your responsibility.

And it is your opportunity to show every parent and child in this state that you do care.

Ms KING (Ballarat—Parliamentary Secretary for Health and Ageing and Parliamentary Secretary for Infrastructure and Transport) (10.50 am)—Last Monday, 14 February, I, alongside the new Victorian Minister for Health, turned the first sod of the Ballarat Regional Integrated Cancer Centre. Once this facility is completed, people across the Ballarat electorate and western Victoria will have access to a world-class cancer treatment centre. I was delighted to be at an event that will have significant, tangible benefits not only for my electorate but for the people of western Victoria.

Cancer is Australia’s leading burden of disease. In 2007, there were more than 100,000 new cases of cancer diagnosed and almost 40,000 deaths from cancer. Particularly concerning is that, for the 30 per cent of Australians living in rural and remote areas, the outcomes are worse than for people living in cities. With some cancers, patients from rural and remote areas are up to three times more likely to die within five years of diagnosis than their urban counterparts. That is why the Labor government is investing $1.3 billion over six years in health
and hospitals funding for national cancer infrastructure projects. Of that amount, we have committed $560 million to build a national network of best-practice regional cancer centres and associated accommodation facilities to help close the gap in outcomes for cancer patients in rural and regional Australia.

The regional cancer centres initiative will build a world-class cancer care system in Australia that will assist people living in rural, regional and remote areas to have better access to essential cancer services, deal more effectively with cancer treatment challenges and live longer, better-quality lives. In Ballarat, this initiative will result in a new, integrated regional radiation oncology service for the Grampians region, which extends from Bacchus Marsh to the South Australian border. The Australian government is providing more than $42 million for this project. When completed in 2013, the centre will consist of two linear accelerators, four radiation oncology bunkers, four new chemotherapy chairs and a computed tomography scanner. This new facility will take the pressure off facilities in Melbourne by reducing the need for many cancer patients to travel for essential treatment.

The BRICC represents a joint effort from the entire region. The Ballarat community, Ballarat Health Services, Austin Health and St John of God Ballarat all worked hard to submit an extremely strong application for funding. The project also received strong support from the former state member for Ballarat West Karen Overington, whom I commend for her efforts. I would like to also recognise the strong contribution that the people of Ballarat and the surrounding areas have played in this project. Cancer is one of those diseases that tends to touch each of us, personally or through our families or our friends. I am pleased that Ballarat is part of the regional cancer centre initiative and will become an important part of our long-term goal to ensure that all Australians have access to a world-class cancer care system.

National School Chaplaincy Program

Mrs PRENTICE (Ryan) (10.53 am)—I rise today to place on the record my strong support for continued federal government funding of the National School Chaplaincy Program, a program which could be in jeopardy if the current case before the High Court challenging the federal funding of this important program is successful. Of course, it is not appropriate for me to talk about the matters in dispute before the High Court and I will not do so. However, I wish to place on record my support for the work that is undertaken through this program and the very real benefits that flow to our schools and to our communities. The National School Chaplaincy Program is not a religious program; it is a program based on supporting students and teachers in times of need and it is a program so many schools throughout the electorate of Ryan rely on.

However, let us look at how this program actually works and what these school chaplains actually do for our children. I quote from an explanation of the work of school chaplains:

School chaplains are in the prevention and rescue business: helping students find a better way to deal with issues ranging from family breakdown and loneliness to drug abuse, depression and suicide. They provide a listening ear and a caring presence for kids in crisis and those who just need a friend.

Working alongside other caring professionals in state schools, chaplains care for young people through pastoral care, activity programs, community outreach and adventure-based learning. School chaplains help students to feel a sense of belonging in the school and help students deal with personal issues such as self-image, personal crises, loneliness, grief and loss.
School chaplains provide encouragement and support for students who are struggling with a variety of issues, and offer a friendly listening ear for all students, staff and parents, in the good times as well as the bad.

A recent article which wrote about a teacher named Andrea Eadie who quit teaching to become a school chaplain perfectly illustrates that this program is about helping children, not about religion. The teacher had kept a student in because he had not done his algebra homework, and all of a sudden he asked her if she had ever known anyone who committed suicide. She then learned that his uncle had killed himself the night before. Ms Eadie said that that was when she realised she wanted to help children with the deeper issues. She quit teaching, qualified as a counsellor and signed up to be a school chaplain. She now works three days a week at Patricks Road State School, in Brisbane’s northern suburbs, as a chaplain—and she said she takes her position of trust incredibly seriously, as I am sure all our chaplains do. As Ms. Eadie explained:

We abide by a code of conduct as anyone else working in a school does, we certainly don’t take it upon ourselves to force religion on anyone. I have three children myself. My guiding question is always, ‘What would I want a person of another faith to say to my child?’ I always try to answer any questions in a respectful way.

Those are the words of a chaplain and they highlight the program’s importance.

It is far better and more effective to have resources in our schools to try to address youth issues when they are prevalent and to have programs in place to prevent larger problems and more serious ones from developing. Let us not be short-sighted: remember, the right help at a crucial moment in a child or teenager’s life can prevent a lifetime of problems, which can be much more costly to our society. The loss of a child’s life in any circumstances is a tragedy. It is a serious indictment of our society that suicide is a leading cause of death among young people, second only to motor vehicle accidents. Many of my school principals have said to me, ‘We don’t know what we’d do without our chaplain.’ *(Time expired)*

**Chifley Electorate: Local Health Networks**

Mr HUSIC (Chifley) (10.57 am)—An important feature of the health reforms secured by this federal government was the creation of local health networks, which are made up of small groups of hospitals working together to provide a range of hospital services and manage their own budgets. They will be run locally, funded nationally and accountable for performance against national standards.

The electorate of Chifley will be served by the Western Sydney Local Health Network, chaired by Professor Stephen Leeder. Its CEO is Danny O’Connor. I look forward to meeting with these gentlemen in the near future to discuss the network’s strategic plans for the years ahead. I am particularly keen to talk with them both about how they plan to ensure that local residents in Chifley can access great support in the treatment of cancer, or to help parents who have problems obtaining affordable and timely assistance with early childhood speech pathology. The board is made up of a mix of medical and community representatives—and I wanted to congratulate the appointment of Deputy Mayor of Blacktown City Council, Councillor Kathleen Collins. I also note that the board is served well by the presence of Professor Peter Zelas, who has been associated with local health care for 30 years.

Five hospitals will fall under the watch of this network: Auburn, Blacktown, Cumberland, Mount Druitt and Westmead. Mount Druitt and Blacktown hospitals operate as if they were
one, but with different campuses. They also maintain different specialties, with Mount Druitt focused largely on elective surgery. While welcoming the creation of the local health network, because it provides a greater focus for the direction of resources and an opportunity for more attention on local communities, I have reservations about Westmead Hospital’s inclusion in the network. Westmead is a healthcare flagship within the Western Sydney region, without doubt. However, I am concerned its sheer size would see it dominate decisions about staffing and resource allocation—to the detriment of Mount Druitt and Blacktown hospitals. Additionally, the demographics of our area will fundamentally change over time, with greenfields residential development swelling the numbers of people living in Chifley and Greenway. This contrasts with the urban consolidation that largely surrounds Westmead.

Both I and my colleague the member for Greenway, Michelle Rowland, were able to directly raise these matters with Minister Roxon. Our state colleague, the member for Mount Druitt, the Hon. Richard Amery, who shares these concerns, pursued the matter with New South Wales health minister, Carmel Tebbutt. I am pleased to say that a number of commitments have been provided to us to ensure that both Mount Druitt and Blacktown hospitals have critical input and security in the setting of their budgets and plans. In particular, I note the government has given special recognition for Blacktown and Mount Druitt hospitals. They will be established as a distinct sector within the network, they will have their own service agreement with government to ensure that local services have even stronger protection and they will have a protected budget as well as additional control over hospital resourcing and accountability.

It is certainly my firm intention to closely follow the reporting of the network’s results, keeping a close eye on the operation of these special arrangements. I hope that for future years we could work towards a standalone network, maintaining a focus on meeting the needs of residents within Chifley and Greenway. Again, I welcome the establishment of the Western Sydney Local Health Network and look forward to working with the network for the common good of the residents of Chifley.

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

PRIVATE MEMBERS’ BUSINESS

Gas Appliance Safety

Debate resumed, on motion by Dr Stone:

That this House:

(1) mourns the tragic loss of young Chase and Tyler Robinson, who died at Mooroopna on 30 May 2010 in a recently rented home;

(2) notes that Chase and Tyler Robinson were the victims of a faulty gas wall heater emitting carbon monoxide; and

(3) calls upon the Australian government to work with the state and territory governments through the Council of Australian Governments to:

(a) urgently introduce legislation that requires:

(i) approved carbon monoxide detectors to be fitted in all homes that have gas appliances; and
(ii) landlords to arrange for suitably qualified contractors to biennially inspect all gas appliances and associated fittings in rental properties; and

(b) institute a national safety awareness campaign alerting all Australians to the dangers and symptoms of carbon monoxide poisoning and the need to regularly maintain gas appliances to ensure that they operate efficiently and safely.

Dr STONE (Murray) (11.00 am)—As I speak to this motion I thank my electoral neighbour the member for Mallee for supporting me in this motion. He, too, is most concerned about this issue.

On Sunday 30 May 2010, two young boys—nine-year-old Chase Robinson and seven-year-old Tyler Robinson—were found dead in their sleep in a rented family home in Mooroopna in Victoria, a tragedy that shocked that community. Their mother, Vanessa, the only other occupant in the house, was also very unwell. This motion also has a silent partner in the form of Vanessa Robinson, who is determined that the death of her two young sons not be in vain. She wishes to see something done seriously about the problem of carbon monoxide poisoning in Australia.

Investigations into the boys’ deaths found that a faulty gas wall heater had been operating all night. The boys had died quietly from carbon monoxide poisoning. Because of the widespread ignorance surrounding carbon monoxide poisoning, the earliest media reports suggested that Vanessa was somehow involved in a terrible murder-suicide pact. A few days later, on 3 June, Vanessa’s parents, Sue and Les Rowney, issued a plea for understanding in a press release:

At a time when our family has just lost two amazing and well loved boys, rather than be allowed to grieve in private and maintain a watch over our daughter in the Intensive Care Unit whilst she remained in an induced coma following the effects of the carbon monoxide, we have had to endure seeing the news and photos of our beloved Chase and Tyler splashed across the front pages of national and local newspapers and TV media with headlines linking their mother to their deaths. Her name, her identity, have been released and published (including photos), her reputation as a person and loving mother has been publicly and erroneously called into question. She had been reported as having been arrested when the truth was that she was too unwell to be interviewed by detectives let alone be arrested.

This tragedy and its aftermath could have been avoided if the public were alive to the dangers of leaking gas; if police and emergency workers knew more about it—its symptoms and its consequences; and if gas appliances were regularly checked.

There are currently no laws mandating regular safety checks for gas appliances fitted in homes, nor are gas detectors mandated. In the last 10 years there have been at least five deaths in Victoria caused by carbon monoxide poisoning. In fact, we are not sure how many there have been in Victoria or other states; too often deaths that occur in the very young or the very old go without a diagnosis that it was, in fact, carbon monoxide poisoning.

Both natural gas and LPG can lead to carbon monoxide production where appliances are misused, incorrectly installed or poorly maintained. Very recently carbon monoxide killed a 23-year-old man when fumes built up from a generator he was using under a house while sheltering from Cyclone Yasi near Ingham. Just a day or so ago a tragedy was averted at Nathalia’s Bridge Hotel. On Saturday morning carbon dioxide was released when a post mix machine, which mixes soft drink, leaked into the hotel cellar. Fortunately, a call for assistance was made and the fire authority attended the scene, and so disaster was averted.
The symptoms of carbon monoxide poisoning are often difficult for the public to detect. There is not sufficient public information or education about the dangers, and carbon monoxide is tasteless, colourless, odourless and invisible. The symptoms of carbon monoxide poisoning vary, with tiredness, shortness of breath, headaches, nausea, vomiting and dizziness. The symptoms can easily be disregarded or misunderstood. In particular, the very young and the very old can be affected without anyone putting the gas wall furnace and the symptoms together.

Carbon monoxide detectors can be purchased in Australia for as little as $40 each, but we do not have Australian standards for these detectors—unlike the situation with smoke detectors. In other countries these standards do exist, and they are regulated. This motion calls for all new residential properties with gas appliances to be fitted with approved carbon monoxide detectors, and for rental properties to have gas detectors installed and checked biennially. We also need nationally consistent legislation for safety checks on gas appliances in homes and the installation of detectors, and the implementation of a national safety awareness program highlighting the dangers and symptoms of carbon monoxide poisoning.

This motion is the first step in bringing about change which would need to come via the Australian Building Codes Board, ABCB. Template legislation or regulations need to be introduced in each state and territory. I acknowledge it may be a process best managed through COAG. The ABCB maintains and updates the Building Code of Australia. It provides the community with cost-effective and efficient regulations to aid the design, construction and use of buildings throughout Australia and it responds to government and industry calls for minimum necessary regulation to facilitate and not inhibit business. We are now making that call. I know that the member for Mallee and I will be following up on this motion to make sure that we see action to save lives. Beginning in 1994, legislation or regulations were introduced into each state and territory requiring that all homes be fitted with smoke alarms. An equivalent measure now needs to be implemented to deal with the equally deadly leaking of carbon monoxide from gas appliances which are found in most homes in Australia today.

I want to return to the words of Vanessa Robinson’s family. As I said before, Vanessa is a silent partner in putting this motion today. Vanessa has already had fundraising efforts with the father of the boys, Scott. She has also done a great deal herself to try to raise awareness of this problem. I understand that with the Victorian government she is hoping to put some community advertising through television into the broader Australian population so that more people are aware of just what can happen if you do not have properly maintained or installed gas appliances. This was written by her parents:

Throughout this and the ensuing backlash and animosity towards Vanessa in the local and national community the family has maintained a dignified silence whilst they assisted detectives with their enquiries and tried to make sense of what had happened. We wish the possibility of Carbon Monoxide poisoning had been investigated earlier and in parallel with the murder investigation, as we had raised concerns about this possibility with the police on Monday—that was following the deaths. We have also been appalled by the lack of medical attention Vanessa received during the initial hours of her being taken by the Police.

We are equally appalled by the lack of information afforded to us over our daughter’s condition especially during the time that her health began to rapidly deteriorate, forcing us to hire a lawyer in order to
be able to find out its severity and whether we needed to immediately travel to Melbourne to be by her side. For a mother and father that had just lost two grandchildren and who was not been allowed to see their daughter or be informed of the severity of her deteriorating condition it is just not right.

Finally we would like to urge all families to ensure their heaters are serviced and checked to ensure there are no Carbon Monoxide leaks as this gas cannot be seen, smelt or tasted but it can result in a tragic loss of life as it has for our family.

As you can see, this is a matter which has led to the most sad and serious consequences for the Robinson family and it would have been totally avoidable if in fact that rented property had been inspected for gas leakage. We understand that the gas heater had been on the property for some seven years without any attention. Of course it is the case that we need to make sure that people who have gas appliances do not tamper with them themselves and always use qualified tradespeople when they are having their gas appliances examined, installed or in any way altered.

As members of parliament we need to work to do all we can through this national parliament to ensure tragedies like the deaths of Chase and Tyler Robinson never happen again. It is also important that we look at international best practice. We note that in the United Kingdom there has been concern about gas leakage and the consequences for many years. They have legislation which makes sure that people are aware of the problem and there are mandated requirements in relation to detectors.

Given that detectors are quite a cheap piece of equipment, and given that retrofitting them in houses is not a difficult or expensive thing to do, I call upon this parliament to have a bilateral approach—as I am sure we will find in response to this motion today—to ensuring that one of these gaps that have occurred in our regulation of community safety is closed; that, as I said a minute ago, the deaths of young boys like Chase and Tyler Robinson have not been in vain; and that such tragedies never happen again.

Mr HUSIC (Chifley) (11.10 am)—At the outset, I welcome the fact that the member for Murray has brought this resolution forward and has sought to put a spotlight on what would be a matter of concern to a large number of people. I was particularly moved by the points she raised in relation to Vanessa. It would be difficult not only to have to deal with that situation of the loss of two young lives but, on top of that, to have overlaid the suggestion of wrongdoing. I note that the member for Murray made reference to the fact that they maintained a dignified silence. I think many people in similar situations would be sorely tested to have to deal with two compounding and compelling issues: (1) the deaths and (2) the suggestion of something that was inappropriate.

I was going to make reference to smoke detectors. In my home state of New South Wales it is now, as a result of state legislation, compulsory to fit homes with smoke detectors, because it has been the silent killer of many that they have been unaware that their homes have been on fire and, as a result of carbon monoxide, they have been unable to respond to that fatal incident occurring in their homes.

It is interesting to note that there has not been any significant work done to study emissions that occur within homes and whether or not those homes are able to, through design, ensure adequate ventilation. I know that we are talking about detection and response, but another silent killer is the way in which homes have been constructed over the years and the way in
which certain designs would, for example, encourage the retention of certain emissions that, of themselves, would cause harm over time.

It has been brought to my attention that the CSIRO has been involved and that there has been a study conducted through the Centre for Australian Weather and Climate Research. It was probably the first study done in Australia—because there had been no extensive studies of indoor air quality—to look at typical dwellings in Australia and to determine whether or not those dwellings are having an impact on the retention of certain emissions within homes. In particular, they found that, in the construction of homes that have garages connected with indoor access, the emissions themselves are higher because of, basically, the movement and retention of those emissions within homes, particularly during the morning hours between seven and eight, when obviously you have people departing for work, school or other activities and the operation of vehicles so close to those premises ensures the retention of those emissions within indoor premises. It is worth noting as well that this study was conducted over the winter of 2008, and there was further follow-up with a number of homes—40, off the top of my head—in 2009. So it is a relatively recent study which it has been important to conduct. They observed a number of pollutants—not just carbon monoxide but formaldehyde amongst others. They said that the concentration of indoor air pollutants observed in the study is comparable with concentrations observed in previous studies in Australia.

There were a number of purposes to the study. The first was to determine indoor air quality in typical dwellings. The second was to determine whether or not the proximity of dwellings to busy roads has an influence on indoor air quality. They selected two sets of dwellings—‘near road’ and ‘far road’. A number of statistical analyses were carried out to determine whether that had an influence. It was found that the only pollutants were closer to busy roads, which resulted in enhanced concentrations.

The third purpose of the study related to indoor quality, particularly with reference to the characteristics of the dwelling, the materials and indoor activities, with a particular focus on whether or not ventilation systems within homes were aiding by being able to get rid of those pollutants that were considered to have health impacts. It was noted—and obviously common sense would dictate this as well—that over the course of time, as architecture and home design have improved, with a focus on reducing the impact of heat and cold on homes, that has led to a focus on improving ventilation in homes. Over time, compared to older dwellings, there has been a propensity for newer homes to be able to expel those air pollutants, but it is still an issue.

I think a lot of people would be motivated by the concerns that the member for Murray has brought forward. I acknowledge that in her contribution today she has seen that a lot of this is state based and that is where the focus will need to be. However, I also recognise that in the mechanisms put forward by Dr Stone—sorry, the member for Murray; taking on board your previous advice to us, Mr Deputy Speaker—there is a need to determine how we are able to encourage national cooperation on this. Certainly a way that we can move forward is through the auspices of COAG. I think the issue will be determining how—obviously, given the number of national-state issues that are being coordinated through that forum—we are able to best progress on that.

However, I think it is important, and I certainly commend the fact, as I said at the beginning, that this has been brought forward. Frankly, with the construction of this new parliament...
and particularly with the changes to the standing orders, we need to take the opportunity to raise issues that, while they may be in local or state jurisdictions, have a national impact—and certainly this is one of those areas where that is the case—and then to determine the way in which we are able to progress on those issues. I am sure that in most households—and certainly in the electorate of Chifley, which I represent, where there are a blend of newer and older style premises—people would have concerns about whether or not indoor air pollutants are being trapped in this way.

The other thing to note, too, is that there are variations across states in heating. For example—and I take it that this is the case in rural Victoria—it is certainly the case, as I know from my previous experience working with an energy distributor, that on the south coast of New South Wales they do not necessarily have reticulated gas but will rely on bottled gas. Having said that, the network itself is one thing; another—and this was raised by the member for Murray—is the connections in the home, whether or not they are up to standard and whether or not they have been checked. These things need to be followed up. There is definitely merit in following up the issue that was raised by the member for Murray about national awareness campaigns as well.

It really comes down to how we progress this at a national level within COAG. The issue for us is seeing how we coordinate amongst states to deal with this issue, given that the relevant department at the federal level, the Department of Sustainability, Environment, Water, Population and Communities, does not have the statutory power in regard to fitting the detectors. The department has funded research in the past on the health effects of air quality in homes with unflued gas heaters. Those heaters—and it is acknowledged—pose a risk of elevated levels of indoor pollutants, including carbon monoxide. I think the challenge has been thrown out by the member for Murray: how do we coordinate national action on this and encourage states to move on this in the way that they have with the fitting of smoke detectors? I will limit my remarks to those. Certainly, as I said earlier, there is a challenge that needs to be met in this area and in seeing we respond to this resolution.

Mr FORREST (Mallee) (11.19 am)—I second the resolution. I am very pleased to have an opportunity to support my geographic neighbour, the fine member for Murray, in this resolution. Carbon monoxide poisoning has been a priority of mine for a long time. This goes back to my former life as a consulting engineer involved in building design and some of the things that the member for Chifley referred to. All of us need to pause for a moment and realise that the member for Murray’s resolution starts with her point number one. Her resolve and her desire to have something done about this comes from the tragedy of the loss of the two young Robinson boys. Any death is completely unnecessary. But deaths are more unnecessary when they involve young people, the richest resource that the nation has. I am particularly interested in supporting the member for Murray because I am very concerned about the lack of awareness about carbon monoxide. I support the other points in her resolution about encouraging building control boards to look at this issue and encouraging the use of detectors.

Carbon monoxide is a very insidious gas. We hear a lot about carbon dioxide, which is relevant to the discussion that occurs in regards to climate change. Carbon dioxide is the
combination of a carbon atom and two oxygen atoms. It is detectable. The thing about carbon monoxide, which is a carbon atom and one oxygen atom, is that it is not detectable. That makes it very insidious. I encourage people when they are driving their motorcars, which I often do as I travel through my vast electorate late of night, to always drive with their window down, even if it is only an inch or two. You will notice if you are driving along, particularly in the winter and you are trying to keep the vehicle warm and you have the circulating air on warm, how drowsy one can become. That is the subtle, dangerous impact of carbon monoxide poisoning. If that feeling comes over you, you will be amazed when winding the window down and getting a sniff of good air how remarkably quickly one’s awareness returns.

I am particularly anxious to support the member’s resolution. The reason that I am harping on so much about awareness is that it will take a long time to get the states together through COAG. I am sure that the member’s resolution will get some action. But in the meantime we need to promote awareness. We as members of this place have the opportunity to promote through media comments the dangers of carbon monoxide.

Energy Safe Victoria have produced a brochure that is designed to make landlords aware of their responsibilities as lessors to vulnerable people who are not necessarily aware of this. They have made some very strong comments about carbon monoxide poisoning in this brochure. It says:

Carbon monoxide (CO) poisoning is a threat where internal gas appliances are misused, incorrectly installed or poorly maintained. CO poisoning can have symptoms similar to flu and can be fatal. If people are not aware of what is happening to them, which is probably what happened with those two youngsters, fatality can be imminent.

I am particularly concerned about the use of mobile caravans and cabins. If a person wants to use gas for heating, they should never go to sleep with the gas appliance operating—never. I have seen incidents of that. I saw it happening in campervans when I was a young person backpacking through Europe. People with gas appliances in their campervans kept them on at night because it was chilly or icy outside. That is an absolute no-no. Carbon monoxide poisoning is a threat because the symptoms of overindulgence are symptoms that we come across in other illnesses, like flu. These include headaches, dizziness and nausea, which we do not necessarily link with a high concentration of carbon monoxide.

What I would like see in the meantime is that we encourage COAG and the states to see what they can do about appropriate detectors and ensuring that modern construction provides adequate warnings for gas appliances fitted to homes. We need to promote more and more of this style of brochure to every person who has a gas appliance in their home. I am supporting the member for Murray in that particular part of her initiative, because I just happen to know it will take some time to get the Australian Building Code changed. Despite the fact that there have been tragedies, it will take some time. I am hoping that other members will take up the cause here and warn people of the terrible dangers of carbon monoxide. It is insidious: you cannot smell it, and that makes it dangerous.

I am pleased to have this opportunity to support a good resolution and to see the parliament operating in the way it should. I think the energy of a non-partisan approach on this will ensure we get an outcome. We just do not want the nation to be deprived of the resources of youngsters, young teenagers, whose only fault was that they were not made aware of the risk they were taking in keeping a gas appliance operating all night.
With those few words, I offer a message of condolence to the Robinson family, for whom, whilst this incidence occurred in May last year, time will not heal the wounds and grief they feel at the loss of two youngsters. I share that condolence with them and through the member for Murray. I commend her on the resolution she has put before the parliament.

Mr STEPHEN JONES (Throsby) (11.26 am)—Can I begin by thanking the member for Murray for bringing this matter to the chamber. It is indeed both a tragedy and an opportunity, and I would like to add my voice to the sentiments that have been spoken before me by the member for Mallee and my colleague the member for Chifley. We join with all members of this place in mourning the tragic loss of Chase and Tyler Robinson, who died at Mooroopna on 30 May last year. It was a terrible tragedy for their parents, Vanessa and Scott Robinson. I take this opportunity to pass my condolences on to Scott and Vanessa, who I am sure are still grieving.

We know that Energy Safe Victoria examined the house and that police believe a gas leak was directly responsible for the tragic deaths of these young boys. Indeed, inspections have revealed a faulty gas appliance, possibly a heater, was responsible for these deaths. It really is regrettable that carbon monoxide poisoning only comes to national attention following a tragedy like this. I guess I am like every other Australian who only focused their attention on this issue after this terrible tragedy. I am also a father of two young children, and we have an unflued gas heater in our house. So we really do hope that some good can come from this terrible incident.

The problem with carbon monoxide is that you cannot see it and you cannot smell it, but at high levels it is deadly. We know that carbon monoxide is produced whenever any fuel such as gas, oil, kerosene, wood or even charcoal is burned. It is important to note that an appliance that is properly installed and maintained, as the member for Chifley outlined earlier, will not present a hazard. However, if an appliance is not working properly or is used incorrectly or if there is poor ventilation then dangerous levels of carbon monoxide will result. This points to the fact that it should be incumbent on all landlords everywhere, as the motion points out, to be aware of this and to properly maintain the heating equipment in their properties and have it inspected on a regular basis. And, as tenants, when we enter into a lease arrangement, we should ensure that we check on the maintenance of appliances more vigilantly and do our part to insist that this maintenance takes place.

Of course, it is not only here in Australia. We know that around the world each year hundreds of people die accidentally from carbon monoxide poisoning. Some more die from carbon monoxide poisoning outside the home and other buildings, such as in cars, as the member for Mallee has pointed out. Foetuses, infants, elderly people and people with asthma or a history of respiratory or heart disease are especially susceptible.

Some of the risks for carbon monoxide poisoning arise from commonly occurring situations, such as a blocked flue or a faulty cowl, damaged or corroded fluepipes, sealing up a fixed fresh air ventilator or using camping appliances indoors or in an improperly ventilated space. We should also all be aware that the threat from carbon monoxide is much higher if the appliance is in a very small room such as a toilet or bathroom—surprisingly, many gas heaters are still fitted in confined spaces such as these—or if you are sleeping in the same room as the appliance, such as in a tent or a caravan. The threat is also increased if ventilation to the appliance is absent or restricted or if the flue is in poor condition. It has been argued that the
charcoal briquettes and portable barbecues should carry specific warnings about the dangers of burning charcoal in confined areas, and I agree that this is something that we should move on. These are risks that we should all be more aware of because of the everyday, commonly occurring situations where these risks arise. I believe that with the switch in consumption from electricity to gas heating in particular over recent years—a switch that I believe is only going to accelerate—this is a problem that we really do have to face as legislators.

Raised levels of carbon monoxide can have significant impact on human health, and the Australian government has taken steps to manage and reduce the amount of carbon monoxide that is produced. These steps include implementing national fuel quality standards, promoting alternative fuels and supporting the implementation of tighter vehicle emission standards. However, more needs to be done. Through the National Environment Protection Council, the Australian state and territory governments have also agreed on a national environment protection measure for ambient air quality. The measure includes national standards for six key pollutants, including carbon monoxide. The Gillard government is committing to working through the COAG framework to progress national action on a number of fronts. There is no doubt that lives would be saved if carbon monoxide detectors were fitted in homes with gas appliances and if states regulated to ensure that landlords were obliged to have qualified contractors inspect all gas appliances in rental properties on a regular basis. With these observations in mind, I have no qualms at all about speaking in favour of the motion and commend- ing it to the House.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Murray-Darling Basin

Debate resumed, on motion by Ms Rishworth:

That this House:

(1) notes that:

(a) support for a solution to return the Murray-Darling river system to health is widespread across Australia;

(b) a poll by the Australian Conservation Foundation found that 77 per cent of Australians agree that environmental degradation in the Murray-Darling Basin must be reversed;

(c) the Government is working towards an effective strategy for the integrated and sustainable management of water resources in the Murray-Darling Basin; and

(d) this strategy includes purchasing water for increased environmental flows, setting sustainable diversion limits on the quantity of water removed from the Basin, managing water quality and investing in water-saving infrastructure; and

(2) recognises that the Government:

(a) has already began the task of returning the Murray-Darling river system to health through the Water for the Future plan;

(b) is working towards ensuring the long term viability of this river system for all those who rely on its precious water resources; and

(c) will continue to consult openly with all stakeholders in the Murray-Darling Basin.
Ms RISHWORTH (Kingston) (11.33 am)—I am very pleased to rise today to move this motion that is of great importance to our nation. The Murray-Darling system is the most significant river system in our country. Spanning over four states, it is a critical freshwater system sustaining not only local communities along the river system but indeed many of our major cities. The recent floods and rains across the eastern seaboard have also seen a large increase in inflows into the Murray-Darling system—water that the system desperately needed after a decade of drought. But the recent increases in inflows should not be an excuse to walk away from long-term reform in managing this critical national asset.

This Labor government takes reform of the Murray-Darling Basin seriously. Whilst it was the Howard government that introduced the Water Act, that government took no practical action to return any water to the system. It took this Labor government to start the heavy lifting on this important area of reform, negotiating with the states to get agreement on the management of the system by the Commonwealth, to establish the Murray-Darling Basin Authority, to buy back water and to invest in water-saving infrastructure.

As a representative from South Australia, the state at the end of the river system, I have seen the impact a combination of drought and overallocation has had down at the end. The state of our river system has not been a result of neglect over the last two years but neglect over decades. In South Australia we have seen not only the vast destruction of our native environment along the river but also the destruction of our communities that rely on this water supply. In the Lower Lakes community situated at the very end of the Murray-Darling system we have seen the water quality deteriorate so much that it can no longer be used for drinking water or for irrigation. Dairy operations in the Lower Lakes region have been decimated, reducing from 23 to three. Other industries have also suffered, including the Lakes and Coorong fishing industry, who have reported a sharp decline in fish stock.

This is one point that the opposition fail to understand. They try to paint the issue facing the Murray-Darling system as a choice between the environment and rural communities. You hear over and over again from those opposite—and I am sure we will hear it in this debate—that it is environment versus communities. But this argument is a false dichotomy. Reforming the Murray-Darling system is not a choice between the interests of primary producers and the environment. Reforming the Murray-Darling system is in the interests of everyone that relies on this vital system. The choice really is between a healthy system that can service the community for the long term and an unhealthy river system that can no longer be relied on or used by local communities. The opposition uses this false dichotomy as an excuse to do nothing and oppose everything when it comes to reforming the system.

The health of the Murray-Darling system is of great importance to South Australians, so it is no wonder that during the election last year we saw the Leader of the Opposition fly in, trying to capitalise on this issue that is held dear by many South Australians. He said: Water is probably the most urgent environmental challenge facing our country. The Coalition will end Labor’s procrastination and fully and finally implement the … plan for the Murray Darling basin.

I think at the same press conference he said he would implement the Basin Plan within two weeks after the election result. This same plan which he said he would implement he is now criticising and calling for it to be scrapped. Clearly the Leader of the Opposition has broken his promise to the people of Adelaide and the people of South Australia, paying lip-service with no real intention of doing anything.
The coalition’s lack of concern for the Murray-Darling River has only further been confirmed by the coalition announcing two weeks ago that if they were in government they would scrap the water buyback to improve the overall health of the system. This is a slap in the face for every South Australian who believed the Leader of the Opposition was serious about the issue of water reform during the election, only to find out now that he is full of hot air. Unfortunately, it seems Senator Joyce now has the numbers in the Liberal-National caucus and not Senator Birmingham. In fact, Senator Joyce has won the day opposing reform.

But, in clear contrast to the opposition, this government is working in our national interest, working with the states to get outcomes that are in the long-term national interest. Since being elected, it has been this government that has committed $12 billion to Water for the Future. Under this initiative, we have commenced water buybacks which enable the government to purchase water from willing irrigators and deliver it to the rivers, wetlands and flood plains of the basin.

At 31 January the Commonwealth had secured, through the exchange of contracts, entitlements with a long-term average annual yield of 690 gigalitres of water. This is a significant investment and a significant return of water to the basin. This government has also committed $5.8 billion of funding for water infrastructure and efficiency measures under the Sustainable Rural Water Use and Infrastructure Program. About $4.8 billion is currently committed. During the government’s ongoing consultations, the government and particularly the Minister for Sustainability, Environment, Water, Population and Communities and the Minister for Regional Australia, Regional Development and Local Government have continued to listen to communities and take on suggestions. In addition, some very constructive suggestions have been made by the member for New England, in his capacity as the Chair of the Standing Committee on Regional Australia, currently inquiring into the impact of the Murray-Darling Basin Plan in regional Australia.

The Hon. Tony Burke, Minister for Sustainability, Environment, Water, Population and Communities, has announced that the government will move to change taxation regulations so that irrigators who take up water efficiency investment grants will no longer be disadvantaged. This will encourage more investment in water-saving infrastructure. Furthermore, water buybacks will now be more strategic, with smaller payments being made available more frequently to introduce greater certainty into the market. The minister has made it clear that, while individual tenders will be smaller, the total amount allocated for buybacks will not be reduced. This is an important point. This way the market will not be distorted. We will have a modest presence in the market each month to generate greater confidence that water purchasing will be gradual and staggered. Irrigators who miss out on a round of water buybacks can be certain that another round will still be available.

The government will continue to consult and speak with local communities, but it will not walk away from reform. The Murray-Darling Basin Authority will continue to work on the proposed plan for the Murray-Darling Basin to be presented to the states and Commonwealth for their consideration. The Standing Committee on Regional Australia, chaired by the member for New England, will continue to inquire and report on the impact of the Murray-Darling Basin in regional Australia. Reforming the basin will be no easy feat. Agreement about the Murray-Darling Basin has never been easy. The Barrier Miner, on 21 January 1911, reported on the Murray river waters conference:
The Murray river waters conference sat yesterday and the matters at issue were discussed all day by the various state representatives. No understanding was reached. The New South Wales ministers stated that their state would not be limited in any way in the use of the Murrumbidgee water for the large irrigation schemes.

So we can see that in 1911 this was an issue. It continues to be an issue today, but after 100 years it has taken the election of a Commonwealth Labor government to finally make reform so that for the first time we can manage the Murray-Darling river system and have a plan for its long-term sustainability into the future.

I call on the opposition, especially those members from South Australia, to stand up and act in the long-term interests of this important river system. We have heard the Leader of the Opposition come down and make some grand plans. We have heard members from South Australia say that they are committed to water reform. But we have seen absolutely no evidence on the ground that the coalition takes this seriously. So I invite the coalition members to get on board for reform, to come and join us and to work constructively with us so that in 100 years time those communities along the river system—the large cities, the towns—will all still have a water system that is not degraded and unable to be used by anyone. This is not just an issue for today or for tomorrow; this is an issue for farming families for this generation and for the next generation. We need the Murray-Darling system to be in a state that allows for mixed use of it into the future. So I call on the opposition to get on board, because the government is fully committed to reforming this system and ensuring that we get a long-term, viable outcome for our nation’s interests.

Mr McCormack (Riverina) (11.44 am)—Everyone wants a healthy river system. We all want the health of the Murray-Darling Basin to be the best it can be. No-one wants this more than the regional communities who are totally reliant on the rivers in this wonderful area of Australia. No-one wants this more than the family farmers, many of whom are third- and fourth-generation irrigators whose ancestors were sent, coerced, encouraged—call it what you like—by the Commonwealth government of the day to turn dry, arid dust bowls into the lush, green food-producing areas that they are today. These rural oases came about only through hard, backbreaking work under a hot Australian sun. Living conditions were primitive but the early European settlers who went to forge a new existence in these windswept, largely waterless plains had a common desire: a desire to succeed, to make the best of the harsh conditions and times, to make a new life.

Hope springs eternal. Through sheer determination and against all odds, they did succeed. Water was diverted to these once-dry districts in open channels and a remarkable transformation took place of ground described by explorer John Oxley in 1817 as ‘country which, for barrenness and desolation, can I think have no equal’. Making the landscape renovation from desert to paradise was all the more amazing considering these irrigation regions were largely established by migrants and soldier settlers. These irrigation communities have flourished over the decades and our nation and indeed the world have benefited as a result. I note the member for Kingston citing statistics in her speech from the Australian Conservation Foundation. Here is an interesting fact, and I have a few more to share with you as well, just so you are really in the picture of the true worth and value of our irrigation areas, two of which, Coleambally and Murrumbidgee, are in my Riverina electorate. The Australian Farm Institute says every Griffith farmer feeds 150 Australians and 450 foreigners each year. No doubt even
members of the ACF, who sometimes have a very different way of looking at the need for farming and just how we will grow produce into the future, have partaken of the fruits of the labour of those from the Coleambally and Murrumbidgee irrigation areas as many of us have done and hopefully will continue to do.

What irrigation farmers after many months of angst and heartache need now most is certainty. The greatest threat hanging over their heads at present is uncertainty. As a member of the House of Representatives Standing Committee on Regional Australia, which is conducting an inquiry into the impact of the Murray-Darling Basin Plan in regional Australia, the central theme coming from the many communities we have visited is uncertainty—uncertainty brought about by this Labor government, which took to six months to get to a water policy, 18 months to set up the Murray-Darling Basin Authority and 36 months to determine there needed to be a proper analysis of the social and economic effects, the human cost, of any water reform.

‘Whisky is for drinking, water is for fighting over.’ American author Mark Twain summed up one of the biggest issues facing Australia. The Nationals are all on the same page when it comes to putting the family farmers who grow the food to feed the nation first and foremost when it comes to the water debate. Another quotable quote in relation to water came at one of the Murray-Darling Basin Authority community information sessions and was uttered by Benerembah farmer John Bonetti, who spoke for many, if not all, when he told the MDBA: ‘If you think this is the end you’re wrong. The fight has only just begun.’ You can understand Mr Bonetti’s passion. At present the Riverina growers produce 28 per cent of the national citrus crop, 98 per cent of Australia’s rice, hay and forage crops, cut flowers, turf, vegetables, livestock and livestock products.

The Murray-Darling Basin, specifically the Murrumbidgee River, is the lifeblood of the western half of the Murrumbidgee Irrigation Area. The MIA is the food bowl of the Australian economy, the largest food-producing region in Australia. To be saddled with suggestions of water entitlement cuts as much as 43 per cent included as part of the MDBA’s guide to a draft to a plan and then to be told, again by the authority or representatives thereof, just recently that in real terms the cuts are more in the order of 55 per cent, it is little wonder the good folk in that good part of the world are not feeling very good at the moment.

Cutbacks proposed will not decimate communities as everyone is saying; they will obliterate them. The Nationals, as I say, are all on the same page. Like all others in the MIA, Mr Bonetti is desperately worried about the future if cutbacks to water allocations in the order of up to 43 per cent proceed under the Basin Plan. He has been integral in the MIA’s strong, united voice against what federal Minister for Sustainability, Environment, Water, Population and Communities Tony Burke calls the guide to a draft to a plan. The guide is a Labor-Greens dagger to what the Mayor of Griffith, Councillor Mike Neville, often describes as the heart and lungs of the nation, the MIA, which contributes more than $2½ billion annually to the Australian economy.

Labor has lost control of reform in the Murray-Darling Basin. The former chair of the Murray-Darling Basin Authority, Mike Taylor, had to resign because the minister was asking him to do things which were against the legal advice he had received on the Water Act. We now have a new chair, Mr Craig Knowles, who is an ex-New South Wales Labor minister. Mr Knowles has appointed a separate delivery board and an advisory board, plunging the entire...
process into farce. Let us get the Basin Plan back on track. Labor has the Basin Plan process the wrong way around. When the coalition put up the 10-point Howard-Turnbull plan we prioritised investments in water efficiency so that we could return the water to the environment and to communities. Labor has spent only $437 million of the $5.8 billion allocated for infrastructure investments. They are already $700 million ahead on buybacks but $350 million behind on infrastructure investments compared to the original plan. In the midyear budget update the Labor Party decided to defer a further $450 million in infrastructure investments.

