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SITTING DAYS—2015

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—SEVENTH PERIOD

Governor-General
His Excellency General the Hon. Sir Peter Cosgrove AK, MC (Retd)

House of Representatives Office holders
Speaker—Hon. Anthony David Hawthorn Smith
Deputy Speaker—Hon. Bruce Craig Scott MP
Second Deputy Speaker—Mr Robert George Mitchell MP
Members of the Speaker's Panel—Mr Russell Evan Broadbent MP,
Ms Anna Elizabeth Burke MP, Ms Sharon Catherine Claydon MP,
Mr Patrick Martin Conroy MP, Mr Alexander George Hawke MP,
Mr Ian Reginald Goodenough MP, Mrs Natasha Louise Griggs MP,
Ms Sarah Moya Henderson MP, Mr Stephen James Irons MP, Mr Ewen Thomas Jones MP,
Mr Craig Kelly MP, Ms Michelle Leanne Landry, Ms Clare Ellen O'Neil, MP,
Mrs Jane Prentice MP, Mr Ross Xavier, Dr Andrew Southcott MP, John Vasta MP,
Mr Brett David Whiteley MP, Mrs Lucy Elizabeth Wicks MP

Leader of the House—Hon. Christopher Pyne MP
Deputy Leader of the House—Hon. Luke Hartsuyker MP
Manager of Opposition Business—Hon. Anthony Stephen Burke MP
Deputy Manager of Opposition Business—Hon. Mark Dreyfus QC MP

Party Leaders and Whips
Liberal Party of Australia
Leader—Hon. Anthony John Abbott MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Government Whip—Mr Scott Buchholz MP
Government Whips—Mr Andrew Alexander Nikolic, AM, CSC and
Ms Nola Bethwyn Marino MP Southcott

The Nationals
Leader—Hon. Warren Errol Truss MP
Deputy Leader—Hon. Barnaby Thomas Gerard Joyce MP
Chief Whip—Mr Mark Maclean Coulton MP
Deputy Whip—Mr George Robert Christensen MP

Australian Labor Party
Leader—Hon. William Richard Shorten MP
Deputy Leader—Hon. Tanya Joan Plibersek MP
Chief Opposition Whip—Mr Christopher Patrick Hayes MP
Opposition Whips—Ms Jill Griffiths Hall MP and Ms Joanne Catherine Ryan MP

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<tr>
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<td>Denison, TAS</td>
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<td>Hindmarsh, SA</td>
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<td>Wilson, Mr Richard James</td>
<td>O'Connor, WA</td>
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<tr>
<td>Wood, Mr Jason Peter</td>
<td>La Trobe, VIC</td>
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<tr>
<td>Wyatt, Mr Kenneth George AM</td>
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<tr>
<td>Zappia, Mr Antonio</td>
<td>Makin, SA</td>
<td>ALP</td>
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- Clerk of the House of Representatives—D Elder
- Acting Secretary, Department of Parliamentary Services—D Heriot
- Parliamentary Budget Officer—P Bowen
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<td>Minister Assisting the Prime Minister for the Public Service</td>
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<tr>
<td>Minister Assisting the Prime Minister on Counter-Terrorism</td>
<td>Hon Michael Keenan MP</td>
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<tr>
<td>Minister Assisting the Prime Minister for Women</td>
<td>Senator Hon. Michaelia Cash</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>Hon. Charles Porter MP</td>
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<td>Parliamentary Secretary to the Prime Minister</td>
<td>Hon. Alan Tudge MP</td>
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<td>Hon. Steven Ciobo MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Trade and Investment</td>
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<tr>
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<td>Senator Hon. Eric Abetz</td>
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<tr>
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<td>Senator Hon. George Brandis QC</td>
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<tr>
<td>Minister for Justice</td>
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<tr>
<td>Parliamentary Secretary to the Attorney-General</td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
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<tr>
<td>Treasurer</td>
<td>Hon. Joe Hockey MP</td>
</tr>
<tr>
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<td>Hon. Bruce Billson MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>Hon. Joshua Frydenberg MP</td>
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<tr>
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<tr>
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<tr>
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<td>Senator Hon. Jacinta Collins</td>
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The SPEAKER (Hon. Tony Smith) took the chair at 09:00, made an acknowledgement of country and read prayers.

BILLS
Maritime Legislation Amendment Bill 2015
First Reading
Bill and explanatory memorandum presented by Mr Briggs.
Bill read a first time.

Second Reading
Mr BRIGGS (Mayo—Assistant Minister for Infrastructure and Regional Development) (09:01): I move:
That this bill be now read a second time.

Australia has the fifth largest shipping task in the world. Ninety-nine per cent of our imports and exports are carried by ships. As a government, it is our duty to ensure that our laws for prevention of marine pollution are adequate, up to date and consistent with international law.

Today I introduce to the House the Maritime Legislation Amendment Bill that will implement measures to amend and correct errors in Australia’s maritime legislation, ensuring our domestic obligations are aligned with various international conventions under our international obligations stemming from the International Maritime Organization, or the IMO.

The bill will amend four principle acts, namely the Protection of the Sea (Prevention of Pollution from Ships) Act 1983, known as the POTS Act; the Navigation Act 2012; the Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008, known as the Bunkers Act; and the Protection of the Sea (Civil Liability) Act 1981, known as the CLC Act.

Of particular importance is the amendment to the Navigation Act, whereby the definition of 'dangerous goods' is amended to align with the current definition of dangerous goods as defined in Chapter VII of the International Convention for Safety of Life at Sea, commonly referred to as SOLAS.

This bill also corrects minor drafting errors identified from the original drafting of the Navigation Act.

The bill will make amendments to the POTS Act to replace the definition of 'sea-near-a-state' that was amended as an unintended consequence of a drafting error in the Maritime Legislation Amendment Act 2012.

Importantly, this bill will include an additional measure to close a loophole that has been identified in relation to the carriage of heavy grade oil, HGO, in Antarctic waters. In 2014, the Marine Environment Protection Committee of the IMO was made aware that a fishing vessel had sunk in the Antarctic while carrying HGO in its ballast tank for later use as fuel once the ship had left the Antarctic Area—a ballast tank assists with ship stability and would ordinarily hold water. The flag state of this vessel did not take action, as they interpreted the regulation
as not extending to banning HGO carried as ballast. This interpretation or loophole is inconsistent with the original intent to minimise the presence of HGO in Antarctic waters to the maximum extent practicable. It also highlighted the real risk to the Antarctic area since this loophole was brought to light as a result of this serious incident. As such, this amendment will close that loophole, ensuring Australia's domestic legislation is consistent with our obligations at the international level.

The Department of Infrastructure and Regional Development identified a drafting error in the Bunkers and CLC acts that affects the Australian Maritime Safety Authority's, or AMSA's, ability to take enforcement action against vessel operators who do not carry appropriate insurance certificates. This bill will correct the errors in that legislation, which will allow action to be taken by AMSA against non-compliant vessel operators. Currently the Bunkers and CLC acts do not accurately specify the appropriate certificate which is to be maintained by a vessel operator.

I commend this bill to the House.
Debate adjourned.

COMMITTEES

Standing Committee on the Environment

Membership

The SPEAKER (09:05): I have received advice from the Chief Government Whip that he has nominated Mr Cobb to be a member of the Standing Committee on the Environment in place of Mr Broad.

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (09:05): by leave—I move:

That:

(1) Mr Broad be discharged from the Standing Committee on the Environment and that, in his place, Mr Cobb be appointed a member of the committee, and
(2) Mr Broad be appointed a supplementary member of the Standing Committee on the Environment for the purpose of the committee's inquiry into the Register of Environmental Organisations.

Question agreed to.

Public Works Committee

Report

Mr PERRETT (Moreton) (09:06): On behalf of the Parliamentary Standing Committee on Public Works, I present the committee's Report 7/2015: Referrals made June 2015, and I ask leave of the House to make a short statement in connection with the report.

Leave granted.

Report made a parliamentary paper in accordance with standing order 39(e).

Mr PERRETT: On behalf of the Parliamentary Standing Committee on Public Works, I present the committee's seventh report of 2015 which deals with three projects referred to the committee in June. The first project is for the Department of Defence and concerns redeveloping Campbell Barracks at Swanbourne in Western Australia. Since 1964, this site has been home to the Special Air Service Regiment. Since that time, the regiment's role has
expanded and it has doubled in size. Much of the infrastructure and engineering services also date back to the sixties. Existing facilities are inadequate for SASR needs. By building new facilities and re-using existing facilities where possible, the works aim to address a number of deficiencies. These include problems associated with ageing and obsolete working accommodation, a less than optimal layout, inadequate storage and poor infrastructure. The estimated cost of the project is $223.6 million.

The committee received a briefing from Defence and conducted a site inspection and hearings on 6 August. I should state that for the chair of the committee, Senator Dean Smith, it was quite an emotional inspection because we started with laying a wreath at the memorial at Swanbourne—and the first name on that memorial is that of Senator Smith's uncle, Tony Smith. During the inspection, the committee saw the ageing infrastructure. The committee noted how the current layout makes achieving operational efficiency challenging. The committee is convinced that Campbell Barracks requires significant redevelopment so that it can continue to support effective and efficient operation of the Special Air Service Regiment. The committee is satisfied that the project has merit in terms of need, scope and cost and recommends that it proceed. In recommending that the project proceed, the committee is mindful of matters raised by local residents, particularly the suggestion that a proposed Defence Housing Australia redevelopment at an adjacent site could compromise the security of the barracks and its personnel. The committee understands that Defence is currently conducting a security review of Campbell Barracks and has requested a private briefing on the outcomes of the review. The committee trusts that, informed by the review, Defence will appropriately manage any security issues that arise.

The second project I report on today is also for the Department of Defence. REDFIN Phase 1B will provide the facilities needed to support a new fleet of special operations vehicles. It will also upgrade Defence's long-range patrol radio system to support special operations. Where possible, Defence intends to re-use and upgrade existing facilities. The project is expected to cost $50.5 million. The special operations vehicles are currently housing temporary hangars. The works will develop permanent and secure vehicle storage hangars, hardstand areas, inspection ramps and fuel storage facilities. These facilities will be constructed at Holsworthy in Sydney and Campbell Barracks in Perth. Fixed control stations for the long-range patrol radio system will be delivered in four locations: at Holsworthy, Campbell Barracks, Lavarack Barracks in Townsville and at the Defence facility at Howard Springs in Darwin.

The committee received a briefing from Defence and a site inspection on 6 August, with hearings the following day. At the public hearing, Defence stated its intention to award construction contracts to local small and medium businesses where possible. The committee is satisfied that the project has merit in terms of need, scope and cost and recommends that it proceed.

The final project is for Airservices Australia. It concerns modernisation works to the Air Traffic Services Centre at Perth Airport. The project is expected to cost $23 million. Air traffic management systems used by both Airservices and Defence require replacement. The two agencies have partnered to develop OneSKY, a single civil-military air traffic management system. To support the introduction of the OneSKY system, Airservices need to upgrade the mechanical and electrical infrastructure at the Perth Air Traffic Services Centre.
The current building, which has been in operation for 33 years, also needs to be refurbished and the security improved. It is expected that these works will extend the life of the building for a further 20 years.

The committee received a briefing from Airservices and conducted a site inspection and hearings on 7 August. During the inspection the committee saw the ageing infrastructure that needs to be replaced and the crowded working conditions in the control room. The committee is satisfied that the project has merit in terms of need, scope and cost, and recommends that it proceed.

In concluding, I would comment on the committee's recent liaison with government agencies regarding post-implementation reports, and I would like to take this opportunity to remind agencies that post-implementation reports are required within three months of project completion. Additionally, the committee should be informed of any changes to scope, time, cost, function or design as they occur, so that the Public Works Committee can do its job appropriately. I commend this report to the House.

**BILLS**

Water Amendment Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

**Dr GILLESPIE** (Lyne) (09:12): As I had outlined last night in the debate on the Water Amendment Bill 2015, there are lot of critical bits of information that the general public and, I think, members of this House have not appreciated about the irrigation system and how it works. If you recall, I mentioned high-security licences, general licences and the matter of allocations. People have made a rather erroneous assumption that, when you see dry riverbeds in the middle of a 10-year drought, it is because irrigators have sucked all the water out of the river. That is a popular misconception. We need to put on the record that the irrigation systems in the Murray-Darling Basin are very well-regulated and it is the allocation that represents what water is taken from the river, not the nominal figure mentioned on the water licence.

Throughout the drought, allocations were zero in many years; so no water was taken by irrigators. For many years it was less than 10 per cent. So you might pay $15 million for nominal huge water licences and only get to access to three or four per cent of it. As the rains fall and the flows change, the allocations are distributed appropriately so that there is always an appropriate flow. The fact is that it is a highly altered system. All the weirs and lochs along the whole Murray-Darling Basin have changed the nature of the rivers in the catchment. People have this concept that the Murray-Darling, at some stage of its life, was like the Danube or the Mississippi—a massive river continually flowing. The early explorers and settlers recorded that it was at very many times a chain of ponds.

Irrigation has delivered more water to the environment because irrigation relies on capturing water in times of plenty and regulating it through a series of irrigation. It turns land that is hardly usable, except for low-level grazing, into a highly productive agricultural food bowl. As I mentioned, it is all well and good to develop the food bowl in the north—we totally support that—but there is already an existing food bowl in the south of the country. It
is called the Murray-Darling Basin. We need to get the best return, a triple-bottom-line delivery of good outcomes. It is not only the environment that requires water but, most importantly, the food and produce that comes from it.

The Murray-Darling Basin Plan has bipartisan support, but we do not want to throw the baby out with the bathwater, so to speak. About two-thirds of the 2,750 gigalitre water recovery target has already been achieved. As part of it, the 1,500 gigalitre buyback limit is a very sensible piece of policy. The coalition campaigned on this. The irrigators, the communities and the people who produce the food for our nation—and for export to other nations that are crying out for protein and other high-quality produce—require some level of certainty. If there is no water, these communities and all their production simply vanish. Ill-timed and poorly targeted buybacks can potentially cause ruin, turning thriving towns and villages into ghost towns.

The efficiency measures behind the 1,500 gigalitre buyback limit ensure a good outcome. By increasing efficiencies—and there are huge programs going on delivering those efficiencies—we can deliver more water for irrigation and growing crops as well as improving the environmental outcome. The recent audit and stocktake of the sustainable diversion limit has confirmed just that. The independent stocktake has looked at all the measures being undertaken. The latest round of improvements involves $263½ million—so these are not small engineering works; they are massive. These measures are returning 20 gigalitres of water to farmers but are also delivering 77 gigalitres of water for environmental flows. The stocktake has also identified that there is an efficiency dividend of about 500—perhaps 600—gigalitres for agriculture, irrigation of crops and feeding stock. This will deliver for the bottom line. A gigalitre of water turns into millions of dollars of produce, income which can support communities while the produce itself supports the nutrition of the nation and the world. I am very encouraged by this initiative. We are delivering on a coalition promise. The producers and the communities see this as vindication for all their campaigning.

Water is like liquid gold. It is stored in times of plenty and used wisely by irrigators. They pay a heap of money when it is traded, so it is a highly valued asset. Without it, we do not have a food bowl. That is why it is so important that we deliver this efficiency dividend and allow people to do what they do best, as they have done over the generations since we encouraged them to set up there in the late 1800s. I thoroughly commend this bill to the House.

Ms RISHWORTH (Kingston) (09:19): Labor will support the Water Amendment Bill 2015. Not only is there bipartisan support for this bill but it also has the support of the basin states. In saying that, I do have reservations about this bill, particularly because I think it takes away flexibility for the government of the day to ensure we reach the target of 3,200 gigalitres—a very important target that was developed by the previous Labor government to ensure that we bring the Murray-Darling back to health.

I have to give a big thankyou to the member for Watson. The member for Watson worked tirelessly to land what has eluded governments—from before we even had a federal government—and policymakers in Australia for centuries: he landed the Murray-Darling Basin Plan and saw it brought into law. Charles Kingston, after whom my seat was named, saw the need to ensure proper management of the Murray-Darling as an important reason for
Federation. He saw this incredibly important water system as one of the reasons we should federate.

For many years—decades and decades—state governments could not reach agreement about how best to manage this water system. For years and years states bickered and fought and did not manage this system in the best interests of the country. It took the significant drought of the early 2000s to focus the nation's mind. As a member from South Australia, I can say that it focused our minds quite drastically when it looked as though our state might run out of drinking water. Nothing focuses policymakers like the possibility of running out of drinking water.

That focus led to the commencement of a process which led to the Water Act. I give credit to the Howard government for implementing the Water Act and starting the process for coming to agreement, but it was the member for Watson who—despite the fact that there were some in the opposition at the time who were not supportive of the member for Watson and the work he was doing—landed the Murray-Darling Basin Plan and brought it into law. The then Leader of the Opposition, now the Prime Minister, was very divisive on this issue, running up and down the Murray-Darling system saying one thing to one community and then something different to other communities. But the member for Watson persisted, with the support of the Labor government, and landed a historic piece of legislation.

The previous speaker was coming from the perspective of the old dichotomy of agriculture versus the environment when it comes to the Murray-Darling. The drought in South Australia reminded us all that, if you do not have a healthy system, you do not have the water you need for agriculture. We saw that with the Lower Lakes, where farmers were not even able to use the water in the Lower Lakes because of its salinity and other major issues with water quality. The water was of no use for anything. It was of no use for the environment; the environment down there was dying. Species were dying—we saw pictures of mass turtle graves. But it was no good for agriculture either. So this concept that it is agriculture versus the environment is a false dichotomy. I have persistently said in this debate that it is not a choice between agriculture and the environment; it is a choice between a healthy river system and an unhealthy one. It is a choice between a system that is sustainable and can continue to deliver all those things our nation needs—agriculture, drinking water and a healthy environment—and a system that is dying and that cannot meet any of those needs. We need to move away from this false dichotomy of agriculture versus the environment. We need to frame the debate about the choice between a healthy river system and an unhealthy river system—and an unhealthy river system is no good to anyone.

In that vein, I was very pleased when the member for Watson and the Labor government arrived at a target figure of 3,200 gigalitres for return to the river and the policy of achieving that through a mix of measures, including water buybacks and infrastructure projects—on-farm irrigation projects as well as some other major river engineering projects. Interestingly, in South Australia, we also had a great program about urban water conservation, and indeed, to this day, in my electorate and right around South Australia, we have some wonderful wetlands that are harvesting stormwater and providing that as potable water for our communities. So the infrastructure investment that was put in by the Labor government has been significant and important.
As I said, my reservations around this bill are to do with allowing the government of the day the flexibility to ensure that we meet the target of returning 3,200 gigalitres to the river system. Putting a cap on the amount that can be bought back through water purchases does limit that flexibility. I am not suggesting that all the water to be returned must be returned through buybacks. Infrastructure is of course an important element to becoming more water efficient, and I was able to see firsthand how some of that smart water efficiency can work in the Riverland. Indeed, we can save a lot of water by becoming smarter in the way we use it. But I do have reservations around the fact that, as a result of this bill, the flexibility will not be there to ensure that, from a macro perspective, we reach the target. There are also concerns around the cost of some of these infrastructure projects and whether or not we can deliver the water savings for a decent price, and I continue to hold those concerns.

So there are concerns around this, and I certainly will be holding the government to account. As I said, this legislation will pass with bipartisan support, but that is not to say that I will not be keeping a very careful eye on this government’s progress when it comes to the Murray-Darling Basin’s restoration and the fact that we do need to get to that target of 3,200 gigalitres.

Some of those speaking for the other side in this debate have suggested that this is purely to do with drought and that there is not a concern about restoring water. That is incorrect. There has been a historic overallocation of water from the river, and that is why the Water Act and the agreements between all the basin states have been so critically important to addressing those historic overallocations, so that, when we do have times of drought, we do not see a system that is dead. That is of great concern, I know, to all South Australians.

Looking back to the drought, there is no doubt just how close we got to losing the Murray-Darling system. Parts of it were in deep, deep distress. Now we are starting to see those recovering. I am so pleased with the efforts of the Commonwealth watering agency; it has done a great job in bringing many wetlands along the basin back to health. Let us face it: it is not just about the river itself; the wetlands and the many other subsidiary water bodies also have an impact on the river’s health, and certainly the Commonwealth watering authority has done a great job of ensuring that we are managing the water that we are bringing back to the system in a way that is bringing the basin back to health.

But I will continue to monitor this because—while there is no doubt that this is incredibly important for the nation—as the state at the end of the basin, there is not a state that depends and relies more than South Australia on a healthy Murray system to ensure that our state continues to thrive. As I mentioned, although in South Australia we are desperately working hard to diversify our drinking water sources, we still rely on the Murray-Darling for our potable water and so we continue to work very hard at the health of the system. I am very pleased that, for example, the McLaren Vale region, which used to use mains water to irrigate its vines, has moved almost predominantly to recycled water from the local sewage treatment plant. That is quite an innovative way. It would be unparliamentary to use the slang, but ‘something to shiraz’ is what it is labelled. But, of course, we have great shiraz from the region and indeed many other great wines as well. That is the innovation that is happening when it comes to water use, but we need to make sure, of course, that our basin stays strong.

So I will be ensuring that we hold the government to account with this piece of legislation to ensure that, as a result of this legislation and the flexibility that is lost, we will find the best
way to return water to the system and achieve the goal that we set out to achieve, and that is
to reach the 3,200 gigalitres. So I will continue to monitor this and to hold the government to
account but, as I said, as a result of the collective support of the basin states, the opposition
will support the government on this piece of legislation. But I will be watching this very
carefully to ensure that the government does not back away from the very important task of
bringing the basin back to health. This is a task that has eluded governments for decades and
decades and decades, right from the beginning of our Federation. I hope that this is not a sign
of the government walking away from that very important commitment to bring the system
back to health.

Mr JOHN COBB (Calare) (09:32): As somebody who was very involved in this in the
early days, I certainly want to speak on the Water Amendment Bill 2015. The whole issue is
about providing water security into the future, and I would like to take time to reflect on the
importance of a strategic plan for the Murray-Darling Basin and what it means for all those
directly affected. I guess we are all well aware of the debate raging around the best plan for
the basin, and that has changed at various times over the years. It is vital that the Murray-
Darling Basin Plan be implemented in full, on time and effectively.

In this whole debate on drought, rain and everything else, I cannot believe how often it
seems to be forgotten that communities right across the basin, particularly Calare
communities, rely on that water source for various reasons. The legislation to cap water
buybacks at 1,500 gigalitres will ensure certainty for farmers, for businesses and for the
communities along the Murray-Darling Basin who rely totally, in some instances, on that
water for the community, for their livelihood and, as it were, for their existence. It is no
accident that, before Europeans got here, the kangaroos, the native people and everybody did
not stray very far from the rivers except in very wet years. That is why there are more
kangaroos in Australia today than there were then, simply because we have put water where
the rivers do not. That is why the rivers are such a big deal to everyone.

There are actually three watersheds in Calare. There is the Sydney Basin on the eastern
side, around Oberon and down through Lithgow. It is rather surprising to realise that water
actually flows through the mountains—not west from them but through them to Sydney. We
also have the Lachlan, which is probably the biggest part of the catchment in Calare, and the
Macquarie. The Lachlan starts off in my colleague the member for Hume's electorate, flows
into Wyangala Dam and down to Cowra, Forbes and Condobolin and out into the member for
Parkes's electorate, and ends up in Sussan Ley's electorate. As to where it ends, I am pretty
sure I am right in saying Senator Bill Heffernan, or his family, is probably the recipient, if it
flows that far. This is something that Senator Wong could never get. She hit the Lachlan
harder in her buybacks than any river pro rata in the whole basin. I used to say to her when I
was the shadow minister, 'Why are you buying the livelihood of the Lachlan when it actually
only gets into the system about two years in every hundred?' About one in 50 years the
Lachlan actually runs into the Murray-Darling Basin out of its own borders, as it were. Of
course, we also have the Macquarie. We get more irrigation in Calare from the Lachlan. Once
again, the member for Parkes is a recipient of the Macquarie, with most of the irrigation. But
still we have the Bogan running through us, and that is all part of the Macquarie system. The
watershed runs quite a long way, up towards Oberon, and, of course, goes down through
Warren, Nyngan and all of those towns until it also—much more frequently than the Lachlan—is part of the Murray-Darling system.

The catchment of the Lachlan is eight per cent of the Murray-Darling Basin and it is enormously important to my electorate. This legislation is integral to the coalition's plan for water security in Australia. It is a plan that will have real benefits for all stakeholders. Farmers in my electorate deserve to know where they stand. They deserve to have certainty and to know that there is not going to be something happening which will make water unavailable. Agriculture is obviously the catchments' main industry—40 per cent of the state's agricultural production, actually. The Lachlan and Macquarie Rivers irrigate land along the rivers, seeing the production of fruit, vegetables, cotton, fodder crops and cereal grains, and there are dairies, feedlots and piggeries that depend upon these rivers. The legislation ensures that these producers will be able to rely on the water source into the future. It is a strategy that will ensure viability today, tomorrow and into the future.

I think it is forgotten sometimes that back in 2007, when we took the emergency measures that had to be taken, without the dam system, those rivers would have been dry. There were quite a few times, I have no doubt, that the Murray would have stopped running without the dam system. I think people have to remember that that was a one-in-100-year situation. You can only go so far in cutting out people's ability to use water simply because at some stage in 100 years there is going to be a severe water shortage. Without storage, there is absolutely no doubt that not only the environment but everybody else will run out of water at some stage. I think the way that nothing has happened about water storage in many years in the Murray-Darling Basin and elsewhere is pretty shameful.

As I said, the legislation ensures the water availability into the future, its viability and its strategic, long-term ability to look after our those communities, be they farming or whatever else. The government is delivering on its pre-election commitment to the Murray-Darling Basin communities by introducing this bill. I appreciate the previous speaker saying that the opposition is agreeing with us on this. But we are determined to prioritise water recovery efforts through investment. The original plan was to get the water savings through efficiencies, through working with the community, particularly with farmers, to be able to make efficiencies, save water and share the savings. That went into Senator Wong deciding she had to buy all the water in Australia rather than do it by efficiencies and savings. But where we are at today—I think we all have to agree that enough is enough. We have to look after the environment: no argument. But we also have to be very aware of the people who depend upon that water for livelihood, for community, for urban issues, for manufacturing, for everything. Water cannot be our master; it must be part of the community.

Mechanisms will be in place to ensure the caps are in force. The government reports progress on water recovery on the Department of the Environment website, and this practice will endure following the passage of the bill. We have a commitment to long-term water viability for everyone. You cannot satisfy everyone up where the water is gathered and you cannot satisfy everyone totally down the other end, so everything has to be a compromise. When something as precious as water, something that none of us can exist without—whether it is for lifestyle, whether it is for production, no matter what it is, at the end of the day we all need it; at the end of the day we cannot go without it. And if you live in a city you are a recipient of the benefits of that water, what it produces and the quality of what it does.
I am not going to say very much more except that this is a necessary piece of legislation, because those who live with it and use it need to have certainty. They need the ability to get water back where necessary when it is spare. The environment, I think, has been well looked after in all this—far better than most people would have thought it would be. As I said, everything has to be compromise between the needs of everybody but at the end of the day none of us is going to exist without water and what it produces. I commend this bill to the House. I appreciate very much the fact that we are agreeing on the Water Amendment Bill. I just hope that in 100 years time when we next have a drought—I think the Lachlan in six years out of seven had no allocation at all. We have to have a future. We have to have water. I commend this bill to the House and I thank the opposition for working with us on it.

Dr STONE (Murray) (09:43): I support the Water Amendment Bill 2015, which proposes to put a cap on the 1,500 gigalitres of water buyback from Murray-Darling Basin irrigators and water users. I am concerned that this bill was not in fact put into the House some three years ago. We have known for a long time that the outcomes of water buyback in the basin have led to the destruction of many of the irrigator communities in terms of their economies of scale, the capacity of food manufacturers to get sufficient product—whether it is dairying, rice or oilseeds—to be as efficient as they need to be, because in the midst of the worst drought on record we had the extraordinary option taken up by the then minister for the environment, Senator Penny Wong from South Australia, who suddenly realised what a gift the drought had delivered into her hands. Of course we had established the Commonwealth Environmental Water Holder. It needed a bucket of water to be able to release into the environment to sustain and improve the quality of the water related ecosystems across the basin.

The original idea was that all of that water for the Commonwealth Environmental Water Holder would be found through the improvement of the works and measures which deliver the environmental water or from on-farm water use efficiency measures, all of which would have added to the productivity of the basin, not detracted from or destroyed it. But, in the midst of the worst drought on record—when in my area in particular the banks were attacking my irrigators because they had doubled their debt loads as they tried not to send their herds through to the abattoirs or as they tried to keep their crops alive—she put into the system a tender which said, 'If you want to sell your water, go for it.'

Up to $2,400 a megalitre ended up passing not into the pockets of the irrigators who sold their water but to the banks. Over 90 per cent of the funds that were generated by that water buyback on behalf of the Commonwealth Environmental Water Holder went straight to the banks in northern Victoria. Tragically, that left half of my irrigators dependent on the temporary water market, a corrupted market and one that I hope the ACCC deals with urgently. I deliberately say a 'corrupted' market because it is not transparent. If I wanted to step out of Parliament House today, stand up an A-frame in the car park and call myself a water trader, I could. It is impossible to find out who owns the water and who trades the water.

We do know, of course, that two of the biggest speculators are the South Australian government and the Victorian government. The Melbourne Water authority owns 75 gigalitres, which it plays with in the market to make it one of the most profitable water
authorities now in Australia, and all at the expense of primary production, at over $220 per megalitre now in the temporary market and going up.

That means that dairy farmers can no longer pay to irrigate. They are stopped at about $70 or $80 per megalitre. It means that you are just left with further speculation and a few primary producers, like almond growers, who have a much smaller value to the economy in terms of their employment generation, export and domestic earnings—they are important; I do not deny that for a second—but who can pay that dollar. They do not generate the income, the billions of dollars of outcomes, that people investing in the dairy industry generate, but those people are being destroyed.

This temporary water market, of course, was accidental. It was never imagined that it would be the outcome, but too much about the Murray-Darling Basin Plan is a comedy of errors. It is accidental. It is a consequence of incompetence and capturing at the time by the Greens, who were the balance of power for the Rudd-Gillard-Rudd governments. We are now bearing the legacy of that.

On the 1,500 gigalitre cap on water buyback from irrigators, I would have hoped that the bill would also, at least in its memorandum of understanding between states, spell it out. But, in fact, virtually all of that water has already been taken from irrigators. There are only about 300 or so gigalitres left to be removed from irrigators.

I would also hope that it is understood that Victoria has already overdelivered on the agreements about its end-of-valley contributions to the Murray-Darling Basin Plan and the Commonwealth Environmental Water Holder. I rechecked this fact with the ex-minister for water and the environment, Mr Peter Walsh, last night, just to make sure that I was getting it right. He said, 'Yes, Victoria has already overachieved in the targets that were set for it in giving up its high-security water to the environment.' I want to make sure that the other states understand that in the scramble for the last few gigalitres to go to the Commonwealth Environmental Water Holder.

The 450 gigalitres which are also mentioned in this bill are a bit astonishing. I understood that originally this bill was not going to talk about the constraints strategy, one of the biggest farces and most destructive elements of the Murray-Darling Basin Plan as it now is configured. People are often aghast when I explain to them what the constraints strategy is. Certainly overseas environmentalists laugh and say, 'You've got to be kidding,' but, no, I am not. The tragedy is that, as a response to a threat from the South Australian Premier—still the same Premier today—to a High Court challenge, the Greens and Labor, in a last-minute, last-ditch effort, threw an additional 450 gigalitres at the lower end of the Murray system, saying, 'Look, here's a series of objectives which need to be and can be achieved.' All of this was in fact described in the bill which then became law early in the following year, 2013.

These outcomes included nonsense like keeping the mouth of the Murray flowing 95 per cent of the years and in every year without the aid of bulldozing, because someone pretended that that was an environmental measure and that somehow that actually reflected on the health of the basin or its sustainability. Most people laugh out loud when they hear that, but the tragedy is that it is now L-A-W. There is also the outcome which is supposed to be reduced salinity in the Lower Lakes, and higher lake levels. I am all for that. I think it is a jolly good idea, but most of the salt contributed to the Lower Lakes comes from South Australia itself, from its own Mallee areas. Let them look at salt interception works, perhaps. Certainly let us
look at engineering solutions to achieve the outcomes that are now designated in law for the lower Murray River.

Those outcomes, a number of experts are now concluding, can be better achieved for them with engineering or works and measures outcomes and not with what is currently required by law, which is 450 gigalitres in addition to the sustainable delivery yields identified in the plan. Those 450 gigalitres are to be—so called—recovered. I object to that term—'recovery' implies it was stolen or lost. Those 450 gigalitres are, again, to come from the water resources of the mid-Murray and upper Murray. In pushing it down the system—given things like the natural Barmah Choke and given the fact that most of our cities and towns and our best agricultural land is in the riparian regions of our tributaries and the Murray itself—we are going to see flooding. It is not denied; it is explained very carefully to us that in six out of every 10 years those regions will be flooded by mid- to high-level floods. I want to commend the member for Indi, who read out a letter from Jan Beer, an expert in these matters on the upper Goulburn tributaries, who has identified very clearly what the floods—these man-made, deliberately instigated floods—will do to the environment and the productivity of the various parts of the Murray-Darling Basin involved: all of southern New South Wales and northern Victoria through the Mallee.

What other nation on earth would deliberately, as a political fix—a last-minute, 30-seconds-to-midnight political fix for a particular government—agree to flood and so environmentally degrade whole sections of their river basin without compensation and with only $250-odd million for ameliorating the impacts but overall with $1.77 billion for state agencies to go about implementing this plan? How extraordinary—but that is what we have in front of us. So, instead of saying, 'Let's make it more flexible for'—so called—'recovering the 450 gigalitres', this bill should have said, 'Let's look at how to achieve the objectives now in law for South Australia by all measures, in particular examining environmental works and measures and engineering solutions.' Why was that not in this bill instead? I find it extraordinary that that is not in this bill. I hope amendments in the Senate might address this.

I am also very concerned that this bill does not address the hypocrisy of the current Commonwealth Environmental Water Holder's requirement that if it trades water—as it should and as I believe it wants to, given that it has only been able to use half of the water in its bucket at the moment—back to irrigators, which would reduce the price in the temporary water market and which, as I have just described, is destroying productivity in the basin, the Commonwealth Environmental Water Holder by regulation must spend every cent of that trade on further water buyback from irrigators. So, here we are today with a bill in the House saying, 'I'm going to cap that water buyback.' On the other hand, we have another piece of legislation which says, 'If the Commonwealth Environmental Water Holder trades, it has to spend every cent on further water buyback.' Go figure. I believe the parliamentary secretary is going to address this matter soon as a legislative priority. I certainly hope so, but it would have been rather good to have had it also in this piece of legislation for debate, because of course it is hypocrisy for the Commonwealth Environmental Water Holder to continue to have to buy back from irrigators while we are trying to cap buybacks with the other hand.

We also, of course, have said to you that people across the basin are suffering a fate which must be addressed urgently. I want to quote from an article in yesterday's Shepparton News: 'Deniliquin food producers will demand a re-evaluation of the Murray-Darling Basin
Authority plan when federal representatives visit the area this week.' Ms Shelley Scoular of the Southern Riverina Irrigators group is quoted as saying: 'The plan is flawed. The social and economic impacts are hurting our communities.' She said that the Murray-Darling Basin Plan had been a knee-jerk reaction to addressing environmental issues during the millennium drought, which had led to successive federal governments inadvertently putting the food production industry at risk. 'This was never the intention of the Basin Plan, but that's how it's turning out,' she said. That sentiment is echoed across the basin at meetings like the one in Barham a few weeks ago, where 1,000 people came. A succession of speakers—food producers, people from small decimated communities, rural councillors, schoolteachers and local government bodies—all called for a stay on further implementation of the Murray-Darling Basin Plan until it was comprehensively evaluated in respect of all of the unintended consequences, the waste of billions of dollars in poorly conceived and managed spends, and the inadequate consultation which has seen stakeholders treated like mushrooms or insulted as ignorant when they should have been treated as key participants in the process.

There has been a complete failure to understand the need for a balance between strategies that sustain the environment, the economy and human communities. I have to say that in my electorate of Murray half of my irrigators now are dependent on a corrupted water market which, if not fixed sometime soon, will see the $1 billion of federal government investment in the so-called food bowl modernisation simply being spent to shut down half of the irrigation system, destroying billions of dollars of investment in food manufacturing and destroying jobs. There is already 27 per cent youth unemployment in my electorate, a consequence of us losing over 900 of the 1,900 gigalitres our irrigation system was once entitled to. You cannot have that sort of devastation and still have full employment, investment and expectation of a better agribusiness outcome. The 27 per cent youth unemployment is matched by higher-than-national-average adult unemployment. I have food manufacturers now lining up to say to me: 'What is going on? How come state and federal government policies—both previous and, sadly, even ongoing—are presiding over the destruction of agribusiness in the Murray-Darling Basin and the lack of a balance in the triple bottom line?' This can be done better. It must be done better. My agricultural communities have been financially devastated, but so has the economy generally. The mental health consequences and the destruction of the futures of farm children and the broader community should not be tolerated in a nation such as ours.

So I am pleased this bill has finally come to the House, but it is not sufficient. More has to be done urgently. I commend the Senate select committee inquiry that will shine a light in very dark places in relation to this Murray-Darling Basin Plan. We have to act soon.

Mr CRAIG KELLY (Hughes) (09:58): It gives me great pleasure to speak on the Water Amendment Bill 2015. As Dorothea Mackellar once said, we live in 'a sunburnt country', a land 'of drought and flooding rains'. That is why this water bill is important. We need to try to get the balance as right as we possibly can in this country. We will have at times in this country shortages of water and periods of drought, and at other times we will have periods of flood. The Water Amendment Bill gives effect to the government's commitment to legislate a cap on surface water purchases in the Murray-Darling Basin to 1,500 gigalitres. We hope that the opposition gets on board, and we also hope that the Greens get on board, because they
need to realise how important the Murray-Darling Basin is to our Australian economy with the jobs and the wealth that it creates in our nation.

Here are a few numbers. The Murray-Darling Basin—and these are the numbers from 2012 and 2013—accounted for over 50 per cent of Australia's irrigated produce, which included nearly 100 per cent of Australia's rice, 96 per cent of Australia's cotton, 75 per cent of our table grapes, 59 per cent of our hay, 54 per cent of our fruit, 52 per cent of the production of sheep and livestock and 45 per cent of our dairy.

As other speakers have raised in this debate, there is an enormous opportunity in Australia if we are able to balance our water rights in the Murray-Darling Basin, because the potential that we have, through the China-Australia Free Trade Agreement, to increase our agricultural exports is a once-in-a-century opportunity. We have seen China go through enormous change. We have seen them drop their communist and socialist policies and open up their markets, understanding that free markets are the way to lift people out of poverty and to raise prosperity for the nation. That is what they have done. They have gone through an enormous manufacturing cycle. In doing so they have raised the living standards, prosperity and wealth of that country. That gives us, here in Australia, an enormous opportunity to export to them, because it is true that Chinese citizens, the people who live in China, are prepared to pay a premium price for Australian produce. We have seen it where they have had the scares about their own products, like the melamine scare with the baby milk formula; that was just one of many scares that gives great faith in Chinese consumers paying a higher price for Australian produce.

We need leaders in this country that have the vision and the foresight to see these once-in-a-century opportunities and to grab them with both hands, because that is where the future prosperity of our nation lies. So it gives me great disappointment, when I look back over the history of the China-Australia Free Trade Agreement, to see a quote from June 2005—over a decade ago, when the agreement was first being negotiated—of something said on Meet the Press by one Bill Shorten. This was his foresight about the future of agricultural exports. He said: 'What is it that we are going to sell to China in the future that we are not selling them now?' This is quite frankly an unbelievable comment. To think that someone would have such little vision that they could not see the potential of exports to China! To think that, back in 2005, they made such a bald-faced and ignorant comment as, 'What is it that we are going to sell to China in the future that we are not selling them now!' Well, I will tell you—

The DEPUTY SPEAKER (Mr Mitchell): If you could just wait a moment. The member for Fraser on a point of order?

Dr Leigh: I know the member is a good wet in the party room, but he does seem to be straying a little from the substance of the water bill and I would ask you to ask him to return to the topic of the bill.

The DEPUTY SPEAKER: I thank the member for Fraser. The member for Hughes is straying a little bit, but I know—

Mr CRAIG KELLY: Mr Deputy Speaker, during this debate on the water bill, many other speakers have raised the China free trade agreement—the issues and the opportunities, and why it is important that the water bill gives opportunity on water, because it is water that
creates the opportunity for these people to export and it is done. And this has been discussed quite extensively during other contributions to this debate.

Opposition members interjecting—

Mr McCormack interjecting—

The DEPUTY SPEAKER: The Parliamentary Secretary might be a little bit excited, but just chill. I want to hear the member for Hughes.

Mr CRAIG KELLY: Thank you, Mr Deputy Speaker. You would think that any person in this country would understand the opportunities of the future in which we have to export. But we have an alternative Prime Minister of this country who, back in 2005 when the China free trade agreement was first put on the table, wondered, 'What else are we going to sell to them that we are not selling them now?'

Well, I will give you a few examples to show how wrong the current Leader of the Opposition is. Let us take citrus, which mainly comes from the Murray-Darling region; back in 2005, we sold China zero citrus. Apart, perhaps, from a few Chinese tourists who snuck a few mandarins or a few tangelos or oranges or lemons in their backpack to take home with them on the plane, our exports to China of citrus fruit in 2005 were zero—a duck egg. The Leader of the Opposition asked, 'What else can we sell them?' Well, last year Australia sold to China $30 million worth of citrus product—from zero to $30 million—and that was made up of about $13 million worth of oranges, $8 million worth of mandarins and so on in other fruits. That is just the tip of the iceberg, because, once the China free trade agreement comes in, we will see a substantial reduction of tariffs on citrus fruit going into China. This is a golden opportunity.

Here is another example—again, something that the Murray-Darling region produces a lot of: our table grapes and wine. Back in 2005, we sold to China $9.8 million worth of wine. The current Leader of the Opposition asked, 'What are we going to sell them in the future that we are not selling them now?' Well, from 2005 to today, Australia has increased our exports of wine from $9.8 million to $224 million. That is a 20-fold increase. Another $210 million of wine was exported from this country to China—that is the increase. And the current Leader of the Opposition thought, 'What else can we sell?'

But that is only just the start. This is just the tip of the iceberg because, once the free trade agreement with China comes in, tariffs on Australian wine that are currently at 14 to 20 per cent—which, by the way, puts Australian exporters at a competitive disadvantage against New Zealand and Chile, who have much lower tariffs—will be reduced. So we have had that 20-fold increase, even though we have had that competitive disadvantage on the tariffs. Those tariffs of 14 per cent to 20 per cent are reduced to zero in four years—zero. These are the opportunities ahead.

I will mention some of the other reductions. In the dairy industry we are seeing the elimination of a 15 per cent tariff on infant formula in Australia in four years; the elimination of the 10 to 19 per cent tariff on ice-cream lactose; the elimination of the 15 per cent tariff on liquid milk within nine years; and the elimination of the 10 to 20 per cent tariff on cheese, butter and yoghurt within nine years. This will create wealth, opportunities and tens of thousands, if not hundreds of thousands, of jobs in the Australian economy. And it goes on. The current tariff of 10 to 25 per cent on macadamia, almonds and walnuts goes down to zero

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within four years. We also see with all other fruit—mangoes, nectarines, cherries et cetera—the elimination of the current 10 to 13 per cent tariff within four years. It is the same for fresh vegetables, with the current tariff of 10 to 13 per cent going down to zero in four years.

We produce some of the greatest quality products in the world. This is a once in a century golden opportunity for our nation to grab this free trade agreement—to have faith in our nation's exporters; to have faith in our people—and allow those exporters to get onto that Chinese playing field and compete at least on a level playing field if not with a competitive advantage against other countries. We have that opportunity but, sadly, this is all at risk from a union campaign that is not based on any factual information but is simply based—

Dr Leigh: Mr Deputy Speaker, I rise on a point of order. We all drink water. Water is ubiquitous in Australia. But that surely does not mean that the member can speak about anything in Australia that is touched by water.

The DEPUTY SPEAKER (Mr Mitchell): I uphold the point of order and will ask the member for Hughes to contain his remarks in the remaining four minutes directly to the bill, please.

Mr CRAIG KELLY: Mr Deputy Speaker, on the point of order: it is quite simple—

The DEPUTY SPEAKER: No; I have ruled on the point of order. You have had a wide range. Just continue for the last few minutes on the bill.

Mr CRAIG KELLY: I will speak on the importance of water to the Murray-Darling Basin. It may be something that the member for Fraser does not understand, but you actually need water, Member for Fraser, to grow things. That is actually how it works. You have irrigation and you grow citrus fruit and other produce. That is how it works. I know that might be a unique concept for you, Member for Fraser. You may have difficulty in understanding the reason that we need to get this Water Act correct.

The DEPUTY SPEAKER: The member for Hughes should direct his remarks through the chair.

Mr CRAIG KELLY: Thank you, Deputy Speaker. Through you, of course, Deputy Speaker, I am trying to make the point to my good friend the member for Fraser that it must be realised that we need water to grow the crops. It is these crops and the livestock that come from that water that drive the wealth and prosperity of this country. If we are going to have increased allocations of water, we can take advantage of the export opportunities that are ahead for this nation. They are all related. You cannot separate the two.

The water allocations and the need for that water are at risk because of an outrageous scare campaign that we are seeing from the unions. It is absolutely outrageous. I would have hoped that more members from the opposition would have stood up in this parliament to talk about the export opportunities that we have in the Murray-Darling Basin and talk about the importance of having the water allocations for those farmers and those growers—because that is where the future prosperity of this nation lies. But, instead, we have simply seen a disgraceful scare campaign that puts at risk those export opportunities for those growers who need that water in the Murray-Darling Basin. That is what we are seeing.

It is a shameful part of our politics in Australia today that we cannot get bipartisan support for this. I would have thought that good members on the other side of the parliament—such as the member for Fraser—would have given this bipartisan support. I am sure he understands
the importance of getting this free trade agreement through so that we can give opportunities to these growers. With that, I commend this bill to the House, but I would finally say in conclusion—

Dr Leigh interjecting—

Mr CRAIG KELLY: I know the member for Fraser might think this is funny and that this is a joke. But, for those Australians who are out there working long hours on the land—from sunrise to sunset—and are relying on this parliament to do the right thing by them and to open up those opportunities, I call on members of the opposition to have a thought for them and to do the right thing and get behind not only this legislation but also the China free trade agreement.

Mr BRUCE SCOTT (Maranoa—Deputy Speaker) (10:13): Mr Deputy Speaker Mitchell, on this day I would, first of all, like to preface my remarks on the Water Amendment Bill 2015 by wishing you a very happy birthday.

The DEPUTY SPEAKER (Mr Mitchell): Thank you very much.

Mr BRUCE SCOTT: I am sure it will be a very happy day for you and for many of the people we represent in this place when this bill has clear passage through both houses of parliament—and I am pleased to hear comment from the other side of the House to that effect.

This bill proposes to cap water buybacks at 1,500 gigalitres and secure a triple bottom line outcome for communities, economies and the environment. Representing almost the entire Murray-Darling Basin watershed in Queensland in this place—with all but the little region around Groom, near Toowoomba, contained within the Maranoa electorate—I have long argued the fact that we talk so often about the Murray-Darling Basin system and yet I see them as two systems. To look at it as one system is wrong.

Part of the Darling system ultimately ends up contributing a long, long way down the Darling into the Murray system. The Murray system, as I like to refer to it, is below the Lachlan and Menindee Lakes. Much of that water is contained in a more European-type climate—more reliable rainfall events, much of it stored from melting snow over winter. However, in my electorate, in the Darling system, it has an irregular rainfall pattern of high-rainfall averages of up to 28 inches per year on the old scale with the Carnarvon Ranges feeding the Warrego and parts of the Condamine system. It flows down through average rainfall areas of nine and 10 inches per year, yet still within the one system—you might say the one ecosystem.

These rainfall events are often of high intensity but very irregular in nature. We need to keep that in mind when we think about the reform of the Murray-Darling Basin water plan—and that is why I am pleased to have been briefed recently on the northern review, which is still underway, that looks at the allocations and what further buybacks may be required to meet the targets that have been suggested as part of the plan.

Water buybacks have already occurred in the Murray-Darling system in my electorate, particularly in the Lower Balonne. Those water buybacks have inflicted damage on local economies that do not have the capacity to create jobs that have been lost as a result of the loss of the water that has been bought by the Environmental Water Holder—the Commonwealth in this case. I particularly witness the towns of Dirranbandi and St George. I say to all of us in this place—and I bring this comment in good faith—we have got to think
much smarter about how some of the targets that are still required in the Condamine-Balonne system can be achieved without inflicting further damage on this part of my electorate, because water for those communities is wealth; water creates jobs.

The buyback, which was from water below Dirranbandi, meant the loss of jobs in St George for the crop sprayers; people who were providing the agricultural herbicides, pesticides and materials; and those families who once had jobs on those properties as contractors are no longer there. Sadly, while there is an ongoing process of how some of that money could be going towards Healthy HeadWaters or compensation, I say it has been done in reverse. We should have had a situation where, before an allocation was purchased to meet these targets and the 1500 gigalitre target over time, the community had a plan and funding coming from the Commonwealth under the Healthy HeadWaters program to ensure that any potential job or business losses could be replaced with an alternative that would be sustainable into the long term.

I raise that, because that is my job in this place. That is what the people in the Lower Balonne, the Condamine-Balonne and the RiverSmart organisation tell me. It has been my backyard all my life, and I have worked and lived long enough in the area to know what water means to a community—that is, water security. If you are going to invest hundreds of millions of dollars, and irrigators do, in developing opportunities—whether it is in broadacre cotton or high-value horticultural crops—and they apply for loans, they need the security of the water to go to their banks. Whilst many of them have had to deal day to day with this year by year, they are right now reform fatigued. This has been going on since when John Howard was Prime Minister and John Anderson was Deputy Prime Minister. We started the process of reform to ensure that we could get sustainability in the whole of the Murray-Darling system. I agreed with it—and I know we have some bipartisan support for the process now.

As I know the member for Riverina would be aware, one of the original plans under the previous government came forward and bought people out in their hundreds of thousands—not only from the land and its irrigators but also small businesses who know what water and the security of water means to their towns and their future.

While I support the process at this stage, there is more work to be done in relation to the Lower Balonne. I say thank you to the parliamentary secretary, who has visited the area. He has taken the time to be there, as have some of the departmental people, and visit on-farm works. He has seen some of the work that Healthy HeadWaters has done to bring greater water efficiency and deliver a triple bottom line not only buying water back but storing it or utilising it more efficiently. They are great stories, and that is where the focus should be now in relation to any further buybacks: how we will do it more efficiently without the loss of jobs and how we will deliver a triple bottom line.