The coalition have nothing to hide in regard to the Senate inquiry into the Water Act and if there are problems with the Water Act then we will stand and we will remedy them. The coalition succeeded in establishing this Senate inquiry into whether the Water Act can deliver an equally weighted consideration of the economic, social and environmental factors. Both the coalition and Labor have promised that they will deliver such a bottom line result. But Professor George Williams; Professor Judith Sloan; Professor John Briscoe; Josephine Kelly, who is a barrister; and the Productivity Commission have all argued that the act gives the environment ‘primacy’. What have Labor got to hide? Why won’t they even support an investigation and why won’t they release all the legal advice they have received on the act? A failure to deal with these ambiguities risks keeping the Basin Plan in court for the next decade. That is not a good outcome for the river or the communities who need the certainty to get on with their lives and businesses. The Water Act could not be the first act since Federation that may require amendment. Let us get on with the job and get it right the first time.

The coalition have announced $600 million of deferrals in water buybacks to make way for spending on the recovery from flood and cyclone damage in Queensland and other parts of Australia. The water buyback scheme is already $700 million ahead of the original plan set in 2008. Labor has bought $1.4 billion in water buyback spending in the past two budgets. The recent floods give us some breathing space to actually develop an environmental water plan before we spend billions of dollars on water rights. Floods do not necessarily reduce the price of water licences, because the water does not increase the number of water licences. The price of water licences in the Murray-Darling Basin has been stable over the past year. We welcome the interim findings of the inquiry by the House of Representatives Standing Committee on Regional Australia into the impact of the Murray-Darling Basin Plan on regional Australia, particularly the call for a more strategic approach to buybacks. The coalition proposed a more strategic approach at the last election, calling for an assessment of the full cost of water buybacks, including the cost of stranded assets.

The coalition support improving the environmental health of the Murray-Darling Basin—as we all do. That is why we set up a $10 billion National Plan for Water Security over four years ago. This motion notes that the government have already begun the task of returning the Murray-Darling River system to health. After four years, all Labor can claim is that they have begun the task. They took 18 months just to appoint the board of the MDBA. Now they are busily creating a second delivery board to sideline the first. Menindee Lakes was at the top of the list of actions Labor were going to take on the Murray-Darling Basin at the 2007 election. The coalition left Labor $400 million for that specific purpose. Over three years later, no work has actually been done on Menindee. Even God could not wait for Labor—the lakes have filled back up again and now the Minister Burke admits that further delays have been caused by the fact that so much of it is now under water.
Labor claimed that they are working toward ensuring the health of the basin, but they are actually doing it at the pace of a snail. The coalition put aside almost $6 billion to invest in improved water efficiency, which would deliver water for the environment and communities. The COAG Reform Council noted last year that 12 out of 17 of the projects had failed to make substantial progress. Labor have managed to spend only $437 million of this fund, to deliver a paltry 2.7 gigalitres of savings—an unbelievable $161,000 per megalitre. Labor are $350 million behind on the original time line for the infrastructure program. Labor’s changes to the buyback scheme that were announced recently are an admission that they have got it wrong. Labor accept that a more strategic approach to buybacks is now needed, in line with the coalition’s election policy on the Murray-Darling.

Mr ZAPPIA (Makin) (11.54 am)—I welcome the opportunity to speak on this matter and I commend the member for Kingston for bringing this matter to the House for debate. Can I say from the outset that nothing could have highlighted the significance and the importance of the Murray-Darling Basin more than the decade-long drought, when you consider that the Murray-Darling Basin is home to some two million Australians, provides essential water needs for almost three million Australians, has some 30,000 wetlands within it, 16 of which are Ramsar listed, and has a world listed site in it as well. It provides, on figures available, anything up to about 75 per cent of the irrigated land in Australia used for growing agricultural products and pastures. Depending on whose figures you want to listen to, figures on its worth to the Australian economy range up to about $40 billion. All of that was essentially highlighted after a decade of drought because all of those matters came to a head as a result of the basin being impacted by the drought.

I will just respond very briefly to the member for Riverina, because five minutes does not give me a lot of time to speak on the matters I want to address. Can I say from the outset that nothing could have highlighted the significance and the importance of the Murray-Darling Basin more than the decade-long drought, when you consider that the Murray-Darling Basin is home to some two million Australians, provides essential water needs for almost three million Australians, has some 30,000 wetlands within it, 16 of which are Ramsar listed, and has a world listed site in it as well. It provides, on figures available, anything up to about 75 per cent of the irrigated land in Australia used for growing agricultural products and pastures. Depending on whose figures you want to listen to, figures on its worth to the Australian economy range up to about $40 billion. All of that was essentially highlighted after a decade of drought because all of those matters came to a head as a result of the basin being impacted by the drought.

Mr Deputy Speaker Sidebottom, I am a supplementary member of the House of Representatives Standing Committee on Regional Australia, of which you are the deputy chair. Can I say in that respect that I commend you on your commitment to getting the plan right. If it takes time to do so then so be it, but we need to get the plan right. I will come back to the issue of uncertainty in a moment as well. As a member of that committee I, along with the member for Riverina, have visited communities right throughout the basin. We still have some more places to go to, but at this stage we have visited communities in South Australia, in Victoria and in New South Wales. We have seen firsthand the devastation caused to those communities as a result of the shortage of water and we have seen firsthand the devastation caused to the environmental areas along the way as well. We know that we have to get the plan right.

With respect to the work of that committee, having listened to the people in those communities and having seen firsthand that devastation, I believe that there are a number of matters that the committee will be guided by. First and foremost, the communities within the basin all depend on the health of the Murray-Darling Basin river system for their survival, and every
community has been affected by the drought. Secondly, those same communities depend on a relatively stable water supply for their survival. Thirdly, uncertainty about water availability and water allocations, as the member for Riverina has quite rightly said, is as destructive as the water shortage itself. Uncertainty creates stress and insecurity. Fourthly, communities within the basin understand the social and environmental importance of having a sustainable system. In fact, it has been my observation that the majority of farmers have a deep commitment to protecting our environment. Fifthly, Murray-Darling Basin farmers and Murray-Darling Basin communities have in recent years made massive investments in irrigation efficiencies, and I acknowledge that. Lastly, it is my observation that communities within the Murray-Darling Basin well understand the importance of developing a sustainable water plan for the basin and that, now that a process has begun, we must see it through and get it right.

I want to talk about getting it right, the uncertainty and why it is important that we continue with the process and not delay. It is clear to me that the opposition are now taking a strategy such that they would like to see the process delayed, because the Leader of the Opposition has indicated that they would defer the strategic water buybacks that we know are also essential as part of a plan of getting it right. It is essential that we get it right now because, if we do not, that uncertainty will continue. If we do not, we know that weather patterns will continue to be uncertain. And, if we do not, we know that it will not be long before we are back to where we started at the beginning of the inquiry—that is, going into another drought, possibly as bad as the last decade of drought. We have to get it right, and to do so we cannot afford to waste time on it and defer the water buybacks or defer the work of the committee. I commend this motion and I believe it is important that the House continues with the inquiry that is currently underway.

Mr HUNT (Flinders) (11.59 am)—There is much agreement and there are areas of disagreement in relation to the future of the Murray-Darling Basin. The point of agreement, which provides some element for common ground in this motion, is that there was a $10 billion plan built upon a series of principles. That plan firstly allocated almost $6 billion towards a once in a century re-plumbing of the irrigation efficiencies, the lining of dams, the lining of channels, the movement from flood irrigation to either centre or inline pivot irrigation or even drip irrigation where appropriate. This once in a century re-plumbing of the basin has largely been stalled under the current government, mostly for ideological reasons. I know this because I have worked with the farmers of Coleambally and the Murray irrigation area up and down the river. They sought access to that funding for re-plumbing rural Australia to make real savings that could be shared between the farmers as a benefit for their investment and the river environment through an efficiency dividend for the public.

For example, the Murray irrigation area offered a saving of 300 billion litres, which would have been of great assistance—real, tangible and ongoing on an annual basis—to the people of South Australia. This would have been a saving of approximately $3,000 per megalitre for permanent entitlements through upgrading their infrastructure and investing in on-farm and inter-farm savings. That was rejected out of hand by Senator Wong on the basis that she was not willing to have public money going to perceived private investment. In fact, the benefits would have been public. It was an ideological betrayal of the plan, with the net effect of preventing permanent water savings that could have benefited farmers, our food security and our food productivity. This water could have been of assistance to downstream communities for
their environment or other things in South Australia. But it was forgone. It is time that the
government returned to this notion of a once in a century re-plumbing of rural Australia. The
bulk of the funding—the $10 billion—was set aside.

The second great point in this debate is in relation to the buybacks. What we did was set
aside almost $6 billion for reinvestment in rural infrastructure and a once in a century re-
plumbing of rural Australia, $1.5 billion for buybacks and $1.5 billion for structural adjust-
ment. In addition, there was a billion dollars set aside for, among other things, upgrading the
capacity of the Bureau of Meteorology in flood measurement. That amount has been distorted
greatly, with all of the emphasis going onto buying out our food security and our farmers at a
time of great vulnerability. What was have seem is that the project has been inverted. In par-
ticular, the Basin Plan, the direction of which we supported, proposed and created, was dis-
torted when the minister of the day gave riding instructions to the committee of that day and
when the authority produced a report in line with the riding instructions from the current
Prime Minister and the previous minister. When rural Australia revolted, the government
dropped the authority like a hot spud. That is the reality of what happened. That is exactly
what happened. We know because we have dealt with the people involved. We know that they
were acting on riding instructions. We know that the promise that Julia Gillard made to the
people of Adelaide through the front page of the Adelaide Advertiser at the start of August
during the election campaign to adopt holus bolus everything that the authority recommended
was nothing more than a deception.

Let me deal with the last point. The last point is that right now we are seeing a practical
failure of policy. There is a flood pulse going past South Australian irrigators, who are on per-
haps two-thirds of their allocation. I have discussed this with our agriculture spokesperson,
with Senator Joyce and with Senator Birmingham. We hope that the South Australian mem-
bers of this parliament, no matter their political persuasion, will agree that, where there is a
flood pulse that will otherwise go out to sea and given that the Lower Lakes are full, that
flood pulse should be harvestable by South Australian irrigators up to the full level of their
entitlement. That is a statement that I am making before the parliament. That should be har-
vestable. It is something on which we seek bipartisan agreement.

The DEPUTY SPEAKER (Mr S Sidebottom)—Order! The time allotted for this debate
has expired. The debate is adjourned and the resumption of the debate will be made an order
of the day for the next sitting.

PRIVATE MEMBERS’ BUSINESS

Foreign Ownership of Agricultural Land and Agribusiness

Debate resumed, on motion by Mr John Cobb:

That this House:

(1) requires the responsible Minister to:

(a) commission the Australian Bureau of Statistics (ABS), with the assistance of ABARE, to pre-
prepare an information database on the foreign ownership of agricultural land and agribusiness,
which should:

(i) show the level of foreign ownership for Australia as a whole, by state and for key re-
gions, and for particular agribusinesses;

(ii) include an annual formal statistical release; and
(iii) recommend what steps need to be taken to establish and maintain a public register of foreign ownership of agricultural land and agribusiness;

(b) task the Productivity Commission, on the receipt of the initial ABS data, to:

(i) review foreign ownership of agricultural land and agribusiness, with an evaluation of its contribution to the national interest in terms of economic development, food and water security, and agricultural sustainability; and

(ii) recommend how the foreign investment policy on agricultural land and agribusiness should be modified, if necessary, to ensure the optimum outcomes for economic development and the national interest, including whether the Government needs to:

• lower the threshold for notification to the Foreign Investment Review Board for rural land and agribusiness acquisitions;

• introduce a national interest test for food security; and

• ensure that foreign entities do not establish monopoly or near monopoly positions in key sectors.

(2) commit to establishing a Joint Parliamentary Committee to consider the information provided by the ABS, ABARE and the Productivity Commission, taking into account public concern in this area.

Mr JOHN COBB (Calare) (12.04 pm)—I rise today to speak on an issue of major concern in Australia and in Australian agriculture, that of foreign ownership of agribusiness and agricultural land. The debate very much centres on the fact that, in recent times, deregulation and other issues have meant that what used to be foreign investment—which has been very good for Australian agriculture both in land and in agribusiness—has become foreign takeover of agriculture and agribusiness in particular.

While currently we export the majority of produce from broadacre agriculture, we are very much dependent on domestic production for much—in fact, most—of our food. For example, 98 per cent of fresh fruit and vegetables bought and eaten by Australian consumers are grown in our country. The fact that the world population will grow from around 6½ billion to nine billion by 2050 gives a different outlook on it. If you understand that other countries are already preparing for tighter food supply by strategically buying into agricultural supply chains around the world; and if you take into account the fact that the new giants of the economic world, India and China, and the sleeping giant, Brazil—which is no longer asleep—now have money to invest around the world, you start to realise that, over the past five years or so, food security has become an international issue. Global companies as well as nations themselves are very aware of the need to secure their supply lines. Today, countries that once did not have money for foreign investment now do. If you couple that with a tenfold increase in reported foreign investment in the agricultural sectors over the last three years or so since Labor have been government, you begin to see the nature of the problem.

As I said, foreign investment has been good for agriculture. In fact, it has been great for building the industry that we now have. However, in recent times, Labor have continued to cut spending on agriculture, cutting R&D, biosecurity and other programs, giving Australian investors less confidence than they once had to invest in their own industry. In this environment, there has been a marked change in activity by foreign companies—from investment in agriculture to ownership and control of supply lines. Look at Viterra and Cargill in the grain industry, Swift in the meat industry and National Foods in the dairy industry. There has been
Singaporean investment in the timber industry. There is the proposed takeover of the rice industry in the member for Riverina’s electorate, in which it basically rests.

Many farming industries—for example, dairy, with the buyout of cooperatives—have found out that the short-term financial gain to individual members is outweighed by long-term impacts such as reduced farm-gate prices through loss of market power and/or loss of competition. While the decision comes down to individual companies and their investors or grower shareholders, farmers should recognise that, once they lose majority control, the focus of these operations will shift to the interests of the overseas shareholders.

With these factors as outlined, it is evident that we need to look at our food security in a way we have not done before. The current rules for foreign investment are outdated and do not address the issue of food security. The $231 million trigger for a review by the Foreign Investment Review Board for agricultural investments is almost never triggered because, obviously, there are almost no farms in Australia that make that much. If we do not put in place sensible safeguards, it will be difficult for governments to manage foreign ownership to ensure that our food security interests are looked after in the future. Even when it comes to agribusiness, the $231 million trigger is, most often, not activated.

That is why the coalition has tabled a notice of motion outlining a comprehensive policy approach to the issue. The notice of motion will task the Australian Bureau of Statistics and the Australian Bureau of Resource Economics to gather and clarify information on foreign investment in agribusiness and agricultural land and then task the Productivity Commission with a review to recommend safeguards for national food security interests by evaluating not only individual investment but also the cumulative impact of foreign ownership—in other words, what do you put together to create a trigger mechanism of $231 million or whatever might be appropriate? A parliamentary committee could then consider the recommendations.

The government has been asleep at the wheel on this issue. Now the Gillard government has released plans for yet another review of foreign ownership. But what the government—and, I believe, the minister—is not looking at is the agribusiness side of this. Agricultural land is the land that pulls at the heartstrings of Australians. Australians do not want to see the farm being sold off. In actual fact, agribusiness is the much bigger issue at this time. You cannot take the farm overseas, or the water that it uses, but you can take the productivity overseas. We need better information on the levels of foreign ownership of agribusiness and agricultural land. We need a national test for food security on foreign investments examined by the Foreign Investment Review Board. We need to be aware that the level of investment examined by the review board nearly always allows agriculture to fall under the level. The board needs to be able to look at the cumulative impact, as I said earlier.

It does not really matter whether or not you are in agribusiness or in agriculture. Think about the reason agribusiness is so important in this issue. Picture yourself as a foreign investor from a land that is probably nowhere near as tough as Australia is about what agriculture cannot do—what a farmer cannot do. If you come from China, India or Brazil and you have money to spend, are you going to buy 1,000, 2,000 or 3,000 farms to ensure your supply line, having to deal with the myriad regulations that Australia puts on farmers—what you can clear, what you can do with water, what you can do with chemicals and all those things we do in a very exacting degree? Are you going to live with that and try to run those 1,000, 2,000 or 3,000 farms? Almost certainly you will not. You will go and buy the agribusiness, like Sun-
Rice in the case of the rice industry and like the abattoirs who do the killing for meat, or like the grain trader. You will go and buy the trader, the processor or the wholesaler, because you still have your supply lines and you do not have to run the farm.

Agribusiness is the real issue here. Yes, they can buy agriculture, and there is a limit to what we would want to see in foreign hands, but the much bigger issue here is the extent to which the businesses who actually process, who actually trade and who actually export are in foreign hands. As I said earlier, we have moved from foreign investment to the foreign takeover of Australian agribusiness. As time goes on this will become a bigger issue, because they do not only buy. Potentially, once a global company or a company with a national bent that wants to protect either its global supply lines or its national supply lines buys one of our companies with a history of selling around the world, it has bought not only the supply line but potentially the customers. If the company wants to switch the supply from an Australian farm to another farm somewhere around the world, it can do it. So it does not only affect what we own; it affects our ability to sell.

Dr LEIGH (Fraser) (12.15 pm)—An iron law of populism is that, while Australian businesspeople investing abroad are portrayed as job-creating entrepreneurs, foreign investors in our country are depicted as rapacious robber barons. And so it is with the latest campaign against foreign investment. As sometimes happens, the campaign started in the tabloids. Under headlines such as ‘Chinese buying up our farms’, ‘It’s time to stop selling off the farm’, and ‘It’s time to save our farms from foreign investors’, News Ltd tabloids have recently embarked upon a fear campaign against foreign investment in Australian agriculture. With anecdotes taking the place of statistics, foreign investment has been described by the tabloids as ‘a dramatic global land grab’, fed by ‘a looming global food shortage’.

Most ironic about the recent tabloid campaign against foreign ownership in agriculture is the fact that the newspapers responsible are themselves owned by US citizen Rupert Murdoch. Indeed, if a campaign were to be waged against foreign ownership in the media industry, you would expect these newspapers to be among the first to describe it as economic populism. It is funny what happens when the pitchfork is in the other hand.

Now, the opposition appears to have decided to jump on the populist bandwagon. After a few months in which members of the frontbench have questioned the need for a floating exchange rate, an independent Reserve Bank and a migration policy that does not discriminate by religion, it is perhaps no surprise that the opposition is tempted to campaign against foreigners buying our farms—not surprising, but odd all the same. After all, Australia’s agricultural sector has benefited substantially from foreign investment. In 1855, British investors helped kick-start our local sugar production industry when they established CSR, originally Colonial Sugar Refinery. In 1877, American firm Schweppes opened its first Australian factory—as did Kraft and Kellogg’s in the 1920s. Japanese investment in Australia’s beef cattle sector has been important since the 1970s. Today, the largest foreign investors in Australia are still Britain and the United States.

As a resource rich nation, Australia has traditionally looked abroad to fill the investment gap. On one estimate, one in eight workers is employed by a foreign owned firm. If we were to ban all foreign investment tomorrow, wages would fall and unemployment would rise. An Australia without foreign investment would also risk missing out on the latest overseas know-
how. From technology adoption to business practices, foreign firms can often help spur innovation by changing the way that things are done.

In moving this motion, the member for Calare expresses concern over the risks to Australia of ‘foreign investment’. Yet he has previously spoken in favour of greater investment in Australian agriculture. On the floor of this parliament, he has repeatedly called for more investment in the forestry sector, more investment in farm productivity, more investment in agricultural research, more investment in new plant varieties, more investment in rural telecommunications and more investment in rural infrastructure. What he seems to fail to realise is that investment is not a magic pudding. Restricting foreign investment in agriculture will result in less investment in agriculture, and that is bad news for people who are employed by a foreign owned firm or who might have otherwise been employed by a foreign owned firm that is deterred from coming here.

Of course, while Australian investors are playing a role in our economy, our agribusinesses are creating jobs in other countries too. In countries like New Zealand, Papua New Guinea and Singapore, Australian firms are helping to show local companies a new way of doing business. In the process, Australia’s overseas investors are helping to raise living standards in those countries.

As the mover of the motion presumably knows, Australia has long had restrictions on foreign investment. Formalised by the Whitlam government in 1975, the national interest test applies to a wide range of investment classes across the economy. The Foreign Investment Review Board, or FIRB, must approve foreign investment that exceeds 15 per cent where the firm is worth $231 million or more. In the case of real estate, nonresidents cannot buy existing properties and FIRB must sign off any time a temporary resident wishes to buy property. Importantly, FIRB has had a veto right over any investment by a foreign government, including farms. In addition, banks, media outlets, airports, Qantas and Telstra are subject to special rules. FIRB can reject applications outright or provide an approval subject to particular conditions.

In thinking about how strict our foreign investment review processes should be, it is useful to look at how other developed countries operate. While any such comparison is obviously limited, work by the OECD’s Takeshi Koyama and Stephen Golub suggests that Australia’s foreign investment review regime is at least as stringent as, perhaps more so than, the approach that prevails in the typical developed country. For decades Australia’s economic policymakers have recognised that our nation’s prosperity relies on being enmeshed with the world. Since the time of white settlement, immigration and trade have been a part of Australia’s social fabric. Australia has been engaged with our region and the globe and this engagement has helped to shape our society—a nation in which one-quarter of the population are born overseas and exports make up one-fifth of the economy. Integral to an outward-looking Australia must be an appreciation that well-regulated foreign investment brings significant benefits to Australia.

Lastly, I cannot help mentioning the issue of food security. It is one of those slippery phrases that people seem to invoke when they do not want to say precisely what they mean. Since I have not seen anyone, including the shadow minister for agriculture and food security, being clear about this, let me hazard a guess at two possible explanations. One possibility is that when people say that we need to ensure food security they mean we need to ensure that if
Australia were cut off from the rest of the world we would not starve. Given that Australia continued to trade with other countries even during the depths of World War II, this is a bit like worrying about whether Dubbo has a plan to protect against tidal waves. But, in case anyone is wondering, the answer is yes. Australia sells more food to the rest of the world than it buys from the rest of the world. So if we were to be cut off from the rest of the world we would not starve.

The other possibility is that food security means we need to make sure that agricultural prices do not go up and down. It is certainly true that in recent years food prices have been unusually volatile. For example, since 2007 some world food commodity prices have doubled, halved and doubled again. Economists are not sure why, but possible explanations include climate change, increasing meat consumption throughout the world, biofuel subsidies and a reduction in food stockpiles. In some developing countries there is a real concern that changing food prices will push people into starvation. For Australia the effects are more modest, but you can still see them in the data. For example, in 2006 food prices grew about four per cent faster than the prices of other goods. In 2010 the reverse was true: food prices grew about one per cent slower than the prices for other goods.

People sometimes make the mistake of thinking that if we imported no food this volatility in food prices would disappear. That is wrong. Australian food prices also move when world prices change because Australian farmers sell into the world market. So, to insulate ourselves from volatility in world food prices, we not only need to stop importing food; we need to stop exporting food. I do not hear anyone calling for that. My fear is that, for at least some people, food security is merely code for a return to protectionism, which would be a great mistake. By all means, let Australia produce the foodstuffs that suit our land and our skills. But it does not do anyone any favours to encourage Australian agriculture to expand into areas that do not suit our geography and our talents.

There are plenty of challenges facing Australian agriculture. But, while Labor are focusing on water reform in the Murray-Darling Basin and addressing climate change, the coalition’s plan is to defer water buybacks and pretend that climate change does not exist. At the same time, the shadow agriculture minister is moving a private member’s motion aimed at reducing investment in Australian agriculture. It might feel good to pander to populism, but let us not pretend that it is helping farmers.

Mr ADAMS (Lyons) (12.24 pm)—The opposition are in disarray: they bring motions to the parliament which they claim to be important but cannot organise speakers to speak on those motions. That shows the level of support they have in thinking about a vision for the future of agriculture in Australia, as my honourable friend the previous speaker has said. I hope the member for Calare has discovered who the responsible minister is that he is directing the motion to, because when I looked at his motion that seemed to be something else that he did not understand.

I am aware there are some community concerns, as you would be. Mr Deputy Speaker Sidebottom, regarding foreign investment in Australian agricultural land and businesses. Australia has well-established arrangements under which foreign investments are examined. This is not something that just happens. The Foreign Acquisitions and Takeovers Act 1975 empowers the Treasurer to examine all significant investment proposals in Australian businesses by foreign interests to ensure they are not contrary to the Australian national interest. Based on
those examinations, the Treasurer can reject or impose conditions on proposals that are con-
sidered to be contrary to Australia’s national interests. That is as it should be. All foreign gov-
ernments, their agencies or state owned enterprises must notify the Foreign Investment Re-
view Board and receive an approval before making a direct investment in Australia, whether it
is for $1 or $1 billion. The government has already made important improvements in the for-
eign investment framework that are very much in the national interest.

When you look at the supply chain in agricultural industries you will see that there is a lot
of foreign money in that supply chain. As you would be aware, Mr Deputy Speaker, National
Foods had some difficulties with its suppliers in the milk industry in Tasmania a year or so
ago. A Japanese company with Japanese capital took over that company, and they are going
through other changes. I wish them well in that and I hope they continue to invest in our milk
industry, in processing, in Tasmania because we need that capital. You cannot expand without
capital in your supply chain.

I do not know if Mr Cobb is saying that we do not need any foreign investment in any of
our industries. Go and have a look at the car industry. Go and have a look at our mining indus-
try. We raise capital from all over the world; that is how our systems work. So it is difficult to
see where Mr Cobb is coming from, other than just trying to make a political point, I suppose,
around National Party branch meetings and stirring up some of their members out in the bush
to say that the country is going to be overrun by foreign money.

Mr Simpkins interjecting—

Mr ADAMS—Are you one of those who go around doing that?

Mr Simpkins interjecting—

The DEPUTY SPEAKER (Mr S Sidebottom)—Order! I remind members that you speak
to the chair.

Mr ADAMS—He used to be the editor of a newspaper running the same line, churning it
out without any vision, without looking to the future. I think we all realise on the government
side that there are national interest principles to improve transparency around how the na-
tional interest test is applied and an easy-to-read version of the policy to further improve the
transparency of the regime. I think that is important.

Of course there will be concern. As I said when I started these words, of course there is
concern. People do not want overseas capital coming in and buying great tracts of Australia.
They need to know about that. We need to have a process that allows them to see that. That
will occur under this Labor government. It did not occur under governments where the Na-
tional Party held ministerial positions or the deputy prime ministership. I guess that is why
they are getting a bit toey and why they have to try to justify their existence with motions like
this one.

The Australian government, like previous governments, is committed to a case-by-case ap-
proach to considering foreign investment proposals to maximise investment flows while pro-
tecting our core interests. Using the capital in the interests of the nation is what it is about, and
we need to make sure that we do that. I was looking only recently in Tasmania at the irrigation
schemes coming on board with state and federal money to help enhance our rural sector and
to help us go in new directions and find new ways. But, in that sense, it takes opportunities to
borrow money. I was looking at what the Tasmanian Institute of Agricultural Research had to
say. It said that in Tasmania we grow around $1 billion of our current food, fibre and poppies. It says that for the industry to expand it will require financial resources.

Of course it will. There are only two ways that that can occur. That is either by debt into the industry or equity through investment, houses and corporate agriculture. Some of that might be foreign money that comes into the agricultural sector like it comes into the processing sector or the mining industry. So to expand we will need money. We need money to do that. Those points are very good. Those points, when we talk about looking at a case-by-case approach to considering foreign investment proposals, are what it is all about. Investment flows need to be looked at and so does protecting our core interests.

Given the longstanding success of the foreign investment screening regime, we on this side of the House see no reason to change it by placing blanket bans or restrictions on particular types of investment. The government welcomes foreign investment. It has helped build the Australian economy and will continue to enhance the wellbeing of Australians by supporting economic growth and prosperity, as it has done in the honourable member for Riverina’s seat. I do not know who owns some of the production and supply chains within his electorate. It might be interesting for him to tell us. I am sure he is well aware of who they are. That economic growth and prosperity will continue with investment. We need to make sure that we look at it, that the general public can have a good understanding of how it operates and that we have transparency around that so that we do not have hysteria whipped up by the National Party for their own political interests.

Thousands of rural and regional communities around Australia whose economies rely on agriculture and food production benefit greatly by foreign investment. I do not think we would want to see international sources of support for the bush discouraged or threatened. At times we need to have foreign capital to assist our industries to grow. As I said, in Tasmania we are certainly looking for new investment. We just lost McCain’s at a processing plant in the Smithton area. We are looking for the ways in which we will process our food into the future. We need to be sensible about this and go forward in a proper manner. (Time expired)

Mr McCormack (Riverina) (12.35 pm)—I thank the member for Lyons for filling the breach in place of the member for Forrest, who was in the main chamber speaking about an issue very important to the coalition’s heart—the youth allowance and the Social Security Amendment (Income Support for Regional Students) Bill 2010 [2011]—which has been most unfairly dealt with by this Labor government, who do not have a great appreciation or respect for regional areas. Given the fact that she cannot be in two places at once, I am stepping in for the member for Forrest to give her speech on this motion about foreign ownership of land.

The member for Forrest says that, in seconding this motion, she does not automatically oppose foreign ownership of agricultural land in Australia but she does oppose the foreign acquisition of Australian rural land in secret or by stealth.

Her office has tried on numerous occasions to compile information on foreign ownership of agricultural land in Australia and has been continually told that that there is no comprehensive source of this information. The other problem that it has encountered is that agricultural land is not separately reported by the Foreign Investment Review Board, which classifies agriculture, forestry and fishing into one category. The member for Forrest notes with interest the 2010 announcement that the Australian Bureau of Statistics, in conjunction with the Australia...
lian Bureau of Agricultural and Resource Economics, ABARE, would survey the foreign ownership of agricultural land. As the ABS identifies in its explanatory document:

Currently there is very little information available on the level of foreign ownership of agricultural businesses, land and water rights within Australia. Therefore the ABS proposes to collect data on the following:

- Direct foreign ownership of agricultural businesses in Australia
- Direct foreign ownership of agricultural land in Australia
- Direct foreign ownership of water rights (used for agricultural purposes) in Australia

This proposal is to be commended.

Under the current regime, a foreign purchase of agricultural land or business has to exceed a $231 million threshold before the Foreign Investment Review Board must be notified. The current debate on foreign ownership requires accurate data on foreign ownership of rural land and agribusiness. At a Senate Select Committee on Agricultural and Related Industries hearing last year, the Foreign Investment Review Board confirmed that it is possible that a foreign entity could go down to the Murrumbidgee River today and buy every property and not even trigger the interest of their board. That is a reflection on this parliament.

The world population is expected to grow from around six billion today to over nine billion by 2050, with Australia alone set to increase its population by between 35 and 40 million by 2056. With this population growth, cities and urban development will continue to take up more and more of the prime agricultural land. This is of particular concern to the member for Forrest, as a food producer. Given the future challenges of feeding the world, it is vitally important for Australia to have accurate records of who is buying and acquiring our food-producing agricultural land and precious water resources.

This motion is necessary to guide the foreign affairs and trade negotiations of Australia’s future. One of the threats faced by our agricultural sector, if we get this policy wrong, is that of a worsening of an already uneven playing field in world trade. We must avoid situations where foreign owned farms are being granted access into markets that are denied to Australian producers or where Australian farmers and investors are being priced out of the market.

We must also be aware of the closed loop—where a foreign entity or quasi government owned entity buys up tracts of food-producing land and water and restricts the sale or provision of that produce to their own market. There has been a change in focus from foreign investment to foreign ownership and, as a result, many farming industries—for example, dairy with the buy-out of cooperatives—have found that the short-term financial gain to individual members is outweighed by long-term impacts such as reduced farm gate prices though loss of market power.

The *Daily Telegraph* reported in November last year that foreign investors have snapped up $10 billion of Australia’s prime agricultural land and rural enterprises ‘and no-one is keeping watch’. It also stated:

Australia, with its rich and fertile land and sophisticated farming techniques, is a target for some of the world’s biggest agricultural enterprises.

This is further reasoning that it is time to consider greater supervision of rural land and water sales to overseas interests. In conclusion, I repeat that this motion is not about banning foreign
ownership; it is about protecting Australia’s sovereignty and food security by including our agricultural and water resources on the radar of the Foreign Investment Review Board.

The DEPUTY SPEAKER (Mr S Georganas)—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Violence in Western Sahara

Debate resumed on motion by Ms Saffin:

That the House:

(1) notes that the Government:

(a) deeply regrets recent reports of violence in Western Sahara, and allegations of human rights violations with respect to Western Sahara;

(b) urges parties to uphold international human rights standards, and to maintain their resolve to work peacefully through these issues in the United Nations led process currently underway;

(c) strongly supports the efforts of the United Nations to find an enduring and mutually acceptable settlement in relation to Western Sahara;

(d) welcomes progress made during the third round of informal talks here on 8-9 November in New York between Morocco and the Polisario Front, facilitated by the United Nations Secretary General’s Personal Envoy Christopher Ross, including agreement to further informal talks later in 2010;

(e) calls on the parties to continue to work through these issues in the United Nations process underway; and

(f) hopes the next round of informal talks, scheduled for December 2010, will make further progress;

(2) fully supports:

(a) the efforts of the United Nations Secretary General, his Special Envoy, and the United Nations to find an enduring settlement to the Western Sahara issue; and

(b) these concerns, calls, hopes and actions.

Ms Saffin (Page) (12.40 pm)—I rise to talk about an issue to do with Western Sahara. What preceded this motion was violence that took place towards the end of last year. In speaking to this motion, what I want to put on the record is the general issue of Western Sahara and the Saharawi people. It is a matter that the United Nations is seized with, through the Security Council—it is that serious—and the Fourth Committee of the United Nations General Assembly, which deals with decolonisation. The Western Sahara is Africa’s last colony.

I have worked alongside the people of Western Sahara and their representatives, including Kamal Fadel, their representative since the late-nineties, to give support to their right to a self-determining process as supported through and by the United Nations through Security Council resolutions.

When I was a young law student—it was quite some years ago—and I studied international law, I was first introduced to Western Sahara and studied the case that was brought before the International Court of Justice for an advisory opinion. It made it clear that the Moroccan occupation was illegal. There is further legal opinion from the United Nations Office of Legal Affairs that the exploitation of oil is also illegal, and it follows that the exploitation of any natural of any natural resource would be as well.
The Kingdom of Morocco’s occupation and behaviour has been described as obstructionist regarding the referendum. The UN has been trying to carry out a referendum for years, but it has still not happened. The Saharawi agreed, through their representative body, the Polisario, that they would have a referendum. It is unacceptable and unsustainable that this behaviour by Morocco continues. It would be better if it were done in an orderly way and in step with international law and the international community through the United Nations. With Morocco being in the occupying position, they can become the peacemakers and the ones that facilitate the prompt holding of a referendum of self-determination.

What I would like to see is the immediate and unconditional release of all Saharawi political detainees and the accounting of the disappeared; the lifting of the blockade imposed on the territory to allow access to it by independent observers and media, ensuring their freedom of movement and communication with the Saharawi; respect of the basic human rights of the Saharawi people; and the immediate end of the plundering of natural resources in Western Sahara. To the United Nations I would like to say this: dispatch immediately an independent international mission to the territory to investigate the events that took place at the Izik camp and expand the mandate of the United Nations Mission for the Referendum in Western Sahara—MINURSO—to include the protection, monitoring and reporting of human rights in Western Sahara.

I visited the camps that people are talking about some years back. There are people who have been displaced out of the country of Western Sahara and they live in camps in Algeria. I went to Tindouf and travelled out to the camps, where a whole lot of people live. They are people in exile, people who are displaced from their homeland and want to go back—and, for people who are in exile, it can be very trying. I spent four days there. The Saharawi, through the Polisario and through their government, the SADR, are a member of the African Union. The matter is seized by the United Nations. There are over 80 countries that formally recognise and have relationships with Western Sahara. It is one of those matters that we can take quite a good stand on.

Mr HUNT (Flinders) (12.45 pm)—It gives me great pleasure to rise and support on a bipartisan basis the motion presented by the member for Page. I have great respect for the member for Page, even though she may be misguided in her political orientation. I know that she has worked in the human rights field. I understand that in relation to Western Sahara in particular she has worked with my great friend Andrew MacLeod, now the director of the Committee for Melbourne. This is an important, real and profound issue.

I want to address three elements in relation to this motion: firstly, the issue of the Universal Declaration on Human Rights and our abiding responsibilities; secondly, the course of history and the events that are currently sweeping North Africa and the Middle East; and, thirdly, the specifics about the action that is necessary to redress the wrongs that are currently occurring in Western Sahara.

Dealing with the first issue, we on both sides of this chamber are subscribers to, believers in and passionate upholders of the Universal Declaration on Human Rights. It dates back to the immediate postwar period. The rights that are contained within that declaration include freedom of speech, freedom of association and freedom of worship. They are the great ‘freedoms of’. Then there are the ‘freedoms from’: freedom from oppression, freedom from arbitrary detention and freedom from having one’s life taken by a state authority. These are abid-
ing and universal and I stand clearly and absolutely by the view that they are hungered for by people of all origins, whatever their race, ethnicity or circumstance. What we are seeing in the Middle East now has risen out of a deep folly. It is a deep folly, generally used by oppressors rather than by those who are subjected to oppression, to say, ‘We have local norms that mean that people do not hunger for democracy, independence or the basic rights set out within the Universal Declaration on Human Rights.

That brings me to the great and historic events which are presently happening at this moment right across the Middle East. What has occurred in the last few days in Libya is a crime against humanity. Let us be absolutely clear that these crimes against humanity are building upon the waves of repression that have been in place for decades now. In Bahrain, there are deep and powerful questions to address. Right across the Middle East and North Africa, people are seeking the capacity to shape and control their own destinies. There will be challenges. In some cases, it is not certain whether the future is a drift towards a Tehran-style regime or towards the great success of our nearby neighbour Indonesia, which broke down the strongman regime of Suharto and democratised in a very effective way. There is a journey still to take there, but what we see is real and profound. That is the context.

Against that context, Western Sahara has been suffering significant human rights abuses. We could put it in the hypothetical, but it is real. We know this. The reports internally and externally make it absolutely clear. That abuse is accompanied by a desire for a negotiated independence. We must stand by our principles. There is no doubt about that. That is who we are as a country; that is what we believe in as a country; that is what we must stand for as a country.

I think there are two significant steps which must be taken in Western Sahara. The first is to ensure that, in light of the abuses which have occurred from November last year, on top of historic injustice, there must be an independent UN verification mission. We are in agreement across the chamber on that point. This verification and monitoring mission must examine and, if necessary, compile reports which may lead to higher prosecutions through the international tribunals. That is the least that we can do. We must push for that. More generally, there must be an ongoing human rights international commission in place in Western Sahara. That will be the strongest bulwark against abuse whilst we seek a long-term resolution. I commend this motion to the House.

Mr VAN MANEN (Forde) (12.50 pm)—I would like to start by thanking the member for Page for her motion on violence in Western Sahara. From my research on this, I know it is a very sad situation that has been going on for a number of years. It is very regrettable to hear of the recent reports of violence apparently conducted by the Moroccan security forces, who were supposed to be providing security and safe haven for people. It shows an astonishing lack of goodwill given the ongoing negotiations which are seeking to resolve this conflict. This conflict has been going on since 1975, when this former Spanish colony was annexed by Morocco, and it is now one of the longest running territorial disputes in Africa.

It is apparent from the reports and pictures that have emerged that the residents were shocked at the excessive force used against them by the Moroccan security forces. The result of the chaos that ensued was an eruption of violent clashes in the streets of the capital of the region, between the outmanned residents and the disproportionate force of the Moroccan military forces. Mohamed Beissat, who is a senior official from Frente Polisario, the independ-
ence movement, has been quoted as saying the security forces had used brutal force in trying to break up the camp.

This motion rightly calls for all parties involved, in particular the Moroccan security forces—no doubt instructed by the Moroccan government—to show restraint and recognise and honour the inherent human rights of the citizens of this region and continue to work constructively and peacefully to a resolution that allows the citizens of the Western Sahara region to have a say in their future.

Everyone in this region has a right to feel that their life is not at risk. They should have freedom of speech, of association and all the other freedoms that we enjoy. They also should not be subject to torture or to cruel, inhuman, degrading treatment or punishments. We call on the Moroccan security forces to ensure that they are respecting these rights and the UN and the international community to hold them to account if they are not.

We encourage and continue to support the United Nations efforts to find an enduring and mutually acceptable settlement for this region. In order to achieve this, the views of all parties involved—the Moroccan government, Frente Polisario and others—need to be taken into account. In particular, the views of the citizens of this region need to be taken into account, as they are the ones who will need to live with whatever political outcome is negotiated.

It is heartening to note that the fifth round of the United Nations backed informal talks between Morocco and the independence movement ended on 23 January 2011. The talks were conducted over three days and were also attended by delegations from various neighbouring states. The UN communique issued following the talks advised that the discussion had taken place in an atmosphere of ‘serious engagement, frankness and mutual respect’. However, disappointingly, each party continued to reject any proposals of the others as the sole basis for future negotiations. The parties have agreed to continue their discussions in March.

It is heartening to note that there are recent reports that significant progress is being made by the UNHCR in their efforts to reunite separated families, some who have been separated for more than 35 years. This program has been run by the UNHCR for the past six years and has successfully reunited approximately 13,000 people out of a list of more than 40,000. We fully support the ongoing efforts of the United Nations and its agencies including Christopher Ross and urge all parties to continue the progress that is being made towards a positive resolution of this conflict. I commend the motion.

Mr PERRETT (Moreton) (12.55 pm)—I commend the member for Page for this motion. It is a great first step in terms of getting an idea out there into the Australian community. Perhaps it could be a little strongly worded but it is a good first step. I also thank the members for Flinders and Forde for their contributions in the chamber.

As I am sure you well know, Mr Deputy Speaker Georganas, Western Sahara is the size of Great Britain. It is rich in mineral resources including things like phosphates and iron ore and has rich fishing grounds off its coast. More importantly, it has great potential for oil and gas reserves, and there, I guess, lies one of its problems. It has great potential and, as we all know, when something has value people throughout history have tended to fight over those values, and we can trace its history back as a Spanish colony, to the time it was invaded by Morocco in 1975.
I started teaching geography back in 1986. Even then there were parts of the atlas that still had cross-hatching, showing that this was a non self-governing territory, and every year since 1975, I suppose, it has been discussed by the UN in terms of how the area could be decolonised. The Frente Polisario waged an independence war against the Moroccan invaders until the UN brokered a ceasefire in 1991. The truce included the promise of a referendum where there would be some self-direction, but that has not happened, unfortunately largely due to Morocco’s obstruction. The Sahrawi Republic declared by the Polisario in 1976 has been recognised, however, by over 80 governments and it is a full member of the African Union. Morocco and the Polisario held four rounds of formal UN sponsored peace talks in 2007 and 2008, but they broke down in acrimony, unfortunately, due to Morocco’s refusal to even discuss the option of independence as one of the alternatives to be put to the people.

In my electorate we have a lot of Sudanese constituents so I have seen the joy that has come since the referendum where they had nearly 99 per cent support in one part of the Sudan for self-determination for an independent country. I look forward to 9 July when that new country will be formed, and so many of my Sudanese constituents will be so happy about that process. Unfortunately, it is not the case for Western Sahara. Since these discussions in 2007-08 there have been three rounds of informal talks, the last held in New York in November 2010. But still there has not been a great deal of movement on the 35-year-old dispute. There were further talks in January but we are yet to see a resolution.

As one of the co-conveners of the Parliamentary Amnesty International Group, I am particularly concerned—and the matter was touched on by the members for Flinders, Forde, and Page, I think, in their speeches—about the call for investigations into the deaths in the Western Sahara protest camps. Obviously, it is time that we called on the Moroccan authorities and put a spotlight on their behaviours so that we have an independent, trusted investigation into the events that led to a number of deaths and injuries at Gdaim Izik, a protest camp in Western Sahara. There are reports that nine people were killed including people from the security forces, and Amnesty International has received reports that camp residents were seen lying injured on the ground and some were bleeding and others had been burned. This obviously needs to be investigated. There are also suggestions that Sahrawi people were forcibly removed from the protest camp by Moroccan security forces.

I quote from Malcolm Smart, who is Amnesty International’s director for the Middle East and North Africa. He says:

This was clearly a very serious incident and one that threatens to fuel further tension in Western Sahara.

This is the last thing that we need. He goes on to say:

The Moroccan authorities must launch an immediate, independent inquiry and get to the bottom of what occurred and consider asking the UN to assist.

For too long the UN has not fully engaged itself with this region and I think that is something that the UN needs to step up and change as quickly as possible. I thank the member for Page for bringing this motion to the chamber and for giving me the opportunity to speak on this topic that I care a lot about.

The DEPUTY SPEAKER (Mr S Georganas)—The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.
Coptic Orthodox Community of Egypt

Debate resumed on motion by Ms Vamvakinou:

That this House:
(1) condemns the New Year’s Day attack on the Al-Qiddissin Church, the Church of the Two Saints, in Alexandria, Egypt;
(2) acknowledges the historical role of the Coptic Orthodox community of Egypt;
(3) expresses its condolences to all victims of violence and terrorism;
(4) reaffirms the Australian Government’s call for fundamental political reform in Egypt and the protection of the rights of all Egyptian citizens; and
(5) recognises:
   (a) the contributions made by the Coptic Orthodox community of Australia under the leadership of His Grace Bishop Suriel of the Coptic Orthodox Church Diocese of Melbourne and Associated Regions;
   (b) the value and role of interfaith dialogue in building a diverse and harmonious society; and
   (c) the value of democratic rights and the right to freedom of religion and culture.

Ms VAMVAKINOU (Calwell) (1.01 pm)—I bring this private member’s motion to the House because it goes to an issue of great concern to the Coptic community in Australia but also to the broader community both here and overseas. The House would be aware of the most recent violence against the Coptic community in Egypt. During a New Year’s Eve service marking the beginning of 2011, innocent members of Egypt’s Coptic community, while observing mass at the Al-Qiddissin Church, the Church of the Two Saints, in Alexandria, were violently attacked by a series of bombings that killed 23 people and wounded 80 others. This unprovoked attack against Coptic Christians came after a series of ongoing threats from extremist groups who do not value freedom of religion or human life. The violence shocked the international community and deeply disturbed our local Coptic community. Of course, this incident was not the first attack on the Coptic community in Egypt but it was one of the most devastating and fatal. The Coptic community of Egypt is the largest Christian community in the Middle East. Copts are very much the indigenous people of Egypt that trace their lineage back to the ancient Egyptians and belong to one of the earliest Christian churches, but today theirs is a minority religion in Egypt.

The Coptic community here in Australia is significant in size. It began its migration following Egypt’s independence in 1953 and has continued to migrate here ever since. Coptic migration was characterised by an urban and highly educated people with skills and qualifications that fare better than those of the average population in Australia. The Coptic community continues to adhere strongly to its faith organised largely around the Coptic Church and has about 80,000 followers here in Australia. This is a devout and highly successful community and is now in its second and third generations. Coolaroo in my electorate is home to St Mary’s Coptic Orthodox College, which was officially opened by His Holiness Pope Shenouda III, Pope of Alexandria and Patriarch of the See of St Mark, in 1991. The school’s director, Father Tadros Sharobeam, has overseen the development of a thriving school dedicated to academic excellence within the principles of the Coptic Orthodox faith.

The attacks on Copts in Egypt have drawn strong condemnation here in Australia from faith leaders in particular. I want to join with the Australian government and other members in
this place in condemning the killing of innocent people, and to say that religious persecution is the single most virulent threat to humanity and to world peace. It is therefore heartening to see the Muslim community both in Egypt and beyond standing together with their Coptic compatriots against those who threaten our stability and our humanity. The Egyptian newspaper al-Ahram in January this year reported that ‘Muslims turned up in droves for the Coptic Christmas mass Thursday night, offering their bodies and lives as shields to Egypt’s threatened Christian community’. The values underpinning orthodox belief systems are shared by humanity at large, including their Muslim compatriots, which only exacerbates the impact of what has happened because we can all, regardless of the faith or the beliefs we hold, share and feel the injustice of what has occurred.

In calling for religious tolerance I would like to commend the leadership displayed by His Holiness Pope Shenouda III of Alexandria, who issued public statements during the crisis. I would like to quote from Pope Shenouda. He says: ‘Problems can be solved with steady, calm representation and not with violent action. The unity of Muslims and Christians against the terrorist acts and the spirit that was created between both groups was admirable. The solidarity between Muslims and Christian citizens is certainly invaluable.’

Fortunately, we do not have such persecution and discrimination against people on the basis of faith or ethnicity in this country. Here in this country we have built strong interfaith networks that underpin our own unique brand of multiculturalism. Our tolerance and our overall democratic way of life are our greatest assets and we have built cohesion and unity. Indeed, the Coptic community, like other migrant communities, have thrived and are a significant part of the Australian community. As such, I would also like to take the opportunity to commend the leadership of His Grace Bishop Suriel of the Coptic Orthodox Diocese of Melbourne and Affiliated Regions, who has been a strong advocate of ecumenism and interfaith understanding, leading his community with strength and compassion.

The plight of Coptic Christians in Egypt serves as a reminder of how important it is for all of us to rise to the challenge and help build bridges through interfaith and intercommunity dialogue. It reminds us how important it is to protect minority rights and hose down the flames of community division. Whether or not multiculturalism can be extrapolated to other national and social contexts, this violent form of sectarianism must be opposed, with an end to all forms of religious discrimination and the promotion of democratic rights for all. (Time expired)

Mr SIMPKINS (Cowan) (1.06 pm)—I welcome this opportunity to speak on this motion. I thank Father Abdelmalek of the church of St Mark and St George in Wanneroo for his assistance and guidance. It is certainly the case that sharia law in any form has no place in a modern society. It is a leftover of mediaeval days. The only laws of the modern age are laws passed by a democratically elected government of the people. This motion is about the vicious and cowardly attack on the Coptic Orthodox church of St Paul and St Peter on New Year’s Day at 12.20 am. This motion is about the murder of 24 innocent and peace-loving worshipers who were targeted by Islamic extremists following months of incitement by Islamic scholars who were allowed to air their hatred on television and evilly inspire murder in their vicious protests against the Coptic Church and Coptic Pope, His Holiness Pope Shenouda III.

The events of the last four months were sadly not isolated events. There has been an orchestrated campaign of persecution and violent against the church and its followers for many
years. It is always the way that corrupt government and increasingly irrelevant ideologies seek to shore up their positions by identifying scapegoats on which they can lay the blame for a multitude of political, economic and even religious failures. Egypt is exactly such an example. On 12 February I attended the Coptic Orthodox Church’s ecumenical prayer service at the Roman Catholic cathedral in Perth, St Mary’s. It was on the day that the President of Egypt finally stood down, and it would be true to say that the church held some hope for a better future in Egypt. Tragically, I do not see much cause to be hopeful of a better future. I understand that article 2 of the Egyptian constitution will remain in the new constitution, and it reads: ‘Islam is the religion of the state and Arabic is its official language. The principles of Islamic law are the principal source of legislation.’ And herein is the problem.

I believe that a change to this article is fundamental to any reform and to safeguarding rights and freedom of religious worship. But such a change seems to be out of the question now, because it seems that the Muslim Brotherhood have hijacked the revolution and that they will see that Egypt remains an Islamic state, based on Islamic sharia law and dominated by a Sunni Muslim government. I cannot see a better future ahead for Egypt, because the fundamental changes, the reforms and the democracy necessary remain elusive. I attended that prayer service on 12 February, a day of such hope for the future, but just four days later, on the 16th, the church of St George in Rafah was attacked, being torched and graffitied with sayings such as ‘No to Christians in Muslim land’. On the next day, the 17th, Muslims attacked Christians inside the church of St Georges in the village of el-Hathatah. It has been reported that the attack was prompted by the church building a roof over the courtyard between the church and its community services building, within the fenced church compound, in order to make more space for the congregation. Muslims surrounded the church and hurled stones. The armed forces were called out but without response—another example of security forces failing to do their duty and to protect all their citizens equally.

Nothing has really changed since President Mubarak left office. Religious persecution and intolerance remain institutionalised in Egypt. We have seen it in the constitution. We have seen it in the actions, or rather the inactions, of security forces. We also see it in the form of Egyptian identity cards that require the holder’s religion to be printed on them. The lack of action in identifying and prosecuting those who incite violence and those who commit violence against the Copts is evidence of the real need for fundamental change.

There are more than 10 million Copts in Egypt—10 million out of around 80 million, as much as 18 per cent. That is no small number, no tiny group. It is a huge number of people who are crying out for their rights as citizens to be protected and for fundamental change that will revolutionise the laws, institutions and behaviours of authorities in Egypt. This motion is about expressing our condolences regarding the brutality and the violence, but it is also about expressing our condemnation of those acts and the persecution that continues every day in Egypt. I condemn those responsible for orchestrating and committing those atrocities. I condemn them for their genocide and their spiritual corruption that encourages attacks on the defenceless, but I believe that those who stand and do nothing are also worthy of my condemnation.

Everyone has a right to their own religious faith, but no-one has the right to impose their own faith on others or to persecute those who do not follow the same faith. I will finish by quoting a speech from 12 February 2011 by the Coptic Orthodox priest in Perth, Father
Abraam Abdelmalek. He said of Australian politicians: ‘Australians have elected you to protect this country and its culture, not to please or fear certain groups of people who have a loud voice and want to demolish our Christian heritage.’ I think that is a lesson that we should heed.

Mr GEORGANAS (Hindmarsh) (1.11 pm)—Madam Deputy Speaker, I thank you for assisting me to be able to make this speech today. We have all seen the events in Egypt over the last month unfold before our eyes and on our TVs. We saw the people power of many young people, it seems, standing up for what they believe is right. This is inspirational in some ways, in no small part because of the known risk that these protesters took in challenging the established authority, the risk of beatings, imprisonment and even torture and death if they did not succeed. We have heard accounts of the protesters who knew that, if their revolution did not succeed, their lives would be in peril. If the established order continued to rule as it had, those protesters knew to expect the police force to quietly round them up, tracking them down through their communities and by other means in the months following the protests. Life and liberty were truly in the balance. As it happened, the protesters were successful in removing the old order. Those who expressed their desire to live with dignity, with their voice being heard, without fear or reprisal; those who said that oppression could not last; those who said that the abuse of civil liberties was totally unacceptable—those people have much to look forward to.

But hundreds of thousands of Coptic Orthodox Christian Egyptians who have similarly endured the absence of human rights, who have been intimidated, have been beaten, have had private property destroyed and have even been gunned down in public for no other reason than exercising their religion, may not be as optimistic as many others over the last few weeks. Those who have fought and won under the banner of democracy and human rights must honour their victory by acknowledging and actively supporting the most fundamental of modern democratic tenets, the equal status of all citizens under the law.

I have spoken before in this place on this subject. I have spoken on behalf of the fears and outrage of the Coptic Orthodox Christians living in and around my electorate of Hindmarsh and those further afield who are concerned by the persecution of Coptic Christians that has taken place in Egypt. Father Philoppos Y Boghdadi of Adelaide’s St Mary and Anba Bishoy Coptic Orthodox Church, in my electorate, and his congregation have had their representations to me echoed by media reports of almost unbelievable acts of violence upon their fellow Coptic Christians in Egypt. Any of us has been able to read of whole congregations—as we have heard previous speakers speak about—being attacked while worshipping in their churches and being put under siege by criminals hell-bent on slaughtering as many Coptic Christian Egyptians as they can. We saw during Christmas time the events that took place in Alexandria. Just before the Egyptian protests, the trial of one such murderous person had come to its conclusion. The crime in question was one of the very, very few that have gone all the way through the criminal justice system to conviction. Usually there has been no justice, there has been no application of law and there has been an absolute dearth of order.

So I would like through this motion for the parliament to acknowledge the atrocities that have taken place in Egypt against the Coptic Orthodox Christians over the years. I would like this parliament to acknowledge that Christianity within Egypt has been grounds in many Egyptians’ minds for acute discrimination and nonobservance of human rights. As I said, I
hope this parliament, through this and subsequent discussions and communications, communicates its support for the democratic, peaceful change that has been instigated by protestors to continue and to apply for the benefit of all Egyptians irrespective of their ethnicity, their gender or, especially in this case, their religion. I too join with others in this House and with the government in condemning the killings that have taken place over Christmas and at other times against the Coptic Orthodox Christians in Egypt. We know that the Christian community in Egypt is one of the oldest Christian communities in the world. In fact, monastic life was first founded in Egypt, in St Anthony’s monastery—which still exists today. *(Time expired)*

Mr HUNT (Flinders) *(1.16 pm)*—Madam Deputy Speaker Vamvakinou, I congratulate you on this motion, firstly for supporting the Orthodox Coptic Christians of Egypt, who represent one of the great and abiding religious traditions in this world today, and secondly for drawing attention to the broader challenges in Egypt and across the Middle East more generally. I will proceed as I did earlier in addressing the Western Sahara issue: by looking at a framework for analysing this, firstly in terms of religious freedom, secondly in terms of the evolution of events in the Middle East and North Africa and thirdly in terms of the specific harm, damage and mistreatment of the Orthodox Coptic Christians of Egypt.

Let me begin with religious freedom. We stand resolutely and firmly as a political movement on my side and as a parliament on both sides for religious freedom, for religious tolerance and for freedom of worship, both in Australia and across the globe. That is who we are, that is where we stand and that is where we will stand. In that context, one of the great challenges we have seen in the Middle East—whether in the treatment of the southern Sudanese, who had a mixture of animist and Christian beliefs in a more broadly Islamic society, whether through the confessional process of Lebanon or whether through the divides between Israeli citizens and those who live in Gaza or Palestine and in the West Bank—the lack of religious tolerance has been an extraordinary issue. Right now, as we see, there is a great movement in the Middle East. As I noted earlier today, it is a movement whose end will not be certain. What I do know is this: firstly, the era of the strongman, authoritarian leader will progressively crumble. It will not be universal. It will not be immediate. Some states may fall. It may be that we see the fall of a Gaddafi in coming weeks. It may be that he lasts a lot longer. It may be that we see transition towards some form of constitutional democracy in Bahrain.

But what we will see is the progressive, albeit imperfect, transition of the Middle East away from the strongman leader. What is uncertain is whether this will then lead to an outbreak of religious extremism if certain parties or movements gain control in any of these countries or whether it will lead to the triumph of what you might call the Google generation. There is no doubt that whilst the Muslim Brotherhood was a factor on the streets in Egypt, the Google generation—the aspiration of young people, the aspiration of not just the educated groups but of many of those who have been denied access to education—was the paramount force.

The form which this future government will take is unknown. The form which other future governments in the Middle East will take is also unknown. That is where this motion plays such an important part. It is about the notion that we have to foster and support plural society in terms of acceptance of different ethnicity, acceptance of different race and acceptance, in particular, of different religious groupings within the Middle East.
We have a role, but let us not overstate our role and overreach, because we can do damage if we overreach. Our role, in my view, is to set the groundwork—to be part of a broader international coalition which talks about religious freedom and accepting difference, accepting tolerance, accepting that there will be diversity within these states. The origins of many of these states date back to the decolonisation period post the First World War and, more generally, post the Second World War. In order to protect the Coptics in Egypt, we have to do all that we can to establish a climate, a culture, where there is an acceptance of diversity and difference and where there is, above all else, celebration of diversity and difference. The Egyptian Coptics have been treated badly, but they have hope under the new state and we must do all that we can through activities such as this to lend them and the new Middle East our support.

The DEPUTY SPEAKER (Mr S Georganas)—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Sitting suspended from 1.21 pm to 4.00 pm

ROBERTS-SMITH, CORPORAL BENJAMIN, VC, MG

Consideration resumed from 10 February 2011.

Ms MARINO (Forrest) (4.00 pm)—I rise to congratulate Corporal Ben Roberts-Smith on receiving our highest military honour, the Victoria Cross. This is Ben’s second award. He received a Medal for Gallantry in May 2006 while serving as a patrol sniper during one of his three tours of duty in Afghanistan. I understand that these two awards now make Corporal Roberts-Smith the most highly decorated member currently serving in the Australian Defence Force.

As we all know, the SAS is based in Western Australia, something we are particularly proud of, and I know that Ben unquestionably is a very proud Western Australian. The Department of Defence records his citation this way, and I want to read this into the Hansard record:

For the most conspicuous gallantry in action in circumstances of extreme peril as Patrol Second-in-Command, Special Operations Task Group on Operation SLIPPER.

On the 11th June 2010, a troop of the Special Operations Task Group conducted a helicopter assault into Tizak, Kandahar Province, in order to capture or kill a senior Taliban commander. Immediately upon the helicopter insertion, the troop was engaged by machine gun and rocket propelled grenade fire from multiple, dominating positions. Two soldiers were wounded in action and the troop was pinned down by fire from three machine guns in an elevated fortified position to the south of the village. Under the cover of close air support, suppressive small arms and machine gun fire, Corporal Roberts-Smith and his patrol manoeuvred to within 70 metres of the enemy position in order to neutralise the enemy machine gun positions and regain the initiative.

Upon commencement of the assault, the patrol drew very heavy, intense, effective and sustained fire from the enemy position. Corporal Roberts-Smith and his patrol members fought towards the enemy position until, at a range of 40 metres, the weight of fire prevented further movement forward. At this point, he identified the opportunity to exploit some cover provided by a small structure.

As he approached the structure, Corporal Roberts-Smith identified an insurgent grenadier in the throes of engaging his patrol. Corporal Roberts-Smith instinctively engaged the insurgent at point-blank range.
resulting in the death of the insurgent. With the members of his patrol still pinned down by the three enemy machine gun positions, he exposed his own position in order to draw fire away from his patrol, which enabled them to bring fire to bear against the enemy. His actions enabled his Patrol Commander to throw a grenade and silence one of the machine guns. Seizing the advantage, and demonstrating extreme devotion to duty and the most conspicuous gallantry, Corporal Roberts-Smith, with a total disregard for his own safety, stormed the enemy position killing the two remaining machine gunners.

His act of valour enabled his patrol to break-in to the enemy position and to lift the weight of fire from the remainder of the troop who had been pinned down by the machine gun fire. On seizing the fortified gun position, Corporal Roberts-Smith then took the initiative again and continued to assault enemy positions in depth during which he and another patrol member engaged and killed further enemy. His acts of selfless valour directly enabled his troop to go on and clear the village of Tizak of Taliban. This decisive engagement subsequently caused the remainder of the Taliban in Shah Wali Kot District to retreat from the area.

Corporal Roberts-Smith’s most conspicuous gallantry in a circumstance of extreme peril was instrumental to the seizure of the initiative and the success of the troop against a numerically superior enemy force. His valour was an inspiration to the soldiers with whom he fought alongside and is in keeping with the finest traditions of the Australian Army and the Australian Defence Force.

And in Ben’s own words:

I just looked across and saw my mates getting ripped up. I just decided to move forward because I wasn’t going to sit there and do nothing. I thought I’d have a crack, not to let my mates down.

In so many ways Ben epitomises the many ADF men and women that I meet and I am sure all members of this parliament meet. He epitomises, like they do, the traditional Anzac spirit.

Ben also said, and I think this is particularly relevant:

I do what I do because I believe in the country that we live in …

He said:

I believe that we are making a difference in stemming the flow of terrorism into Australia, and I want my children to be able to live as everyone does now without the fear of getting onto a bus and having it blow up.

I congratulate Ben and offer my very best wishes to his wife, Emma, and their twins, Elizabeth and Eve, his family and friends and particularly his mates in the Australian Defence Force.

Dr MIKE KELLY (Eden-Monaro—Parliamentary Secretary for Agriculture, Fisheries and Forestry) (4.05 pm)—On indulgence: it is wonderful to be able to be here in this chamber to talk about a positive story from Afghanistan, in the context of all of the times that we have been here talking about some of the tragedies that we have faced and also of the condolences this morning reflecting on our most recent loss, Sapper Larcombe. I would like to reiterate the comments that have just been made by the member for Forrest about the circumstances that Corporal Ben Roberts-Smith has highlighted in relation to our continuing commitment to Afghanistan. If there is one thing that has come out of all of the commentary and discussion about his actions and what took place, it is that focusing of the national attention on what this is actually all about: why he was prepared to make those sacrifices, why he was prepared to risk his life and why he is prepared to go back there and continue to risk his life. It is about those words, that it is for his children and that he wants his children not to have the fear of getting on a bus that might explode. It is about the rest of us with our fears for our children.
travelling around a world that is fraught with risk from terrorists who know no bounds in their atrocities and their attacks on civilisation. That is really what it is all about.

In the long history of the Victoria Cross, obviously this nation has an extremely proud record. It is a very significant part of our history, with 96 imperial Victoria Crosses and two Victoria Crosses for Australia. Victoria Crosses have become such a deep and abiding aspect of our culture and reference to our values as a nation that everybody knows many of the stories and understands how significant it is when one of these decorations is awarded. I remember talking to the Governor-General, who had the honour of bestowing the decoration on Corporal Ben Roberts-Smith. She highlighted that there was a special thrill for her in just handling that decoration, knowing all of the associations for this country and its history and knowing that that medal itself has been struck from the gunmetal of the cannons that were captured in the Crimean campaign. It was an absolutely electrifying sensation for her.

Now, of course, Mark Donaldson will have a companion in being a recent recipient of the VC. I am grateful for that on his behalf because now some of the attention and burden as a VC holder will be deflected and they can share some of the load of the attention that the nation focuses on the recipients of these awards. I know that Corporal Ben Roberts-Smith’s family is extremely proud of him—his wife, Emma, and their two girls, Eve and Elizabeth—but I am more aware of the special meaning this will have for his father, Len Roberts-Smith, whom I have known for a number of decades now, who also had a distinguished service in the Defence Force and has served this country in many ways. Len Roberts-Smith is an outstanding member of our community in his own right. He will be enormously proud of the achievements of his son. It was wonderful to see this family that has contributed so much to the nation being able to be acknowledged in that way on the day of the presentation of the decoration.

In the days when the media could not cover conflicts, there was a bit of a Boys’ Own aspect to how people considered this decoration, but in modern times we have seen coverage of exactly what the nature of war is and the risks that people take. I think, though, that there is sometimes a tendency to garnish the language around these things and lose sight of what is actually involved in the circumstances that these men and women find themselves in. Ben Roberts-Smith has previously been awarded the Medal for Gallantry, too, for a particularly difficult action in which he had to insert into the area of operations through a 10-hour route march through mountainous terrain and then engage in combat activities.

For a man like Ben Roberts-Smith, that initial step just to become a member of the SAS Regiment carried with it enormous burdens of training and stress. On top of that, to overlay the circumstances in which they find themselves in order to earn this decoration is something I do not think any member of the community could really appreciate unless they have been in those circumstances. We are not talking about a game of football here where there might be knee cartilage damage or a bit of grazing or a bit of concussion. We are talking about high-velocity military rounds of ammunition that can tear your limb off or rip holes in you. If they hit you, you will know all about it for a long, long time, if you are lucky enough to survive. These are pure life-and-death, adrenalin-pumping, fear-invoking situations. And what is most admirable about these people is that none of them is immune to the fear. Notwithstanding that fear, they go anyway, and they do that job. Certainly the motivation that Corporal Roberts-Smith highlighted about standing up for his mates, standing up for his country and making his
world a safer place for all of us and all of our children is incredibly commendable and he des-
erves all the respect and honour that we pay to him.

So I salute Corporal Ben Roberts-Smith and all of his family. My special regards go to Len
Roberts-Smith, his father. A grateful nation admires and respects the sacrifice that all these
members are making. On this day when we acknowledge the loss of another member, it is
bittersweet, but we dedicate ourselves with our resolve to carry through this mission, as was
so eloquently outlined by Corporal Ben Roberts-Smith himself. Thank you.

Mr FRYDENBERG (Kooyong) (4.11 pm)—On indulgence: I rise to support the motion
acknowledging the awarding of the Victoria Cross for Australia to Corporal Benjamin Rob-
erts-Smith, VC, MG. In doing so, this is one of the bright moments in a difficult conflict, a
fact brought home to us with the tragic death of 21-year-old Sapper Jamie Larcombe, who
died in Afghanistan only days ago.

The Victoria Cross is Australia’s highest military honour and its conferral on Corporal
Roberts-Smith is a significant occasion for our country, for our military and for Corporal
Roberts-Smith and his family. His act of courage in Afghanistan on 11 June 2010 is officially
cited as follows:

His act of valour enabled his patrol to break into the enemy position and lift the weight of fire from the
remainder of the troop who had been pinned down by the machinegun fire. On seizing the fortified gun
position, Corporal Roberts-Smith then took the initiative again and continued to assault enemy positions
in depth during which he and another patrol member engaged and killed further enemy. His acts of self-
less valour directly enabled his troop to go on and clear the village of Tizak of Taliban. The decisive
engagement subsequently caused the remainder of the Taliban in Shah Wali Kot District to retreat from
the area.

In the words of the Chief of the Australian Defence Force, Air Chief Marshal Angus Houston:
… we are honoured to call him one of our own … He placed his mates’ lives above his own.
These words reflect the feelings of all Australians.

This is not the first time this 32-year-old Western Australian has displayed remarkable acts
of heroism while wearing the uniform. In 2006 he was awarded the Medal for Gallantry for
his brave actions as a patrol scout and sniper in Afghanistan. In receiving the Victoria Cross,
Corporal Roberts-Smith becomes the 98th Australian recipient, the first from Western Austra-
lia since 1945, and the third still living. He follows in the great tradition of Australian soldiers
going back to the 19th century who received this honours.

The conflicts in which Australians have been awarded the Victoria Cross include: six in the
Boer War; 64 in the War I, of which nine were for Australians at Gallipoli; two in north Rus-
sia; 20 in World War II; and four in Vietnam. Prior to Corporal Roberts-Smith, the most recent
recipient was Trooper Mark Donaldson, whose brave deeds to save an Afghan interpreter
were recognised in 2009. To Corporal Roberts-Smith, his wife, Emma, and his twin baby
girls, Eve and Elizabeth: you have the thanks of a grateful nation.

Mr SLIPPER (Fisher) (4.15 pm)—At the outset I thank the honourable member for Petrie
for relieving me as Deputy Speaker in the main chamber to enable me to make this contribu-
tion in this very important debate. The citation that was given to Corporal Benjamin Roberts-
Smith VC, MG when he was awarded the Victoria Cross for Australia started for the most
conspicuous gallantry in action in circumstances of extreme peril as Patrol Second-in-

MAIN COMMITTEE
Command, Special Operations Task Force, on Operation Slipper. I am sure that the name of the operation is purely a coincidence!

I think it really is vital that we as Australians be able to hold our role models up as examples for others. We are really fortunate that we have people like Corporal Benjamin Roberts-Smith who have been prepared, in the heat of battle, to risk everything to make sure that we as a nation remain free. The actions of Corporal Benjamin Roberts-Smith, in the heat of a very intense battle in Afghanistan in June 2010, were incredibly courageous and heroic. They deem him an extremely worthy recipient of the Victoria Cross—which is, of course, as we all know, Australia’s highest military honour. He is very much a fine example of the men and women of the Australian defence forces and of the dedication and commitment each of them has to this great nation.

When I read through what Corporal Roberts-Smith had achieved I felt enormously humbled. It is captivating and inspiring to read through the step-by-step description of the actions of Corporal Roberts-Smith in the heat of battle. Soon after the troop was dropped off by a helicopter, they were engaged in a fierce battle. Under attack from all sides, Corporal Roberts-Smith realised that he and his fellow troop members were in an extremely precarious situation and faced serious injury and quite possibly death. He risked his own life to take out enemy machine gun and grenade strongholds.

Corporal Roberts-Smith has lots to live for. He has a wonderful wife. He has twin children. Yet, as a professional soldier in the service of his nation, he was prepared to risk everything to make sure that his fellow soldiers were able to mount an effective counterattack. I think very few of us are really capable of such bravery. I am so pleased that he has been appropriately recognised with the Victoria Cross for Australia. In doing what he did, he enabled his troop to take back the initiative in the firefight and break through what had been a well-armored and active enemy stronghold, with the results of this day on the battlefields triggering a chain of victories that resulted in the troop being able to clear the nearby village of Tizak of Taliban and eventually clear the entire district—Shah Wali Kot District—of Taliban.

On behalf of the nation, I join colleagues in congratulating Corporal Roberts-Smith on the receipt of this medal and also for his military skill, his quick mind in battle, his unquestioned dedication and commitment to his fellow soldiers and his clearly displayed extreme love of his country. He is a man who was so resolutely dedicated to the objectives of that day that he was prepared to do all that he could to help achieve that outcome.

Frankly, I shudder to think what could have become of other troop members if Corporal Roberts-Smith had not taken the extremely risky but ultimately very effective actions that he took. These are actions that occur in the heat of battle and they attract the attention and admiration and wonder of the media, of ordinary Australians and of our leaders. But these actions also serve to remind us of the events and challenges encountered by our fighting men and women regularly as they carry out their duties for their country.

We as elected representatives and the governments that govern Australia send young men and women, and sometimes not so young men and women, to fight abroad for freedom. What we ask them to do is a tough ask and yet I have always been impressed with the way that our serving men and women do what they do with pride and discipline. I would like to congratulate not just Corporal Benjamin Roberts-Smith but all other members of our military on their efforts on behalf of Australia, a nation which is relatively peaceful. We have a very sensible
and respected military. We as a country have a great understanding of our place in the world and the strong commitment and responsibility as a good international citizen towards doing what we can in international conflicts with the overall aim of, wherever possible, delivering peace and stability.

Corporal Roberts-Smith is among those many individuals who carry with them those objectives. Not only is he big in physical stature but also he has a big heart for Australia. He is also now a role model for all other Australians, young and not so young. As the Leader of the Opposition mentioned when he spoke in this debate, Corporal Roberts-Smith and others who have received the Victoria Cross are heroes, but they are also humans. Through that they are an encouragement to the rest of us to strive to be the best that we can be in whatever fields and endeavours we pursue, whether it be in the military, as is Corporal Roberts-Smith, or as teachers, retailers, health workers, construction workers, stay-at-home parents or anything else. We all face challenges from time to time and, while they may not be the highly charged challenges of a battlefield in Afghanistan or elsewhere, we do all possess an ability on occasion to rise to those challenges and meet them head-on and get the best possible outcome.

I am a great supporter of our military men and women who put up their hands and enlist as volunteers in what is truly the most challenging of vocations. All of our soldiers deserve praise for making the incredible sacrifices that are required and for having the discipline and determination that are so vital in the defence fields to serve their and our Australia in conflict. I have said so many times publicly and I will repeat it yet again: there is no duty more challenging yet more honourable than that of serving in the military and putting up your hand to go to war in defence of our country.

Service people are a very special group of people, risking their lives for their country and fellow citizens, and so it means a lot to me to be able to speak on this topic. Australia has an honourable and dedicated heritage in many conflicts in our history, stretching from the Boer War and World Wars I and II through to Korea, Malaya, Vietnam, Iraq in various conflicts and now Afghanistan, as well as in many other battles in between. Our soldiers, sailors and air men and women have always been known for their loyalty, courage, skill, values, work ethic and penchant for teamwork. All these traits are reflected and demonstrated in the events of June 2010, involving Corporal Roberts-Smith and his fellow troop members. Along with those traits we cannot forget the endearing quality of a great sense of humour in the face of adversity, which is also an important weapon in the survival pack required in military operations and on the battlefield. All these traits are held so dear by our serving personnel and our ex-servicemen and ex-servicewomen and are now also widely understood and respected by those who are not soldiers—the rest of us—as is becoming more and more apparent with the ever-increasing numbers of people of all ages attending Anzac Day dawn services, other services and marches.

Anzac Day is not far away. It is always a full day for all of us. I manage to attend numerous events on that day, as do other elected representatives and, more importantly, other members of the community. I believe it is vital that a wide cross-section of people of all ages are involved in these events to not only ensure that the diggers know that their efforts mean a lot to us but also entrench into the rest of us the value of standing up to be counted and also the achievements of those who face the enemy head-on.
I can imagine they may have asked themselves in the heat of battle: ‘What am I doing here?’ The truth is that what they are doing and what they have done there is help secure our nation and protect our people. Corporal Benjamin Roberts-Smith has shown us in an extremely practical and brave way the qualities that are carried by all of our fighting men and women. As a nation we have much to be proud of, and Corporal Roberts-Smith and others who have been recognised as he has been are people who are role models for all of us. They are icons of our society, and our community would be a much better place if more of us were able to show similar courage and quality.

MINISTERIAL STATEMENTS

Commemoration of the 2nd Anniversary of the Black Saturday Bushfires

Debate resumed from 9 February, on motion by Mr Rudd:

Mr ANTHONY SMITH (Casey) (4.25 pm)—It is a pleasure to rise and join with other members on this motion that was moved to take note of the statement made by the Minister for Families, Housing, Community Services and Indigenous Affairs in the main House on 9 February. It is a motion to commemorate the second anniversary of those tragic bushfires. It is a time to remember. It is a time to reflect. It is also a time to look forward now with the benefit of two years behind us.

At the outset, I pay tribute to the minister for her words in the main chamber and to the shadow minister, the member for Menzies. I think both members encapsulated what occurred on that tragic day and what occurred in the hours and days afterwards and has occurred since. As I said, it is natural for us to remember and reflect. All of us—particularly Victorian members like you, Madam Deputy Speaker Vamvakinou; the member for McEwen, who is here; the member for Kooyong; and the member for Wannon, who has just joined us—remember that day—the heatwave, the weather and the wind. All of us had that fear that something terrible could happen, but I think all of us hoped and prayed that the day would just pass as the previous couple of days of the heatwave had.

When the news that fires had broken out was heard on the radio and on our televisions, we as Melburnians instinctively thought the worst. When we thought the worst, we thought of Ash Wednesday, which was our previous reference point for the worst. I think intuitively none of us thought it could be worse than that because that was the boundary psychologically. As I have said before in the House, I remember opening the curtains of our house, which is just on the edge of the Yarra Valley near Lilydale, on that afternoon and seeing the mushroom clouds down the Melba Highway, which must have been at Kinglake and then approaching Yarra Glen. Of course all Melburnians know the Dandenong Ranges and the Yarra Valley. Pretty much wherever you are in suburban Melbourne you can see them. What unfolded over the next hours and the next days was truly tragic, and I think the minister and the shadow minister captured that.

In remembering Black Saturday, we think of the families who lost loved ones. We remember the 173 who died, those who were injured and all the families who were affected. We think of the communities affected. Wherever those communities are, we Melburnians know them even if we do not live in them. We have been there on school camps as kids and on family outings. That it as true of Kinglake as it is of Marysville and the other towns. We also re-
flect, as I said, on the incredible efforts of our emergency services personnel and the incredible efforts of members of the community.

To speak of those events two years on brings back memories of the many efforts at so many levels. We are right to feel sympathy for the heartbreak and heartache of those who we know are suffering so much at this time and simultaneously to feel pride in the community spirit and in those who helped so much. I say that because it has become fashionable at times for commentators to say that we have lost our sense of community spirit in the last 40 or 50 years. While that might be true at a superficial level, instinctively we suspected that was not the case and we know it is not the case from what we have seen.

I cannot possibly mention everyone, but I do want to mention a couple of people. One of them is Lex de Man from the CFA—and I know the member for McEwen will have heard of Lex. A loyal senior officer for many years, he retired recently.

Mr Mitchell—I met him on Sunday.

Mr ANTHONY SMITH—The member for McEwen says he met him on Sunday. I wanted to mention him. As I said, it is difficult to single out people, but I do want to mention Peter Montgomery from Yarra Glen as an example of some of the great work that was done. He instigated the Adopt a Container Project, which within a year saw 170 shipping containers provided to affected families to store their belongings and give a sense of belonging as they rebuilt. He was rightly chosen as the Shire of Yarra Ranges Citizen of the Year last year. That project is still going and still expanding.

Of course, I want to mention the previous member for McEwen—and I know the current member will support this—Fran Bailey, who worked so tirelessly in those tragic days, weeks and months after the fires. The minister rightly mentioned Fran in her speech in the House. I also want to make mention of the former Prime Minister, the member for Griffith, Kevin Rudd. At that time of tragedy, he performed in an exemplary way. He was in constant contact with Fran Bailey, and his efforts and his dedication to every aspect where he could possibly make a difference were well known to those closely involved. I want to pay tribute to the former Leader of the Opposition, Malcolm Turnbull, who similarly spent every waking minute making sure that whatever needed to be done was done.

I said it is a time to remember and a time to reflect. I also said it is a time to look forward. In doing so, it is a time also for some candour because, two years on, we can make a lot more sense of the tragedy. We know we will never stop bushfires, but in our hearts we want to know that we can always do better. Two years on, the words of the former member for McEwen, in her final speech to this House, bear repeating. She called for a program of sustained fuel reduction, a state-of-the-art early-warning system, safe shelters and better use of early fire detection technology. I want to see the new state government of Victoria working as hard as they can to make a real difference and, where we can, to leapfrog forward in those areas, particularly on early fire protection technology.