I also want to touch on a river that often does not get much comment in relation to the Murray-Darling Basin reform plan. It sits within the northern basin: the Warrego River. We often think of the Warrego River as the river that comes down from the Carnarvon Ranges through Charleville and Cunnamulla, and enters the Darling just below Bourke. When the big floods come through, they come through 30, 40 and 50 kilometres wide; however, as I said earlier, they are very irregular but are of high intensity when they occur. There are allocations on the Warrego River that exist right now where there is cotton being grown at Cunnamulla—once again, creating jobs; water is wealth; wealth creates jobs. It has suffered drought,
commodity downturn, structural adjustments, a corrupted well market and all sorts of events that have impacted it and other remote communities; and, more sadly, in the last 20 years, the very loss of the wool industry and what that meant to those towns.

But water can replace some of those jobs if there is security, if there is an ability for those who have those allocations to borrow and know they can do it with confidence and without a government some time in the future wanting to remove or reduce that allocation which delivers the opportunity for them to invest and grow crops. What is happening there now is that there have been high-value horticultural crops grown with some of the water allocation out of the Warrego table grapes. They have been finding it increasingly difficult to remain competitive with those growing table grapes in northern Australia, particularly in Central Queensland, because their table grapes hit the Christmas market earlier than those around Cunnamulla. Once again, it is typical of agriculture. You have to be flexible and be able to move into other industries, not remain locked into something as if it will always be there as the only opportunity in that use of the land.

The people who are growing cotton there have said to me that they would like to participate in the Healthy HeadWaters program. It has not been on the radar or out there as a participants in the Healthy HeadWaters program. I understand there is not a great deal of water that needs to be recovered in relation to the health of the Warrego River, but nevertheless I call on our government and have spoken with the parliamentary secretary and the Northern Review Committee on this very subject. The Warrego, as limited as the water there could be recovered—and it may be only a small quantum in relation to the total amount—has a great opportunity to invest in Healthy HeadWaters that will deliver a triple bottom line to those irrigators, few as they are, at Cunnamulla and perhaps as far up on the Warrego, if there could be some trading upstream to create new opportunities, as Wyandra or perhaps even Charleville.

I put that on the Hansard today because I have spoken once again with the people there and have had correspondence with the people there. They would like to participate and they, just as much as any other producer or irrigator across the Murray-Darling Basin, where they have had an opportunity have taken it up. Others have decided not to take up the opportunity of Healthy HeadWaters. Some have exited and sold their water entitlement completely, but that is where I spoke a bit earlier of the impact that that can have in relation to Dirranbandi and the impact that has had on the towns of Dirranbandi and St George. So I throw that on the table for the minister and the parliamentary secretary so the northern review process, which is still underway, can include the Warrego and provide an opportunity for those on the Warrego who have entitlements to deal with that under the Healthy HeadWaters program, which could bring a triple bottom line and contribute to what the government seeks to do in a bipartisan way in this chamber to deliver a sustainable Murray-Darling Basin river system.

In conclusion, whilst we talk about the Murray-Darling Basin system in terms of overland flows, there is also an issue of groundwater buybacks on the inter Darling Downs. One of the things that some have been looking at in relation to the sustainability of the underground water that they use for their irrigation is once again the whole issue of security and knowing that there is not going to be change after change after change as has happened in the last 10 to 15 years. They need security and they need certainty. They, like so many of the producers and irrigators across my electorate, are prepared to work with the government, but they also want
their voice to be heard. I have to say these people in irrigation are not out there to destroy the environment; they are there to work with the government. They are there to work with the authorities. They are there to work with the review process. But they really want their knowledge and their understanding, which often dates back generations—the knowledge of the river system, the flow systems, where water will flow. It is quite different to understand what it is like living in Dirranbandi, Goondiwindi or Cunnamulla and understand intimately—because it has been your life—the river flows and the irregular nature of the seasons. To look at a desktop model here in Canberra about wanting a certain amount of water and how we can get it—I know there is a lot of science behind it, but let's make sure the knowledge of those who have been out there as irrigators, as families, as small businesses for decades and decades is taken on board and fed into the system, particularly in relation to the Darling system in my electorate, which is so fundamentally different from the Murray system below Menindee Lakes and the Lachlan.

I support the bill and hope those comments can be taken on board by the minister. I look forward to continuing to work with the minister on this issue.

**Ms Ley** (Farrer—Minister for Health and Minister for Sport) (10:28): I am pleased to speak today on the Water Amendment Bill 2015, the main purpose of which is to impose a statutory limit of 1,500 gigalitres on Commonwealth surface water purchases—otherwise known as buybacks—across the Murray-Darling Basin. This bill, its history, its future and indeed the future of all water policy in the parliament are very important to me as the member for Farrer in so much of the Murray-Darling Basin. I represent a large portion of the New South Wales Murray River and a large portion of the Darling River, and for all of the time that I have been a local member water has been the No. 1 issue for me. Whenever the inflows into the system reduce or there are changes in government policy, there is a response, and that response is often powerful and passionate. It always reflects one thing: the determination of the communities that I represent to continue to farm, to continue to be users of water and growers of food, and to represent and fight for irrigated agriculture. It is something that I have always done. I know it is something the member for Riverina, sitting here next to me, has always done. I know it is something that we will both always do in our respective electorates. This bill has quite a bit of history attached to our time in opposition and my time when the Water Amendment (Water for the Environment Special Account) Bill 2012 was introduced. At the time, a lot of conversations were had between members of the then opposition, and I advocated very strongly for a cap on buyback because we had seen the non-strategic, non-targeted buyback by the Labor Party and the effect it had had on basin communities. That is the main subject for discussion today in this bill, and it is important to reflect on what Labor's policy did to the communities that I represent. It divided communities; it tore communities apart. Effectively, it said: 'Here are government dollars to buy your water to take you out of production. It doesn't matter where you are; it doesn't matter what you are doing; it doesn't matter what your own investment on-farm has been.' And you, as the farmer, were then always under pressure during times of drought—which we were in—from your bank, from your lender. They would say: 'Suddenly your balance sheet has been transformed with this asset that is water. We'd like you to sell it, and we'd like the money so you can pay off debt. And that's all right, because you can still carry on your farming enterprise. Perhaps you can go to dry land; perhaps you can buy temporary water. But overwhelmingly, this is money that you owe.' The effect of this on agriculture and on communities was devastating, because there
was no pattern. Many people came to me at the time and said: 'If the government had said, "We want this much water—let's work with you on how we strategically obtain it," then of course we would have been very unhappy about that, but we would have worked with the government.' But instead the Labor Party in government just said, 'There's the tender—go for it.' And communities were crippled as a result.

Going back to the Water Amendment (Water for the Environment Special Account) Bill 2012 and leading up to its introduction into the House, the conversations I had with my colleagues and with the now Prime Minister were around: 'Let's fix this buyback issue so that future governments can put some confidence into basin communities.' In part, I explained what we would do in my remarks at that time. I said:

We will also move an amendment that says that expenditure on farm infrastructure works cannot be used for buybacks, and the total amount of buybacks will be capped at 1,500 gigalitres. That means that the gap that exists between the water that is being bought back now and 2,100 gigalitres, which is a baseline figure that people will, reluctantly, as a second-best solution, accept, is all that can be bought in a market buyback. We will cap the total amount of buybacks at 1,500 gigalitres and we will require that actions to remove constraints and those needed to achieve this potential 450 gigalitres—that, of course, was the constraint strategy—recovered under this account must satisfy an improved or a neutral socioeconomic test—in other words, no socioeconomic disadvantage.

They were my remarks then, and I am very proud that the amendment I foreshadowed three years ago is coming to fruition in the House today in this current amendment to the Water Act.

Every season is different in the Murray-Darling Basin, and this season is not shaping up to be a great one. So I am grateful that this buyback legislation is here, and I urge my colleagues in the Senate to pass it. I commend the work of the parliamentary secretary in advocating the necessity of passing this bill in the Senate and, obviously, I look forward to hearing Labor's position, having no idea what that might be.

In being here today to talk about the Water Amendment Bill 2015 and its importance and, again, the underpinning of confidence in irrigated agriculture that I know that it presents, I will make a couple of further remarks. Firstly, we have had an independent review of the Water Act. It was conducted in 2014 and the final report was published in November 2014. In relation to the issue of a cap on water buybacks, the report notes that a number of submissions raised the commitment made by the Australian government in the 2014-15 budget to limit water purchases to 1,500 gigalitres and suggested that this limit should be legislated in the act. Other submissions indicated a concern that the 1,500 gigalitre cap could impede the Australian government's ability to bridge the gap. The panel noted that it is a decision for the Australian government as to whether this commitment should be legislated. We resisted those who said otherwise, and here it is. I also note, as does the Bills Digest on this measure, that the Department of the Environment website indicates that the government is still considering its response to the recommendations of the review. I know that further legislation is expected, and indeed is listed, for introduction in the 2015 spring parliamentary sittings. There is more, I believe, that needs to be done and that my communities believe needs to be done. I want to mention that this bill today is putting in place this buyback cap, but more can still be done.
The history of why we have a Murray-Darling Basin Plan is well known, and I think it is understood that we recognise that the basin is the lifeblood of so many communities. It is the food bowl of our nation. We need to use its resources sustainably to ensure the survival and prosperity of the environment for future generations. This plan is about governments working with the people of the basin to make sure that our farmers and communities are viable and sustainable for the long term. Our government's key difference in approach—I have reflected on the cap, which is something Labor would never have done—is that investment infrastructure is our primary method for recovering water to improve the basin environment. We have already secured over two-thirds of the 2,750 gigalitres of surface water we need to meet the sustainable diversion limits in the basin plan, and the cap we are introducing today is not a target, but a cap. It is a ceiling—a limit set in legislation. We will stand by it and we will continue to prioritise funding that invests in our community's future.

There have been many concerns expressed by speakers today, and that is appropriate. The circumstances in the New South Wales Murray, particularly around the towns of Deniliquin, Barham, Wakool, Finley, Jerilderie and Berrigan on the New South Wales side of the border, are not particularly happy ones at the moment. Very strong statements have been made to me over the last couple of weeks. I am pleased that I have taken those statements and the distress that many farmers are feeling right here, right now, to both the parliamentary secretary and the Minister for the Environment, and I thank them for the very understanding hearing which I have been given and their undertaking to continue to focus on what more can be done.

It is interesting. As I said, I have talked about an area in the New South Wales Murray—and time will not permit me to talk more about the Menindee Lakes and the lower Darling, important though they are—because there is, I think, something of a crisis in the New South Wales Murray when it comes to water allocations. The opening general security allocation for the season at the moment is zero. The planes are waiting on the tarmac to sow rice. The farmers are anxious and waiting for an allocation that allows them to start their program for spring and summer, but, with a zero allocation, that is not possible. Farmers are calling me and saying, 'We don't understand why, with such large reserves of environmental water in the dams and storages in the upper Murray, our allocation is zero. While we recognise that "general security" means just that—you can't guarantee the amount of water you'll get—can we be certain that the Environmental Watering Plan is working?'

This is a big project. It is a project that needs strong, focused explanation to the people of the basin. I know, and it is often said, that farmers are environmentalists. Of course they are. When they see environmental water being used to good effect and they see a positive return for the environment where they are, they give that a tick. They understand that. When they are not so certain about the watering in a particular area or they hear—and often it is anecdotal, I know—feedback that says it has happened but it is not really working, they quite rightly get angry and upset. We therefore need to make sure that not only do we have a meaningful Environmental Watering Plan but we have a strong engagement with communities, a focus on how that plan should look and a reflection back from communities about how it might be changed to ameliorate local effects and about what local people actually think of it.

I have met the Commonwealth Environmental Water Holder, a gentleman called David Papps. I have had some really good conversations with him. I know that he was in Deniliquin,
in my electorate, yesterday. I look forward to him being part of that ongoing explanation, and I recognise too that he is constrained by the Water Act.

We probably do need more. We need something that allows communities who are starting the season with a zero per cent allocation but who by the good graces of government have significant infrastructure investment, both on and off farm, to be able to use water. The other thing that has been explained to me and that I have seen since the plan started to take effect a few years ago is the temporary water market. I mentioned previously how you might sell your permanent water. You might pay off debt. You still have your land and you still have your farm; you can buy water and grow crops. In theory that would be really good, except that the price of temporary water is so high at the moment that, when you do the sums, you actually would not do that at all. You might do nothing. Is the market working effectively? I am not sure that it is working as effectively as it needs to, and I know that there are adjustments that will need to happen as this very big, comprehensive, ambitious Murray-Darling Basin Plan happens. But I also want to make very clear that the local concerns that I am hearing are demonstrating a strong level of unhappiness.

On Friday I am going to bring Neil Andrew, a really good person—I am delighted that he is now Chair of the Murray-Darling Basin Authority—to these areas to have a look. We will go down the Edward-Wakool system. We will talk to landholders. We will meet landholders, and we will receive the explanations that I know people want to give to the authority.

There were some comments by an Italian fruit grower in Menindee recently mentioned in the *Barrier Daily Truth*—and, as I said, I have no time to talk about Menindee, but I would love to do that another time. He talked about all of his fruit-growing years in Menindee and looked back with happiness on what life had given him. He said: 'Some years the water was there; some years the water wasn't. When the water comes down from Queensland, everyone is happy. When the water doesn't, everyone is a traitor.' I think that picks up the real difficulty of managing so many diverse interests across an area as wide as that of the Murray-Darling Basin Plan. But I want to end where I began and say that I believe passionately in the rights of those who have irrigated agriculture enterprises to continue to farm, to continue to grow food, to continue to be prosperous and to continue to be happy.

Mr HUNT (Flinders—Minister for the Environment) (10:43): I am delighted to thank all of the honourable members who have contributed to the debate on the Water Amendment Bill 2015. To that effect, I table the replacement explanatory memorandum for the bill.

Let me begin by making the broad point that in March of this year we announced that we would enshrine in legislation our election commitment to capping surface water purchases in the Murray-Darling Basin at 1,500 gigalitres. In keeping with that commitment, we introduced the Water Amendment Bill in May and have consulted with communities and affected parties and with the states since that time. The passage of this bill, House and Senate willing, will therefore be a significant milestone in our journey to reform and to protect the Murray-Darling Basin and to provide security for farming communities, regional communities, the environment and general water use.

Against that background I want to particularly acknowledge and thank my parliamentary secretary, the member for Paterson, for his outstanding work to date. I also want to especially acknowledge the two members at the table now, the member for Riverina and the member for Farrer, for their contribution to this bill and to the cap as well as other members in this
chamber—the members for Murray, for Parkes, for Mallee, for Barker, for Calare and for New England—who have worked assiduously on behalf of their communities to ensure that there is security for their community, security for the river and security for farming activities, because at the end of the day this bill and the broader Murray-Darling Basin Plan are about ensuring that we have stability, security, a great environmental outcome and, above all else, the ability for communities to plan and operate on a long-term basis with regard to both water for critical human needs and water for the critical task of providing agricultural security as well as environmental security over the coming decades.

The Murray-Darling Basin Plan therefore represents the culmination of more than two decades of water reform, two decades mostly of bipartisanship, which I would say has been led by the coalition and championed by people such as John Anderson, Mark Vaile, John Howard and Malcolm Turnbull. I know that the defining task of my first term in this place was to work towards precisely this water reform, and there have been two decades of cooperation between all basin governments. This bipartisan support and ongoing cooperation between basin governments is essential for the implementation of the Basin Plan and for bringing the security for the river and for the farm and agricultural community which is the cornerstone of this legislation.

The Australian government is therefore committed fundamentally and absolutely to implementing the Basin Plan on time, in full and on budget but, most importantly, with the triple-bottom-line focus that supports and maintains healthy, viable communities, the environment and agriculture for the future. The Basin Plan sets out a water recovery target of 2,750 gigalitres across the basin. The plan also includes a mechanism to allow the sustainable diversion limit to be changed up or down by five per cent, provided that economic, social and environmental outcomes are maintained or improved. Successive governments have committed to bridge the gap to the sustainable diversion limits through a mix of investments in irrigation, infrastructure upgrades and water purchase. I know from my time as parliamentary secretary that our goal subsequently became—and this is something which I have absolutely supported—to ensure that we are replumbing rural Australia rather than engaging in a buyout of rural and regional Australia. If we can improve productivity, if we can improve water efficiency, then we are laying the dual foundation for the protection of the river and the sustainable agricultural production and improvement of that productivity in the basin for the next 100 years.

This bill therefore legislates the government's commitment to bridge the gap in a way that provides certainty for basin communities and industries, while optimising economic, social and environmental outcomes. It does so by legislating our commitment to prioritise, as I have said, investment in infrastructure by placing a 1,500-gigalitre limit on surface water purchases in the basin. The Australian government, as part of this broad national plan, has committed more than $12 billion to implement the Basin Plan through a range of programs in the basin through to 2024. As part of this grand strategic plan which is actually being implemented on the ground each and every day, the Australian government is investing $2½ million on average every single day from now through to June 2019 in water infrastructure, infrastructure which I have myself been fortunate enough to see in places such as Mildura, where you can witness the transformation of open, leaky earthen channels into closed pipes, which save enormous volumes of water and increase the security for farmers.
This legislation before us today firmly cements, therefore, the coalition's commitment to investment in productive agriculture, particularly through our on-farm and off-farm infrastructure investment programs. It must be remembered that the 1,500-gigalitre limit is not a target. It is a ceiling, and I repeat that for the purpose of the communities up and down the basin. The Australian government's obligation to comply with the 1,500-gigalitre limit will not override or reduce its obligations to manage the reductions to the sustainable diversion limits. This is because both of these obligations will be required under the Water Act itself. Not only does the government have an existing statutory commitment to manage the reduction to the sustainable diversion limits, but we have made good progress, and I repeat and report that to the Parliament of Australia. As at 31 July 2015, 1,952.9 gigalitres has already been recovered towards the overall 2,750-gigalitre recovery target under the Basin Plan. This leaves a remaining recovery task of around 797 gigalitres. Of the total 1,952.9 gigalitres recovered to date, 1,164.6 gigalitres has been purchased, leaving 335.4 gigalitres of 'headroom' before the 1,500-gigalitre limit will be reached. But I make this statement clearly and consciously: our aim is to do this without reaching the cap, and the recent stocktake gives increased confidence to this effect.

Therefore, I also want to report to the House that the independent SDL adjustment mechanism stocktake report released on 27 August provides just this further confidence that the Basin Plan gap can be bridged without reaching the 1,500-gigalitre limit. We will obviously keep this under review, but the recent news is good news. The stocktake found that a supply contribution of 508 gigalitres is plausible and basin ministers have committed to continue to work towards a total supply contribution, in fact, of up to 650 gigalitres. The greater the supply contribution from the adjustment mechanism, the smaller the remaining water recovery task to implement the Basin Plan.

In completing this remaining water recovery task, the government is focused on supporting industry efforts to modernise irrigation infrastructure, saving water that helps ensure the health of the environment and the wellbeing of communities throughout the region. We know that upgrades to irrigation infrastructure improve on-farm water efficiency and productivity and deliver triple bottom line outcomes for rural communities, economies and the environment. Where we can be engaged in the great task of replumbing rural Australia for greater productivity as opposed to buybacks, we will be and we should be.

I now turn to the Senate Environment and Communications Legislation Committee report into the provisions of the Water Amendment Bill 2015. The explanatory memorandum, which I have just tabled, was revised to clarify issues raised by various stakeholders in their submissions and evidence to the committee. I thank the stakeholders, those that have made submissions and the committee for their report I know that the committee heard from a range of parties with a strong interest in the implementation of the Basin Plan and gave everyone a fair hearing.

There is a diversity of views on how to best implement the Basin Plan; there always will be. This is the history of riparian management, not just within Australia but within almost every jurisdiction in the world. Despite these different views, I know that we all agree on the importance of restoring Australia's largest and most productive river system to health. Real progress is being made. Fundamental progress is being made. The beneficiary is not just the river, not just the environment but also the agricultural community, which is fundamental to
our economic production in Australia, but also our sense of national self and identity. We also recognise therefore that a healthy river is necessary to support our basin communities and associated industries, now and into the future.

I know that the committee heard from some groups that the bill could override the government’s obligation to manage the reduction to the sustainable diversion limits. I would respectfully but categorically say this is not true. Our statutory responsibility to manage the Commonwealth’s share of the reduction to the sustainable diversion limit is enshrined in the act itself. The government is managing this reduction by bridging the gap. The legislated limit confines one method available to the government to bridge the gap—surface water purchase—and does so in a way that is consistent with our water recovery strategy. We will reach our targets. The legislated 1,500 gigalitre limit deals with how the gap will be bridged, not whether the gap will be bridged. Our commitment is clear, our intention is absolute and our ability to reach that target is on track and will be delivered. The government is unwavering in its commitment to deliver the Basin Plan on time and in full and to do so by bridging the gap to the SDLs. The bill provides for the limit to be in place for the full term of this Basin Plan, delivering the certainty that is very much needed by the communities of the basin. This approach will also ensure that the benefits from ongoing investment in infrastructure based water recovery are continued and realised.

On the issue of how progress against the limit will be tracked, the Department of the Environment will ensure that all water recovery is very clearly, publicly and regularly reported, providing transparency on the purchases contributing to the 1,500 gigalitre limit.

This legislation delivers triple-bottom-line outcomes for the basin. To ensure the prosperous future of basin communities and businesses, we need to make certain that the health of the environment is sustainable for the long term. In turn, we also have to provide certainty to the community that, in recovering water for the environment, we will prioritise our investment in modernising irrigation infrastructure, ensuring this significant agricultural sector is efficient, productive and viable into the future. We are supporting the best farmers in the world.

The government is steadfast in its commitment to deliver the Basin Plan on time and in full and to do so in a way that optimises economic, social and environmental outcomes.

Ultimately, the bill reflects this commitment by: (1) continuing to work toward bridging the gap to the sustainable diversion limits in a way that minimises social and economic impacts; and (2) providing greater flexibility for the recovery of an additional 450 gigalitres of water in a way that maintains or improves social and economic outcomes.

The Abbott government welcomes the bipartisanship of the opposition and thanks the opposition for joining with us in supporting the communities of the Murray-Darling Basin through this bill. I particularly want to thank the parliamentary secretary, the Member for Paterson, for his leadership and work in driving this bill. He has reached a point of tremendous success in his career and he has done a tremendous job for the community and for the country.

Similarly I thank the passionate advocates for their communities, the basin members who have spoken unfailingly on behalf of their own towns, their own farmers, their own communities. These are the members for Farrer, Murray, Riverina, Parkes, Mallee, Barker,
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Calare and New England. I also want to thank the Commonwealth Environment Water Holder, the Murray-Darling Basin Authority and especially the outgoing CEO, Rhondda Dickson and the departmental leaders, David Parker, Tony Slatcher, Mary Colreavy and Bruce Mayall. With that, I commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading

Mr HUNT (Flinders—Minister for the Environment) (10:59): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Banking Laws Amendment (Unclaimed Money) Bill 2015

Returned from Senate

Message received from the Senate returning the bill without amendment or request.

Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr ALBANESE (Grayndler) (11:00): I am pleased to rise on behalf of the Australian Labor Party to oppose the latest act of vandalism by this government against Australia's natural environment, an action which does not seek to repeal a decision of the former Labor government but, instead, repeals legislation introduced by that radical environmentalist, John Howard. Even before this latest example of overreach, Tony Abbott had well and truly established himself as the worst Prime Minister in modern Australian history when it comes to the protection of our natural environment.

Kevin Rudd's first act as Prime Minister was, proudly, to ratify the Kyoto protocol, an act that Labor had campaigned long for in opposition, including private members' bills I brought before this parliament when I was Labor's environmental spokesperson. But one of Tony Abbott's first acts stands in stark contrast to the act of the Rudd Labor government. It was of course to abolish the Climate Commission, a body made up of scientists, businesspeople and economists tasked with providing the community digestible information about climate change. That was what they attempted to do in their first legislative act on the environment before this parliament.

Notoriously, we know that Tony Abbott made Australia the first nation in the world to dismantle a carbon pricing mechanism; in particular, abolishing any legal cap or target on carbon pollution levels for 2020 and 2050. Unsurprisingly, Australia's carbon pollution levels have started to rise again, particularly in the electricity sector. He also broke his promise to keep the renewable energy target in place, causing investment in large-scale renewables in Australia to plummet by 88 per cent while it soared by 16 per cent globally. And he is still
trying, in vain, to abolish ARENA, the Australian Renewable Energy Agency, and the CEFC, the Clean Energy Finance Corporation.

The Prime Minister's opposition to strong and sensible action on climate change is well known. Perhaps less notorious have been his repeated attacks on Australia's natural environment. The Abbott government tore up the Tasmanian forestry agreement that had ended 30 years of conflict in that state, an agreement negotiated by the forestry industry, the union and environmental groups with the support of the state and federal governments. This was a blatant act of vandalism with no apparent thought given to the consequences for the industry being able to achieve certification of its product for export—a simple act of ideology based on the view expressed by the Prime Minister that Australia has more than enough trees. He then embarrassed the nation by taking an unprecedented application to the World Heritage Committee to delist 74,000 hectares of world heritage-listed forest in Tasmania, an application that was dismissed out of hand by the committee.

The Prime Minister has also repealed the management plans designed to protect Australia's marine reserves, the largest in the world at the time of their proclamation by the member for Watson. Two years on, there is still no idea what the Abbott government intends to do with our marine environment. This government also remains committed to washing its hands of the decades-old responsibility of Australia's national government to protect our assets of national environmental significance. For more than 40 years, this responsibility has been embraced and discharged by Commonwealth governments of both political persuasions. This extraordinary decision would handover this parliament's responsibility—for example, to protect the Great Barrier Reef, one of the seven natural wonders of the world—to state and local governments.

I could go on listing the atrocities committed by this government against our extraordinary natural environment, which is ours to enjoy but ours to also show a responsibility to protect for future generations to come. The Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015, though, is perhaps the pinnacle in petulance by the Prime Minister in this policy area, certainly not a decision of the adult government we were promised—more like the behaviour of a schoolboy angry at having kicked an own goal.

Let us be clear: we are not at this point with the Adani project in the Galilee Basin because of what you read in the screaming headlines of some newspapers about 'lawfare' or, as the Attorney-General described it, vigilante litigation; we are at this position with Adani because the government failed to comply with its own law because the government realised its own plunder and then made itself an application to the Federal Court to set aside its earlier approval of the Carmichael mine.

Indeed, because of the blatantly misleading statements made by some members of this government and some media commentators about the Adani decision, the Federal Court took the extraordinary step of issuing a statement about the case. It is worth reading the statement into Hansard in full. The following can be attributed to a Federal Court spokesman if required. They said this:

The purpose of this statement is to correct media reports about the making of orders by the Court affecting the proposed Carmichael coal mine project.

On 12 January 2015 the Mackay Conservation Group filed an application for judicial review of the decision of the Minister for the Environment made under the Environment Protection and Biodiversity
Conservation Act 1999 (Cth) (the Act) to approve proposed action to develop an open cut and underground coal mine, rail link and associated infrastructure in central Queensland, subject to certain conditions.

On 4 August 2015 a judge of the Court made orders setting aside the Minister’s decision. The orders were not made after a hearing. There was no judgment. There were no findings. The orders were made by consent, that is, with the agreement of the parties to the litigation.

Proposed orders were presented to the Court in a letter from the Australian Government Solicitor (AGS), who acted for the Minister and the Commonwealth. The letter was written with the agreement of the other parties: Mackay Conservation Group and Adani Mining Pty Ltd.

In the case of an agreement by parties to litigation to set aside a decision of the Executive, the Court’s usual practice, known to the parties, is that the Court be informed of the error sufficient to set aside the decision. In this case that was done in the letter from the AGS.

The basis of the parties’ request and the basis upon which the orders were made was that:
1. The Minister found that the proposed action would have a significant impact on two listed threatened species: the Yakka Skink and the Ornamental Snake
2. There were conservation advices approved by the Minister for those two species.
3. Under the terms of s 139(2) of the Act, it was mandatory for the Minister to have regard to the approved conservation advices.
4. In deciding whether or not to approve the proposed action, the Minister did not have regard to the approved conservation advices.
5. The Minister did not have regard to the approved conservation advices because they were not included in the material that was before him at the time he made his decision.

What an extraordinary statement from the Federal Court, setting out the facts of how the Federal Court arrived at that position—agreed to by the Australian Government Solicitor, Adani and the Mackay Conservation Group. It is also worth noting from the statement that the applicant in this litigation was the Mackay Conservation Group, a grassroots community-based organisation from North Queensland, run by a committee of dedicated volunteers.

Members of the government continue to pretend that the litigants were the New South Wales Environmental Defenders Office and make much of the distance between their Sydney office and North Queensland. They might have represented the Mackay Conservation Group, but that is hardly relevant; it was the group based in Mackay in that local community who made the application. I would be surprised if Adani was using the services of lawyers from the Galilee Basin.

It is now well understood that the consent decision to set aside the Adani approval was only the sixth time in 15 years that a development approval has been successfully challenged in court, and only the second occasion in more than a decade. Over the course of those 15 years, some 5,500 projects have been referred under the EPBC Act to the minister. The only other project that was successfully challenged during the past decade was reassessed and ultimately approved anyway.

It is abundantly clear that there is no problem requiring a solution here—except perhaps for the government to fix up its own internal assessment and approval procedures. This was a failure of internal government procedures by the Abbott government and by this minister and his department. Yet they seek this radical legislation before this parliament to undermine this core environmental legislation—which was established by the Howard government and which
has been operating effectively since its introduction—which provides certainty for industry and provides confidence for the community.

This is just another example of a Prime Minister determined to engage in conflict; it is a distraction from his long list of failures and internal division. It is very clear that this is a Prime Minister who had a plan to get into government but does not have a plan to govern. This is a government that does not have a sense of purpose and is, therefore, looking for disagreement rather than building consensus in the community. It is no wonder that some of the government's strongest supporters historically are its strongest opponents on this and other issues when it comes to a balanced and common-sense approach to environmental legislation. I congratulate people such as Alan Jones and others who have been prepared to stand up and articulate their strong views in what they see as the long-term national interest on these and other issues. The problem for this Prime Minister is that he is much more comfortable wrecking, negating and destroying than building.

As I said earlier, the bizarre thing about this latest proposal is that the provision that this bill seeks to repeal is a legacy of the Howard government, a provision introduced in 1999 which commenced operation in 2000. This provision was created for a very good reason. Environment groups and project proponents had been battling it out in the courts for years to work out what the rules for standing in court procedures were. The High Court in 1980 decided, in a case brought by the Australian Conservation Foundation, that the interest of an environmental organisation on the environmental impact of a proposed development or project was, in the words of Justice Gibbs, 'A mere intellectual or emotional concern', which was insufficient to give it legal standing. That, of course, is because common law has always based the concept of standing or the right to take legal proceedings on the ability to demonstrate an interest that the person or organisation taking the preceding has and which is being adversely impacted by the project. While this obviously makes sense where a project might impact someone's property or business interests, indeed their private economic interests, environmental protection laws are primarily directed at protecting public interests. The entire general public has an interest in the protection of our natural environment. Indeed, there is a very real argument that those of us here today have a responsibility for those who will follow us tomorrow to make sure that we leave a legacy of an enhanced rather than a degraded natural environment. We know that this is not just about environmental concerns. There are good social policy reasons why a natural environment is important but there are also fundamental economic interests of why the natural environment is critical in the short, medium and long term to Australia's national interests.

It is pretty easy to think of some examples of projects that would impact important environmental assets but that would not involve anyone's private interests in the short term. Take the World Heritage properties protected by the EPBC Act in accordance with our international legal obligations. A proposed project that would adversely impact on the Great Barrier Reef might not impact anyone's private interests;—obviously the reef itself cannot take legal action if the minister again fails to apply his own laws properly—only a representative organisation can take an action which would hold the government to account. Or take the threatened species that are protected by the same legislation. The Tasmanian devils were not able to take action in the Shree Minerals case a couple of years ago; instead, it fell to an environmental organisation to do it for them. These examples are serious examples
because the message from the government, in relation to all of these matters protected by this legislation, is that you will simply have to trust the government. If a project threatens Australia's World Heritage properties or endangered iconic species, no-one will be able to challenge this government in court. No-one will be able to stand up for the environment in court.

The government appears to be at pains to assure Australia's farmers that they are not the target of this legislation and that they will still be able to take the government and developers to court if their landholdings or businesses are adversely impacted by a development. I will mention only in passing the utter confusion among government ministers around what was actually being proposed when this was first announced. I guess that is what happens when the Prime Minister announces policy on the run in question time with no draft legislation, with no consultative process and when the relevant minister is out of the country.

The Attorney General told the Senate that only part of section 487 was being repealed such that farming peak bodies would still be able to take representative actions in our courts. Apparently, the Minister for Agriculture was busily assuring his constituents the same thing. Ridiculously, two different sets of government talking points were apparently circulating amongst coalition members in the parliament, one set suggesting that only part of the provision would go, in keeping with the Attorney-General's assurances to the Senate, and the other set suggesting that the whole provision would be repealed. We know now that the Attorney-General either was misinformed or did not read his brief carefully, because the bill seeks to repeal the entire provision of section 487.

Still, the Minister for Agriculture has assured farmers that they will still be able to take legal action. The farmers know that that is not the case. It is crystal clear that they would have to do so now on an individual basis, demonstrating that their private interests were adversely impacted and pitting themselves alone against the resources of multinational companies and the Commonwealth government. We have seen from the controversy around the Shenhua mine in the Liverpool Plains that fine legal points will be able to be drawn out by high-powered lawyers acting for the companies and government over whether or not a particular farmer is actually impacted by a development proposal. Even if the Minister for Agriculture has so little regard for the representative work of Australia's environmental organisations, it beggars belief that he could possibly have supported this legislation in the cabinet in the light of what it does to Australia's farmers and their representative organisations.

They are awake. They are onto this minister. This is what the Vice-President of the National Farmers' Federation, Fiona Simson, said:

The Adani decision seems to have been caused by either Adani or the department not applying the law properly, but then, suddenly and with no warning or consultation, we get this put forward … we prefer evidence-based policy making.

Evidence based policymaking—that is what the National Farmers' Federation are saying they support, and that is what good government should provide for. Tim Duddy, farmer and Chairman of the Caroona Coal Action Group, which is campaigning against the Shenhua mine, raised the obvious objection that even a directly affected farmer would be risking their farm from a costs order if they took legal action against a multinational company.

The idea that we should simply trust this government to protect Australia's natural environment, free from judicial review, would be laughable if it were not so very serious. But
Labor does not oppose this legislation just because of this government's appalling record on the environment; we do so as a matter of principle. The right of citizens with standing to challenge their governments in court is a fundamental pillar of a robust democracy. We must not set this principle aside simply to provide a drowning Prime Minister with a headline and a stoush.

The need for a provision that reflects the unique public interest involved in protecting Australia's natural environment is patently obvious. The New South Wales Independent Commission Against Corruption has also reinforced the importance of third-party appeal rights against development approvals from a public integrity perspective. In its 2012 report *Anti-corruption safeguards and the New South Wales planning system*, the commission made this important point on page 22:

Third party appeal rights have the potential to deter corrupt approaches by minimising the chance that any favouritism sought will succeed. The absence of third party appeals creates an opportunity for corrupt conduct to occur, as an important disincentive for corrupt decision-making is absent from the planning system.

As a general proposition around the integrity of public decision making, that is absolutely correct. The former Attorney-General and current Father of the House, the member for Berowra, obviously had these matters in mind when he apparently raised his concerns about this bill in the Liberal Party room meeting just a couple of weeks ago. He also made the obvious point that, if people were concerned about vexatious litigation becoming rampant under this legislation, there are other ways for that to be dealt with, through costs orders and the like, preferably by the courts themselves instead of a Prime Minister desperate for diversions and making policy on the run.

The right of citizens and their representatives to take legal action where they believe their government has failed to comply with the law can be deeply inconvenient and sometimes embarrassing for a minister and the government, as it is for this minister over his incompetence when it comes to the Adani application. But it is a fundamental part of a transparent and properly functioning democracy, and this parliament should not trash those democratic principles as a matter of convenience for the coalition and this Prime Minister. Where legislation seeks to protect public interest—in this case, the protection of our natural environment—as well as private interests, there needs to be special provision made around standing to take legal action.

Even for a government with the appalling record that this one has on Tasmanian forests, on our marine reserves, on action on climate change and on every aspect of environmental protection, this bill is beyond the pale. It seeks to remedy a problem that exists mainly in the feverish imaginings of right-wing bloggers and a Prime Minister desperate for a fight. That is why the Australian Labor Party will oppose this bill. This bill should be withdrawn and rethought by this Prime Minister and by the coalition party room. It is indeed a tragedy that issues which often have been the subject of consensus in this parliament about protection for our environment have gone so far under this reactionary Prime Minister that we are seeing this legislation.

The members of the coalition and the Prime Minister from time to time describe themselves as conservatives. Conservatives seek to protect what is there, although they might be afraid of progressive change and might not want to embrace change moving forward as a
society. Well, there is nothing conservative about this legislation. This is about winding back the gains of the past—winding back the gains not of a Labor government but of the Howard government—which is why this legislation can be truly described as reactionary legislation, why this government can be described as a reactionary government and why we will reject this legislation.

Mr HUTCHINSON (Lyons) (11:29): The point the member for Grayndler just made in respect of the record of the Howard government, particularly, is something that we should be very proud of. We are probably not as good in the Liberal Party at telling our story, and we have a very fine record as far as the environment is concerned.

What is a reality is that we always need to review—we always need to, where it is appropriate, update and modernise—legislation in respect of the circumstances that prevail. It is the same when you consider, for example, welfare payments. I have no doubt that, when people rightly wanted to put in place a safety net for those Australians who, in a compassionate society, had fallen through the net, so to speak, the legislation was a mechanism to catch those people and to support them in their hard times. That is the Australian way. But I do not imagine that the people who designed that legislation ever imagined we would be in a situation like we are in today where, for many, this has become a lifestyle choice rather than an opportunity or incentive to help them get back on their feet.

And so it is with the bill to amend the EPBC Act—in particular, section 487—that we are here to discuss today, the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015.

But this is the issue: the Labor Party and the Greens are always conflicted here. I notice the member for Hunter sitting opposite. In the discussion today the specifics of this have been drawn to the issue of the Adani case and the action that was brought against a mine that went through the best assessment, the best approval process that exists anywhere in the world—and Australia should be rightly proud of the assessment and approval process that we have. But it is not just about the Adani mine, because in Tasmania, as the member for Grayndler mentioned, it is about the timber industry. The same principles that apply to the Adani case in Queensland equally apply to the timber industry in Tasmania that was destroyed by the Labor Party, both state and federal, with the support of the Greens—only because of a lust for power; only because of a desire to stay in government. It was a tragic story in our history, and I would welcome the member for Watson, any time he likes, to come on down. As to the member for Franklin, I have not seen him show his face in Tasmania since those disastrous years—which, fortunately, we are moving on from.

The Environment Protection and Biodiversity Conservation Act 1999 is Australia’s national environment law. It is amongst the most stringent in the world. It provides a legal framework to facilitate sustainable development while protecting nationally and internationally important flora, fauna, ecological communities, migratory birds, heritage places and water resources. However, when the act was introduced, as I mentioned, they never imagined that we would be confronted with a new breed of eco-warriors, career campaigners and protesters, all well-funded through tax-deductible donations. This is the brave new world that we have inherited, and we must, where it is appropriate, adjust legislation to be in line with reality.

The minister in his second reading speech highlighted the fact that, by establishing a one-stop shop for environmental assessments with all states and territories, we have tried to
streamline this process of approvals. In fact, work with a construction and resource value of over $1 trillion has been approved since we came to government. The time taken to see environmental approvals has reduced by 50 per cent. I experienced this firsthand with the South East irrigation scheme in Tasmania. That was, in fairness, a funded commitment delivered by the previous government. But when I was elected and we came to government it was buried in a bureaucratic nightmare of environmental approvals between state and federal governments. Thanks to the good work of the minister, Minister Hunt, at that time, we managed to work that out and managed to get that through.

We have world-class environmental standards and world-class administration. But, from time to time, legislation needs to change to make sure the original intent of the government—which was the Howard government—at the time is indeed upheld.

We are increasingly seeing an Americanisation through the use of litigation in so many aspects of our lives. Particularly, it disgusts me—it is cruel—to see ads for these no-win no-pay lawyers; I remember watching, a couple of years ago, the Tour de France on television, and every second ad was saying: 'Do you feel like you've been wronged? Do you have a sore back? Well, come and see us and we'll get some money for you.' So this is increasingly what we are seeing, whether it is local communities trying to put on an event and dealing with the increasing costs of public liability insurance, or whether it is a policy of using environmental litigation to disrupt and delay projects to increase investor risk and increase costs within the projects and make Australia a less attractive place to invest money—in other words: to increase sovereign risk. This is what is happening in our nation.

I refer to a document entitled Stopping the Australian coal export boom: funding proposal for the Australian anti-coal movement. The authors of this document are Mr John Hepburn, from Greenpeace Australia Pacific; Mr Bob Burton, from CoalSwarm; and Sam Hardy—I will say 'Sam'; I do not know the person in question—from the Graeme Wood Foundation. As to the Graeme Wood Foundation, in Tasmania we have had experience of Graeme Wood. Graeme Wood was one of the people who purchased the old Triabunna woodchip mill during that disastrous lead-up to the Tasmanian forestry agreement, which the former speaker mentioned. It was part of a dodgy deal that was done with Gunns in their dying days, tragically, and the purchase was sold to these operators below what commercial operators within the forestry industry had previously offered. It devastated the community of Triabunna, on the east coast of Tasmania, and the livelihoods of hundreds of people involved in the southern Tasmanian timber industry.

I note also in the minister's speech a reference to the Australia Institute. They are topical at the moment, because they are the ones who wrote a report for the MUA on coastal shipping—which is another discussion we could have in this place very soon. What was achieved by the purchase of the Triabunna woodchip mill was the inability of southern forests to have a market for their residues. They shut us out and they destroyed the industry. I remind those opposite that Tasmania has not forgotten—and we would welcome the member for Watson any time he likes to come to Tasmania, because he will be reminded at every moment of the damage that was done during those terrible years.

I will read from the Australian anti-coal movement's document. It says:
Our strategy is essentially to 'disrupt and delay' key projects and infrastructure while gradually eroding public and political support for the industry and continually building the power of the movement to win more.

I would encourage anybody listening—those in the gallery, those who might be listening at home and those who, in order to go to sleep, might read this at some point in time—to seek out this document. I am sure it is publicly available. If it is not, they can contact my office and I would happily provide that to them. The point to make here is that this is not a grassroots campaign. This is a top-down strategic campaign to disrupt and delay. These eco-warriors and career protestors are funded, as I mentioned, through tax deductible donations, through the DGR status that many of them have.

Reference was made to the Great Barrier Reef. This has been a disaster for Greenpeace Australia. Minister Hunt did some outstanding work in getting the World Heritage Committee to take the Great Barrier Reef off the 'watch list'. This has been an absolute disaster for Greenpeace's fundraising activities, because they can no longer go out there and scare people. They can no longer use those images of polar bears dying due to a harvested forest in Tasmania or images of a piece of the Barrier Reef that has coral bleaching. They can no longer use those things, because it has been taken off the 'watch list' due to the good work of Minister Hunt and this government. That is a tragedy for Greenpeace, because it makes it more difficult for them to scare people and do their fundraising. It was the same with the Tasmanian forests. Never did the truth get put in the way of the emotive campaign that they used to generate funds. It is not about the forests; it is about the organisation's concern.

When the act was first introduced it was well intentioned to protect Australia's environment and biodiversity to allow appropriate development, but the world has moved on. The EPBC Act was never intended to disrupt and delay key projects in infrastructure. It is in need of updating. There is a need to update the act. Section 487 of the act, whilst well intentioned, has now become the basis, by virtue of the Americanisation of our justice system, that allows virtually any person or group to bring a lawsuit, whether they are adversely impacted or not. It is out of step with Commonwealth law. It is a legal loophole which activists have exploited. Section 5 of the ADJR Act sets the standard definition for Commonwealth law regarding who can make an application for judicial review as any 'aggrieved person'. An aggrieved person includes a person whose interests are adversely affected by the decision, such as farmers, landowners and other interested parties. It is absolutely imperative to note that the changes proposed will not in any way remove the capacity of people with a genuine grievance, such as farmers, landowners and other interested parties, to object to developments where there is a genuine grievance.

*Mr Fitzgibbon interjecting—*

**Mr HUTCHINSON:** I hear the member for Hunter, who I note has many coalmines in his electorate—and he is standing there protesting against this. I do not understand it. In the short time allotted to me, I will quote from Minister Hunt's statement. In conclusion, he stated:

Indeed, the World Heritage Committee not only reversed the direction we inherited of the Great Barrier Reef being on the 'watch list' with a direct path to being placed on the 'in-danger list', it lifted the Great Barrier Reef back to the highest rank of World Heritage listing and praised Australia as a global role model only seven weeks ago.

That is, indeed, a disaster for Greenpeace, as I mentioned.
This brings me to a particular area of interest, the Tasmanian Wilderness World Heritage Area, which makes up 52 per cent of our state. National parks, World Heritage areas and formal reserves take up 52 per cent of the island state. There would not be another state in Australia that would come within a bull’s roar of such a figure. I think South Australia is the next state, with just over 20 per cent. Fifty-two per cent of Tasmania is now formal reserves, World Heritage areas and national parks. There is no other jurisdiction where you would find that.

We are, of course, the nation’s environmental conscience, and it is with real pleasure that we will be welcoming the Reactive Monitoring Mission from the World Heritage Investigative Committee, who will be coming to Tasmania shortly to review plans by the state government, through their expression of interests process, for appropriate and sustainable tourism developments within our national parks. This is part of the extension—the 74,000 hectares that the previous speaker mentioned—in 2013. Unfortunately, at that time, the World Heritage Committee did not come and have a look on the ground or consult with the many communities that put in quite legitimate concerns about the expansion at that time. The group that have been impacted more than any other by this are the people accessing speciality timbers. Anyone who has been to Tasmania would realise what a wonderful history and legacy we have with our celery-top pine, with our sassafras, with our myrtle and with our Huon pine. Those areas are now off limits. So get in early. Unless we can change this, there will be no more timber in those areas available for boat builders, craftsmen and for tables etc. Our speciality timbers have been a big part of our state's history over many years.

That is the legacy of the damage that was done under the previous Labor-Green government. I will never forget and, while I have breath in my lungs, I will continue to remind people of the damage that was done during those terrible years. Thank you for the opportunity to make a contribution.

Mr FITZGIBBON (Hunter) (11:44): I begin by reassuring and guaranteeing the member for Lyons that many of my frontbench colleagues and I will be accepting his invitation to visit his electorate on a regular basis between now and polling day. In addition, we will remind his constituents of all the measures he has backed since he has been here which have undermined their financial opportunities. I will be telling them that I was in the House the day he supported the repeal of third-party individual rights to appeal against Commonwealth decisions under the EPBC and that he was prepared to accept that his farmers, even if they are able to secure standing, would have to put their farms on the line to take legal action—the result of which could result in punitive cost orders against those very farmers. Of course the natural consequence of that could be the loss of the farm. That is what the member for Lyons just supported in this place, and I will be reminding his constituents of that at every opportunity.

To take the member for Lyons up on his point: there would be no greater supporter of the mining industry in this place than me. The coalmining industry alone directly employs some 11,000 people in my region, the Hunter region, and is crucial to about 50,000 more jobs. I invite members, including the member for Lyons—he was providing plenty of invitations for me to come to Tasmania; as I said, I am happy to accept the invitation—to my electorate where the majority of the people at the pub on a Friday night are either working in the coalmining industry or an associated sector.
I invite them to come to my supermarket on a Saturday morning where in every aisle they will find a coalminer, a coalmining family or a family working in a related sector related. I invite them to accompany me to my local end-of-year school presentations where, out in the crowd, you will see the hi-vis uniforms associated with the coalmining industry of those parents who have found time away from the workplace to come and support and acknowledge the achievements of their children.

Drive up through the Upper Hunter and witness the four-wheel drives with the iconic elevated fluoro flags that are so well known to the coalmining industry filling the car parks of local motels. Come to the local cafes with me and see them doing very, very well and full of people who are so obviously associated with the coalmining industry. Come to local sporting events on a Saturday and Sunday and see how the local sporting sides, particularly the juniors, are typically sponsored by one of the coalmining companies that operate in the Hunter region. Come to the many community facilities around the Hunter electorate which have been constructed and developed with donations from the coalmining industry.

More broadly, the coalmining sector—or the mining sector—was the key factor in taking us through the global financial crisis. In addition to the very good economic management of the then Rudd government, the coalmining sector was crucial in Australia avoiding recession, and the pain and grief, experienced by so many other countries around the world, including of course the United States.

Those who want to accelerate the demise of the coalmining industry are fools. They may be well-intentioned fools but fools just the same. I include in that group those on Newcastle council who in their wisdom recently decided to resolve, as a council, to ensure that none of the money they raise from ratepayers in the future shall be invested in any bank which has investments in the coalmining industry—or fossil fuel industries, more generally. This is the council with the largest coal port in the world within its local government boundaries. This was just silly, and I have learnt this morning that, disappointingly, last night an attempt to rescind that dumb decision failed at Newcastle council. What a message to send.

The most disappointing thing about that decision is that the council has been used as a pawn in a much larger game. They were no doubt lobbied to take this action by an organisation known as 350.org—an international green group committed to divestiture in fossil fuel related sectors. This group have been very clever: they will be able to travel around this country and the world convincing others to do the same by demonstrating that they have had a big win in convincing Newcastle council, at the heart of the coalmining sector, to take this decision—the council are pawns in the game, and it was a very big mistake on their part.

Anti-coal activists everywhere are happy for Australia and the rest of the Western world to have grown rich on the back of fossil fuels but want to deny others as they strive to lift themselves out of poverty. Australia's coal is relatively clean and efficient. We should want the Chinese and the Indians, for example, burning our coal rather than the dirty alternatives. It is common sense, and we should be happy to take the export earnings. It is a win-win.

Like in Australia, over time, those developing countries will become less dependent on fossil fuels, but it will be a slow process over many decades. In the meantime, we should continue to provide them with relatively clean fossil fuels. Here in Australia, renewables will continue to grow at a pace, and coal's decline will continue as a proportion of the share but continue to grow over the coming decades. New technologies might enhance coal's future. We
just do not know but we do not need green activists trying to determine what the market should do.

Of course my mind is not closed to the negative impacts of coal mining.

This Sunday, as I do every year, I will attend the annual memorial services at the offices of the United Mine Workers Union. There we will pray alongside the Jim Comerford Memorial Wall, which contains the names of more than 1,800 men and boys who gave their lives mining the coal of the northern coalfields. Thankfully, we have come a long way in recent decades, largely thanks to the work of the union, and we now have dramatically fewer losses of life. Sadly, they still occasionally occur.

The coal mining industry impacts on our air and water quality. It probably exacerbates local health problems like asthma. It is not unusual for residents to find a thin layer of dust on the car in the morning. Our sustainable industries live in constant concern about the potential impact of the mining sector on their own industries. Many of these sustainable industries are also very important to the Hunter's economy—the agriculture, viticulture and thoroughbred breeding industries, for example. These are crucial sectors to the Hunter's economy and provide us with much-needed diversity.