Another former member of this place, the former Labor member and Hawke government minister Barry Cohen, has written passionately about the possibilities of some of the new early fire detection technologies. He has written in the Australian about the FireWatch technology, which can precisely detect the existence of smoke and its location before a bushfire has taken hold, enabling emergency services to deploy the resources to extinguish the fires.
This technology consists of a camera unit with a sensor that can scan an area of 400 square kilometres and rotate automatically through 360 degrees every six minutes 24/7. It can detect the difference between smoke, cloud and mist. With recently added night vision, it can provide precise details of fires around the clock. This technology is being used in Germany. It was developed by the German aerospace industry and NASA as part of the Mars Pathfinder mission.

There were some trials of this technology with funding from the federal government, but that appears to be somewhat caught in bureaucracy. But today is not the day to go through that in detail. Today is the day for me to say on behalf of those in the Yarra Valley that we want to see that technology thoroughly trialled and we want to see the best possible technology in use. The next time this sort of fire tragedy happens—and it might be the difference of time between Ash Wednesday and Black Saturday, but it could be next year—we want to know that when our emergency services confront it they will have better technology and better preparation and that we have done more because we have learnt more, so that we can make a difference on the ground for those communities affected.

Mr MITCHELL (McEwen) (4.39 pm)—Saturday, 7 February 2009 was a day in our nation’s history that we shall never forget. Effectively, it was the day that hell visited Victoria and left a permanent scar on its departure. My community was ravaged by an inferno of flames faster and more powerful than anything we had ever seen before. Helen Kenny, the captain of the St Andrews CFA, said it was a day they had trained for but a day they had hoped would never happen. She said that, in the days leading up to it, they knew it would be bad, but they had never dreamed that they would face such a fire of fury.

It was nightmare which left people dead, injured, homeless and hurt. Ordinary Australians defended their homes as best they could. Some were successful; others were not. Many were caught trying to escape the heat and ferocity of the flames as Mother Nature proved to be too fast, too strong and too vicious. Trapped and confused, some had no option but to sit and wait for the flames to engulf their homes and everything they owned.

We lost 173 people on that day. They were family, they were friends and they were neighbours. But we must not forget those who died following the fires as a result of its impact, whether it be physical, psychological or emotional. There was eerie silence on the landscape after the fires. There were no birds and no animals, only the smell of destruction and carnage to fill your senses. In its wake, the fires left homes burnt out, schools destroyed and communities devastated. It looked like a war zone and it smelt like a war zone—because it was a war zone.

John McCrohan, President of the Hurstbridge RSL, gave an address on Anzac Day. He said:
I would like everyone to remember soldiers of a different war. A war caused by man’s efficiency and nature’s wrath. Black Saturday.

The soldiers of this war were CFA, the SES volunteers, police, ambulance and more importantly, bushfire victims who lost their homes and belongings.

Even more importantly, those who lost their lives. Mums, dads, boys and girls. They should be remembered alongside our gallant diggers of past conflict.

After wars, as we know them, soldiers returned to their homes and loved ones and, with their support, tried to forget the death and destruction. But the scars always remained.
After the War of Black Saturday some victims will rebuild and start a new life.

So I ask you today to remember these soldiers of Black Saturday, along with the fallen soldiers of past conflicts.

People walked out of that death and destruction, proud and bewildered, with little more than the clothes on their backs and the thongs on their feet, but they were filled with a spirit that only Australians can muster. Looking back to the days following the fires, I can remember through the darkness and destruction of my community how the colour and strength of our national flag shone through. Through the wind, the Southern Cross was strongly waving throughout many homes and the townships across the scorched and blackened landscape. One flag I can recall was damaged by the fires, but it was still standing, waving proudly in the winds that followed Black Saturday and telling Mother Nature that despite her power we would not be beaten. To me, that flag symbolised the true Aussie spirit and resilience: we were wounded but not beaten. It showed that we would never give up hope.

The people of McEwen are real fighters. In the days and the months and the two years since that terrible day, we have witnessed the best of human strength, spirit and resilience. Local halls, sporting clubs and community centres were turned into relief centres, which were quickly inundated with volunteers and goods. People from all walks of life and from all points of the state and the nation donated their goods, their time and their money to support those in their darkest hour.

My sincere thanks go to the CFA, the Victoria Police, the State Emergency Service, the Department of Sustainability and Environment, the Department of Primary Industries, the paramedics, the Australian Defence Force, all the local clubs and auxiliaries, the Red Cross, St Vinnies, the Salvation Army and particularly the army of volunteers across the country who came and gave all. Selfless acts of heroism are what we saw consistently on that day and in the days that followed.

There are probably no words big enough or strong enough to thank the CFA volunteers for what they went through. I also remember Danielle Green, the state member for Yan Yean, and Ben Hardman, the former member for Seymour. They were both on strike teams at the fire front from the moment it started and they continued until the fire had passed their areas. To try to put it into context, I think it is appropriate to use the words of Winston Churchill following the service of airmen during the Battle of Britain when he said:

Never was so much owed by so many to so few.

On behalf of all members of this place, I say thank you to the army of volunteers in my community. Thank you for everything you have done to support our communities.

From the tragedy came opportunity—an opportunity to learn and an opportunity to share and understand that loss, grief and devastation are universal. Students and staff at the Diamond Valley College used the power of education to share their experience and to inspire others. Together with students from the International School of Kabul, in Afghanistan, they published a book titled 1000 Pencils. It is a journey of connectedness from Kinglake to Kabul. In his foreword, Principal Greg Williams wrote:

In the post devastation silence they are the voices of promises and hope.

The students who had lost so much wrote:
We know our disaster is nothing compared to 30 years of war in Afghanistan, but it has helped us to understand and care for others.

They have now published a second book, titled *From Kinglake to Kabul*, which was launched on 13 February. I was proud to be there for the launch and I can say, after just reading the book, that the stories the children have written themselves—their own personal recollections—are very powerful, very raw and very honest. The book is worth reading and it was a pleasure to meet the students there, from Kabul and from Diamond Creek, who had put pen to paper. As I said, the book—the words of those students from year 8 and year 9—is very powerful.

Many locals in our area have devoted themselves to the recovery of bushfire affected communities and the landscape, helping those around them, some of whom they have never met, despite having lost so much themselves. People like Alex and Julie Sutherland, with the VFF, have coordinated thousands of volunteers to the affected properties to help clean up fences and erect new ones. Julie and Alex made the decision to deploy me and a group of Year Labor volunteers to a property in St Andrews to help with rebuilding. The property was once a home to Felicity and Peter Wiltshire, volunteers from the St Andrews CFA, before it was burnt out by the fires. Peter had been a volunteer with the CFA for over 23 years and Felicity had established a local Fireguard group, a group of young people concerned about fire prevention, protection and management. As we put up the fences, I knew that we were helping people who had devoted their lives to helping others, although the hours that we spent there would never amount to the hours they had given in their time with the CFA.

*A division having been called in the House of Representatives—*

**Sitting suspended from 4.47 pm to 5.04 pm**

Mr MITCHELL—As I was saying, we were deployed by Alex and Julie Sutherland and the VFF to go out and help rebuild fences in bushfire affected areas. Peter has been a volunteer of the CFA in St Andrews for 23 years and Felicity established the local Fireguard group—a group of local people concerned about prevention, protection from and management of fires. We put up new fences and I knew that I was helping people who had devoted their lives to helping others. Although the hours we spent there would never amount to the hours they had given to the local CFA, we knew it was of some assistance. We knew that the fences were an everlasting reminder of our commitment and support, because we were united in the belief that we would rebuild.

Although communities are starting to get back on their feet, there is still a long way to go and much more work to be done. Today I would just like to remember some of the towns that were affected, such as Strathewen, St Andrews, Arthurs Creek, Kinglake, Kinglake West, Pheasant Creek, Whittlesea, Humevale, Marysville, Narbethong, Buxton, Taggerty, Flowerdale, Glenburn, Strath Creek, Upper Plenty, Clonbinane, Redesdale, Reedy Creek, Castella, Wondong, Heathcote Junction, Healesville, Chum Creek, Toolangi, Yarra Glen, Dixons Creek, Steeles Creek and Christmas Hills—and others that were affected as well.

I am also reminded of what local resident Gary Hughes wrote, when he said:

BLACK Saturday survivors know calendars lie. They might chart the passage of days, weeks, months and years, but they do not record the passing of time.
That is why Black Saturday happened only yesterday, as far as survivors are concerned. And it will always be so, no matter how many weeks, months or years the calendar insists have passed since February 7, 2009.

Black Saturday is a constant companion. It is there haunting your thoughts when you are awake. It is there stalking your dreams when you try to sleep.

Like other survivors, we have tried to move on. Physically, we have partly succeeded. We have swapped our blackened 8ha hilltop at St Andrews for a charming 60-year-old renovated house with an equally charming, lush green garden in Melbourne’s inner northern suburbs.

There are no gum trees. We decided we could not face those future summers, when the hot, dry northerlies inevitably reignited the fears and brought back the trauma of Black Saturday. We could no longer face that annual routine of bushfire preparations. And we were not prepared to live our lives as seasonal gypsies, packing boxes of important papers and precious possessions into cars and leaving home on every high-risk day. (After our experiences on Black Saturday, staying again to defend would never be an option.)

We know we are lucky.

He went on to say

In some cases families have been torn apart over this decision.

We are full of admiration for those determined to rebuild. But to us, that blackened and bare hilltop will never be the same.

These personal stories are echoed right across the scarred landscape from Clonbinane to Marysville. From Flowerdale to St Andrews and all points in between ordinary Australians are wrestling with the demons that this fire brought upon them. It is important to recognise and acknowledge everyone’s individuality when facing the challenges of recovery. Surviving this traumatic experience has changed many lives in our communities forever, leaving many struggling to return to normality as they face the challenge of learning to live with what we call ‘the new normal’. This will not happen overnight. People will do it, but they will do it in their own time, at their own pace and in the their own way. Our obligation is to be there with them as they recover and rebuild.

On the second anniversary, Cathy Soulsby from Clonbinane wrote a wonderful poem, Recovery Rainbow; that, with your indulgence, I would like to read. I think it goes a long way to describing the thoughts and feelings that people are having since this tragedy.

In this summer of green and gold,
Dark memories of that day we hold
Deep within, for the scars remain
Like a tattoo, a permanent stain.
That day which threw our lives off track
We went out of the red and into the black,
We stood on the rim of a bottomless pit
Then we climbed our mountains bit by bit.
It’s hard to believe two years have passed,
To me, at least, it’s travelled so fast,
Now the bush rebounds with verdant passion
In a kind of jungle fashion.
So as we journey into the pink
It’s a time for reflection, a time to think,
A time to rejoice in what we’ve achieved,
A time to surrender all we have grieved.

I think that is a beautiful poem that goes to the very heart of the things that people are facing.

I could never name the volunteers and the people who have been so special to the community since that time, but I think it is important to thank the Prime Minister, Julia Gillard, for everything she has done following on from the work of the former Prime Minister Kevin Rudd, and Bill Shorten as the Parliamentary Secretary for Victorian Bushfire Reconstruction. I know with Bill that just about every day I would get a phone call from him to say, ‘We are going to do this. Come and see what is going on.’ And we would sort of tick tack across the electorate to find ways that we could cover as much as we could to help as many people as we could who were recovering and were suffering during that time.

Two years on, we have come a long way. We know there is a long way to go. I certainly hope for our Queensland friends and those affected by the floods that the lessons we learnt during Black Saturday and afterward will go a long way to helping their recovery, helping them get back to normal as quickly as possible knowing full well that ‘normal’ will never be normal again.

Mr FRYDENBERG (Kooyong) (5.10 pm)—I rise to support this motion of commemoration. This week marks the second anniversary of the terrible natural disaster now forever known as the Black Saturday bushfires, an event more devastating than the tragedies of Ash Wednesday in 1983 and Black Friday in 1939.

Between 7 and 9 February 2009, under a combination of high temperatures, strong winds and tinder-dry forests, a series of devastating bushfires—more than 300 across the state—raged throughout Victoria, ravaging woodlands, tearing through towns and tragically taking 173 precious lives, including 23 children, and injuring more than 800 people, many suffering serious burns. The fires that started on that hot, 40-plus-degree day ended after consuming more than 2,000 properties and destroying 430,000 hectares. Hundreds of businesses were lost or damaged by the flames.

Every Victorian has been affected by the fires of Black Saturday. I remember the day vividly: the intoxicating heat hitting one like a wall. One can only imagine the intensity of the heat in the fire zone and its thunderous roar. And every Australian has been shocked by the devastation caused by fire, created either by intent or by accident and assisted by the natural environment. It is difficult to comprehend the horror of the situation which so many Victorians, so many Australians, found themselves facing while the fires raged. Unfortunately the ferocity of the fires on Black Saturday was of such a nature that the best laid plans were just not enough. The rage of the fire caught people off guard and people perished in homes that they were unable to defend from oncoming flames and in cars while they were trying to escape.

Over those terrible three days, locations such as Flowerdale, Kinglake, Kinglake West, Marysville, Narbethong and Strathewen were left unrecognisable. Around 78 Victorian townships were directly impacted in the consuming path forged by the fires. We will not forget the devastation caused to Bendigo, Buxton, Callignee, Churchill, Coleraine, Dioxons Creek,
Drouin West, Heathcote Junction, Horsham, Humevale, Koornalla, Longwarry, Mittons Bridge, Mudgegonga, Narre Warren, Reedy Creek, Smiths Gully, St Andrews, Steels Creek, Strath Creek, Taggerty, Toolangi, Upper Plenty, Wandong, Whittlesea and Yarra Glen. The story told by survivors tells of a fire they barely saw coming, of a fire they never knew had arrived. They tell of a fire that moved at lightning speed and of a fire that leapt forward and soared high. And they tell of family, friends, neighbours and whole communities lost. But they also tell a tale of survival.

I want to acknowledge the wonderful work of the SES and CFA volunteers, the police, the fire brigade and ambulance services, the Defence Force personnel, the Red Cross and thousands of other volunteers for their work in assisting those affected. I also want to acknowledge the leadership of the former member for McEwen, Fran Bailey, the current member for McEwen, Rob Mitchell, the member for Indi, the member for McMillan, the member for Casey and the member for Bendigo for the incredible work they did in assisting their local communities to rebuild. I also want to acknowledge our then Prime Minister, Kevin Rudd, and our then opposition leader, Malcolm Turnbull, for their efforts.

It is also heartening to hear of the progress made by the Victorian Bushfire Reconstruction and Recovery Authority. Over 700 building permits have been issued, over 90 per cent of fences have been repaired and direct financial assistance has been provided to nearly 60,000 families and individuals. And it is heartening to hear of the new initiatives announced by the Baillieu government, including the new Fire Recovery Unit located within Regional Development Victoria and the new Bushfire Communities Support Program with a personal support helpline and other services for those in need. With over 300 families continuing to access counselling and other related assistance, the importance of these services cannot be overstated.

We must pay tribute to the strength of those who survived the fires of Black Saturday and continue to provide support to the very people and communities who lost so much, as they, now more than two years on, rebuild their lives and their homes and heal their souls. Their courage, the courage of all the communities affected by Black Saturday, continues to be a great inspiration to me and to all Australians. We have done and will continue to do all we can to assist them in their recovery. It is our duty.

Mr McCLELLAND (Barton—Attorney-General) (5.16 pm)—I commend all speakers on their contributions to this debate. The Australian government has joined with Victoria and the rest of Australia in marking the second anniversary of the devastating Black Saturday bushfires. Those bushfires were Australia’s worst fire disaster since Federation, claiming 173 lives, devastating entire towns and communities, destroying more than 2,000 homes and leaving thousands of residents homeless. Black Saturday, 7 February 2009, will be forever etched in the nation’s memory as a day of mourning but also one of tremendous spirit and inspiration. This has been commented on by former speakers. The tragedy brought out the best of the Australian character and inspired countless acts of bravery, heroism and generosity. It also brought to the forefront the courage of the Australian people, the local leadership and the spirit and resilience of local communities. Our thoughts are with the survivors of the bushfires as they remember the people they lost and they work to rebuild their lives and their towns. This anniversary reminds us all of how hard it is and how long it takes for individuals and communities to recover from devastating events such as Black Saturday.
Firstly, I would like to acknowledge the tireless and selfless efforts of volunteers supporting affected communities. The strong local trait of independence, commitment and self-determination has ensured the recovery of the communities of Victoria. I would also like to formally recognise volunteer employers and self-employed volunteers. Many employers of volunteers have contributed and continue to contribute direct and indirect time and also resources to emergency management and recovery organisations. As I mentioned during the motion of condolence in respect of the Queensland flood victims, no other country in the world has so much of its emergency management capability based on volunteerism. That is something that we should be proud of and that would not be possible without supportive employers. The Australian government has stood side by side with local communities, the Victorian and local governments, businesses and non-government organisations in the effort to rebuild bushfire affected communities. More than $468 million has been provided by the Commonwealth government to assist and support the reconstruction.

On 31 July 2010 the Australian government welcomed the final report of the Victorian bushfire royal commission. The report contained 67 recommendations, of which five were primarily directed at the Commonwealth. These relate to bushfire awareness and research, Commonwealth firefighting resources, bushfire arson and environment protection legislation. The Commonwealth strongly supports each of these recommendations. The government has already implemented a number of recommendations from both the interim and final reports and is committed to continuing its cooperation with the Victorian government and the Victorian Bushfire Reconstruction and Recovery Authority to ensure the needs of local communities are met.

More than $1 billion has been invested across bushfire affected areas under the Nation Building Economic Stimulus Plan, generating significant economic activity and employment opportunities for the community. The government remains dedicated to supporting those affected by this terrible disaster and working with the Victorian government to assist in the implementation of recommendations made by the commission. In cooperation with states and territories, the Australian government has supported a range of measures to ensure that Australians are better prepared for bushfires. This has included, for example, the provision of $26 million for the development of a national telephone based emergency warning system, Emergency Alert, and convening the inaugural bushfire preseason briefing for emergency management officials. I am informed that in excess of six million SMS messages have gone out on Emergency Alert to date.

Today, in a country where extreme weather conditions and the continuing risk of bushfires are a reality, the tasks faced by our firefighters, volunteers, communities, government and industry are more challenging than ever. In the midst of the worst flooding and cyclone season that Australia has faced, the communities in Perth also faced extreme fire conditions, resulting in the destruction of a significant number of properties. In 2009, Victorian bushfires reinforced this message all too clearly. The devastation of this event was a reminder of the impact that fire can have on all of us regardless of where we live.

As the Council of Australian Governments has recognised, climate change will increase the intensity and extent of many extreme weather events. Events such as the recent Queensland and Victorian floods and Tropical Cyclone Yasi are unavoidable and will be an inevitable part of our future. We also acknowledge that, in the face of a likely increase in the frequency and
impact of natural hazards, protecting communities from the impacts of these threats is a shared responsibility. It cannot be borne by a single agency, organisation or sector in isolation. Rather, an integrated approach to managing emergencies and disasters across all levels of government, the private sector and the community has been adopted. This ensures Australia is better able to withstand a crisis and have enhanced ability to recover from impacts—that is, to make a resilient community.

The Council of Australian Governments has now adopted a National Disaster Resilience Strategy involving all arms of government and the private sector. The government is both strengthening national partnerships for emergency management and encouraging communities to take a more hands-on approach to developing self-reliance. The reality is that governments have finite resources to protect our country and its diverse and greatly dispersed population, so it is imperative that we work together in partnership to ensure everyone can be better prepared in times of these inevitable crises. Above all, the government remains firmly committed to assisting the states and territories to improve emergency management arrangements by enhancing Australia’s resilience to disasters. We aim to do that community to community.

The recent natural disaster events in the states of Queensland, Victoria, Western Australia and New South Wales demonstrate that we have learned from Black Saturday and that the Australian spirit continues to shine. The anniversary of the Black Saturday bushfires represents an important opportunity to reflect on the terrible tragedy but also, as former speakers have acknowledged, to admire the courage and spirit of Australians and to acknowledge the critically important work of our emergency services and volunteers and the generous support of the Australian community in helping those in need.

**Mr TEHAN** (Wannon) (5.24 pm)—No-one can deny that the events of Black Saturday and the bushfires of this period will go down in Australian history as a most tragic and heartbreaking experience. Sadly, the death and injury toll will always remain as stark reminders of this. The fires were the worst that Victoria, and Australia, have ever seen. It is in recognition of this great tragedy and its immeasurable losses, as well as with a sense of pride in the community response, that I stand with the parliament today in support of this motion. My electorate of Wannon was touched by this tragedy. The people of Coleraine had reason to fear that lives may be lost when a fire ignited on a day when temperatures in excess of 40 degrees were recorded. Fortunately, this did not occur. It did, however, burn 800 hectares on the outskirts of Coleraine and 1,300 hectares in Camperdown. While arising out of the most dire circumstances, the example of resilience and the sense of camaraderie which Australians showed in response should not go unnoticed, nor should the severe injuries that were suffered by one Coleraine resident in defending against the fires.

My predecessor, the Hon. David Hawker, spoke of the contribution of a family from the town of Heywood, in my electorate, not long after the fires took place. The family selflessly contributed $950, from the then recent economic stimulus package, to support the Red Cross bushfire appeal. Such generosity is a symbolic reminder of the goodwill which exists in the Australian nation. In addition to acts like these, we cannot forget the volunteer firefighters, the SES, the police and the Red Cross, who braved extremes of temperature for what they saw as being the right thing to do on that tragic day.

This community spirit is still reinforced after two years by the actions of those in my electorate and others. It must have been difficult for Coleraine’s residents to handle the burning
down of its avenue of honour, erected in 1919 in commemoration of those who fought in the First World War. It is with great pride, though, that I can report on an event which took place in the town to commemorate what has happened. Two weeks ago the people of Coleraine unveiled a plaque and sign, as well as the replanted avenue, to commemorate not only those who suffered in the bushfires but also those lost in World War I and all wars which have since taken place.

I am told that this has been a whole-of-community effort—and I have witnessed that—led by the local RSL club and with input from the Coleraine community as a whole. It has involved schoolchildren in the planting—and I was fortunate enough to attend on the day when the plantings took place nearly a year ago today—as well as donations and support from the townspeople. Their effort and resilience is to be applauded. This is the stuff that makes you proud of the spirit of generosity that we have in this country. These examples make me, as a member of this place, profoundly humble.

While this may show a most decent side to the responses of our community, it does not diminish the immense tragedy of Black Saturday, nor does it console those whose losses will be felt forever. It cannot. Electorates other than Wannon, most regrettably, were not so fortunate in the toll of people’s lives. Although I cannot speak of the immense grief with which many have been so affected, I, like other members of this place, have met with family members of those lost. I sincerely feel for them and for others in those electorates who have been affected by this tragedy. It is with great sadness that I remember the funeral I attended of a Liberal Party member who lost his life in the Black Saturday tragedy. A mother, father and brother were lost, leaving surviving twins. As the three coffins were taken into the church that day, the grief knew no bounds. For me, this will always be a very, very sad and stark reminder of the toll that the fires took on Black Saturday.

In remembering this, I particularly note the members of the electorates of Bendigo, Gippsland, Indi, Mallee, McEwen and McMillan. I would like to take this opportunity to remember the previous member for McEwen, Fran Bailey. I had the distinction and honour of being Fran’s chief of staff and I cannot speak highly enough of the way that she comforted and nurtured people and dealt with the tragedies that took place on that day and helped her community begin the process of recovery. I can say with great confidence that all of those electorates will be doing what they can and will have done what they can to commemorate and honour those who were affected at those times. Listening to the new member for McEwen in this House just before, I can see that that is taking place.

The statistics from Black Saturday are staggering—173 lives lost, over 400 people injured and 450,000 hectares burnt. As I have said, the statistics almost beggar belief. But statistics cannot measure the loss experienced by those affected. One hundred and seventy-three people lost their lives in the fires, many more lost a member of their family and many more again lost a friend. Many lost more than one. These are not numbers but lives, not hectares but properties and livelihoods.

The week before last I spoke in this parliament on the issues of the reconstruction of local roads and infrastructure following the recent floods, which also touched my electorate. As I said, the damage to property resulting from disasters such as these does not disappear overnight. After two years, the sense of deep loss cannot be underestimated. It is at this time that we need to pause to reflect and offer our sympathies to those whose loss cannot be regrown.
and make it clear to them that they remain in our thoughts. It is for this reason that I stand in support of this motion, offering my condolences to all those affected by the events of Black Saturday. On this occasion I can only reflect on this great tragedy and say that I and the electors of Wannon have not forgotten those who suffered so tragically two years after the time that it passed.

Mr Rudd (Griffith—Minister for Foreign Affairs) (5.32 pm)—in reply—On 21 February 2009 I paused to reflect on the devastation wrought by the Black Saturday fires on Victorian towns and on the collective heart of Australia. I promised then that those affected would not be alone, that they would not be forgotten and that we would rebuild. One year on in February 2010 as Prime Minister I reflected on the magnitude of the loss. One hundred and seventy-three Australians lost their lives and more than 800 others were injured, some with a horrific burns. More than 1,800 homes were destroyed and more than 15,000 people registered as affected by the fires at relief centres and other official areas in the days after the firestorm.

Donations of clothes and food flooded in, driven by a truckies who simply got into their rigs and drove for hours and, in some cases, right across the country—I remember meeting one of them at the time who had driven all the way from Perth—with one simple thing in mind: to help their fellow Australians. As a Queenslander I have experienced a lot of that just recently. It is the same Australia, the same spirit of reaching out to one another when the elements turn against us. We did then and we will do so again. Let us not forget that $318 million was donated to the Red Cross Victorian bushfire recovery appeal. That was one year ago.

Two years on, we reflect once again on that tragedy, the effects of which rippled through our nation and across the ocean. Today I would like to reflect on some individuals. Stephen Lackas, self-employed stonemason, was the first fatality, I am advised, of the Black Saturday fires. When fire threatened Upper Plenty, Stephen sent his wife, Sandra, and son, Bailey, to safety while he remained to stand and fight. Like many, Stephen was not able to adequately assess the danger because of the thick smoke that shielded the flames. By the time he was ready to concede, the flames had surrounded him. Two years on, Sandra and Bailey are symbols of hope. They have rebuilt on their land a home that Stephen envisioned for the family. Their horses survived—they have even thrived—and Bailey takes great delight in caring for the new foals. He is a little boy but a very big hero in my books. Not content to rebuild their own lives, Bailey and his mum will travel to Queensland, my home state, to help in the wake of the devastating floods. Sandra was adamant that, to repay the goodwill that had supported them in their bleakest hours, it was right to pass it on to others.

In the weeks immediately after the fires, I met Ziad Ghobril, a local sparky and a member of the recovery effort. Ziad and his team of 30 worked with the Army and other authorities to restore power, provide emergency generators and reconnect power lines to communities decimated by fire. Ziad exemplifies the Australian spirit. When the blaze was at its peak, Ziad rang his employee, Jason Lynn, and urged him to flee to safety. But Jason was not ready to abandon hope. Jason battled resolutely to save the handcrafted furniture and tools his late father had bequeathed him. Jason was also among the many who underestimated the ferocity of the fires that Black Saturday. After the flames consumed his home and his shed, Jason fled with his life, only to collapse on the outskirts of the property. Startled awake by the mobile phone, Jason took heed of Ziad’s advice to him to get to the dam. With Ziad’s voice to keep him company, Jason lay semiconscious in the shallows of the dam, the screaming of animals
in nearby paddocks ringing in his ears. Ziad raised the alarm with Whittlesea fire station and a CFA team was dispatched. Jason was ferried to safety.

In nearby Kinglake, as the flames licked the fringes of their property, a young couple bundled their two children into the car and attempted to negotiate a road blanketed by thick smoke. As the husband and father concentrated furiously on the white line dividing the road, cars on either side exploded in flames or careened into trees. The wing mirror liquefied in the heat of the encroaching flames and a burning man thumped wildly on the car window, begging for salvation.

These are truly horrible scenes, not from an apocalyptic film but, rather, from what we saw on Black Saturday. This is the horrifying recollection of Darren Wakelin from the day the Black Saturday fires engulfed his property. Darren, his wife, Bronwyn, and their two children were lucky to survive. After a period of solemn reflection, they determined to rebuild in Kinglake. Their return was marked by a chorus of car horns from the close-knit community. Like many others, the support shown by local, national and international communities has given the Wakelin family the strength to rebuild.

The Davey family were not so lucky. Rob and Natasha Davey were soul mates, with a relationship spanning almost 20 years. Rob was confident that the fire pumps, poses, mops and buckets on hand would be ample to save the family home on Bald Spur Road. But nothing could have prepared the young family for the onslaught on Black Saturday. Rob, Natasha and their infant daughters, Alexis and Jorja, perished in the ferocious fires that tore through Kinglake. Further up the hill on Bald Spur Road—renamed ‘Bald Spur cemetery’ by locals—Graham McKee looks down on the ruination. The Davey home is marked by two dead flowers fastened to a post. Sixteen of Graham’s neighbours perished on a stretch of road he still cannot bring himself to traverse.

A year after the fires, small shrines were erected outside flattened family homes, relatives unable to move forward. In other parts of the town, hammers and saws rent the air, signs that some folk were ready to move forward. Kinglake pumpman Ross Buchanan was ready to defend his home from the fires that threatened his town. He dropped his two kids Neeve and Mackenzie at the home of his in-laws for safety. With the support of his neighbours, both equipped with fire hose reels, Ross triumphed and his home was saved. He returned to find his mother-in-law in intensive care with severe burns and news that his children had perished. As a father I really cannot begin to fathom this pain; I do not dare to.

One year on, with remarkable spirit and humanity, Ross orchestrated a thank you concert to acknowledge the efforts of the millions who had helped devastated communities recover. That is very much the Australian way. It is good to see it at work today. Where ash covered the land, bright green shoots have pushed through the surface. Bright green moss has emerged and ferns have sprung to life. Eucalypts sport new growth to nourish their stricken communities. Folks have returned, businesses have reopened and families have rebuilt. Schools have reopened and the community has regained a routine and a semblance of normality in the wake of this most extraordinary of tragedies. With a long way to go, the healing process has begun.

The fire ripped the guts out of these communities. For those of us who saw it at the time and for those who supported local families at the time it leaves an indelible impression on your mind, your heart and your memory. But that is for one who just visited, not for one who was among it. To be among it, I marvel at the courage of those who have come through.
banish those memories from your mind is near impossible and to now fashion new hope and new life, particularly with little kids at stake, takes courage beyond all measure. So for all those good people of all those great towns which make up the fabric of rural Victoria and rural Australia: we remember you on today’s date. We remember you on this commemoration. We remember you because what you went through was just plain unfair and this is a time for remembrance.

Mr CHESTER (Gippsland) (5.42 pm)—I join with the Minister for Foreign Affairs, the member for Griffith, in his contribution to this debate, particularly in the context of his role at the time as the Prime Minister. The member for Griffith called me on the phone the day after Black Saturday, as I was driving between Rosedale and Sale. He said, ‘It’s Kevin—Kevin Rudd.’ I said, ‘Sure, Kev, how ya going?’ assuming it was one of my mates from the function I had been at the night before. He said, ‘No, Darren, it is Kevin.’ So I pulled over to the side of the road, as I was having a bit of a panic attack, thinking, ‘What does the Prime Minister want with me?’ I thank you, Member for Griffith—when you were Prime Minister at the time—not only for the compassion you showed the people of Gippsland but also for the energy you had for the task in making people feel confident that the nation was behind them. I still remember your comment about rebuilding the community ‘brick by brick’. I think the people in the most adversely affected areas appreciated the support you gave them at that time. I certainly cannot find any fault with the way you conducted yourself as our national leader at that time. The parliament itself performed at its best in the aftermath of the bushfires. I had enormous support from not only my colleagues on this side of the House but also those on the other side. I greatly appreciated that at what was a very emotional time for many people.

In joining the debate I want to commend all other members who have already spoken on their contributions. I thank them for making sure that the victims of the 2009 bushfires are not forgotten in this place. As the years pass and the memories for those of us who were not directly in the firestorm may fade, the recollections for many people in the community are as vivid as though it happened only yesterday. In my community it only takes a forecast of a hot northerly wind or a forecast of a summer day of 42 degrees to remind people of the pain and suffering that our community felt and then endured on Black Saturday. Many of the survivors I have spoken to over the past two years have told me that they just have to smell wood smoke and it is enough to spark some unwelcome memories for them and trigger a nervous reaction. But as the bushland is regenerating in Gippsland and as homes and public buildings have been constructed we need to remember that many people still face enormous personal battles as they rebuild their lives. As I said at the outset, we must never forget them and we must support them as they recover at their own pace from this disaster. As the member for Griffith indicated, this will be very much a defining moment in people’s lives. They will define their lives from what they did before the bushfires to what they have done after the bushfires. I think some people will not completely recover; others will recover at a different pace. But we need to be with them and support them in that process.

The bushfires of 2009 claimed 173 lives across Victoria, including 11 Gippslanders in very small communities like Callignee, Kooramalla, Traralgon South, Hazelwood and Jeeralang. These were small communities where a lot of people knew the victims very well, so it was a blow to their families, to their friends and to a much wider community of people who were directly affected by the personal losses. I do not want to dwell too much on the past today, but
Monday, 21 February 2011  HOUSE OF REPRESENTATIVES  801

it is important to remember the lives that we lost, the enormous destruction of homes and public facilities and just the sheer scope of the disaster as it spread right across Victoria.

In addition to the Black Saturday fires, my community suffered the previous week with 30 homes and 79 sheds destroyed in the Boolarra fire, which is often forgotten about by people outside Gippsland. By any estimation, the Boolarra fire itself was a terrible event which struck right across that district, but the size and scope of the disaster which followed just seven days later dwarfed the tragedy in Boolarra.

On this, the second anniversary of the bushfires, however, I can report plenty of positive news in my community. In Boolarra itself I recently attended the official opening of the new CFA sheds. It was a great tribute to the hard work of the local community and businesses which helped to sponsor the project. I wish we had the people of Boolarra building some of our other public projects throughout Victoria, because they achieved an enormous amount of value for money for their work. The way they pulled together and were able to build that facility is a real credit to the whole community. The official opening was a huge community occasion and a real celebration for the Boolarra district.

That has probably been the biggest positive to arise from the ashes of Black Saturday in Gippsland. Our communities really have pulled together. We have seen an enormous unity of purpose and community spirit on display across our region. We have certainly been challenged by the fires, but by no means have we been beaten. I would like to reflect on the words of some of the local people who have been directly involved in the recovery from the disaster, in some quotes from them on the second anniversary of Black Saturday. Ange Gordon, who is the former Traralgon South and District Community Recovery Committee chair, told the local media:

At the end of the day, you can reflect back (on the past two years) and say it has been long and hard but here we are and you can get bigger and stronger communities out of going through these adversities …

In a similar theme, Tineke Westwood, from the Traralgon South area, whose home was actually destroyed by the fires, said:

It’s not a fake positivity, I could be upset and cry and sulk, but what’s the point?

She said:

We’re a very lucky family because we’re alive, we got out on time.

Finally, the eastern region task force leader, Anthony Matters, who is assisting with the flood recovery efforts in Queensland, said:

It feels like we are part of a bigger community to lend a hand to those across the other side of the state …

He said:

Members came to our aid during the fires … it is fulfilling to be able to lend a hand.

In the time I have available I would also like to note the contribution by my state colleague the member for Morwell, Russell Northe. Russell’s efforts during the Black Saturday bushfires, the response phase and the long months of recovery have been quite extraordinary—an outstanding service to his electorate. I think that was reflected in the support he received at the recent state election. Often you do not know what to do as a local member in these situations. My heart goes out to the members from Queensland who experienced Cyclone Yasi and the flooding, among with the member for Mallee, in northern Victoria, and other members.

MAIN COMMITTEE
When you have these natural disasters you really do not know what to do as a local member. Russell North was able to just be there for his people. Morwell is quite a small electorate, but he was able to be there for the people and offer them support, follow up on their concerns and chase down any assistance that was required, perhaps when it was not provided quickly enough. He did a power of work for his community, and I commend him for that. Russell recently spoke also in state parliament on the anniversary of the bushfires, and I will just reflect for a moment on a couple of comments he made. He said:

… I am absolutely filled with pride at the generosity and goodwill that has been displayed 1000 times over by so many wonderful people in the Gippsland community, to the extent that now many of those people are also extending their offer of support to those impacted by the floods in Queensland and Victoria.

That is something that we are very proud of. The people of Gippsland, despite the adversity they have been through, are now actively participating in the disaster recovery efforts around the state.

I would also like to commend the other members—the member for McEwen, who is in the chamber, and his predecessor, Fran Bailey, as well. I congratulate him, naturally, on winning the seat but I would also like to recognise the work that Fran did in probably one of the worst affected parts, if not the worst affected part, of the state. I know that a couple of times I had the opportunity to meet with Fran and other affected members, with the Prime Minister, and I can reassure the people of McEwen that they had a real champion in the room. She was very dogged in her pursuit of making sure that her community’s concerns were heard.

I would also like to commend my neighbour in Gippsland, the member for McMillan. He is another man who was very dogged in his determination to make sure that the people of McMillan were never going to be forgotten in the aftermath of the bushfires. And in his presence, I note the member for Maribyrnong who had charge of the bushfire reconstruction in a ministerial capacity. He also did a very good job in presenting the views of the Victorian community to the federal parliament. In many ways the recovery effort has become a guidebook on how to go about some of these things. I think we learned a lot as a nation on how to go about a disaster of this scale. I know the member for Maribyrnong believes that it has probably assisted him in his current role of dealing with flood disasters. We have learnt a lot from that experience and I will talk little bit about that in a few moments time.

I would also like to recognise the member for Indi and the member for Bendigo, whose electorates were also directly affected. I would also acknowledge the member for Wentworth, who at the time was the opposition leader, who came to Gippsland and spent several hours with me going around talking to people who were directly affected. There were no TV cameras or newspaper photographers there. It was just a matter of going out to meet with the affected communities and helping them gain some understanding. I know that he was struck by the ferocity of the fire. At one place, in Callignee, we came across a four-wheel drive where, on one side of the vehicle facing the fire front, the alloy wheels had melted and were lying on the ground in a pool of silver. On the other side of the car, not in the direct line of the fire front, there was still rubber on the tyres. It just goes to demonstrate that the radiant heat must have been extraordinary. Seeking any form of shelter for people caught in those fires would have been extremely difficult. I know the member for Wentworth was certainly struck by the extent of the damage and the ferocity of the blaze that had gone through the Callignee area.
I believe that the members of both sides of parliament were very strong in adversity but they only had to look at the communities across Victoria to draw inspiration. We had people who were doing such extraordinary things. The Minister for Foreign Affairs talked a moment ago about the number of people prepared to drive long distances just to be a part of it, just to provide some support to their fellow Australians in need. Everyone simply wanted to do their bit. This summer, we are again seeing people who are determined to assist the people across Queensland and northern Victoria who have been affected by flooding.

I still believe we have a long way to go though. On the second anniversary the rebuilding of private homes is continuing, but many families have suffered relationship breakdowns in the aftermath of the tragedy. The social costs that we are starting to see in our communities is something that perhaps goes unnoticed in this place. You can see a house rebuilt, you can see a community hall rebuilt, but the lives of families that have been directly affected are very difficult to repair. Some families have been torn apart in the aftermath of the tragedy.

We do live in a very fire prone environment in Victoria and there will always be days of high fire risk and summers which are hotter and drier than the one we are currently experiencing. But even during this comparatively mild summer there is a fire risk. Gippsland this year has experienced one major outbreak on 11,000 hectares, which burnt two houses and some sheds in the Tostaree region of East Gippsland. Thankfully though, there was no loss of life. I thank the firefighting personnel for their efforts in extremely difficult conditions on that day.

We will continue to experience bushfires in the future and it is up to governments, I believe, to do everything in their power to help prevent outbreaks wherever possible, to minimise the impacts of fires when they occur and to assist the communities as they recover—as we have done over the past two years. We simply must learn the lessons of 2009. One lesson which is patently obvious to me is that there needs to be an increased focus on fuel reduction burning. I note the commitment of the new Victorian government to treble the amount of burning it undertakes across Victoria. Fuel reduction burning will not prevent fires but it will reduce their intensity. Some extreme elements of the Greens have in the past opposed fuel reduction burning and the tragedy of Black Saturday seems to have silenced a lot of them. We need to undertake an extensive program of burning right across regional Victoria and on the suburban interfaces to protect life and property and to sustain the environment—and that is a point that is well worth making. The bushfires which raged across Victoria in 2009 were extraordinarily hot. They scorched the earth and devastated the natural environment as well as man-made structures in their path. The impact on wildlife will be impossible to calculate. As an environmental measure and for the protection of life and property we must commit ourselves to delivering an extensive fuel reduction program across Victoria and across our nation.

I am also concerned about the development of early warning systems. I believe we have to be very careful in the way that we portray these early warning systems to the broader public. We need to make sure that these systems, which have great merit, are not something that the public become dependent upon. They cannot be allowed to get to the situation where they believe they are going to get a warning of when to evacuate, that they are going to get some sort of message on their mobile phone telling them where the danger is and when they have to get out. It is simply not going to be achievable in much of the environment across Victoria. In many parts of Victoria we have mobile phone black spots where text messages, particularly in
the most fire-prone areas, simply will not get through. So we need to be very careful in the expectation we raise in the community about early warning systems.