As the member for Hunter, I have lived with land use conflict all of my political life and I know it well. Managing land use conflict successfully results in jobs, wealth, economic diversity and a healthy local environment. Like with workplace safety, community tolerance for less-than-optimal environmental outcomes is in decline. So are our challenges in ensuring the sustainability of the fossil fuels sector.

The Commonwealth recognised these growing community concerns when it dealt itself into the environmental approvals process through the Environmental Protection and Biodiversity Conservation Act 1999, the very act the government of the day is trying to undermine today. This was good because, amongst other things, people were losing and continue to lose faith in the capacity or will of state governments to get the balance right. I have got to say there has been no greater example of that than my own state of New South Wales. I say that with great regret.

The PM who introduced the EPBC Act was John Howard. Tony Abbott now makes John Howard look like Al Gore. That is the reality. This bill seeks to remove key components of John Howard's bill. These include the right of third-party appeal against decisions made under the EPBC Act—surely a natural right. They are limited appeals. In the 15 years since the introduction of the EPBC Act, something like 0.04 per cent of the decisions have been challenged. This amendment allegedly comes out of the Adani case. That is the successful challenge to the approval of the Adani mine in Queensland—a project I support. The problem with the Adani mine was not the act; it was the minister's incompetence. We should not be changing the act; we should be changing the minister if we are serious about the Adani mine.

My real concern here, of course, speaking as the shadow minister for agriculture, is that we are about to deny farmers, primary producers, growers et cetera the opportunity to appeal against decisions when they believe they are going to adversely affect their operations. On the eve of the introduction of this bill, the Attorney-General was running around, as was Minister Hunt, saying—no, I retract that. That is not true. On the eve of the introduction of the bill, the Minister for Agriculture was running around saying: 'We're going to protect the farmers.
We're only going to repeal part of the act. The rest will remain, and farmers will be okay.' The very next morning, Minister Hunt introduced the bill, and guess what. All of section 487 is going. We are arguing rightly that that is going to deny farming groups and individual farmers the right to appeal under the EPBC Act. The government says something different, but many people disagree with them—including, it seems, the President of the New South Wales Farmers Federation and Mr Tim Duddy, a farmer on the Breeza Plains and Chairman of the Caroona Coal Action Group. They are very concerned.

We claim, I think very rightly, that, even if a farmer is able to take standing, he or she will face the risk of punitive cost orders in the courts. In other words, with the repeal of this section a farmer wanting to challenge a decision will put his or her farm on the line—risk their farm for the right to appeal against a decision which is going to adversely impact on their farming operations. This is of particular relevance at this point in time as we all see in the public domain the debate around the Shenhua mine on the Breeza Plains in the very heart of the electorate of the Minister for Agriculture. There are very grave concerns. The President of the New South Wales Farmers Federation and Tim Duddy are both from that part of the world.

Barnaby Joyce cannot run around on the eve of the introduction of the bill and say, 'Don't worry; only part of section 487 is going to be repealed, so you'll be all right,' and then the next morning repeal or temporarily repeal all of section 487 and say, 'You're still going to be all right.' He cannot have it both ways. Minister Joyce has to start standing up for his electorate. It has been revealed that he made no representations to Minister Hunt on the Shenhua project. I have seen some of the advice to Minister Hunt. It suggests very clearly that there were still many unanswered questions around the Shenhua project. I support the industry, but I want to make sure that every decision is made on the right basis, and there are unanswered questions. It is not good enough for Minister Joyce to go onto the Breeza Plains and say he disagrees with his own cabinet decisions but then do nothing about it.

They are lining up on the Liverpool Plains to lynch Minister Joyce because of his inaction, his small talk and his inability to get things done. When he votes—

Mr McCormack: Lynch?

Mr FITZGIBBON: Yes, lynch. Lynch would be the description I would give. There are a lot of very angry people in that part of the world. When he comes in—

Mr McCormack: That's a bit strong. Do you know what it actually means?

Mr FITZGIBBON: Metaphorically speaking. You know I am speaking metaphorically. When he comes in here—today, I suspect, or whenever the vote comes on—and votes in favour of this bill before the House today to repeal the right of his farmers to appeal against a decision like Shenhua, he will have driven another nail into his electoral coffin. Metaphorically speaking, I say to the member for Riverina.

I notice Minister Joyce has been speaking on the second reading of many bills. Is Minister Joyce on this bill today? I do not think so. Surprise, surprise. He was here on the water bill last night, unusual as it is for cabinet ministers to come in and do second readings. Minister Joyce needs to come in here today, add himself to this list and explain to his constituents—his farming communities in his electorate and right around the country—why he is denying them in the future the right to appeal against projects like Shenhua. We do not want any double
Mr VAN MANEN (Forde) (12:00): I think it is safe to say that all of us in this House, when we speak on environmental matters, recognise the importance of looking after our environment and providing a good environment for future generations. But at the same time we have to be able to utilise the resources that exist in that environment. We can have a look at clear policies of Greenpeace Australia to try to stop Australian coalmining dead in its tracks, stated in terminology such as:

Our strategy is to 'disrupt and delay' key projects and infrastructure while gradually eroding public and political support for the industry …

When that industry employs thousands of Australians, I think it is well within the responsibility of this government to seek to take steps to ensure that organisations such as Greenpeace and others that want to destroy our economy and return us to the Dark Ages are stopped and prevented from doing so. At the same time, I think it is important that those who are affected by proposed projects, such as local farmers and landowners, should be able to appeal the decisions. In this regard, the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015, in seeking to remove section 487 from the Environment Protection and Biodiversity Conservation Act, still provides protections for those farmers and landholders and retains their right to appeal any decision.

With regard to this proposal to amend the EPBC Act, we need to recognise that Australia continues to have some of the most stringent and effective environmental laws in the world, and we absolutely should continue to do so. But once projects have met these tough environmental requirements, they should be able to proceed without legal sabotage from organisations such as Greenpeace and others that are conducting a war on projects not just in Australia but around the world. These changes to the EPBC Act will also bring it into line with other Commonwealth laws. Our legal framework under the EPBC Act seeks to ensure that we have sustainable development while at the same time protecting important flora and fauna, ecological balances, places of heritage significance and our invaluable water resources, considering we live in one of the driest continents on earth.

When the EPBC Act was enacted some 15 or so years ago, organisations such as Greenpeace did not run these lines of interference—did not use the courts to prevent companies that had been through due process from proceeding with their duly-approved projects. This unprecedented threat—the use of litigation to disrupt and delay these key projects and infrastructure within Australia—directly increases investor risk. But, more importantly, it impacts on the ability of companies to create jobs for Australians. At the end of the day, that is what we are talking about: jobs for Australians. We are also talking about the ability to sell minerals in the export market to developing countries. In particular, with respect to the Adani project in Queensland, we are talking about exporting to India and helping to lift millions of Indians out of poverty by providing them with a cheap and efficient source of generating power.

I commend the minister for taking action against this unnecessary and disruptive litigation industry which, if not checked soon, has the potential to have devastating results for Australia's future economic growth. There is currently a number of actions in courts,
particularly in Queensland, with the direct intention of shutting down or preventing these projects. In Queensland in particular we have seen the effect of the trail-off of the capital expenditure part of the mining boom and the impact that that has had on many people in Queensland in terms of job losses, significant reductions or closures of businesses. This is particularly so through Central Queensland—Mackay, Gladstone, Rockhampton and Emerald are particular areas that have been affected very, very badly. The opportunity for these new projects to come on stream was looked forward to by these communities as a way of recovering from the current downturn that we have seen as a result of recent falls in prices for coal and other minerals. This legislation is very timely in that regard.

The thought that organisations such as Greenpeace and others are seeking to use the law, contrary to its intentions, to disrupt these important projects is a slight on those organisations. The goal of these legal challenges and campaigns against mining and infrastructure is not necessarily to win, but to delay and disrupt them and to make them economically unviable for the project proponents. Therefore, I think it is incumbent on this government to look at ways in which it can change the rules or the law to ensure that these projects, after they have been through due process, are able to proceed as planned.

Currently, the EPBC Act enables individuals, organisations or associations who have, at any time in the two years immediately prior to the decision in question, engaged in a series of activities in Australia or an external territory for the protection or conservation of, or research into, the environment to commence proceedings for judicial review. This provision of the EPBC Act, as I said earlier, was well intentioned. However, it has now become the basis for virtually any person or group to bring a lawsuit, regardless of whether they are adversely affected or even near the project. This is out of step with Commonwealth law and has provided a legal loophole for activists to exploit.

On the proposed changes: the EPBC Act standing provisions were always intended to allow the genuine interests of an aggrieved person whose interests are adversely affected to be preserved. Importantly, this remains the case. Changing the EPBC Act will not prevent those who will be affected by a project from seeking judicial review. This is as it must be. It will maintain and protect their rights. However, importantly, it will prevent those with no connection to the project other than political ambition to stop a development, from using the courts to disrupt and delay key infrastructure where it has been appropriately considered under the EPBC Act.

I think we should continue to support our economic activity, and that is what we are seeking to do with these changes to the EPBC Act. Legal challenges do not add any value whatsoever to the economic growth of this country, other than maybe lining the pockets of some lawyers.

Mr Perrett: Hear, hear!

Mr VAN MANEN: I am pleased to see that the member for Moreton, as usual, has made a contribution. It is good to see the member for Moreton here.

The stated objective of Greenpeace and others is to mount legal challenges to the approval of key ports, mines and rail lines—to run legal challenges to delay, limit or stop all major infrastructure projects such as mines, rail and ports—that have been identified through their high-priority strategy. The amendments in the Environment Protection and Biodiversity
Conservation Amendment (Standing) Bill 2015 seek to remove their ability to do that, to
ensure that we create a framework so that business in this country, after it has been through a
due process of assessment under the EPBC Act, can get on with the business of developing
the mines, building the rail and building the infrastructure that this country desperately needs
to fund its economic growth and to build and grow jobs for Australians. It is interesting to ask
the question about whether those opposite actually support that notion of economic growth
and jobs for Australians or support the activities of Greenpeace and their ilk who would
prevent these jobs from being provided in our economy.

As I touched on earlier, these delays cost jobs in communities that need them most. I have
already touched on some of the examples in Central Queensland around Gladstone,
Rockhampton, Emerald and Mackay. But I am even aware of significant businesses in my
electorate of Forde that have been affected by the downturn in the mining industry and are
hoping that these new projects such as the Adani mine can get their approvals, get up and
running and provide jobs in my local community as well.

Under this government, we want to be open for business. These changes to the EPBC Act
are part of removing that uncertainty for investors. Since we have come into government, we
have halved the time for approvals and cleared the backlog of approvals that was sitting there
when those opposite lost government. We have also approved over $1 trillion in projects
around the country. We have improved the certainty of doing business. That certainty for
business is, at the end of the day, the most important thing so they can get on and do what
they do best, grow the economy and employ Australians.

This bill will help restore that certainty to the EPBC Act, prevent unnecessary and
unwarranted litigation and protect the ongoing rights of genuinely concerned farmers,
landowners and similar parties. I commend the bill to the House.

Mr PERRETT (Moreton) (12:12): I rise to speak on the Environment Protection and
Biodiversity Conservation Amendment (Standing) Bill 2015. This bill proposes to amend the
EPBC Act and will repeal the extended standing provision that is currently in the EPBC Act.
This is the government's response to the perceived threat that the Attorney-General, the
nation's first law officer, has described as 'lawfare'. Lawfare is an important word, an
interesting word, used by the Attorney-General and by the various speakers opposite.

I think it is a part of the militarisation of the political discourse taking place under this
government. Do you see the people that they send out to plant trees? They call them the Green
Army. The people they send to check your shampoo at the airport they call the Border Force,
and they give them a paramilitary uniform. They even actually put the words 'Border Force'
on the Australian flag out in front of the building. They talk about a 'war on wind farms' and
an 'assault on solar', and the proliferation of flags we have seen under this Prime Minister is
phenomenal. It is all part of that militarisation of the political discourse, which is
disconcerting. I think it bespeaks a Prime Minister who is basically a trumped-up cadet, who
would take any opportunity to find an opponent.

I am all for supporting the ADF and recognising the service of Australians who have put on
a uniform, but I advise against that militarisation of our political discourse. It is disconcerting.
It is not the Australian way. We have had referendums on conscription in the past, 100 years
ago. We have never really been the sort of nation that has anything like this, but Australia will
turn up and fight—no doubt about that. We have a long history of turning up when there are
times of conflict around the world and doing more than our fair share in supporting
democracy and freedom and those democratic values that Australia espouses. But I warn
against this particular militarisation of our political discourse that has happened under Prime
Minister Abbott.

Let us revisit this legislation that is going to change standing under the EPBC Act. Remember, the EPBC Act was brought in by that incredible greenie, the tree-loving Prime
Minister called John Howard. Prime Minister Howard brought in this bit of legislation. What
are the objectives of the EPBC Act? To provide for the protection of the environment,
especially those aspects of the environment that are matters of national environmental
significance, and to promote ecologically sustainable development through the conservation
and ecologically sustainable use of natural resources. They are the reasons for the legislation
brought in by Prime Minister Howard. I commend him for this legislation that has served
Australia well. To achieve these objectives the act does various things, including promoting a
partnership approach to environmental protection and biodiversity conservation through the
involvement of the community in management planning. These are commendable objectives,
and it is hard to see how anyone, 15 years later, would criticise these objectives, particularly
the Attorney-General, the nation's first law officer, who used that term 'lawfare'—that
conflating of war and law together, a very powerful bit of language that the Attorney-General
has trotted out there.

All Australians should value our precious environment. We are the nation most vulnerable
when it comes to climate change. The great opportunities that we have with our farmers and
our agricultural producers could be under threat if we do not protect our environment
carefully. But it is abundantly clear that the Abbott government have no credibility when it
comes to the environment. Their record is absolutely horrendous: rushing through
environmental approvals as soon as they took office and disallowing the endangered
community listing of the River Murray from the Darling to the sea. They reproclaimed the
world's largest marine reserve system so that the management plans that were in place would
have no effect. They ripped funding from the Environmental Defenders Offices—the offices
that allow concerned Australians to challenge environmental approval decisions. They have
gone backwards on climate change. Basically it is almost putting their head in the sand—I
think it is so close to the term literally applying here. They are making Australia a laughing-
stock around the world. Yet, in putting forward this bill, the government want us to believe that they can be
trusted to protect our environment and that there is no need to allow conservation groups
—the people whose business it is to protect our environment—to challenge any decisions that the
government makes.

The Attorney-General says that the current EPBC Act gives a 'red carpet for vigilante
litigation.' This is the Attorney-General who understands how frivolous and vexatious matters
can be thrown out of court at first instance—or he should understand. The government's
scaremongering just does not marry with the facts. Since July 2000, there have been 5,500
projects that have gone through the EPBC approval process, seen through the lens of the
legislation introduced by Prime Minister Howard. For those 5,500 projects, only 30
challenges have been made to decisions on EPBC assessed projects. Of those 30 challenges
that actually got up as a challenge, only six have been successful. I am not a mathematician,
but that has to be in the 0.00 type percentages that we are talking about—six out of 5,500 projects. The EPBC Act has hardly opened the legal floodgates to so-called vigilante groups.

It is hardly surprising that so few challenges have been made. Going to court is very expensive. For a conservation group to come within the extended standing provision, they must show that at any time within the previous two years they have engaged in a series of environmental conservation or research activities in Australia or one of our external territories. Conservation groups do not get any monetary benefit from a successful challenge. They would probably argue that the benefit of preserving our environment is worth more than any amount of money. Nevertheless, such litigation is stressful, costly and expensive, and there has to be a name of a person filed in the court.

Let us look at the case that instigated the Attorney-General to draft this bill, where now those opposite are suggesting we should amend the EPBC Act. The challenge was brought by the Mackay Conservation Group against the decision approving the Adani coalmine. The minister responsible for making the decision failed to consider two threatened species, the yakka skink and the ornamental snake, that inhabited the area of the proposed mine. The environment minister, Greg Hunt, made a mistake. It is that simple. But at no time prior to going to the court did Minister Hunt admit that he had made a mistake. He could easily have done so at any point—just said: 'Oops, sorry about that. Let's start again.' But he did not. Minister Hunt chose not to. He forced the Mackay Conservation Group to spend lots of money taking this matter all the way to the doors of the court. Then, when he was faced with the prospect of an embarrassing loss in court, Minister Hunt finally admitted that he had made a mistake. Remember, this was not a court case. This was a consent order where the parties sat down, including the Government Solicitor, and agreed to a consent order. All parties, including Minister Hunt, agreed that an error had been made by the minister in the approval process. Was this a mistake or a deliberate error? I would like to believe that it was only a mistake.

Nevertheless, to have had this knee-jerk reaction from those opposite in terms of changing the EPBC Act, an act that has served Australia so well for 15 years, is bizarre. Let's just think about these same circumstances if the Mackay Conservation Group were not able to bring such a challenge. Would the minister have suddenly had an epiphany and said, 'Oh, I made a mistake and I'd better start this process again'? It is hard to imagine that Minister Hunt or any minister would have, given that he did not so even when faced with a court challenge telling him exactly where he had made the mistake in terms of doing his job. So, if the Mackay Conservation Group would not have standing, who would have standing to bring this challenge against the minister's error?

Are we going to sit around and wait for the Yakka skink to study law and trot up and say, 'I am about to be wiped out'? Or the ornamental snake? I certainly have seen a few reptilian people around the courts but I do not think any ornamental snakes have law degrees. So without this extended standing provision in the EPBC, a person wanting to challenge this decision would have to show that they were an aggrieved person. The skink and the snake would have to show that they were an aggrieved person. Who else would be affected by this decision and who could bring an action? Who would have known about the Yakka skink or the ornamental snake residing in that area other than a conservation group?
All Australians are affected by decisions such as this when they directly affect our environment; whether any Australians would have had standing to challenge this decision is much trickier. The Mackay Conservation Group could attempt to bring a challenge based on this standing. It might succeed but it certainly would spend a lot of money and a lot of time arguing about its standing instead of the real issue—that the minister had made a mistake. If it was ultimately not found outstanding then the minister's error would have been swept aside and the Yakka skink and the ornamental snake or whatever species that would be affected by a project would at best have become more threatened and at worst joined the ever-increasing list of our extinct species.

I was patting some endangered species with the environment minister a few days ago.

Mr McCoramack interjecting—

Mr Perrett: I think our polls are a little bit healthier than that but I do take that interjection. He does profess to care about endangered species. There are currently 472 species listed as extinct, endangered or vulnerable under the EPBC Act. What a crime it would be to see another species disappear on this minister's watch due to one of his errors. If we can go back to the objects of the EPBC Act:

...to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance;

The extended standing provision allowed the Mackay Conservation Group to bring this challenge. This challenge was directly related to protecting the environment, in particular protecting two threatened species. The extended standing provision is crucial to the EPBC meeting its objectives. There is a knee-jerk reaction by the government to the embarrassment of being forced to admit that its own environment minister made a mistake.

The government have a lot of problems to deal with. But this mischievous piece of legislation should not factor into their parliamentary agenda. I know it is not a packed parliamentary agenda; I understand that. Nevertheless, they should be concentrating on things like the fact that the deficit has increased, that government debt is up, that unemployment is up, that taxes are up. Instead, they are wasting their time declaring war on wind farms, declaring war on the ABC and SBS, and now declaring war on conservation groups.

Instead of getting real reform and leading the Australian community through these challenges that are facing us, real legislation through parliament, the government is intent on fighting for the sake of fighting. The Prime Minister is a pugilist looking for an opponent. I saw it in my home town of St George, a town that produced a lot of great boxers. You would see the guys in the pub, the old boxers sitting in the corner. If you rang a bell, they would basically jump up and start swinging. The old punchies in the corner of the bar, if you hit a bell out they would come ready to hit someone. That is what this Prime Minister is and we need better.

This legislation is ridiculous. It has no foundation for reform. In fact it is rolling back Howard government reform that came in 15 years ago. Do we truly believe that a mistake by a minister is never going to occur again or, heaven forbid, a deliberate error? This amendment would have the effect of hiding government mistakes and assessments under the EPBC. Alan Jones—not exactly a bleeding heart leftie; more likely someone who is normally a friend of the government—is doing television ads declaring how bad this amendment is. You know the
government should be worried. They have really got a tin ear when it comes to doing the right thing.

I do not support this bill. Every sensible person opposite, I urge you to join me in rejecting this attack on common-sense and good law. It reminds me a line from a song by Paul Kelly and Kev Carmody called *This land is mine*. There is a white settler voice having one verse of the song and an Indigenous voice responding. The song says, 'This land is mine' and that is the thinking that too many people opposite have—that this land is mine. The Indigenous voice responds saying, 'This land is me.' Surely, if we are going to be real Australians, fair dinkum Australians, we should protect and preserve where possible.

Remember, the EPBC allows for appropriate development; 5,500 projects have gone ahead, only 30 have been challenged and only six have been found to legitimate grounds for challenge. Listen to that voice—that this land is me—rather than just saying that it is only an economic process. That quote—this land is mine—is at the front of this wonderful book called *The Big Fig* written by the member for Moreton, available in—I would like to say all good bookshops—the bookshop here.

*Mr Chester interjecting—*

*Mr PERRETT:* Well, if only make it made it to the bargain bins. I urge those opposite not to support this bill.

*Ms PRICE* (Durack) (12:28): It is good to see that I finally agree with something the member for Moreton has said. He is a lover of Paul Kelly as am I, so isn't that nice to find something we both agree on? I am pleased to rise to speak to the House today on the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015.

The Abbott government is building a strong, prosperous and sustainable economy for a safe and secure Australia. Since coming to office there have been 12,500 new jobs created in Durack, which is about a quarter of the new jobs in WA since the government came to office, and there have been more than 335,000 new jobs created in Australia since the government was elected.

Projects create jobs, and the government and I want the highest environmental standards to apply to these new projects. That is why I will not sit idly by and watch jobs, investment and our economy be threatened by activist litigation. This bill will protect Australian jobs by removing the provision which allows green activists to get involved in litigation to merely frustrate, in many cases, the development of important economic projects in the Environment Protection and Biodiversity Conservation Act.

I repeat, the government does want the highest environmental standards. I personally want the environment to be in better condition tomorrow than it is today. We respect the right for people to take matters to court; however, I do not agree with people using the courts to frustrate a process in pursuit of a political agenda. The era of vocal minorities must end, so must the waste of taxpayers' precious money on policing these often neurotic protests which are unproductive and choking the Australian economy.

It is worth repeating that this bill will protect Australian jobs, something which is in this government's DNA. This bill should make a substantial saving in reduced litigation and increased investment security for business, something which those opposite will never understand and is more the pity. The previous Labor government, as we all know, left us a
legacy of gross debt which is projected to rise to $660 billion. Suffice to say, those opposite have been financially reckless and have no idea when it comes to managing the country's finances. Debt and poor financial management are in Labor's DNA.

Section 487 of the EPBC Act is currently a welcome mat for radical activists who have a political, not a legal, interest in development to use aggressive litigation tactics to interrupt vital job-creating projects. These radicals are impacting on the country's economic growth and our jobs—jobs for young Australians, jobs for older Australians. I call on the Labor Party to leave the politics at the door and join the government in protecting Australian jobs. Let us see whether Labor are as committed to Australian jobs as they say or whether they will buddy up once again with the Greens.

Importantly, the proposed amendment will not affect local agricultural producers and others with legitimate proprietary, economic, financial or other direct interests. They can rest assured that their voices will be heard and the courts will be available to assist with the protection of their rights, and of course that is the way it ought to should be. The government will repeal this provision to return the law to the usual position where only someone with a legitimate interest in commencing legal action has standing to do so—someone who merely wants to prosecute a political cause does not. This bill is part of the federal government's long-term economic plan.

Monday of this week marked the second year since our government was elected to office. The people of Durack regularly tell me that they are pleased that this government is a breath of fresh air after six years of some of the most dysfunctional government in the Western world. Female workforce participation is at record levels, with over 171,000 more women in jobs at the time of the election. This has filtered through to Durack, I am very pleased to say, where women from around the electorate often tell me about a new job they have secured since our government was formed. The confidence which has been instilled in the business community has been sound, with a record 223,013 new companies registered last year. We have delivered tax cuts for small business, reducing the rate to the lowest it has been since 1967.

We are backing hardworking families through lower electricity prices by having abolished the carbon tax. We are backing seniors by providing certainty on superannuation. We are backing farmers with new tax write-offs for fencing, water infrastructure and fodder storage. We are backing homebuyers with interest rates at a four-decade low. We are backing job seekers with jobactive, which will assist jobseekers find not just a job but a career. We are backing northern Australia through the northern Australia white paper with a plan for sustainable development through better roads and other infrastructure.

This government have a record which the opposition could only dream of, and that is why I call on the Labor Party to join the government in protecting Australian jobs and support this bill. The Abbott coalition government want the highest environmental standards to apply, but we will not allow jobs, investment and our economy to be threatened by activist litigation. Business confidence and conditions are into positive territory, as Dun & Bradstreet said on 1 September:

… we’re seeing robust levels of optimism across all sectors in the … business community.
And they said, 'Retail trade is 4.2 per cent higher than it was 12 months ago.' The proof is in the pudding, and I am pleased to say unemployment has dropped to 6.2 per cent, down one per cent compared to this time last year. According to the Australian Financial Security Authority, bankruptcies are at a 20-year low—more good news.

There is an increasing trend by green groups and other organisations to use the court system to sabotage important economic projects. Their obstructionist behaviour is sacrificing tens of thousands of Australian jobs.

The Abbott government want to build on this strong economic footprint and build more regional jobs, especially in Durack, and that is why this bill is essential. The federal government have applied the highest environmental standards since coming to office. But, by doing that, we have still managed to halve the time for environmental approvals and we have cleared the backlog of projects that were left to languish by those sitting opposite. This government's pragmatic approach to the environment since being elected has created 3,000 new jobs for young Australians aged between 17 and 24 across over 350 projects throughout Australia.

Last week, I was very happy to be able to meet a vibrant, dedicated group of the Green Army who are currently working on restoring the Chapman and Greenough estuaries in the mid-west. This team is responsible for protecting, restoring and celebrating the significant national environmental and heritage values of these regionally significant waterways. The project employs nine people and goes to the heart of one of my key priorities, which is to give young people in my electorate a job. The Green Army is just one element of the government's environmental platform, which has approved 176 projects around Australia, valued at more than $1 trillion.

The people of Durack are a resilient, hardworking community—as you know Acting Deputy Speaker Broadbent because I have told you this before—and they are particularly frustrated by vocal minorities. It is not news but there have been some job losses in WA's north, and this government wants to ensure the right legislative environment, as do I, to encourage other resources projects to get out of the ground and create more jobs for the people of Durack. While I welcome people to exercise their democratic right to protest, I do not support the obstructionist behaviour, which unjustifiably wastes time and taxpayers' money and, more importantly, developers' money and, ultimately, Australian jobs. Vocal minorities have been ruling the airways for far too long, sometimes for no other reason than to just be adversarial, and regrettably the media gets sucked in every single time.

Currently under section 487 of the EPBC Act, radical activists who have a political interest can and do disrupt important projects, and this disruption is increasing. Activists themselves have declared that their objective is to use the courts for the political purpose of stopping developments. Alarmingly, we have learnt that one green group in their document, 'Stopping the Australian coal export boom', declared litigation as a strategy to delay and disrupt, and to reduce the financial viability of key infrastructure projects, including ports, rail and mines. And no doubt many of those potential projects would be in my electorate of Durack. This bill will repeal this provision to return to the acceptable position where somebody with a legitimate interest in commencing a legal action has standing to do so but somebody who merely wants to prosecute a political cause does not.
I stand here commending this bill not just as a Liberal but also as a lawyer. I also stand here commending this bill as someone who has worked in business development in the resources sector. I 'get' jobs, you 'get' jobs and the Abbott government 'gets' jobs as well. This bill is an element of the Abbott government's long-term economic plan, which supports jobs. The bill will disallow vocal minorities from engaging in vigilante time-wasting. Here is an opportunity for the opposition to join the government in protecting Australian jobs—existing jobs, but also the jobs of the future. I commend the bill to the House.

Ms PARKE (Fremantle) (12:39): I am glad to have the opportunity to speak in this debate. There are many bills that come before us in this place that have Orwellian or euphemistic names, but the EPBC Act, the Environment Protection and Biodiversity Conservation Act, exists to deliver on the imperatives that are clearly present in its name. Unfortunately, the Abbott government puts no great value on those imperatives; the Abbott government wants to lump the EPBC Act and a range of other critical legislative protections in the simplistic, slogan-oriented category of 'green tape'.

As the brilliant Clarke and Dawe sketch revealed recently, the responsible minister appears unaware that his title is Minister for the Environment—just as the Abbott government is unaware, or ignorant, or wilfully blind to the fact that the EPBC Act is intended to serve in the interests of protecting and conserving our natural world in all its living diversity. To serve that function the EPBC Act assessment process has to be rigorous; it has to be open and transparent; it has to be an opportunity for Australians to share in the protection and conservation of the greatest shared asset in our common wealth, and that is the environment, marine and terrestrial, of which we are a part and which we are charged with keeping in trust for future generations.

For those reasons the EPBC Act process can never be allowed to become a rubber stamp to be banged out in the interests of speedy investment and careless development or for the mere appearance of scrutiny and diligence. Given both its preference for obfuscation in general and its history of eroding environmental safeguards in particular, it is sadly not all that astonishing to witness this government's latest assault on Australia's hard-won framework of environmental protection and our underlying respect for the rule of law. Indeed, this bill is merely the latest slip in the steady downhill trajectory when it comes to environmental protection in our country.

That environmental defenders and, for that matter, ordinary community members and activists would dare to make use of the EPBC Act to properly examine and properly constrain large development projects in the interests of ensuring transparency and due diligence—not to mention the best environmental and community outcomes—has provoked this government into yet another ideologically driven act of folly. Apparently changing the rules and belittling your legitimate adversaries is what you do when the game does not go your way.

What is particularly galling in the circumstances that have given rise to this bill is the way the government has deliberately and repeatedly misrepresented the facts in relation to the environmental assessment process and the involvement of the courts. Thankfully, the media coverage of this issue has allowed the wider community to understand that the failure to achieve approval of Adani's Carmichael coalmine in central Queensland was not the result of a court process initiated by environmentalists, but entirely the result of mistakes made by the minister. Yet this outcome was marshalled in support of the apparently pressing need to stop...
conservation groups from having access to the courts. I mean god forbid that ordinary Australians—people who care about the extinction of native species, who care about the contamination of groundwater, or the degradation of coral reef, or deforestation—should have the ability to contest aspects of enormous development proposals with the potential, in many cases, to cause enormous harm.

Just as this government has sought to mislead and scare the public on other issues for its own political purposes and political gain, so too in this case has it employed inflammatory language—'vigilante litigation', 'sabotage', 'inner-city greens'—to distort and grossly simplify a matter of important policy into a ridiculous kind of Punch-and-Judy show.

It was interesting to note Richard Denniss' recent observation in *The Australian Financial Review* that data compiled by The Australia Institute, where he is chief economist, suggests that the third-party 'law-fare' Mr Abbott is so agitated by has only challenged approximately 0.4 per cent of projects covered by the EPBC Act he now wants to urgently amend. Denniss went on to make a number of salient points that go to the core of this government's values and methods. He wrote:

While much has been written about the Prime Minister's lack of an agenda, in reality he has a very clear set of goals. Unfortunately for the business community, those goals have more to do with stifling the desires of progressives than the pursuit of the pro-business agenda. Stopping same-sex marriage, spruiking a mine that many banks won't touch and ripping up a market-based emissions abatement mechanism are not 'distractions' for Tony Abbott; they are his raison d'etre.

Let's be clear about what is at stake with this legislation. By acting to limit the range of people allowed to have standing for the purposes of the EPBC Act, the government is acting to seriously dilute its effectiveness, which means that Australia's environment and biodiversity will be at greater risk of destruction and harm. As I have said previously on this subject, there is no doubt that this change would lead to poorer assessments, to mistakes and misjudgements, and to serious environmental damage and danger to life—including human life.

From the time that it was implemented by Prime Minister John Howard in 1999, the EPBC Act has worked remarkably well. It has given developers a clear framework within which to shape their projects and seek the necessary approvals. It has provided government with an effective administrative tool for supporting economic development that adheres to appropriately high environmental protection standards. It has empowered ordinary Australians—people who are neither part of government nor driven by an economic interest—to participate in the fact finding, analysis, consultation, argument and, on rare occasions, court action in relation to projects that stand to affect the environment that belongs to all of us in this country, wherever we live.

There are many examples where court challenges brought by environmental advocates have either prevented negative outcomes or forced closer inspection of projects that fall under EPBC regulation, among them the mass killing by electrocution of thousands of spectacled flying foxes on a lychee farm in Queensland, the development of the proposed Nathan Dam in Queensland, which would have caused pollution in the catchment of the Great Barrier Reef World Heritage Area, Japanese whaling in the Australian Whale Sanctuary and the question of greenhouse gas emissions from mines in NSW and Queensland. All these cases were subjected to greater rigour and more careful consideration through the involvement of people
and groups who are devoted to the environmental cause. Let us pause for a second and pay tribute to those people. They are Australians who give their time and energy through great and unstinting conviction, through great love and respect for the natural world in all its fragility and beauty, wanting that beauty and diversity to persist, fighting to ensure that fragility is not pushed beyond the point of no return, which has already occurred too many times, and doing that work, lifting their voice, taking it to the streets, and to the courts if necessary, for the benefit of all of us.

In his second reading of this bill the minister showed the government's true colours. He said:

Since coming into government we have applied the highest environmental standards. We have halved the time for environmental approvals and cleared the backlog of projects left by Labor.

We have approved over $1 trillion in projects and established a one-stop shop for environmental assessments. All while maintaining environmental standards.

For the Abbott government, the EPBC Act is merely an example of green tape that stands in the way of investment and needs to be swept aside. Coming from a government that thinks coal has a bright future and that has actively undermined progress towards a clean energy economy, this claim to high environmental standards is laughable at best.

While the fate of the ornamental snake in central Queensland may not be of direct concern to my constituents in Fremantle, it is certainly in the interests of people all over this country that places, iconic and otherwise, are protected from irreversible environmental destruction. The impacts of the Adani mine in the Galilee Basin and its proposed port at Abbot Point, inside our iconic Great Barrier Reef World Heritage Area, are of course of great concern to the traditional owners of the land. They are of relevance to the surrounding communities, and they are of relevance to all of us. As Wangan and Jagalingou man Adrian Burragubba, one of the traditional owners of the land where the Adani mine is proposed, said in the group's video plea to stop this mine:

I'm gonna convince all of our people to stand together as one people and one voice, and then we're gonna ask all Australian people and people from all over the world to stand with us and unite with us to fight this fight.

It is wrong in spirit and wrong in concept to restrict the opportunity for people to have access to the courts in the very small number of instances where such action is necessary to legitimately question and even oppose development that has the potential to do very significant environmental harm.

**Dr Gillespie (Lyne) (12:48):** I rise to speak on the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015. Most importantly, it amends the Environment Protection and Biodiversity Conservation Act 1999 to repeal section 487, which extends the meaning of 'any person aggrieved' as defined in the Administrative Decisions (Judicial Review) Act 1977. The EPBC Act is a very important act. The original intention of the EPBC Act was not to generate serial vexatious litigation procedures by tenuously linked parties who would not normally be declared to have a legal interest in any action that was being taken, but the recent legal action to halt the Carmichael mine in Queensland has put a spotlight on this very issue.

I looked into section 487, and it does indeed extend the definition of which parties are declared to be aggrieved and have a legal interest, namely, legal rights, privileges or
permissions. I was flabbergasted to read that section 487 means that anyone anywhere in Australia, whether it was right next door or on the other side of the country—an individual, a group, an association that has done any environmental activism or been involved in environmental protection, conservation or research—gets the same rights to bring an action as the person next door.

To make some parallels, so that the average man in the street understands where I am coming from, you only have to look at what applies to, say, a home renovation or extension or the building of a new house. If any of my constituents were undergoing that process, they have to put in a development application with the local council, and it is a very rigorous process. Also, the neighbours and the affected person on the other side of the street or next door get to have a say in the process. If section 487 of the EPBC Act were applied to that, if I were doing some renovations up in Wauchope, someone from Western Australia in an environmental group could turn up and block my house extensions and try to find a skink, a snake or something that might be threatened or a habitat that my renovations were going to put in doubt. When you look at it that way, you can see that the original EPBC Act did not have this provision. That was added later to extend the provisions to give a green light to environmental activists to act like they do in the USA, which is to delay, disrupt and frustrate major undertakings by serial legal actions.

We do not want legal vigilante groups stopping development in this country. We have a good environment and we have a really good Environment Protection and Biodiversity Conservation Act. But this section gives environmental activists special treatment. We are all equal under the law but, like in Animal Farm, some people are more equal than others. That is essentially what section 487 is saying. Under the proposed law, those concerned people can still have a say but they do that when the environmental impact statement is being made. They can make a submission there, which is quite reasonable and sensible. It does not mean that any Tom, Dick or Harry from anywhere in Australia can turn up and bring legal action, which is, in effect, what section 487 is doing. This has shone a very bright light on quite a distorted bit of legislation.

We do not want US-style vigilante legislation. We do not want special treatment for special groups. If you do have a genuine legal interest, whether you are a farmer next door to a mine, factory or some other major development or whether you are the neighbours, not necessarily a farmer, and have a legitimate interest or whether you are the local council or whether you are the state government that requires an agricultural impact statement or an aquifer interference statement, all those rigorous parts of the act and all the state environmental acts still apply. It is just about applying the regular ADJR Act provisions and who has an interest.

I commend this bill to the House because it is going to make a sensible contribution to the EPBC Act and it will stop the term 'lawfare' that has been coined. It is probably better to say that they are using a peculiar extension which gives them a particular legal right that is out of kilter with all other judicial review decisions and definitions. I commend this bill to the House.

Mr BANDT (Melbourne) (12:54): This is a dummy spit from a government that broke the law and now wants to stop the community from enforcing the rules. We are only here because the minister did not follow the law, did not follow his own department's advice and was found by a court to have done the wrong thing in approving a massive coalmine without any regard
for the obligation the so-called Minister for the Environment has, under the law, to look after the environment. The minister does the wrong thing, he gets called on it by the court—and, now, what do they say? They say, 'Let's change the rules so that the community can never take us to court again if we break them.'

This is critically important, because the rules we are dealing with are the rules in this country to protect our plants and animals, to protect our environment, to protect places like the Great Barrier Reef. The government says, 'We want to change the rules so that organisations and people who are concerned about the environment cannot take us to court. We only want those who are so-called directly affected to be able to do it.' Which individuals are going to be able to say that they are directly affected by an action on the Great Barrier Reef? Which individuals are going to be able to say that they are directly affected when an animal or plant species faces extinction?

What does the government want to happen? Does the government want the plants and animals and the Great Barrier Reef to start hiring lawyers themselves and go to court? The reason we have this law is to protect our environment. Because fish, snakes and skinks are not that well-known for hiring lawyers themselves and trotting off to court, the law says it is okay for people who care about the environment to do it themselves. Then we will leave it up to the independent court to decide whether the government has complied with the rules. That is too much for this government. They want to be able to do whatever they like, including ignoring the law that is there to protect our plants, our animals, our waterways and our reefs.

If this goes ahead, what does it mean for the ability of people to stand up for the environment? It means, for a farmer, that now they cannot have a group concerned about protecting the local area go to court, on behalf of the farmer, to protest against a coalmine that might affect the farmer's agricultural land. Instead, it means the only person who can go is someone who is directly affected. It means they themselves have to put their farm, their house or their business on the line and go through expensive litigation and face all the consequences that come from taking on what might be a massive multinational. It means they cannot tend to their farm and their business, because they themselves are going to have to be the focus of legal action. Instead, we have the very sensible proposition that says not anyone in the country but those who care about the area in question and have a history of caring about the area in question have the capacity to take it to court.

This government is just doing this because they have been caught out. They are looking for a distraction—beat-up on the greenies for a bit of a distraction. The problem is, as with everything this government does, they cannot even run a scare campaign properly. They have overreached, and the farmers know it. That is why you are hearing the National Farmers Federation saying, 'Isn't it curious that this happened not long after we went to the government and said, "What are you going to do to make sure we still have rights to defend people who will be affected by coalmines that we do not like?"'

It is why you hear farmers and landholders saying they do not have the time or funding to be investing in legal action with regard to environmental approvals. It is why you have lawyers making the point that going to court is very difficult, stressful and costly. Stephen Keim and Chris McGrath in *The Canberra Times* said:

Removing this potential scrutiny will encourage both public servants and ministers to be less careful about complying with the law's requirements.
So it is clear what the government is doing: it is running away from criticism and giving itself the power to do whatever it likes with the environment, including not abiding by its own laws. This comes at a time when the government has hitched its wagon to a dying coal industry, an industry which is in crisis around the world. In the next year or so, you can expect to see some of the bigger players struggling and perhaps even declaring bankruptcy. Here in Australia, the community is already speaking up and saying: 'Coal is an industry of the past. Coal is the next tobacco, the next asbestos. We need to move towards renewable energy.' But the government is saying it is going to hold back the tide of renewable energy and do everything it possibly can to protect its mates in the coal industry who helped put them into power, including changing the law so that ministers are able to break it.

From listening to some of the speeches from the government you would think that there had been a tsunami of litigation that has resulted in critical projects being held up. It is not true. Our existing environmental protection laws, as important as they are, are weak. They do not allow for things like climate change to be taken into account and they do not give protection to a number of areas that they might. You often have to squeeze yourself through quite a narrow hole in order to be able to challenge the minister in the first place. The reality is that only 22 of the more than 5,000 projects that have gone through under this act have been challenged by community members and only two have been permanently stopped by legal challenges. With all this talk of 'lawfare', we are talking about two cases in 5,000 being stopped. And, remember, they get stopped because the minister does not follow the law, the minister does not uphold the standards that are there in the first place.

We already have a situation where you cannot just front up to court unless you have a proven interest in protecting the environment. We already have a situation where the environmental protection laws do not do enough—but the ones that we do have are important and worth defending. We already have a situation where we have to squeeze through some existing weak environmental protection laws and challenge the decision of the minister in court. In more than 5,000 projects, only twice has that been successful in having a project stopped—and we would say the environmental protection laws should be strengthened so that that number could go up. When that happens to hit one of the mates of this government, they cannot run here quickly enough to say they want the right to be able to break the law whenever they like and they do not want anyone to be able to hold them to account for it.

It is no wonder that people from environment groups to Alan Jones are now telling the government that this is a very bad thing to do. You were desperate for a distraction because you were not doing very well in the polls, so you overreached and picked on the so-called greenies. But you have said to farmers, to everyone who cares about the Great Barrier Reef, to everyone who cares about our waterways and to everyone who cares about plants and animals that they do not have the right to ask you to uphold your own standards anymore. That is why there is a community backlash. It is not often that the Greens and Alan Jones share a common platform. The fact that is happening on this ought to send a very clear signal to the government that they have engaged in overreach and it is time for them to step back.

Instead of changing the rules to protect a dying industry, instead of changing the rules to allow a government to break its own laws and do whatever it likes to the environment, it would be much better if we ditched this legislation and asked ourselves which projects we can invest in that will stand Australia in good stead in the 21st century. Believe it or not, there will
come a point where the rest of the world tells us to stop digging at the rate we are doing now. There will come a point when the rest of the world says they want to be powered by renewable energy instead of coal. At that point, Australia had better have something to sell the rest of the world. If all we are doing is changing our laws and redirecting scarce public money to ensure new coal projects get off the ground—in a world where scientists have told us that 70 to 80 per cent of the coal that is in the ground needs to stay there if we are to avoid dangerous climate change—it is just madness. Let me repeat that. We as a planet have to leave in the ground about three-quarters of the coal that is already there. We cannot dig it up and sent it off to be burned. We have to make the switch to renewable energy and cut our pollution.

So instead of trying to prop up a dying industry by changing the laws and putting money into it, let’s make the switch to renewables in this country and let’s protect our environment. It is important for all of us that we have clean air and clean water. People visit this country because they like places such as the Great Barrier Reef, and there are many in this country who want to protect it. For what it thinks is a quick buck—although it is not turning into that—the government is saying: ‘We’re happy to dig up coal and burn it at a great rate of knots. It doesn’t matter if climate change is going to bleach the Great Barrier Reef. It doesn’t matter if it turns into a massive coal superhighway that pollutes the reef. We don’t care about any of that. We just want to dig up and burn as much coal as we can.’

That short-sightedness and the fact that this government is able to unite everyone from Alan Jones to the Greens in condemnation of this bill shows just how out of touch it is and goes a long way to explaining why it is so on the nose with the public—because the public does not want this. The public wants people to be able to stand up in defence of the environment, the public wants government to comply with its own laws and not to write itself a get-out-of-jail-free card every time it breaks the law, and the public increasingly wants this government turfed out. If the government wants to have some chance of staying in power, it should start by ditching this bill and doing what the Australian people want.

Mr EWEN JONES (Herbert) (13:07): I rise to speak on the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015. In doing so, I pose a question. If you lived in Townsville and you were going to put a fence around your pool or change the fence around your property, should someone in Melbourne who has had something to do with a fence at some stage in his or her life be able to object to you putting that fence around your house? Should they be able to object to that such that you have to defend that action in court? Putting it the other way, should someone in Townsville be able to object to someone in Melbourne doing something to their house because, at some stage or other, the person in Townsville had something to do with a fence, a pool or anything like that?

That is why this environment protection and biodiversity conservation bill has been worded in the way it has. At the moment, if you have had anything to do with the environment, you can lodge an objection on any grounds whatsoever and it must be discussed and ruled upon, no matter where it is. You could be in Adelaide and object to a mine for anything going ahead in North Queensland, purely because you have had something to do with it. That is what is wrong with the system. The member for Melbourne was just in the chamber. I notice he did not get to Canberra by horse and cart; he flew here on a stinking great big fossil-fuel-burning jet. He got to the parliament this morning in a fossil-fuel-burning car. He is happy to use those
things. He comes from Melbourne, which gets most of its electricity from those brown-coal energy generators in the Latrobe Valley. He is happy to receive all that and he is happy that his industries can use that, but, if someone in North Queensland wants to get ahead in their life—if they want to drive North Queensland and northern Australia—damn them to hell, says the member for Melbourne. 'You should not have the same opportunity as the rest of Australia. You should not be able to use your resources as you see fit because you know what you're doing.'

The Great Barrier Reef has been used as a working reef since time immemorial. Since the dawn of Aboriginal and Islander Australia, the Great Barrier Reef has been used as a working reef. Again and again in this argument and this debate on the environment, I have pointed out that everything we do impacts on our environment. It is how we manage those impacts which is important. The environmental constraints we have around the operations of ports and mines have grown substantially since the mid-1800s. If you look at how they first started digging gold around Ballarat, Bendigo, Bathurst and those sorts of places in the 1800s, it was a lot different from what we do now. Abbot Point, for instance, has over 300 terms and conditions already in place around which it must operate. The Australian Institute of Marine Science and the Great Barrier Reef Marine Park Authority—all the environmental groups—have looked into those things, and still people complain. There are 300 terms and conditions, and numerous reviews have taken place. Do not forget that at one stage the Anna Bligh government was going to have coal ports from Princess Charlotte Bay all the way down to Brisbane. What we did was concentrate it all on Abbot Point and make sure that what we do is world-class. It is about how we manage the impacts; that is what is important. When we put these things forward, the Greens eventually complained about the destruction of the wetlands adjacent to the port near Bowen. What they did not realise—and that still had to be ruled on—was that these wetlands were actually man-made. They were not mangrove wetlands; they were man-made.

We talk about lifting people out of poverty. When I talk about the Carmichael mine and renewable energy in North Queensland, it is a serious conversation. The Carmichael mine is going ahead and has to go ahead for the sake of North Queensland. It is not about the biggest coalmine in Australia; it is not about the amount of stuff that is going through the Great Barrier Reef; it is not about the lifting of hundreds of millions of Indians out of poverty and giving them the kind of future that they should have. For me, the Carmichael mine in the northern Galilee Basin is all about small business in Townsville—from the stevedore at the port in Townsville, the technicians who will survey the road, build the road and fix the bridges, the drivers who will drive the pie vans to the men who are working, all the way to the drivers driving the trains to Abbot Point—with all the construction that will go on there. All those small businesses that profit in that area are what this is about. When this goes ahead, we will be looking at how we generate power in northern Australia. If the member for Melbourne were still here, he would be happy to hear about what we are trying to do there.

We need to underpin what we are doing with baseload power. To backtrack a little, Queensland is the only really decentralised state in the country. Townsville is 800 kilometres north of where the power is generated. For industry to develop in North Queensland, it must pay the transmission costs of that energy, including for all the power that is lost during transmission. I have Queensland Nickel and Sun Metals, the zinc refinery, in my electorate.
Sun Metals is the second biggest user of electricity in the state. Because they have to pay the transmission costs and for the loss of transmission, they are paying an extra $20 million to $30 million a year to operate in Townsville. What is their option? To shut up shop. They were given a deal by premiers Peter Beattie and Wayne Goss when they signed up to this thing where they would have cheap power, equivalent to what is available in Gladstone and in Brisbane.

On top of that, when it comes to where the pricing point goes, it is an artificial point somewhere near Pine Rivers in Brisbane. That is where the point is—and it is an arbitrary point—so we are not competitive when it comes to providing power and energy into heavy industry in northern Australia. We should be value-adding our processing here. We should be able to process minerals and we should be able to export refined products and value-add. That is what we should do.

Recently in Townsville we had an energy round table. The government has an energy white paper out at the moment talking about how we do these things. The question I posed to my local industry groups, including Townsville Enterprise, was: Ewen Jones would really love to see a great, big coal-fired power station right in the middle of the state development area in Townsville; why shouldn't he? So we got together all the people involved in these things. What we came up with was that the energy needs of northern Australia, and of North Queensland in particular, whilst underpinned by a baseload coal-fired power station somewhere in the Galilee Basin, would represent a mosaic of power supplies. We have the ability, through Tully-Millstream—if we can ever get that thing operating—to provide hydroelectricity. The same goes for the Burdekin Dam and Hell's Gate—we could provide hydroelectricity through there. West of there we have the Kennedy wind farm and the large solar projects which can go in that space. We can provide the whole nation's renewable energy targets through those sorts of things. If we can get those things up and if we can use this $5 billion of concessional loan facilities to provide the framework and the high-powered wires to put these things together, we can establish an energy forum—an energy area—in North Queensland which will be very attractive to heavy industry. If you build that framework there, then that is what people will come and see. That is what will be attractive to investors and to industry.

At the moment we cannot progress that because we are so uncompetitive with the cost of energy, and into that goes Renewable Energy Certificates and the Renewable Energy Target. If we do this right, we can fix this up. We can develop the north of Australia, we can be an attractive destination for investment in industry and we can provide the nation's renewable energy targets. We can provide them well into this century—past 2050—and we can export that energy, technology and intellectual property into our region and around the world. That is what we can do. But unless it is underpinned by baseload power, it does not come off.