I also think we need to make sure we do not scare people away from regional areas. Much of the commentary in the media in the aftermath of the bushfires was so extreme, warning of catastrophic days and extreme weather events as if you simply cannot visit parts of regional Victoria. I think that is a message that we need to be very careful about. We run the risk of destroying small business, destroying our tourism industry and scaring the tree changers—the people interested in moving to regional communities. We run the risk of scaring them away with some of these messages. You can live in regional Victoria. You can have a great life in regional Victoria. We need to make sure that people are well prepared for bushfire events, that they understand the risk but that we do not scare them away.

I also think that we need to remain vigilant and impose some very severe penalties upon those who deliberately light fires on days of extreme danger. I do not believe we have gone far enough with our efforts to protect the community from arsonists. I have sought a national database of arsonists to ensure that people who have committed such crimes in the past are subjected to increased monitoring in the future. These particular individuals are known to wait for the right conditions to light fires. If they are caught, part of their punishment needs to be ongoing scrutiny. It may sound draconian to some, but I would have no hesitation in supporting the development of a national database of high-risk offenders, including monitoring and surveillance measures and the use of electronic devices to track their movements for the rest of their miserable lives. The pain and suffering caused by deliberately lit fires demands extreme action to help protect our community from such criminal acts in the future. I urge both state and federal governments to think very seriously about how we are going to make sure that people who have committed such crimes in the past are constantly monitored, particularly on days when extreme fire events are possible. As we reflect on the 2009 bushfires, we must commit ourselves in this place to learning from the experience and doing everything in our power to prevent such a tragic loss of life in the future. I believe we owe that much to 173 victims and their families.

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (5.57 pm)—I would like to acknowledge the words of the member for Gippsland, who just spoke then, and put on record that he, along with other members of parliament, has worked continuously since the Black Saturday fires to help these communities reconstruct and recover.

On 30 July 2009 I described Black Saturday in this place as without a doubt the greatest peacetime disaster in Australian history. So it remains. Today, with this muddy wretched summer of 2010-11 still fresh in so many of our minds, it would be more than understandable for many Australians to be focused almost entirely on the natural disasters which we are still only cleaning up from and rebuilding. While all of us in this place have spoken formally to the condolence motion and what we have seen in recent times across much of Australia, the profound and enduring view remains in our society that the Victorian bushfires and the destruction of two years ago still remain the greatest peacetime disaster in Australian history.

It is fitting that parliament is formally remembering those whom we lost in the Victorian bushfires. I had the privilege to attend the second anniversary ceremony in Federation Square, and it was very well done. I believe that for many of the people who attended it was an oppor-
tunity to take another step on their personal paths to recovery. But in speaking here, and
speaking softly, I am in firm admiration of the courage of the 33 distinct and very different
Victorian communities representing 78 towns across Victoria who faced the wrath of Mother
Nature as she tore through our beloved bushlands, towns and neighbourhoods.

A melancholy lesson for me in all this black horror of the bushfire tragedy was that the
concept of a community itself perhaps has never been stronger, more evident or more inspir-
ing than when a group of good people face great trauma, emotional and physical loss and
acute economic stress. I speak here of many communities, each of whom experienced this
disaster in its own different way. In doing so, I think at this point I would also like to ac-
knowledge other members of parliament I worked with directly: the member for Ballarat, the
member for McMillan, the member for Mallee, the former member for La Trobe and the cur-
rent member for La Trobe, the former member for McEwen and the current member for
McEwen. There was also, of course, the Minister for Families, Housing, Community Services
and Indigenous Affairs; the former Prime Minister; and many at the state and local level who I
will refer to later in my presentation.

But the community I most recall in all of this is of course the community of the bereaved.
No fewer than 173 of our fellow citizens died in these fires; 40 were very injured. But each of
the 173 whose lives were lost left behind them families and friends, workplaces, sporting
clubs, classrooms and community groups that they had belonged to. These loved ones and
local brethren who were so abruptly left behind still mourn and ponder and recover as indi-
viduals. But they also do this today as a very special community in and of themselves, and I
do respect and revere each of them for their enduring resilience.

I said that there were 33 separate geographic communities. In their own distinguishing
ways they comprise 78 towns that have had so many months and years of sifting through
memories from ashes and recalling faces that are now gone. The towns and villages and many
of the farms are still there, as are the roads and the yards and the hills and the creeks where
people played and grew up, but there are things that are no longer there that are important too.
It is not just the houses, but homes, and not just buildings, but livelihoods. These are now
gone and these communities and their citizens are still finding their proper feet in so many
different ways.

The rebuilding and the getting on with it in so many of these places have been a great
credit to these districts and I think it honours the pioneering history of so many of the region’s
ancestors. Again, I want to record my respect for each of these communities for their strength
in adversity in testing times. With all this, these towns have re-affirmed the meaning of com-
munity and what it is to be good neighbours and each of them has helped their friends get on
and travel through the darkness of the last two years.

There is another community which is central to this motion of condolence, and that is the
volunteer community. It does not matter whether it was the SES or the CFA, the Lions and
Rotary clubs or the other service groups, the Scouts, the Guides, the football and netball
clubs, the various and vibrant people power of these Victorian communities has helped wage
the battle and they helped pick up the pieces once the inferno passed. These volunteers have
been great ambassadors for their communities and all together form a community of their own
for which I have enormous admiration and gratitude.
While hearts and heroes of Black Saturday are the typical modest Australians too many to name, please let me also say that I believe that the leadership of Premier John Brumby in the aftermath of the event remains an example to all of us. I am pleased to have had the opportunity and the privilege in my former role as Parliamentary Secretary for Victorian Bushfire Reconstruction to help make a contribution in the communities to which I have spoken. Many have made this contribution and it would be remiss of me not to acknowledge Christine Nixon, who was the Chair of the Victorian Bushfire Reconstruction and Recovery Authority, and her husband, John, who was beside her throughout all the long kilometres travelled and the meetings held.

I have referred to the bereaved community, but I should also acknowledge Carol Matthews’s leadership, and that along with her committee. There were over 30 community recovery committees established and all of them deserve recognition. I particularly recall some of the creative exchanges with people from Flowerdale and the people from Kinglake. I recall the hard work done at Callignee and at Traralgon South by those committees. I look at the work done at Marysville by Tony Thompson. I look at the work of David McGahy, the captain of the CFA brigade at St Andrews. I look at the work of Jenny Beale, who worked hard in the Kinglake community, and the work done by the community radio people and the Mountain Monthly.

I would also like to acknowledge some individuals whom I had the chance to work with. Ian Archibald from Labertouche worked very hard, and he is still doing it hard, I might add. I look at the remarkable Val and Vern Brown. Val has passed away since the fires, but Val and Vern worked and organised, and the work continues, with their beautiful granddaughter Madison, who lost her parents and sister in these terrible fires. Madison is recovering well but she has a tremendous battle. I would also like to acknowledge Koula Alexiades and the team at the Victorian Bushfire Reconstruction Agency, who work so hard, and there were so many people there.

So many of these people I have mentioned—and there are so many more I should have mentioned but have not yet mentioned because time does not permit—on this journey of reconstruction, I believe, help underline what it means to be Australian. Coincidentally, a person who shares the surname with what was left behind so universally after the firestorm, the late Arthur Ashe, the former tennis great and social advocate, once said: True heroism is remarkably sober, very undramatic. It is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost.

I think many of us would agree that two years on from that terrible and terrifying day the many communities of the 2009 Victorian bushfires have served each other remarkably well with significant courage and now have found hope in the future, from the work of the Red Cross and the appeal fund now chaired by Pat McNamara through to every individual who has tried to make recovery. As the phoenix continues to rise over the Yarra Valley, the Dandenongs, Gippsland, the Victorian Alps and so many of our plains and forests, let us never forget what happened. Let us learn from the experience to protect ourselves from the inevitable recurrence of bushfire. Let us honour the fallen as we embrace those who are still with us.

Debate (on motion by Mr Craig Thomson) adjourned.
Debate resumed from 17 November 2010, on motion by Mr Crean:

That this bill be now read a second time.

Ms ROWLAND (Greenway) (6.06 pm)—I am very pleased to rise and speak in support of the Screen Australia (Transfer of Assets) Bill 2010. The purpose of this bill is to amend the name of the National Film and Sound Archive to the National Film and Sound Archive of Australia. The bill also transfers part of Screen Australia’s film library and associated assets and liabilities to the National Film and Sound Archive of Australia.

Following the establishment of Screen Australia and the National Film and Sound Archive in 2008, it has become clear that the functions associated with Screen Australia’s film library and related sales and digital learning functions are best placed with the National Film and Sound Archive. Whilst this may appear to be an administrative change, I believe this will have significant benefits for Australia’s film industry. It will enable the NFSA to be internationally recognised as Australia’s premier audiovisual collecting institution. Anything that enhances the image of Australia’s film industry I believe is worth pursuing. As the immediate past chair of Screen New South Wales, formerly the New South Wales Film and Television Office, I strongly believe the Australian film industry is deserving of government support through a variety of measures and represents a valuable investment in both monetary and non-quantifiable terms.

It is useful to revisit first principles when we consider the role of government in the screen sector. A useful starting point is the statutory functions of Screen Australia. I refer to section 6 of the Screen Australia Act 2008, which includes amongst the functions of Screen Australia being to support and promote the development of a highly creative, innovative and commercially sustainable Australian screen production industry; to support or engage in the development, production, promotion and distribution of Australian programs and the provision of access to Australian programs; and to support and promote the development of screen culture in Australia. The charter and values of Screen New South Wales also neatly capture the contribution of the screen industry to both our culture and our economy. To paraphrase, the screen industry makes a significant contribution to our society socially, culturally and economically. Development and support of the screen industry is a necessary part of maintaining the vitality of our economy as a whole. Diversity in screen content, culture and creation is important. It is an important part of working towards creating opportunities for the widest possible diversity of people to participate in the making, viewing and appreciation of screen content. We live in the digital age. The world no longer sees screen as purely film or television. People now make, share and see moving images on digital formats and platforms at home, at work, at school, in the cinema and on the move in cars, planes and trains. We need to be flexible to adapt to the implications of the digital age. Our role is to stimulate compelling screen experiences and provide high-quality service to screen practitioners.

The Australian government has a comprehensive package of measures aimed at boosting support for the Australian film and television industry, of which the Australian screen production incentive is its primary mechanism. This provides tax incentives for film, television and other screen production in Australia and is available in three streams: the producer offset, to
encourage the production of Australian film and television projects; the location offset, which is a 15 per cent rebate which supports the production of large-budget film and television projects shot in Australia; and the PDV offset, a 15 per cent rebate which supports work on post, digital and visual effects production, or PDV, in Australia regardless of where a project is shot.

There were two important changes to the offsets contained in the 2010-11 budget, a reduction in the minimum qualifying expenditure threshold for the PDV offset from $5 million to $500,000 and the removal of the requirement for production spending between $15 million and $50 million in Australia to spend at least 70 per cent of the total production budget in Australia in order to qualify for the location offset. Like, I am sure, those speakers who will follow in this debate, I am passionate about Australian film. I am sure we all have our favourites. They have made an important contribution to our cultural identity, from *Breaker Morant* to *Picnic at Hanging Rock* to *Gallipoli*, to name a few. In recent years, during my role as the former chair of Screen New South Wales, there have been some of the most beautiful and moving pieces that I have seen, such as Ivan Sen’s *Beneath Clouds, Blessed* by Ana Kokkinos and, from the 2010 Sydney Film Festival, *Wasted on the Young*—which I thought was the standout film. Then there are documentaries, television series and features and the burgeoning digital effects sector, for which Australia has rightfully earned a reputation for excellence.

A case in point is Animal Logic, the producers of the Oscar-winning *Happy Feet*. The 2009 DBCDE paper, *Australia’s digital economy: future directions* discussed Animal Logic as a case study of success, tracking its beginnings in advertising to attracting the best human capital, the necessary creativity and the right people of talent. It also discussed the issue of broadband. In the *future directions* paper’s interview with Greg Smith of Animal Smith, he said the following under the heading ‘how broadband changes the game’:

> The continued growth of broadband infrastructure complements and supports Animal Logic’s business growth. In its ongoing advertising work, broadband capability allows commercials at a higher resolution and quality, which facilitates greater creativity and production values. When online advertising was primarily banner advertisements there was less scope, but with broadband, advertising can be the same or close to broadcast quality, which increases the creative potential.

This is important. He goes on to say:

> With the rollout of high-speed broadband as part of the National Broadband Network, the ability to improve content production quality will only increase. Bandwidth requirements always grow to fill the available capacity. It can also give the company greater flexibility in how it manages its production facilities.

With high-speed broadband, Animal Logic’s work could, for example, be carried out seamlessly by pods working in different locations. It makes sense for Animal Logic to maintain its base in Fox Studios because it is convenient for the director and others shooting a movie nearby to quickly drop by and see how the visual effects are developing. However, allowing people to work in other locations around Sydney can increase the talent pool because it gives people greater choices in terms of cost of living, and travel time. Locating teams away from the inner-city of Sydney can also reduce business costs.

I regularly engage with practitioners in film industry circles who are excited about what the NBN will do to enliven the sector. The case study of Animal Logic encapsulates some of the very real benefits that will be derived from the NBN for the arts sector.

As someone who remains passionate about the Australian film industry, it would be remiss of me not to take this opportunity to acknowledge the present challenges being faced by the...
sector, particularly in the current climate of parity or near parity of the Australian dollar with the American dollar and the impact of that on the industry’s global competitiveness. It is an unfortunate downside of the combination of our high dollar and our competitors matching or exceeding Australia’s production incentives. According to AusFilm, which commissioned an economic impact study of the Australian Screen Production Incentive program, $2.2 billion of inward investment has been generated in Australia under the scheme. Unfortunately however, today it is becoming, and in some cases it has become, financially unattractive for high-end international feature production in Australia. The result is a downsizing of the domestic industry, with wide-ranging negative impacts on everything from the skilled crew base to caterers to local impacts, particularly when you consider the boost that can be generated to local economies—particularly regional towns—by onsite filming.

I look forward to what I understand will be a comprehensive review of the offset scheme to address these very real concerns. Indeed, I note the announcement by Minister Simon Crean of 17 February at which he released his review of the independent screen production sector. It found significant improvement in the Australian screen and television industry and a major lift in government investment—in fact, government support has trebled from $136.7 million to $412.1 million in three years since the introduction of the Australian Screen Production Incentive.

However, the review also identifies several challenges and highlights that there are opportunities to improve the effectiveness and efficiency of the screen tax offset in some areas. I also look forward to this review gathering as many submissions as possible from the sector and also from people like me who are passionate about film. Comments are invited until Friday, 11 March.

One thing is also clear, and I get this a lot from industry: international production crews love coming to Australia. I want to stress that because it is unfortunate that when it comes down to it money is the bottom line, not the quality of our crews and not the quality of our industry in Australia.

The second element of this legislation provides for the transfer of Screen Australia’s extensive archive of documentary films to the NFSA. Currently, Screen Australia’s film library includes over 5,000 films produced by its various predecessor agencies. The transfer of these assets is important because the NFSA has the professional archiving experience and facilities to preserve, curate and exhibit these films.

It is useful to remind ourselves of what we are dealing with when we consider the NFSA. It has more than 1.6 million items—over 330,000 audio recordings, over 440,000 moving images and over 870,000 associated documents. Some of these are of priceless national and cultural significance, such as the earliest surviving footage of the Melbourne Cup from 1897 and The Story of the Kelly Gang from 1906, which was indeed the first acknowledged feature film in the world. There is also the Indigenous collection. One of the very important functions of the NFSA is to collect, preserve and effectively manage the diversity of Aboriginal and Torres Strait Islander cultures depicted through film and sound.

I want to tell a particularly pertinent story about film archiving. It is the story of the classic 1971 film *Wake in Fright*, directed by Ted Kotcheff, and how it was rediscovered. This film is the story of schoolteacher John Grant, who has an alcohol fuelled descent into hell one weekend in an isolated outback town. By the late 1990s the original negatives were thought to be
lost. In 1996 the editor, Anthony Buckley, started searching for them. He located them in a bonded warehouse in London. But when he arrived to collect them he found that unfortunately the week before the canisters had been shipped to the US. He kept searching and eventually found the canisters of the original film in a set of dump bins, and 263 cans of film finally arrived at the NFSA from the US in two separate shipments in September 2004. A significant amount of work needed to be done on them to reconstruct and preserve the film. The NFSA did a fantastic job in undertaking this preservation work and in fact it was at the Sydney Film Festival in 2009, I believe, that it had a redigitised screening to a rapturous response. I was very fortunate to be there for that momentous occasion.

A large proportion of the NFSA material is stored as online education resources, which are a very effective tool for use in classrooms across the country. One of the most exciting parts of being a member of parliament is the opportunity to visit schools across one’s electorate. I have been fortunate to experience the benefits of an interactive classroom. The use of audiovisual material is becoming an increasingly important feature of education in the 21st century and, for this reason, it is essential that the NFSA is given the resources it needs to archive and preserve audiovisual material. It is essential that appropriate recognition is afforded to the authority so that it can continue to preserve an audiovisual record of our past, be it in films, television, news stories or documentaries. This is why this is an important piece of legislation, and I commend it to the House.

Mr SYMON (Deakin) (6.19 pm)—I speak in support of the Screen Australia (Transfer of Assets) Bill 2010, which will transfer Screen Australia’s film library and related sales and digital learning functions to the National Film and Sound Archive, consolidating these collections. This bill deals with consequential and transitional matters relating to the transfer of staff, assets, liabilities and other matters to the NFSA. The bill also changes the name of the NFSA to the National Film and Sound Archive of Australia.

As is well known, the Australian film and television industry has made an enormous contribution to the cultural life of our nation. The impact of quality cinema and television on the Australian community and the perceptions that the world has developed of our nation from exposure to this product cannot be overstated. Quality local television and film ensure that Australian children grow up watching local shows and films or at least have the opportunity to on our particularly good services such as ABC3. I recommend that all parents steer their children, if they watch TV, in that direction because there is a lot of Australian content there.

I think a frustration of many parents is that their children too often watch on TV imported product. While some of that is good, I think it is also very important from a parent’s viewpoint that children are exposed to their own country’s output. Australian children’s TV and films, both short and long, are some of the best in the world. I think they compare more than favourably with any of the imported products that come along. The other thing of course is that local production means jobs for people in Australia. The more locally made films and TV shows are promoted and shown at cinemas or on TV, the better it will be for people in the industry.

Films like Crocodile Dundee and television shows like Neighbours have made long-lasting impressions on the rest of the world of the Australian nature and character. Sometimes it is a little extrapolated but many times they get across the quirks that make our country the best in the world. Films that portray Paul Hogan as Crocodile Dundee live long in the memory. They
have been used to advertise Australia year after year. Although some people might say that they are not the bee’s knees in arts films, they are certainly culturally important to Australia.

This bill is about the cultural heritage for current and future generations. Screen Australia and the National Film and Sound Archive were established as separate statutory authorities on 1 July 2008. The agencies have completed over two years of operation as separate statutory authorities and in that time it has become clear that certain functions associated with Screen Australia’s film library and related sales and digital learning functions would be best placed within the National Film and Sound Archive. The film library of Screen Australia contains substantial archival resources. The National Film and Sound Archive, as Australia’s premier collecting institution for audiovisual material, is the agency that would best preserve and support the development and exploitation of this fantastic resource.

Screen Australia’s library has a collection of approximately 5,000 films and associated material produced by the former Film Australia Ltd and its predecessor agencies or acquired from third-party producers. I am sure we have all seen over the years many films that have been financed with the help of Film Australia. The library collection also has over 60,000 items on film, video, sound and digital file formats and 150,000 stills, which the Commonwealth owns the copyright of.

Spanning a century of Australia’s history, it is one of the largest and most historically significant sources of archival, documentary and Indigenous footage and stills. Providing support to the independent documentary sector, Screen Australia offers a zero-fee licensing initiative, offering all media worldwide in perpetuity rights for up to 10 minutes of footage and 40 stills of Screen Australia’s copyright materials without fee. During 2009-10, 36 local documentaries accessed footage and stills under the zero-fee licensing scheme. This greatly assisted our local industry. This support to the local industry and the preservation of this cultural heritage will be continued at the NFSAA.

The National Film and Sound Archive is the Australian government’s collecting institution for the nation’s audiovisual heritage. This national collection includes more than 1.6 million items. So, in addition to the disks, films, videos, audiotapes, phonograph cylinders and wire recordings, the collection includes supporting documents and artefacts such as photographic stills, transparencies, posters, lobby cards, publicity, scripts, costumes, props, memorabilia including sound memorabilia and video and film equipment. That is a very extensive collection, and of course no collection of that size can ever be totally put on public display. But it needs to be stored, it needs to be catalogued and it needs to be accessible one day so that Australian people can see it and see what our history actually contains.

The NFSA provide their collection for loan and conduct a number of preservation projects, searching for lost films and preserving our film and sound heritage. Through cutting-edge research and preservation practices, the National Film and Sound Archive has become internationally recognised as a centre of excellence for restoration and preservation of audiovisual material. The National Film and Sound Archive has leading-edge technical facilities and teams of expert technicians skilled in handling all audiovisual media. Although in these days of digital production and digital storage it is far too easy to burn things onto your own computer and have a back-up file somewhere, in many cases the materials that our old films and images are stored on are quite volatile and must be stored with proper archival practices; otherwise they can be gone for good.

MAIN COMMITTEE
Screen Australia is the key federal government funding body for the Australian screen production industry. Its functions are to support and promote the development of a highly creative, innovative and commercially sustainable Australian screen production industry. Screen Australia and the industry I would say have been enjoying not only recent success but ongoing success. In 2009, 1.4 million more Australians went to the cinema to see Australian films than in 2008—a 45 per cent increase—and that momentum continues. Screen Australia invested in several distinctively Australian films that performed well at the box office—films such as *Bran Nue Dae*, *The Kings of Mykonos*, *Beneath Hill 60* and *Animal Kingdom*. These successes reflect Screen Australia’s focus on audience engagement, creative storytelling and increased screen business viability. In the two years since its inception, Screen Australia should be proud of its impact on the Australian film and television industry. Noting the success of Screen Australia and its core duties, it has become apparent that the role of maintaining a film and sound collection does not appear to be a core activity of Screen Australia, so, by transferring its collection to the National Film and Sound Archive, Screen Australia will be contributing to the expansion of the NSFA’s collection and will retain its focus on supporting the Australian screen production industry. The 60,000 films, documentaries, stills and other shows currently held at Screen Australia will significantly add to the collection at the National Film and Sound Archive.

The Screen Australia (Transfer of Assets) Bill 2010 also deals with staff and administrative matters related to the transfer of the collection to the NSFA. Any assets and liabilities specified by the minister at transition time will cease to be assets and liabilities of Screen Australia and will become assets and liabilities of the NSFA. The bill will ensure the transfer of relevant Screen Australia employees currently working in connection with the film library and will ensure that all their entitlements transfer over to the NSFA. It is very important that that is done properly when you are dealing with skilled people, especially in an area such as this, where there is a worldwide demand but not many opportunities for training to get new people into the industry. Current Screen Australia staff are non-APS employees engaged under the Screen Australia Act 2008. They will be transferred to the NSFA, subject to the Public Service Act 1999, all accrued staff entitlements to annual leave, personal leave and carers leave will be transferred to the NSFA, and staff will retain continuity of service.

In addition to moving the cultural collections to the NSFA, this bill will have the effect of changing the name of the NSFA by adding ‘of Australia’ to the end of it.

The DEPUTY SPEAKER (Ms AE Burke)—It being 6.30 pm, the debate is interrupted. The resumption of the debate will be made an order of the day for the next sitting and the member may seek to continue his remarks at that time.

PRIVATE MEMBERS’ BUSINESS

Australian Arts Community

Debate resumed, on motion by Mr Perrett:

That this House:

(1) recognises the conclusion of a great television police drama, *The Bill*, and thanks the ABC for its long standing commitment to the program;

(2) acknowledges that since 1983, *The Bill*, has kept many of us from fully engaging with the broader Australian arts community on a Saturday night;
(3) recognises the broad contribution that our local arts make to Australian society and culture;
(4) reaffirms our commitment to the arts and to engaging with our local performers, artists and writers
(particularly on our now Bill-less Saturday nights); and
(5) calls on the Minister for the Arts to lead Australia into a new era of artistic development and excel-
lence and for all Australians to better support their local live performances.

Mr PERRETT (Moreton) (6.30 pm)—I move this motion with much glee. In 1992 the
Disposable Heroes of Hiphoprisy sang: ‘Television, the drug of the nation. Breeding igno-
rance and feeding radiation.’ I will give you the drum on this concept later in my speech. It is
not news to people who know me—and my neighbours—but I am a strong supporter of the
arts, especially writing and music. I am co-convenor, with Julie Owens, of the Labor Friends
of the Arts. My bookshelves are packed to the rafters and my iPod has music from the four
corners of the globe and includes all types except house. I say this to explain some of the his-
tory behind this motion.

For many years my good wife and I were addicted to a television police show from the
United Kingdom, shown on ABC1 on Saturday nights. The show stretched right back to 1983.
We have been clean for a while now. In fact, we went cold turkey on 16 October 2010. Our
modern family is using my rehab journey to avoid all television and to rush out to engage
with our local performers, our local artists and our local writers. Consequently, I encourage all
Australians to turn off their TVs, to turn off Iron Chef or The Simpsons or Spicks and Specks
or RocKwiz or MasterChef or Top Gear—whatever you are watching—to get off the couch
and get closer to your local live performers. Do it today, tonight, tomorrow.

Mr Sidebottom—Live theatre! Hear, hear!

Mr PERRETT—There will be singers in your local pub or actors in your local theatre.
See a play. School ruined drama for many, but live theatre is well worth the effort, I am as-
sured by the member for Braddon. So you think you can dance? Well, there is good live music
just waiting for you to rage to right now at the end of your street. You will be the biggest loser
if you do not act. Madam Deputy Speaker, I am not just talking about your generation; I am
also talking about all ages. We should all get immersed in the arts and tell our offspring, our
brothers and our sisters that from sunrise to Sunday night there is something for everyone.

The Australia Council for the Arts published a report last year called More than bums on
seats: Australian participation in the arts. This report gave a good insight into the level of our
engagement with the arts. It found that in 2009 nine out of 10 Australians had participated in
the arts—either by creating the arts, like the member for Braddon, or appreciating them. Lit-
erature is the most popular, with 84 per cent of Australians reading novels or poetry, but fewer
Australians are familiar with the performance arts. About 16 per cent of Australians partici-
pate in creative writing, seven per cent in writing a novel or short story and five per cent in
writing poetry. Thankfully, more than half of all Australians attend live music performances.
About 22 per cent attend musical theatre. Thirteen per cent attend classical musical perform-
ances and eight per cent attend the opera. About one in four Australians attend theatre, with 19
per cent attending contemporary theatre and 10 per cent physical theatre or circus. Sixteen per
cent attend ballet or classical dance.

Smart insiders know that we need to increase these percentages. This is not just about keep-
ing up with the Kardashians. Rather, it is about valuing the contribution of the arts and how
they help to shape our nation. Whatever our customs, the arts help us understand who we are,
from creek to coast, and tell our Australian story through drama, dance, opera and music—whatever the medium. Make no bones about it, through the arts, and particularly the performance arts, we are challenged, entertained and inspired, and we value this gift to the nation.

British arts administrator Sir John Tusa said it best:
The arts matter because they embrace, express and define the soul of a civilisation. A nation without arts would be a nation that had stopped talking to itself, stopped dreaming, had lost interest in the past and lacked curiosity about the future.

Australia’s got talent out there. You only have to go down to your local pub or theatre and you will find people who have put in the hard yards and are able to make a contribution, and they need an audience. We should all get away and enjoy these people’s performances. Last week James Jeffrey, a writer from the Australian, poked fun at part of this motion in the Australian newspaper. Hopefully, if he now sees the full context of the motion, he will agree that it totally fits the bill.

Mr McCormack (Riverina) (6.35 pm)—For decades, Saturday nights have found many of us called to the television. The familiar sounds of sirens, flashing blue lights, theme music and the iconic pictures of two police officers walking towards the screen could only mean one thing: The Bill was starting. The Bill, an English police drama which ran for 27 years, was once Australia’s most watched television drama. It stood the test of time as great shows before it slowly lost against the more popular reality TV. However, sadly in July last year England’s ITV announced that Sun Hill police station would be emptying their cells, removing their police uniforms and shutting their doors permanently. There was no fire, no terrorist attacks and no mass murder. The show, as simply as it started, ended.

During the eighties and nineties, when The Bill was in its heyday, it became a real family affair. Children were allowed to stay up longer, dessert was allowed in front of the TV and even the family pet was sneaked in to sit around and watch the latest events occurring in and around the fictional suburb of Sun Hill, set in the rather realistic backdrop of east London. The Bill started at a time when television drama was at its peak, competing with great Australian shows such as A Country Practice and The Sullivans and following on from great British comedies such as Are You Being Served? and Some Mothers Do ’Ave ’Em. The British writers went out on a limb to provide a different type of drama. Thus The Bill was born—a bird’s eye view into the goings-on of a busy London police station.

The Bill was not an obvious hit. It was decidedly unglamorous, featuring leaden skies and dingy council estates. It was only signed on to 12 episodes, as the BBC was unsure that the audience would take to seeing the happenings inside a police station. But fans were gripped by the lives and exploits of the officers of Sun Hill police station and the series drew praise for its suspense filled story-lines and tight scriptwriting. Unlike many TV shows today, the story-lines had depth and feeling and the puzzle was not solved in an instant. The characters built relationships with the audience, and many of the names and faces of The Bill’s past will be embedded in the minds of many Australians. Names such as PC Tony Stamp, Sergeant June Ackland, DC Tosh Lines, DS Jim Carver and DC Mickey Webb entered our living rooms so often and for so many years they became a part of the family’s Saturday night rituals. I always used to know that The Bill was starting because my mother-in-law would cut short tea-time to go home and watch The Bill in the comfort of her own lounge room, and now I am
going to have to endure my mother-in-law for longer, God love her, because there is no excuse to go home anymore.

The Bill served as a starting point for many English actors, as Neighbours and Home and Away do for Australians. However, for an Australian to portray a character in this drama was a rare yet significant move, and it is worth mentioning here one Australian actor, City Homicide’s Daniel MacPherson. The axing of The Bill is the final nail in the coffin for shows which do not have to run off short, quick story-lines to grab the audience’s attention. Two one-hour episodes per week was a sufficient amount of time to watch the Sun Hill crew work their way through a kidnapping, a murder or a drug charge in the Canley borough operational command unit in east London. Had they been solved in the mere half-hour that most dramas are allowed today, the depth of story would be lost.

Saying goodbye to The Bill for many Australians was like saying goodbye to an old friend. It was a poignant television show which became the mother of all police dramas, both Australian and English, that have branched from its concept. It seems that none that tried following in its footsteps did quite as well. Twenty-seven years for one show is no mean feat. I would like to see if any of the reality TV shows that we have to endure today will do nearly half as well.

Mr SIDEBOTTOM (Braddon) (6.38 pm)—I congratulate the members for Moreton and Riverina for their contributions. To be able to talk about the arts is a fantastic thing. We do not do enough of it in this parliament. I say to the Member for Moreton, to be criticised by some journalist for appearing to be flippant with this motion totally misses the point. I love the arts. I think if I had my life again, if I had enough talent, I would devote it to the arts. I might not be very rich in terms of money but I would certainly be very rich in terms of the spirit. In fact, I am currently directing my 16th musical, and I look forward to that going on in budget week whilst trying to match all the other responsibilities I have.

I would like to take this opportunity to congratulate Tasmanian Regional Arts. It plays an important role in supporting both regional and community based arts practices in my home state of Tasmania. The organisation is unique in that it is the only state-wide arts service organisation in Australia funded by the Australian government’s Australia Council that is located in a regional centre—indeed, in the historic township of Latrobe, in my electorate of Braddon.

As a membership driven organisation, Tasmanian Regional Arts aims to excite and inspire regional communities through its work. The Tasmanian Regional Arts program of activities in 2011 is significant for what it does with limited resources. For example, the organisation provides information and advocacy support services; delivers an access and touring program to a wide variety of non-managed community run venues throughout Tassie; provides information and community arts support staff in our three major locations throughout Tasmania; and administers the important Commonwealth Regional Arts Fund.

In 2010 TRA brilliantly proved it could also produce significant arts products when it staged the seventh Regional Arts Australia national conference in Launceston. This conference, the largest arts conference in Australia, also played host to the Junction Arts Festival, where more than 47 major exhibitions, performances and activities engaged the host community and visitor alike and provided an economic boost of nearly $3 million to Tasmania’s regional economy.
Tasmanian Regional Arts intends to continue to develop on the Junction 2010 legacy in the state’s north through future participatory arts festivals of the highest calibre. Tasmanian Regional Arts plays a key role in the delivery of Commonwealth support to the regions through its management of the Regional Arts Fund. Indeed, this program supports local and regional artists to access resources through a three-tiered program of assistance that is both relevant and cost-effective in its delivery. I have been advised through representations from Tasmania Regional Arts that through its national agency, Regional Arts Australia, the organisation believes the current delivery mechanisms for the fund through the state agencies is a preferred delivery model for the fund and that the Regional Arts Fund, along with other programs such as Playing Australia and Festivals Australia continue to be delivered under current arrangements.

Tasmanian Regional Arts recognises the need to diversify and expand its income and revenue streams in response to the limitations facing all levels of government in supporting the arts. I strongly commend TRA for its success in securing a broad range of state and local government partnerships, as well as significant philanthropic support and sponsorship for its program of activities. Through the delivery of initiatives such as the Regional Arts Fund, ongoing festival and event developments, a strong and creative touring program and the provision of the regional arts development offices, Tasmanian Regional Arts has played and continues to play a significant role in arts and cultural development across my state. I thank TRA for the excellent work it does on what is a limited budget.

Finally, I would like to thank all of those artists in Australia who provide entertainment and their skills for us. Indeed, they are a conscience and a mirror of what makes Australia what it is. I would like to thank in particular all those artists who live in regional Australia and provide their services and their skills to those of us in regional Australia. I know regional Australia is very much like where I live: very talented people enjoying their lifestyle and supporting their communities. We, as the government, should do all we can to support them and to make their job a lot easier. I thank them for their contribution.

Mr BUCHHOLZ (Wright) (6.43 pm)—It is my pleasure to take this opportunity to speak on a subject that I am extremely passionate about—that is, the promotion of the arts. It takes me back to my childhood days, in particular some of the first television shows that I recall on Australian television. I remember a small town community production, and the television show was called *Bellbird*. It was about a small town community and nothing much happened in *Bellbird*. It was a show about nothing but it captured the minds and the souls of everyone here in—do I keep going?

The DEPUTY SPEAKER (Ms AE Burke)—You keep going. The member for Wannon has missed his call and will not get an opportunity to speak. The member for Dawson has the call.

Mr BUCHHOLZ—Wright.

The DEPUTY SPEAKER—It is a lesson for us all!

Mr BUCHHOLZ—I recall back in my youth watching the Australian production of *Bellbird*. I recall fondly that we used to use the characters as role models. Some of the characters elude my mind now, but I remember watching the show in black and white, before colour TV came out, with anticipation. Later on, as we step forward probably 10 to 15 years—and I do
not know what category this show would fall into, but it was also another Australian production and one of the leaders of its time in variety or quiz shows—I take your minds to Blankety Blanks, a panel show of Australian celebrities hosted by a number of artists—

Honourable members interjecting—

Mr BUCHHOLZ—Yes. Graham Kennedy and Ugly Dave Gray—it takes my mind to a spot where Ugly Dave Gray would often hold a large Cuban cigar in his mouth while at production, a far cry from the television that we watch today.

Ladies and gentlemen, I share with you also with reference to my own family and person. I have a 14-year-old daughter, and sometimes I become disillusioned with Australian television and, in particular, international television, where sometimes it is difficult after 7.30 of an evening to find a show where someone is not getting shot or murdered. Sometimes you cannot find a television show where someone is not being cut up on an operating table, if that is not your thing. Whilst we do have some good Australian dramas—with reference to operating, RPA is an Australian one, and I think that one goes all right—

An honourable member—The Young Doctors.

Mr BUCHHOLZ—The Young Doctors is another good one from many years ago, and Matron Sloane played the role extremely well.

With reference to the promotion of the arts here in Australia, not only do we have television but we also have some of the classics of screen and theatre. Who in this generation does not remember or has not seen the production of Mad Max? It is the film that launched the career of Mel Gibson.

Mr McCormack—What a fine actor!

Mr BUCHHOLZ—A fine actor, indeed so. He has launched his career onto the international stage, on which he has done Australia extremely proud in some of his productions. Some of his personal attributes off screen have not been too much, but when he is doing good things he is Australian and when he is playing up he is—

Mr Craig Thomson—American.

Mr BUCHHOLZ—American, absolutely! Again with reference to the arts, I want to support some of the more subdued films that are the old classics of Australia, such as Picnic at Hanging Rock. It was one of the first productions that gave us the capacity to see inland Australia and regional Australia.

Mr Tehan—Gallipoli.

Mr BUCHHOLZ—Gallipoli was one of the all-time greats, along with Breaker Morant.

Mr Ciobo—Priscilla!

Mr BUCHHOLZ—The Adventures of Priscilla, Queen of the Desert. I have time to tell you a quick story about Priscilla, Queen of the Desert.

Mr Perrett—Steven Ciobo nominated that one.

The DEPUTY SPEAKER—Order!

Mr BUCHHOLZ—As far as the arts go, with reference to the wonderful crews and everything that are a part of this industry, in 2000 there was the Year of the Outback muster from Birdsville down to Marree. The catering team that worked on that drover’s camp worked out
of *Priscilla, Queen of the Desert*'s bus. It is a catering bus now, and it worked on the *McLeod's Daughters* set in South Australia. It is a catering bus that now works in the Australian film industry promoting the arts. Madam Deputy Speaker, thank you very much for your indulgence—

**The DEPUTY SPEAKER**—I thank the member for Wright for his entertainment this evening! The time allocated for the debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

**Tourism Funding**

Debate resumed, on motion by **Mr Baldwin**: That the House:

1. condemns the Rudd-Gillard Government for:
   1. reducing funding for Tourism Australia at a time when the high Australian dollar is putting pressure on local tourism operators; and
   2. increasing business costs for local tourism operators through:
      i. higher tourism taxes;
      ii. the bungled award modernisation; and
      iii. additional superannuation guarantee payments which will be entirely funded by employers; and
2. calls on the Rudd-Gillard Government to match the Coalition’s commitment to increase tourism funding by $100 million to:
   1. focus on high-yielding business events tourists;
   2. build stronger research foundations;
   3. encourage tourism infrastructure and product development; and
   4. boost domestic tourism marketing.

**Mr CIOBO** (Moncrieff) (6.49 pm)—I am certainly pleased to rise to speak to the motion that the shadow minister for tourism, Mr Baldwin, has moved that this House, among a number of other things, essentially condemns the Gillard Labor government for its refusal to take Australia’s tourism industry seriously and, worse than that, for the fact that the Australian tourism industry under the four years that the Labor Party has been in power has suffered as poor policy decision after poor policy decision has taken effect.

In the previous parliament I had the unique privilege of being the shadow tourism minister. I have the genuine privilege of representing the part of Australia that is referred to as Australia’s premier holiday playground—that, of course, being Australia’s Gold Coast, a city of around 500,000 people. My electorate of Moncrieff has one of the highest percentages of population reliant on the tourism industry as their principal source of employment in the country. Tourism drives hundreds of millions of dollars, indeed billions of dollars, of investment in my city. Australia’s tourism industry is one of the nation’s great employers. It employs nearly 500,000 Australians, it is an industry worth around $86 billion and it generates around $24 billion of exports. It is the very kind of industry that we as a nation should be embracing, fostering and nurturing to ensure that it continues to drive export income for this nation, continues to create employment pathways for young Australians and continues to showcase Australia to the world.
That is the aspiration. It comes off a long period of great success by the former coalition government when we invested, after a number of policy decisions and a number of budgets, large amounts of funding and provided support and incentives to and nurturing of the Australian tourism industry to help it achieve great outcomes. It was the previous coalition government that brought about, in large measure, one the greatest outcomes for the tourism industry: the development and implementation of a tourism white paper. That white paper, under the former Minister for Small Business and Tourism, Joe Hockey, provided the opportunity for Australia’s tourism industry to capitalise on its potential. It saw investment by government into all manner of new product, into new pathways for the commercialisation of product and, in addition to that, into real opportunities to increase Australia’s tourism marketing spend, domestically and globally, to capitalise on the huge demand that exists to understand Australia and Australians.

That is where we have come from, but in the four short years that the Labor Party has been in power it has turned its back on Australia’s tourism industry. There is no doubt that for all the talk—and the Labor Party is big on talk—about tourism being a vital industry to country the Australian Labor Party has done nothing except put roadblocks in the way of Australia’s tourism industry. I know members opposite like to claim they support Australia’s tourism industry, but if that is truly the case why was it that in its first budget the Australian Labor Party took a number of policy positions that not only made it substantially more difficult for Australia’s tourism industry to prosper but in fact, as a direct consequence, deteriorated its position? In particular, it was under the former Rudd government, now the Gillard Labor government, that a host of new taxes and tax increases were imposed on the tourism industry.

Let me put this in the context of the global downturn. We know that the Australian dollar is basically at parity with the US dollar and that the Australian dollar has been rising consistently for a number of years. Despite the fact that for every cent the Australian dollar rises Australia’s tourism industry, when it comes to the export of tourism, is less competitive, the government have done nothing to assist the tourism industry. In fact, they have done worse than nothing. In a previous budget, the Labor government cut funding for Australia’s principal tourism marketing body, Tourism Australia, by some $13½ million in real terms. They have actually cut the amount of money made available to the national tourism body to market Australia abroad. In addition, the Labor government introduced a host of industrial relations reforms that have made it more expensive for young Aussies to get a start in the tourism industry and for employers to take the risk of employing new staff. Under the award modernisation process that this government put in place, as a direct consequence of what is effectively ridiculous award processes, there is a requirement to pay penalty rates. Under this government’s regime, in its first iteration, that would have seen penalty rates applying after 7 pm for restaurant workers. This government has made Australia’s tourism industry less competitive. The people who pay the price are the young Australians who, ordinarily, would get a job in the tourism industry. The people who pay a price are those employers who would risk their capital—

Mr Adams—Work Choices again, is it? Back to Work Choices!

Mr CIOBO—those people who would take the opportunity to actually employ staff. It is quite pathetic to hear Labor Party members yelling out: ‘Work Choices, Work Choices.’ The truth is that, with respect to Australia’s tourism industry, Work Choices never did to the poten-
tial of young Australians what the Labor Party is doing to them now. To all of those businesses that no longer open on a Sunday, to all those businesses that now close their doors early during the week, to all those businesses that have fewer staff on the books because of the penalty rates they have to pay, sure, the Labor Party can say to those who still have a job: ‘We’ve looked after you.’ But there are now so many more people who simply do not have a job.

I have someone in my own electorate who is part of the tourism industry. He is a cafe owner—he is actually an immigrant—who used to open seven days a week, but who now closes on Sundays because, as he said to me, it is simply uneconomic for him to open as a direct consequence of the new penalty rates. In that one cafe, in my electorate, six staff have lost their employment on a Sunday as a direct consequence of the new penalty rates. That is but one example. What is clear, though, is that this is a government which, when it comes to tourism policy, is just like a cork on the ocean, bobbing and blowing in each and every direction. It is not really the focus of the Minister for Tourism. He has been completely preoccupied for a number of years with the Resources and Energy portfolio. Perhaps that lay behind the decision of the current Gillard Labor government to have a quasi tourism minister in the form of the new outer ministry tourism minister.

In addition to this lack of actual policy direction when it comes to the tourism industry, we on this side of the House recognise a missed opportunity—a massive missed opportunity to invest more money into developing Australia’s tourism industry. The coalition took to the last election a tourism policy that actually would have seen the investment of an additional $100 million in Australia’s tourism industry, with a specific focus on business events tourism. That is the highest yielding part of the Australian tourism industry—a real job creator, a real export earner and a part of the tourism industry that Australia has a huge competitive advantage in. With the creation of the policy that we took to the last election and with the actual application of that policy, had we been in government, I have no doubt that we would have created thousands of jobs, created incentives for tens of thousands of additional tourists to come to this country and created a very high-yielding, generally longer term stay Australian tourism industry.

The simple inescapable reality is that members opposite are unable to actually stand and enunciate what Labor’s tourism policy is. For all intents and purposes, it has only been status quo. For a brief moment we had a lot of focus coming from the Labor Party about their long-term tourism strategy but, apart from the creation of a few interdepartmental committees and a couple of new committees that have been appointed by the minister, not a single dollar of funding has flowed as a result of the long-term tourism strategy. There have been no new initiatives with respect to the rollout beyond, as I said, the creation of some bodies and, as a consequence, the Australian tourism industry is poorer.

This has been, unfortunately, a very sad chapter of lost opportunity. It has been a sad chapter of a government that refuses to invest in one of the largest job creators and one of the principal export industries that our nation has. And, above all, this has been four long years of massive missed opportunity for Australia’s tourism industry to rise up, create employment, create export income and, for that reason, I support the motion. *(Time expired)*

Mr GEORGANAS (Hindmarsh) (6.59 pm)—I rise to speak against the motion, moved by the member for Paterson. I do so because Australia’s tourism industry continues to enjoy...
strong support from this government. The tourism industry is a significant part of the Australian economy. It provides jobs in metropolitan areas, regional areas, remote areas and places where people live, including in the Hindmarsh electorate, which I represent.

Many visitors to SA arrive first in my electorate—almost 550,000 domestic and 44,000 international passengers a month pass through Adelaide airport, which is smack bang in the middle of my electorate of Hindmarsh. Visitors to South Australia support 77,000 jobs and contribute $2.3 billion to the South Australian economy.

Glenelg and the coastline from Somerton Park right through to Semaphore South, Tennyson, West Beach and Grange—all those beachside suburbs—all form part of my electorate. Of course, they are Adelaide’s iconic tourism destinations, with visitors making big contributions to the local community.

Glenelg, one particular suburb, is just one example of a number of tourism regions across Australia which are marketed not just by the local businesses but by the local councils, the state tourism organisations and Tourism Australia. It is a region that is supported by the Gillard government’s implementation of the National Long Term Tourism Strategy. This strategy builds on stronger research foundations and it encourages further tourism investment in infrastructure and new products.

Mr Ciobo—How?

Mr GEORGANAS—The member opposite asks, ‘How?’ and we will come to that. Local communities like Glenelg can continue to benefit from the tourism dollar. The Labor government has done its bit by retaining tourism marketing and funding for tourism across Australia across the forward estimates.

But that is not the half of it. Australian governments, excluding local councils, spend more than $500 million annually on tourism marketing. This directly contributes to the strength of our tourism industry, an industry which grew by 3.2 per cent in 2010 to contribute an extra $34 billion to Australia’s GDP. The tourism industry has received direct relief and recovery support as a result of the Queensland floods and cyclone, including an exclusive sector-specific $10 million tourism support package—$5 million has been provided by the federal government and $5 million by the Queensland government.

The majority of the funds will be used to support immediate marketing initiatives to reinforce the message that the majority of Queensland’s iconic tourism destinations are open for business, and to counter negative perceptions resulting from that extensive national and international reporting of the floods and Cyclone Yasi. A proportion will also be spent on industry development measures.

And let us not forget that industry benefits from the extensive Commonwealth government support provided beyond Tourism Australia. This government has committed $660 million to improve workforce skills, education and training. This is an area that was absolutely neglected by the previous government, and this will benefit the 500,500 people directly employed in tourism. The employers in the sector have also benefited from improvements to workplace relations laws. After over 100 years of fragmented workplace relations laws this government has delivered a single national system for around 96 per cent of the private sector, and that includes tourism. That was done by reducing almost 4,000 complex outdated awards into 122
modern instruments. We have provided a net benefit to Australian businesses of around $4.83 billion over the 10 years.

Through our $660 million investment, the Gillard government recognises the tourism industry’s need for a highly skilled and educated workforce. Developing the workforce is at the very heart of this government’s plan to build an economy that will meet the challenges of the future. Skilling the nation’s workforce and addressing any emerging skill shortages are critical to Australia’s prosperity in the long term. That is why this government is boosting the skills of Australians and has embarked on one of the most ambitious reform agendas to reshape the apprentice and training sector. Perhaps we would not be in this position had the former government actually done something about skilling Australia’s workforce.

To achieve this, the government is investing heavily in the skills of the current and future workforce by providing practical help—

Mr Ciobo—Why did you take chefs off the skilled workers list?

The DEPUTY SPEAKER (Ms S Bird)—I think the crossbench is being a bit unhelpful.

Mr GEORGANAS—to ensure Australians get the skills that they need for the jobs of tomorrow. Our investment will underwrite our future prosperity as a nation and provide individual Australians with the opportunities to realise their very full potential. This is in stark contrast to the coalition, who for a decade, as I said earlier, failed to invest in the skills that our nation needed. This government is getting on with the job.

Mr Ciobo—are you still talking about tourism?

Mr GEORGANAS—The member opposite asks if I am talking about the tourism industry. I certainly am. We do not have the skilled workforce to fill positions in those jobs where skills are in short supply because of the neglect of the coalition government over 10 years. The tourism industry also has benefited from the $8.5 billion we have committed for nationally significant transport infrastructure, which feeds into tourism, and the $355 million in funding for rural and remote councils through the Roads to Recovery program, which helps, for example, the 47 million domestic visitors travelling by car and the grey nomads, who spend anywhere between six days and 73 days on the road. By providing this critical infrastructure, which was so neglected by the previous government, we are helping businesses to grow and to recover.

The tourism industry is resilient. Businesses have a profit motive to recover quickly from the likes of floods, cyclones and a whole range of other disasters. So certain business people in the industry are saying that, despite a number of hotels in Brisbane closing following the floods, they expect the market to recover well. The casino in Cairns, restaurants in Townsville and airports and attractions are now open and trading. Figures released by the Australian Bureau of Statistics on 8 February show that 2010 was a good year for Australia’s international tourism. The international tourism industry grew, with arrivals growing by 5.4 per cent on the previous year, to a total of 5.9 million in 2010. This positive full-year result was assisted by strong growth in arrivals in December 2010, up 4.4 per cent on the same period in 2009. In 2010 arrivals from China, South Korea and Japan were particularly strong—up 20 per cent from China, up 18.2 per cent from South Korea and up 12 per cent from Japan. So they are all good figures. Continuing to appeal to our international visitors will be particularly important for Australia’s $34 billion tourism industry in 2011, following the negative perceptions created by the floods and Cyclone Yasi.
It is the support for tourism by this Gillard government which delivered Australia the successful Oprah Winfrey visit. By bringing 302 of her audience members to Australia for a week, Oprah Winfrey lifted the profile of Australia in ways that we have not seen before. Audience members visited every state and territory and more than 700 hours of footage was taken to produce four hours of prime time TV. The Oprah show is viewed by 40 million US viewers a week and is broadcast into 145 countries around the world. Before the show was even aired, it had paid for itself many times over, with international coverage from the time the trip was announced totalling more than 3,000 stories, having an equivalent advertising value of just over $20 million, and domestic coverage in Australia exceeding 70,000 stories, valued at more than $140 million.

The Gillard government has provided strong support towards the growth of the Australian tourism industry. It will continue to provide the support the industry needs to remain globally competitive. My electorate, which has suburbs like Glenelg and the beachside suburbs, will benefit greatly from this government’s support of tourism.

Mr HAASE (Durack) (7.09 pm)—I rise this evening for a session of great enjoyment. I support the private members’ bill that was put forward today by the shadow minister for regional development and the shadow minister for tourism. The first thing I would like to bring to the attention of this chamber is the fact that when the member made the very valid point that, with the Gillard government’s spending skyrocketing from $272 billion of taxpayers’ money to $352 billion of taxpayers’ money, at the same time the funding for Australian tourism has been reduced, effectively, by $13.5 million. So let us not have any question raised as to whether or not or who is doing what. This government has reduced its support for one of the most important industries in Australia. The industry is earning export dollars every day for real Australians.

The member for Capricornia, in an endeavour to take the mud off the face of the government, suggested that this government was doing wonderful things for tourism. In fact, she was able to cite an institution in her electorate—namely, the Henderson Park part of the Hedlow Lodge group—and informed the chamber that they had done so well under this government that they had received a grant of $100,000. Can I bring the truth to this chamber by pointing out that the $100,000 that was granted to that establishment in fact was granted under the Australian Tourism Development Program, in round 5, in 2007, before the election. That program, of course, was put together by the hardworking members of the then Howard government. So let us not have any doubt as to whether or not this current government is reducing funding for the Australian tourism industry. It certainly is, at a time when the Australian tourism industry needs as much help as it can get.

Apart from the natural disasters down the eastern seaboard of Australia, tourism is being hit with an Australian dollar that is also on parity with the US. That makes it very difficult for potential overseas visitors to make a decision to come to Australia. They could just as easily decide to go to America now because the dollar value is about the same. It is a long way to come, Down Under, albeit that the rewards are fantastic. Those who are really, really brave will even go to Tasmania occasionally. There is a lot to see down there, but you only need a very short period of time.

However, what is important is that we understand the hurdles that have to be jumped by the tourism industry here in Australia. We have had the global financial crisis. We have dollar
parity. We have banks not prepared to readily put up capital for tourism ventures. We have an approvals process in this country today that is almost insurmountable. Members of the tourism industry who have in the past been at the forefront of the industry in making investment in this country are now saying to me, ‘Anywhere but Australia.’ In a fraction of the time, anywhere in Asia, on the Indian subcontinent, in parts of Africa and South America, they can put their applications in for development and in half the time have that institution up and running. It is a sad indictment of Australian departments that we have placed such onerous restrictions on developers in this country. We do need the product. The government are doing nothing to promote the construction of product. They have cut the Australian Tourism Development Program. Why, I do not know, when we all know that we need those facilities constructed to encourage tourism to this country.

It has already been mentioned in this debate that some of the international media has cast a very dark shadow on tourism to Australia. I can tell you, Madam Deputy Speaker, that Carnarvon, badly hit by floods, is up and running. Doors are open and they are extending a warm welcome to visitors from anywhere, especially domestic tourists. That is what we need in Australia right now—Australians to take their holiday in Australia. Forget about the overseas holiday now. Holiday in Australia. Bring tourism, which is so important in Australia, back from being on its knees. (Time expired)

Mr ADAMS (Lyons) (7.14 pm)—I am very pleased that the member for Durack got positive towards the end of this contribution, because he was running pretty negative about the price of the dollar. That is a reality and we are not going to go back and fix it at the cabinet table. The dollar is the dollar and we have to deal with it, the tourism industry has to deal with it, and we have to be able to attract people with the price of the dollar as it is. I think the honourable member said he was going to come to Tasmania for a holiday, and I commend him for that; it is a great opportunity for him. We heard the contribution from the former shadow minister for tourism, the member for Moncrieff, who has now landed on the back bench. He was sacked from that position. Back in the Howard days, we had ‘Where the bloody hell are you?’, the greatest failure in the history of tourism campaigns in this country. It was a dismal failure. Where would we be if we had that sort of approach today?

With regard to the training issue, Mr Ciobo, the member for the Gold Coast—

Mr Haase—Moncrieff.

Mr ADAMS—spoke about going back to Work Choices. He wants to cut wages. That is his answer to the tourism industry. This is Liberal policy: to sort out the price of the dollar, the answer is to cut wages and conditions in the tourism sector—or continue to bring people into Australia so they can pay them less instead of providing training. This government is training people in the tourism sector. We want to give any Australian who wants to work in tourism the chance to get a start, get some training, work and have the opportunity of a career in that industry. That is what we should be doing, and that is what this government is doing, something that was totally neglected by the last coalition government.

We need to think about what tourism brings to this country. I understand the value of the industry is about $42 billion per year. This government is giving great support to the industry, and the Minister for Tourism, Martin Ferguson, has come to the electorate of Lyons on many occasions. He is a very great minister. He understands local tourism, not just the big end of the industry, and that it is something you need to build up. The honourable member for
Durack should take note of that. I am pleased to hear that in his electorate they are back at it; congratulations to them. I am glad they got through their flooding—

Mr Haase—In Carnarvon.

Mr ADAMS—in Carnarvon. I am very pleased that they are back at it. In Tasmania, 23,000 people, or six per cent of Tasmania’s workforce, are employed in the tourism sector.

I wanted to address some of the issues raised by the member for the Gold Coast. Tourism funding in Australia has not been cut by the Gillard government. That was a total misrepresentation. The budget for Tourism Australia has been retained right across the forward estimates. That can be looked at; it is all there. We are continuing to provide the full support. We provided support during the global financial crisis. We took a decision to bring forward $9 million in Tourism Australia’s budget, which was more than matched by their commercial partners: that $9 million was turned into $20 million to assist the tourism sector. This government is doing what it has to do to support this sector. I am very disappointed by the member for Paterson’s motion before us today.

That decision really gave a boost to the domestic business and leisure travel markets in Australia. During the global financial crisis, when global travel declined by four per cent internationally, Australia’s market remained steady, supported by this government—a remarkable result. So this motion is really off the mark. It does not add up, and nothing that has been said by members on the other side comes together at all. This government supports a strong tourism sector, with good training so that the sector has good, skilled people. (Time expired)

The DEPUTY SPEAKER (Ms S Bird)—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Public Libraries

Debate resumed, on motion by Mr Hayes:

That this House:

(1) notes the importance of public libraries in communities across Australia;

(2) recognises that:

(a) various state-based research provides clear evidence of the contribution and value of public libraries in terms of the triple bottom line: economic, environmental and social impact; and

(b) recognises that libraries provide access to information technology, research, educational resources and recreational materials for many people who otherwise could not afford them;

(3) congratulates public library staff for their commitment to facilitating life long learning in the community;

(4) supports the wide availability of public library collections as a way to help address disadvantage by ensuring free and equitable access to collections for all community members;

(5) notes that in 2008-09, 7.7 million Australians visited a library and the total asset value of library collections in this country was $4.3 billion;

(6) expresses concern over the action instigated by Liverpool City Council to investigate the viability of closing Green Valley, Miller, Moorebank and Casula public libraries; and

(7) specifically notes the community outrage and concern as a result of this decision, giving regard to the proven benefits of local public libraries as noted above.
Mr HAYES (Fowler) (7.20 pm)—Last year the Liberal and Independent councillors in the Liverpool City Council made a decision to close down or relocate public libraries in Miller, Green Valley, Moorebank and Casula. I am happy to inform members of the House that those very same councillors have now backflipped and have used the first council meeting of the year to reverse their plan. It took months of campaigning by local residents, with the support of Labor councillors and the state member for Liverpool, Mr Paul Lynch, for the individuals in question to realise that they simply cannot take away such valuable resources from the community. What particularly ignited the local residents to fight was the fact that their views and needs were not being taken into account as there was no community consultation prior to the original decision being taken.

The result of this ballot is a true victory for local people, a triumph for common sense and, importantly, a demonstration of what a community can do through commitment and conviction. The message from local residents was clear from the very beginning: libraries are so important to local residents that they are worth fighting for.

Most of us think of a library as a quiet and peaceful environment in which to study, conduct research or attend various classes and workshops. But for some people a library is a place to have access to resources, particularly computer technology that is necessary to complete school work and other tasks such as accessing online job applications. The fact is that some parents do not have the financial capacity to provide their kids with the resources to give them the best opportunity to learn and so their best chance for the future. Unfortunately, this is a reality for many parents in some of the less privileged areas of Western Sydney.

Local libraries by their very nature are particularly significant to students, most importantly those in their final years of schooling. Allowing each student the best possible opportunity to reach their potential is a social responsibility. In some cases, providing resources in public areas such as libraries is simply essential. In areas with high levels of community housing, where most people have limited access to personal space for study, the local library takes on an even more significance. Clearly, local libraries are an invaluable space for individuals to study, to undertake tutoring and to complete work tasks in a quiet and peaceful environment with fewer distractions.

The battle to keep libraries in the Liverpool area open brought to light a number of stories from individuals whose views were clearly not taken into account by the councillors who made the decision in the first place. One particular story was highlighted by a letter from a 10-year-old girl, Zeinab Afiouni, who wrote to a colleague of mine, the Mayor of Liverpool City Council, Wendy Waller, pleading for her library not to be closed as she said it was ‘her favourite place in the world’. She said reading was her favourite activity, and closing the library would make her very ‘sad and angry’. And that was a fact for a lot of young people.

I commend the Labor councillors of Liverpool City Council and the state member, Mr Paul Lynch, for standing up for their community and assisting local residents to win a battle that was all about their kids’ future. However, I strongly believe it should not have taken many months of community backlash, media pressure and, I might add, the onset of a state election campaign to overturn the closing of local libraries. Such an anti-community initiative should never, ever have been contemplated in the first place. It was taking away something of such value to the community, particularly a community that in many instances has not been dealt the best hand in life. Local libraries are significant for everyone from preschoolers through to

MAIN COMMITTEE
senior citizens. To take them away goes against common sense and any commitment to advancing the real needs of local communities. I am extremely proud of local members for what they have been able to achieve and I am extremely proud of my community for standing up for what they regard as significance community values.

Mr HUNT (Flinders) (7.24 pm)—I rise to support the general tenor of this motion in relation to the role of public libraries in Australia, without having the specific knowledge to comment on the matters within the city of Liverpool. I thank the member for Fowler for his contribution to that broad space. I want to make two points in relation to libraries in Australia. The first is about the role of the library in the modern age. The traditional role as simply a conservator and lender of books remains, but in the digital age there is a dramatically different role, task, function and facility. I know this firsthand, having witnessed my young daughter at the library. She is now a prep year student, having begun primary school this year, but she had a lot of education, along with children throughout the Mornington Peninsula, in early reading and gaining a love for reading in the local library. This is not something that you would imagine or expect as a nonparent. It is something that is exceptionally important and of real value. It is about creating a culture and an environment in which children can learn to love books, to love reading and to love the world of imagination and ideas. That is fundamental to a lifetime of literacy, which is undoubtedly an almost indispensable prerequisite for comfort and achievement in modern society.

Many people have overcome the barrier of illiteracy, but it is a huge barrier. It is one of the great untold barriers. Libraries are bulwarks against illiteracy. They are a safe place where many of those who are underprivileged have a real chance to learn in an environment which is not going to be judgmental. The workplace can be frightening for people who get to adulthood and do not have literacy skills. It remains an ongoing challenge. One of the great roles of public libraries going forward is not just as a place for young people, although that is indispensable, not just as a repository for books but as a front line in the war against illiteracy for adults. It is a great social challenge.

The second element of public libraries which I want to address is in relation to one very specific issue, and that is autism. Over the course of the last few years, through people such as Helen Lloyd, a mother in my electorate who worked to provide services and raise funds for her son Jordan, I have become more engaged—as every member in this place would—with the problem of autism. I have increasingly become engaged with Autism Victoria. They service over 30,000 Victorians. There are many more whom they do not service. We know that, depending on where the definition of autism starts and ends, around 200,000 people in Australia suffer from autism. It can be deeply debilitating or it can be something that can be addressed at an early age through very targeted early intervention.

Last week, late in the week, I went to Abacus Learning Centre in Hastings, in my electorate. I worked with Michael Moore and others who are part of Abacus. They are part of the process of providing early literacy skills, early adaptation skills for preschool children with autism spectrum disorder. Part of the challenge is to ensure that there is adequate literature tailored specifically to these children and to the parents of these children. In that respect, Autism Victoria is putting together the 1000 Books Campaign. It is a campaign which I have become involved in in a very modest way. There are many others who are doing much more. This campaign is about a recognition that parents of children with autism are hungry for
knowledge about something which is confronting and challenging. It can cause them to doubt their skills as parents. It can cause them to worry about the future facing their children. The 1000 Books Campaign is not about a mass of money. It is about developing a resource. We will work with the Victorian government and also with the Commonwealth government. It will be one of the two destinations for any funds that we raise in a 500-kilometre walk for autism that I am doing around the electorate later this year. Abacus will be the other recipient. Public libraries are vital in the battle against illiteracy, but the specific public library campaign in relation to autism, the 1000 Books Campaign, will be fundamental going forward.

Mr LAURIE FERGUSON (Werriwa—Parliamentary Secretary for Multicultural Affairs and Settlement Services) (7.30 pm)—As a representative of part of the Liverpool municipality—and the son of the man who left school at 13 years of age and who educated himself through school of arts libraries, which preceded public libraries, and left state parliament widely regarded as the best-read person in the New South Wales parliament—I very much congratulate my colleague for bringing this resolution forward.

The Australian Library and Information Association has heralded next year as the year of public libraries so it is ironic that this year Liverpool Council—an organisation with 6,000 members which acknowledges that in this country we have 183 million library items, 10 million inquiries a year and 8½ thousand personal computers with internet access at 7,000 libraries—a Liberal controlled council, has moved in this fashion. Like my colleague, I am pleased that they are retracting their position. But it has not been without a very significant public campaign by the minority Labor councillors in that organisation and by the state member for Liverpool, Paul Lynch.

Libraries are indeed of great value to society. The Australian Library and Information Association has cited an international survey of over 27 countries which says that where there is a book in the home there is improved educational outcomes for children, especially among disadvantaged families. As the member for Fowler said, this is an area that does have a degree of public deprivation because of public housing. It is also a high-migration area and these books are not in many homes. People depend, more than in any other area, on access to public libraries.

Libraries are also an outing for many people. They are an area where people can socially interface. They are available for family history searches and for book clubs. On a broader front, they are certainly at the cutting edge, in this day and age, of skills acquisition. They work closely with schools and they are crucial—and this is going to be a focus of next year’s year of public libraries—for family literacy and encouraging entire families to access these facilities. They are also about public spaces—meeting places where organisations that cannot afford to elsewhere can actually get rooms at cheap prices. They are also a refuge from stress for many people.

It is alright for the Liverpool city councillors, driving in their cars, to say that you can have a centralised institution which might be slightly larger, or whatever, than these four public libraries they threaten. But many people in this area do not have car transport and do not have access to public transport. There was an example given of one person who would have to use three forms of public transport to get to this megalith they were going to construct as the municipality’s loan library.
In Britain there has also been a debate about public libraries. There was a threat to 450 of them. The Guardian, the British daily paper, on 11 February this year said, about libraries:

In short, they are civilised, unlike the people who are deciding their fate.

Quite frankly, that is very true of the Liverpool councillors. There is no other place in this country where a council would sit around and come up with this kind of concept. It is the same council, which, alone in this country when everyone else was getting behind the flood effort in Queensland, wanted to play partisan politics about the raising of flood money. It was the only place I know which refused to contribute to the Queensland Premier’s flood appeal because it did not trust the Queensland government. That is the kind of mentality that we have in this council.

So I am pleased that the member for Fowler has brought this forward. It is crucial that libraries are available. I saw a figure quoted by the member for Fowler—other figures have quoted an even higher usage rate—that libraries have 10 million members in this country. Ten million Australians are members of public libraries. It is crucial that the councillors of Liverpool are held to this defeat, this backdown. I understand that they are making it slightly conditional to save themselves some face. They are placing certain conditions—that they will keep these libraries as long as this or that happens. The public has spoken. There has been a broad coalition of people throughout the municipality who have seen a very stark need for this library system and the council must be held to their word in the months ahead.

Mr IRONS (Swan) (7.35 pm)—I rise to support this motion by the member for Fowler, as I firmly believe in the importance of public libraries for communities across Australia. Again, I do not know about the Liverpool situation, but it is good to see that our members in New South Wales are supporting public libraries. My older sister, Lucy Irons, is a librarian and I know that the Speaker, the Deputy Speaker and I have been advocating the importance of teachers and librarians in schools. Lucy is currently employed with Vision Australia and her role as a librarian is very important to her. I remember growing up reading books around the family house because we had no television as youngsters, but our hallway was lined with bookshelves and my memory tells me that the first serious novel I read was Beau Geste. My parents joined the family up as a member of Box Hill Library and many books were borrowed in the early years of my life. I am happy to say that we also returned those books.

There are 36 public libraries in my electorate of Swan. These consist of school, university and community libraries that cater for all residents of Swan. The valuable services they offer include books for recreation and information, newspapers and magazines, reference resources including encyclopaedias and directories, access to the state library website and a range of online databases, internet facilities, large print books, books and other resources in 50 community languages other than English, resources for learning a language, community and local history information and photocopying facilities. There are resources and services for all age groups. These are all things that we find as standard that we should have access to, but a lot of people in lower socioeconomic areas just do not have the facilities or the resources to get that information.

Last year I was invited to attend the Belmont public library along with local residents on a night that was designed to promote reading and the benefits of doing so to young boys. It was good to be involved with and also witness such a worthwhile event. I, together with Sally Carbon—the well-known sportswoman, author and World Cup and Olympic gold medallist...
for hockey—and her husband, ex-AFL footballer Michael Broadbridge, attended this night, which was put together for the very purpose of engaging young children’s minds. It was a fantastic night and it was finished off with pizza and sandwiches which the attending young boys and parents enjoyed.

I would now like to talk about a project in my electorate at the WA Association for the Blind called Beyond Books, Beyond Barriers. The Beyond Books, Beyond Barriers library project will transform the way the association store and supply their library’s audio resources. Their current collection of books on cassette will be changed into a collection of digital, downloadable audio book files. This means that they will no longer have rows of shelving holding hundreds of different talking book containers that are ready for posting throughout WA. Instead, their books will all be saved on a large computer server. Any of their borrowers who have access to the internet and the right assistive technology will be able to search their user-friendly catalogue and select and download the books they want. For those people without access to the internet, the library will download digital books onto a cartridge and post those to their borrowers for use on a dedicated talking book player. Their books will be totally accessible for use on any mainstream MP3 player, including devices such as mobile phones and personal digital assistants. In addition, these books will be produced according to a special MP3 file format known as DAISY, which is a worldwide standard developed specifically for people who have a print disability. The advantage of this format is that, if the books are played using DAISY software on a computer or using a specialised DAISY player, added features can be used, such as the ability to insert bookmarks or to easily move around within chapters or sections of a book.

Another exciting aspect of the project is the development of a production on demand service. This service has the potential to make thousands of titles available that would otherwise be inaccessible to people who are unable to read printed materials. The service will take an e-text document from within the public domain and convert it into an alternative format of choice, including Braille, large print and audio. The documents must not have copyright restrictions, such as documents in Project Gutenberg. The audio will feature a synthesised voice instead of a human voice, but these are of extremely good quality and will continue to improve. I applaud the association for their work in this area to maintain a library service that is modern and user-friendly for those who might otherwise be deprived of the joys of our language and the written word.

On the question of funding of public libraries, in October 2010 the Western Australian Liberal minister for culture and the arts, John Day, announced that the WA Liberal government would allow the State Library to use a new more equitable funding model for determining the allocation for each local government to purchase materials for their local public libraries. This change in policy will result in an efficient allocation of public funds and more transparency in their approach and process. I congratulate the member for Fowler for bringing this motion to the House.

The DEPUTY SPEAKER (Ms S Bird)—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.
Defence Housing as an Immigration Detention Facility

Debate resumed, on motion by Mr Robert:

That this House:

(1) notes that:

(a) Defence Housing Australia (DHA) is the professional manager of Defence houses;

(b) the Department of Defence still retains over 1,650 homes that have not been handed over to DHA; and

(c) the Government is using some of these 1,650 homes, notably over 50 at Inverbrackie, as a detention facility to house Irregular Maritime Arrivals (IMA), rather than Defence families; and

(2) calls on the Government to:

(a) cease using Defence housing as an immigration detention facility;

(b) hand over all houses managed by the Department of Defence to DHA; and

(c) categorically state that it will not acquire the homes of Defence families for the purpose of housing the ever increasing number of IMA arriving in Australia as a result of the Government’s soft border protection policies.

Mr ROBERT (Fadden) (7.40 pm)—There are 18,153 houses available for Defence families right now—15,770 of them are owned or leased by the Defence Housing Authority or DHA, and 2,383 were owned by the Department of Defence as at Halloween last year, 31 October. Of the 2,383 houses owned by the department, 20 per cent or 446 are not being used to house Defence families. They are either vacant, being renovated or being used for other purposes. It may come as a surprise to the people of this nation but those purposes now include housing irregular maritime arrivals—boat people, those seeking refugee status. Indeed, 81 of the Defence houses in Inverbrackie in South Australia are being used for this purpose. This motion therefore calls on the government now, today, to cease using Defence houses as an immigration detention facility, to hand over all house management to the Defence Housing Authority and to state categorically, without equivocation, that Defence houses will be used for Defence personnel, their spouses, families and children and not as detention facilities for the ever increasing number of IMAs.

By way of history, it is a statement of fact that during the 2010 federal election a ministerial submission from the Department of Defence to the then Minister for Defence outlined plans to shift Defence families from their homes in order to house those seeking asylum, or IMAs. The letter was obtained by the Australian newspaper. The submission went into significant detail about how this might be accomplished and included time lines, costs and the proposal to transfer Defence land to the Department of Immigration and Citizenship. Reports suggested that 162 Defence members and their families would have to move to inferior housing to make way for those seeking asylum at Darwin’s Berrimah Defence establishment. Clearly, and as was to be expected, this was later refuted by the government.

The government, in shock and denial, said the proposal came from the Department of Defence. It is clearly obvious to even the most casual observer of such matters that the Department of Defence would be the last to propose such an idea without ministerial authority. It is ludicrous and indeed misleading to suggest otherwise. Many have tried in the past to persuade Defence to give up or otherwise sell off surplus land or assets, and those people will testify quite clearly that it is like pushing a very large rock uphill. To think for one moment that De-
fence would voluntarily suggest that it would give up its land to another department is simply
fooling ourselves and treating the Australian people like mugs. The Labor government’s de-
ference on the matter during the election campaign was similarly weak. It failed to categorically
rule out the prospect of ever using any more Defence housing for accommodating asylum
seekers.

I could go on, but let me put on the record, clearly and unequivocally, for the Australian
people: the coalition will not move Defence families from their homes in order to house those
seeking asylum. I cannot think of anything worse for Defence families and members, their
children and their spouses—having already given so much to serve our land and its uniform—
than having, in effect, to pay for the Labor government’s failed border protection policy by
having to leave their homes. The coalition will not put up with it. We will not stand for it. We
will fight assiduously against it.

It has long been said, with regard to managing our borders, that the coalition had a problem
and created a solution—to the point where, on 24 November 2007, only four children were in
detention. That number is now over 600. Whereas the current government abandoned the so-
lution and created a massive problem—pull factors that have now pulled over 200 boats and
nearly 8,000 people to our shores seeking asylum.

The problem is getting bigger, and there is no solution. In the words of the Prime Minister,
in a different life, maybe: ‘Another boat, another policy failure.’ Every day we hear that the
Christmas Island detention facility is at or over capacity. Thousands more people seeking asy-
ium are moved onshore and housed in motels, all at taxpayer expense. It was only a week ago
that the Gillard Labor government said that an additional $290 million would be needed to
fund its failed border protection policy, in addition to the $470 million already budgeted—
almost $¾ billion for a problem they created. Can you imagine what $¾ billion could actually
fund? It could almost fund half the levy this government is going to foist on the Australian
population. By comparison, the coalition, in its last year of government, spent less than $100
million.

This is a failure of this government of the most categorical terms. Defence families, de-
ference land and defence housing are now paying the price for that failure. Given that the Gil-
lard Labor government seems quite unwilling to adopt the coalition’s highly successful border
protection policies, measures now need to be taken to ensure that defence families are not left
to pay for the failures of this government.

Ms Saffin—Like Tampa.

Mr ROBERT—It is for this reason that I call on the Gillard Labor government to imme-
diately provide a guarantee—immediately, member for Page—in this parliament to the people
of this nation, to all defence personnel and to their families that they will not be required to
move from their homes for the purposes of the accommodating those seeking asylum. Mem-
ers of the ADF and their families need that level of categorical assurance. They deserve that
assurance from this government. After all, we do not know whether or not this policy is still
being kicked around in the back halls of Russell Hill and in the Department of Immigration
and Citizenship.
In the middle of last year, when the issue hit the radio waves, the ministerial submission went as far as to list possible sites in Western Australia and Victoria that may be suitable. In fact, none of them are suitable, but the plans were well developed. In July last year it was reported by senior Defence sources that plans were well advanced for Maygar Barracks in Broadmeadow, outside Melbourne, to accept irregular maritime arrivals. At that time a Defence spokesman said:

The government has repeatedly acknowledged that as part of its routine and prudent contingency planning, the Department of Immigration and Citizenship has for some time been exploring additional temporary accommodation options to house families and vulnerable asylum-seekers.

If we cut through all the spin it is quite clear that the Department of Immigration and Citizenship, and, indeed, this government, knows it is running out of space to house those seeking asylum. They desperately need additional accommodation for the thousands and thousands now being brought to the mainland. If the boats keep coming—and I guarantee you they will, because there is no deterrent; only a massive policy framework that is acting as a magnet to pull them here—there is a very real prospect that this government will run out of options and will seek further defence houses to house those seeking asylum.

That is why this motion calls on the Gillard Labor government to transfer all defence housing stock management to Defence Housing Australia—transfer it all—because this government cannot be trusted to have over 2,300 defence houses that the minister can grab at will, whereas he cannot grab those houses that are currently being owned and run by DHA. The temptation must be removed from this bad government: 2,383 houses owned by Defence, 1,937 occupied, leaving 446 right now—20 per cent—that I am sure this government is eyeing warily and greedily to try to deal with the problem of those seeking asylum, which is getting out of control.

Currently 81 houses in Inverbrackie, South Australia, are being used for this purpose—defence houses being used as a detention centre. Clearly this is the thin end of the wedge. In a question on notice to the Minister for Defence Science and Personnel on 17 November 2010, the minister was asked why the housing stock was not transferred from Defence to DHA. The answer was that ‘commercial arrangements did not allow for it’. The real answer, of course—and we all know it—is that if you hand it over to DHA, the Gillard government cannot get its grubby paws on it to use it for ulterior motives other than housing defence families. It is that simple.

The Department of Defence, the Minister for Defence and the Minister for Defence Materiel have recently been in the spotlight over a growing list of scandalous equipment problems that have developed on their watch. Most notable and most parlous is the state of the Royal Australian Navy, where there is no amphibious capability available right now. Can you imagine if Cyclone Yasi had struck Townsville or Cairns and an amphibious ship could not be launched? There would be no hospital facilities offshore, no helicopter facility offshore and no mass movement of transport and goods offshore. This is the state Defence has got into because of what this government has done to it. The last thing we need to do is compound the problems the department is dealing with because this government cannot continue to control its borders.

Ms BRODTMANN (Canberra) (7.50 pm)—I am pleased to rise tonight to speak against this motion by the member for Fadden because, text aside, this motion is not really about de-
fence housing. It is a proxy debate. It is a base attempt by the opposition to play wedge poli-
tics and pit one section of the community against another. It is a continuation of the strategy
we have seen from the coalition that has seen them propose stripping millions of dollars in
funding to schools in Indonesia, which is against our national and economic security interests,
against the future interests of thousands of Indonesian children and against the right thing to
do.

This short-sighted approach to foreign aid and defence policy is truly gobsmacking because
it overlooks the fact that we are a wealthy nation. It overlooks the fact that, as a wealthy na-
tion, we can support those in need in Australia and we can support those in need in our region.
It also overlooks the fact that poverty breeds terrorism. And what is the best way of eliminat-
ing poverty and the cycle of disadvantage? It is education. Education is the great empowerer.
It opens up opportunities like nothing else. It builds self-esteem and it provides choice—not
that this message is particularly dear to the coalition’s heart given its track record in education
when it was in government.

Mr Robert interjecting—

Ms BRODTMANN—You are hurt by that comment because you know it is true and the
fact that this government has made the biggest investment in education in this country ever.

I would also like to use this opportunity to congratulate the Minister for Immigration and
Citizenship for last week’s release of The people of Australia: Australia’s multicultural policy.
The policy includes the following four key principles: that we as Australians will celebrate
and value Australia’s cultural diversity within the broader aims of national unity; that we will
strengthen the government’s commitment to social inclusion, social cohesion and responsive
government services; that we welcome the trade and investment benefits of diversity, and
these have been significant over the years and will be significant in the future; and that we
promote the understanding and acceptance of cultural diversity while responding to attitudes
and actions of intolerance and discrimination with strength. The policy also outlines rights
and responsibilities that are enshrined in our citizenship pledge—loyalty to Australia and its
people; the need to uphold our laws and democracy; and the need to respect our rights and
liberties.

Tonight when I was on ABC24 I was asked by a journalist if we should have a debate about
multiculturalism in this country. I believe we should have a debate and in the process cele-
brate the fact that we have been a great success in national cohesion. You only need to look at
what is happening in Europe to compare how we have gone on multiculturalism. I think that
is because most Australians are tolerant, and that is because we have managed our migration
policy very carefully. We have not ghettoised populations. We have social cohesion and na-
tional cohesion. That is because it has been very carefully managed and because Australians
are tolerant.

It is also, most importantly, because leadership has been shown on this issue over many
years and by successive Liberal and Labor governments. The Prime Minister was today laud-
ing the achievements of the Menzies government and also the Fraser government in showing
leadership on this issue.

Mr Robert—You missed the Howard government.
Ms BRODTMANN—Because I did not see much leadership happening there. That debate requires leadership to ensure that discussions are constructive, productive and acknowledge the significant contribution made by all Australians, no matter what our backgrounds, because, apart from our Indigenous brothers and sisters, we are all migrants. My father’s family came out from China and Germany in the 1850s and my mother’s family came out from Ireland and Scotland in the late 1800s.