Whilst I appreciate that when the member for Melbourne was in here before he was speaking to his Melbourne constituency which principally uses brown coal burnt in the Latrobe Valley for its electricity and energy, where I come from I am talking about big wind, big solar and hydro, and I am talking about renewable energy in the form of the North Queensland Bio-Energy Corporation's establishment at Ingham, which will feed into those things. I am talking about the MBD Energy algae project at James Cook University which can
be used to produce, basically, zero emissions baseload power. We can export that technology around the world. That is what we have to do.

More than anything, we have to be able to get to the stage where we can build stuff. If we have to continually turn around and appease some fellow who has got rich on the internet and has a philosophical bent on this and does not care how much it costs him, then we have to be able to do something about that to protect North Queensland and northern Australia, because these people are out to kill us. These people are out to make sure that North Queensland remains an energy backwater. These people are out there to make sure that we cannot develop our resources and our tech industry, and that we cannot become an alternative destination for investment or do anything in this space. We cannot let people make ridiculous claims against projects which have the future of our nation at their base. The member for Melbourne is going to stand there and tell me that Barack Obama has berated us in relation to the Great Barrier Reef. But Barack Obama has been able to lower his nation's carbon footprint by fracking. I do not see Alan Jones jumping up and down about that. I do not see the member for Melbourne jumping up and down about that. He almost climbed over three people to touch the man when he was here.

People like the member for Melbourne and people who do not go there and do not understand what we are trying to do on the ground really get under my skin. It gets under the skin of people trying to do the right thing in North Queensland. People in North Queensland are not economic vandals. We are highly sensitive to our region and our environment. We understand, above everything else, that whatever we do has an impact on our environment. But it is how we manage those impacts, and that is what we have had to do all the way through, because we have had state governments and federal governments which have pushed North Queensland and northern Australia to the backblocks because you cannot supply energy at a reasonable cost in these areas to develop industry. If we can do that, we can then develop the north of Australia properly, and that is what this is about. This is not about what the member for Melbourne wants. This is not about what India wants. This is about the small businesses in Townsville. This is about how we build my city of Townsville. This is about how we end up with a waterfront area in Townsville. This is about how we redevelop our CBD area. This is about how we improve our schools. This is about how we get more people to teach in North Queensland. This is about how we remove the tyranny of distance for remote education and for people who live in our region. Some of the most socially isolated people in Australia are in these regions. Nothing happens in the north of Australia without water and energy. Nothing happens unless we are prepared to work in that space and unless we are prepared to make these things here. Then we can provide a response to the world that says, 'Not only can you provide coal to hundreds of millions of Indians trying to drag themselves out of poverty, but you can provide it on a less costly basis and by a safe transport method.' What happens if they do not get it out of Australia? Do they just dig it up and use the swamp-based coal of Indonesia, the carbon footprint of which will be 10 times that of the thermal coal coming out of North Queensland?

Are we happy to do that? Are we so ideologically bent in this country that we do not care if somebody else supplies the coal, that we just want to make sure that Australia—and North Queensland, in particular—goes backwards?
That is what this country seems to be doing. The member for Melbourne is just trying to make sure that we cannot develop what we have here. It is okay for him, in the streets of Melbourne. It is okay for him down there; they are already fully developed. We are on the cusp of something great here. We finally have a Prime Minister, a Treasurer and a Minister for Trade who believe in the development of northern Australia. Let's get these other people out of the road so that we can actually do something in this space, because this is really important—not just to us but to the entire world. I thank the House.

The DEPUTY SPEAKER (Mr Broadbent): I thank the member for Herbert. I notice that the member for Herbert is listed on both sides of my House of Representatives list. Perhaps you are going to speak to the other side of the argument as well today! I call the member for Richmond.

Mrs ELLIOT (Richmond) (13:23): I rise to speak on the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015. I will say from the outset that I oppose the changes the Abbott government is making to this bill. The bill amends the Environment Protection and Biodiversity Conservation Act 1999, or the EPBC Act, in relation to section 487. Section 487 extends the meaning of a person aggrieved in the Administrative Decisions (Judicial Review) Act 1977, or the ADJR Act. The proposed amendments will remove the ability of third parties to take action under the EPBC Act and will allow only those persons who can meet the standing test in the ADJR Act to apply for judicial review.

This amendment will severely restrict the ability to challenge the approval of a mine or a major development with high environmental impacts to individuals who can prove that they will be directly affected. I believe that this is essentially unfair and that these amendments will fundamentally limit a citizen's or an individual's right to access the courts to challenge questionable environmental approvals. Undoubtedly, these amendments are an attack on everyday Australians who are rightly concerned for their environment and their country—a country that is now being run by a group of environmental vandals. These amendments attack the heart of what should be absolutely sacrosanct: the right of someone to appeal to the courts to protect Australia's and our community's pristine and unique environmental assets, of which we have so many in this country.

In my electorate of Richmond, on the New South Wales North Coast, this bill has caused huge concerns since it was first introduced. I have been inundated by locals approaching me about this. Their concerns relate to both local and national environmental matters relating to approvals and the role individuals or groups can play by raising their opposition to these developments. These locals are so worried about and indeed opposed to the Abbott government's actions in relation to this bill. They are worried about protecting our pristine environmental assets around the country and also within our region on the North Coast of New South Wales. Indeed, it is in equal weight that people have raised those concerns. They want to be able to voice their concerns about environmental matters right across the country. They want to have a say in relation to that, and of course they want to have a very big say on protecting our region.

As I have raised many time before in the House, my community is totally opposed to harmful coal seam gas and unconventional gas mining on the North Coast of New South Wales. It is indeed one of the biggest issues that unites many of us on the North Coast. We
continue the very strong campaign to ensure that our region is kept gas-field-free. So many people have told me they are concerned that this legislation will just mean that the red carpet will be rolled out to the coal seam gas mining companies and our community's ability to oppose it will be severely limited. We certainly have opposed it as a community and we will continue to do that. Communities are worried that even if a damaging coal seam gas or unconventional gas mine has been approved they will potentially be locked out of challenging it and their voices will not be heard.

For a community that has fought so hard—and we have fought so hard together—to keep the North Coast gas-field-free, this situation is not acceptable. That is why the people in my electorate have made it very clear that they oppose this latest attack on the environment by the Abbott government. Our community continues to stand together, particularly to fight the Nationals' pro-CSG expansion agenda, which we see all the time on the North Coast. We all know what the Nationals think about people who care about the environment or want to stop CSG. The disgraced former state Nationals leader Andrew Stoner once labelled the people of the North Coast 'professional bludgers'. That is what he called the people who were camped at Bentley to protest the potential of CSG mining there. It was probably one of the most insulting and undignified comments we have heard from the Nationals, and from the Nationals leader. Many people still recall that statement and are very angry about it.

And of course in the past few weeks we have seen CSG company Metgasco announce its plans to use the courts to attempt to force a very unwelcome return to the Northern Rivers. This has all come about because of the complete incompetence of the New South Wales Liberal-Nationals government to resolve this situation and also the continued pro-CSG agenda of the North Coast Nationals. Just recently in the New South Wales upper house the National and Liberals voted against a bill that would have banned coal seam gas mining in the Northern Rivers. By voting that way they indeed showed their true colours. Metgasco's plans are not welcome, and if they come back to Bentley our community will rightly protest—again—against it, in our thousands. As for the Nationals, they have shown themselves yet again to be shallow and weak. That is what the North Coast Nationals are: shallow and weak—all of them. They made so many false promises on the eve of the state election, and now they have all gone into hiding whilst we have this fiasco with Metgasco threatening to return.

Our community will continue to fight the return of Metgasco. We will continue to fight the Liberal-Nationals government as it continues to roll out its pro-CSG-expansion agenda throughout the North Coast. As I said, it is the Nationals that we hold to account for this and the Nationals that we hold responsible. They have had a very strong pro-CSG-mining agenda for a very long period of time. Their absolute incompetence in terms of Metgasco and its licences unfolds before us constantly. But, as a community, we will continue to fight Metgasco's or any other gas company's plans and will continue to fight the North Coast Nationals as well. We have shown, as a community, that when we stand united against any moves that might impact our pristine environment we do so in our thousands, and we do that proudly to protect the North Coast of New South Wales. We have many wonderful community groups and individuals who will continue to do that, and that is why they are so aghast at plans by this government that will take away their rights to potentially take action against any companies in relation to the New South Wales North Coast. Also, there are
concerns right across the nation about protecting the environment and the wonderful environmental assets we have right across the country. So, my community stands united—

The DEPUTY SPEAKER (Hon. BC Scott): Order! The debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour. The member will have leave to continue her remarks at that time.

STATEMENTS BY MEMBERS

Gilmore Electorate: Government Contracts

Mrs SUDMALIS (Gilmore) (13:30): Getting rid of Labor’s sneaky bank deposit tax, which was supposed to begin in January next year, was a great initiative. There were no public accolades from the local media, but let's blame the government for non-payment of Defence project contractors. Well, let's not!

There are contractors in Gilmore who have been bumped off work sites because they have non-unionised labour. Far-distant non-local union contractors bully their way on to local sites generating (a) an increase in contract costs and (b) a loss of employment opportunity for local workers. Today I need to express deep and ongoing concern related to a recent government project. Has this same action been the root cause of the non-payment of subcontractors or is there some other factor?

Our Defence base has huge government infrastructure investment happening with well-established payment programs. However, the contracting process has multiple layers. On a previous part of the project one of the main contractors went into administration, with the administrator negotiating deeds of agreement to pay unsecured creditors. Thirteen months later—that is, yesterday—one of my local contractors, Mark Nelson, received his first dividend cheque from the administrator. Owed more than $353,000, he received just one cent in the dollar—totalling $3,530.06—although promised 14c in the dollar originally. The master contractor was paid, so the government and the Department of Defence are not responsible for this. I ask: when did the administrators change the terms of payment? I will be presenting this case to ASIC for forensic investigation. The process is flawed and the problems must be resolved.

Blaxland Electorate: Bankstown Talent Advancement Program

Mr CLARE (Blaxland) (13:31): Bankstown is well known for some of the incredible sporting heroes it has produced, people like Steve Waugh, Mark Waugh, Len Pascoe, Jeff Thomson and John Konrads among them. It has also produced some of incredible artists, some of our great actors, singers and musicians, including the incomparable Bryan Brown, Human Nature and even AC/DC. It is also the home of a great band manager come Prime Minister in Paul Keating.

Bankstown is also the home of the Bankstown Talent Advancement Program. This is a fantastic program that I want to shine a light on today. It has produced talented young people like Paulini and Casey Donovan, who won Australian Idol a few years ago. I am bringing it to the attention of the House because their big show is on this Friday night. It is made up of 24 students from schools around Bankstown. It is run by three incredible women: Kerry Sebio, Helen Payne and Wendy Tierney, who is the mother of two of the boys from Human Nature. This Friday night at Bryan Brown Theatre in Bankstown at 7.30 pm they have their big showcase on. I encourage everybody listening or watching right now: if you are in
Bankstown, or even if you are in Sydney, this Friday night, then come along to the Bryan Brown Theatre. You are in for a great show. I promise you: there is nothing better on in Sydney or right across Australia this Friday night than the TAP show at the Bryan Brown Theatre.

**Deakin Electorate: Employment**

Mr SUKKAR (Deakin) (13:33): Last week it was an absolute pleasure to have the Prime Minister and the Minister for Employment visit the electorate of Deakin to launch the new Sarina Russo Job Access centre in Ringwood. The centre will work with local employers to more effectively match them with job seekers. Importantly, the partnership will help facilitate new local employment opportunities arising from the Eastland redevelopment, which involves international retailers like UNIQLO—who were there that day and who have recently employed over 100 people to work in their new Ringwood store.

At the launch, job seekers highlighted to me the precious nature of every single job and the positive impact a job can have on people's lives. I was also pleased to be able to note that the unemployment rate in Deakin has dropped, an encouraging result, much of which comes from the positive small business package in our budget, given that small businesses form such an important part of my local economy. There is always more to be done in this area and I am focused every single day on ways we can encourage even more local job opportunities. That is one of the reasons I have fought very hard against the decision by Bill Shorten, Dan Andrews and Labor to cancel the desperately needed East West Link project, a decision which saw 6,700 Victorian jobs cancelled—flushed down the drain. We will fight for the East West Link. We need the road and we need the jobs. *(Time expired)*

**Bonner Electorate: NBN rollout**

Mr VASTA (Bonner) (13:35): Today I would like to give an update on one of the biggest issues in my electorate of Bonner: slow internet speeds. I must thank the Minister for Communications for always making the time to sit down with me whenever I have come to him with various internet issues in my electorate. Over the last 18 months I have consulted with the minister extensively about the need for faster internet speeds in Bonner. A few weeks ago I had a great discussion with the minister and convinced him that he needed to come to Bonner to speak with locals firsthand. He agreed and last week he spoke with my constituents and small businesses about what we could do better.

The minister's first stop was the Mount Gravatt exchange. We discussed with Telstra representatives possible infrastructure upgrades to improve local internet speeds prior to the rollout of the NBN in my area. The minister and I also met with local residents and business owners to hear what internet improvements they need most. It has been a productive few weeks and again I thank the minister for his hard work with Telstra, the NBN and me to ensure Bonner gets the fastest possible speeds as soon as possible. I will continue to work closely with the minister on internet issues in Bonner in the lead-up to the release of the three-year NBN rollout plan next month.

**Asylum Seekers**

Mr HOWARTH (Petrie) (13:36): I rise today to talk briefly about Australia's response to the Syrian refugee crisis overseas. We have seen people fleeing in their hundreds of thousands because of the Daesh death cult and the murderous war it is inflicting on these people.
Australia has made a decision today to allow 12,000 additional refugees who are fleeing this conflict to come to Australia. There will be strict security checks to ensure these people are genuine refugees, and those people most in need from minority groups and able to assimilate into Australia will be given the first preference. In addition to these 12,000 additional refugees on top of our existing humanitarian program, $44 million in additional money will also be given to help refugees with food, shelter and other basic necessities.

This decision represents a significant increase in Australia's humanitarian intake. We are able to make this contribution because after the last election we did stop the boats, which were putting a lot of pressure on our humanitarian program. We are now able to give this support to these people, who are genuine refugees in a vast amount of need. Finally, this will require all Australian governments and community organisations to support these people when they arrive. I applaud the PM and cabinet on this decision.

**Trade with China**

**Mr ALEXANDER** (Bennelong) (13:38): I rise to give my strongest possible support to the government's actions in securing a free trade agreement with China, our nation's biggest trading partner. The economic growth and increased investment that will be delivered as a direct result of this agreement will improve the life of every Australian, from the ports of Western Australia to my own electorate of Bennelong.

Many times in this place I have spoken of my very good fortune to represent a community with a large, vibrant and engaged community of Chinese-Australians. At many local events, we have discussed the importance of building bridges between our two nations to allow even stronger linkages as partners in trade, business and culture. This free trade agreement cements that bridge and will create many business opportunities and employment opportunities for Bennelong residents.

It is therefore with great surprise that we witness the Labor Party opposing this trade deal. Of course, they do this as a puppet of their union masters—in particular the CFMEU, who have a long history of opposition to Chinese migration and trade. The people of Bennelong call on the opposition leader: it is time to stand up to these unacceptable motivations of the union movement. It is time to recognise the great benefits of this agreement and what it will deliver to all Australians and to support its passage through parliament.

**OzHelp Foundation**

**Mrs GRIGGS** (Solomon) (13:39): I had the honour of meeting with Tony Holland, who is the CEO of OzHelp, earlier this week. I just want to share with the House the amazing work that the OzHelp Foundation does. It was established in 2001 to provide mental health support services within the building, construction and mining industries, particularly focusing on the needs of men. The services are provided in workplace settings.

OzHelp are funded by the Department of Health, the Northern Territory government and industry partners in the Territory to deliver work. They have been in the Northern Territory since 2008. They provide services in Darwin, Katherine, Kakadu and Alice Springs, but mainly in Darwin. They provide a very important service, as I said, across the sector.

They have what they call a Tradies Tune-Up, which is a 20-minute mobile health screening program delivered on site. It includes physical and mental health screening as well as health promotion. They follow that up in three months with a phone call. Six per cent of the people
they see stop smoking, 15 per cent reduce alcohol consumption, 15 per cent speak to a friend
or a counsellor about how they are feeling, and 43 per cent see a doctor within three months,
with 50 per cent of those doing so directly as a result of attending a Tradies Tune-Up. It is
wonderful work that OzHelp are doing.

Asylum Seekers

Mrs WICKS (Robertson) (13:41): On behalf of my community today, I want to rise to
thank the Prime Minister and the coalition government for our measured and generous
response to the Syrian and Iraqi humanitarian crisis. I welcome the announcement that
Australia will resettle an additional 12,000 refugees who are fleeing the conflict, particularly
those most in need: the women, children and families of persecuted minorities. It is a
significant response from our nation, and we will also deliver additional humanitarian support
of $44 million to help more than 240,000 Syrian and Iraqi people who have been forced to
flee their homes or seek refuge in neighbouring countries.

This is resonating deeply in my electorate, where many Central Coast locals have reached
out to me in recent days. Sean from Umina Beach shared with me how disturbed he was, like
many of us, after seeing the images coming out of Europe. Beth from Green Point also
emailed me, saying, 'Let us do more,' and that she would gladly open her doors to help others.
And Jasmin from Empire Bay had one line that stuck with me: 'Regarding this crisis, please
act.' Today we have.

Of course, we also want to address not only the threat in Iraq, Syria and the Middle East
but also our own national security. That is why the government's considered decision to
extend air strikes against Daesh into Syria is also so important. Today's announcement
regarding this humanitarian crisis is firmly in Australia's national interest. It reflects our rich
history as a nation and the heartbeat I hear across my electorate.

Merchant Mariners Day

Mr VAN MANEN (Forde) (13:42): On 29 August I had the pleasure of attending the
Greenbank RSL memorial for Merchant Mariners Day and the commemoration service by the
Naval Association of Australia Greenbank subsection. It was a moving service to
commemorate our merchant mariners for their past and ongoing service to our country.
Merchant mariners who sacrificed their lives at sea are often the forgotten servicemen. They
are the unsung heroes of war—the Australian Defence Force personnel and civilian seamen
who served in the merchant navies across the world. Without our merchant mariners, we
would not have been able to supply our troops with food, ammunition and supplies.
Commercial vessels assembled as part of the war effort to act as hospital ships, carry supplies
and patrol our waters. Their job was perilous, as they often carried valuable cargo and ferried
troops to and from war zones.

While many men marched onto the battlefields of war, our merchant mariners sailed the
seas under the constant threat of enemy fire from ships, submarines, aircraft and mines. More
than 400 Australian merchant mariners lost their lives in the line of duty, many of those
aboard the hospital ship Centaur. The service and sacrifice of our merchant mariners will
never be forgotten, and I would like to commend Greenbank Naval Association Vice-
President Len Kingston-Kerr for the Merchant Mariners Day service.
Greenway Electorate: Domestic and Family Violence

Ms ROWLAND (Greenway) (13:44): Lalor Park is one of the oldest and most well-established suburbs in the electorate of Greenway. It is a close-knit community. It is comprised of good people. It is a proud community, and one which in recent years has been actively focusing on its renewal for the good of all of its citizens. So it was with great distress that we woke up this morning to the news that a grandmother and her eight-year-old grandson were found dead—stabbed to death—on their own lawn and a neighbouring lawn. The perpetrator appears to be the son of the grandmother and the uncle of the eight-year-old.

That little boy's schoolfriends will be feeling that loss today, as will his family and his grandmother's friends. It will be a time of intense grief.

We need to let Blacktown Local Area Command do its job, and I commend them for doing their job. There will be another job to examine what has happened here and to let justice be done. There will be many questions, including on reports that ice played a role and may, indeed, have influenced the outcome here.

As the member for Greenway, I want to assure the people of Lalor Park that I stand with them. In fact, I believe all members of this parliament stand with the community of Lalor Park today at this time of intense grief. We share your sorrow and we express that most sincerely today.

Barton Electorate: Bethany College

Mr VARVARIS (Barton) (13:46): Bethany College students were delighted to host the Minister for Foreign Affairs, the Hon. Julie Bishop, at their school during her recent visit where she spoke passionately on the topic of female leadership. It was a terrific opportunity for these young women to ask the minister questions relating to her work and about her leadership in general. Many relished the opportunity to simply meet the minister in person for the first time, and I was told that many found her to be a great inspiration.

Bethany College is a high-performing school for girls in my electorate of Barton. Passionate teachers, a solid curriculum and excellent facilities create a positive environment for learning and fuel a thirst for further knowledge. These impressive young women are intelligent, focused and confident, and it will only be a matter of time before they unlock all of their potential and fulfil their dreams. Bethany College women are compassionate, bright and ambitious. They do not believe they are limited in any way. Whilst students are encouraged and motivated daily by their teachers, parents and communities, it is always inspiring to hear these words directly from the Minister for Foreign Affairs and Deputy Leader of the Liberal Party. The students asked a range of questions and listened to the minister's own experiences in her career, with her capacity to lead change and the kind of work she has done to enable others to achieve their best. The students were visibly impressed, as were the teachers. I would like to acknowledge the great work that Principal Vittoria Lavorato is doing in leading these young women, and I am looking forward to seeing the students again.

Hebert Electorate: Safer Streets Program

Mr EWEN JONES (Herbert) (13:47): Just last week I was joined by the Mayor of Townsville to unveil the federal government's investment in street lighting and CCTV cameras along Riverway Drive in the Upper Ross. We have been able to go all the way from
the Riverway precinct and up to Gouldian Avenue. This is soft lighting which makes the walk and run along the side of the beautiful Ross River an absolute joy to behold. Not only that, it is safe to do morning and night as well.

Recently, I was doing my listening post up at the Upper Ross and people were coming along and telling me what a great job it was but that they wanted it extended. I have spoken briefly with the mayor about this and she agrees with me that, wherever possible, we will be extending this facility to everyone in Townsville. We want this facility to be rolled out because it does make sense.

The work that council has done on this has been first rate. It has been able to assist with the collection of data and to keep the film; that has also enabled us to not only make it a safe place but also stop crime from existing, because if you shine a light you remove the temptation.

Michael Keenan, the Minister for Justice, has done a first-rate job on this, in being able to not only roll out this program to areas which need it, but also to enhance this part of the city. People should feel exactly the same walking along the Strand as they do along the Upper Ross, and this achieves that.

Trade with China

Mr WHITELEY (Braddon) (13:49): This may well be the most important 90-second statement that I make in this place. A recent Morgan poll revealed that most Tasmanians already know that the China-Australia Free Trade Agreement is in the best interests of not only Tasmania but also the country. Seventy-four per cent of Tasmanians support this agreement.

This agreement could not have been written any better for the Tasmanian economy and for Tasmanian workers. As a state that relies on the quality of its produce and its advanced manufacturing production, we know that trade agreements that result in our products getting to market more cheaply will boost the Tasmanian economy and create more jobs. But, like Labor of old, who were always willing to sacrifice the Tasmanian economy on the altar of Greens preferences, it is now trying to whip up a fear frenzy in order to block the China-Australia Free Trade Agreement, denying Tasmanians economic opportunity. Tasmanians, though, can see right through this tactic. It is a throwback to Labor's protectionist history of the 1900s. And Tasmanians, I have to say, are far too sophisticated to fall for the weak argument of Labor and the unions.

Those opposite may take Tasmanians for fools, but we understand the benefits that will flow from this agreement. Whether it is tourists and students or Chinese businesses wanting to invest in our state, it means a growing economy and more jobs. Those opposite need to get behind this China-Australia Free Trade Agreement and give Tasmanians a fair opportunity. (Time expired)

Trade with China

Mr BROAD (Mallee) (13:50): I also rise to talk about the jobs for Australia agreement—the free trade agreement with China. In my electorate four years ago we exported zero citrus to China; now, one company in my electorate is the biggest exporter of citrus to China in Australia. In the space of four years it has grown from nothing to 10,000 tonnes. The export of table grapes has grown from zero shipping containers to four shipping containers to 334
shipping containers to 1,000 shipping containers. This is translating to jobs for Australians: people who lay out irrigation technology, people who market things, people who pick fruit, people who prune fruit trees and vines, farmers who spend locally—this is a jobs for Australians agreement. And we know that, when you grow the market of 1.3 billion people, and when you can take the products that Australians produce that China wants, Australians benefit. But do not forget: if we do not sign this agreement, this will have dire consequences because South America is fast positioning itself to capitalise on our citrus markets. We sent 10,000 tonnes in 2015, but there is no doubt that, if this agreement does not go through, we may lose that market and there will be many Australians who will not have a job. The Labor Party need to stand behind Australian jobs and sign the free trade agreement and get this legislation through the House.

Sunshine Coast-Mooloolaba Marathon

Mr BROUGH (Fisher) (13:52): I am delighted to rise today to congratulate and thank the great team of locals who put together the Sunshine Coast-Mooloolaba marathon recently. There is something quite unique about this event, because it is not just a running event; it is actually about charity. I have often risen in this place and talked about the generosity of the Sunshine Coast community. With this event not only do you get some fitness but also every dollar that is raised goes to charity. The biggest beneficiary is Ronald McDonald House. Like most members of this House, I have seen many examples of families—whose lives have been shattered when a young person has cancer or has a catastrophic injury—who, at a moment's notice, have had to go to Ronald McDonald House.

This event raised over $500,000. The events ranged from 42 kilometres down to two kilometres. I am pleased to inform the House that, with my grandson, Trey, on my shoulders, I pounded out every last metre of those two kilometres. It was a tremendous effort by me! I congratulate Gary and Greg, the two local franchisees of McDonald's. The marathon was their brainchild. They not only put their money, time and effort into it but were also down there on the street at six o'clock on Wednesday morning and Thursday morning making sure that the families who came together on the Alexandra Headlands spit had a wonderful time and experienced what it is to be a Sunshine Coaster, to get active and to give to their charities.

Trade with China

WYATT ROY (Longman) (13:54): It is good to see that the member for Fisher has so much energy after that and it is not past his nap time—fantastic work!

As I have said in this place before, our nation has experienced almost a quarter of a century of uninterrupted economic growth. It has resulted in rising living standards for all Australians. We have seen huge advantages roll into our national economy through not only the commodity boom but also a massive uptake and increase in female workforce participation. If we are to continue this remarkable story of economic growth in our country and ensure that the next generation of Australians have equally increasing opportunities and living standards we have to run at the opportunities that present themselves to our nation.

One of the biggest opportunities that is currently presenting itself to our nation is the ability to market and sell our goods and services into the huge marketplace to our north in Asia. We have almost a billion people coming into the middle class in Asia, and before us in this parliament is an opportunity, through the China-Australia Free Trade Agreement, to give
access to that radically growing and enormous market for our goods and services. This will
ensure that future generations of Australian can have the same opportunity for jobs as the
current generation has enjoyed. If we fail to seal this deal, we are ensuring that future
generations of Australians have less opportunity, not more.

**Rural and Regional News Services**

Ms McGOWAN (Indi) (13:55): Colleagues, I would like to talk to you about an absolute
crisis that is taking place in rural and regional Australia. It has to do with the provision of
local news in our communities. Over the last couple of days we have had representatives from
Prime, WIN and Southern Cross doing the rounds of parliament saying, 'What's happening
with this government? We have had media laws that were put in place in the early 1990s
which are well and truly past their use-by date. We absolutely need a review of media laws
and how they impact on rural and regional Australia.'

Colleagues, I have just been to a launch of report on research done by the Australia
Institute. The Australia Institute has looked at the popularity of the ABC right across rural and
regional Australia. Now more than ever, people in the regions and in the country are saying
that we need to invest more money in our rural news services and that we need to invest more
money, not less money, in the ABC. So I say to my colleagues opposite: As you are getting
ready now to do the planning for the budget that is going to take place before the next
election, can you put rural and regional people right at the front of the budget—more money
for the ABC, more money for local news, more money for those fantastic reports who cover
what we do in rural and regional Australia?

Why is this so important? It is so important because, if we do not have the commercial
stations doing what we need, now more than ever we need a really strong ABC, we need local
staffing, we need local stories and we need to be able to build that connectivity right across
regional Australia.

**O'Connor Electorate: Health Services**

Mr WILSON (O'Connor) (13:57): I rise today to thank the minister responsible for aged
care and disability, Senator Mitch Fifield, for giving generously of his time in O'Connor last
Tuesday. Together with Senator Dean Smith, we managed to cover significant ground in my
huge electorate, consulting with stakeholders in Albany, Esperance and Narrogin. In Albany I
hosted a working breakfast for aged-care and disability service providers, where there was
considerable conversation on the National Disability Insurance Scheme and the transition
towards consumer directed care in the aged-care sector.

At the Esperance aged-care service, director of nursing Kathie Carey recounted stories of
long waiting lists for beds, necessitating relocation of potential residents to Perth, fracturing
lifelong partnerships and families. In one instance, a violent dementia patient was unable to be
safely relocated in Perth when capacity was exceeded. The Esperance care facility will apply
for 30 bed licences in this ACAR round and capital funding of $3.2 million to rectify these
problems.

In Narrogin, through the hard work of manager Julie Christensen and her board, Karinya
Aged Care have already secured land and funding to build their dementia facility. They will
be looking for an ACAR allocation of six more beds to meet their commitment to build a 12-
bed secure dementia unit, as well as providing bariatric and palliative care capabilities. Julie
gave an articulate and passionate synopsis of the situation in Narrogin, where Karinya provides services not only for the needs of the ageing population of the town and its rural hinterlands but also for those migrating from the city seeking cheaper aged-care options.

Again, I thank Mitch and Dean and those who provide services and care to the elderly and challenged citizens of O'Connor.

**Bendigo Electorate: Broadband**

Ms CHESTERS (Bendigo) (13:58): I rise today to say that this government has to get serious about rolling out the NBN. Time and time again in my electorate I am receiving complaints from people who cannot get access via the internet to do what they need to do online. We have a situation in my electorate where there are three NBN towers that have been built but have not been turned on. This is creating a problem for our businesses, for our homes and for our schoolchildren, who cannot do their schoolwork online.

This is not just about what is going on with the NBN towers and how this government has messed up the rollout of the NBN; it is also about the fact that Bendigo was knocked off the map and for two years we had no rollout plan. We do not have access, whether it be fibre to the node or fibre to the premises. That is not happening in the Bendigo electorate. Our advanced manufacturing businesses are not able to connect to the NBN, to fast-speed broadband, to do business. If this government is serious about boosting manufacturing—

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

**STATEMENTS ON INDULGENCE**

**Asylum Seekers**

**Iraq and Syria**

Mr ABBOTT (Warringah—Prime Minister) (14:00): In recent days for obvious and understandable reasons, there has been a great deal of concern on all sides of this parliament about the unfolding humanitarian crisis on the borders of Syria. I deeply respect the contributions that members of parliament have made and I now wish to update the House on decisions that the government has taken to respond.

Obviously, all of us were shocked as a nation at the disaster that we saw on our television screens. All of us as a nation wanted to help. If I may say so, that is the Australian way: when we see a problem, we roll up our sleeves and do what we can to help. That is what we have already down, collectively and individually. At home and abroad, that is always what we have done. But it is important, as always, to think before we act and it is important that the government has considered the report from Minister Dutton in Europe and spoken to our expert advisors and officials here in Australia in preparing this response.

As the House knows, Minister Dutton consulted with the UN High Commissioner for Refugees. He also spoke to senior representatives of the International Organization for Migration and the Red Cross. It was obvious after discussions in Europe that the immediate need in order to help people stranded on the borders of Syria is for more money. It is also obvious from discussions in Europe and here at home that there are many, many people, members of persecuted minorities, currently displaced from their ancestral homes who will never ever be able to go back to their homes in Syria.
I can announce today that the government will make available an additional $44 million. This will assist some 240,000 people currently in camps with food, clothing and shelter as winter approaches. This will take the total Australian government humanitarian contribution to people on the borders of Syria and Iraq, under the former government and under this government, to some $230 million.

I can also advise the House that we will take an additional 12,000 people from the Syria-Iraq conflict over and above our existing refugee and humanitarian program. This is an important and generous act by Australia. I stress that we are taking people who are persecuted minorities. We are determined to prioritise women, children and families on the borders of Syria, and in Turkey, Lebanon and Jordan. All of the people that we bring will be subject to the usual health, security and character checks. We will bring people as quickly as we can but we do owe it to the Australian people to get these checks done and to bring people in in ways that settlement and resettlement services can cope.

Why are we doing this, Mr Speaker? We are doing this, because people are suffering. And why are they suffering? In part, they are suffering, because of the activities of the Daesh death cult. We have seen on our screens what this death cult has done. We have seen the beheadings, the crucifixions, the mass executions and the sexual slavery. We have recoiled in horror from our screens as we have seen new and ever more barbaric ways of killing people that this death cult has devised.

As members know, our armed forces have been engaged in military operations in Iraq for the best part of 12 months. In particular, the Royal Australian Air Force has been conducting air strikes against Daesh targets in Iraq.

At the invitation and request of President Obama, the government has decided to extend our air strikes to include Daesh targets in Syria as well. We are doing this under section 51 of the UN Charter, which gives countries the right of collective self-defence. Iraq is threatened by Daesh forces based and supplied from Syria, and Syria is unable or unwilling to act against those forces. So, in conjunction with our coalition partners, Australia will act.

I am proud of the work of our armed forces who, as always, have acted in our name and under our flag with courage, professionalism and commitment. But, most of all, I am proud of our country. Today we act decently in the best traditions of the Australian people.

Mr Shorten (Maribyrnong—Leader of the Opposition): I want to begin by welcoming the Prime Minister’s decision to accept an additional 12,000 refugees displaced by the humanitarian crisis in Syria. Importantly, these places are being offered on the basis of need and no other consideration. Our compassion should pay no heed to the colour of a person’s skin or the god they pray to.

After all, when we looked with shocked eyes at the photo of Alan Kurdi, we tried to imagine for one agonising moment if that was our child. None of us—no Australian, no parent—stopped to ask which religion the poor little boy belonged to.

We do support and welcome the government’s move as an expression of the generous, decent and open-hearted Australia that we all love and serve. Labor welcomes this decision, and I know that Australia will welcome these refugees. The lesson of our modern history is that, every time we have reached out a caring arm to the victims of persecution, it is our nation which has been enlarged and enriched.
I also want to briefly respond to the Prime Minister's remarks on extending ADF operations to Syrian airspace and I will say more during the matter of public importance after question time. But I wish to advise that Labor will support this proportional action within international law on the basis of assisting with Iraq's self-defence. We are a stable, prosperous liberal democracy; therefore, it is important that at all stages we maintain our moral and legal authority. The best gift we could give Daesh and the like would be to abandon our moral authority. Therefore, this decision is not taken lightly.

None of us—even those who would not support the extension of the Air Force operations over parts of Syria—dispute the destructive, genocidal violence of Daesh or the scale and scope of the humanitarian crisis gripping the Middle East. But, even if the enemy is evil, which they are; even if the cause is just, which it is; our methods must be strategically, legally and morally sound. Our alliance, as important as it is, is in and of itself not a sufficient reason to act. This is why Labor seeks clear and specific assurances from the government. Most of them have already been forthcoming, I might add.

The ADF operations have to be constrained to the collective self-defence of Iraq because at the core of this action, this extension, is that we are acting at the request of the Iraq government and the self-defence of Iraq. Further, the use of force must be limited to what is necessary to halt these cross-border attacks and defend Australian personnel. We would also seek and have received assurances that effective combat search and rescue must be in place for our remarkable RAAF personnel, who may, heaven forbid, be downed in hostile territory before the operations commence. Further, the government should formally notify the United Nations Security Council of our decision, and the government, I believe, should agree to a parliamentary debate to explain the long-term strategy for Australia's role in Iraq.

We say these things because the swamp of terrorism can never be drained by military means alone, and all in this parliament understand that. Australia's military actions must be matched by renewed and redoubled international humanitarian efforts to deliver peace and stability to the entire region. These are the assurances which we have sought. We look forward to working through them with the government in a bipartisan way in the coming days, and obviously it cannot be automatically construed as support for further escalation—not that any has been asked for at this point.

QUESTIONS WITHOUT NOTICE

Trade with China

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:10): My question is to the Prime Minister. Yesterday the Prime Minister said under the China FTA 'that there is absolutely no possibility of placing any foreigner in an Australian job without labour market testing,' but the Department of Immigration and Border Protection told the treaties committee on Monday that, when the FTA comes into effect, engineers, nurses and trades workers will be exempt from labour market testing. Why does the Prime Minister keep misleading Australians about the impact of this agreement?

Honourable members interjecting—

The SPEAKER: Members on my left and right will cease interjecting.

Mr ABBOTT (Warringah—Prime Minister) (14:11): The point I make in response to the Leader of the Opposition is that nothing is possible under the China-Australia Free Trade
Agreement that is not possible under other free trade agreements, including free trade agreements negotiated by members opposite. My point is: why are members opposite singling out China for this kind of criticism? Why are members opposite targeting China?

Members opposite like to say that this is the Asian century, and it is the Asian century. The free trade agreement with China puts us at the heart of the Asian century. That is what it does and that is why it should be supported by this parliament.

Mr Burke: Mr Speaker, I rise on a point of order on direct relevance. The question goes to whether or not the parliament was misled yesterday, not the general topic—

The SPEAKER: The member for Watson will resume his seat. The Prime Minister is relevant. The Prime Minister has the call.

Mr ABBOTT: Again I make the point that nothing is possible under the China-Australia Free Trade Agreement that was not possible under free trade agreements with other countries negotiated by members opposite. If it was right for Japan, if it was right for Korea, if it was right for Chile, why is it wrong for China? What have they got against China?

Mr Nikolic interjecting—

Mr Burke: Mr Speaker, I ask for a comment to be withdrawn by the member for Bass. It is a specific term that you ruled as unparliamentary last week, and we should not have racist slurs being thrown back and forth across this parliament.

Mr Perrett interjecting—

The SPEAKER: I will address the matter if the member for Moreton ceases interjecting. I did not hear the remarks by the member for Bass, but, if the member for Bass made an unparliamentary remark, it would assist the House if he withdrew it.

Mr Nikolic: My comment was 'the racist speech given by the Leader of the Opposition'.

Mr Dreyfus interjecting—

The SPEAKER: The member for Isaacs will cease interjecting. The member for Bass will withdraw.

Mr Nikolic: I withdraw.

Mr ABBOTT: I say this with some reluctance, but if the terms of this agreement were all right in agreements with Japan, if they were all right in agreements with Korea, if they were all right in agreements with Chile, then what have members opposite got against China? Why is China so different? Why is China to be singled out in this way by members opposite? I am not one to bandy around serious accusations, but I have got to say that, quite frankly, the campaign that is being waged by certain unions—aided and abetted by this Leader of the Opposition—against the China-Australia Free Trade Agreement is not just xenophobic; frankly, it is a racist campaign. And it must be a racist campaign, because they are—

Mr Burke: Mr Speaker, I raise a point of order—

The SPEAKER: The Prime Minister will resume his seat. As I have made clear before, it is within the practice and the—

Mr Snowdon interjecting—

The SPEAKER: The member for Lingiari is warned. You are not going to interject while I am seeking to address a matter raised by the member for Watson. It is within the practice—
that is why I listen very carefully to these answers—to say 'a campaign' or 'a document' by an outside body such as a union. That term is able to be used.

Ms Macklin interjecting—

The SPEAKER: The member for Jagajaga is warned. I was listening very closely, and the Prime Minister did not directly, as I heard it—he used the term 'aided and abetted'. He is very close to the line, but I am listening very carefully. I call the next question.

Trade with China

Ms LANDRY (Capricornia) (14:16): My question is to the Prime Minister. Will the Prime Minister update the House on how the China-Australia Free Trade Agreement will deliver on the government's plan for a strong and prosperous future for all Australians?

Mr ABBOTT (Warringah—Prime Minister) (14:16): I thank the member for Capricornia for her question. I do appreciate her support for the China-Australia Free Trade Agreement and I do appreciate her support for the plan that this government took to the last election—a plan for a strong and prosperous economy that would deliver us a safe and secure Australia. I am pleased to report to her and to the House that the plan is working, and we are sticking to the plan. The plan is working and we are sticking to it. The latest instalment in our plan, the next step in our plan, is the finalisation in this parliament of the Australia-China export agreement—the China-Australia Free Trade Agreement—because that will deliver more jobs for Australians and more jobs in Capricornia.

I can inform the House that modelling by the Centre for International Economics shows that the China-Australia Free Trade Agreement, along with the agreements also negotiated with Korea and Japan, will make households more than $4,000 better off and boost GDP by almost $25 billion over the next couple of decades. That is a $25 billion boost to GDP over the next two decades. Why will it do that? It will do that because, under this agreement, tariffs on some 95 per cent of our exports to China will be completely abolished: beef tariffs—gone; dairy tariffs—gone; lamb tariffs—gone; wine tariffs—gone. That is why this is so good for jobs in our country, including in Capricornia.

If the China FTA enters into force before the year's end, exporters will get two quick tariff cuts—one when the agreement enters into force and another on 1 January 2016. That is why I say to members opposite that the legislation for this export agreement must be passed this year. It absolutely must be passed this year. If it is not passed this year the beef industry will lose $110 million; the dairy industry will lose $60 million; the wine industry will lose $50 million and the grains industry will lose $43 million. As Bob Carr said, the China FTA gives Australia better access to this market than any other country. He said: There will be more jobs and higher wages in Australia if the China FTA goes ahead.

That is from Bob Carr. If only the Leader of the Opposition would channel Bob Carr. Instead, all he can do is channel the hate speech of the CFMEU. (Time expired)

DISTINGUISHED VISITORS

The SPEAKER (14:20): We have present in the gallery today the former member for Aston, Mr Chris Pearce. On behalf of all members I welcome Mr Pearce. And—

Opposition members interjecting—
The SPEAKER: Eager members on my left are delaying me. We also have present in the Speaker's gallery the former member for New England, Mr Tony Windsor.

Honourable members: Hear, hear!

Honourable members interjecting—

The SPEAKER: When you are ready to resume question time, I am ready.

QUESTIONS WITHOUT NOTICE

Trade with China

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:20): My question is to the Prime Minister. Yesterday the Prime Minister said that, under the China FTA, there is absolutely no possibility of placing any foreigner in an Australian job without labour market testing. So why does ChAFTA state at article 10.4 that neither party shall require labour market testing? Why does the Prime Minister keep misleading Australians about his China free trade agreement which sells out Aussie jobs?

Mr ABBOTT (Warringah—Prime Minister) (14:21): The Leader of the Opposition just cannot help himself. He does not channel Bob Hawke; he does not channel Bob Carr; he does not agree with Simon Crean; he does not agree with the Labor premiers of Victoria, of Queensland and South Australia; he just channels the hate speech of the CFMEU.

There was a very important resolution put before this parliament yesterday, a resolution to support the China-Australia Free Trade Agreement as negotiated. That was the resolution put before this parliament. And what we got was a nasty, angry speech from the Leader of the Opposition—a nasty, angry speech peddling the racist lies which the CFMEU has propagated. It was peddling the racist lies of the CFMEU. And then, having made an angry speech peddling the lies of the CFMEU—

Mr Burke interjecting—

The SPEAKER: The Prime Minister will resume his seat. Member for Watson, no, I listened very carefully, as I said. Make your point of order.

Mr Burke: He is referring directly. When he uses that word 'channelling', he is using that as a slur against the speech that was made by the Leader of the Opposition, and you know it.

The SPEAKER: No, the member—

Mr Burke: If you want to demean the parliament, let him do that! If you want to demean the parliament, that's what will happen.

The SPEAKER: The member for Watson will resume his seat. It is a very tough question, and I agree that the answer is tough.

Opposition members interjecting—

The SPEAKER: I will address this matter without interjections from those opposite. Now, I agree it is tough language. It is tough language, but I am listening very carefully, and I believe it is still within the Practice. It is very close. What the Prime Minister cannot do is directly reflect on any member of parliament. As I said, he is close to the line. I am allowing tough questions and tough answers. The Prime Minister has the call, but I remind him of the distinction that he needs to draw. The Prime Minister will resume his seat. The member for Petrie on a—
Mr Howarth: Mr Speaker, the member for Sydney just made a slur against the member for Dawson, and I would ask her to withdraw.

Mr Albanese interjecting—

The SPEAKER: The member for Grayndler will cease interjecting. The Prime Minister has the call.

Mr ABBOTT: So he made this nasty, angry speech where he channelled the CFMEU, and then, when he was actually called upon to say where he stood, he could not say yes; he could not say no. He could not say yes; he could not say no—too weak and too gutless to say where he stands on something as important as the free trade agreement.

The SPEAKER: The Leader of the Opposition on relevance?

Ms Plibersek: Who started the debate and ran away?

The SPEAKER: The member for Sydney will cease interjecting.

Mr Shorten: Mr Speaker, my point of order goes to relevance. I ask the Prime Minister: why are you misleading Australians? All you want to do is talk about me. You never want to talk about—

The SPEAKER: The Leader of the Opposition will resume his seat. The Prime Minister has the call.

Ms Owens interjecting—

The SPEAKER: The member for Parramatta will cease interjecting.

Mr ABBOTT: Mr Speaker, I make it absolutely crystal clear that it is impossible to have an investment facilitation arrangement that avoids labour market testing. It is absolutely impossible to have an investment facilitation arrangement that avoids labour market testing. And again I say to the Leader of the Opposition: there is nothing in this deal with China—

Mr Brendan O'Connor interjecting—

The SPEAKER: The member for Gorton will cease interjecting.

Mr ABBOTT: that was not possible in the Japan deal, the Korea deal and the Chile deal. There is nothing of any substance possible under this deal that was not possible under other deals, and I ask again: why is the Leader of the Opposition singling out China? What has the Leader of the Opposition got against China? He might wear a red tie; what's he got against Red China? What has he got against China? What has he got against China such that he is not prepared to take the same approach to the China-Australia Free Trade Agreement that he took to the Korean agreement and the Japanese agreement?

Ms Owens interjecting—

The SPEAKER: The member for Parramatta is warned.

Mr ABBOTT: I say again: to single out anyone on the basis of nationality like this, to say that what is good for Japan and Korea is not good for China, is racism—(Time expired)

Trade with China

Mr WHITELEY (Braddon) (14:27): My question is to the Treasurer. Will the Treasurer inform the House how the China-Australia Free Trade Agreement will create more jobs and further strengthen the economy in my electorate and the state of Tasmania and elsewhere?
Ms Ryan interjecting—

The SPEAKER: The member for Lalor will cease interjecting. She has been interjecting since the start of question time.

Mr HOCKEY (North Sydney—The Treasurer) (14:27): I thank the honourable member for Braddon for his question. The China free trade agreement abolishes taxes on Australian exports. I say again: the China-Australia Free Trade Agreement abolishes taxes on Australian exports. That is what it does.

Of course, we can do everything we can here to abolish taxes on Australian produce. We got rid of Labor's carbon tax. We got rid of Labor's mining tax. We got rid of the tax Labor was going to apply to the manufacturing of motor vehicles. We got of a Labor Party bank deposit tax. And I can report to the House that today the Senate passed legislation to get rid of the Leader of the Opposition's piggybank tax—so another Labor tax out the door. But the only way we can get rid of the taxes that are applied by other countries to our produce is to enter into free trade agreements.

The China-Australia Free Trade Agreement abolishes up to 15 per cent tax on milk products produced in Australia. I can say to you, Prime Minister and colleagues, that we are two weeks away from the seventh anniversary of the New Zealand-China Free Trade Agreement. When New Zealand entered into that free trade agreement with China seven years ago, the tax on New Zealand milk exports was 15 per cent. Today it is 2½ per cent. Today the milk exports that we are sending to China have taxes up to 15 per cent.

Now, what does that mean? In Tasmania, in the electorate of the member for Braddon, there are 433 dairy farms employing 3,000 people, and they receive $400 million in revenue. They are three major processing plants, including the Lion processing plant in Burnie. That Lion processing plant in Burnie employs 300 people. It is a new investment of $200 million, and it is running 50 per cent under capacity. So, by the Chinese removing the 12 per cent tax on cheese exports, we can create jobs in Burnie. We can create jobs in Tasmania. We can create jobs right across Australia. The benefit flows through to everyone, not just the people in the advanced manufacturing. It flows through to the farmers. It flows through to logistics. It flows through to every single part of the economy. That is the benefit of the free trade agreement with China. We are standing up for well-paid jobs in Australia, and it is in stark contrast to the Labor Party, which is just a mouthpiece for a radical union.

Mr KATTER (Kennedy) (14:30): My question is to the Minister for Trade and Investment. Queensland coal and metal mining has shed 15,000 jobs and CSG 21,000 jobs. Queensland's coal and WA's iron ore under Bjelke-Petersen and Charles Court created the greatest economic development in history, yet both had a total ban on all fly-in mining. Since most Galilee developers have foreign FIFO policies, should not the government join the area's local, state, federal, First Australian and CFMEU representatives in enforcing an Australian jobs policy, or does your so-called free trade deal—(Time expired)

The SPEAKER: I call the Minister for Trade and Investment. There were a couple of questions just at the 28- and 29-second mark.

Mr ROBB (Goldstein—Minister for Trade and Investment) (14:31): I thank the member for his question. Firstly, I think there are a few issues here to deal with for the member, but...
the most important is that the FIFO policy has not only given us much of the wonderful prosperity and income and jobs over the last 15 years. Without FIFO, much of that development would never have taken place. Also, with the FIFO, you have to understand that standard business sponsors are currently required to undertake labour market testing prior to nominating any of these requirements for 457 visas. Unless exempted under international trade obligations by both sides of politics, our rules under this are identical to the rules that were under Labor for international trade agreements. So you will see that the FIFO policy is supported by both sides of politics and is supported by a very robust and a stringent 457 program which is supported by both sides of politics, as you have seen from the debate with ChAFTA. What we are doing is no different to what was done by those on the other side.

The second point I would like to make about your question is that, for the Galilee Basin, the reason that wonderful deposit has not progressed is nothing to do with FIFO. The reason is the sabotage by green activists. They have laid down chapter and verse in the Stopping the Australian coal export boom report. This is their clear strategy. Let me read:

The first priority is to get in front of the critical projects to slow them down in the approval process. They want to disrupt and delay key infrastructure at any cost. That is your problem. Get on to the green activists. Companies like Adani, which has already spent $1 billion in seven years in approvals and has got every approval known to mankind, are still being held up again and again and again. It is trashing our reputation as a reliable investment country. It has nothing to do with FIFO and everything to do with this green sabotage.

Economy

Mr BOWEN (McMahon) (14:34): My question is to the Treasurer. Can the Treasurer confirm that today's Westpac-Melbourne Institute consumer sentiment data for September is down 5.6 per cent, which represents a 15 per cent decline since the election?

Mr HOCKEY (North Sydney—The Treasurer) (14:34): There is no doubt, as identified by Westpac, that market volatility around the world has had an impact on confidence, and Westpac said that.

Opposition members interjecting—

The SPEAKER: Members on my left will cease interjecting. The Treasurer will resume his seat.

Ms Plibersek interjecting—

The SPEAKER: The member for Sydney will cease interjecting. The Treasurer has the call.

Mr HOCKEY: As identified by Westpac in their associated statement, there is no doubt that the volatility, particularly in the Chinese stock market, has had an impact on consumer confidence and business confidence right around the world, not just—

Mr Champion interjecting—

The SPEAKER: The member for Wakefield will withdraw that comment. The Treasurer will resume his seat. The member for Wakefield will withdraw.