However, if members of the opposition had their way the debate would focus on the most base of propositions. Some have stated that Islam is a problem and, if reports out of shadow cabinet are to be believed, there is a genuine strategy and a genuine attempt to play to Islamophobia. I am glad that some in the opposition have the moral strength to stand against this and I would be keen to know the member’s thoughts on this matter. This is an attempt to play a very nasty game of politics in this House. It has nothing to do with Defence housing. It is not an attempt to show genuine leadership or to deal with genuine concerns.

I refuse to play this game. I do not agree that moving families to more appropriate accommodation is a soft option. I do not agree that showing compassion is the same as showing weakness. This is pure rhetoric. This is the most base of politics. No member of the Defence Force is without a home because of the decision to use some sites to accommodate asylum seekers. The Gillard government has a deep commitment to those men and women who serve in the Defence Force and it will not overlook the need for homes for defence personnel and their families. It is a government priority to house members of the Defence Force, and I have just been advised that we are building more Defence housing throughout the nation. It is coming on at a great speed, isn’t it?

Ms Saffin—Yes.

Ms BRODTMANN—As the member has noted, Defence Housing Australia is the dedicated manager of housing for Defence Force personnel and their families. It is also important to note that they provide homes for the members and families of the Customs service office as well as for employees of the Maritime Safety Authority. However, the Department of Defence retains ownership of houses on military bases or in remote locations. Those houses intended for Defence Force personnel and their families are all managed by DHA.

Defence Housing has a very high standard for homes intended for defence families and it has come a long way since the days when my husband was an Army brat and his dad was in the Army in the sixties, seventies and early eighties. In the sixties things were pretty basic, and his family of eight—six kids, a mum and a dad—were often crammed into small houses with just a few rooms. I have seen some of those that still exist. They have now been extended and renovated and are up to scratch. Things are very different today. We have a number of friends in defence. Their housing has been incredibly comfortable and it gradually improves as they work their way up the ranks. They do not have any complaints about it except the usual complaints about bits and pieces here and there. Generally it is comfortable and decent. It is like an average suburban home. The places that do not meet this standard are handed back to Defence and those surplus to requirement are also handed back and are then refurbished or demolished.

The houses in Inverbrackie were found not to be suitable for DHA purposes; that is why they went back into the system. In the first instance, the houses were used for a community group and then, late last year, the Minister for Immigration and Citizenship announced that
the housing would be used to accommodate up to 400 low-risk asylum seeker family members. This announcement was in the context of the government expanding its residence determination program to move significant numbers of children and vulnerable family groups out of immigration detention facilities and into community based accommodation. I want to commend the government and the minister for this decision. I understand that by June-July this year the bulk of the 1,000 or so unaccompanied minors and vulnerable families will be moved out of detention. In making the decision on housing, the government made sure there would be no impact on defence families. Not one member of the Defence Force missed out on a home because of this decision—not one. All this information would have been available; it is easy to find out.

So I return to my original point: what is this motion actually about? I ask the member to come clean on what he really wants to do with this motion, because it is not about a lack of housing for defence personnel, it is not about a concern that Defence cannot manage housing or a challenge to the DHA over its management and it is not about any actual attempt to take a home from a defence family. This is absolutely about wedge politics. This is absolutely about lowest common denominator politics.

I would love to live in a world where these sorts of measures were not needed; however, we do not live in such a world. Therefore, we must have an approach to this matter that protects our national sovereignty and meets our obligations to the international community. I believe that we as a nation are capable of showing compassion without showing weakness.

This motion is just glib. It does not address any actual problem, nor does it show leadership on this issue. I call upon the opposition to stop playing these games. I urge them to treat asylum seekers with some degree of compassion and not to look to score political points on what is a difficult and complex policy issue. That is why I am speaking against this motion.

Mr SIMPKINS (Cowan) (8.00 pm)—I welcome this opportunity to comment on the very fine motion before the chamber. Having served a short 15 years in the Australian Army I am most familiar with Defence housing. There have always been issues with regard to Defence personnel, it is not about a concern that Defence cannot manage housing or a challenge to the DHA over its management and it is not about any actual attempt to take a home from a defence family. This is absolutely about wedge politics. This is absolutely about lowest common denominator politics.

A division having been called in the House of Representatives—

Mr SIMPKINS—As I was saying before the suspension, there are a great many issues surrounding this motion. Whilst the government has told us that the 81 houses in Inverbrackie are surplus to requirements, we know that there are 490-odd houses around the country that are not currently being occupied. I wonder about the temporary rental allowance situation in these places. Are the people who could be in these Defence houses merely being pushed over to continue on the Defence budget bottom line by being given TRA when this Defence controlled housing is just being pushed over to the department of immigration? I wonder whether that is the case, because that certainly has not been made clear by the government at all.

Obviously a big part of the need for this motion comes from the pressure on Defence housing as a consequence of the government’s failed border protection policies. It only stands to reason that, when you break a working system of border control which then has the effect of
encouraging more people to make a perilous journey by boat to Australia, you are then going to be faced with the question of what you are going to do with these people. More people come by boat and more people move to Christmas Island. When Christmas Island is overflowing in the manner it has been, what is the next step? Clearly this is the next step.

We need to look beyond Inverbrackie and ask: what is the government going to do with those 492 Defence houses that are unoccupied? The question I posed before is: what is the situation regarding TRA? Have Defence Force members been forced to go and look for their own housing using temporary rental allowance because houses that were available are just being shifted over to immigration, saving a bit on the immigration department’s bottom line and lifting a bit on the Defence bottom line?

I know and we all know that housing affordability in this country remains a concern for many of our citizens. I think a lot of people would be saying that, if there are Defence houses around, what is the government’s plan and why is the government not thinking about making them available to current Australian citizens? I know my colleague the member for Solomon has made this point on a number of occasions. What about the 400 houses in Darwin that are in this Defence owned category? Wouldn’t the right thing be to hand them over for rental to Australian citizens who are already doing it tough? I wonder if this is a matter of priorities. I wonder how much of the additional cost of the government’s failed border protection and immigration policies is being disguised in costs under the Defence portfolio by using the houses in Inverbrackie. What is the future for Defence owned houses? Defence Housing Authority stock cannot be touched by government but Defence housing is fully controlled by the department and can be diverted to other causes.

We know that there are an ever-increasing number of illegal boat arrivals and that Christmas Island has become massively overcrowded. The facility was originally designed to accommodate 750 people at most, but it has expanded and is currently housing around 2,700. The government, to try to cover its embarrassment and deal with the consequences of this failure, is looking to book out maybe some more entire hotels in various locations around the country to house people arriving illegally. We have even heard of people being housed in shipping containers in Darwin.

In Western Australia we know the government has been forced to shell out an estimated $5 million per year to house illegal arrivals at the former mining camp in Leonora. Of course, it needed to be upgraded—since the time it was occupied by miners—to make sure it was up to the relevant standard. When we look at the 1,500-person detention facility at Northam—a plan about which the government remained silent before the election in August last year—there was no consultation whatsoever before the decision was made.

We understand that ABC radio reports in Western Australia last week suggested work at Northam is running behind schedule and it looks like—even in this epitome of the government’s failure to control our borders—the government will not even be able to bring this in under budget or at least on time. However, the boats keep coming and the costs keep mounting.

In 2010-11 the government will spend more than $760 million on people arriving illegally to Australia. We recall that in 2007, at the time of the last government, the cost was about $100 million. It is estimated that every person who arrives illegally to this country by boat costs taxpayers around $150,000. None of that will be helped by the ‘East Timor solution’.
That dead duck is not going to fly any time soon—it has certainly been roundly dismissed by the elected representatives of East Timor. It would probably be as successful as the citizens’ assembly that the former Deputy Prime Minister raised.

We had the opportunity back in 2007 when the detention system—the immigration and the border patrol system—was working. The boats had slowed to just about nothing. We had a functioning facility on Nauru that could have been used. This need by the government to co-opt defence housing for immigration is a demonstration of the failure of the border control system. Then there was the refusal to use Nauru, and it has been compounded the whole way along. The East Timorese Council of Ministers has rejected the plan for a regional detention centre and, whilst the government has allegedly drawn up a document for ongoing discussions, it really does not look like going anywhere. What a shame that is, given that we had Nauru as an option. There are so many opportunities that this government has dismissed for political expediency’s sake. The sorts of problems we face now and the waste of money that has epitomised the failure of border control have been so pointless. If the government had just left things as they were, none of this would have been required.

I recall that the previous speaker spoke about compassion. What I would say about compassion is this: when you take people coming off the boats and the priority begins to be those people, what about all the other people who are stuck in refugee camps who just have to wait a little longer or delay for another year, or maybe not even come at all? What about the people who do not have the money to pay the people-smugglers or to fly on commercial airlines to Malaysia and then see the people-smugglers? What about the people stuck behind the wire in refugee camps somewhere who do not have the money to jump the queue and come here illegally? They wait. That is not compassion; that is a disgrace. That is the problem with what the government has done over the last three years. (Time expired)

Dr LEIGH (Fraser) (8.25 pm)—To help those in need, to extend compassion, and to be concerned for the unfortunate is what being a ‘mate’ is all about. But, in recent weeks, I fear that those opposite have stepped away from this. They have stepped away from a recognition that our nation is strongest when we help those in need. From Simpson and his donkey to the willingness of Queenslanders to help one another in the recent floods, there is nothing more Australian than helping someone in need.

We can have strong border security while showing compassion for those who seek to claim refuge in our great nation. Those opposite, for the sake of political gain, would have us believe that is not true. They seek to gain advantage from the misfortune of others. As Mike Carlton, writing in the Sydney Morning Herald and summing up a grubby week for the opposition, put it, ‘This is One Nation stuff with a Liberal Party blue ribbon wrapped around it.’

Let us make clear that the motion as moved by the member for Fadden is not about concern for the great men and women of the Australian Defence Force. As my colleague the member for Canberra has already made clear, Defence families are not worse off because of a decision to use some Defence properties to house asylum seekers, to allow children to gain an education while their families’ claim for refugee status is being assessed. Instead, this motion is about tapping the same vein that the shadow minister for immigration wanted his cabinet to tap: ‘Let’s make political capital from Muslim migrants,’ he told his colleagues.

Those opposite would well remember from their days on the Treasury benches that Defence Housing Australia hands back houses to the Department of Defence all the time. An
assessment is regularly made to ensure that all homes available for Defence families meet the high standards set. If a DHA house does not meet that standard or is no longer needed, it is given back to Defence.

That is exactly what happened with the 50 or so houses used to house asylum seekers at Inverbrackie: 50 houses deemed unsuitable for Defence were put to use housing people seeking refuge in Australia. Those opposite would have us believe that no house owned either by Defence or by DHA should be put to a use other than to house Defence families. They take a very purist line on that in this motion. But they forget that, when they were in government, they rented DHA homes to non-Defence families. In 2003, the then minister responsible, in answer to a question on notice from the former Labor member for Cowan, Mr Graham Edwards, a man greatly missed in this place, informed the House that up to 862 DHA houses were being leased to private individuals—that is, 862 houses that one presumes met the high standard required by DHA for Defence family homes—yet those in the Liberal Party and the National Party voiced no objection at the time. I do not recall the mover of this motion stepping forward or his political forebears stepping forward to say that it was inappropriate then. But it is inappropriate now. Perhaps the rule is that it is okay to use DHA homes for non-defence personnel as long as they are Christian.

Those opposite well know that Defence families are not being disadvantaged by this decision. Indeed, they could learn a thing or two from the children at Inverbrackie, and perhaps those local children at Inverbrackie might help those in the Liberal and National parties find their compassion gene again. Jasmin Gallagher-Bohn, an 11 year-old living in Inverbrackie, was quoted in the local Hills and Valley Messenger on 16 November 2010 as wanting to help the refugees who would be settling in Inverbrackie. She told the Messenger:

‘It made me think about what happens to them—
the refugees—
and how lucky we are.’

A story from Adelaide Now on 20 December 2010 recorded that schoolchildren in Inverbrackie were getting on well with their new classmates. Immigration officials were quoted as saying there were no major problems with resettlement in Inverbrackie. The director of Catholic welfare group Centacare Adelaide, Dale West, said:

“Once these people actually move in, they become human faces.”

He went on to say:

“Not many people can look at an 11-year-old girl whose got one arm because she’s had the other one ripped off in Sri Lanka and say: ‘Go away, we don’t want you’.”

A story from Adelaide Now on 28 January this year headlined ‘Hills school welcomes asylum seeker children’ said the following:

Woodside Primary principal John Balnaves said the school was excited to welcome its newest additions. “The students here are really great, fantastic and caring kids,” Mr Balnaves said. “The Inverbrackie children will find they’re coming in to a good environment with people watching out for them.”

He said the existing students were looking forward to meeting their new classmates, with some already interacting with the Inverbrackie children when they delivered shoebox care packages to their peers for Christmas.
But what we saw from the opposition in relation to Inverbrackie and the announcement by the Minister for Immigration and Citizenship that those facilities would be used and families released into community detention was hysteria and the glorification of policies that the Australian people know have long failed.

The shadow immigration minister wants to return to the Howard government’s policy of detaining asylum seekers in high-security detention centres, as occurred at Port Hedland or Curtin immigration detention facilities in the earlier part of this decade. Under the Howard government, one child was held in a Port Hedland immigration detention centre for five years, five months and 20 days. As the father of a boy who turned four on the weekend, I struggle to imagine the notion of a child incarcerated in a Hedland detention centre for more than five years. This is the legacy that even Prime Minister John Howard walked away from in 2005, but it is a legacy that those opposite would have us return to. Indeed, only late last year the shadow immigration minister was trumpeting the Howard government’s record of moving children from behind razor wire—even if it did come after nine years in government—and yet now he is suggesting that families and children should be placed back into high-security facilities.

I cannot let this issue pass without noting the comments of the Leader of the Opposition on Inverbrackie. His clear insinuation last year after speaking to a community forum in the Adelaide Hills was that asylum seekers who do manage to make it to our shores should be placed in very uncomfortable conditions—the better to send a message to people smugglers. Australia is a bigger and more gracious nation than that. The shadow immigration minister, for his part, said on refugees to Sky News on 4 November last year:

… whether they’re at Curtin or Christmas Island or Scherger or any of the other places that I’ve seen, the Northern Detention Centre in Darwin or so on; the type of accommodation there I think is entirely appropriate, we would have similar type of accommodation at Nauru.

That is his solution, apparently—leave those unused DHA houses to the vandals so that the government can kick asylum seekers a little harder when they get here.

Finally, I want to note that none of this should be taken as a reflection on the terrific work of DHA. I had the pleasure of visiting some new DHA homes in my own electorate of Fraser with the Minister for Defence Science and Personnel last year. I would like to use this chance to congratulate DHA on the excellent job they are doing and tell of the admiration I have for those new houses in Crace and elsewhere in Australia. As of the middle of last year, DHA managed over 18,000 properties in all states and territories, a portfolio valued at $8.6 billion. That involves a large development construction acquisition program. For example, in the 2009-10 fiscal year over 1,000 properties were built or acquired by DHA. DHA has also put in place an internet based HomeFind tool, making sure that properties are available to families before they move. DHA does great work for defence personnel, and they do not deserve to be treated as a political football in the immigration debate.

Mr Adams—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.
Security in Eastern Democratic Republic of Congo

Debate resumed, on motion by Ms Burke:

That this House:

(1) notes:
(a) the eastern region of the Democratic Republic of Congo continues to suffer from high levels of poverty, insecurity, and a culture of impunity, in which illegal armed groups and military forces continue to commit widespread human rights abuses;
(b) that, according to a study by the International Rescue Committee released in January 2008, conflict and related humanitarian crisis in the Democratic Republic of Congo have resulted in the deaths of an estimated 5,400,000 people since 1998, and continue to cause as many as 45,000 deaths each year; and
(c) the mismanagement and illicit trade of extractive resources from the Democratic Republic of Congo supports conflict between militias and armed domestic factions in neighbouring countries; and

(2) calls on the Government to promote peace and security in the eastern Democratic Republic of Congo by supporting efforts of the Government of the Democratic Republic of Congo, civil society groups, and the international community to monitor and stop commercial activities involving natural resources that contribute to illegal armed groups and human rights violations.

Ms BURKE (Chisholm) (8.35 pm)—I have moved, with pleasure, this motion on the devastating humanitarian situation taking place in the Democratic Republic of the Congo. At the outset, I would like to thank Mark Clarke from the Office for Justice and Peace in the Catholic Archdiocese of Melbourne, who first brought this issue to my attention. Mark has been working with the Melbourne Congolese community to bring attention to the humanitarian disaster occurring in their country of birth, a disaster that is being driven by the incredible wealth derived from the mineral resources of that country. Mark is a persistent individual. I first put this motion on the books in 2009, so I am finally thanking the House for getting it up and thanking Mark for not getting off my back to see that it finally happened. I would like to have been thanking Clovis Mwamba from the Congolese community of Melbourne for being present. Sadly, Clovis is still in the air because his plane has been delayed, but the Congolese community of Melbourne is very thankful that people within the Australian parliament have finally heard their pleas, and this will be getting wide coverage within the community.

Since 1996 the Democratic Republic of the Congo has been embroiled in the deadliest conflict since World War II. It has been devastated by various wars, which have resulted in widespread humanitarian rights violations and the intervention of multiple armed forces and armed non-state actors from other countries in the region. It is estimated some 5.4 million people have died from the ravaging effects of the war and its aftermath, with 45,000 perishing each month, mainly from hunger and disease, in a country that has incredible wealth. Furthermore, more than one million people have been displaced. Worse still, armed groups routinely commit acts of rape and violence against Congolese women and girls.

While we have seen in recent days some progress in this area, there is still much to do. While we have seen issues being taken up in recent times, and some legal proceedings, it is still true that the quelling of mass rapes by armed combatants in Congo needs to be dealt with. The UN have noted that their peacekeeping mission is still absolutely essential, and deep con-
cerns remain about the insecurity, violence and humanitarian rights violations taking place in the DRC.

The mismanagement and illicit trade of extractive resources from the country has been a prime cause of the atrocities and conflict. International companies investing in the Congo are interested in the resource extraction sector. Indirectly, this investment is fuelling competition and conflict between armed groups, which has been the driving force behind the atrocities and conflict which has marred the DRC throughout its history. The Congo’s vast natural recourses are financing multiple armed groups that target the local population, particularly in the eastern Congo. These groups operate with different agendas. Some are purely criminal while others have political foundations. The one thing they have in common is the atrocities they commit against Congolese civilians, with rape and other forms of violence used to suppress the local population. As the UN has noted, continual vigilance is required to ensure that individuals and entities buying minerals from eastern Congo establish whether or not the minerals are controlled or taxed by illegal armed groups. It is ethically and legally imperative that minerals known to originate—or suspected to originate—from illegal armed groups are denied trade or purchase. Any trade involving the Congo’s natural resources which empowers the militias must be condemned and those responsible for engaging in such behaviour must be held accountable.

Mass rape is deployed as a deliberate strategy by armed militias to intimidate and control Congolese communities, as the militia groups profit from the illicit trade in these minerals. Eastern Congo is frequently referred to as the most dangerous place in the world to be a woman or a girl. In 2008 Major General Patrick Cammaert, former UN deputy force commander, described the situation for women in the DRC: ‘It is more dangerous to be a woman than to be a soldier right now.’ Rape is used as a form of intimidation in these areas. Once a woman has been raped, generally her husband disowns her and she is left to indelible poverty. It is a tool to intimidate, control, terrorise and humiliate communities. Furthermore, the few women and girls who have had the courage to identify their rapists rarely see prosecutions. To quote Anneke Van Woudenberg from Human Rights Watch:

In Congo, if someone starts an armed group or kills people, they have a better chance of becoming a senior minister or a general than being put behind bars.

Perpetrators of rape and sexual violence must be held accountable and punished for their horrific crimes.

The first round of presidential and parliamentary elections in the DRC will be held in November this year. There are already reports of oppression of human rights activists, including illegal arrests and the death of a prominent activist in highly suspicious circumstances. We need to keep an eye on these atrocities. Keep in mind that this is a country in need of our protection; we cannot leave it off the radar.

Mr Van Manen (Forde) (8.40 pm)—I thank the member for Chisholm for her motion. I have spent some time researching this issue and it is certainly a terrible situation. It was not something I was aware of, and I am sure a lot of other people I have spoken to are not.

The Democratic Republic of Congo is a vast country with immense natural resources, yet its development is retarded by corruption and a war that is referred to by some as Africa’s ‘world war’. As this motion correctly points out, this conflict has left the country in the grip of a humanitarian crisis.
The crisis in the eastern region of the DRC dates from August 1998 when rebel forces, backed by Rwanda and Uganda, launched a drive to overthrow the government, resulting in the instalment of Laurent Kabila as President. In 2001 he was assassinated, only to be succeeded by his son Joseph Kabila. This episode is but a sad reflection of the history of the Democratic Republic of Congo, a history of mutiny, attempted succession, assassinations, civil war and corruption. A peace deal, a transitional government in 2003 and elections in 2006 served to bring some respite. News of elections later this year is also good news.

However, in 2008 a series of coup attempts and sporadic violence heralded renewed fighting in the eastern part of the country. Rwandan Hutu militias clashed with government forces—displacing thousands of civilians and leaving people in the east of the country in terror of marauding militia—and this has lead to the deaths of an estimated 5.4 million people since 1998 and continues to cause untold death and suffering today. It is a sad fact that these atrocities are carried out by all sides as they knowingly target civilians, who are killed, raped, arbitrarily arrested, pressed into forced labour and their possessions looted. According to Human Rights Watch there are currently more than two million people internally displaced and a further 145,000 refugees in neighbouring countries. The war has an economic as well as a political side. Fighting is fuelled by the country’s vast mineral wealth, with all sides taking advantage of the anarchy to plunder natural resources at the expense of the country’s future.

The United Nations have had a peacekeeping mission in Congo since 1999. This mission was renamed the UN Organisation Stabilisation Mission in the Democratic Republic of the Congo—MONUSCO for short. Its brief has been to work with and assist the Congolese army. However, their record has also been mixed. Human Rights Watch reports in their January 2011 report that while MONUSCO has sought to improve its organisational and operational process, the actual implementation has proved difficult and consequently known perpetrators of human rights abuses continue to be supported in the Congolese military. I note that the Congolese government has requested the withdrawal of MONUSCO. At this date no timeframe has been agreed on.

Everyone in this region has the right to feel safe and that their life is not at risk. They have the right to enjoy the freedom to go about their daily lives. They also should not be subject to torture or to cruel, inhuman or degrading treatment or punishment. The UN special representative Margot Wallstrom visited the Democratic Republic of the Congo in April 2010 and described the vast African nation as ‘the rape capital of the world’. This is a sad indictment on the Congolese government, particularly when some of these rapes are being carried out by its own military personnel.

We call on the Congolese government to urgently deal with the corruption within their own military forces and the government to ensure that these basic human rights are respected, that abuses of any kind are not tolerated and to ensure that perpetrators are brought to justice. The Congolese government needs to recognise that if it does not bring its own house into order it is going to be very difficult to ask others to do so. We also call on those neighbouring countries that are either actively or tacitly supporting these rebel elements to withdraw all support for these groups and work with the Congolese government to bring an end to this conflict.

Mr LAURIE FERGUSON (Werriwa—Parliamentary Secretary for Multicultural Affairs and Settlement Services) (8.45 pm)—In common with my colleague the member for Chisholm, the mover of this motion, I have a close affinity with the Congolese community. In
2009 I took the opportunity to bring a number of Sydney representatives to this parliament to inform members about conditions in the Congo and to get their views on movement towards solutions. It is no accident indeed that, whilst we had approximately 200 Congolese in this country at the time of the 2001 census, over 3,000 Congolese have entered the country in the 10 years since then. An important challenge to our settlement processes is that 44 per cent of those predominantly refugee newcomers are under 15 years of age, and they often come from very dislocated families.

The Congo has 80 per cent of the world’s coal and is strong in diamonds, zinc, copper, cobalt, tantalum and, very importantly, hydroelectricity. Despite that wealth of opportunity and resources, it has a per capita income of only $342 a year. A variety of issues have contributed to the situation which exists in the Congo, including the previous government, which was described as a kleptocracy; the fall of that government; and the intrusion of a number of foreign powers—Namibia, Angola, Rwanda, Zimbabwe and Uganda—who were helping those internal Congolese with whom they had some tribal affinity but, more importantly, were exploiting resources. Often, whether a group is supporting Hutus or Tutsis or other groups in the country, it is essentially an excuse to seize resources, and in many cases to enslave local Congolese to exploit those resources.

This is not a new phenomenon, as people have indicated. Human Rights Watch noted that all sides targeted civilians, who were killed, raped, arbitrarily arrested, pressed into forced labour and looted. In 2009 the United Nations Special Rapporteur Philip Alston spoke of sexual violence causing death, vigilante groups, the murder of human rights defenders, a campaign against alleged witches and a situation where many hundreds of people were killed by the FDLR and the FARDC, which are both, in some manner, related to previous developments in Rwanda. He called for the indictment of senior commanders; the integration of forces into the national army; a budget for prisons, which were severely overcrowded and basically run by the prisoners; and better monitoring by the United Nations, the organisation he represented.

In the last week we have read in the newspapers about a roving court which has indicted some people for rape. Previous Vice-President Jean-Pierre Bemba Gombo has been sent to trial for his crimes. But, overall, we can have no optimism about the current situation. In another recent development, the Lord’s Resistance Army, which has caused so many internal problems in Uganda over the last few decades, has moved into the Congo and late last year bludgeoned to death 345 civilians. Another problem in the country is the failure of the Congo to ever move away from hostility towards what are, at times, very longstanding migrant groups. Groups that arrived in the country before its independence from Belgium have been denied citizenship. They have tribal and ethnic confreres across national boundaries who tend to intervene for them. There has been a failure by the administration to tackle localised native tribal power and to give the country a sense of national identity.

I do congratulate the member for Chisholm for bringing forward this motion relating to a country in which at any one stage—there are various figures—two million people are either internally displaced or in exile. It is a serious situation: 5½ million people are dead. It is well past due that we in this house take the opportunity to speak on this matter.

Ms GAMBARO (Brisbane) (8.50 pm)—I also rise tonight to speak to this motion on security in the Democratic Republic of Congo. I thank the member for Chisholm for putting the
motion forward. I also thank the previous speakers, the member for Forde and the member for Werriwa. There is a dire humanitarian situation in the Democratic Republic of Congo. The Congolese are very, very poor people who have suffered for a very long time and for many reasons that are beyond natural comprehension. Ever since decolonisation from the Belgian empire, the Congolese have been subject to catastrophe after catastrophe, which has resulted in suffering seen nowhere else in the world. Similarly with other conflict zones, such as Afghanistan, there is no central working government. As is the case with all countries in this situation, regional warlords and a fractured army control vast areas of land, exploit local inhabitants and trade illegally in extractive and contraband resources. Unfortunately, women and children are often the ones who suffer the most and the most heinous crimes, which are often rewarded and seldom brought to justice.

In the Democratic Republic of Congo, the Democratic Forces for the Liberation of Rwanda, the FDLR, have moved across the porous land border in the east and are committing the same crimes that they committed in the 1994 Rwandan genocide. Despite the army trying to integrate some of the militant units under the peace accord in March 2009, a number of the armed groups dropped out. This resulted in hundreds if not thousands of people being killed and gang raped as each warring party accused the local populations of supporting its enemies. One of these groups that splintered was the National Congress for the Defence of the People, the CNDP. An example of this was when at least 105 civilians were killed in the western Masisi territory, where former CNDP troops conducted operations against the FDLR and their allies. Another incident was in the Walikale territory in early August. FDLR troops and a local armed group, the Mai Mai Cheka, systematically gang raped at least 303 civilians in 13 villages. The perpetrators accused the villagers of supporting the CNDP.

These people are using rape and HIV/AIDS against entire villages. They not only are destroying the population now but also are ensuring that these villages will never, ever recover into the future. In a completely separate case the Lord’s Resistance Army, which is a Ugandan rebel group, spilled into the Democratic Republic of Congo from the north, where they now continue their brutal and inhumane campaign. An example of just one of the atrocities committed by the LRA was in 2009, when the LRA combatants clubbed to death at least 645 civilians and abducted 250 others in the remote Makombo area. The LRA have also carried out operations in the Bas-Uele district, where children were deliberately targeted in widespread abductions and forced by the militant group to serve as child soldiers.

The rate of sexual violence in the DRC is one of the highest in the world. Over 15,000 cases of sexual violence were reported in 2009 and over 7,500 cases in the first six months of 2010. What is really tragic is that most of the victims were under the age of 18 years. But however bleak and heart wrenching this outlook is, there is always a glimpse of hope. In 2009 the FDLR president and his deputies were arrested in Germany on a warrant by the International Criminal Court for war crimes committed by FDLR troops under their command. There were similar arrests in France.

These are very sad stories. There is no sign of improvement on the horizon for the Congolese, who have been suffering for a very long time. Nevertheless, we need to have hope. We need to have faith that there is good in people and that it will triumph over the evil that compels wicked people to commit such horrific acts. My thoughts and prayers go out to those people in the Democratic Republic of Congo who are now suffering. May they find peace.
The DEPUTY SPEAKER (Hon. DGH Adams)—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

**Family Law Act 1975**

Debate resumed, on motion by Mr Neumann:

That this House:

(1) notes that in 2006, the Howard Government made sweeping changes to the *Family Law Act 1975* in parenting matters, and that these changes:

(a) elevated the rights of parents above the need to protect children; and

(b) have been analysed and criticised in the following reports:

(i) *Family Courts violence review* by Professor Richard Chisholm, former Justice of the Family Court;

(ii) *Evaluation of the family law reforms* by the Australian Institute of Family Studies; and

(iii) *Improving responses to family violence in the family law system* by the Family Law Council;

(2) acknowledges that on 11 November 2010, the Hon. Robert McClelland, Attorney-General, released a draft bill *Family Law Amendment (Family Violence) Bill 2010* (the bill) for public consultation open to 14 January 2011, proposing amendments to the *Family Law Act 1975* to provide better protection for children and families at risk of violence;

(3) supports the Federal Labor Government in taking steps to protect children from abuse, neglect and family violence; and

(4) urges the Federal Labor Government to proceed with the bill to ensure that the best interest of the child is the paramount consideration in all court proceedings in relation to children.

Mr NEUMANN (Blair) (8.55 pm)—The Howard government got it wrong on the issue of shared parenting and the protection of children. In 2006, without any social research and in a knee-jerk reaction to the urging of vocal minority groups such as men’s rights groups, the Howard government made sweeping changes to the Family Law Act in parenting matters. By elevating the rights of parents above the need to protect children, the Howard government fettered judicial discretion and created legislative pathways fixated on shared parenting. These changes have been much criticised in three reports: the *Family courts violence review* by Professor Richard Chisholm AM, *Evaluation of the 2006 family law reforms* by the Australian Institute of Family Studies and *Improving responses to family violence in the family law system* by the Family Law Council.

A culture of expectation developed and it was considered worth while for children to continue to have regular contact with a parent, even if it meant exposing that child to abuse, neglect and family violence. Time and again parents felt compelled to agree to contact arrangements for fear of running foul of the friendly parent provisions created by the 2006 changes. The ramifications of terminating all contact between a parent and child can be long term and many, and the task is daunting for any court. But the balance needs to be restored in favour of the protection of children and it will be restored by amendments to the Family Law Act contained in the proposed Family Law Amendment (Family Violence) Bill 2010. The bill was released by the Attorney-General, the Hon. Robert McClelland, on 11 November 2010 and public consultation closed on 14 January 2011.
I am pleased to say that 73 per cent of all submissions supported the bill. Seventeen per cent did not support the bill and 10 per cent made no specific comment on the bill but offered information about personal experiences. So the level of interest in this area is significant in the Australian community. The bill incorporates for the first time the UN Convention on the Rights of the Child, compelling the court to consider the convention in deciding matters concerning children. It elevates the primary consideration of protecting a child from abuse, neglect and family violence over the benefit of having a meaningful relationship with a parent where there is an inconsistency between those aspirations. It broadens the definition of family violence in tune with community perceptions and understanding to include not just actual or threatened physical or sexual assault but also harassment; emotional manipulation; financial abuse; cultural, familial and friendship isolation; and a range of dominating and controlling behaviours. It expands the protection of children by expanding the definition of abuse and improving obligations on court personnel. ‘Abuse’ now includes for the first time serious psychological harm. The bill imposes obligations on those in family law disputes to give advice to parents in relation to the best interests of the child being the paramount consideration. The friendly parent provisions are revoked, which is a good thing. It means that children will be less exposed to abuse, neglect and family violence. Mandatory cost orders, which in certain circumstances have been a disincentive to the reporting of family violence and child abuse, are removed and immunity from cost orders is afforded to those state and territory child protection authorities which intervene in parenting proceedings.

The reforms will make a difference. Family violence and child abuse are unacceptable and cannot be tolerated. Protection of children should be front and centre in all proceedings in the family law jurisdiction. The balance will be back with this bill. Once again, the best interests of the child are the paramount consideration. That will be the focus of the law. A future free from abuse, neglect and family violence is a real prospect for all Australian children.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The time allotted for this debate has expired. The debate is interrupted.

GRIEVANCE DEBATE

Debate resumed from 22 November 2010.

The DEPUTY SPEAKER (Hon. Peter Slipper)—The question is:

That grievances be noted.

Airport Noise

Mr BALDWIN (Paterson) (9.00 pm)—Tonight I raise a grievance on behalf of the people of Port Stephens in relation to aircraft noise. They have been promised so much by Gillard Labor, but it has failed to deliver time and time again. When the Australian government decided to deliver the new Joint Strike Fighter to RAAF Williamtown, planning was started to test the impact on nearby residents and the Australian Noise Exposure Forecast 2025 was promulgated. This noise map had major implications for residents of Port Stephens who live within proximity of the air base. Not only did it show that noise levels would increase, it placed many properties within restrictive zones that would affect their ability to build. Because of the ANEF 2025, many people will not be able to build on their own blocks without insulation, which costs tens of thousands of dollars. Many will not be able to extend. Some will not be able to build at all, which means that if their house burns down they will be left
with a property they can never live on again. So when I talk about the impact of the ANEF I am talking about people’s livelihoods. A house is the most valuable asset most people own. To have its value stripped is devastating. It is even more devastating when the government just does not seem to care that there are other options available. This currently seems to be the case with Gillard Labor.

I do not say this without just cause. In fact, the Gillard Labor government has such a long list of failures on this issue that it would be laughable if it were not so tragic for those affected. Allow me to illustrate. Firstly, the ANEF 2025 was released. This is a binding document used for planning decisions, which means it is affecting people’s properties now even though the Joint Strike Fighter will not be delivered for at least three years. Soon after, the 2010 federal election campaign began. Jim Arneman, Labor candidate for Paterson, issued a joint press release on 2 August with then Parliamentary Secretary for Defence Support, Dr Mike Kelly. It pledged that a re-elected Gillard government would ‘review and replace the current 2025 ANEF with a new ANEF to be issued before the end of the year’. Julia Gillard stood on the floor of parliament and recommitted to that promise on 24 November, saying, ‘I am very happy to stand by local promises we made.’

The Prime Minister also visited Lakeside Tavern in my electorate and told journalists she would honour her promises for Paterson. She enjoyed a beer at the tavern with the defence minister himself, while close to a thousand people gathered at the Raymond Terrace Bowling Club for a public meeting on this issue literally down the street. That meeting and many before it was attended by hundreds of people, and I thank Paul LeMottee and the SAFE-EARS group for organising the forum. Despite repeated assurances from the endorsed Labor candidate, the parliamentary secretary and the Prime Minister herself, the ANEF 2025 has not been lifted to this day. That means that, not only has Labor misled my constituents, it has misled the parliament. That is broken promise number one. I will move on to number two.

In early October we were advised that a new Australian Noise Exposure Concept had been generated. The new ANEC took into account more flights over the ocean rather than homes, as a direct result of a different instrument landing system. Labor had not even suggested that Defence examine the viability of such an ILS before I suggested it to them after consultation with local experts. I was advised at the Williamtown Consultative Forum that the ANEC would be released by 15 October, but when October came and went, Labor still had not released the map. It sat on someone’s desk until the 12 November. But that is not even the worst part. Next, Senator David Feeney, who has been placed in charge of this issue, told media that the release of the ANEC fulfilled Labor’s pre-election promise to replace the ANEF. The Newcastle Herald reported on 1 January:

A spokeswoman for the Parliamentary Secretary for Defence, Senator David Feeney, said the concept map fulfilled the Prime Minister’s promise.

That is simply not the case. To clarify: the crucial difference between an ANEC and an ANEF is that an ANEC is a scenario based concept draft, while an ANEF is an official forecast of noise exposure patterns on which planning authorities base their controls. An ANEF also affects things such as property valuations and 149 certificates. Therefore, an ANEC is never a suitable substitute for an ANEF. The fact that Senator Feeney thinks so shows that he does not understand the issue at all. Either he cannot understand or he cannot be bothered to understand.
Now to broken promise No. 3. I have been contacted by thousands of constituents over this issue. I have spent countless hours researching, reading, talking to people, making maps, hosting meetings, discussing solutions, making representations and generally doing everything I can to understand the issues. That includes understanding the intricate differences between the impact on Oyster Cove, Medowie, Medowie East, Medowie West, Lakeside, Riverview Ridge, Raymond Terrace, Brandy Hill, Grahamstown and Salt Ash. I believe that is nothing more than my responsibility as the member for Paterson.

As a result, I arranged to meet with Senator Feeney to explain the myriad different issues. At that meeting Senator Feeney pledged to work with me. He has spoken many times since about working in a bipartisan manner to achieve a solution. Yet it is now clear that was another commitment Labor never intended to keep. When Senator Feeney visited my electorate last Thursday, 17 February, to talk about this issue he never even advised me of the meeting, let alone invited me along to the meetings with my constituents. If the senator had contacted me, I would have been able to explain to him the difference between an ANEC and an ANEF and their effect on my constituents. I would also have been able to explain the latest crucial need of my constituents, which is an extended consultation period for the Williamtown RAAF Base environmental impact statement. The EIS affects the future introduction of the JSF and it is therefore crucial that locals get the chance to comment, yet many people found out about it just days before the consultation period was due to close. It was not even advertised in local media. Senator Feeney came, he talked and he left. He did not use the visit to lift the ANEF as promised, nor did he use the visit to extend the EIS consultation period. So much for working together to do what is in the best interests for local people. Labor is fantastic at saying what it thinks people want to hear. Unfortunately, it is not so good at achieving outcomes. Sadly, this is not unique to federal Labor.

The Labor candidate for the state seat of Port Stephens also seems intent on talking up the issue, without actually taking any action. Kate Washington has repeatedly promised to do whatever she can to alleviate the effects of the Joint Strike Fighter. Yet not only has she supported the Kings Hill development, which jeopardises future changes to the flight path, she has also failed to do anything to pressure her own colleagues who are in the government in New South Wales. Those colleagues have the power to change state planning laws to allow grandfathering. The grandfathering rule would allow current property standards to remain in place, even after the introduction of the Joint Strike Fighter. It is heavily supported by my constituents. I have seen many press releases from Ms Washington’s camp, based on council issues which she has absolutely no control over whatsoever. Yet I have not seen one in which she asks her own state colleagues to examine planning laws. Clearly, Kate Washington is following the line of her federal colleagues, saying what is popular but not doing anything to actually help people. She is not part of the solution; she is part of the problem.

My intention today is to hold Labor to account and to call on it to take some much-needed action. The people of Port Stephens deserve much more than is currently being offered. Those who have worked tirelessly on this issue also deserve better. In particular, I thank Andrea Pitt of Save our Castle; Paul LeMottee of SAFE-EARS; Scott Broadhead and Sue Hirsh of the West Medowie group; and members of Save Oyster Cove, including Brian Coleman.

It is important to note that the overwhelming majority of people in Port Stephens do not want Williamtown RAAF Base moved and they know how important it is to our local econ-
omy. They simply want what is fair. After all the hours they have put in on behalf of their neighbours, after hundreds of representations made to the Minister for Defence, they deserve nothing but full commitment from those elected to represent them. At the very least, they deserve to be able to trust their state and federal governments—trust that, when they make a promise, they will follow through on it.

During the first sitting of this parliament, after Julia Gillard was elected Prime Minister, I hand-delivered to her office a letter detailing my four-point plan on aircraft noise. I remain committed to that plan and, despite everything that has happened, I am still more than happy to put politics aside and help resolve this issue that is important to my constituents. Senator Feeney, you are welcome in my office at any time. I look forward to your visit. If that is too much trouble, I am happy to meet with you in your Senate office to resolve this issue for my constituents of Paterson.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I was reluctant to interrupt the member for Paterson, but I draw his attention to standing order 64 and the fact that he ought to refer to the Prime Minister by her title and not by her name.

Climate Change

Mr MURPHY (Reid) (9.09 pm)—I again wish to speak in this place on the grievance debate about climate change. Thanks to the efforts of the deniers of climate change, public confusion still surrounds the origins of what has become a destructive national and international crisis of catastrophic floods, storms, heatwaves, fires and cyclones. Evidence is now strong that global warming is producing these record-breaking disasters and that these events are what climate scientists earlier warned will be the consequence of massive burning of fossil fuels and land clearing. However, the climate change deniers resident in the opposition, and others who are exploiting scientific ignorance for their own gain, claim that these events are just an extreme manifestation of variations in the weather of Australia.

By their dishonest and misleading campaign, the deniers have succeeded in confusing some members of the public into believing claims that the science of climate change is as yet unproven. They have even managed to fool the Leader of the Opposition into believing that climate change science is some sort of conspiracy or communist plot, as Lord Monckton, 3rd Viscount of Brenchley, has claimed. Fortunately, there is an objective answer to the question of climate change and it resides in the statistical methods that were developed in the early 19th century by mathematicians, principally Carl Friedrich Gauss. Gauss, who was regarded as a genius by his contemporaries and by subsequent generations, developed a method of statistical analysis that showed that randomly occurring events that cluster around a mean or average value fit a bell-shaped curve, more formally known as a normal distribution. His work is very useful in understanding the causes of current climatic events.

Since the occurrence of many natural phenomena, including rainfall and floods, are randomly distributed, we can for example use Gauss’s statistical methods to make predictions as to the probable volume of rainfall or height of floods expected in any one year at a location with reasonable records. As a demonstration of this method I have an analysis of rainfall figures from Pomeroy, near Goulburn, in New South Wales, since 1901. When the recorded range of annual rainfall totals are plotted against the frequency of those annual rainfall totals we find that the curve approximates a normal distribution, with a mean or average rainfall of 708 millimetres per annum. Furthermore—and this is really the importance of the method—
we can objectively predict from this chart that the probability of an annual rainfall of 227 millimetres at Pomeroy is around one in 100 and that an annual fall of 1,188 millimetres is also around one in 100, even though these exact figures may never have been recorded.

This is the scientific basis of the announcements we hear, for instance, of a one in a 100 year flood in areas for which long-term records are not available. So when we discover that records for floods or temperatures or fires have been repeatedly broken, we can estimate the probability of those events based on an objective statistical analysis, rather than on guesswork or the memories of older residents. If the figures indicate that the probabilities of many of these events are remote, we have to ask: what is behind these changes?

I want to make it clear tonight that climatologists and other scientists are not saying that global warming is directly driving events, in particular Cyclone Yasi or the floods in South-East Queensland and north-west Victoria, nor the recent disastrous Victorian and Western Australian bushfires or the other climate calamities in other parts of the world. Rather climatologists and other scientists are warning that the probability of these sorts of events is increased by rising air and sea temperatures and that these increasing temperatures are being driven by the trapping of heat by rising atmospheric carbon dioxide levels.

An examination of the occurrence of tropical cyclones will illustrate this situation. Tropical cyclones—or hurricanes or typhoons, as they are called in various parts of the world—are large-scale weather systems that commonly form over tropical waters. A recent report by scientists from University College London has quantified the effect of increasing sea surface temperatures on the formation of these monstrous storms. The study was conducted by Professor Mark Saunders and Dr Adam Lea of the Benfield University College London Hazard Research Centre and the University College London tropical storm risk forecasting venture. Their report, published in *Nature*, found that sea surface warming was responsible for a 40 per cent increase in Atlantic hurricane activity over the period 1995 to 2005 relative to the average incidence reported between 1950 and 2000. Furthermore, these investigators found that the sensitivity of tropical Atlantic hurricane activity to sea surface warming is large, with an increase of 0.5 degrees being associated with an approximately 40 per cent increase in Atlantic hurricane activity and frequency. So there is now strong evidence that links global warming to Atlantic hurricanes. If, in light of these reports, anybody in the opposition still thinks that the major economies of the world will do nothing to reduce carbon dioxide emissions by cutting the use of fossil fuels such as coal then they must be completely out of touch.

While one could suspect the same sorts of changes as experienced in the Atlantic may be occurring in the tropical seas to Australia’s north, in fact recent research published by Dr Scott Power of the Centre for Australian Weather and Climate Research, a partnership between the CSIRO and the Bureau of Meteorology, has shown that the incidence of tropical cyclones affecting Northern Australia has actually declined since records were first made in the 1880s. Further, Dr Power and his colleagues have shown that these changes are linked to the weakening by global warming of the Walker circulation, the weather system that drives the trade winds and that varies in concert with the La Nina and El Nino oscillations. In fact, the trend in figures recently published by Dr Power shows that fortunately the number of tropical cyclones that have crossed the Australian coast has approximately halved between 1880 and 2010, which is a very significant decline. While these figures may not give much relief to people presently recovering from the effects of Cyclone Yasi, at least there is now good evi-
dence that global warming is not driving an increase in the frequency of cyclonic activity in waters near Australia, although the size and strength of the cyclones that do occur may be greater thanks to measurably warmer sea water.

While Northern Australia may be experiencing fewer cyclones, other less desirable changes in the weather also appear to be occurring, with a high probability that they too are being driven by global warming. The Annual Australian climate statement 2010 produced by the Bureau of Meteorology reported that: spring 2010 had the warmest northern tropical sea surface temperatures on record; New South Wales, Queensland and the Northern Territory had the wettest spring on record; the Murray-Darling Basin had the wettest year on record; southwest Western Australia had the driest year on record; and, overall, the 10 years ending in 2010 were Australia’s warmest decade on record.

The wet La Nina phase of the Southern Oscillation appears to be becoming more intense and so too is the hot and dry El Nino phase, leading, as we have recently experienced, to more intense and prolonged droughts and extreme hot, dry weather conditions in Australia. Although 2010 and now 2011 were La Nina years that produced records for rainfall, 2009, an El Nino year, produced records in the opposite direction. As we recall, extreme hot weather conditions occurred throughout that year as follows. A new maximum temperature of 48.8 degrees was recorded at Hopetoun in Victoria during the heatwave in January to early February. In Tasmania at the same time a new maximum of 42.2 degrees was recorded at Scamander. These conditions contributed greatly to the disastrous Black Saturday bushfires that we have been reminded about today in this place. Further, an unprecedented wintertime heatwave occurred across large parts of inland Australia, resulting in the warmest August on record. Finally, a third heatwave occurred in November that led to a record eight consecutive days above 35 degrees in Adelaide.

Although the finer details of the mechanism of the El Nino-La Nina cycle remain to be worked out, evidence is growing that these record-breaking weather conditions are being driven by the effects of global warming that all the evidence shows is the consequence of increasing atmospheric carbon dioxide levels. So, while the deniers in the opposition continue their campaign of obstruction against the very necessary measures that the government is introducing to reduce carbon dioxide emissions, the evidence for the effects of global warming, now in the form of extreme weather events, grows even stronger. In conclusion, I ask: how much worse does the weather have to get before the informed members of the opposition stand up for the climate change action that we so desperately need?

Queensland Floods

Mr VASTA (Bonner) (9.20 pm)—I rise today to speak on behalf of the people in my electorate of Bonner and also those in greater Brisbane. I am speaking today in support of Lord Mayor Campbell Newman and his request for the Gillard government to provide assurances about what is considered to be essential public infrastructure under the Natural Disaster Relief and Recovery Arrangements.

I join the lord mayor in urging the federal government to provide certainty to Brisbane City Council and the residents of Brisbane about exactly what assets will be covered by the Natural Disaster Relief and Recovery Arrangements. Immediately following the recent flood that devastated so many communities in Brisbane, Brisbane City Council has been trying to establish whether Brisbane’s much-valued ferry terminals, river walk and sewerage plants are eli-
gible for funding for repairs, costing tens of millions of dollars, under the Natural Disaster Relief and Recovery Arrangements. It is now almost six weeks since the peak of the flood and many communities are trying, as much as possible, to return to normal. The Brisbane City Council is well underway with its flood recovery work almost six weeks since the flood, but this federal government will still not provide the certainty that is so desperately required for the Brisbane City Council to fully move forward with the reconstruction process, a process that I am sure a lot of my colleagues on both sides of this chamber will agree is a top priority.

It is not as though the Brisbane City Council is not prepared to make the hard decisions—it certainly is. Two weeks ago the lord mayor, together with the council’s Chairman for Finance and Economic Development, Councillor Adrian Schrinner, announced the redirection of $380 million, over three years, into the flood recovery effort. That was by no means an easy process, but it was made even harder because of the lack of certainty provided by the federal government about what it will and will not fund.

Unlike this federal government, the Brisbane City Council knows that residents have already been hit hard enough and it is taking all measures possible not to pass on the cost of this reconstruction to residents through higher rates, particularly at a time when the federal government wants to impose an additional tax on all Australians, including on those in Queensland who have already donated so much of their time in volunteering their services as well as their money. Unlike this federal government, the Brisbane City Council practises responsible financial management and is not prepared to run-up budget deficits. Running the budget into deficit is not an option, but the council cannot delay the flood recovery while it waits for the federal government to confirm its financial support. Instead, it has to make some very tough decisions and defer projects in some areas and make cuts in others.

I take this opportunity to commend Lord Mayor Campbell Newman on his outstanding leadership in making these tough decisions and I applaud him and his team on their commitment to prudent financial management. I salute the determination of the lord mayor and his council to get the city’s vital infrastructure up and running again at the earliest possible time. Last week, the lord mayor revealed how Brisbane City Council would maintain a balanced budget, while covering the cost of the council’s damage bill following the impact of last month’s flood. The lord mayor said the council had put all projects and expenditure under the microscope to find ways to budget for the $440 million damage bill without putting pressure on ratepayers. Deferring projects rather than hitting ratepayers with large rate rises is certainly the right thing to do. The lord mayor has acknowledged that, as soon as confirmation is received from the state and federal governments about what will and will not be covered under the disaster relief arrangements, some of these projects can begin to be put back on the table.

The good news for Brisbane ratepayers, thanks to the prudent financial decisions made by the lord mayor and his team, is that they will not have to fund the flood bill via a flood levy or surcharge on their rates. Introducing a flood levy at a time like this would be nothing short of poor and reckless financial management. Instead, a financial plan has been put in place to get the budget in the black and get Brisbane back on track. Brisbane’s clean-up and recovery will be a marathon, not a sprint. Once again, I commend the lord mayor for balancing the council budget to cover the damage bill and for ensuring ratepayers do not suffer expense through extra rate rises and levies—all of which was achieved without any confirmation of support or funding from the state and federal governments.
Unlike the Labor state government in Queensland, Brisbane City Council have also been very prudent in their risk management policies and have taken out storm and flood insurance policies wherever possible. In fact, they pay over $1 million each year in insurance premiums. This will go some way towards rebuilding Brisbane but, as I mentioned earlier, the fact remains that there will still be a significant shortfall over the next three years. Make no mistake: every dollar of financial assistance the federal government refuses to provide is a dollar that Brisbane City Council will need to find by cutting projects in the city.

It was not that long ago that the Prime Minister was in Queensland, promising to do everything in her power to help rebuild Queensland. I ask the Prime Minister: what has changed now that you are back in Canberra? Again, I urge the federal government to provide certainty to Brisbane City Council and all other councils in Queensland that have similar concerns. I read an editorial in the *Courier Mail* last week that expressed the sentiment eloquently. It said:

No one is asking for a blank cheque. They just want the disaster recovery arrangements honoured in the spirit in which they were intended, an end to the tawdry politics, and enough surety so that we can rebuild our communities. That is not a lot to ask.

I know that a lot of my colleagues in this chamber will agree with me when I say no, it certainly is not a lot to ask.

Behind all this bureaucracy, endless red tape and posturing, I do not know what has happened to influential Queenslanders, like the members for Lilley and Griffith. They seem to be more concerned about Canberra than Queensland, and I join the Lord Mayor of Brisbane in calling for them to stand up for their home state and honour the Natural Disaster Relief and Recovery Arrangements in their entirety and to provide certainty for Brisbane and the rest of Queensland, who have already suffered so much. I call on the Prime Minister to outline Brisbane’s position as well as give all Queensland councils some certainty on what will and will not be eligible for funding as soon as possible. It is quite simple really. All they have to do is say, ‘Yes, vital infrastructure will be funded,’ and, ‘Yes, water and sewerage infrastructure will be funded’—whether it applies to Brisbane or across the state.

In conclusion, over the last six weeks we have all heard a lot about the need to give assistance and demonstrate compassion to the victims of this terrible natural disaster. Indeed, the Prime Minister has spoken many times of this herself. I say to this House: if the Prime Minister really wants to show some heart and some compassion, she can do this by giving certainty.

**Howes, Mr Paul**

Ms O’DWYER (Higgins) (9.28 pm)—After a spray last week that would have been laughable if it were not so serious, the Secretary of the Australian Workers Union, Paul Howes, attacked the CEO of one of Australia’s largest employers, Rio Tinto. Paul Howes used his union’s recent national conference, attended by the Prime Minister and the Treasurer, as an opportunity to make personal attacks on business executives. Coming to his defence today, Ged Kearney, President of the ACTU, writes in the *Punch*, under the headline ‘You call ’em thugs, I call ’em foot soldiers of democracy’, that she does not really understand what all the fuss is about. She says she is surprised that the comments have made front-page news. Ms Kearney goes on to say:

A bit of argy-bargy between union leaders, politicians and bosses is fairly standard practice in Australia. And some colourful language in the mix is nothing new.
Really? Let me remind Ms Kearney as to just what was said. Mr Howes denounced chief executive Tom Albanese as:

… sucking out the blood, sweat and tears of blue-collar workers.

He said that ‘monkeys could do a better job’ of managing Rio. Strangely, of all the industries he could have targeted, Howes chose the mining sector, where workers are paid more in wages than in any other industry—which tells you really all you need to know about this attack. It is about power. It is about membership. It is about money. It is about control. It is a fight for union domination of one of Australia’s biggest employers.

He went on to say:

I’ve got a message for Rio Tinto: you don’t own this government, you don’t own this country any more. Your workforce has the right to be represented. You cannot hide behind the law. You cannot hide behind the lawyers. You cannot hide behind your slimy, grubby mates in the coalition, because we’re coming after you. We are going to take Rio Tinto on, and we are going to make sure that they pay a liveable wage to the workers who make the wealth that these shiny arses sitting in the boardroom in London enjoy.

The Hon. Craig Emerson, Minister for Trade, was called a ‘dishonourable rat’ by Howes and AWU President Bill Ludwig for daring to suggest that the unions were undermining constructive relations between employers and employees. Former Prime Minister Kevin Rudd denounced them as factional thugs. Prime Minister Julia Gillard though was far more sanguine and circumspect in her response, suggesting that everybody simply take Bex and have a good lie down. Treasurer Wayne Swan, responsible for the economic stewardship of this country, went missing in action. When he finally did respond, he could only make a very weak plea for cooperation between employers and employees. He said, ‘I don’t referee fights between unions or employers.’ For a Treasurer and a Prime Minister who claim to be economic conservatives, who want to return the budget to surplus, who want to increase productivity, it is hard to see how the return to class warfare and protracted disputes helps.

Paul Howes challenged Rio Tinto in his speech by saying, and I quote it again:

You don’t own this government.

He is right on at least that one thing. His statement reveals his view that the union is the only organisation that can claim ownership of the government and he is not about to let Prime Minister Julia Gillard forget it. As Howes himself attests in his book, it was he and his former AWU colleague the Assistant Treasurer, Bill Shorten, who put the Prime Minister in power by knifeing former Prime Minister Kevin Rudd during a midnight coup. The AWU is so confident of unconditional support from the government that it has continued to revel in its controversy over the past few days. It knows that neither the Prime Minister nor the Treasurer are in a position to state definitively that what the unions are saying is wrong and is damaging to industrial relations in Australia.

But this is not an industrial dispute between employers and employees; this is a blatant provocation by the AWU to flex their muscles. The unions know that these sorts of tactics do nothing for their members or for employees more generally, but they do it anyway because it makes headlines and forces the government to adopt their agenda. And it seems that, no matter how much Labor gives to the unions, they are never satisfied. The Prime Minister, when she was the minister for workplace relations in the now-forgotten Rudd government, was responsible for redefining industrial relations in Australia. She took employment law in this
country back to a pre-Hawke-and-Keating state, with enterprise bargaining usurped by union control. This is hardly surprising when you have Paul Howes describing freedom of contract as ‘the freedom to enslave’, taking a phrase from Abraham Lincoln. When you have union leaders equating employment contracts with the forced servitude that existed in certain parts of America during the 19th century, it makes negotiation all the more difficult.

Paul Howes called for something else in the speech that he delivered to the AWU conference. He wanted to see the abolition of the Australian Building and Construction Commission. He said he believes:

... the job is not yet finished—there is more to do. There is nothing more urgent than “shutting down the evil Australian Building and Construction Commission, the ABCC”.

He goes on to say he does not want:

... the evil of the ABCC hanging, menacingly, over their heads. Every second of the day the ABCC is a threat to their basic working rights—their human rights. The ABCC can only undermine the reconstruction effort.

He says:

Now is the time for Labor to remove the last remnant of John Howard’s union busting Government instrumentalities. The ABCC must be abolished.

Shame! Of all the policies and issues facing Australia at this time, of all the political dilemmas that the government has forced upon itself, this is the issue that Howes says is the most important. The outgoing Commissioner of the ABCC, John Lloyd, warned last year that ‘any watering down of the circumstances of the ABCC would see the bad practices of the past return’. This would be damaging to the industry and the Australian economy. The union’s obsession with the ABCC is ideological and extreme. The unions are not concerned about a fair and productive construction industry. The ABCC was established after an extensive and independent inquiry conducted by the Cole commission into an industry that had exhibited very different behaviours from those of other industries, including violence, threats and corruption. Commissioner Cole said ‘at the heart of these findings is lawlessness’.

And what is the justification for the abolition of the ABCC? Is it that the problem is fixed? No. It is that the union movement does not like the scrutiny. Why would you abolish the ABCC when you consider the facts? Research undertaken by KPMG Econtech shows that the ABCC has delivered wide-ranging economic benefits since it was established, including a 10 per cent rise in industry productivity, an annual economic welfare gain of $5.5 billion a year, a drop in the CPI of 1.2 per cent, an increase in GDP of 1.5 per cent and a significant reduction in days lost through industrial action. These are not the sorts of developments that Paul Howes and his union are interested in. They do not care about the enhanced productivity, welfare gains throughout the economy or safer and more harmonious workplaces. Instead they carry on an ideological campaign against a body that has performed its role well and which, sadly, still has a role to perform. It is very hard for any person who opposes the ABCC to articulate a reason why it should be disbanded given the well-documented violence, disruptions and corrupt dealings in the industry. Howes’s latest effort is to try and argue the ABCC will slow down the reconstruction effort in Queensland after the floods and Cyclone Yasi. This, of course, is a ridiculous claim.

I want to touch on one final point before my time concludes, which is that Labor’s review into the federal election results of last year reveals a political party that is heavily reliant on
the union movement in terms of both membership and financial support. For this reason, the report, conducted by former premiers Steve Bracks and Bob Carr, as well as one of Labor’s elder statesmen, John Faulkner, recommended even closer ties to the unions. Well, Julia Gillard has a real choice to make. Is she going to deliver real action in 2011? Is she going to deliver real leadership? Is she a real leader? The test is out there: she should retain the ABCC.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Before calling the member for Robertson I would remind the member for Higgins that she ought not to refer to the Prime Minister by her name. She should use ‘Prime Minister’ or even ‘Prime Minister Julia Gillard’.

Robertson Electorate: Education

Ms O’NEILL (Robertson) (9.39 pm)—I rise today on a matter that is close to my heart and important to the region I represent. I will speak on the structural change necessary to advance the interests of students, teachers, the community and employers on the Central Coast. With regard to the development of education initiatives on the Central Coast, we have reached a historic moment. I want to put on the record what I believe is a pressing need for change to the governance structure of school and vocational education in my region. At present, Central Coast schools and TAFES are part of the New South Wales Department of Education and Training’s Hunter-Central Coast region. As a teacher and lecturer with 25 years experience on the Central Coast, I would like to say emphatically that the time has come for us to have an education region of our own. There are a number of reasons for this, on which I will shortly expand, but first let me establish the context in which I make this claim.

In June last year the NSW Minister for Planning, Tony Kelly, announced that the Central Coast was, for the first time, being recognised as a region under state environmental-planning legislation. By the end of June this year, thanks to federal Labor, we will have a Central Coast Local Health Network. We have our own A-League team, the Central Coast Mariners, who played such a brilliant first half last Saturday evening at Bluetongue Stadium in Gosford. Although we lost the match, the Mariners are winning the hearts of the people of the Central Coast and confirming the reality that we exist as an autonomous region. I will take this opportunity to wish the Mariners success in their attempt to reverse that result in the second leg of their tussle with Brisbane on Saturday night. If our local team can stand on the national stage at a sporting level, we can and we should stand on our own two feet when it comes to education.

Now our growing region of 300,000-plus people needs the agency and the autonomy to allocate and prioritise our education resources. The population of the Central Coast region on the night of the census in 1996 was 263,000. By 2006 that number had increased to 297,000. The results of this year’s census will confirm for us next year that we are still growing. Once it was a natural fit for us to look to Newcastle as an older and more established region with a large population to offer some support to our fledgling community. That is no longer the case. While we certainly need to work with our neighbours, we need to do so as ultimate decision makers keenly attuned to and responsible for our area.

In times of competitive grant applications and decision making about what is advanced by each region, it is no longer in our interests to be subsumed by a region that is geographically, demographically and sociologically quite different from the more recently established Central Coast. It is not in the interests of the educational participants on the Central Coast to be voiceless. We need our own voice, our own narrative and our own accountability to our own com-
munity. Without our own educational regional identity, we are at the whim of education bu-
reaucrats in Newcastle, Sydney or Canberra. Recognition of our education region is a natural
progression from recognition of our health region and our recognition as a region for planning
purposes.

Engagement of our youth in schooling is a critical challenge for our area. Our retention
rates are less than desirable, with the last figure I saw from the Hunter-Central Coast region
resting at about 60 per cent. We know that failure to engage young people in education has
long-term impacts on their life outcomes across a range of metrics including health, employ-
ment, income levels and general wellbeing. If we want to reach our goal of raising school re-
tention rates to 90 per cent by 2020, something needs to change. Certainly we need to develop
innovative and locally relevant programs, responses and community partnerships with social,
health and other local agencies as well as local businesses to find ways of connecting our kids
with school and with our very particular community.

I have certainly come to the view that an educational region of our own is a critical element
in us advancing towards better retention and happier educational outcomes for all. So there is
a lot of work to do. We can pause for a reflection here on the failure to localise programs. The
remains of the Howard government’s misguided attempt to impose its extremist ideology on
the Australian vocational education sector can still be seen in the main street of Gosford. The
‘For Lease’ sign still hangs in the window on the former shopfront of the Australian technical
college in Mann Street. The very concept that there should be competition in the vocational
sector was one of the more febrile ideas in the overheated free-market craziness of the How-
ard government. Naturally all those who taught there had to sign AWAs. The real agenda of
the Australian technical college, as many noted at the time, was to transplant a conservative
industrial relations agenda into the schooling sector. This kind of scenario might not have
eventuated had there been more robust local autonomy.

In the year 2011, following many discussions with educators and parents, I have come to
the opinion that it is not possible for a governance framework centred on Greater Newcastle
to effectively represent our interests. Autonomy for the region is an agenda I will do my best
to advance with my Labor colleagues on the Central Coast. I do not put this argument for a
separate Central Coast educational region lightly. I have made a number of claims already
about a rationale for advancing this idea to reality. To this argument I want to add the weight
of dozens of private conversations that teachers and other school staff have had with me about
their experiences under the current structure. Their stories of the marginalisation of their voice
are such that I feel impelled to put their reality on the record in this place.

Teachers, parents and friends of learning on the Central Coast are experts in our area. They
understand from their everyday encounters with students, parents, community members and
employers the very particular needs and strengths of education in our region. We have our
own community, rich in insights into the strengths and deficits of the Central Coast. What we
need is our own region, to localise the national, to engage with one another and to invite those
around us to share perspectives at our request rather than to deliver decisions without suffi-
cient attention to our distinct and pressing realities.

As time permits, I will also touch on a second grievance, and that is the abysmal failure by
the New South Wales Liberal Party to consider the infrastructure needs of the Central Coast—
in particular, New South Wales opposition leader, Barry O’Farrell, and his cowardly failure to

MAIN COMMITTEE
go into next month’s New South Wales election with the kind of infrastructure policies that will make a difference to the lives of people on the Central Coast. I am very proud that today the Gillard government and the Keneally government have signed an intergovernmental agreement for the Parramatta to Epping rail link. This rail project is part of the Gillard Labor government’s plan to build a modern economy and match government services with population growth. We are putting $2.1 billion towards the construction of this project, with the New South Wales government raising $520 million to finalise planning and early construction work.

The Parramatta to Epping rail link would cut travel time between Chatswood and Parramatta by an amazing 25 minutes. Given the chance, it would open up the huge expanse of Greater Western Sydney to Central Coast commuters. It would provide a subset of commuters with the option of rail rather than Pennant Hills Road. Planning in this important project is already underway, with preconstruction activities starting this year. The acid test is now on Mr O’Farrell. If, as everyone seems to think, it is a foregone conclusion that he will be the next Premier of New South Wales, will he become the man who denies people of the Central Coast the hope of better public transport infrastructure? In this House, how will the members for Bennelong, for Berowra and for Mitchell face their constituents and explain why they will not stand up for this important piece of infrastructure? If they had the guts they would pull Mr O’Farrell into line and tell him that he has to deliver the Parramatta to Epping rail link.

The Liberal candidates on the Central Coast are in the same boat: not one nation builder among them. Actually, there is one nation builder. He is the Liberal candidate for The Entrance, who, as members would know, has an extensive history with the One Nation Party. As we have all seen over the past week, the poisonous ideas of One Nation live on in the Liberal Party. A long-term media observer of local politics told me the other day that the Liberal candidates on the Central Coast at this election are the worst bunch of misfits, failures and reprobates he has seen present themselves for election. Our residents and our businesses deserve better. They deserve better than retrograde, knee-jerk politics that will alienate and disable the people of the Central Coast who commute to Sydney on the Northern Line.

**Petrie Electorate: Infrastructure**

Mrs D’ATH (Petrie) (9.48 pm)—Before I begin, I acknowledge the statement by the member for Robertson and her absolute passion and commitment to education, one that I share deeply. I thank her for her words this evening. But education is not the issue that I am speaking about tonight. The issue I am speaking about tonight came about 114 years ago in the electorate of Petrie, when the people of Petrie, particularly the Redcliffe Peninsula, wanted improved public transport for their area. They knew that the outer northern suburbs of Brisbane needed a connection to broader south-east Queensland. They wanted a rail line, and for 114 years they lobbied for a rail line.

Many governments, particularly at a state level, have promised a rail line and led people in my electorate to believe that it would eventually be built. However, money was never put on the table. In 1978 the then Nationals Premier Sir Joh Bjelke-Petersen actually set aside a corridor for the current rail line to Petrie through to the suburb of Kippa-Ring. This corridor has been set aside ever since then. Despite this corridor being set aside, not one dollar has been committed to this important infrastructure. This electorate is some 40 kilometres outside the CBD. It is very important for these people to get access to Brisbane Airport, the Sunshine
Coast and Caboolture for work opportunities and also, importantly, access to the city. People who want a sea change, and people who grew up on the Redcliffe peninsula and wanted to stay there and grow up around their parents and their schoolfriends, have limited opportunities as far as public transport is concerned. Yes, we have a bus system that takes people to Sandgate train station, but by 6 pm each night the bus has stopped running. People who work in the city have to get off the bus at an earlier station and spend another one to ½ hours travelling the long way, the scenic route, up the Bruce Highway to the Redcliffe peninsula to get home from work.

Considering the improvements to the Gateway Motorway and the fact that it now takes 15 minutes to get from the Redcliffe peninsula to the airport, which is a fantastic achievement and a wonderful improvement to our infrastructure, the fact that people still cannot get public transport to work is a real shame for all levels of government. My predecessor spoke many times in this parliament about the need for this rail line, and I support that view. The disappointing fact is that calls were always made for the state government to fund it and there was never a commitment at a federal level for rail infrastructure. I am very proud of the fact that, when Labor came to government in 2007, we stood up and said we were about national infrastructure. But that also includes domestic rail across the country because it improves our local economies, it improves the opportunity for employment, it improves local businesses and it brings people to the area.

It was a great honour for me on 26 July 2010 to stand beside the Prime Minister of Australia, the Hon. Julia Gillard; the Premier of Queensland, the Hon. Anna Bligh; and the Mayor of the Moreton Bay Regional Council, Allan Sutherland, to announce the Moreton Bay rail link, a 12.6 kilometre rail line from Petrie to Kippa-Ring that will deliver six stations—at Kallangur, Murrumba Downs, Mango Hill, Kinsellas Road, Rothwell and Kippa-Ring. These are much-needed stations. The line will run along not only communities and suburbs but also schools and businesses. It will create great economic opportunities for our local area. In 2009 I personally put in a submission to Infrastructure Australia for this rail line, but it was an isolated submission and it did not have the background material that is needed to support this sort of infrastructure. But in 2010 the Moreton Bay Regional Council and the Queensland government for the first time ever put money on the table and developed a business plan. It was the first time this had ever been done.

This business plan allowed for a detailed application to go to Infrastructure Australia, which saw us go on the list of the top five priorities for projects across this country. It was this priority list that led the Gillard Labor government to say, ‘This is an important project for the outer northern suburbs of Brisbane.’ I thank the Hon. Julia Gillard and particularly the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon. Anthony Albanese, for committing to this project and understanding the importance of infrastructure in our local community.

As we have talked about for 114 years on the Redcliffe Peninsula, this will not just take people off the peninsula into other areas. It will not just take people into the city. We have growing areas like Murrumba Downs in the electorate of Dickson, in which two of the stations will be. The starting point, the station of Petrie, is also in the electorate of Dickson. It will bring people from the electorate of Dickson into the electorate of Petrie. There are more families moving into Murrumba Downs. They are working and they are shopping in North
Lakes. Importantly, their kids are going to schools in North Lakes—Bounty Boulevard, Lakes College, North Lakes State College and St Benedict’s. They are going to Mueller College, Southern Cross Catholic College, Grace Lutheran College, Hercules Road State School and many of the other great state schools that we have on the Redcliffe Peninsula. So it will bring people into our local area and that will help local businesses. It will help with sales of real estate. It will help with the property values of the local area. This is a fantastic initiative.

I would like to end with this. This dream has become a reality. Not only did we announce this in July 2010 as part of an election commitment, but we have started work. In 2016 we will see six stations up and operational in the electorate of Petrie. But we do not have to wait six years to see the work happening. The survey work has started. Consultation across my electorate is happening. There are Saturday forums. The Department of Transport and Main Roads have been fantastic in getting out there and holding public transport consultations with households in our libraries and in our shopping centres. Knowing that many people have commitments on Saturdays—they work, their children play sport—we asked for evening consultations, so they have gone into the shopping centres on Thursday nights and they are holding more consultations. The department came just last week with me to the Mango Hill Progress Association and talked about the new stations at Mango Hill and Kinsellas Road.

This is important consultation. It needs to happen. We understand there are environmental issues. We know we have Moreton Bay and Hays Inlet—a Ramsar site which runs along the corridor. This is extremely important. But our local environmental groups put forward a proposal to hold a full-day workshop to put together a joint submission, a consistent submission from the relevant interest groups across the area. The department has supported that and is helping to fund that workshop. That is happening in a couple of weeks time. We are bringing everyone on board. We are interested in the environmental issues. We are interested in concerned households but, importantly, this is necessary for my community. We have waited 114 years. We are not going to wait any longer. Work has started. Construction will start in 2012, and in 2016 I look forward to standing up here as the federal member for Petrie and saying how proud I am that these six stations are now up and operational.

Superannuation

Mr SYMON (Deakin) (9.58 pm)—My very brief contribution tonight relates to Australia’s superannuation system. Although it is widely regarded as one of the best superannuation systems in the world, there is still more to be done with it. In particular, it comes to the point of workers actually receiving their superannuation. Although amounts may be shown on pay slips, there is no guarantee that the amount shown on a pay slip is actually deposited into a worker’s superannuation account. This is not a new problem. This has been around since superannuation was brought in as a general entitlement. Although in many cases it is fixed at a later date, there are certainly many examples where that is not the case. Money is shown as being credited to working people’s accounts but is actually never paid and they do not, of course, receive the benefit. Sometimes it may be claimed back through the tax office; many times they lose out. Sometimes it may not just be a week or a month’s pay; it might be a whole quarter or, many times, a year or more, especially when companies go into liquidation.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The time for the grievance debate has expired. The debate is interrupted in accordance with standing order 192B. The de-
bate is adjourned, and the resumption of the debate will be made an order of the day for the next sitting.

Main Committee adjourned at 10.01 pm
QUESTIONS IN WRITING

Coal Seam Gas Projects
(Question No. 32)

Mr Bruce Scott asked the Minister for Sustainability, Environment, Water, Population and Communities, in writing, on 18 October 2010:
In respect of his deliberations on the process for granting or denying environmental approval to projects in planning of resource companies Santos and BG Group: (a) will he make public the scientific evidence provided to his department by these two companies that was used to assist his decision making; if so, by what date; if not, why not; and (b) will he provide detailed information on his deliberations; if so, by what date; if not, why not.

Mr Burke—The answer to the honourable member’s question is as follows:
(a) The environmental impact statements provided to the department, which included supporting scientific evidence relating to the impacts of the projects, were made public as part of the assessment process. Those statements are available on the companies’ websites.
(b) On 16 November 2010, in response to a resolution of the Senate of 28 October 2010, I tabled in the Senate a large number of documents relating to my decisions to approve coal seam gas projects that will be undertaken by Santos and QGC, a BG Group subsidiary. The documents include the material sought by the Honourable member.

Regional Infrastructure Fund
(Question No. 104)

Mr Baldwin asked the the Minister for Regional Australia, Regional Development and Local Government, in writing, on 22 November 2010:
In respect of the Regional Infrastructure Fund:
(1) What is its total monetary value.
(2) Is it in whole or in part contingent on the introduction of the Minerals Resources Rent Tax; if partly contingent, what is the monetary value of that part.
(3) As at 1 November 2010, what sum of money was (a) allocated; and (b) unallocated, to the fund; and what monetary proportion of part (a) is allocated to each State and Territory.
(4) What States and/or Territories are eligible to apply for funding under the Regional Development Australia (RDA) stream of the fund.
(5) Will the regions of (a) Sydney, (b) Brisbane City, (c) Southern Melbourne, (d) Western Melbourne, (e) Perth, and (f) Adelaide Metropolitan, be eligible for funding under the RDA stream of the fund.
(6) For 2010-11, 2011-12, 2012-13, and 2013-14, (a) what total sum of funding is available, and (b) what proportion of this funding is available from the $573 million allocated to the RDA stream.

Mr Crean—The answer to the honourable member’s question is as follows:
(1) $6 billion.
(2) The RIF comprises $5.6 billion of revenue from the Resources Super Profits.
(3) (a) $400 million
   (b) $5.6 billion
   No funds have been allocated to States or Territories
(4) The eligibility of proponents will be outlined in program guidelines which will be finalised shortly.
(5) The eligibility of proponents will be outlined in program guidelines which will be finalised shortly.
(6) The current allocation of funding for the RIF over the forward estimates is outlined in the Mid Year Financial Outlook.

Dawson Electorate: Election Commitments
(Question No. 128)

Mr Christensen asked the Minister for Regional Australia, Regional Development and Local Government, in writing, on 25 November 2010:

(1) From which program(s) will the following election promises (made to the electorate of Dawson) be funded, the
   (a) $10 million to fund a study into the Mackay ring road proposal,
   (b) $6 million to upgrade the Mackay basketball stadium,
   (c) $5 million to partly fund the Airlie Beach main street proposal,
   (d) $1 million to partly fund the relocation of the Mackay junior soccer grounds, and
   (e) $1 million to fund the construction of a water park on the Bowen foreshore.

(2) When will funding for the above election commitments become available, and how will recipients access it as soon as possible.

Mr Crean—The answer to the honourable member’s question is as follows:

(1) (a) Regional Infrastructure Fund
   (b) Community Cultural Development Grants Program
   (c) Community Organisations Infrastructure Grants Program
   (d) Community Cultural Development Grants Program
   (e) Community Organisations Infrastructure Grants Program

(2) Funding is available from financial year 2010-11 and the Department of Regional Australia, Regional Development and Local Government is working with proponents to finalise necessary details.

Ministers and Ministerial Staff: Mobile Phones and iPads
(Question No. 137, 163 and 169)

Mr Briggs to ask the Minister for Defence, Minister for Defence Science and Personnel and the Minister for Defence Materiel, in writing, on 25 November 2010:

(1) How many (a) mobile phones, (b) blackberries and (c) I-Pads are currently allocated to the (i) Minister, and (ii) the Minister’s ministerial staff.

(2) In respect of mobile phone usage between (a) 3 December 2007 and 24 November 2010, and (b) 24 June 2010 and 24 November 2010, what was the total cost for (a) the Minister, and (b) the Minister’s ministerial staff.

(3) For each month since December 2007, what was the cost of mobile phone usage for each mobile phone account allocated to the (a) Minister, and (b) Minister’s ministerial staff.

Mr Snowdon—The answer to the honourable member’s question is as follows:

(1) (a) and (b) The table below provides details of the number of mobile phones and blackberries that are currently allocated to the Ministers and their Ministerial staff by office:
Minister for Defence
Ministerial Staff
Mobile Phones 2 Nil
Blackberries 1 13

Minister for Defence Science and Personnel
Ministerial Staff
Mobile Phones Nil Nil
Blackberries 1 2

Minister for Defence Materiel
Ministerial Staff
Mobile Phones Nil Nil
Blackberries 1 6

(1) (c) The Department of Defence does not currently provide I-Pads for the use of Ministers and their staff.

(2) (a) and (b) The table below provides the total aggregated figures (GST exclusive) for expenditure during financial years 2009-10 and 2010-11 (to 31 October 2010) against each Ministerial office for mobile phones, Blackberries and Next G data card usage. The Department of Defence is unable to separate the costs attributed to the Minister and the Ministerial staff. The information sought for the period 3 December 2007 until 1 July 2009 is not readily available. To gather this information would require an unreasonable use of Defence resources and I am not prepared to authorise the effort that would be required.

<table>
<thead>
<tr>
<th></th>
<th>Office of the former Minister for Defence</th>
<th>Office of the former Minister for Defence Science and Personnel</th>
<th>Office of the former Minister for Defence Materiel and Science</th>
<th>Office of the former Minister for Defence Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Year 2009/10</td>
<td>$52,109.98</td>
<td>$3,502.23</td>
<td>$23,349.99</td>
<td>Nil</td>
</tr>
<tr>
<td>Financial Year 2010/11</td>
<td>$13,919.37</td>
<td>Nil</td>
<td>$7,273.56</td>
<td>$2,505.29</td>
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<tr>
<td>(1 July to 31 October 2010)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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</table>

The Department does not at this stage, have any expenditure details for the current portfolio Ministers for the period 14 September to 24 November 2010.

(3) The information sought is not readily available. To gather this information would require an unreasonable use of Defence resources and I am not prepared to authorise the effort that would be required.

Ministers and Ministerial Staff: Mobile Phones and iPads

(Question No. 138)

Mr Briggs asked the Minister for Immigration and Citizenship, in writing, on 25 November 2010:

(1) How many (a) mobile phones, (b) blackberries and (c) iPads are currently allocated to the (i) Minister, and (ii) the Minister’s ministerial staff.

(2) In respect of mobile phone usage between (a) 3 December 2007 and 24 November 2010, and (b) 24 June 2010 and 24 November 2010, what was the total cost for (a) the Minister, and (b) the Minister’s ministerial staff.
(3) For each month since December 2007, what was the cost of mobile phone usage for each mobile phone account allocated to the (a) Minister, and (b) Minister’s ministerial staff.

Mr Bowen—The answer to the honourable member’s question is:

(1) (a) (i) Two. These mobile phones are provided to the Minister by the Department of Finance and Deregulation (DoFD) as part of the Minister’s entitlements as a Member of Parliament. (ii) Nil; (b) (i) One (ii) 13; (c) (i) One (ii) Nil.

(2) (a) Minister - $5,143.12. Minister’s ministerial staff – N/A. (b) Minister - $518.12. Minister’s ministerial staff – N/A

(3) (a) Refer to Attachment A. (b) N/A

Attachment A

Monthly Mobile Phone Usage from 3 December 2007 to 24 November 2010

<table>
<thead>
<tr>
<th>Date</th>
<th>Cost</th>
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<tbody>
<tr>
<td>December 2007</td>
<td>$191.38</td>
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<tr>
<td>January 2008</td>
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<tr>
<td>February 2008</td>
<td>$88.06</td>
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<td>March 2008</td>
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<td>April 2008</td>
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<td>July 2008</td>
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<td>August 2008</td>
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