Mr Champion: I withdraw.

The SPEAKER: And the member for Wakefield is warned.
Mr HOCKEY: That was recognised in discussions with G20 finance ministers in Turkey last week. As the Governor of the PBOC, the central bank of China, identified in our discussions in Ankara, the Chinese stock market has had three significant corrections in the last quarter, which covers the same period as the Westpac survey: they had a significant correction at the end of June and in early July, they had a significant correction again in late July, and they had another correction in August. In all the Chinese stock market increased by 70 per cent in a six-month period in the last year, completely dislocated from the Chinese economy. Even though the market has had rapid gyrations, that has left the market 35 per cent higher than it was 12 months ago, which has created alarm in global equities markets. It is also the case that there is significant speculation about the United States Federal Reserve increasing interest rates, which has dislocated some of the capital flows around the world, particularly out of emerging economies. This all flows through to market volatility here in Australia. It also affects the currencies—you have seen the Australian dollar move significantly over the last three months—and, importantly, that flows through to households because every night on TV they are seeing this external news.

Mr Conroy interjecting—

The SPEAKER: The member for Charlton.

Ms Butler interjecting—

The SPEAKER: The member for Griffith will cease interjecting.

Mr HOCKEY: There is no doubt that the continuing downgrades in world economic growth and volatilities in equity markets, currency markets and commodity markets have had an impact on business and consumer confidence. But I say this: our economic plan is the best friend of Australian consumers because we get rid of Labor taxes. We got rid of the carbon tax, the mining tax, the bank deposit tax. We got rid of the Leader of the Opposition's piggybank tax. We have gotten rid of the taxes. We have given Australians tax cuts. But most importantly, we are seeing four times the number of jobs created every month as occurred in the last year of Labor.

Trade with China

Mr WYATT (Hasluck) (14:38): My question is to the Minister for Foreign Affairs. Will the minister update the House on the support for Australia's free-trade agreement with China and what has been received? How is this different to the way some unions have responded?

Mr Burke: Mr Speaker, I rise on a point of order. How is that a question to the foreign minister and not to the trade minister?

The SPEAKER: The foreign minister is entitled to answer it.

Mr Burke: She is not responsible for the free-trade agreement, she is not responsible for trade unions and she is not responsible for public opinion.

The SPEAKER: The member for Watson will resume his seat. The foreign minister has the call.

Ms JULIE BISHOP (Curtin—Minister for Foreign Affairs) (14:38): I do thank the member for Hasluck for his question. The member for Hasluck knows that this is an agreement with another country. This is in the Foreign Affairs and Trade portfolio. I can tell him that, indeed, there is substantial support for the free-trade agreement with China across
the Australian community from exporters of goods and services, from industry groups, from the business sector, from people looking for jobs and even from those outside the Australian community, who have recognised the significant advantages this agreement will bring us. For example, Tim Groser, New Zealand's trade minister, said:

…we are using the Australian FTA as part of the structure of an argument as to why we know need to upgrade China's first FTA.

In other words, New Zealand reaped such enormous benefits from its 2008 free-trade agreement with China, it now wants what China has offered us in our agreement. But it is what Labor luminaries had to say that is the most interesting. Former Labor Premier of Victoria, John Brumby, now head of the Australia-China Business Council said:

ChAFTA is a high quality agreement that will deepen Australia’s relationship with our biggest trading partner…

Premier Daniel Andrews, Labor Premier of Victoria, said:

It is very exciting to see the free trade agreement that, for the first time takes a really bold step in terms of services.

Labor Premier of South Australia, Jay Weatherill, said:

This free trade agreement will give us the impetus to grow that trade opportunity even further.

Former Labor Prime Minister, Bob Hawke, said the Labor Party 'must not go backwards on this issue'. Former Labor foreign minister, Bob Carr, stated categorically:

There will be more jobs and higher wages in Australia if the China free trade agreement goes ahead.

The Chief Executive of the Minerals Council of Australia, Brendan Pearson, called any decision to block the trade deal as 'unthinkable'.

Brent Finlay, President of the National Farmers' Federation said:

If the Parliament fails to ratify ChAFTA this year

… … …

This will damage the competitiveness and affordability of all Australian products in China, and set Australian agriculture back $300 million in 2016.

So why is it that the Leader of the Opposition opposes this free-trade agreement and the benefits that will flow? Because he is the puppet of the CFMEU. The myth that a flood of underskilled Chinese workers will steal Australian jobs is a disgrace.

The SPEAKER: Member for Griffith, before you raise your point of order, you would have heard yesterday my concern about frivolous points of order. I intend to take action on frivolous points of order.

Mr Perrett interjecting—

Mr Snowdon interjecting—

The SPEAKER: I remind the member for Moreton and the member for Lingiari they are warned.

Mr Bowen interjecting—

The SPEAKER: The member for McMahon will cease interjecting. If you look at page 189 of the Practice, you will find that where a Speaker believes that points of order are being
used for obstructive tactics, there are ample examples where points of order are cut short or simply not heard at all.

Ms Butler: Mr Speaker, I rise on a point of order in respect of standing order 90, which, as the foreign minister would know, prevents her from impugning the motives of any member of the House.

The SPEAKER: There is no point of order. The foreign minister has the call.

Ms JULIE BISHOP: I call on the Leader of the Opposition to stop the disgraceful propaganda, to end the campaign against the China free-trade agreement, to defend the national interest and stand up for the Australian jobs in the Australian economy.

DISTINGUISHED VISITORS

The SPEAKER (14:43): I would like to inform the House that we have present in the gallery this afternoon the Australian Political Exchange Council's 19th delegation from Vietnam. On behalf of the House, I extend a very warm welcome.

Honourable members interjecting—

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Economy

Mr BOWEN (McMahon) (14:43): My question is to the Treasurer. Treasurer, is it the case that today's Westpac consumer sentiment data for September fell by 5.6 per cent, that yesterday's weekly ANZ consumer confidence index fell by 5.8 per cent and that yesterday's NAB monthly business survey saw business confidence fall to just one point?

Mr HOCKEY (North Sydney—The Treasurer) (14:44): I say again to the honourable member for McMahon, despite his best endeavours, the fact is there is a range of different indicators that are more positive such as business conditions. If he wants to know, in the member for McMahon's last period as Treasurer, which was only a few weeks, the forecast, for example, that the unemployment rate would rise to 6¼ per cent in a much shorter period than what has happened with us.

Mr Conroy interjecting—

The SPEAKER: The member for Charlton will cease interjecting and is warned.

Mr HOCKEY: The ABS has released new data in relation to unemployment, which I will say a bit more about later. But I can say to the honourable member for McMahon that business conditions rose to plus-11 points in August, as the National Australia Bank noted in their release, 'The trend index of business conditions is at its highest point since 2009.'

Yes, we have been hit by offshore headwinds—

Opposition members interjecting—

Mr HOCKEY: Well, of course, we have because—

Opposition members interjecting—

The SPEAKER: Members on my left will cease interjecting.

Mr HOCKEY: Well, I tell you what: we are coping a hell of a lot better than when Labor was in government, and I will tell you why. The member for McMahon is complaining about
a plus-1 figure on business confidence. Under the member for Lilley and the member for McMahon, it was minus 30. Let's complain about plus 1 because they delivered minus 30! Swannie, your talent has never been properly recognised. You broke every record that could be broken—every record, Swannie. You're missed!

The SPEAKER: The Treasurer will refer to members by their correct titles.

Mr Watts: Mr Speaker, on a point of order. Of all people in this House, the Treasurer should refer to people by their correct titles. If he wants to play that game here is going to come off second best.

The SPEAKER: The member for Gellibrand will resume his seat and is warned.

Mr Pitt: Back to business, thank you, Mr Speaker. My question is to the Deputy Prime Minister and Minister for Infrastructure and Regional Development.

Dr Chalmers interjecting—

The SPEAKER: The member for Rankin is warned.

Mr Pitt: Will the Deputy Prime Minister update the House on how the China-Australia Free Trade Agreement will provide new opportunities for Australian businesses and protect Australian jobs, particularly in regional Australia?

Dr Chalmers interjecting—

The SPEAKER: The member for Rankin is warned, I remind him.

Mr Truss: I thank the honourable member for the question. China is already Australia's most significant trading partner, and with the China-Australia Free Trade Agreement that partnership is going to grow stronger and stronger in almost every sector. Almost all sectors of the Australian economy, almost all businesses, are going to benefit from this agreement. China has become Australia's most important market in tourism. Chinese tourists spent $5 billion in Australia last year, the most from any country. They are the second biggest in visitor numbers behind New Zealand, but Chinese visitors spend more than New Zealanders when they come to Australia. I was interested to note that in the member for Hinkler's electorate international visitations were up 14.1 per cent last year. So tourism matters not just to the glitter strips but also to regional communities that have tourist attractions that are likely to interest people who come from countries like China.

The reality is that this free trade agreement is supported by all of the state premiers, it is supported by industry and it is supported by those who believe in our country and believe in its capacity to deliver a better quality of life for all Australians. Even our biggest airline, Qantas, has been a very strong supporter of the free trade agreement. I was interested to read an op ed today by Alan Joyce, the CEO of Qantas. He made the point, in commenting on some of the ridiculous claims being made by certain trade unions: 'Unfortunately, opponents of the deal have resorted to some deeply misleading claims, with the threat that the FTA will strip away protections from Australian workers. This is plain wrong. There are strong, multilayered safeguards in our skilled migration system to preserve the integrity of the labour market. The reality is that, far from harming Australian workers, the FTA will actually create new jobs, as Australian companies benefit from much better access to Chinese markets and
investment. If we fail to take advantage of opportunities like the China free trade agreement, other countries will.'

That is a clear warning, clear advice, from Alan Joyce, a person well and truly understanding of the international trading situation. Qantas support the free trade agreement, the state premiers support the free trade agreement, business and industry support the free trade agreement; it is high time Labor listened and also supported the free trade agreement.

**Economy**

**Mr BURKE** (Watson—Manager of Opposition Business) (14:49): My question is to the Treasurer. In his last answer, the Treasurer noted that not every indicator was going down. Was he referring to unemployment, which is up; debt, which is up; the deficit, which has doubled; or tax as a share of GDP which is also up?

*Mr Perrett interjecting—*

**The SPEAKER:** The member for Moreton was warned some time ago. He interjected through the Deputy Prime Minister's answer. He is interjecting again. He can leave under 94(a).

*The member for Moreton then left the chamber.*

**Mr HOCKEY** (North Sydney—The Treasurer) (14:50): Since we were elected, we have reduced the debt legacy that Labor left behind by over $110 billion. We have reduced government expenditure by more than $50 billion. We have seen over 300,000 new jobs created. This year, we are seeing 10 times the number of jobs created in the Australian economy each month than was the legacy of Labor. That means we are creating more jobs today than have been created in years. Why? Because we got rid of the taxes that Labor was proud of. The carbon tax—they were very proud of that. That was a cracker of a tax. They taxed everything in the community, hit every household. The mining tax—one of the member for Lilley's proudest achievements. Who could ever come up with a tax that raises no money? The member for Lilley. That was a great tax that made our mining industry certainly less competitive. It was like a handbrake at exactly the wrong time.

We have got rid of Labor's bank deposit tax. They wanted to hit every savings account, every superannuant, every individual in the community, with a new bank deposit tax. We got rid of Labor's car manufacturing tax. Remember that—the FBT change on cars? That was hitting the car industry right in the chops. At exactly the wrong time, car sales just stopped right across the community because the member for McMahon had a brain wave: 'Let's come up with a new tax on charities and cars'. That did not go too well.

I am pleased to say we have also gotten rid of the Leader of the Opposition's piggy bank tax. He was raiding every kid's piggy bank. He was breaking them open with a chisel and saying, 'Your money is mine'. I am sorry about that. To all the children of Australia, I can only apologise for the behaviour of the Leader of the Opposition. But along comes the Prime Minister and saves the piggy banks. Every single dollar in Australia is safe because the coalition knows that the best way to strengthen the economy is to remove the taxes and the best way to strengthen the economy is to invest in infrastructure—a $50 billion program of new infrastructure, creating new jobs. And, finally, the best way to create jobs and prosperity in Australia is to back new trade agreements, including the one with China, which removes foreign taxes on the things we produce and gives us better-paying jobs.
Ms Butler interjecting—

The SPEAKER: The member for Griffith is warned. And I remind the members for Charlton and Rankin that they are warned as well, from about 10 minutes ago. Member for Hughes.

Trade with China

Mr CRAIG KELLY (Hughes) (14:53): My question is to the Minister for Social Services. Will the minister update the House on the benefits to the aged-care sector of the landmark China-Australia Free Trade Agreement, and are there any risks to this approach?

Mr MORRISON (Cook—Minister for Social Services) (14:54): I thank my colleague from the shire. Like me, he is optimistic about many things. We are both optimistic about a great turn of the Sharks over the Rabbits over the weekend. But we are also optimistic about the tremendous free trade agreement, the China export agreement, which is a visionary document.

It is visionary because Australia is not alone when it comes to having an ageing population: 8½ per cent of the Chinese population is currently aged over 65. By 2050, almost 24 per cent of the Chinese population will be over the age of 65. That will actually be more than in this country. There are now around 23 million people in China aged over 80—that is almost the population of this country—and by 2050 it will be more than 90 million. This is a visionary document which put into the agreement that Australian service suppliers can establish profit-making aged-care institutions throughout China. For the information of the Leader of the Opposition, that is a service that we were not selling before and which can be achieved by a free trade agreement, an export agreement, with China.

We are well positioned to capitalise on the China ageing boom—just like we have here. In this country we have the facilities, the expertise and the experience. We have the ability to deliver services to multicultural communities, particularly Chinese communities, here in Australia. And our providers are ready to sell. They are ready to sell—whether it is our educational institutions selling training services; whether it is architects; the development of facilities; they can sell those services into China; whether it is those who are planning the facilities. These are the opportunities that are realised by this visionary document.

It has been described by the aged-care sector as a massive opportunity. So why, when there is such a massive opportunity, would someone want to stand in the way of our aged-care service providers and associated industries taking advantage of this massive ageing boom in China? I will tell you who stands in the way. It is the Leader of the Opposition and those opposite. And they do so at the behest of the trade union movement.

This Leader of the Opposition uses the trade union movement like an ATM. He uses it to fund their policies, to fund their initiatives, and to fund their campaigns. He is the trade union's muppet, who will go to their call on every single occasion—

Mr Conroy: Mr Speaker—

Mr MORRISON: Here is another muppet.

The SPEAKER: The minister will resume his seat. The member for Charlton on a point of order?

Honourable members interjecting—
The SPEAKER: Members on my left and right. Member for Charlton.

Mr Conroy: Mr Speaker, I refer to standing order 90: reflections on other members. That is clearly a reflection on the leader, and I ask him to withdraw.

The SPEAKER: I call the minister. I would prefer he did not use that language, and it would assist the House if he would withdraw.

Mr MORRISON: I withdraw, and I thank Beaker over there for his interjection.

The SPEAKER: The minister will withdraw.

Mr MORRISON: I withdraw.

The SPEAKER: The minister will resume his seat. He does not have the call. The member for McEwen was seeking my call.

Mr Mitchell: Thank you, Mr Speaker. The clock failed to start at the beginning of the minister's answer, which allowed him an extra 30 seconds.

Government members interjecting—

The SPEAKER: Members on my right will cease interjecting.

Mr Ewen Jones interjecting—

The SPEAKER: The Member for Herbert is warned. The member for McEwen is right. I did see that the clock—

Mr Mitchell interjecting—

The SPEAKER: The member for McEwen might want to hear the answer: the clerks adjusted the time midway through the answer.

Mr Mitchell: But the clock started exactly—

The SPEAKER: No, I saw them adjust it. I can see with my peripheral vision, Member for McEwen, that the Clerk is nodding his head. The minister has eight seconds.

Mr MORRISON: The Leader of the Opposition stands in the way of an historic opportunity on the China export agreement, which will deliver massive opportunities for this country and more jobs— (Time expired)

Economy

Mr BOWEN (McMahon) (14:59): My question is to the Treasurer. In June when the Treasurer was talking about 0.9 per cent growth in the Australian economy, he said people warning about slow growth and about economic clouds were 'clowns'. Can the Treasurer confirm the most recent figure is 0.2 per cent growth? Treasurer, aren't you the real clown, and one with a massive credibility deficit?

The SPEAKER: The member for McMahon will withdraw the last part of that reference.

Mr BOWEN: I withdraw.

Mr HOCKEY (North Sydney—The Treasurer) (14:59): The economic growth, as we forecast in the budget, is 2½ per cent for the last financial year. That is what we forecast in the budget and that is what it turned out to be. I can say to the honourable member: as he knows—as every credible economist knows—there can be variations from quarter to quarter. The 0.9 per cent, at a time when people were suggesting that somehow we were in recession, was one of the fastest levels of growth in the developed world.
Mr HOCKEY: It was. That is right. It was one of the fastest levels of growth in the developed world, and 0.2 per cent in the last quarter, whilst below market expectations of 0.4 per cent, was still above other comparable nations, including Canada, which has been running negative growth with a similar economy—a commodity based economy. The challenge has been that I wish I had iron ore prices of $120 a tonne, which Labor had, instead of the $50 a tonne we have today. I wish we had that. And I tell you what: if we had that then the budget would be in a better position and we would be able to do a whole lot of things, but we do not. We accept the circumstances, and whilst there are commodity based economies right around the world that are in recession, like Canada or Brazil or a number of emerging economies that are commodity based—those economies are in recession—Australia still has robust growth and we should be proud of the diversity of our nation's economy. We should be proud of the fact that we do not rely on any single area of effort.

The mining industry is hugely important for Australia. It is around 10 per cent of our economy but 55 per cent of our exports. It is around two per cent of direct jobs. Agriculture is also hugely important for Australia. It also is a huge export, but the fundamental point is that 70 per cent of the Australian economy is services and it represents just 17 per cent of our exports. If we want to grow our opportunities as China moves from an investment based economy to a consumption based economy, where that massive emerging middle class in China wants better health care, better education, better financial services and better tourism experiences, Australia is well positioned. We are well positioned. That is why we have driven a free trade agreement that opens the door for Australians to get into the market on aged care, on education services and on financial services and at the same time remove all the taxes that are holding us back in agriculture and minerals, because at the end of the day our prosperity into the future is greater than the past, and we are about building a better future.

Mr ALEXANDER (Bennelong) (15:02): My question is to the Minister for Communications. Will the minister inform the House how digital industries stand to benefit from the government's historic free trade agreement with China? Are there any threats to the government's approach?

Mr TURNBULL (Wentworth—Minister for Communications) (15:03): I thank the honourable member for his question. The honourable member's electorate of Bennelong contains some of Australia's leading technology businesses and some of its leading research institutions, both private and public sector. The CSIRO's laboratories are in the Macquarie Park district in his electorate. While the member's electorate does not contain an iron ore mine or a coalmine, it is poised to benefit immensely from the China-Australia Free Trade Agreement, the best free trade agreement ever entered into or ever negotiated by China with any comparable developed country.

The achievement of the trade minister is remarkable. The future of our children's jobs and our grandchildren's jobs lies in the benefits that come from this agreement. The Labor Party has shown itself, by its attachment to the misleading, dishonest campaign by the CFMEU, to be bogged in the past. It has shown itself to be a party that is frightened of the future and that tries to play on people's fears and anxieties, instead of recognising that this economy of China—which the Treasurer just said had been led by investment for many years and is now
rebalancing to a consumer society, a consumption based economy—offers every single Australian business enormous opportunities and offers so many benefits for digital industries and businesses that can transact on digital platforms.

China's online retail market, at half a trillion dollars a year, is larger than that of the United States already, and it is growing rapidly. Chinese online platforms like Richard Liu's JD.com, which launched its Australian operation here in Melbourne recently—which I attended—is the second largest online platform in Australia. They are seeking, spurred on by the example of the China-Australia Free Trade Agreement, and reaching out to Australian businesses of every kind to be on that platform. It goes right across the board. Only last week, 10 Australian education technology start-ups visited a range of businesses across China, as part of a mission sponsored by our government and the New South Wales government, with teacher training software and English language software. All of these are opportunities that are made available by this free trade agreement, whose importance is not simply in its text but in the good housekeeping seal of approval that it gives to every Chinese person and every Chinese business that trading with Australia is good.

**Perth Freight Link**

Ms MacTIERNAN (Perth) (15:06): My question is to the Prime Minister. Is the Prime Minister aware that WA Premier Colin Barnett said in relation to section 2 of the Perth Freight Link that the WA government has not selected a route, has not designed it and has not done the planning and that the connection is still a long way away? Does the Prime Minister agree that proper planning should be undertaken—

Mr Ewen Jones interjecting—

The SPEAKER: The member for Herbert is warned.

Ms MacTIERNAN: before taxpayer funding is pumped into unproven projects like the Perth Freight Link?

Mr ABBOTT (Warringah—Prime Minister) (15:06): This is a good project, it should go ahead, and this government is determined to ensure that it gets built.

**Trade with China**

Mr HOWARTH (Petrie) (15:07): My question is to the Minister for Education and Training, representing the Minister for Employment. Will the minister please update the House on the obstacles that the government must overcome to deliver the China-Australia Free Trade Agreement, and what benefits will flow in terms of jobs when the agreement is delivered?

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (15:07): I thank the member for Petrie for his question. I know he, like all members of this House, is incredibly enthusiastic about the opportunities that the China-Australia Free Trade Agreement provides for jobs and growth in the Australian economy.

But he specifically asks about the obstacles that exist to delivering this transformative export agreement, and the obstacles all appear to be contained in the myths and lies from the CFMEU and other unions in Australia, who are trying to frighten the Australian public about the impact of what will truly be changing for our economy in a very positive way. The three myths propagated by the CFMEU and their cat's paw here in the national parliament, the
Labor Party, are about the China-Australia Free Trade Agreement changing access to the labour market, about labour market testing and about unlicensed workers. Let's deal with each of those three myths, because on Monday Jan Adams, the lead negotiator for DFAT, the Department of Foreign Affairs and Trade, for the China-Australia Free Trade Agreement, dealt with each of these. On access to the labour market she said:

… the China free trade agreement will not allow unrestricted access to the Australian labour market by Chinese workers. It will not allow Australian employment laws or conditions to be undermined, and it will not allow companies to avoid paying Australian wages by using foreign workers.

So myth No. 1 is exploded. They also say that labour market testing will be abandoned because of the China-Australia Free Trade Agreement. Ms Adams says in relation to that:

… employers seeking to sponsor an overseas worker under an IFA Project Agreement must demonstrate a labour market need and prove that Australians have been provided first opportunity through labour market testing …

So myth No. 2 is exploded. Finally, the really heinous myth is to try to frighten old people in their homes about unlicensed electricity workers and others. With respect to unlicensed workers she said:

Upon arrival in Australia, they—
temporary visa applicants—
must still obtain any required federal, state or territory licences or registration to commence work, including workplace health and safety. Claims to the contrary are simply wrong.

So all the three myths created by the CFMEU and their cat's paw here in Canberra have been exploded by the facts.

The Labor Party should follow the advice of people like Jay Weatherill in South Australia. He said only today:

Nobody seriously thinks that we are entering into this free-trade agreement to create jobs in another country or for foreign workers to come and work here and then go back to their country of origin.

In other words, he recognises the benefits to the Australian economy, and Labor should too.

Mr Abbott: Mr Speaker, I ask that further questions be placed on the Notice Paper.

STATEMENTS ON INDULGENCE

Queen Elizabeth II

Mr ABBOTT (Warringah—Prime Minister) (15:10): On indulgence, today is a business-as-usual day for this parliament, and today is a business-as-usual day for Her Majesty the Queen. It is yet another no-fuss day for the Queen. However, the milestone to be reached by the Queen in a few hours time is extraordinary and it should be acknowledged. The Queen once declared:

… my whole life, whether it be long or short, shall be devoted to your service …

Well, after 63 years, seven months and four days of service, Her Majesty the Queen today becomes the longest serving monarch in our history. For Australia, for the United Kingdom and for the rest of the Commonwealth, the Queen has been a beacon of stability for more than six decades. In her Golden Jubilee year, the Queen declared:

… my admiration, affection and regard for the people of Australia will remain, as it has been …

constant, sure and true.
So, as we mark this extraordinary milestone, the Queen's admiration for the Australian people is returned with respect and affection.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:12): On behalf of the opposition and the Labor Party, it is a privilege to congratulate Queen Elizabeth II on this historic milestone. Queen Elizabeth was the first reigning British monarch to visit Australia, in 1954, and thus she is the only reigning monarch who has ever visited us. Hers has been a long, rich life of service to her country and to the Commonwealth. We pay tribute to her dedication to duty. We wish her and her loving, remarkable husband health and happiness in the years ahead.

The SPEAKER: I thank the Prime Minister and I thank the Leader of the Opposition. I add my congratulations.

Reference to Federation Chamber

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (15:13): by leave—

That further statements in relation to Her Majesty Queen Elizabeth II be permitted in the Federation Chamber.

Question agreed to.

COMMITTEES

Selection Committee

Report

The SPEAKER (15:13): I present report No. 32 of the Selection Committee, relating to the consideration of committee and delegation business and private members' business on Monday, 14 September 2015. The report will be printed in the *Hansard* for today, and the committee's determinations will appear on tomorrow's *Notice Paper*. Copies of the report have been placed on the table.

*The report read as follows—*

Report relating to the consideration of private Members' business.

1. The committee met in private session on Tuesday, 8 September 2015.
2. The committee determined the order of precedence and times to be allotted for consideration of private Members' business on Monday, 14 September 2015, as follows:

**Items for House of Representatives Chamber (10.10 am to 12 noon)**

**PRIVATE MEMBERS’ BUSINESS**

**Notices**

1 **MR KATTER:** To present a Bill for an Act to amend the *Trade Marks Act 1995*, and for related purposes. (*Trade Marks Amendment (Iconic Symbols of National Identity) Bill 2015*).

(Notice given 18 August 2015.)

*Time allotted—10 minutes.*

*Speech time limits—*

*Mr Katter—10 minutes.*

[Minimum number of proposed Members speaking = 1 x 10 mins]
Presenter may speak to the second reading for a period not exceeding 10 minutes—pursuant to standing order 41.

2 MRS WICKS: To move:
That this House:

(1) places on the record that:

(a) under the previous Government, at the time of the last election just 2 per cent of premises across Australia could access the National Broadband Network (NBN);

(b) since the election the NBN rollout has ramped up significantly and today around one in ten premises can access the NBN and under the NBN's new Corporate Plan, by June 2018, three in four premises will have access to the NBN; and

(2) notes that:

(a) the NBN's 2016-2018 Corporate Plan reveals that a full fibre to the premises (FTTP) NBN could not be completed until 2026 at the earliest and could be as late as 2028—six to eight years later than the current Government's plan;

(b) the NBN 2016-2018 Corporate Plan reveals that a full FTTP NBN would cost between $20 and $30 billion dollars more than the current Government's plan; and

(3) recognises that it is essential to deliver fast broadband to Australians sooner—not force Australians with no or poor broadband to wait more than a decade for the NBN.

(Notice given 7 September 2015.)

Time allotted—30 minutes.

Speech time limits—
Mrs Wicks—5 minutes.

Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

3 MR CHAMPION: To move:
That this House:

(1) notes:

(a) the recent media investigation on the ABC program Four Corners about the abuse of 7-Eleven employees;

(b) complaints against the 7-Eleven franchise included employees being underpaid and forced to breach their visa requirements and work very long hours without a break; and

(c) these reports and the employment practices of 7-Eleven franchisees have caused significant community concern which must be addressed; and

(2) calls on the Government to:

(a) take immediate action to address the abuse of workers across the 7-Eleven franchise network; and

(b) ensure that workers that were forced by their employers to breach their visa conditions are not penalised.

(Notice given 7 September 2015.)

Time allotted—20 minutes.

Speech time limits—
Mr Champion—5 minutes.
Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

4 MRS GRIGGS: To move:

That this House:

(1) commends the fantastic work that the Minister for Trade and Investment and the Government are doing to make Northern Australia's economic development a priority;

(2) notes that the Northern Australia Investment Forum, the next stepping stone in bringing Australia's broader strengths to Northern Australia, will focus on:

   (a) the important initiatives highlighted in the White Paper on Developing Northern Australia to help business capitalise on the region's strengths by removing barriers to investment; and
   (b) showcase investment opportunities on offer and in prospect in the north; and

(3) recognises:

   (a) that Northern Australia accounts for a significant share of Australia's exports with more than half of Australia's sea exports leaving via northern ports;
   (b) that the north will account for 42 per cent of the Australian economy by 2040, up from 35 per cent in 2011; and
   (c) the exciting potential for increased investment, trade, infrastructure, and agriculture production in the north and the job opportunities this could create.

(Notice given 18 August 2015.)

Time allotted—20 minutes.

Speech time limits—

Mrs Griggs—5 minutes.

Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

5 MS MACTIERNAN: To move:

That this House:

(1) recognises the failure of the Western Australian and Australian governments to manage the Western Australian economy;

(2) notes that under the Western Australian and Australian governments in Western Australia:

   (a) unemployment reached its highest rate in 13 years at 6.4 per cent, with 59,000 more Western Australians out of work since the Liberal Party formed government in Western Australia;
   (b) business investment dropped 12.7 per cent over the year to June 2015;
   (c) state final demand fell by 3.6 per cent in the year to June 2015;
   (d) the state's credit rating was downgraded by Moody's and Standard & Poor's;
   (e) business and consumer confidence are at record low levels;
   (f) state net debt has blown out from $3.6 billion in 2008 when the Liberal Party formed government in Western Australia to $30 billion in 2015; and
   (g) cost of living increased sharply by 54.3 per cent; and

(3) condemns the:
(a) Australian Government for:
   (i) cutting $3.1 billion from Western Australian schools and $5.8 billion from hospitals over 10 years; and
   (ii) removing the level playing field from Western Australia in the manufacture of offshore patrol vessels; and
(b) Western Australian and Australian governments for squandering the mining boom and failing to diversify the Western Australian economy and create a jobs and growth plan for the future.

(Notice given 8 September 2015.)

Time allotted—remaining private Members’ business time prior to 12 noon.

Speech time limits—
   Ms MacTiernan—5 minutes.
   Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

Items for Federation Chamber (11 am to 1.30 pm)

PRIVATE MEMBERS’ BUSINESS

Notices

1 MS HALL: To move:
   That this House:
   (1) notes that:
      (a) National Asthma Week was 1 to 7 September 2015;
      (b) the theme of National Asthma Week 2015 was ‘You Care We Care—One Asthma Community’;
      (c) asthma affects around one in four children, one in seven adolescents and one in ten adults;
      (d) 2.3 million Australians currently have asthma;
      (e) asthma is the number one cause of hospital admissions amongst young children; and
      (f) while many in our community lead highly successful lives despite their asthma, asthma continues to be a significant burden for too many including those who live below the poverty line and for Aboriginal and Torres Strait Islander peoples; and
   (2) congratulates Asthma Australia for its work promoting National Asthma Week and raising community awareness of asthma.

(Notice given 7 September 2015.)

Time allotted—20 minutes.

Speech time limits—
   Ms Hall—5 minutes.
   Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

2 MR WOOD: To move:
   That this House:
   (1) notes that the:
(a) majority of Australians believe the use of animal testing to evaluate the safety of cosmetic products and ingredients is unnecessary; and
(b) regulatory framework in Australia for chemicals, including cosmetics, is complex; and
(2) moves to phase out the unnecessary developing, manufacturing, selling, advertising or importing into Australia of cosmetics, or ingredients in cosmetics, which have been tested on live animals to evaluate the safety of those products and ingredients.
(Notice given 18 August 2015.)
Time allotted—20 minutes.

Speech time limits—
Mr Wood—5 minutes.
Other Members—5 minutes each.
[Minimum number of proposed Members speaking = 4 x 5 mins]
The Committee determined that consideration of this should continue on a future day.

3 MR CLARE: To move:
That this House:
(1) notes that:
   (a) nine men a day die from prostate cancer;
   (b) September is Prostate Cancer Awareness Month;
   (c) Members of Parliament and members of the community are encouraged to host their own Big Aussie Barbie to raise awareness for the prevention of prostate cancer in Australia; and
   (d) the Prostate Cancer Foundation of Australia (PCFA) encourages all men to:
       (i) be aware of the importance of early detection;
       (ii) consult with their general practitioner about prostate cancer; and
       (iii) if they have a family history of prostate cancer and are aged 40 to 50 years, arrange with their general practitioner to be tested; and
(2) acknowledges the important work done by the PCFA through promoting research, raising awareness and supporting the families of prostate cancer sufferers and survivors.
(Notice given 7 September 2015.)
Time allotted—20 minutes.
Speech time limits—
Mr Clare—5 minutes.
Other Members—5 minutes each.
[Minimum number of proposed Members speaking = 4 x 5 mins]
The Committee determined that consideration of this should continue on a future day.

4 MR SIMPKINS: To move:
That this House:
(1) celebrates:
   (a) 16 September as the anniversary of the 1963 Malaysian federation; and
   (b) the long term friendship that exists between governments and people of Australia and Malaysia; and
(2) acknowledges:
(a) the 23 Australian servicemen who died and 8 who were wounded during the Indonesian-Malaysian confrontation and the establishment of the state of Malaysia;

(b) that our security partnership, including defence cooperation and our joint participation in the Five Power Defence Arrangements, remains a key component of our bilateral relationship; and

(c) the efforts of the Australian Government to further strengthen ties between our two countries through stronger trade links and other initiatives such as the New Colombo Plan.

(Notice given 8 September 2015.)

Time allotted—20 minutes.

Speech time limits—

Mr Simpkins—5 minutes.

Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

5 MS BIRD: To move:

That this House calls on the Government to:

(1) acknowledge that:

(a) the drop in apprentices currently in training from 417,700 in September 2013 to 319,700 in March 2015 will impact on the future availability of skilled workers in Australia; and

(b) apprenticeship commencements and completions are down approximately 20 per cent for the 12 months to 31 December 2014;

(2) recognise that the $1 billion in cuts to apprenticeship support, including Tools For Your Trade payments and mentoring and access programs, have had an impact on apprentice numbers;

(3) implement strategies as a matter of urgency to encourage more apprentices into training to prevent skills shortages in the future; and

(4) invest in skills and training young Australians to ensure that Australia does not have to rely heavily on Temporary Work (Skilled) visas (subclass 457) resulting from a lack of investment in skills and training.

(Notice given 8 September 2015.)

Time allotted—20 minutes.

Speech time limits—

Ms Bird—5 minutes.

Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

6 MR COBB: To move:

That this House:

(1) notes that more than 27,000 Australian boys and girls participate in the Australian Defence Force Cadet program: Army, Air Force and Navy;

(2) expresses its support for the program and the role that it plays in youth development throughout Australia;

(3) encourages young Australians to consider joining their nearest cadet unit; and
(4) extends its appreciation to Australian Defence Force personnel, reservists and volunteers who assist in the delivery of the program.

(Notice given 18 August 2015.)

Time allotted—20 minutes.

Speech time limits—

Mr Cobb—5 minutes.

Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

7 MR HAYES: To move:

That this House:

(1) notes that:

(a) National Police Remembrance Day is observed on 29 September; and

(b) this year marks 100 years of women in policing;

(2) acknowledges the:

(a) significant role police officers across Australia make to our local communities and the great deal of risk and sacrifice that comes with their duty; and

(b) ultimate sacrifice that has been made by police officers who have been killed in the course of their duty and honours their lives;

(3) recognises the good work of Police Legacy who look after the loved ones of police officers who have died as a result of their duty; and

(4) reaffirms its support for the nation’s 56,000 police officers whose dedication and commitment ensure peace and safety of our communities.

(Notice given 8 September 2015.)

Time allotted—20 minutes.

Speech time limits—

Mr Hayes—5 minutes.

Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

Orders of the day

1 MARRIAGE LEGISLATION AMENDMENT BILL 2015 (Mr Entsch): Second reading—Resumption of debate (from 7 September 2015).

Time allotted—remaining private Members’ business time prior to 1.30 pm.

Speech time limits—

All Members—5 minutes each.

[Minimum number of proposed Members speaking = 2 x 5 mins]

The Committee determined that consideration of this should continue on a future day.
PERSONAL EXPLANATIONS

Mr NIKOLIC (Bass—Government Whip) (15:14): Mr Speaker, I seek leave to make a personal explanation.

The SPEAKER: Does the member for Bass claim to have been misrepresented?

Mr NIKOLIC: Most egregiously. Mr Speaker, during question time the member for Watson, at the urging of the opposition leader, requested that I withdraw a reference about a speech given by the opposition leader in Adelaide last September. At your request I withdrew, to assist the House. But the reference to the opposition leader’s speech as 'stinking of racist and protectionist rhetoric' was not my comment; it was in The Australian newspaper on 11 September 2014.

The SPEAKER: The member for Bass will resume his seat. The member for Watson will resume his seat.

Mr Conroy interjecting—

The SPEAKER: The member for Charlton will cease interjecting. I will deal with this matter very quickly. As I said—

Mr Stephen Jones interjecting—

The SPEAKER: I do not need the member for Throsby bellowing advice to me, okay? The member for Bass would have heard yesterday that the fact that something is quoted is not a defence against unparliamentary language. And the member for Bass will withdraw again.

Mr NIKOLIC: I withdraw, Mr Speaker.

COMMITTEES

Membership

The SPEAKER (15:15): I have received advice from the Chief Government Whip nominating members to be members of certain committees.

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (15:15): I ask leave of the House to move a motion for the appointment of members to certain committees.

The SPEAKER: Is leave granted?

Mr Burke: Leave is granted. It is better than the last one.

Mr PYNE: That is almost treasonous, Mr Speaker! I move:

That:

(1) Mr Varvaris be appointed a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade;

(2) Ms Henderson be discharged from the Standing Committee on Health and that, in her place, Dr Gillespie be appointed a member of the committee;

(3) Ms Price be discharged from the Standing Committee on Infrastructure and Communications and that, in her place, Mr Alexander be appointed a member of the committee.

Question agreed to.
DOCUMENTS
Presentation

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (15:16):
Documents are presented in accordance with the list circulated to honourable members earlier today. Full details of the documents will be recorded in the Votes and Proceedings.

MATTERS OF PUBLIC IMPORTANCE

Syria

The SPEAKER (15:17): I have received a letter from the honourable the Leader of the Opposition proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The humanitarian crisis in Syria.

I call upon those members who approve of the proposed discussion to rise in their places.

More than the number of members required by the standing orders having risen in their places—

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:17): Today the crisis unfolding in Syria presents us with a new and important decision, a decision that Labor never takes lightly. The Middle East has long been a complex and volatile region fractured by ancient fault lines. Now it is menaced by the new and emerging threat of Daesh. Australia’s mission in Iraq has had Labor’s consistent bipartisan support, and, until today, both Labor and the government had the view that the Australian Defence Force should confine its operations to Iraqi territory. But in recent times it has become apparent to our allies and partners in this international effort that protecting the people of Iraq requires the option of operating in Syrian airspace.

We have received clear advice that Iraq has the right to defend itself against cross border attacks, given that the Syrian government is unable or unwilling to prevent such attacks by Daesh. Iraq also has the right to request help from other nations, under the United Nations principle of collective self-defence, and has done so. So today I reaffirm Labor’s bipartisan support for Operation OKRA and our brave and professional personnel who are serving in a very dangerous place. We believe Australia has a role to play in helping the government of Iraq to protect the people of Iraq. Our support will extend to the operations in Syrian airspace, subject to the assurances that I mentioned earlier, before question time, and will detail further here.

ADF operations in Syria must be constrained by the proposed legal basis of the collective self-defence of Iraq. We have called on the government to confirm that any Australian use of force will be of a level necessary to halt and prevent the cross border attacks on Iraq or to defend Australian personnel. Our use of force must always be proportionate to those threats and subject to international law. Today we ask the government to provide the parliament with the assurance that an effective combat search and rescue capability will be put in place to meet and mitigate the risks for any RAAF member brought down in hostile territory. We believe that this assurance should be given before any ADF operations in Syrian airspace.

Fulfilling our duties as good international citizens demands respect for the United Nations. That is why we asked the government to formally notify the United Nations Security Council
of Australia's decision, including our assessment of the legal basis for action. Australia should advocate strongly for the United Nations to renew and redouble their efforts in crafting a long-term multilateral strategy to resolve the Syrian conflict.

Fulfilling our responsibility to the Australian people and their parliament requires a detailed and considered explanation of our objectives in Iraq. So I ask the Prime Minister to commit to a parliamentary debate where he can outline the government's long-term strategy regarding Australia's changing role in the defence of Iraq.

I also want to acknowledge that our nation is not necessarily of one mind about the extension of the mission. There are legitimate demands to understand the exit strategy—to ask: 'What does success look like?' and, 'What kind of peace are we seeking to build?'

There are also some who are concerned that this decision will improve the ability of Daesh to recruit more members to their cause. And, because the Assad regime—the Assad dictatorship—in Syria has an abominable record, others are concerned that it could be an indirect beneficiary of this action, which would be a terrible outcome. These are all legitimate questions.

I also make some fundamental points in response. This is not the second Gulf War, and we are not in Iraq seeking regime change; nor does the extension of RAAF air missions seek regime change in Syria. Our actions have always been at the request of the Iraqi government. They and our allies and international partners have requested that we extend our operations to Syrian airspace to deal with cross border attacks. Further, and above all, the quality of peace that we pursue has to be superior to that which would prevail if our military action was not undertaken. I and Labor believe that the actions of the ADF in Iraq are contributing to that good. The further incursion into the cauldron of Syria must also support the prospects of peace in Iraq. The issue of proportionality and precision of military force is fundamentally important. The greatest gift we could donate to Daesh would be indiscriminate action.

The battle against Daesh is an asymmetric conflict. Our opponent knows that they cannot beat us by force of arms. Rather, they rely upon drawing us into the morass of conflict. Daesh know that they can only defeat us in our great liberal democracy—like many comparable Western liberal democracies—by damaging our moral authority. Daesh have no moral authority. They have nothing to lose, because they have nothing to start with. But Australia and indeed the West do have moral authority. The conditions under which we commit the tactical, strategic and moral reasons must present our moral authority.

To justify this extension on the basis of alliance management alone is simply not enough. It must be the practical effect, not mere symbolism, that we are contributing to a superior peace in Iraq, that motivates us. Australia must also devote the same energy and effort to improving governance and assisting reconciliation amongst the Iraqi people, because the long-term stability of Iraq depends most upon the people of Iraq.

Any escalation of Australia's military engagement in the Middle East must be matched by a new and substantial commitment to addressing the escalating humanitarian crisis in the region and in Syria in particular. We are very pleased that the Prime Minister has offered, on behalf of his government, 12,000 humanitarian places above and beyond the 13,750 which were scheduled for this year—and I thank him for that. But I do call upon the Prime Minister to confirm once and for all that these additional places will be offered this financial year. As I
said earlier, it is important that these places are offered on the basis of need, without discrimination nor qualification. It is not for us, it is not for this parliament, to weigh one human soul against another. No-one can do that. Our duty as a compassionate, decent nation is to help those most in need regardless of who they pray to.

At the heart of our response to the crisis in Syria is the recognition that the world Australia belongs to, the world of prosperous, peaceful and stable democracies, has failed the people of Syria. It is time for us to play an engaged and constructive role in addressing this. The Australian government should use all available diplomatic and political means to support a cooperative international multilateral solution to this current crisis. This means access to humanitarian assistance in Syria. This means meeting the urgent humanitarian needs of the region. It means supporting an inclusive political process which can resolve the conflict in Syria.

We cannot hope to drain the swamp of terrorism by military means alone. There will be concern in the Australian community that using our ADF to bomb ISIL will further exacerbate the problems and conflict in that region. Australians, regardless of what they think about the extension of the ADF mission, recognise that we no longer live in an era of a repercussion-free environment. I personally believe that ISIL would target Australia regardless of what we did. I personally believe that our overdue response to the humanitarian crisis in Syria is welcomed and timely. But I also say that the decision which Labor makes is guided by the priorities and principles which I have outlined. They are the priorities and principles which guide our party more generally—that is, to work for the betterment of humanity, not just at home but wherever we can lend a helping hand.

Ms JULIE BISHOP (Curtin—Minister for Foreign Affairs) (15:26): The scale of the dislocation of people in Syria and northern Iraq and the unfolding crisis in the Mediterranean is deeply troubling. The world has been shocked by the sheer numbers of people fleeing from the conflict in Syria and Iraq. Ensuring that refugees can access humanitarian assistance and protection in their own country or in the region would of course reduce the need for refugees to make dangerous journeys elsewhere or be exploited by people smugglers.

The cause of the exodus is the conflict in Syria and in Iraq, and the choice facing many communities is stark. In Syria it is the brutality of the Assad regime or the Islamic extremists, and Daesh has been the most egregious in its persecution of minorities in Syria. These terrorist activities continue to pose a grave threat to regional security, including the safety of civilian populations. To solve the humanitarian disasters we must focus on the cause. So defeating the terrorist organisation Daesh requires both military and political action. We will continue to advocate a political solution that can bring an end to the conflict in Syria, for we must deal with the case of this humanitarian crisis and not just the consequences.

The Australian government announced today that Australia's military air operations against Daesh in Iraq will be extended to target Daesh spaces and supply lines in Syria. Under article 51 of the UN charter and the legal principle of collective self-defence of Iraq, we will take action. This decision follows Iraq's request for international assistance to strike at Daesh strongholds and it follows a formal request from the United States, the leader of the coalition of countries supporting the Iraqi government's efforts to defeat terrorism and protect its people. Australia joins other nations—the United States, Canada, Turkey, the UAE and others—already conducting airstrikes against Daesh strongholds in Syria.
These efforts to combat Daesh are supported by our humanitarian assistance in Syria and in Iraq in particular but also in neighbouring countries of the region, many of which are carrying the burden of refugees and displaced people. All parties to the conflict in Syria must provide safe and unimpeded humanitarian access to those in need in that war-torn country. I commend the generosity of neighbouring countries, in particular Jordan, Lebanon and Turkey, for their role in providing protection for Syrian refugees.

Australia has for many years operated the most generous, on a per capita basis, UNHCR referred refugee resettlement program in the world. Australia consistently ranks in the top three resettlement countries, along with the United States and Canada—collectively providing over 80 per cent of global UNHCR resettlement places. Last financial year Australia settled more than 4,400 people from Syria and Iraq, accounting for 30 per cent of the 13,750 places under the humanitarian program. This number will increase to 18,750 places by 2018-19.

Over the last few days, after consulting with the UNHCR, the International Organization for Migration and others and the report from immigration minister Peter Dutton, the government has announced today that we will offer permanent resettlement places to 12,000 UNHCR registered refugees. These people will be resettled in Australia as soon as possible. Priority will be given to those most in need, and we know these are women, children and families, and those among the persecuted minorities, who have sought refuge in Jordan, Lebanon and Turkey, in particular.

Religious minorities in Syria are targeted by rebel groups for perceived loyalty to the Assad regime. The terrorist groups in turn attack their religious communities. The choice, as one Lebanese Christian community leader living on the border with Syria said, is between the bitter and the more bitter.

In Syria and Iraq, the terrorist organisation Daesh has told Christians they must convert, pay ‘jizya’—the tax on non-Muslims—or be killed. Many of Iraq's Christians were living in the north, much of which is now controlled by Daesh. Other minority groups, including the Yazidis, have been subject to extreme attacks by Daesh—so the ethnic and religious minorities and the most vulnerable. They have no safe place to which they can return.

Today we have also announced that Australia will provide additional humanitarian assistance to directly support more than 240,000 Syrian and Iraqi people who have been forced to flee their homes or seek refuge in neighbouring countries. This additional $44 million in assistance will help families prepare for the upcoming winter through the provision of shelter kits, winter clothes and food. It will provide people with life-saving food, safe drinking water and cash; and there will be special and specific support for women and girls.

The funding will be provided through the UNHCR, the World Food Programme, UNICEF and other trusted humanitarian partners. We will support both internally displaced people within Iraq and Syria as well as those seeking refuge in countries of the region. This assistance will bring Australia’s overall humanitarian assistance to Syria since the outbreak of fighting in 2011 and to Iraq since 2014 to around $230 million. This additional funding package will build on the $20 million Australia provided in response to the Syrian crisis in March, which included $3 million to support Australian NGOs assisting refugees in Lebanon. The Australian government has provided $18 million to Australian NGOs and the Red Cross to help people affected by the crises in Syria and Iraq.
Today's measures focus on assisting UN humanitarian partners to meet their mandates of providing protection and assistance to refugees and people displaced by the conflict in Syria and Iraq. We are advised that directly 240,000 people will be supported.

The Australian Council for International Development has commended the Australian government's announcement of additional assistance saying, we 'understand the scale of the need in Syria and the many overburdened and underresourced refugee camps in the region'. The Australian government will continue to work with Australian NGOs to support Syrian and Iraqi refugees.

I am aware that a number of Australian people have donated to this cause and are wanting to do more. I encourage the Australian public to donate to Australian NGOs who are providing assistance to refugees in Lebanon, Jordan and Turkey.

This government has long been concerned about the humanitarian crisis in Syria and we have long been committed to assisting. During my visit to Jordan and Lebanon last year, I witnessed both the plight of refugees forced to flee from their homeland and the overwhelming burden placed on countries, including Jordan and Lebanon, which currently house millions of refugees.

In Jordan, which is host to around 630,000 registered Syrian refugees, I was provided a firsthand insight into the human toll of the ongoing crisis. I visited a UNHCR refugee registration centre, which receives thousands of refugees on a daily basis. While there, I sat down with children—boys and girls no older than Alan Kurdi—as they played quietly with their toys, but their childhood innocence was not enough to shield them from the horrors they had fled.

I was told horrific stories of indiscriminate and barbaric violence and persecution, of family members who had died or were missing. I was told of futures, once bright and full of promise, that no longer existed. In a world crumbling around them, they clung closely to loved ones who were with them.

In Lebanon, where over one million registered Syrian refugees make up 25 per cent of the country's total population, I met with representatives of the UN High Commissioner for Refugees and UNICEF to discuss how Australian support would assist those affected by the Syrian crisis. During this particular visit, I announced $20 million in funding from an Australian government initiative to support the United Nations No Lost Generation program that is providing educational and schooling support for those children in the camps to help build better futures for them when the conflict is over, but taking note of the fact that they had otherwise no access to schooling.

There has been much said about our focus on the ethnic and religious minorities in our measures announced today. The persecution of minorities in Syria and Iraq is deeply troubling. Religious and ethnic groups are severely impacted by the increase in violence. In the Middle East, there is a clear increase in religious and ethnic intolerance in the region.

This is a period of increasing sectarianism in the region and, through our contribution to international efforts to defeat Daesh, our humanitarian intake and our aid program, Australia is doing its part to support the people of Syria and Iraq in these darkest of times.

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (15:36): The Foreign minister has described very clearly the challenge that Australia faces in providing proper
humanitarian assistance in Syria. She spoke about the visit she made last year to the region, to being present when people were being processed by the UNHCR and to the great need in the camps in particular. I have seen that need myself. The shadow minister for immigration, our chief government whip and others have travelled to the region to see the enormous need.

While it is absolutely welcome that the government has announced today that 12,000 more people will be brought from this most troubled and violent place and it is welcome that $44 million off assistance has been promised to the UNHCR and related agencies, the question is obviously why it has taken Australia so long. In fact, while this crisis has worsened since 2011, we have actually cut humanitarian assistance in Syria We cut aid to Iraq to zero dollars. We cut aid to the Middle East and North Africa region by 82 per cent. As this conflict worsened from 2011 to 2013, we provided $100 million and, from 2014 onwards, $55 million. This extra $44 million today will be very welcome and it will be put to good use by agencies that tell us that they are almost broke because of the enormous demand that has been placed on them. It will be put to good use in neighbouring countries that have borne the responsibility of caring for these traumatised and displaced people almost single-handedly. Countries like Turkey, Lebanon, Jordan and others in the region have required our help—have begged for our help—for months and years now and I am sure will be pleased that additional assistance is being provided today.

This is a complex issue, and in the time that we have today I can say a few quick things. The first is that, as our leader, Bill Shorten, said earlier, Labor will support the extension of the support we are giving to Iraq to protect its people and its territory, but we say that there is no simple solution to the problems in Syria. Without an international effort to bring the partners in the conflict and the forces behind them—arming them, supplying them, funding them—to the table, there can be no resolution of the conflict in Syria. So there must be a political solution that we play our part in delivering. There must be a greater humanitarian response from the world. In the short term we need to make sure that there are humanitarian corridors for the delivery of desperately needed food and non-food items to these most dangerous places. We must provide safe havens for the people who are facing every single day loss of life, bombardment and being overrun by Daesh or any of the other thousand or so organisations on the ground—or indeed by the Assad regime itself, which has killed many times more people than this wicked terrorist organisation.

So a political solution and a humanitarian response are needed, and of course that means a humanitarian response both for the people in the region who hope to return to rebuild their homeland of Syria and also to bring more people to Australia. There are people today waiting in camps who have relatives, family and communities here that would welcome and support them, and we must do our bit to support them too.

Mr RUDDOCK (Berowra) (15:41): I rise to support this matter of public importance. I believe that the measures that the government has adopted today are considered, appropriate and welcome. I regret that the Deputy Leader of the Opposition, now leaving, suggested that there were some time issues in relation to this. I simply note that the Syrian war was underway when our colleagues opposite were in government. There may be issues about timeliness in relation to these questions. The judgements of how you should respond are always difficult to make. I say that very deliberately because of the enormity of the crisis that is before us right now.
When I think about my own time in public life, I saw something of the crisis and genocidal regime deposed in Cambodia—and what was left. I witnessed much of the Rwandan genocide. I saw the circumstances in which people fled, particularly from Afghanistan. I had the opportunity with the opposition whip to visit Lebanon, Jordan and Turkey as part of a parliamentary field visit in November of last year. If members wish to better inform themselves about the nature of this crisis, the report is worth reading. The enormity of it is detailed, particularly in the number of people displaced. The issues that need to be addressed to resolve it are detailed and unlikely to be easily addressed.

It is important to understand that this is not an easy issue to deal with but does demand a humanitarian response. We set out a number of approaches that might be taken. I want to say that, as one who looked at those matters, I welcome the government's response today. The additional 12,000 refugee places will not make up for the 14 million people I believe have been so disastrously displaced and affected, but it is a measured response that Australia can make. The additional humanitarian support for the agencies that are working is an important part of a considered response that should be recognised and acknowledged, and I do so.

In relation to the third decision—the expansion of air operations into Syria, which has been given careful consideration by the government following Iraq's request for international assistance—I can say that we will now help. The legal basis has been outlined, and I welcome the opposition's support for it. I simply want to note that there are very substantial reasons why perhaps even more should be done. I note that the government has not dismissed being involved in what further steps might be required. But I also note the UN Secretary-General's report of August 2015, when he had this to say:

Kurdish militias, backed by international anti-ISIL coalition air strikes, launched an offensive on ISIL positions in the south-east of the city, also causing the group to retreat. Its withdrawal prompted many of the estimated 120,000 people who had fled the city following the group’s advances to begin to return to their homes.

I do not argue that air strikes will necessarily resolve it all, but I think there is evidence that it can be part of an important response by the international community to try and restore an opportunity for people to be able to return home in safety. I have said it before and I will say it again: this crisis is not going to be addressed by resettlement programs. The numbers we are talking about are in terms of hundreds of thousands; there have been millions displaced. We need a response that will address the underlying causes, and that is why I welcome the government taking the view that this crisis needed a considered response. I thank the Prime Minister and his colleagues for bringing that forward today, because there is now a way forward.

Mr MARLES (Corio) (15:46): What we have witnessed unfolding in Syria over the last few years as a result of the civil war in that country is a human tragedy on a genuinely extraordinary scale. Seven million people are estimated to be internally displaced. Four million people are estimated to have fled Syria; 1.9 million of those are now residing in Turkey; 1.1 million are now in Lebanon, representing one in four people who are in Lebanon today; and 300,000 people have sought to cross the Mediterranean this year, with tragic results. The images we have seen over the last few days, particularly that appalling photo of the lifeless body of Aylan Kurdi, have moved the world in terms of the crisis that is being faced by the Syrian people.
In monetary terms, there are staggering figures as well. Over the last few years we have seen an enormous amount of generosity on the part of the international community to try and meet the needs of what is occurring in Syria, but those needs continue to outstrip what can be provided. At the end of last year the estimated shortfall in the amount of funding was $700 million, and that shortfall continues to grow. In 2013 the operational requirements of the UNHCR were at $5.3 billion, and yet there was a $2.4 billion shortfall on that—nearly 45 per cent of the requirements of the UNHCR then. That figure of 45 per cent continues to grow, and today—this year—it is estimated that the UNHCR's need will be $6.2 billion. The country which is driving this humanitarian need more than any other is Syria. Yet all of that occurs against an international background where we are seeing ongoing humanitarian tragedies in Yemen, the intractable situation in Somalia and northern Nigeria with Boko Haram, in our region in Myanmar, in Ukraine and in Central America.

This situation in respect of Syria is not new. As the shadow foreign affairs minister mentioned last year, she visited both Jordan and Lebanon to see the plight for herself, and I know that the foreign minister has made those visits as well. Earlier this year I was in Jordan at the Zaatari refugee camp, within eyesight of the Syrian border, where I met Syrian refugees and heard their stories about what they had fled and about the situation they were facing. In April this year I met with the UN High Commissioner for Refugees, Antonio Guterres, to talk about the need of the UNHCR and how Australia might help. At the ALP's national conference this year, knowing that today the world is facing the greatest humanitarian need it has since the Second World War—with 59 million people displaced—we discussed the belief that it was essential that Australia put forward a program of greater international engagement and greater assistance to this global need. We announced a commitment of $450 million to the UNHCR over a three-year period, which is a transformational commitment for this country to that organisation. We announced the doubling of our humanitarian intake to 27,000 and we announced that Australia, under a Labor government, would play a leadership role within our region. All of this represents the single biggest offering of a potential Australian government to the world's affairs in terms of humanitarian need.

But today we see a crisis unfolding in Syria and a need to act right now. Over the last few days we have seen an outpouring of sentiment—offers of assistance from extraordinary places such as the states. On Monday we made our own announcement about the need to harness that sentiment for Australia to act, and now we have seen the government announce a 12,000 increase in our humanitarian program, which is absolutely welcome. It is a significant offer, but we do need to know the time frame of that. We need to know that that is within one financial year. We also welcome the fact that that will be applied on the basis of need and not with any religious bias, because that has been the bipartisan position of governments over the years. We note the $44 million contribution, and we welcome it, but much more could be provided. What is important is that, given the events of this week and the announcement of today, Australia can now hold its head high in terms of the offers we are making to this humanitarian disaster.

Dr GILLESPIE (Lyne) (15:52): I rise to speak on this matter of public importance in support of the government's response around this issue. I would like first of all to congratulate our Prime Minister for his leadership on this issue, which has been measured, sensible, proportionate and compassionate. Nothing in life is simple when you are dealing with the
crisis that is in front of the world now in Syria and Iraq. But I must say that we have been operating ahead of the curve of many other countries that should have equal involvement in this, as much as Australia. Over the last couple of years, through our existing humanitarian refugee intake, we have resettled 4,400—and that is resettled, not processed with the paperwork filled out for the UN to decide where they could go. We have actually resettled 4,400.

As soon as this recent escalation happened, the Prime Minister and the cabinet dispatched our Minister for Immigration and Border Protection to Geneva. He has met with the United Nations refugee bodies and sought their advice. What they need most urgently at the moment for food supply, water, shelter, health care and all those things is cash. That is why the Australian government has provided more cash up front. To put things in perspective: other countries have promised more, but it is my firm understanding from what I have been briefed with that not all of them have actually delivered the cash they have promised, whereas Australia has delivered the goods that it promised. The previous government stumped up $100 million and this government, subsequently, about $56 million. This recent amount will get us over the $200 million mark. We are actually delivering what we are saying we are going to do.

Our response is on top of our already very generous humanitarian refugee intake. If you look at what we are scheduled to take over the next four years, that is already about 60,000 places. So with these 12,000 places, which I thoroughly endorse, putting that all in perspective, we are really doing our fair share. We have a compassionate program. We actually resettle people.

There are a lot of figures being bandied around about hundreds of thousands of people being processed. For people who are listening: processing for the UNHCR is quite different from resettling. When people are resettled in this country, once they are in the door and they have been given their visa, they are eligible for all the support that you need to re-establish your life. They can get financial support, education, training, Medicare benefits, rental assistance—all those things in the social welfare net. A lot of the countries in Europe that let people transit through their country do not offer any of that, but the numbers that happen there are made out by some of our opponents to show that Australians are mean and nasty. We are incredibly generous considering the size of our country and the fact that we are on the other side of the world, and we actually deliver what we say we are going to do. So I am really proud of the Australian nation. Through its most recent decisions by the cabinet and the Prime Minister, it is a really significant and magnificent response.

Another thing that I will just briefly touch on is frequently spoken about. That is the legal basis of the action and whether the flip side of our response, which is trying to address the root problem which has led to this social catastrophe, is justified. It certainly is justified. The Leader of the Opposition and other speakers have mentioned that article 51 of chapter VII of the UN Charter justifies collective or individual self-defence when a nation threatens you with arms, and that is what is happening in Iraq.

Daesh, the murderous Islamic death cult, is attacking Iraq. Iraq have asked us to help defend their nation. We have been bombing Daesh targets—not willy-nilly; the rules of engagement are very strict. If missions do not meet the exact definition of the terms of engagement, they are aborted, so they have to be very certain that what we are doing with
bombs and destructive forces is actually targeted at the enemy, which is Daesh. That is the justification for going into Syria. It is not willy-nilly bombing Syria. It is going after, via air attack, Daesh and its henchmen and henchwomen. That is an existentially sensible and justified reason for our involvement. (*Time expired*)

Mr THISTLETHWAITE (Kingsford Smith) (15:57): Quite simply, the crisis in Syria and indeed in Iraq is humanity at its worst. The civil war, the Daesh insurgency, has left 11 million people homeless. Four million of those have fled the country of Syria to bordering nations, particularly Turkey, Lebanon and Jordan, and many of those have made their way across the Mediterranean to better opportunities in Europe.

The scale of the problem I think is summed up by these simple facts and statistics. Lebanon has a land mass roughly the size of Sydney. It is not very big at all. It has a population of 4.3 million people. Currently, Lebanon is housing one million refugees. One in four people who are currently residing in that country are refugees. It is putting unbearable pressure on the region and the United Nations High Commissioner for Refugees. It is the largest humanitarian crisis and flight of refugees since World War II.

But it has been happening for some years. This is something that Labor in government understood. When we were in government, in response to calls from the UNHCR, Labor boosted our humanitarian intake from 13,000 to 20,000 over the course of a couple of years. As part of that, we boosted the number that we were taking from this war-torn region. Over the period from 2011 to 2013, the Labor government devoted $100 million in aid to humanitarian organisations and agencies that were operating on the ground in Syria and surrounding regions to deal with the humanitarian crisis.

Since that time, unfortunately, the crisis has worsened. Not only have we seen the civil war heightened between the Assad regime and the Free Syrian Army and other rebels, but the Daesh insurgency has got larger. They crushed the Free Syrian Army in the northern town of Azaz. In 2014, in January, they seized Raqqa and important oil and gas fields, which gave them a source of illicit finances to continue their operations. As the insurgency and the fighting have continued, the number of refugees has grown, and the crisis has worsened to become much more urgent.

It pains me to have to say this, but it is unfortunate that Australia's support for that region in terms of humanitarian effort has reduced since the election of the Abbott government. Aid to Iraq was cut to zero. That is a fact. Aid to the Middle East and North Africa was cut by 82 per cent. And the humanitarian refugee intake was cut from 20,000 back to 13,750. I think it is sad that it has taken leadership from Bill Shorten, from Mike Baird and from backbenchers like Craig Laundy to prod the Prime Minister into taking action on this issue, but it is pleasing that thankfully things have changed and the Prime Minister has today announced that Australia will take a one-off commitment of 12,000 additional refugees from Syria. That certainly has Labor's support. Australia must do its fair share, and we will finally do our fair share, but that should be done on a without-prejudice basis in relation to race and religion. It must be on the basis of the advice of the United Nations High Commissioner for Refugees and be principally about saving lives and the urgency. Our philosophy should be 'need, not creed'.

Some on the other side have suggested that, in accepting refugees in this situation, we are taking 'refugees who can take Aussie jobs'. This statement could not be further from the
truth. In September this year, the ABS released a very interesting report on the economic contribution of migrants, and they found that, over the period 2009-10, migrants generated $38 billion in income for Australia. An interesting fact was that humanitarian migrants were the most entrepreneurial. They reported a higher proportion of their income from running their own businesses, and this is an experience that I know well in my electorate, where refugees tend to run their own businesses, and their kids tend to be the most diligent and hardworking students. When they get the opportunity to live in a country like Australia, they make the most of it. That is something that strengthens our diversity, it strengthens our multiculturalism and, based on these on these figures, it strengthens our economy. That is something that Australia should be proud of, and we must contribute in that respect.

Ms GAMBARO (Brisbane) (16:02): I rise to support this matter of public importance and I am proud to endorse the Prime Minister's announcement that the government will resettle an additional 12,000 refugees who are fleeing the conflict in Syria and Iraq. This decision demonstrates once again the generosity of our country and continues our proud history when it comes to resettling refugees and helping those in desperate need. Australians are always prepared to stand up, to reach out and to do more. In every essence this announcement is what it means to be Australian.

These 12,000 places will be in addition to the existing humanitarian program of 13,750, which is scheduled to increase to 18,750 in 2018-19. Last financial year, Australia settled more than 4,400 refugees from Syria and Iraq. In addition, the Abbott government will provide an expected $44 million in humanitarian support to more than 240,000 Syrian and Iraqi people who have been forced to flee their homes or seek refuge in neighbouring countries. This funding will deliver much-needed food, water, health care, education, emergency supplies and protection, including support for women and girls.

Our focus will be on those most in need—the women, the children and the families of persecuted minorities who have sought refuge from the conflict in neighbouring Jordan, Lebanon and Turkey. A team of government officials will depart for the region as soon as possible, to begin identifying and processing potential candidates for resettlement. With this additional commitment, Australia's contribution to help address the humanitarian crisis in Syria and Iraq will be around $230 million since 2011. This commitment will require the support of all Australian governments and community organisations. As a government, we will engage the state and territory leaders and community organisations in coming days to discuss how the nation can contribute to this effort.

I want to congratulate the Prime Minister, the Minister for Foreign Affairs and the Minister for Immigration and Border Security on the manner in which they have organised Australia's response to this crisis. Crises such as this require calm, thoughtful and responsible consideration in order to be able to determine the most effective response. In this regard, I want to particularly mention the work undertaken by Minister Dutton in consulting the international community in Geneva and coordinating how Australia's response can and should be coordinated to complement the international community's effort to address this crisis. As the Leader of the House pointed out yesterday, the government has been going through a very methodical and sensible process. Today's announcement from the government is the result of that work. This issue should not be used for political gain or in a manner that creates division in our society. This crisis is also an opportunity for our nation to come together to
demonstrate the best of who we are as Australians. I want to thank the many constituents from the electorate of Brisbane who have contacted me over the past weeks. I want to thank you for your concern and your compassion.

Australia's response to this crisis is multifaceted and, regrettably but inevitably, must also have a security and a military response. Again as a result of extensive consultations with our allies and the international community, the government has decided to extend Australia's air strikes against Daesh into Syria. This action marks the next phase of Australia's contribution to the international coalition and their efforts to disrupt, degrade and ultimately defeat the Daesh death cult. The decision to expand air operations into Syria has not been made lightly, and it has not been a knee-jerk reaction. It follows Iraq's requests for international assistance to strike Daesh strongholds and a formal request from the Obama administration. I thank the defence forces for all that they do every day in the Middle East. The legal basis for these operations is the collective self-defence of Iraq, under article 51. The Daesh death cult does not respect borders and threatens the security of Iraq and the international community from its safe havens in Syria, and it is the correct decision—it is the right decision—that the world responds in the defence of humanity. It is absolutely critical that in the coming days, weeks and months—Australians will see more human tragedy—that we be a country that is generous. I support the decision to take 12,000 refugees into our country in a manner that is consistent with our best tradition of generosity.

**Mr Hayes (Fowler—Chief Opposition Whip) (16:07):** Last night I spoke about the only good that has come from the devastating images of a toddler's lifeless body being washed up onto the beaches of Turkey is that the world is finally paying attention. Given what we are seeing unfold in the Middle East, the largest and most devastating humanitarian crisis since the Second World War, there is an overwhelming imperative for bipartisan support to be applied by this parliament. Many European countries are already opening their doors to tens of thousands of refugees against a backdrop of the UNHCR estimating that now 366,000 refugees and migrants have crossed the Mediterranean Sea to Europe so far this year. Sadly, at least 3,000 people have already died making that treacherous journey.

The magnitude of this humanitarian crisis is staggering, with more than half of Syria's 23-million population currently displaced and five million seeking refuge in the neighbouring countries of Lebanon, Jordan and Turkey. More than half of the United Nations aid budget is now being directed to assist the displaced people of Syria. Hopefully that gives us some indication of the size and devastation of this crisis. The number of refugees that have already flooded into Lebanon almost equates to half the country's population, with Jordan and Turkey also making substantial contributions. These countries are certainly carrying more than their fair share in this humanitarian crisis. They are struggling to deal with the numbers involved. As a consequence, they are now moving to heavily manage their borders, which, in turn, is making it more difficult for people to seek safe haven in these countries.

Late last year, the member for Berowra, the Father of the House, and I visited refugee camps in Lebanon, Jordan and Turkey. We saw first-hand the despair, the lack of hope that exists in those camps. I spoke to many refugees, mainly women and children, and their consistent view was they just want to go home. They want to be able to return back to their homeland in Syria and pick up where they left off. I do not think you can spend time with people in those camps and come away unaffected.
What started as a protest movement in 2011 in Syria has now developed into a full-scale civil war. Even so, it was widely believed that the Syrian conflict would only last for a short period. This was apparent in the design and construction of the UN camps, like the one Philip Ruddock and I visited in Zaatari in Jordan. The camp was built to provide accommodation for people for a three-month period. Four years later, there is no end in sight to the conflict, the people are still in the camp and still there is no hope of going home.

The various UN agencies, Save the Children and others, are doing a fantastic job and we should all be proud of that. But they are struggling with the enormity of the task of looking after millions of people. Against that, the UNHCR estimates that this year the budget for its humanitarian work will be 10 per cent less. Therefore, it was certainly very welcome when the Prime Minister announced today an additional $44 million of extra funding to aid those agencies. This is most welcome. It will certainly provide much needed relief for those agencies delivering such vital work that are currently under strain.

Given the magnitude of the humanitarian crisis, I know that 12,000 additional places for Syrian refugees might sound like a drop in the ocean, but, considered as part of the global effort, it is a very significant initiative and shows our desire as a nation to make a difference. It is only right that Australia should continue to work with other countries and the UN Security Council to find a political solution to the Syrian conflict; as peace will not be achieved through military action. This will be the best long-term solution and will allow people to return home.

Along with many Australians, including all those that turned up at candlelight vigils, I think the action taken today is right, it is just and it is the action of a compassionate nation.

Mr SIMPKINS (Cowan) (16:12): It is good to have this opportunity to speak on this matter of public importance because this is a great day for our country. This is a magnificent moment where the generosity of spirit and the determination of Australia to be a helpful country to those most in need is on display. We should be proud. There is no doubt about it. I have not received any emails or any points of contact from anybody debating that we should not take 12,000 refugees. That is again a testament to our nation and to the spirit of Australians.

Whilst we should be proud, we should never forget that right now around the world and particularly around the Syria-Iraq war, people are suffering. People are dying. People are in the most desperate circumstances. I am not talking about the movement across Europe for whatever motivation that is but I am talking about right now in these conflict zones, in these war zones people are having the hardest of existences. It is costing lives.

Bringing 12,000 people as soon as possible out for permanent resettlement in Australia is the thing that we should absolutely do and it is a great thing for this country to do. I do compare that to other countries around the world. Everyone should look to the detail. For us, it will be 12,000 people for permanent resettlement. There are other countries around the world where, in the detail, it is not quite so good a deal. The numbers might be good, but is it a permanent deal? Is it processing or is it resettlement? Australia has a very good record in this space and a world-leading record for this moment and for this war.

There is no point in us trying to be political in this place and I certainly will not try to be political in any way. I do not want to demean this great moment for our country. But I do
want to go to an important issue. This is something that I have been quoted in the papers as having said: that the ultimate problem does need to be fixed. I have said that there is no point putting endless buckets under a leaking roof; you just have to fix the roof. So I disagree with the Deputy Leader of the Opposition, who says that you can bring groups like IS to the table for negotiation.

My view is that anyone who is into slavery, beheading, torture, rape and paedophilia is subhuman, and these are not the sort of people who can be negotiated with or rehabilitated. I can see only one way to deal with groups like IS, or Daesh. They must be destroyed. They must be defeated. Eventually, the world will come to the realisation that that is the only way and that action must be taken.

Until the defeat and the destruction of IS takes place, we are going to continue to see more refugees until there is no-one left in Syria or Iraq. If IS gets to that point where they have driven all minorities, or anyone who disagrees with them, out of those countries, it is not just going to stop around the borders of Syria and Iraq; it is going to keep going and they will expand and expand. In the end, the reality is that they must be defeated and they must be destroyed, otherwise there will be nothing but an endless reign of refugees, human suffering, brutality and evil. We do not want to see that around the world. Nobody wants that. I am afraid that in the end, it is going to come down to a fight and we should probably be ready for that and be willing to do what needs to be done. It is sad but true.

The DEPUTY SPEAKER (Mr Ewen Jones): The discussion is now concluded.

**BILLS**

**Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015**

Returned from Senate

Message received from the Senate returning the bill without amendment or request.

**MINISTERIAL STATEMENTS**

**Global Economic Outlook**

**Mr HOCKEY** (North Sydney—The Treasurer) (16:18): by leave—I make a ministerial statement relating to the global outlook and the Australian economy.

**Introduction**

I have just returned from the G20 meetings in Turkey, where finance ministers and central bank governors from the 20 most influential economies discussed the global outlook. The frank and honest exchange about the real challenges we all face provided me with a sense of cautious optimism. Whilst the global economy faces some headwinds, there is a deep resolve amongst policy makers to implement domestic and international initiatives that help to deliver structural improvements in growth.

The economic reforms that are part of the coalition's plan for a stronger Australian economy are mirrored in many other economies around the world. Reforms in competition policy, the financial sector, taxation and trade to name a few are the big drivers of future growth.
Global Economy

The recent volatility in global financial markets reminds us that this is not a time to be complacent. We have all been affected by the deterioration in business and consumer confidence as a result of significant volatility in currency markets, equity markets and commodity prices. As a result of this, all countries must do more to implement enduring structural reforms that boost growth and create new jobs.

At the meeting, the United States flagged its intention to soon start lifting interest rates. This is a positive signal that illustrates a sustainable improvement in the US economy. It should be noted that when the United States moves to increase interest rates, they will be moving from 'ultra' accommodative monetary policy to 'extremely' accommodative monetary policy. Under this scenario, monetary policy will still be doing a lot to support growth in the US economy. Yes, there may be some volatility in markets as a result of the decision but, like the previous so called 'taper tantrum' associated with the ending of quantitative easing, the transition is definitely manageable. After all, this is the most well-flagged decision pending from the United States Federal Reserve in memory.

Transparency is hugely important to help address ongoing volatility and it is increasingly being embraced across the G20 by other economic leaders, including China. China recognises that their stock market has been in a huge bubble in the last 12 months. It rose by 70 per cent in just six months and its rise was totally disconnected from the performance of the Chinese economy. Even today, after three significant corrections, it is still more than 30 per cent higher than it was twelve months ago. The Chinese stock market is a highly leveraged and speculative market.

Following the corrections in late June, the end of July and in August, the Chinese government introduced a range of rescue packages to stop the free-fall. A number of these measures were counterproductive. That said, it should be emphasised that stock market volatility to date has not had a systemic impact on the real economy of China. Nevertheless, the Chinese economy needs to undertake difficult structural reforms. This is a process that will take a number of years as it moves from being an investment economy to a consumption economy. This will be of great benefit to the Australian economy where non-mining exports represent the greatest opportunity for medium-term job growth.

Our involvement with other economies such as Europe has not waned. The recovery in the euro area will continue, supported by accommodative monetary policy and low oil prices, but at a slower pace. Across the Channel, the United Kingdom is seeing growth lifting and unemployment falling. This is the result of difficult, but necessary, decisions, including measures that have achieved significant budget repair.

And while Japan stumbled last quarter because of bad weather, there are green shoots. A tightening labour market, stronger corporate earnings and greater private sector business investment are all encouraging signs. In particular the determination of the Japanese government to prise open the US$3 trillion in retained earnings in Japanese corporations for investment, innovation and higher wages signals a much more promising outlook for our second-biggest trading partner.
Australian Economy

More importantly, what does this all mean for Australia? For our part, the Australian economy is entering its 25th year of continuous growth, despite all of the challenges in the global economy. The June quarter 2015 national accounts recorded year average growth at 2½ per cent, just as we forecast in the May budget. The key to our success has been the diversity and flexibility of the modern Australian economy. Our economy is incredibly resilient. We have continued to grow despite the Asian financial crisis, the global financial crisis and most recently the biggest fall in our terms of trade in over 50 years. This proves that we must continue to work at strengthening all parts of our economy because the diversity of our economy has helped to inoculate us against external volatility.

The Australian economy is not solely commodity based. Yes, commodities are important and a significant part of our exports, but they are not the sole driver of growth. The mining sector only accounts for 10 per cent of our economy but 54 per cent of our exports. The agriculture sector represents only three per cent of our economy and 13 per cent of our exports. Each of these sectors is crucial for jobs and growth. They are valuable drivers of wealth creation. But we can build on the traditional export drivers by expanding export opportunities in the services sector, which represents 70 per cent of our economy and 80 per cent of Australian jobs, but still only 17 per cent of our exports. This diversification will help get us through the biggest fall in our terms of trade in more than 50 years.

Other economies with a significant reliance on commodity exports like Canada and Brazil are in technical recession, yet the Australian economy is continuing to grow and grow in line with reasonable expectations. That is not a reason to be complacent. More needs to be done.

We will always face uncertainty in the global economy and bouts of volatility in international financial markets. The fortunes of our trading partners and those demanding our commodities can have a huge impact on an economy that is not diverse. The question is: how can Australia continue to grow and create more jobs? The answer is our economic plan that we have been implementing since coming to government.

Australia’s Economic Plan

The Abbott government has an economic plan, and we are sticking to the plan. First, we are ridding Australian business and families of the crippling taxes of the past government. The Abbott government has removed the mining tax. We have removed the carbon tax. We have removed the bank deposit tax. We have removed the car tax. We have removed the unfair tax on untouched savings. As a result of our actions, we have lowered the tax burden on Australian families and businesses by almost $7 billion. This helps strengthen the Australian economy.

And furthermore, this government has delivered the largest tax cut for small businesses in our nation’s history. This is more money in the pockets of everyday Australians. This is a lower burden on Australian businesses so that they can invest more and employ more Australians.

Second, we are lowering the burden on Australian businesses by removing 80,000 pages of unnecessary red tape and legislation that was costing Australian business $2.4 billion dollars a year to comply with. That is more time that businesses can spend on growing their companies rather than being buried in paper.
Third, we are opening up the doors to the world for Australian business. This government delivered the Japan and Korea free trade agreements. These have already been implemented and are delivering economic dividends today. For example, Korea's 45 per cent tariff on Australian grapes was almost halved to 24 per cent when the agreement started in 2014, helping our exporters. These agreements also benefit every day Australians by putting more money back in their pockets. For example, the Toyota Corolla, one of the biggest selling cars in Australia, is around $1,000 cheaper as a result of the reduction or removal of tariffs.

The next step is the China-Australia Free Trade Agreement. This the best free trade deal that China has ever offered any G20 country, and we stand at the front gates ready to access one of the largest growing markets in the world. This agreement will eliminate Chinese taxes and regulations that are applied to Australian products and services. They will remove tariffs of up to 20 per cent off our exported dairy products, up to 25 per cent off our beef exports, up to 23 per cent off our lamb exports, up to 20 per cent off our wine exports. China will remove tariffs on commodities such as coal and lock-in zero tariffs for iron ore, gold and LNG.

But equally importantly this is free trade for our services industries. The agreement will provide significantly improved market access for Australian financial services, insurers, law firms, education services and health and aged-care providers. China's Finance Minister, Lou Jiwei, highlighted in discussions with me that the Chinese economy is undergoing a transition that will take time. It is a transition from a focus on investment to consumption. And that consumption will be driven by the demand of 400 million middle-class consumers in China today, which will likely grow to one billion by 2030.

China is our number one trading partner. We currently have a $150 billion a year trade relationship with China. We export around $100 billion to China and we import around $50 billion of their goods. For every $1 we spend, we get $2 back from China. That is a 'no brainer' relationship for our country. Anything we can do to build that relationship is to our great benefit. And anything we can do to grow the relationship will help create more and better paying jobs for everyday Australians.

The fourth driver of growth is our $50 billion infrastructure program. This is the largest infrastructure investment by any federal government in history. We are building the roads and infrastructure for the 21st century including Western Sydney's first airport. Additionally, our $5 billion Northern Australia Infrastructure Facility, along with the entire Northern Australia white paper, will provide the funding and resources to develop our great north and provide a vital link to our Asian regional partners.

The fifth driver of growth is that we are addressing the long-term challenges of this economy by implementing measured structural reform. I have previously stated in this chamber that this government's economic plan will address the intergenerational challenges we face with an ageing population and declining workforce participation. The Abbott government's families policies will improve engagement in the workforce and provide choice for everyday Australian families. Female workforce participation is now at its highest recorded level since 1945 and we want this to rise further.

Furthermore, there are early indications that the government's new Jobactive employment services scheme is helping to deliver improved workforce participation. Our $6.8 billion Job active program places an emphasis on ensuring income support recipients who can work are actively seeking employment. This gives them the best chance of finding a job. As a result
of our changes, it is likely that some people who were classified as not seeking work in June are now seeking work and therefore counted as part of the labour force. This may create short-term volatility in employment data but it reflects a structural improvement in participation which is a key driver of growth.

And finally, we are putting the Australian budget on a sustainable pathway to surplus. As I outlined in the budget, our budget position is getting stronger each year. We inherited a $48 billion deficit. We are set to deliver a $35 billion deficit this year down to a $7 billion deficit in three years' time. Directly as a result of our action, gross debt in a decade will be $110 billion lower than we inherited. We are on a solid and credible path back to surplus despite the iron ore price more than halving and numerous international growth downgrades. Budget repair is essential to buffer the economic headwinds that may prevail from time to time.

**Conclusion**

The one common theme across all the countries I engaged with in the G20 is that clear, accommodative monetary policy and big government spending are not sustainable drivers of medium or long-term economic growth. We need ongoing structural reform to deliver quality growth. And this message is as clear for massive economic powerhouses like China and the US as it is for emerging economies like Indonesia and Mexico.

In the future we will all have to earn quality growth through quality reforms. G20 members are putting in place reforms that lift investment in infrastructure, improve competition and regulation, boost employment and facilitate greater global trade. If we make good on these reform commitments they will generate an extra two per cent in economic growth for G20 economies by the end of 2018 compared to business as usual.

I am pleased to say that G20 members are making progress. Early assessments are that after the first year roughly a third of the measures put down at Brisbane have been fully implemented. But more needs to be done and I can promise the parliament that Australia will play its role. I present a copy of my ministerial statement.

**Mr BOWEN** (McMahon) (16:34): I thank the Treasurer for his ministerial statement. It is of course appropriate that he represents Australia at the G20 finance ministers meeting, as he does in this office in many different international forums. The burden of international engagement for a modern day Treasurer is a significant one, taking him away from the country and from his family at much more regular intervals than I am sure he would like. I do note that and thank him for his engagement in the G20, in the tradition of modern treasurers. That is as far as my level of agreement with the Treasurer goes in this contribution, but it is a sincere one with which I start these remarks.

I will deal with some of the matters the Treasurer dealt with in his contribution—confidence, growth, jobs and the budget—and I will touch on the situation in China as I conclude. The Treasurer has dealt with the matter of confidence, but I am afraid the Treasurer has perhaps misled us in relation to the causes of the decline in consumer and business confidence. It is not accurate for the Treasurer to say that the cause of the decline in consumer and business confidence has been recent international volatility, because the decline in consumer and business confidence has been happening for two years.

The Westpac index, which is out today, did show a decline, but it is 15 per cent below where it was at the time of the last election, and all indexes of business and consumer
confidence are on the decline. The Treasurer said during question time today that there are many indexes of confidence—and he is right—and they all are showing a decline, and all have been showing a decline for a substantial period of time. In fact, as Westpac themselves said today:

This print on the Index now marks the 17th out of the last 19 months that the Index has been below 100. A level of the Index below 100 indicates that pessimists outnumber optimists. After acknowledging some volatility in the series the underlying picture is that confidence has been little changed over the last year—firmly stuck below 100 and averaging around 96.

The Treasurer's preferred figure—the one that he has indicated previously that he has the most confidence in—the ANZ weekly confidence figures, were 5.8 per cent down last week. Of course, as I mentioned during question time, the NAB Monthly Business Survey confidence figures are at just plus one. The Treasurer, again during question time, said plus one was not a bad result. It was plus 12 at the time of the last federal election. So far from the adrenalin rush of confidence that the Prime Minister and the Treasurer promised the Australian people before the last election to turbo charge the Australian economy, what we have is quite the contrary. Frankly, for the Treasurer to blame international volatility is an excuse from a government in which we were promised no excuses and no surprises—and we have seen many of those two things.

In relation to growth, which is vital to reducing unemployment and creating jobs necessary to see unemployment come down, the picture is not an encouraging one. Again, the Treasurer was quick to claim credit last quarter for 0.9 per cent growth. He said:

… the Australian economy grew at 0.9 of one per cent, which is a strong figure. The momentum is there in the Australian economy. The best friend of the Australian economy is the coalition government.

He said this growth is broad based. He said:

Growth in exports, household spending, services and new dwellings confirms that the Government’s economic plan is working.

If it is the economic plan that is responsible for 0.9 per cent growth you would expect the Treasurer to come out at 0.2 per cent growth and also link it to his economic plan, such that it is. That is not what we have seen. What we have seen, instead, is the Treasurer taking some solace in the fact that the Australian economy is growing faster than Brazil's. This is not a country with which we are normally compared, in economic terms, but it is the one the Treasurer has grabbed, in his desperation to find countries that we are doing better than.

Mr Hockey: What about Canada?

Mr BOWEN: He points out Canada. We are growing more slowly than the United States, the United Kingdom, Europe, Greece, Belgium, Germany, Portugal, Hungary, Mexico, Slovenia—

Mr Hockey: That's not actually right.

Mr BOWEN: The United Kingdom was growing at 0.7 per cent in the June quarter, compared to 0.2 per cent.

Mr Hockey: What's year on year?

Mr BOWEN: The Treasurer was very keen to quote the quarterly figures last quarter. Now he says don't worry about the quarterly figures, just look at the annual figure and
average it. Do not take year to year, just average it, he says, in desperation to find a figure that suits him.

We are growing slower than Estonia, the Slovak Republic, Greece—0.9, Poland, the United States—0.9, the Czech Republic, Spain—an economy that has had considerable difficulties—growing at one per cent, and Sweden. It is not a story that the Treasurer or the government can be proud of, when it comes to economic growth, or they can boast about. Every figure I have quoted is correct. I invite the Treasurer to correct any of them, if he can, and I do not believe he will be able to.

**Mr Fitzgibbon:** You should table them.

**Mr BOWEN:** I am sure I will not get to table them so I am not going to try. What we have seen is the impact of this combination of a decline in confidence and declining growth. Annual growth has declined in every quarter since the Treasurer's first disastrous budget. And there is causality here. When you see annual growth—

**Mr Hockey:** That's not right either.

**Mr BOWEN:** You asked me to quote annual growth, and I am happy to. The Treasurer asked us to speak about annual growth and I am happy to do it. I am happy to talk about the decline in annual growth on his watch. There is a causality because, when you have a Treasurer who introduces a budget that attacks the family budgets and the budgets of Australian pensioners, you are going to see an impact on confidence, as we have seen, and we see an impact on economic activity.

The Treasurer is, again, quick to blame international economic circumstances but it was not that long ago that he was claiming credit for international economic growth. Remember the rather ambitious claims of the Treasurer at the G20 meeting in Brisbane? He had convinced all the world's finance ministers to add to economic growth.

**Mr Hockey:** True.

**Mr BOWEN:** He said it is true. They had not thought of it until they came to Australia. They had the Treasurer of Australia tell them, 'Listen, it's a good idea for you to boost economic growth.' They said, 'We're glad we came all this way down to Brisbane to be told by Joe Hockey, the Australian Treasurer, to boost economic growth.' Since then, all we have seen is downgrades in global growth projections.

I pay the Treasurer credit for going to Turkey as he should. I recognise he is away more than he would like to be, and it is a burden on him and his family. In Turkey he said, 'It would have been so much worse, the world economy, if we had not convinced them in Brisbane to add to economic growth.' He said, 'It would be so much worse if it were not for little ol' me, the Treasurer of Australia.' The Treasurer should care more and take some responsibility for Australian economic growth instead of trying to claim credit for global growth, which is on the decline as well.

We have seen unemployment increase from 5.7 to 6.3 per cent—a 13-year high. It is the first time in 20 years that more than 800,000 Australians have been out of work.

**Mr Hockey:** You forecast 6.3!
Mr BOWEN: The Treasurer said when he was shadow Treasurer how concerning unemployment of 700,000 people was. On his watch we are seeing 800,000 Australians out of work. Consumer sentiment is down.

Mr Hockey: In the PEFO.

Mr BOWEN: I'll get to PEFO in a minute. You have been very naughty, again—not you, Mr Deputy Speaker. The Treasurer has been very naughty again in quoting his figures. I said new taxes and charges, and the budget deficit has doubled in just 12 months. That is the story when it comes to economic growth and confidence.

Then we move to the budget. Again, the Treasury is quoting PEFO. He does not like quoting PEFO in other circumstances, because even in his remarks just a moment ago he asserted, incorrectly, that he inherited a budget deficit of $48 billion.

Mr Hockey: True.

Mr BOWEN: He is nodding. When he does that, he is, in effect, questioning the veracity of the Treasury and the Department of Finance and their respective then secretaries. He is nodding. He is questioning the veracity of the Treasury and the Department of Finance in the pre-election economic forecast.

Mr Hockey: What was the deficit?

Mr BOWEN: As the Treasurer knows, the pre-election economic forecast is not delivered by the Treasurer of the day. The Treasurer of the day reads about it with every other Australian. It is delivered by the Secretary of the Treasury and the Secretary of the Department of Finance. I am happy to inform the Treasurer that the PEFO showed a deficit of $30 billion.

Mr Hockey: But what was it? What did it turn out to be?

Mr BOWEN: I said $30 billion, if you were listening, which is not $48 billion. There is a big difference. The Treasurer should stop undermining the Charter of Budget Honesty. The Charter of Budget Honesty is a proud achievement of his Liberal predecessor. I have freely given credit to Peter Costello for introducing the Charter of Budget Honesty. It is a good reform. It was continued by Labor in office. But when they Treasurer goes around questioning the veracity of the then secretaries of the Treasury and Finance—and I acknowledge that the Treasurer did not want the Secretary of Treasury sacked; that was done by the Prime Minister, against his wishes—I am sure the Treasurer argued, as he should, that the secretary should not have been sacked. Incoming governments should not sack Treasury secretaries. It is the first time it has happened in 114 years. I acknowledge that was not his decision, but he should not go around questioning the veracity of two very fine Australian public servants.

Mr Fitzgibbon: That wasn't the Treasurer's idea.

Mr BOWEN: It was not the Treasurer's idea, and I do not blame him for that decision. The decision to sack the Secretary of the Treasury was made by others in the Prime Minister's circle and, ultimately, the Prime Minister himself. When it comes to the government's economic record—whether it be confidence, growth or the state of the budget—the rhetoric simply does not live up to the reality. The Treasurer makes false claims about the size of the budget deficit he inherited. He falsely claims that confidence and growth are primarily on the
decline because of international volatility when, in fact, it is his own economic 
mismanagement which is ultimately responsible.

I want to end with a little more agreement with the Treasurer. I said the bipartisanship 
finished in my opening remarks, but there is actually a little bit more—and this comes to 
China. Where I do agree with the Treasurer is that, fundamentally, Australians should not be 
alarmed by recent developments in China. I have publicly agreed with the Treasurer—and I 
have always tried to be extremely responsible in these remarks—that the Australian people 
should be reassured about the fundamentals. China is going through a transition. It is a very 
important transition and, in some regards, it is a painful transition. It is probably the largest 
economic transition we have seen in a very long time around the world.

It is very important that the Australian people acknowledge and understand that the decline 
in the Chinese stock market is against a backdrop of very significant increases over recent 
years—180 per cent in recent times. It is also important to understand that the Chinese stock 
market is not as systemically important to the Chinese economy as it is to many western 
nations. The property market in China is much more important. If there was a property market 
decline, that would be a very serious development. But the stock market is more tightly held 
in China than in many other countries, including our own. A decline in the stock market does 
not affect the living standards and consumption ability of most Chinese households—and that 
will continue. Chinese will continue to increase consumption and, in my view, that will 
continue to feed positively into the Australian economy.

Yes, China may well not grow as quickly as it has done in the past. But we need to 
remember that even lower economic growth from China adds more as an increment to the 
world economy and the Australian economy than it did just a few years ago because it is off a 
much higher base. So growth of even six per cent in China can add more to the world 
economy—

Mr Turnbull: It won't be anywhere near six.

Mr BOWEN: Well, I am making the point in a bipartisan fashion. If the Minister for 
Communications wants to talk down the economy, he can; but I choose not to. Even growth 
of six per cent—

Mr Turnbull interjecting—

Mr BOWEN: To talk down the economy.

Mr Hockey interjecting—

Mr BOWEN: I am trying to be helpful to the Treasurer here. I am trying to reassure the 
Australian people, in a bipartisan fashion, that even growth of six per cent in China would add 
more to the world economy than growth of 14 per cent in China in 2007 because the Chinese 
economy is now so much bigger than it was at that point. That will continue to impact 
positively on the world economy and the Australian economy. The important risk for the 
Australian economy is a contagion to confidence in a further event. That is why I have taken a 
decision to regularly make similar remarks to the Treasurer as to the impact of the Chinese 
economy on the Australian economy and the fundamentals of the Chinese economy not being 
impacted by the recent volatility in China. Of course, there are risks on the downside going 
forward. A further liberalisation of the Chinese currency would be a positive development but 
it would create uncertainty and volatility as it happens, and that would have an impact.
The economic record of the Treasurer is not a good one, it is not one that the government can be proud of. There is a yawning gap between their pre-election rhetoric and the post-election reality. There is a yawning gap in economic management on this Treasurer's management. As I have said previously, speculation that the Treasurer will be removed and replaced by the Minister for Communications or the Minister for Social Services is very unhelpful to confidence. I am not the Treasurer's biggest fan but I do acknowledge that uncertainty about the tenure of the Treasurer is not good for the Australian economy. Hence I have pointed out that he should remain Treasurer until the next election, when he will be replaced by a Labor Treasurer.

COMMITTEES
Education and Employment Committee

Mr TURNBULL (Wentworth—Minister for Communications) (16:50): by leave—I move:
That Mr Hawke be discharged from the Standing Committee on Education and Employment and that, in his place, Dr Stone be appointed a member of the committee.
Question agreed to.

BILLS
Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015

Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

Mrs ELLIOT (Richmond) (16:50): I continue now my contribution on the changes to the EPBC Act. I reiterate that I am opposed to these changes. They are fundamentally unfair. I have already expressed the concerns of my community in my electorate of Richmond on the Far North Coast of New South Wales. They have concerns about the national perspective and the local perspective as well. We have the threat of harmful coal seam gas mining in our area. We have outlined our concerns in relation to this bill and also the pro-CSG agenda of the Liberal Party and the National Party.

Since the election of the Abbott government we have seen constant attacks upon our very precious environment and those who work to protect it. The government completely lacks any environmental credibility. In fact, they have a litany of past environmental attacks. These include actively pursuing the destruction of the Clean Energy Finance Corporation, abolishing the Climate Change Authority and removing the Marine Reserves Network. They have very harshly cut funding from many grassroots environmental programs. They have made harsh cuts to Landcare programs and also groups like the Great Barrier Reef Marine Park Authority. We have seen a whole series of harsh cuts.

We have also seen the government use quite offensive language when they refer to people who wish to defend the environment. They refer to them as vigilantes and saboteurs. I think that was the terminology the Prime Minister and another minister used recently. Quite
frankly, that is insulting and it is not fair. People have a right to object and to be part of the process, and that is what is wrong with this bill—it is taking away the right of people to protest. It is insulting that the government continues to use such derogatory language about people of goodwill who wish to just make a point about how concerned they are about the environment. I certainly request that the government stops doing that.

Labor have a very proud tradition of protecting the environment. In fact, it was the Hawke Labor government which first moved to protect the Franklin River from being dammed, it was a Labor government that stopped mining in Antarctica and it was a Labor government that explained how important it was that we take action on climate change though pricing carbon. We were very clear about that. We have a very proud record right across the board when it comes to our action on the environment. Certainly, in my area I have spoken previously about the impacts of harmful coal seam gas mining. New South Wales Labor has a very proud record there as well. In fact, we went to the last state election with a very clear policy of ensuring that the North Coast be kept gas field free because New South Wales Labor understood the concerns of people in the area.

In contrast to all that, we have the Liberal-National Party, who at every level, whether it be federal, state or even local government, are absolute and complete environmental vandals. This amendment proves that. The last time the government moved to amend the EPBC Act it was to hand approval controls over to their mates in the state government—another disastrous act and another attack on environmental protections. Now the government want to stop any kind of opposition to inappropriate environmental approvals by essentially barring access to the courts. The Abbott government intend to change the EPBC Act to stop third-party interventions on developments affecting the environment, and that is plainly wrong and unfair. It is yet another attack in the Prime Minister's relentless war on the environment and those very important groups who seek to protect it—groups like Greenpeace and Lock the Gate that work very hard to protect the environment. In my area, I have seen firsthand the remarkable work that groups like Lock the Gate do in protecting the New South Wales North Coast from harmful CSG mining, so I do find it offensive when derogatory terms are used against them. They are essentially hardworking individuals—and it is not just Lock the Gate; there are many similar groups and I use this opportunity to commend them on the work they do to protect our environment.

We all know that the EPBC Act has been the overriding national environmental protection law for the past 15 years. The approval of thousands of projects was managed perfectly well under this system by the Howard government and then by two terms of the Labor government. Since the EPBC Act commenced in July 2000, approximately 5½ thousand projects have been through the EPBC process. Of these, there have been 33 Federal Court challenges by third parties against only 22 projects. This equates to only 0.4 per cent of projects referred under the EPBC Act—hardly the avalanche that we hear many on the other side referring to. Standing provisions under section 487 of the current EPBC Act are already sufficiently rigorous. Removing effective appeal rights will result in less scrutiny and rigour in the assessment process and will most likely result in poorer environmental outcomes at a time when Australia's natural environment is under greater threat than ever. Ultimately, if this bill is successful, the only entities that will be able to challenge the approval of a development with high environmental impact will be those individuals who, firstly, can prove they will be
directly affected, secondly, have the funds to be able to go to court and, thirdly, have the courage to risk a massive cost order against them which would probably bankrupt them if they lose. So it really does prohibit so many people from pursuing that avenue.

This amendment to the EPBC Act is a foolhardy response. The government's own incompetence and failures are being borne out in the courts, and that is why they are responding in this way. This bill has been written by and for environmental vandals—as I said, that is what we see across the chamber. It is very disappointing and we see it at federal, state and local levels. What I do find concerning are some of the claims we hear from across the chamber that the EPBC Act is costing jobs. That is simply not true. The only thing costing jobs is the government's mismanagement of the economy. Indeed, under the government more than 800,000 people are now unemployed, the first time the unemployment rate has been this high in 20 years. So, in fact, they are the problem and it is quite wrong when they try to cast blame into other areas.

Let us be clear. When it comes to the environment, Labor will always support a common-sense approach to our environmental regulatory systems such as some of the streamlining of assessment processes. Labor will not, however, support the weakening of environmental protections by limiting a community's right to challenge government decisions in the courts. Labor supports the environment but also the fundamentals that underpin our democracy. Fundamentally, individual and community objection rights are very important and need to be protected in legislation. They have to be protected because they assist in building strong community confidence in our planning systems and they do result in much better environmental assessment processes and much better environmental outcomes right across the country.

Effectively, this amendment will put an end to any legal challenges against federal approvals and major developments with high environmental impacts. That is so disappointing. This is a foolish amendment by a desperate, chaotic government. Instead of focusing on good governance, they are playing distraction politics and are seeking to rip the heart out of the environmental protection in the EPBC Act, which has been the bedrock of sensible environmental approval in this country for the last 15 years. The fact is that the threat of third-party appeals does create a stronger incentive for proponents and the government to adhere to the law, improving the quality of the environmental assessment of many major projects. Our environmental laws are vitally important for the future of our nation. I stand in condemnation of the government for their continued environmental vandalism and I oppose their changes to the EPBC Act.

Mr ROBB (Goldstein—Minister for Trade and Investment) (16:58): I am very pleased to have this opportunity to speak on a very significant bill, the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015. Development of Australia's energy resources is important for our economy—everyone knows that. The last 15 or 20 years have confirmed its great significance. We have been blessed with these resources and to develop these resources is very important. In the case of the development of the Galilee Basin, it is important for increasing access to electricity for millions of people in India. In fact, there are very high quality coal deposits in the Galilee Basin. They are sufficient in the Adani project alone to light up the homes of 100 million people in India for 100 years. This is not only an economic benefit; this is a huge humanitarian benefit. There are 300 million
people in India who, at the moment, live below the poverty line. They do not have electricity. If you look anywhere in the developing world, no-one has come out of poverty if they do not have access to electricity. There are other things needed, but access to electricity is a precondition for communities to come out of poverty, to start to stand on their own two feet and to have opportunities to start to enjoy something like the prosperity and life that all of us in Australia enjoy.

Of course large resource projects such as Adani's Carmichael project need to be developed and operated in a way that is sustainable and consistent with the protection of local flora and fauna. Australia's Environmental Protection and Biodiversity Conservation Act is a world-class framework that balances nationally significant project development with environmental outcomes. Both sides of politics, over many years, have worked very hard to get that balance right between making sure we protect our very valuable environment and, at the same time, ensuring we continue to develop the resources that this country has been blessed with. We should not be concerned or hang our head in any way. We are rated as the third-best country in the world for effective environmental regulation. So here we are, a resource and energy-based economy, an agricultural economy, and yet we have been successful in developing regulations, approaches and approvals that have led us to be the country ranked third-best in the world for environmental regulation.

As the minister for investment, I understand, and I continually hear about, the importance attached around the world to not only our environmental regulation but so much of our other regulation. It is seen to be world-class. It is seen to be among the best in the developed world. It is very important from an investment point of view that we have not only strong but predictable regulation in this area and other areas, and we have been seen as having strong but predictable environmental regulation and legislation.

Then along comes a bunch of activists. I do not question their intent. But governments are there to balance the interest of all sorts of groups in a community. These groups have a right to test and to challenge and to have a view about a whole lot of environmental interests. But we have in place the legislation which has sought to balance their interests. Now there are a number of activist groups that have set out quite deliberately—three years ago a whole lot of them got together, and they printed and articulated their strategy—to stop any development of our resources and energy projects. That is their ambition. They have it stated in black and white. They have stated their tactics. They are going to do anything possible to undermine the regulation and the approval processes in this country. They have found a quirk in the regulations in the environmental area. They have now resorted to 'lawfare' to progress their own agenda of preventing production of fossil fuels in this country.

The group are really anti-growth. They are quite entitled to have that view, but it is not the view of millions of Australians. The overwhelming majority of Australians believe and understand that their own circumstance will not only not be maintained but will not be improved if we do have zero growth in this country. The no-growth group hold a view not shared, I think, by very many people in this community. Yet they are the ones that make up much of the membership of these activist groups. They are using procedural grounds to challenge EPBC approvals. This will unnecessarily delay projects, increase uncertainty for investors and stain our reputation. It is starting to stain our reputation as an attractive investment destination—attractive because we have strong but predictable legislation.
If you take a project like the Adani project, it has been seven years and they have spent $1 billion. They have received state, local government and federal government approvals. They have every approval imaginable. They have done the work. Now they are being stopped from progressing this project for no good reason but because these activist groups have found a way to almost endlessly challenge the decisions. They have said that they have endless opportunities now because of the technique that they have identified. It is a case of good legislation having an unwitting soft spot which enables people with this sort of intent to stop growth in the country, stop sensible regulation, upset our reputation as an attractive investment destination and to succeed in that process.

With new investment in Australia and the mining industry drying up, we will need to work much harder to attract investment. The boom is over. We all know that. That is the nature of resources and energy—it goes up and it comes down. Australia's endowment of resources will not attract investment if we have no regard for what costs or obstacles are put in the path of investment, as sometimes appeared to be the case during the boom years of 2008-13. The easy years are behind us. As has actually been the norm through most of the history of our minerals industry, Australia has to work very hard again to ensure that our investment environment is as attractive as those of our resource-rich peers, such as Canada, the United States, Brazil and South Africa.

The use of 'lawfare' by activist groups has the potential to create adverse consequences for Australia's bilateral relations. In the case of the Adani Carmichael project, here we have the largest Indian investor in Australia, carefully and patiently following the EPBC framework over a period of now seven years, only to have prior approvals overturned on purely technical, procedural grounds. They have spent, as I said, $1 billion. The project in the end would involve $21 billion being spent. That is a serious amount of money. It is 7,000 jobs on a continuing basis. It is up to 10,000 jobs while the project is being developed and while the railway is being developed—10,000 jobs.

Mr Perrett: That's not what they said in court.

Mr ROBB: Even if it was 5,000 jobs, it is serious. Here is the Labor Party, not worried about jobs. They are disputing the fact that this creates any jobs. Are you real? This is serious business. This is not to be thrown away. These are people's lives that are being junked on the altar of paying up to the Greens. That is what you have done for years, and you have trashed the economy as a consequence.

India has been keen to conclude a bilateral comprehensive economic cooperation agreement with Australia because, among other things, India seeks reliable access to the food and mineral resources its economy needs to grow, and Australia, as a stable and secure country, offers the potential to be a long-term partner in that growth. Endless delays to India's biggest investment project in Australia will and are being noted by Indian businesses and the government and may well affect India's appetite to finalise this agreement this year. This is a major agreement. We cannot put all our eggs in a North Asian basket. We have to develop a much stronger relationship with India. The opportunities are there, for all sorts of reasons. India is 25 or 20 years behind China. It is going to be the next China, and we as a country need to develop these relationships.

This lawfare that is being engaged in by a bunch of activist Greens members is seriously undermining the prospects for concluding this agreement in a satisfactory manner.
Normalising section 487 of the EPBC Act in line with the standing provisions of the Administrative Decisions (Judicial Review) Act will ensure that aggrieved persons retain the right to make an application for judicial review. At the same time, it will prevent activist groups from using the EPBC Act to disrupt nationally important economic projects. This strikes the right balance—on both sides of the parliament, I suggest, over the years. For that reason, I support the amendment and I urge those opposite to do the same.

Ms MacTiernan: Well, this is—

The DEPUTY SPEAKER (Mr Vasta): Order! The question is that this bill be now read a second time. I call the honourable member for Perth.

Ms MacTIERNAN (Perth) (17:10): And I do apologise for jumping the gun, but I was just so appalled by the contribution of the minister. Let's look at what has actually happened here. A month ago a court ruled, after an admission had been made by the minister, that he had made a fundamental mistake in his—

Mr Perrett: It is a consent order.

Ms MacTIERNAN: I know it is a consent order. But it was a court order, based on consent, that the minister had made an error—and not just a technical error; he had failed to take into account, in making a judgement on granting an environmental approval under the EPBC Act, that there were various endangered species. He had not taken those into account in coming to his decision. It was an error made by the minister, an acknowledged error in his process, and I think his explanation was that the advice that was given to him by the department was not with the materials he used to make the assessment. So, a minister makes a mistake, a project is put on hold and the minister thrashes around like a snake with his back broken and decides: 'It's a problem with the activists. It's a problem with the people who drew the court's attention to my error. I made the mistake, but it's the fault of those people who took this to the court and then pointed it out, so we're going to have to change the legislation to prevent people like that whistleblowing on ministers who get it wrong.'

It is an extraordinary proposition. I think it is very much in the same league as the proposal to amend section 18C of the Racial Discrimination Act. And their mate Andrew Bolt goes out and publishes an article that names various Aboriginal people and accuses them of inappropriately and disingenuously claiming identification with their Aboriginal heritage without ever seeking comment from them. On those very limited grounds, Andrew Bolt was found to have defamed these individuals. So, we can't have that! We have to go and change the legislation, because this is not right! Of course, that legislation foundered on strong community sentiment. People actually understood that what was being proposed was most unfair and that it would be sending out a very dangerous signal to the people of our country that somehow or other a speech that was disrespectful of people on the basis of their race was acceptable. Now we have the same thing here. We have a complete and utter overreaction to a ministerial error. Just look at the facts. During the period of the Labor government, during the entire time that this legislation was in place, we saw $280 billion worth of projects in the resource area approved.

Mr Nikolic: What happened to the Browse Basin in the Kimberley?

Ms MacTIERNAN: Well, the Browse Basin in the Kimberley—sorry, can I just explain that to you? The company, Woodside, decided that it did not want to proceed on that basis. It
wanted to embrace the FLNG technology that had been successfully established by Shell on the Prelude project. In fact, to a very large extent, the thing was kept on life support to enhance the prospects of Premier Colin Barnett, who had, as per usual, nailed his mast to a sinking ship of the gas hub. In order to help him out, that project was kept on life support until after the state election and very shortly thereafter was ditched. There was nothing whatsoever to do with the EPBC Act. It was just completely and utterly irrelevant to that process. It was a case of moving on—

Mr Perrett: Three strikes today for him!

Ms MacTIERNAN: That's right! Now we have $280 billion worth of projects. My friend and colleague Gary Gray just reminded me that the scale of those projects, which included much of the investment in the gas fields of Australia, is larger than the entire Marshall Plan, which transformed Western Europe after the Second World War.

We have seen under this regime that, far from us being unable to progress projects, when we have had confident ministers and when we have had ministers who did not lose bits of paper and who did get all of their documentation together before they made a decision we were able to live with this piece of legislation. We were able to live with a limited right of third-party appeals. It is only a limited right of third-party appeals and it is quite clear, as my colleagues who have spoken before me have set out time and time again, that only 0.4 per cent of these referrals under this legislation have ever been taken to court. It is a very restricted right to a judicial review.

I think it is quite appalling that we should say that this is inappropriate and that we want to peel back that jurisdiction. Much is made of the fact that the Environmental Defenders Office NSW was involved in this but, as has been pointed out, it was in fact the Mackay Conservation Group who were indeed the applicants. Of course you cannot expect that a group like that would have the legal skills or the financial resources to take on such a project. So of course they will go to an NGO that has the capacity to take this matter forward. I do not think anybody reflected negatively on the fact that the lawyers who were used by Adani in this matter did not come from the Galilee Basin. You go where the expertise is, so it is a fairly puerile point

It caused a little flutter, for some unknown reason, in question time today that I was reading this fabulous book, *Capital in the Twenty-First Century*, which is a book I have been delving into not just over the last six months but indeed over the last year. It is really showing us what is going on in society. Basically, there was a major reset of our economies and the distribution of wealth after the First World War. Between the First World War and probably the end of the 1970s, there was an increasing equalisation of the spread of wealth and income within the community. But from that time on, basically from the early eighties to now, that whole process has reversed and we are now back to the same record levels of inequality of power, influence and capital that we saw during the Belle Epoch in the 1890s.

So we do know that money and capital, and with that, power and influence are concentrating more and more into the hands of fewer and fewer. So the gap not only in wealth but also in influence and power is growing. For us to be looking at this David and Goliath situation, where this poor little Mackay Conservation Group—

Mr Nikolic interjecting—
Ms MacTIERNAN: is up against, as you said, one of the biggest coal companies in India, and is somehow unfair—somehow it has to be stopped. They have to be crushed; they have to be moved out of the way. As I said, let us get back to the heart of what the problem was here. The problem was that the minister made a mistake. The minister did not have the documents before him. He did not take into account all of the things that he was required to do by law. He did not examine critical material that he should have taken into account in making his decision. If it had not been for this courageous and vigilant group, that error of law would never have been brought to our attention.

This is very important. It is very important that we have environmental laws—and everyone has acknowledged that in this place. But these laws are worth nothing if there is no mechanisms by which they can be tested. Seeking to move these groups out and seeking to reduce and diminish the standing provisions, or strengthen the standing provisions, to make it harder and harder for these groups to ensure that proper legal process has been followed by the minister in making those approvals, is incredibly unfortunate. This is truly a David and Goliath situation, and the government are reacting in a completely inappropriate way. Instead of being prepared to say, ‘Oh, I'm very sorry; the minister made a mistake,’ they say: ‘We've got to change this legislation, because this is really embarrassing. The minister has made a mistake. That's embarrassing, so let's pretend that the problem is the law.’ We know the problem is not the law. I go back to that fact: $280 billion worth of projects were approved in one sector of the economy, the resource sector, under Labor's watch, without any problem from this provision. We were able to work with this provision.

I have been a minister building things—a Minister for Planning and Infrastructure. I was building railways and roads, and there was one little orchid that used to always pop up whenever I had a project. I always thought the Caladenia huegelli was the bane of my life. Wherever I wanted to build something, there it was. It would pop up every spring. It would be found, and we had to work around that. We had to redesign projects. We had to make environmental offsets. I know it is frustrating, but you have to do it. You work within the law. It is very important that we have these environmental protections, and it is very important that we ensure that those environmental groups are empowered to be the watchdogs to ensure that this legislation is honoured not just in the spirit but in the letter.

I am very confident that this piece of legislation will founder in the Senate. It certainly will founder in the forum of public opinion. I say to the people of Canning: next Saturday, you have an opportunity to show Mr Abbott that you do not like the direction he is taking the country in and to show the Liberal Party that you do not like the person they have as their leader or the far right agenda that has been prosecuted. Vote for Matt Keogh and ensure that we do not have ridiculous pieces of legislation like this coming before this parliament again.

Mr NIKOLIC (Bass—Government Whip) (17:24): I am pleased to make a contribution on the Environment Protection and Biodiversity Amendment (Standing) Bill 2015 and strongly support its intent in restoring greater certainty to the EPBC Act. Let me begin by saying that my home state of Tasmania is undoubtedly a world-renowned environmental jewel. A commitment to its protection is not the exclusive domain of any group or political party. All sensible Tasmanians are conservationists at heart. But, regrettably, Tasmania's environmental virtues are not matched by its economic health. After 16 years of Labor government in Hobart and a disastrous six years of Rudd-Gillard-Rudd government here in
Canberra, Tasmania lags behind the nation in far too many economic benchmarks. Too many of our local communities have been impacted by both unemployment and underemployment.

With this reality in mind, my contribution on this bill recognises the inextricable link between the environment and the economy. Finding an appropriate balance between these two important priorities informs the future of every Australian. To focus inordinately on one—either the environment or the economy in isolation—without equivalent and serious consideration of the other is both short-sighted and costly.

So there is no doubt in my mind that we must act when some choose to game or exploit the legal system to disrupt and delay infrastructure that is so vital for Tasmania's and Australia's future prosperity. We must act. The disastrous Labor-Green partnership in the last parliament did nothing to stop these legal shenanigans, and, judging by the contributions of those opposite that I have heard this afternoon, that symbiotic relationship between the Labor and Greens parties remains, sadly, into the current parliament. They are united in supporting measures that continue to damage my home state of Tasmania, and it beggars belief that Labor has learned nothing from its poisonous relationship with the Greens in the last parliament, which the Australian people so explicitly repudiated with the lowest Labor vote in 100 years. The people can see that the only reason why Labor supports the ideological excesses of the Greens party is Greens preferences. Almost every Greens preference in Bass in the last election and previous elections went to the Labor Party, demonstrating quite clearly that a vote for the Greens is in fact a vote for the Labor Party, and vice versa.

But I ask you this, Deputy Speaker: how can the Labor Party with any conscience, on any reasonable assessment of the national interest, put their political ambitions ahead of the hardworking people of our country? How can they justify helping the Greens and their litigious activist mates damage our forestry industry, our mining industry, and our fishing and aquaculture industries? It is abundantly clear on all of the evidence—the speeches that I have heard on this bill, including the one by the member for Moreton earlier today and others—that Labor put their relationship with the Greens and militant unions like the CFMEU ahead of Tasmanian businesses, particularly when it—

Mr Perrett: Mr Deputy Speaker, on a point of order, the member is completely misrepresenting what I was saying. At the first opportunity, I would like to ask him to correct his account of what I said in my speech.

The DEPUTY SPEAKER (Mr Vasta): There are other mechanisms—

Mr Perrett: I made no mention of the CFMEU at all in my speech.

The DEPUTY SPEAKER: There are other mechanisms for addressing that.

Mr Perrett: At the first available opportunity, I thought I was asked to correct the record.

Mr NIKOLIC: Deputy Speaker, my time is—

The DEPUTY SPEAKER: Yes. There are other methods for the member for Moreton to address this issue, but the member for Bass has the call and he will be heard in silence.

Mr NIKOLIC: Thank you, Deputy Speaker. The member for Moreton knows that I was talking about the Labor Party generally, but I will take much more of an interest in his speeches from now on and make sure that I call him to account for many of the things that he says that many on this side of the House find unconscionable.
But, when I say that Labor puts the interests of the CFMEU ahead of Australian workers when it comes to issues like the free trade agreement, consider that CFMEU campaign at the moment which is disavowing the clear benefits that would come from the China-Australia free trade deal. Here we are, astride the Asian century, between the Indian and Pacific Oceans, with the middle class in that region growing from 500 million to 1.7 billion people. Tremendous opportunities will arise, and what we get is Labor pushing against those benefits by backing this mendacious CFMEU campaign.

There is no doubt Labor also puts its relationship with the Maritime Union of Australia ahead of measures that would help to revitalise coastal shipping. At every turn it blocks our efforts to roll back Labor's 2012 coastal shipping laws. You may have heard the Deputy Prime Minister say yesterday that the fleet of major Australian registered ships over 2,000 deadweight tonnes with coastal licences has halved during six years of Labor. The carrying capacity of the major coastal trading fleet declined by 60 per cent, and there are other statistics I can provide there.

That is why I am saying with confidence that the Labor-Green partnership endures in opposing not only this bill but also our efforts to pass the Fair Work (Registered Organisations) Amendment Bill 2014, which would better protect workers and the hard-earned union dues they pay. This demonstrates that the Labor-Greens partners would rather back the worst excesses of the union movement and those who mishandle and misuse members' funds—not the low-paid workers whose funds are squandered. By contrast, we will back the trifecta of free trade deals negotiated by Minister Robb in the last year. We will stand with the hardworking businesses of Australia who have the most to gain from enhanced access to growing Asian markets. We will stand for better protecting Australian workers and their union dues from corrupt unions who use their hard-earned money so inappropriately. We will stand for rolling back Labor's coastal shipping laws which have so badly damaged states like Tasmania. We stand for this bill, which provides a sensible legal framework that protects our environment but finds a more appropriate balance in fostering sustainable development. Our intent must be to ensure that we not only protect the environment but provide certainty to those projects that have satisfied our high environmental standards. We have worked hard since coming to government to act on that laudable objective.

I congratulate the member for Flinders, Minister for the Environment Greg Hunt, for establishing a one-stop shop for environmental assessments with all states and territories which has had the outstanding effect of reducing the approval time for projects by 50 per cent. I also congratulate the member for Flinders for presiding over the environmental approval of projects valued at $1 trillion and for clearing the backlog of projects that had been deferred or delayed by the previous Labor-Greens government. I particularly congratulate my ministerial colleagues for addressing the threat of activist gaming of the legal system which inappropriately threatens investment in jobs. There is no doubt that these legal tactics are designed to disrupt and delay and to increase investor risk, to make potential investors think twice about Australia as a destination for their hard-earned capital.

Even when investors have satisfied our world-class environmental standards, these tactics are designed to wear them down and to make them worry about endless legal process. In my home state of Tasmania, federal environment ministers—both Labor and Liberal, I might say—have been constantly challenged by green groups on their approval decisions relating to
forestry and mining in particular. That is why I am so flabbergasted that Labor's speakers today back the Greens and their litigious activist mates by acting against the intent of this bill.

Sadly, in this parliament it is not only in this place that parliamentarians cheer on the activists. Consider the actions of Greens Senator Peter Whish-Wilson in the other place, who, with Labor's support, launched a Senate inquiry into the Tasmanian salmon industry. What a pointless waste of taxpayers' money and parliamentary resources! Senator Whish-Wilson called for the inquiry and then refused to accept its evidence-based report because it did not support his deeply flawed perspectives. The inquiry did not find anything wrong with Tasmania's salmon industry—the most valuable primary industry in my state, based on value of production. It is an industry that turns over $1 billion, is looking to double production, and currently employs over 5,000 Tasmanians either directly or indirectly. The committee found:

The Committee acknowledges the more-than-adequate management systems, and effective industry proactivity, in the sustainable management and continuous improvement of the Tasmanian fin-fish aquaculture industry.

In essence, this was a clean bill of health for the Tasmanian salmon industry, which did not align with Senator Whish-Wilson's misconceived, minority, ideological views. So, having put the taxpayer to all that expense, Senator Whish-Wilson chose to write his own dissenting report. He could have saved the community a great deal of time and money by simply publishing his own unsupported views on the industry. I am staggered that any Tasmanian—even a Greens senator like Senator Whish-Wilson—should seek to damage what is a vital, growing and environmentally sustainable industry that benefits Tasmanian workers and the Tasmanian economy.

In Queensland, we have heard similar examples of endless legal process being used to stop three major Galilee Basin projects. Former Labor Treasurer Keith De Lacy has said in The Courier-Mail:

… green activism had increased the costs of developing a mine by up to 10 times.

… a development that took just over a year in 2008 would now take up to five years as companies get weighed down by litigation.

It was never the intent of the EPBC Act to be used to disrupt and delay much-needed infrastructure developments across our great country. And, as we know, the intent of this legal activism is not to help but to hinder. In 2011, the people behind this deplorable legal tactic boasted about their goal of ‘increasing investor risk’ in Australia.

These are groups, by the way, that often receive considerable taxpayer-funded charitable status and taxpayer funding. Think about that for a moment—taxpayer funds being used to make Australia a much riskier place to invest. It just beggars belief. Groups involved include Greenpeace, the New South Wales and Queensland Environmental Defenders Offices, Lock the Gate, Beyond Zero Emissions, GetUp and a range of other organisations, including The Australia Institute.

And Labor continues to back them today, as we heard from their speeches. What a disgrace! Even the Labor Party unions like United Voice were involved in this document's production. Think about that for a moment: union dues from hardworking union members are being applied to a strategy that makes investment harder and stops the creation of new jobs for new workers. It is scandalous. If we look at the stated intent of these groups on page 3 of their so-called strategic document, it is to:
... 'disrupt and delay' key projects and infrastructure while gradually eroding public and political support for the industry …

In section 4.1 of their document, they say:

Legal challenges can stop projects outright, or can delay them in order to buy time to build a much stronger movement and powerful public campaigns. They can also expose the impacts, increase costs, raise investor uncertainty, and create a powerful platform for public campaigning.

They are all about running legal challenges that delay, limit or stop major infrastructure projects that create jobs for people in our country. It is little wonder that, in the correspondence that I have received on this issue, many people use words like 'disgusting', 'sabotage,' 'treason' and 'un-Australian' to describe what it is going on.

It is an intent that is also entirely at odds with the EPBC Act, which says that, if you meet our high environmental standards, you will certainly be able to proceed with your investment. Nowhere in the conception of the EPBC Act did they say that its intention was to increase investor risk and to make Australia a less desirable place to invest. The people behind this lawfare, these jobs-destroying tactics, are not community based grassroots campaigners. They are engaged in a US style approach—and we know that Australians hate that 'sue at the drop of a hat' mentality that they are often exposed to in the United States. So we will act to amend these provisions to ensure that only those with a genuine, direct interest in a matter, like landowners or farmers, have legal standing. We will not allow those who are often far removed from these environmentally-cleared projects to retain their current freedom of action to frustrate, undermine and increase costs and uncertainty for ideological reasons and green zealotry. We will not let them undermine the core intention of the EPBC Act. It is important to note that nothing in this bill prevents those who may be affected by an EPBC decision from seeking judicial review. This right will be maintained and protected.

Through this bill, the government wants to achieve a pragmatic balance between harmonious environmental and economic compatibility, and efficiency. In a real, practical sense, it seeks to be the strongest champion of both. The bill supports not only our environment values but also a revised regulatory framework that protects investment, innovation and sensible risk-taking, which is so essential to the future economic prosperity of my state and our country. The dovetailing of these two imperatives protects the environment and grows the economy. On that basis, I strongly commend this bill to the House.

Ms CLAYDON (Newcastle) (17:39): You can always tell when members opposite are feeling vulnerable on any given issue, because the temptation to lunge into the ideological overreach is always there and on open display. The amount of ideological rhetoric that was trotted out in that last contribution to this debate was truly astonishing. I am very pleased to be here tonight to speak in the debate on the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015 and to join with my Labor colleagues in opposing the proposed changes to the Environment Protection and Biodiversity Conservation Act.

To outline the situation before us today, I would like to start by quoting the words of a man who is renowned for not mincing his swords—indeed, quite often with direct barbs aimed at those of us on this side of the House. This man said about this bill that is before the House today:
I may live nowhere near the Liverpool Plains or the Great Barrier Reef, but I sure as hell am concerned that they are protected.

The latest move by the Abbott Government puts at risk not just our environment but our very democracy and is quite simply unbelievable.

The move I'm talking about is an attempt to remove a section of the Environment Protection and Biodiversity Conservation Act.

He continued:

So what does this change mean? Well if pushed through, only people who are directly affected by development will be allowed to challenge the approval. So what about the Great Barrier Reef? Well, unless the Great Barrier Reef happens to be in your backyard, you won't have any legal grounds to oppose irresponsible action of others.

This legislative restriction is divisive, it isolates us and it means we're not allowed to care.

They are not my words. They are not Labor's words, and they are not the words of some green activist. They are the words of well-known conservative broadcaster Alan Jones—the former speechwriter for Malcolm Fraser and serial Liberal Party candidate.

The Prime Minister's intention to change the Environment Protection and Biodiversity Conservation Act to stop third-party interventions on developments affecting the environment is unconscionable. It does not make sense. It is not in the best interests of business or the environment. It is just another attack in the Prime Minister's relentless war on the environment and the groups and individuals who take it upon themselves to protect it. The intention to repeal section 487 of the EPBC Act, as outlined in this bill, is nothing but a rash reaction to this government's complete incompetence and its failures that were borne out in the courts for all to see. The government's claim that the act is costing jobs is outrageous. The only thing costing jobs is this government's incompetence and the Prime Minister's determination to fight for his own job but no one else's. The EPBC Act is not the reason that unemployment has risen to its highest level in 20 years. It is this government and their poor economic management that sees more than 800,000 Australians unable to get a job.

The EPBC Act has been the overriding national environmental protection law for the past 15 years, including through the mining boom, and has posed absolutely no problem for our economy. Indeed, as members before me have noted—for example, the member for Perth—there have been some $280 billion of investment made in a range of projects under this act. The approval of thousands of projects was managed perfectly well under this system by the Howard government and during the two terms of Labor government that followed. Let us be very clear: the act is not the problem; the problem is this government.

In the context of this debate, I think it is very important that we reflect on the intentions of the act and recognise the important role it has played in the sustainable development of our nation. As the Department of the Environment sets out very clearly, the objectives of the EPBC Act are to provide for the protection of the environment, especially matters of national environmental significance; conserve Australian biodiversity; provide a streamlined national environmental assessment and approvals process; enhance the protection and management of important natural and cultural places; control the international movement of plants and animals, wildlife specimens and products made or derived from wildlife; promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources; recognise the role of Indigenous people in the conservation and
ecologically sustainable use of Australia's biodiversity; and promote the use of Indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

Protecting matters of national environmental significance is the very legitimate work of the federal government, and the EPBC Act is a vital part of this work—it is an act of collaboration and an act of sustainability. Legislation that is designed to protect matters of national environmental significance cannot be applied to just those in the immediate vicinity. Concerns are no less genuine because their point of origin may be further from development than others. Landholders have rights to appeal decisions where a project impacts on their land as they should. But where the legislation is intended to protect the environment for, say, a threatened species, you cannot have a threatened species, like the green and golden bell frog in my electorate of Newcastle, lob up to the court and take legal action, because a proposed development is threatening their habitat.

That is why there is a representative standing for environmental organisations. I am sure the green and golden bell frog did not appreciate the industrial development on Kooragang Island in Newcastle but, because of the EPBC Act, they have been protected. There was a great compromise worked out between the developer and the people acting on behalf of the conservation interests in that region as is often the case in my part of the world.

I am part of the Newcastle-Hunter region, home to the world's largest port exporting coal. We have mining activity up and down throughout the Hunter Valley, but do we try to overreach and silence any dissenting voices in that activity? No. That is not the way we do things or should be doing things in Australia. We are more than capable of being able to work collaboratively to get the best outcomes for not only resource development and the employment options that come with that but also the protection of vital tracts of our environmental land and the flora and fauna that is associated with that land.

The propensity in this debate to pit the environment against jobs is really disappointing—and it is a point I will come back to later in the debate. The point that I am trying to make is that community objection rights are vital to the process of not just environmental protection but the sustainable development of our communities and indeed our nation. They help build community confidence in the planning system. Community objection rights also guard against corruption—a very important role—and they result in better environmental assessments and outcomes.

The threat of third-party appeals creates a stronger incentive for proponents and the government to adhere to the law improving the quality of environmental assessments of major projects. It is not the actual exercise of the power to enforce public rights that matters most but the possibility that they may be exercised already brings improved accountability to an approval system that we know can be plagued by vested interests. It has been mentioned here before that some of these contests are real David and Goliath issues where you have small local community groups pitted against massive multinational corporations at times. Let's not kid ourselves that everybody is operating on a level playing field here.

When announcing their plans, however, to amend the EPBC Act, the Attorney-General asserted that the act 'provides a red carpet for radical activists' who engaged in 'sabotage' and 'vigilante litigation'. This supposed red carpet is hardly worn, I would suggest, and any actions that have been undertaken have been rare in number and success.
Since the EPBC Act commenced in July 2000, there have been approximately 5,500 projects referred to the minister under the environmental impact assessment provisions. Of the 5,500 referred, around 1,500 have been assessed as requiring formal assessment and approval. There have been just 33 actions commenced in the Federal Court by third parties in relation to 22 of these projects.

Third-party appeals to the Federal Court have only affected 0.4 per cent of all projects referred under the legislation. Of the 33 actions, just six were legally successful and, of these six, in only two cases did the third-party applicant achieve their apparent desired substantive environmental outcome. Already one of these projects has gone back for reconsideration of approval.

This is not an act that kills jobs or savagely wounds our economy as the government would have you believe; it is an act that is doing what it is meant to do and is already targeted. The scope of appeal rights with the act is already restricted only to judicial review rights—that is, only reviewing whether or not a legal error has been made. No other consideration is taken into account here; it is just a matter of reviewing whether a legal error has been made.

As it currently stands, communities do not have the right to challenge the merits of a project approval under the EPBC Act—only the legal validity of it. This is a major limitation in the current system; Standing provisions under section 487 that the government is attempting to repeal are already sufficiently rigorous.

As interesting as this debate is and deserving as it is of more time given to it, I will move on because I am going to run out of time. Really what we have before us is a set of proposed changes to the Environment Protection and Biodiversity Conservation Act that are nothing more than a pathetic attempt by the Abbott government to distract from its existing political woes. When these proposed changes were announced, the Prime Minister and the Attorney-General could not even agree on what the announcement actually was. The Prime Minister said the government will repeal parts of section 487, and the Attorney-General said the whole section would go. It is a rash reaction to the government's incompetence and failures being borne out in the courts and, true to form, this government respond in the only way it knows: it goes on the attack and executes massive ideological overreach rather than deal with any of the substantive issues at hand.

The government has been caught out for not properly managing the approval process for the Adani mine under the act. This is a massive overreach of a response. Rather than deal with their own incompetence, they want the whole nation to have to pay the price. (Time expired)

Mr WHITELEY (Braddon) (17:54): Contrary to what has mostly been said through this debate from the other side, Australia continues to have some of the most stringent and effective environmental laws in the world. Once projects have met these tough requirements, they should be able to proceed without being subjected to legal sabotage. The proposed amendments that we are discussing this afternoon do not change environmental standards.

Tasmanians have borne the brunt of the decades-long battle between the extreme Greens and left governments and the business community. While much of the focus in the media has been on a recent case in Queensland, Tasmania has been fighting this battle for years. It is a battle that has cost jobs, hurt communities, made people move away from the state of
Tasmania to the mainland states—the bottom line is it has hit the Tasmanian economy very hard.

This legislation will remove the right of politico-environmentalists to ignore the needs and wishes of the local community and challenge projects approved under one of the world's most stringent environmental approvals regimes. Importantly, local agricultural producers, farmers, local residents and communities with legitimate proprietary, economic, financial or other direct interests will not be affected by this amendment. They can be assured that their voices under these amendments will continue to be heard and the courts will still be available for the protection of their rights. Furthermore, this amendment will maintain the stringent environmental laws and regulations that Australia is known for. It does not weaken environmental law but protects jobs and gives businesses, workers and communities the assurance that, if a development stacks up environmentally and has the support of the community, ratbag environmental political organisations from around the country will not be able to pull it out from under them.

The government has decided to protect Tasmanian and Australian jobs by removing from the EPBC Act 1999 the provision that allows radical green activists to engage in vigilante litigation to stop important economic projects. You only have to refer to the recent report *Stopping the Australian coal export boom* to understand what is at play here. You only have to turn to the first few pages, where it says:

**The Need:**

Australia is on the verge of a coal boom that is unprecedented in both scale and speed

- With around 120 new mines or expansions, matched with massive rail and port expansions …

and so on. It goes on to say we need to stop tens of billions of dollars of investment being locked in.

This country needs to grow up. We need to move to a balanced position. We need jobs. Australian families need incomes. They need jobs to be able to feed their families, stop living off the benefits provided by government and have a fulfilling life as a part of a working community. We need to have balance. We cannot simply, as the Greens and those opposite that are of the left would like, have us hanging from trees and drinking mung bean soup. We have to find the balance. Jobs are important and the environment is important, but we can have both. But I fear that we have groups within our community across this great country that cannot see the wood for the trees. They are more than happy to drive people out of their jobs and into the hands of the welfare mentality that this country is becoming known for.

While mainland Australians old enough may recall the infamous Franklin River protests and environmental fights, it did not stop there for Tasmanians. Over the decades since, green groups and even Tasmania's own government in coalition with the Greens party constantly attacked our industries. They shut down forestry and made it difficult to open new mines. Ultimately that cost 10,000 Tasmanian jobs. In recent years extreme green groups have latched onto this provision in the EPBC Act to launch their campaigns against development, against jobs, against business and against our communities. Some of these groups pride themselves on destroying businesses, skiting about how low they have been able to drive the share price on the back of legal action. They delay and oppose mines and any other development, they destroy jobs in my state and they have hurt our communities—often in the
most remote parts of Tasmania and Australia. Call it 'lawfare', call it 'economic terrorism by judiciary'—whatever it is, it has got to stop. Tasmania cannot afford it, and Australia certainly cannot afford it.

Save the Tarkine is a group in my electorate that is notorious for this very action. It tries to bludgeon projects out of existence, and it does not care what damage it causes along the way. Last year I revealed in this very spot that Save the Tarkine's membership was a mere 20 members. They make a noise and they market themselves as a group of thousands of people when in fact there are only 20, half of which are directors. I revealed in this place that this group scarcely spent a cent for hands-on environmental projects, with all of its money basically funding wages, legal bills and travel. I also accused Save the Tarkine of running up legal bills with the full knowledge that it was not in any position to pay the costs if it lost. Only a matter of weeks ago Save the Tarkine lost yet another appeal, this time to the full bench of the Federal Court against a mining project on the west coast of Tasmania, which would have created 60 full-time ongoing jobs in a small venture and many more in the construction phase. People opposite who live in the big cities must say, 'Oh, 60 jobs—what's that?' But 60 families benefiting from this job in this particular company makes a huge difference in my electorate and in my state. Costs, of course, will be eventually awarded against Save the Tarkine, as they were last time and the time before that. But today the question remains: will they be in existence to pay back the taxpayers, to pay back the mining company? And will they provide compensation to the communities that have forgone much-needed employment?

This is not the only action this group has on the go, and this gets to the heart of this amendment. Save the Tarkine has taken it upon itself to challenge another two projects—this time the granting of a mining lease over Mount Lindsay and Mount Livingstone. These mines have the potential to create hundreds of jobs for the west coast and north-west. The west coast region of Tasmania is historically a mining region—it is not beachfront property; it is not the place where you would think anyone would have a genuine need to protest. This is a mining region that is dependent on mining projects for people to live and to have their lives and their families' lives intact. Save the Tarkine is nothing but a professional litigant that exists only to stop projects regardless of what environmental standard they meet. It is ideological for Save the Tarkine, and this legislation will stop them in their tracks.

These tactics have been replicated nationally and on a grand scale, not only bringing together large environmental groups but also movements like GetUp, individuals such as Graeme Wood, and even the unions. The very people who say they stick up for Australian jobs are the ones funding campaigns to destroy those jobs. These groups have come together to produce the document I referred to earlier, called *Stopping the Australian coal export boom*—that is, stopping all mining and stopping jobs. This document—this document right here—calls for the creation of a million-dollar fighting fund to shut down any potential mine before it even starts or goes through the process, and a further $180,000 to create investor uncertainty. This is straight out of the Save the Tarkine playbook. Knowing these projects stack up environmentally, the strategy is now to simply 'disrupt and delay'. What a low act. What an un-Australian act to dispose of projects before they have even got a chance to go through the development process and spoil it for hundreds, if not tens of thousands, of
Australians who could do with a job and could come off the welfare benefits the country needs to provide to them at the moment.

This group that I am referring to in this document, just like Save the Tarkine, knows that Australia has the most stringent environmental laws in the world and that, to operate here, those laws need to be met. They know that these companies are hit with heavy regulation to ensure the environment is not unreasonably impacted by a project, but that is not enough for them. For these groups it is simply ideological.

It is astonishing that United Voice has joined up to this campaign. Perhaps delegates from United Voice even voted for Bill Shorten as Labor leader; maybe they did not. My guess is that they do not know who they voted for, if you believe what you read in the papers. But no doubt they turned up to Labor's conference while the Leader of the Opposition spoke about jobs; yet here is United Voice throwing money at a scheme to destroy investor confidence in the very companies that employ its members. What a disgrace! What a low act—but it is not surprising. Those in the opposition like to talk about jobs; they like to get their mates into the unions to shout about jobs. But when it comes to voting in the parliament to protect jobs, to create jobs and to give life to struggling remote communities, they always oppose.

Since coming to office, the federal Liberal and National government has established one-stop-shop environmental assessment agreements with all states and territories. We have managed to cut approval times by 50 per cent, and we could do even better if these guys on the other side were to get out of the way and allow the full implementation of this policy. We have before the Senate legislation to remove duplication in the environmental approvals process, but those opposite are opposing it. When we get it approved it will get projects off the ground sooner and get more people in jobs sooner, and Labor is opposing it. Labor members in Tasmania—senators who represent the electorate of Braddon and all the other electorates—are standing in the way of it. This is unbelievable at a time when we need many, many more job opportunities.

I know that many in my electorate are weary of the battle. They are weary of this battle of having a vision for jobs through a mine or any other development cast before them and then cast aside by the litigants of green activists and left-wing members of parliament. But I am resolute in my passion to see Tasmania working again, doing what it does well. I am resolute in my willingness to stand up to those who oppose legislation like this and like the one-stop-shop legislation, and against those who think we should go soft on organisations that take pride in destroying our jobs.

In summary, let me make very clear what these amendments do. This legislation, once amended, will maintain property rights. It will maintain the community's rights. Anyone with legitimate proprietary, economic, financial or other direct interests will not be affected in any way, shape or form by this amendment bill. Those who will be affected are the radical green groups that have established a fighting fund to disrupt and delay projects, with the full knowledge that they meet the world's most stringent environmental laws.

I can stand before this parliament tonight and say with absolute confidence that the overwhelming number of people in my electorate and in Tasmania have an environmental sensitivity. They are not in the business of wanting to trash our environment. We have 52 per cent of our state's landmass locked up. But we need jobs. We need to find a balance and a
sustainable future that provide the opportunity for companies and businesses to invest in mining, forestry developments or other developments—whatever it is—to provide jobs.

Some might be happy for many in our community who depend on these sorts of jobs to eventually just hang from trees like something out of prehistory and eat nothing but mung bean soup. But, at the end of the day, we cannot continue to live on the teat of the Australian government welfare program. We need jobs. We need people with good jobs in environmentally sensitive and sustainable projects, and they are available.

As I said, these litigants are only interested in finding the loopholes. They are not interested in anything else but stopping, disrupting and delaying. Even the most radical of green groups still have the opportunity to contribute through the developmental process. They can make their case. They can put in their submissions. They can go and speak at hearings. They can do all that. But what this amendment seeks to do is take away the capacity of anyone without a direct proprietary, economic, financial or community interest to just see it as some sort of game, when at the end of the day the only losers in the game are normal Tasmanians, ordinary Australians, who end up losing their jobs.

Mr NEUMANN (Blair) (18:09): I do not know whether to applaud that comedy show that we saw from the member for Braddon. He certainly cannot be serious about what he said in relation to the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015—hyperbole heaped upon hyperbole, accusing the court process and judiciary of terrorism. That is what he did. It was extraordinary even by its own standards. The Abbott government has emitted plenty of purple prose, and we certainly heard that from the member for Braddon tonight. We heard ridiculous talk from him and from various ministers. I wondered what his attitude would have been in relation to the Franklin, Fraser Island or the Great Barrier Reef and to people who were interested in all of those great environmental causes.

But let us have a bit of a calm and rational look at the bill itself and see what it means and why we are discussing this. I have heard many speeches from those opposite but not much about the legislation or what it actually says. Put simply, through this bill, the Abbott government seeks to repeal section 487 of the EPBC Act. That act has been the Australian government's central environmental protection law for the last 15 years, for the Rudd government, the Gillard government and the Howard government. The first stated object of the act is:

… to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance …

Section 487 of the act deals with standing—that is, locus standi: what is required for an individual or a group to be considered a 'person aggrieved' under the act. Individuals or groups who satisfy section 487 may then seek a judicial review of a decision or a failure to make a decision, or conduct engaged in or for the purpose of making a decision, under the EPBC Act or the regulations.

It is clear that a person aggrieved may only seek a judicial review of the legal validity of an administrative decision, not the merits of the project itself. It is not a merit review such as under the AAT. That is important to note, given some of the government's sillier rhetoric and that of those opposite in relation to this particular bill. At present, sections 487(2) and 487(3) of the act extend the meaning of a 'person aggrieved' found in the Administrative Decisions
(Judicial Review) Act 1977. Section 487(2) extends the meaning of a 'person aggrieved' to an Australian citizen or resident who has:

(b) at any time in the 2 years immediately before the decision, failure or conduct … engaged in a series of activities in Australia or an external Territory for protection or conservation of, or research into, the environment.

Section 487(3) extends the meaning of a 'person aggrieved' to an organisation or association incorporated or established in Australia, provided that:

(b) at any time in the 2 years immediately before the decision, failure or conduct, the organisation or association has engaged in a series of activities in Australia or an external Territory for protection or conservation of, or research into, the environment; and

(c) at the time of the decision, failure or conduct, the objects or purposes of the organisation or association included protection or conservation of, or research into, the environment.

Sounds like a bunch of terrorists to me—doesn't it, Deputy Speaker! Certainly not!

The government has made it clear that it seeks to repeal section 487 to prevent third parties from seeking judicial review of an EPBC Act decision unless those parties meet the strictest standing test found in the Administrative Decisions (Judicial Review) Act 1977. By repealing section 487, the Abbott government will simply make it far harder for ordinary Australians—or normal Tasmanians, as the member for Braddon talked about—to appeal projects that have significant impact on the environment. People and organisations will need to prove that they will be directly and adversely affected by the project. Few will clear that hurdle. Even if they do, they must have the financial means to make the complaint to the court and the capacity to withstand substantial costs orders awarded against them if they lose.

Through this bill, the Abbott government is deliberately, wantonly and fatally weakening environmental protections at a time when our environment is under greater threat than ever.

It is a retrograde step, that severely limits the community's long standing right to challenge the legality of a mine or major industrial development. There is an eerie reminder, as a Queenslander, in this bill of the former Queensland Campbell Newman LNP state government's dead of the night, legislative changes that stripped landowners and communities of the right to object to mining projects. Under Campbell Newman's government, appeals were restricted to landowners who would be on the mining lease, immediate neighbours and local councillors. I am pleased that the newly elected Palaszczuk Labor government, recently delivered on its election promise, and overturned these LNP government restrictions and restored the right of community appeal. Unfortunately, the Abbott government seems to be going the way of the former Campbell Newman LNP government in terms of both the legislative response and—we hope that at the next election—the political outcome.

The government wants to prevent people, say, in Ipswich in my electorate from having a right to appeal a major mining development just outside the city limits. It wants to stop farmers in the Somerset region in my electorate from seeking judicial review of a decision to allow a nearby development that threatens a habitat. It wants to prohibit any Australian from protesting a development that threatens endangered flora or fauna. It is not just Labor who is raising concerns. We have had notable Australians in the last few days commenting in relation to it. Someone who does not normally support the Labor Party is Alan Jones. In The Guardian on 7 September 2015, he said:
The latest move by the Abbott government puts at risk not just our environment but our very democracy. It is quite simply unbelievable.

This legislative restriction is divisive, it isolates us. It means we are not allowed to care.

Alan Jones is not normally a friend to the Labor Party, but he is far better friend to the environment than the Prime Minister. Other mutterings of discontent have emerged from the government in the last few weeks. It is not a surprise that the government's radical plan to weaken the environmental protections and limit the community's right to challenge decisions has caused disquiet within the coalition ranks.

It is certainly no surprise when we learnt of another leak from the coalition party room. While the government may have nobbled the NBN, it has accelerated the release of confidential information from its party room to lightning speed. We read about that online and in the national media all the time. On 19 August, The Guardian Australia reported that these concerns were raised by none other than the father of the House, member for Berowra, who was a Howard government minister and former Chief Government Whip. He was until the Prime Minister's brush with political mortality in February, was the Chief Government Whip in the current parliament. The Guardian reported him as voicing concerns in the coalition party room after the Attorney-General discussed repealing section 487 to combat what he described as green vigilantism. According to the leak, the member for Berowra was not buying that and argued that the problem was an abuse of legal process, as the Attorney claimed, and that problem should be resolved in the courts.

We believe the community should retain its rights to valid concerns about major environmental projects and have the validity of the minister's decision tested in court. Remember, as it stands, communities only have the right to challenge when the decision was not lawfully made—not on the merits of the project under legislation. This right, even if not exercised against a particular decision, increases public confidence in the planning process. It builds accountability and transparency in the system. It acts as a bulwark against corruption. It encourages governments and developers to adhere to the law. It provides a strong incentive for better environmental assessments and outcomes.

Let us talk about the real reason the government wants to repeal section 487: the Federal Court's decision in August this year to set aside the government's approval of Adani Carmichael coalmine project in central Queensland. There is plenty of bluster and blatant misleading from the government about its decision. A lot of sound and fury and it is really quite confected.

Here are the facts. According to a statement released by the Federal Court on 4 August 2015, a judge of the court made the following orders setting aside the minister's decision: 'The orders were not made after hearing. There was no judgement. There were no findings. The orders were made by consent—that is, with the agreement of the parties to the litigation.' So the decision to set aside the minister's decision was made by consent between the Australian Government Solicitor, representing the minister representing the Minister for the Environment, Adani Mining Pty Ltd and the Mackay Conservation Group.

Why was the decision set aside? It was simply and only because the minister made an error. Again, in the words of the Federal Court: 'The minister found the proposed action would have significant impact on two threatened species. There were conservation advices provided to the minister in relation to these species. Under terms of section 139(2) of the act,
it was mandatory to have regard to the approved conservation advices. The minister did not have regard to the approved conservation advices because they were not included in the material that was before him at the time he made his decision. There you have it.

The Minister for the Environment in the Abbott government failed to follow the rules—rules that have been in operation for 15 years, legislative rules introduced by the Howard government. All the minister had to do to get it right was follow his own rules. Instead, he fluffed it and his incompetence was caught out in the court process. His own botch-up has left proponents of the mine more than a little unhappy. Adani said in its statement:

It is regrettable that a technical legal error from the Federal Environment Department has exposed the approval to an adverse decision.

And in case you were wondering about the skink and the ornamental snake, the threatened species, Adani added: 'It should be noted the approval did include appropriate conditions to manage the species protection of those two threatened species. However, we—Adani—'have been advised that, because certain documents were not presented by the department in finalising the approval, it created a technical legal vulnerability that is better to address now.' The minister bungled it; that is what happened. And they are trying to cook up a confected faux crisis because the minister fumbled it in the litigation. There is no crisis in the Australian environmental regulation system but the Prime Minister, never shy of a leap of logic, even claimed that the EPBC Act is threatening jobs when the only threat is from the minister, his own minister's inability to follow the rules.

The minister's second reading speech is peppered with references to the Americanisation of the Australian judicial system. It is a delicious and unmissable irony when you consider that the Abbott government wants to bring in an Americanisation of our higher education system by introducing up to $100,000 degrees. This is a government that seems hell-bent on Americanising our health system but all of a sudden thinks that our environmental system and our legal system is Americanised and so has to put shields up to protect the Australian community against it.

Across the 15 years of the legislation, from July 2000 to now, about 5,500 projects were assessed under the EPBC Act. Of those 5,500 projects, there were just 33 Federal Court judicial challenges against 22 projects and that works out to a judicial referral rate of 0.4 per cent across 15 years. That is all it was, 0.4 per cent across 15 years. Why are we here in this place now? Why are we here? Because the Abbott government seems content to talk about nothing concerning its record of government economically in which it has failed. It wants to deflect the crisis that it created in its own litigation by the minister and his department's own decisions.

The Labor government in Queensland supports this project. But the minister could not get himself together to sort out the legal process and do the right thing. The Abbott government has failed. Today we have got legislation that is trying to avoid the real information that the public needs to know—that the Minister for the Environment is incompetent and the Abbott government has totally fluffed it.

Dr JENSEN (Tangney) (18:24): I rise to speak on the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015. Australia has some of the most stringent and effective environmental laws in the world. The proposed amendments do not change these high environmental standards. However, a major threat to the administration of
the Environmental Protection and Biodiversity Conservation Act 1999 has emerged recently—the Americanisation of the Australian justice system through the use of litigation to disrupt and delay key projects and infrastructure and to deliberately increase investor risk. This is an unprecedented new development in Australia, drawing the worst features of the American litigation industry into Australia. This is not a community based grassroots campaign. This is a well funded and coordinated strategy to frustrate the environmental approval process, which is by any measure one of the most stringent in the world.

In 2011 a number of organisations produced a document expressly setting out a plan to 'disrupt and delay key projects and infrastructure'. It expressly set the goal of 'increasing investor risk in Australia'. The document's strategy was simple as outlined on page 3—to disrupt and delay key projects and infrastructure while gradually eroding public and political support for the industry. These express objectives include: (1) mount legal challenges to the approval of several key ports, mines and rail lines; (2) run legal challenges that delay, limit or stop all of the major infrastructure projects—mines, rail and ports—that have been identified as a high priority in this strategy.

Therefore, we are seeking to bring the EPBC Act standing provision in line with the broad standing provisions in other Commonwealth legislation. Changing the EPBC Act will not prevent those who may be affected by a project seeking judicial review. It will maintain and protect their rights. Farmers and landowners who are affected by a project have the right to standing and to protect their interests under section 5 of the Administrative Decisions (Judicial Review) Act 1977.

The government will not allow jobs, investment and our economy to be threatened and held hostage by American style litigation. A question for Labor is whether they support these tactics or they support Australian jobs and workers. The government has decided to protect Australian jobs by removing from the EPBC Act 1999 the provision that allows radical green activists to engage in vigilante litigation to stop important economic projects. Section 487 of the act provides a red carpet to radical activists who have a political not a legal interest in development to use aggressive litigation tactics to disrupt and sabotage important projects. The government will repeal this provision to return the law to the usual position, where somebody with a legitimate interest in commencing legal action has standing to do so but somebody who merely wants to prosecute a political cause does not. Repealing section 487 means that the test for standing to bring judicial review proceedings will be section 5 of the Administrative Decisions (Judicial Review) Act 1977.

The government is concerned about the emerging trend by green groups and other organisations using the court system to sabotage important economic projects, sacrificing the jobs of tens of thousands of Australians in the process. The activists themselves have declared that that is their objective—to use the courts, not for the proper purpose of resolving a dispute between citizens but for the political purpose of bringing developments to a standstill.

An assembly of green activist groups, in their documents stopping the Australian coal export boom, declared as a strategy to delay and disrupt, and to reduce the financial liability of key infrastructure projects, including ports, rail and mines through litigation. The member for Maribyrnong and the Labor Party must stand-up for the workers who they claim to represent and not side with the inner-city greens and the Australian Greens at the expense of
the jobs of tens of thousands of Australians. The EPBC Act should not become a watchword for wrecking and stopping.

I would like to comment on some of the things that have been coming to light in some of my research over the years. I remember doing a speech in 2006 at a conference where I was speaking on nuclear energy, and I was quite interested in the speech by the then head of the environmental section of BP. She made the point that in 1972 she had to go to the University of New England because it was the only university in Australia that offered an environmental science degree. In 2006, by contrast, and this is nearly 10 years ago, there were 28 separate environmental science degrees in Western Australia alone. Extrapolate that out and you would have 300 environmental science degrees Australia-wide in 2006. No doubt it is more now. Clearly, there is a need for environmental science and environmental protection, but do we really need 300 to 500 times the number?

Is this legitimate or are we seeing rent-seeking behaviour, where people start creating all sorts of things that need to be investigated, hence loading us up with red tape and hence requiring an incredible amount of time to go through an environmental approval process where you may have not just one environmental approval process but, in some cases, hundreds for one project? Is this artificial creation of additional places a good policy to have for our universities, where you build it up and the people then have to create the work? Are we becoming, in some ways, overeducated? I think, for example of journalism.

When I was young, the traditional means to become a journalist was to become a cadet reporter at a newspaper. There, they would have the grizzled old editor rapping them over the knuckles when they did not use the correct grammar or terminology. It was predominantly a 'he' in those days and he would also castigate those cadet reporters if they put their personal points of view. Now, we have a proliferation of university trained journalists, who appear to think that it is more important to have their own opinion expressed all over the place with their by-lines than to report the facts. Is this actually to the benefit of our society? Are we the richer for having changed the training from, in effect, workplace based training to one where you actually have a degree where they have been taught fine theory? I would argue that the standard of journalism has gone down.

In future, I will be dealing in greater detail with the EPBCA legislation issues relating to nuclear power. I want to facilitate a broader and more mature conversation about nuclear power in parliament and across the community. I want this to be a starting point not an endpoint in the journey to making potentially nuclear a part of the energy mix in Australia. The debate must be based on facts not fear, fantasy, fallacy or fabrication. But the issue being debated here today is whether environmental busybodies should be allowed to delay, disrupt or destroy commercial investment. That is why I was speaking about the issue of environmental science and the proliferation there, because some of this is causing delays in our approvals process which is doing significant damage to our economy.

Whether the wreckers should be allowed to deprive communities right across Australia of the infrastructure and jobs that they are so badly want and so richly deserve, the Abbott government believes in due process. The Abbott government believes in natural justice, but it is never right, proper or fair that environmental warriors and bleeding hearts anywhere can disrupt progress everywhere. That is the crux of this issue. Our government is aware of the
economic challenge ahead. This piece of legislation is just one part of the bigger plan to get Australia back on track.

On 7 September 2013, the Prime Minister said that Australia is ‘open for business’ and he meant it. Ever since then, the Abbott government has been getting on with the plan of getting Australia back on track economically, bit by bit. This one piece of pro-progress, pro-jobs and pro-growth legislation sits in the catalogue beside the two red tape repeal days, and the numerous other pieces of legislation that seek to put jobs first. The coalition government knows the natural environment is a wonderful resource and amenity, but a job is a necessity. Australian families want more and better jobs. They want more and cheaper access to oil, coal and gas. Labor and the Greens do not have a plan to create wealth. They have a plan to spend, spend, spend. But at some point someone has to earn it, and someone has to pay it back.

The coalition is building a strong and prosperous economy for a safe and secure Australia. Only the Abbott government has a responsible, long-term economic plan that will grow the economy and fix Labor's mess. Labor's legacy to Australians is gross debt projected to rise to $667 billion—$123 billion in cumulative deficits; more than 50,000 illegal arrivals by boat; and the world's biggest carbon tax. The difference is clear-cut. After delivering gross debt projected to rise to $667 billion and six record deficits with a legacy of $123 billion in cumulative deficits, Labor still has no plan to fix its own mess, let alone manage previous taxpayers' dollars in the future.

Almost two years into this term, Labor still hankers for a carbon tax. They still have no policies to stop the boats and they are still addicted to taxes and spending. The choice is clear. They are for a carbon tax; we are for lower tax. They are for taxes; we are for jobs. They do the unions' bidding; we stand for the workers of Australia. This EPBC amendment bill is proof that the Abbott government is as good as its word, and is honouring its commitment to the Australian people to get Australia back on track.

Mr KELVIN THOMSON (Wills) (18:39): It was entertaining to listen to the member for Tangney talk about deficit and debt when under this government deficit and debt have been on the rise. It was also entertaining to hear him shed some crocodile tears about Australian jobs and workers when day after day this government has been championing the China-Australia Free Trade Agreement which would put an end to labour market testing for nurses, engineers, motor mechanics, electricians—some 200 occupations in all—with very great detriment to Australia workers and Australian jobs.

There is a context to this bill and, frankly, we do not talk about it anywhere near enough in this House—that is, the state of our environment. The environment has never been more fragile, never been under more pressure and never been more in need of governments and political leaders who will care for it and protect it. It has never been more in need of inspired amateurs and environmental groups who will hold businesses and governments to account where they fail.

We have a precarious environment, one in which many birds, animals and plants are threatened with extinction. We have very serious problems in relation to salinity. We have the declining health of many of our waterways including the Murray-Darling Basin. We have the Great Barrier Reef having been the subject of United Nations concern for some years now.
I have spoken in the House about the threats faced by seabirds and shorebirds—and other species, such as the Mallee emu-wren and the Gouldian finch, victims of inappropriate fire regimes—and the way in which species like the regent honeyeater and the swift parrot are now down to a few hundred individuals and are at risk of becoming extinct in the wild. We have an environment which is in need of protection, in need of tender loving care and in need of the support of volunteer groups and environmental organisations.

The history of environmental law and in particular the question of 'standing'—that is, the capacity to launch a legal action—has been set out in correspondence from Murray Wilcox AO QC, who has had a distinguished career in this field. He points out that, in his early days:

…there was often a real question about whether the applicant had standing to sue; that is, whether he or she was an appropriate person to bring the case. The question always turned on whether the applicant had a personal financial or property interest in the administrative decision, the legal validity of which the court was asked to review. This test was inherited by Australian courts from 19th century English cases.

As time went on, Australian judges came to think this test too narrow. They recognised that people sometimes felt deeply about an administrative decision, including a decision regarding land use or development, even though it did not adversely affect their pockets; but the person thought the decision contrary to the public interest. Over a series of cases, judges gradually decided it was reasonable to allow such people to test the legal validity of the decision that gave rise to their concern. Consequently, they accorded standing to applicants able to demonstrate a genuine interest, not necessarily financial, in the issue or place under consideration. The significant cases commence with the High Court decision in Onus v Alcoa …

The problem about this approach was that its application was uncertain. How much concern was necessary? Judges found themselves examining the minutiae of the applicant's involvement in the problem, instead of getting on with the legal issue about the validity of the administrative decision. It was in order to end the expensive side-issue about standing, that section 487 was inserted into the EPBC Act. A clear test was laid down in that section. Henceforth the court would rarely need to spend any time on standing; it could get on with the case itself.

Section 487 has worked well. As anticipated, the section has eliminated arguments about standing, with consequential savings in cost and time. … [It] has not opened any floodgates; only about one-half of one per cent of decisions under the EPBC Act have been subjected to an application for judicial review.

He also observes—and I agree with him 100 per cent—that species extinctions are important; and, if they are not, 'the biodiversity provisions should be removed from the EPBC Act'. He also expresses the view that the bill before the House is 'futile'. He states:

The Minister apparently assumes the court will apply the standing rule laid down in section 5 of the Administrative Decisions (Judicial Review) Act 1977 (the ADJR Act). That section allows a 'person aggrieved' to seek review of a decision. The ADJR Act does not define this term and there is no reason to read it as being limited to a person with a financial interest in the decision.

He concludes:

The only change from the present situation will be that the parties, and so the courts, will spend time examining the details of the applicant's association with the relevant issue or place. And people wonder why litigation is so expensive.

This bill aims to repeal section 487 of the EPBC Act and to remove extended standing for community members to seek judicial review of decisions made under the EPBC Act. The removal of these standing provisions would severely limit the access that communities have
to ensure that the Australian government effectively and legally administers our national environmental law.

Such a move would likely limit a range of community groups and organisations from accessing justice under national environmental law—including: farming and landholder groups, except for those farmers who are directly adjacent to, or deemed affected by, a development; experts, including water scientists who could identify significant failings in the work or decision making of the government; environmental groups who have legitimate concerns relating to how our laws are working to ensure clear air, clean water and healthy ecosystems; Indigenous communities who have strong cultural heritage connections to country; and local Landcare and wildlife rehabilitation groups who work to protect local and regional environments.

The bill would limit standing to a person ‘whose interests are adversely affected by the decision, based on federal administrative law’. The extent of standing for a particular individual or group would need to be considered on a case-by-case basis with reference to common law cases. So it is far from clear that the bill would reduce delay in projects as a result of legal proceedings; rather, it would require additional time and resources for the courts and legal parties to initially resolve the issue of standing before proceeding to substantive environmental issues.

There is a strong rationale for retaining broad standing provisions for judicial review. Having sufficiently open standing and access to justice has numerous benefits—including, providing an important check against corrupt behaviour by both government officials and industry. It enables the community to ensure that government is implementing the rule of law effectively, and it helps to stop bad decisions that threaten the health and wellbeing of communities and damage our environment.

Given all of that, you really would wonder why the government is bringing this bill before the House. The government has brought the bill on following a decision by the Federal Court to set aside the environment minister's approval for Adani's Carmichael coalmine. In that case, the outcome was reached because the government admitted that the approval of Adani's coalmine and rail project under the EPBC Act was legally flawed. The government, through its solicitors, requested that the Federal Court set aside the environment minister’s approval of the project, explicitly acknowledging that a practical consequence of the making of this order would be that the minister will be required to reconsider the assessment that was the subject of the decision under review.

After that, it is absolutely outlandish for this government to make claims about ‘vigilante litigation’. The legitimate Federal Court action, brought by the Mackay Conservation Group, identified a major error in the approval given by the minister. It was identified that the minister did not account for important conservation advice for two nationally threatened species: the yakka skink and the ornamental snake.

It is important to note that the government's mistake in this process was only highlighted by legitimate legal action taken by an environmental organisation. The government admitted that mistake. It requested that its own decision be set aside. So the claim of ‘vigilante litigation’ is just ludicrous. That is what the courts are there for: to ensure that the rule of law is followed. It is imperative that projects with large-scale impacts, such as this one, be subject to a
thorough and transparent environmental assessment that considers the rights and views of the community, and that the rule of law is followed when issuing an approval.

As others have pointed out to the House, in this legislation's 15-year history some 27 of 5,500 referrals made under the act—that is, approximately half of one per cent—have been brought before the courts for judicial review. Under current arrangements, the Federal Court will only hear cases that have sufficient merit for the grounds being argued. It will not proceed with any litigation that it views to be vexatious or without merit. Under the existing provisions, under national environmental law, the significant cost of legal action and the threat of adverse cost orders remain considerable barriers to litigation.

The move to repeal section 487 and to cast responsible environmental groups as vigilantes or saboteurs is misdirected and slanderous. Responsible environmental organisations use the rule of law to ensure that the government of the day is diligent and effective in its implementation of legislation. If the government fails this test, it has no business seeking now to restrict the rights of Australians to ensure that our environment is appropriately protected.

The government claims that this bill will not affect farmers. That is not true; it will. This bill will restrict the nature of any action brought by any group or individual. It will limit the taking of action in court to a person whose interests are adversely affected by the decision. This limitation will mean that establishing standing will require that farmers and other concerned citizens establish some form of interest in the project occurring through common law processes. Such a move will create a significant financial impost on farmers, especially those already struggling against the might of some of these projects.

Retired Family Court judge Ian Coleman has noted in The Land newspaper that this change would have an 'appalling impact' and would 'just be so unfair to farmers'. He went on to state: Farmers would incur individually the cost of both lawyers and experts to add some substance to their challenges and once you get experts involved, you cruise past $50,000 very quickly.

Unless you can prove your financial interests are directly affected then you would likely have no right to object to the decision.

Little wonder then that Alan Jones is opposing this legislation; and more strength to his arm in relation to this.

When we look at what the experts and independent bodies are saying on the notion of standing, we have the Hawke review saying that these provisions ought to be retained. We have the New South Wales ICAC noting the importance of third-party rights to review decisions as an important mechanism to stop corruption, noting:

Merit appeals provide a safeguard against biased decision-making by consent authorities and enhance the accountability of these authorities. The extension of third party merit appeals acts as a disincentive for corrupt decision-making by consent authorities.

The Productivity Commission, in a recent review of major projects approval processes, echoed this view, and the Human Rights Law Centre has also supported this. The case for retaining this legislation is very clear.

There has been discussion about the role of the Mackay Conservation Group. I point out to the House that over the years they have been involved in numerous actions to protect the environment, working with community groups and individuals to get a 20-year moratorium
by the Queensland government in 2007 on oil shale mining in areas of the nationally listed Goorganga Wetlands; they have been able to get fine dust continuous monitoring done downwind of the Hay Point coal terminal for coal dust blowing on the community of McEwens Beach; and they have lobbied in relation to numerous environmental questions in the interests of residents and the environment in the Mackay region.

I urge the House to reject this bill. It is a disgrace. It reveals only too clearly the contempt and hostility this government has for the environment and for Australia's unique, beautiful and fragile continent.

Mr HOWARTH (Petrie) (18:54): I rise with pleasure to speak on the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015. I do so because I love the environment and I also love jobs—jobs for my electorate and right around this country.

I want to start by stressing that unemployment in my electorate is, quite frankly, higher than I want it to be. Youth unemployment for the area is also too high. Every day since the last election, our government has been working to ensure that small and large businesses have the environment—no pun intended—that they need to grow and prosper, because we on this side of the House know that it is the private sector businesses that create jobs.

But for some reason some people want to get in the way of jobs and to annihilate any possibility of our country moving forward. The opposition often talk about jobs as well. This helps address the problem, I believe. This bill is a sensible move by the government to ban so-called green activists from using our court system to delay or sabotage key resource developments. We are removing section 487 of the Environment Protection and Biodiversity Conservation Act. At the moment, section 487 extends the meaning of the term 'person aggrieved' in the Administrative Decisions (Judicial Review) Act 1977. Section 487 states:

An individual is taken to be a person aggrieved by the decision, failure or conduct if:

(a) the individual is an Australian citizen or ordinarily resident in Australia or an external Territory ...

So basically you have to be an Australian citizen. It goes on:

(b) at any time in the 2 years immediately before the decision, failure or conduct, the individual has engaged in a series of activities in Australia or an external Territory for protection or conservation of, or research into, the environment.

This definition is shockingly broad. It basically means, for instance, that a 20-year-old young man who has been working on a Green Army project in New South Wales could launch judicial proceedings against a coalmine in Queensland. That is what it basically says: if they are an Australian citizen and they have been working within the environment, doing research or helping the environment in some way that is in no way linked to, say, a coalmine or aquaculture farm in Queensland or whatever the project is, they can proceed with judicial proceedings. So no wonder section 487 has been exploited by politically motivated groups to such an extent that they might as well be throwing grenades at the faces of hardworking Australians. They may as well be doing that.

These are groups of the same calibre as Greenpeace, which was recently caught out falsifying a photo—and when I say 'falsifying' I mean lying—of the Great Barrier Reef to try to get people on board with their financial campaign. For those of you that do not know about
that, Greenpeace recently had photos of a reef that they were trying to pass off as the Great Barrier Reef on billboards throughout subways in London, saying: 'Support the reef. Save the reef now. Donate today.' Greenpeace raised who knows how many hundreds of thousands out of that campaign, and what was it? The photo was in fact not of our Great Barrier Reef. The photo was in fact of a reef in the Philippines that had been destroyed by a cyclone, and Greenpeace was trying to pass it off as some sort of coral bleaching or global warming on our reef. It is just absolutely disgraceful.

People in these organisations have no qualms about lying to the kind-hearted Australians who donate money to their causes with genuine concern for the environment. It is these people who are wasting hundreds of thousands of taxpayer dollars—dollars that taxpayers pay to the government through income tax, company tax and so forth—in our court system, delaying vital economic projects. They pretend to stand for the environment, yet they are really haters of humanity. That is what they are. They somehow justify what they are doing by saying it is going to save us all and without them we would all be stuffed. The fact is that they have absolutely no care for people, for jobs or for our future as a country. To quote the Greenpeace Australia report *Stopping the Australian coal export boom*:

> Our strategy is to 'disrupt and delay' key projects and infrastructure while gradually eroding public and political support for the industry …

That is what they have set out to do. Well, there is political support for coalmines in Queensland, on this side of House, because we know that they create jobs. There is political support for uranium mines in Western Australia, on this side of the House, because we know that every week China is opening up new nuclear power plants that are free of carbon emissions and we have a product that they need. We know that these create jobs. So there is support here on this side of the House, whether it is for coalmining, uranium mining, iron ore mining or perhaps for aquaculture.

We had the member for Melbourne get up earlier today in this place, and all he could go on about was how coal is bad and that we need to switch to renewables. Well that is great. I support renewables too. I have solar on my roof at home and we want to see more solar. We have recently negotiated to ensure that the RET is at an acceptable level so that people's power bills do not go up and that we can achieve it and that we can be involved with town planning to make sure it is laid out properly. So whether it is for aquaculture or solar, or a coalmine that supports people in India that do not have electricity—and keep in mind: our coal is much cleaner than coal from other places—there is support on this side. The member for Melbourne got up and all he talked about was renewable energy and that coal is bad. It had nothing to do with the bill. We are talking about projects and about jobs, because the best thing that we can do is to ensure that Australians, when they get up on a Monday morning, have somewhere to go to work. That is the point.

This delaying tactic by Greenpeace, who say:

> Our strategy is to 'disrupt and delay' key projects and infrastructure while gradually eroding public and political support for the industry …

is killing jobs. There are people in my electorate who are desperate to work, right now, and I am happy to stand up here and be counted, and to say: 'I am happy to speak on this bill.' This small change will help jobs, not just in my electorate, but right through the country. Yet we have Labor opposing it again. Labor are opposed to creating jobs, just like they are with the
China-Australia Free Trade Agreement. They are opposed to jobs again. This is a sensible change. We are a country with a population that continues to grow. We bring in refugees—and these people need jobs as well. I would urge the opposition and the Independents, in this place and the other place, to support this bill. It is a sensible change, it really is.

I want to say, of course, that not every environmental organisation acts in this way. At a local level, I have had a great time working with conservation groups in the Petrie electorate, like the Mango Hill and North Lakes Environment Group and the Redcliffe Environmental Forum, with the wonderful projects that they have done, with our Green Army, on the ground. I will not go into everything they have done; I have spoken on that issue before. They have done a lot of good for the environment in our local community. Environmental protection does not have to be a war on progress. Developers, projects and conservationists can work well together—they can.

In my electorate we are rolling out some massive infrastructure. The federal government has invested $583 million into the Moreton Bay Rail Link. I also think of the koala monitoring program that is happening there right now which is pioneering the chlamydia vaccine; that has only been able to go ahead because of this construction. The rail link also takes into account the abundance of fauna in the area; there are underpasses for animals to get under it. You know what has been killing koalas in the area? It is not the rail link itself, but the wild dogs. On Monday this week we had endangered species day. It is the wild dogs, the wild cats and those illegal immigrant animals, the cane toads, that kill our snakes and other reptiles. That is what causes a lot of the issues.

I love the environment and I have been lucky enough to caravan right around our great country. I have been to the top of Queensland and up to Thursday Island. I have travelled down to Tasmania and spent a couple of months down in Tassie. None of the boys from Tassie are here today, but it is a wonderful state. I have driven across the Nullarbor, towing my caravan, and have seen the whales out there in the bight. It is a beautiful area. I spent a couple of months in Western Australia, going from Perth up to Broome, and have been to Darwin and Kakadu and the islands north. You know what? I love our environment. I love our freshwater ecosystems. I love fish and the little native turtles. I love all that.

Mr Brendan O’Connor interjecting—

Mr HOWARTH: Freshwater fish. I love that—I love the environment. I have three sons and I want to make sure our environment is protected so I can go there in the future with them, but I also believe that we can protect our environment and provide jobs for the millions of Australians that want to work and the hundreds of thousands of Australians that are currently out of work. That is why I am behind this bill.

With the current process, a company—whether it is developing an aquaculture farm, a coalmine or whatever—has an environmental impact assessment that has to look in detail at all of the issues. There is then a public consultation process, for at least one month, for people to make public consultations. It then comes back to the department and of course the minister signs it off. Often the minister has to sign off on it, but so does the state minister. I know they are looking at one-stop shops and things, but right now the state government and the federal government have to agree. There are protections, in place right now, for the environment. Only when this bill passes the House can we be certain that this will improve in some way.
The member for Hunter spoke earlier today in this debate. He spoke about the Shenhua coalmine—and so did the member for Wills—saying that somehow farmers would not be allowed to put in a legitimate claim if section 487 was repealed. Well that is just not true. Farmers have never relied on section 487. The repeal of this section will not affect a farmer’s ability to appeal decisions made under national environmental law. What it will do is to remove the ability of extreme groups, as I mentioned before, and of individuals who are nowhere near the project, to hold up—and, as Greenpeace stated before, delay and disrupt, and add a whole lot of cost to—these projects. That is what it will do. So that is why I support this bill. I would encourage others in the House to support it as well, because at the end of the day we can protect our environment and we can also provide jobs.

Mr STEPHEN JONES (Throsby) (19:07): Every morning when parliament resumes we go through an important ceremony where we do an acknowledgement of country. In the case of the federal parliament we acknowledge the Ngunnawal and the Ngambri people, who are the traditional owners of the land. In doing that, we acknowledge the importance of custodianship of country. This is an important recognition that this generation of Australians have an important responsibility to ensure that we look after the land that we walk on, that we look after the land that we own. This is a principle that is acknowledged in ancient law, the law of the first peoples of this great continent. It is also a principle that is acknowledged in European law. The ownership of land is not outright; it comes with certain limitations attached to it. We cannot do whatever we like with our land. The statute of this land has recognised from the very, very beginning that landholders have responsibilities to the environment, they have responsibilities to their neighbours and they have responsibilities to the Crown and to the state.

The stuff that we are talking about today is not about whether or not a coalmine should go ahead. It is not about whether or not a bunch of hippies in trees or people that the member for Petrie finds offensive should have a right to appeal in court. The stuff we are talking about today is about how the Commonwealth government appropriately regulates and protects the heritage and the environmental values of this country so that when my children and your children, Deputy Speaker, reach the same age that we have reached they will enjoy the benefits of the flora and fauna of this great nation. That is the stuff that we are talking about.

When you listen to the heated speeches of the member of Petrie and those who came before him, you could lose grasp of that important fact. It is about how we ensure the important environment and heritage values are protected into the future and how we ensure that, when governments stuff it up, when they make the wrong decisions, there are appropriate protections in place. None of us are perfect. We make mistakes from time to time. The environment minister made a mistake in the Adani case. That is quite clear. We are talking about how we ensure that, when governments make mistakes, there are appropriate checks and balances in place to ensure that those mistakes can be reviewed and reversed. That is what we are talking about.

We heard the member for Petrie talk about haters of humanity. I am sure that popular Sydney broadcaster Alan Jones—no relation—would be very surprised tomorrow morning to see that he has been described as being in the catalogue of the haters of humanity. I am sure the National Farmers Federation—more often on your side in the ledger of political disputes than mine, I have to say to the member for Petrie—would be very, very surprised to find
themselves listed in the column of the haters of humanity and those you railed and ranted against as you walked us through your whistle-stop tour of your caravanning around Australia.

This bill, the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015, is so bad that it has prompted a diverse range of people, from the Leader of the Opposition, Bill Shorten, the shadow environment spokesperson and the member for Port Adelaide to Alan Jones—not a group that are normally coupled together in the same brackets—and the National Farmers Federation, to join together in common voice. Indeed, there is a community driven campaign out there crowdsourcing to ensure that this terrible legislation never finds its way through both houses. The reason they are doing this is that they have found common cause in opposition to what is madcap legislation. That is what we are talking about here today.

The changes, we have heard, are designed to stop what is described as 'vigilante litigation' from environmental groups. This is the sort of nonsense that we regularly hear from members who have got up to support this legislation. What it really means is that any party—not just dedicated environmental groups but any party—will be forbidden from challenging large developments in court, and not just high-profile mining projects like Adani but any large development. Those representative organisations will be prohibited. This is occurring because the Attorney-General, Senator George Brandis, wants to scrap a section of Australia's environmental laws that allows parties to challenge environment approvals. Under the current laws, anyone 'adversely affected' by a decision or a failure to make a decision has the legal right to challenge it. This includes Australian citizens and residents who have acted 'for the protection or conservation of or research into the environment' at any time in the two years before the decision was made.

I want to make a point which has been lost in the fog of the debate. The appeals that are provided for in this legislation are not merits based appeals; they are judicial appeals. You would understand the difference between a merits based appeal and a judicial appeal, Mr Deputy Speaker. It does not fall to the courts to trawl through the decision of the minister or his delegate, the decision makers, to say, 'Would I have made that decision if I were in the boots of the minister? Would I have made that decision? Do I support this particular development or that particular development?' That is not what the legislation provides, and that is not what judicial appeal provides. All it provides for is the right of an interested person who fits the class of person to go to the Federal Court of Australia and say, 'We believe the law has not been followed. We believe the law of the land has been broken.'

That is exactly what happened in the Adani case. You would think when listening to the debates that you had an unwilling respondent forced to a decision by some feral judge of the Federal Court driven to a position by some equally feral litigant. In fact that is not what happened at all. The orders were consent orders. The orders in the Adani case were consent orders—that is, the respondent themselves acknowledged that the minister had stuffed it up. The minister had not followed the law and had to go back and review the decision and make the decision again.

There is ample opportunity in this situation for the minister to do the right thing: to ensure that he acts upon the advice and considers the advice of the threat to the two endangered species, which prompted the litigants in this matter. You might also infer by listening to some
of the heated contributions by members of the coalition that people on a whim lodge a statement of claim or an application to the Federal Court, dragging the poor witless minister or the developer—the applicant—into the court, indifferent to any of the consequences. Deputy Speaker Vasta, you and I both know that is not true because, were that to be the case, then that applicant would be hit with considerable cost orders in the thousands, if not tens of thousands, of dollars.

It is not as if these applications are made on a whim. That is probably why less than one per cent of the applications that have been made have ever gone to court—an absolute minority of any of the applications have ever gone to court under this particular provision of the legislation.

What is clear is that we have a confected debate in the style of this Prime Minister and this government where black has to be black and white has to be white. If there is not an enemy within your view, you had better go out and find one—confect an enemy—to ensure that you can have a fight where there is no fight to be had. For over 15 years this legislation has been operating and operating very well. It was the former Howard government that introduced the legislation and it has been operating very well.

It is not only those of us on the Labor side of the House who have deep concern about what is being proposed in this legislation. Fiona Simpson of the National Farmers' Federation said: The Adani decision seems to have been caused by either Adani or the department not applying the law properly, but then, suddenly and with no warning or consultation, we get this put forward … we prefer evidence-based policy making.

Those are the words of the National Farmers Federation, and we on the Labor side of the House could not agree more. We find ourselves in common cause with the National Farmers' Federation and the Sydney based broadcaster Alan Jones on this point. This is bad legislation not based on the evidence and it should be resisted. We are deeply concerned about the consequences of legislation such as this.

I come from New South Wales, a state which has an Independent Commission Against Corruption. In its 2012 report, the Independent Commission Against Corruption talked about the importance of third-party appeal rights. It had this to say in that report:

Third party appeal rights have the potential to deter corrupt approaches by minimising the chance that any favouritism sought will succeed. The absence of third party appeals creates an opportunity for corrupt conduct to occur, as an important disincentive for corrupt decision-making is absent from the planning system.

We agree. We think that these are important protections which actually improve the decision-making process, because a minister who knows that his or her decisions will be subject to a judicial review and that, if they get it wrong—if they do not follow the due process—they will be sent back to make that decision again. They will be ordered by a court to go back and make that decision again.

Let's be very, very clear for those on the other side of the House who are railing against the so-called haters of humanity: there is absolutely no proposal before the House to change or challenge the provisions within the legislation which go to the protection of the environment—none whatsoever. There is nothing before the House that says: 'These considerations that the minister must take into account—environmental, heritage or otherwise—should no longer apply.' Nobody is proposing that. All they are doing is
proposing to change the rights of members of the public to hold the executive arm of government to account. We on this side of the House think that that is wrong.

I have talked about the experience of the legislation: some 5,500 projects have been referred to the federal environment minister in the 15 years of the operation—

Mr Brendan O'Connor: Yes.

Mr STEPHEN JONES: That is right: the member for Gorton is surprised about this—5,500 projects have been referred to the federal environment minister since the year 2000 for approval. I can inform you and the member for Gorton that a quarter—10 or 15 per cent would be a substantial number. The actual figure is less than half of one per cent—0.4 per cent; that is right. So where is this emergency?

I know they have precious little legislation to bring before the House. They cannot get it through their cabinet and they cannot get it through the parliament. But, surely, the people of Australia deserve a bit better than this. As the National Farmers' Federation have pointed out: this is not evidence based policy. They implore us as members of this place to reject the legislation. We implore members of the government to reject the legislation, because it is not good policy. It is not good for the government. It is not good for any government and it is certainly not good for the environment. I call on all members of this place to do the right thing and reject this legislation.

Mr PITT (Hinkler) (19:22): I must say it is rare in the House that I get to follow the member for Throsby, and his contribution is spoken just like a lawyer, which I believe is his training. Out in the real world in my electorate, the single biggest issue is unemployment. That is the No. 1 issue for the people that I represent. The median personal income is just $411 a week, and the people in my electorate are doing it tough. I have said it many times before and I will continue to say it until the people on the other side of the House start to listen: governments do not create jobs; businesses do. That is why we need investment in regional areas. If people are employed, it improves their self-esteem. They can care for themselves and their families. They can live a better quality of life.

The Wide Bay-Burnett region's central proximity to the growing markets of Gladstone, South-East Queensland and the Surat Basin presents enormous overflow opportunities for the people of my electorate. Traditionally a farming district with the largest population of any Queensland region outside the South-East Corner, we have the potential for new medium-scale manufacturing to support supply chains in a number of sectors. The Regional Development Australia Wide Bay Burnett has developed a capability document to inform the resource sector and construction companies of the Wide Bay-Burnett's ability to meet key industry requirements in the sourcing, recruiting and mobilising of fly-in fly-out workforces. That is why I find it completely ironic that those on the other side of the House would side with the green groups and allow mining and infrastructure projects in regional Queensland to be strangled by green tape, stifling job creation that is desperately needed.

If a project is stalled, it does not affect just one region; it flows to all of the surrounding areas. If there are no workers, there will be no members of their beloved unions. Most Labor Party MPs and senators have not worked outside on a tough day in a tough environment, and how many of them have actually been tradesmen, farmers or small business owners, the people who are out there building our economy? I would suggest it is very few. If we look at
their leader, for example, what does he know about the people he claims to represent? Probably nothing. I think he spent most of his time in an air conditioned office.

Coalition members know what it is like to work in the real world. Labor only serves its own interest and any minority group that will help them score cheap political points, and I find it absolutely extraordinary that Labor is opposing these changes which merely bring the EPBC Act into line with other Commonwealth laws. This government will not stand by and allow jobs, investment and our economy to be threatened by activist litigation.

Courts should not be used to support green groups' political tactics. In the past, people with no connection to a development other than a desire to stop it have been able to use the courts to disrupt and delay key infrastructure even after it has been appropriately considered under the EPBC Act. I would like to focus on that point for a moment. These are people who have no connection with the project. Most have never set foot on the proposed site. They have not even visited the towns nearby. To give you an example of the scale of economic vandalism, I will quote from the Greenpeace Australia report titled *Stopping the Australian coal export boom*:

Our strategy is to ‘disrupt and delay’ key projects and infrastructure while gradually eroding public and political support for the industry …

… … …

Legal challenges can stop projects outright, or can delay them in order to buy time to build a much stronger movement and powerful public campaigns. They can also expose the impacts, increase costs, raise investor uncertainty, and create a powerful platform for public campaigning.

They go on to say they will:

Mount legal challenges to the approval of several key ports, mines and rail lines … that delay, limit or stop all of the major infrastructure projects … that have been identified as a high priority in the strategy …

Many of the mining and infrastructure companies we have in Australia take their social responsibilities very seriously. They donate to schools and community groups, build new roads and community infrastructure and employ local people. For example, the proposed Macmines Austasia China Stone project in the North Galilee Basin has committed to sourcing 60 per cent of the operational workforce from regional Queensland: Townsville, Cairns, Charters Towers and Wide Bay. They undertook a labour market study to identify the labour source locations for the project and, as such, they will recruit some 775 workers—25 per cent of their workforce—from the Wide Bay region. That would be a huge boost for my local economy and the region, with almost 800 jobs created, people bringing money into Hinkler communities and spending it at local businesses that employ local people. The cycle of benefits goes around and around.

This legislation will stop green groups from using the courts to delay projects like these. Delays cost jobs in communities that need them most. People do not know whether a project that has gone through all the necessary hoops, sometimes over many years, will continue to be in doubt. Should they stay there or should they look for work elsewhere? Under this government Australia is open for business, and part of that is removing uncertainty for investors. We have halved the time for approvals and cleared Labor's backlog of approvals. We have approved over $1 trillion in projects. It is important to note that Australia continues to have some of the most stringent and effective environmental laws in the world, just as it
should. I say as it should because no-one is questioning the fact that there needs to be an appropriate balance between the social, economic, environmental and cultural needs of our communities.

The proposed amendments contained in this legislation do not change environmental standards. Farmers, landowners and any other person whose interests are adversely affected by the decision will continue to have a right to appeal any decision. The EPBC Act standing provisions were always intended to allow the genuine interests of an aggrieved person whose interests are adversely affected to be preserved. This will continue to be the case. Changing the EPBC Act will not prevent those who may be affected by a project from seeking judicial review. It will maintain and protect their rights. This legislation will, however, ensure that environmental activists no longer receive special treatment under the Environment Protection and Biodiversity Conservation Act.

Once projects have met these tough environmental requirements, they should be able to proceed without being subjected to legal sabotage. Environmental groups will still have ample opportunities to put forward evidence and make their cases through our rigorous environmental impact assessment processes. No longer will they be able to delay, limit or stop major projects that this country desperately needs. We are putting an end to the economic vandalism.

To those people who are out there listening to this speech live and to those who might read it after delivery I say: if you get up in the morning and you put on your steel-cap boots and your Hi Vis shirt; if you go to work at a mine as a truck driver, as a diesel fitter, as an electrician or as many of the thousands of other occupations, the changes in this legislation are for you. If you get in your service vehicle first thing in the morning and work on servicing equipment at the local gas plant, the local mine, the local feedlot, the local trawlers, the changes in this bill are for you. If you are one of the thousands of Australians who are up at three in the morning, providing catering services to those men and women who start early and finish late, whether on-site or in transit, making takeaway breakfasts and lunch packs—(Time expired)

**ADJOURNMENT**

The SPEAKER (19:30): It being 7:30 pm, I propose the question:

That the House do now adjourn.

**Indigenous Advancement Strategy**

Mr NEUMANN (Blair) (19:30): Tonight I want to draw the attention of the chamber to the issue of the Abbott government's Indigenous Advancement Strategy. This is a debacle and disaster of a policy. It is shambolic, dysfunctional and chaotic, and I have written to the Auditor-General asking him to undertake an audit in relation to this particular program. It has proved to be a disaster for many people. There needs to be a proper investigation of the application and assessment process for all grants awarded under this program, as we are talking about $4.9 billion dollars of taxpayers' funding. I am asking the Auditor-General to look at the mandatory incorporation requirement—which is applicable only to Indigenous organisations—and issues of transparency and accountability.

Upon the election of the Abbott government, they brought 150 individual programs from eight government departments into five program streams, and then they forced 1,440
organisations then funded by the Commonwealth government to compete in an open grant round. A press release issued by the Minister for Indigenous Affairs, Senator Nigel Scullion, on 9 September 2015 advertised the available amount as $4.9 billion, when in fact it was only $2.3 billion. Because they had botched the program so much, they had to provide transitional funding of $300 million to continue with the program.

There was a myriad of problems with the application process and the assessment process, and the resulting funding announcements have been well documented. That is why Labor co-sponsored a reference to the Senate Finance and Public Administration References Committee inquiry into the Commonwealth Indigenous Advancement Strategy tendering process. Indeed, nearly every submission to that inquiry excoriates and condemns the Abbott government in relation to this process. It was confusing, inaccessible and it prevented many organisations from completing the applications—as evidenced by the high rate of noncompliance. There were 2,472 applications received in relation to the round of funding; it was a competitive tender round. Of these, 1,233 were deemed non-compliant by the department, and there was a massive oversubscription, resulting in applications totalling $14 billion, leading to costly delays. During this time some organisations were forced to close their offices and lost valuable staff, while others faced the prospect of the closure of their services altogether.

When the government announced the funding in March, they announced the 964 successful organisations that got funding, and in fact the whole process was so bad that they had to announce another $140 million in relation to it in May. The government has produced no specific criteria against which the application was made for the gap-fill process, and nor has it been able to adequately explain how applicants were identified for assessment during the gap-fill process. In fact, it cannot even produce a spreadsheet to outline who got the money, for what duration and for what purpose. Indeed, many organisations had not even signed their funding agreements just weeks before the new financial year. As at 30 June 2015, there were 10 organisations that have declined funding offers under the IAS. So transparent and accountable was the process that it took an article in The Australian and a follow-up one over the weekend for the government to release figures! And even then—by its own admission—the data was incorrect. In fact, the spokesperson for the senator, the Minister for Indigenous Affairs, was reported in The Australian on 8 September as saying that, in an apparent bureaucratic mistake, the records in fact of the department included:

... all grants contracted in previous financial years (2013-14 and 2014-15), including grants that do not use IAS funds, including grants through the Aboriginal Benefits Account.

And the website made no mention of the inclusion of the non-IAS funding, and no mention had previously been made in correspondence with the senator's office or with representatives for the department.

It is a complete shemozzle. I have serious concerns for the level of ministerial discretion. We have lost 119 staff from the Indigenous affairs group within the Department of the Prime Minister and Cabinet and, as I say, Indigenous organisations applying for grants of more than half a million dollars per year were mandatorily stripped of their choice to incorporate with the national regulator, ASIC, alongside non-Indigenous organisations, and they had to incur greater costs and greater extensive regulatory powers under the Office of the Registrar of Indigenous Corporations. I ask the Auditor-General to do the right thing and investigate the whole process. *(Time expired)*
Asylum Seekers

Mrs GRIGGS (Solomon) (19:35): I rise to speak on the momentous and compassionate announcement that the Abbott government made here today. Australia will be assisting in the global effort to help those fleeing conflicts in Syria and Iraq—war-torn countries dominated by the death cult, Daesh. We will be helping resettle an additional 12,000 refugees on top of the 13,750 places currently available in our humanitarian program. This current program will increase to 18,750 in the 2018-19 financial year. These 12,000 refugees will, as the Prime Minister said today, undergo normal security, health and character checks as part of their processing before coming to Australia and being granted permanent protection. People should make no mistake: the Abbott government will continue to be tough on people smugglers, but we will be compassionate to refugees who are most in need. The people smugglers are no longer dictating who comes to this country based on who can pay for the boat ride; we are deciding who comes to our country based on who needs protection the most. That is why our focus will be on the women, children and families of persecuted minorities who have sought refuge from the conflicts in Jordan, Lebanon and Turkey.

We also announced today that an additional 240,000 Syrian and Iraqi people will be assisted by Australia through financial support that we will be providing to the UNHCR. We announced today an additional $44 million on top of our current contribution towards the humanitarian crisis in Syria and Iraq. This brings our total commitment to around $230 million in aid. This important aid funding will go towards helping other countries to settle or resettle these vulnerable people, who have been forced to flee their homes or seek refuge in neighbouring countries. This aid will ensure that these refugees will receive water, food, health care and education.

I can confirm that I have been in discussions with the Minister for Immigration and Border Protection, Peter Dutton; the Chief Minister of the Northern Territory; and the Northern Territory Treasurer, Dave Tollner, regarding the Northern Territory playing a role in assisting with the Syrian and Iraqi refugee crisis. The Northern Territory is already a diverse and multicultural community. We Territorians are some of the most generous and welcoming people, particularly to those in such dire need of help. We have good community infrastructure. Thankfully, we have low unemployment, at four per cent, and we currently have historically high rental vacancy rates. So, in my mind, this makes the Territory an ideal place to assist in such a global humanitarian crisis. If we are to provide refuge to these people, it will be a win-win situation for both the refugees and north Australia as we are gearing up for the sorts of nation-building projects outlined in the white paper on developing northern Australia. To reiterate: in the Territory we have jobs, we have accommodation, and we have the will and the spirit to make this happen.

All this can be made possible because of the success of the Abbott government's policies to stop the people-smuggling trade, the horrid trade that risked people's lives and gave priority to people who could afford to pay for a boat ride, not necessarily those who were in most need of protection. Labor allowed people smugglers to select who came to this country. Since the coalition broke the people smugglers' model, Australia has gained capacity to help those in the greatest need. By stopping the boats and the deaths at sea, the coalition has restored integrity to our refugee program and Special Humanitarian Program. Already, quite a few community and church organisations have made contact with me, looking to assist. Today I
also had a constituent offering to donate 150 pairs of her thongs to provide these people with something after they had left all their possessions behind. I am proud of the government's decision and know that we are doing all we can to help in this terrible crisis.

Asylum Seekers: Europe

Iraq and Syria

Mr DANBY (Melbourne Ports) (19:40): This has been a day when Australia has stood tall. This is a day when we stood united and when we have done the right thing by the international community, particularly those poor refugees who are pouring out of Syria.

Tonight at the Australian Strategic Policy Institute, the Deputy Leader of the Opposition and our foreign spokesman, Tanya Plibersek, distinctly separated our mission in Iraq from Syria. She explained that we support the government in responding to the request from the government of Iraq to preserve its borders. Australia and other forces were invited by Iraq to keep its sovereignty from Daesh fighters who come across the border. Daesh uses its bases in nearby Syria to attack Iraq and the Iraqi people, and we in the opposition have supported the government in that policy.

The organisation that has caused so much mayhem in northern Iraq and in Syria is causing this terrible international situation with people pouring out of Syria. Along with the brutal government of Assad in Syria, it is one of the most violent groups in world history. We all know about the crucifixions and beheadings and about burning people alive, but I particularly want to mention something that horrified me that I think all civilised people should be aware of and should know, and that is what The New York Times on 13 August described as Daesh's 'theology of rape'.

In The New York Times it said that repeatedly the ISIS leadership has emphasised a narrow and selective reading of the Koran and other religious rulings not only to justify violence but to elevate and celebrate sexual assault as spiritually beneficial and virtuous. This is a new horror in world history. The article argues:

The systematic rape of women and girls from the Yazidi religious minority has become deeply enmeshed in the organization and the radical theology of—

Daesh—

... in the year since the group announced it was reviving slavery as an institution.

It has been manifest. The New York Times reported:

The trade in Yazidi women ... has created a persistent infrastructure, with a network of warehouses where the victims are held, viewing rooms where they are inspected and marketed, and a dedicated fleet of buses used to transport them.

This is not done by coincidence. Daesh made it 'clear in its online magazine that its campaign of enslaving Yazidi women and girls had been extensively preplanned':

"Prior to the taking of Sinjar, Shariah students in the Islamic State were tasked to research the Yazidis," said the English-language article, headlined "The Revival of Slavery Before the Hour," which appeared in the October issue of the magazine ... The magazine of that dreadful group is called Dabiq.

I am very proud that this country stands against that form of barbarism. I think the opposition have ideas that perhaps we should be giving even more for the preservation of the
lives of refugees who have poured out of that part of the world. As our foreign spokesman and
deputy leader reminded ASPI tonight, only two weeks ago she was being criticised for saying
that we should give more civilian aid to Syria by the government, who said that she wanted to
drop picnic baskets on terrorists. What a joke that description now assumes. What a joke. But
of course, there is a serious point.

There are other countries that are not lifting as heavily as Australia. Europe is doing its bit.
There are some countries who our foreign spokesman rightly put the searchlight on who are
doing absolutely nothing: Qatar, the UAE, Saudi Arabia, Kuwait have offered zero
resettlement places to Sunni refugees according to Amnesty International, despite the fact that
many of these people come from the same Sunni religion. Kuwait has offered $304 million,
UAE $540 million but Saudi Arabia only $18.4 million. They should lift their game and do
what Australia is doing, do what countries in Europe are doing and contribute to the wellbeing
of their co-religionists.

**Iraq and Syria**

Mr HAWKE (Mitchell) (19:45): I want join the member for Solomon and the member for
Melbourne Ports in welcoming the government's announcement today about the humanitarian
and security crisis facing the Middle East. I draw the House's attention to a motion that
I was able to move one year ago from today's announcement about the minorities within Iraq and
Syria who were suffering persecution. In today's world, too often we forget the history. We
forget what has happened even in the recent past and focus on what is immediately in front of
us. But one year ago today, we had a discussion in this House which I was privileged to
participate in in setting aside a minimum of 4,400 resettlement places in the refugee and
humanitarian program for ethnic and religious minorities fleeing the humanitarian crisis in
Iraq and Syria.

Australia was also at that time dropping food and aid to those minorities, ethnic, religious
and otherwise, who were being persecuted by ISIS, the state of Syria and the chaos in the
region. We all condemned the violent barbaric killing, the intimidation and the harassment.
But there are, indeed, persecuted minorities who in particular need our focus and our care. We
are not just talking about Christians; we are talking about Christian Assyrians, Chaldeans,
Mandaean and we are talking about Yazidis, a Persian faith started by a philosopher. We are
talking about all kinds of different Muslim minorities: the Turkmen, the Shabak, and others
who have been absolutely persecuted and given the same treatment as all other groups, ethnic
and religious in this region. In fact, the unifying feature of ISIS and the evil of this death cult
is that they do not discriminate. They are indiscriminate in their killing and indiscriminate in
their treatment of minorities and other groups who they believe do not conform to their
perverted view of Islam.

It is welcome that the government is resettling 12,000 as a one-off special commitment for
our humanitarian resettlement program from Syria and Iraq. Permanent resettlement
places are also rising under our humanitarian program. They were already rising from 13,750 to
18,750 in 2018-19. Unlike some of the contributions we have seen in recent days from the
media and commentators, and sometimes from people on the left and centre that condemn
Australia and its response, I want to record that Australia is one of the most generous
countries in the world. It is not confined to the actions of the government. Individuals and
corporations in our society are also generous people. I would expect that every person who
wants to lift a candle and stand outside an electorate office in this country would also go home, switch on the internet, open their wallet and make a donation to their aid agencies that exist all through Europe and all through the Middle East. Holding a candle is one thing you can do. But you can also do something specifically as an individual, as a person in a wealthy Western country to make a contribution. You can do it with tax concession from the government. You can get it off your tax. So there is plenty that individuals and corporations can, should and, in my view, must do.

We cannot rely just on the actions of governments. Human-to-human contact—human-to-human change is the powerful force for good in human history. It is not nation states that make the biggest changes; it is human beings. We care enough to talk about it on social media. We care enough to care about every photo that we see. And we do care about those things. But to take action is another step, indeed, and there are great agencies you will find within easy reach of your computer. They can take your donation and can take that money and do something immediately to help a refugee on the ground. I urge all Australians to get on that as well.

It is also pleasing that we can, in a bipartisan way, condemn ISIS and work towards a greater security for our world, and take direct action against the people that are causing this. I do pull up the Greens in relation to this, because they often talk about how our bombs are not helping. Our bombs are helping if they are targeted at the vicious criminals that are engaging in this behaviour and causing this crisis. And they are vicious criminals that are doing this: the ISIS death cult, the Assad regime—these people are the cause. It is not the West. It is not Australia. It is not America. America was called in to help the Yazidis, who were fleeing ISIS and were stranded on the Mount Sinjar who were about to be slaughtered Their women were taken for sexual slavery. In desperation we turn to the United States of America and countries like Australia and other European countries to intervene and help.

So, to the Australian Greens: please stop this nonsense that we are causing the problem. We are directly doing two fundamental things as a generous and compassionate country. We are working to save those people from a great evil. We are also taking people here to address the great humanitarian crisis of our time.

Abbott Government

Mr THISTLETHWAITE (Kingsford Smith) (19:50): When it comes to climate change there is no doubt the Abbott government has let Australia down. It is now quite apparent to many Pacific leaders that the Abbott government has also let them down. In his first year of office, Prime Minister Tony Abbott rode a wrecking ball through a raft of environmental policies and initiatives. An avowed climate sceptic, he delighted in the task, repealing the carbon price, abolishing the Climate Commission, threatening our nation's marine reserves and winding back the renewable energy target.

Quite simply, Australia has become an international embarrassment when it comes to our policies to tackle climate change. This government's policies were so destructive that they left many in our community and all over the world completely aghast at the extent of this new Prime Minister's irresponsibility in the face of such an unprecedented global threat. This week that astonishment has turned to anger. In recent days, regional leaders have gathered in Papua New Guinea for the Pacific Islands Forum, where they will discuss, among other things,
climate change and the threat that it poses to their peoples' way of life and, in certain circumstances, their very existence.

Understandably, it did not take long for the barbs to fly, for the criticisms to come from international leaders about the Prime Minister's and the government's approach to climate change. The President of Kiribati, Anote Tong, wasted no time labelling the Prime Minister a 'bad brother' for failing to take any action that could give the low-lying nation even the slightest chance of survival. The Fijian Prime Minister last week described the government as leading 'a coalition of the selfish'. The Marshall Islands foreign minister, Tony de Brom, has for months now been publicly haranguing and criticising the Australian Prime Minister. This is a big thing. This is not a minor thing to have the leaders of other nations actively criticising Australia, saying that we are harming their very existence and not doing enough.

In Kiribati, climate change has been devastating. It has brought more intense storms and the salinisation of groundwater making it impossible to grow crops, while most of the nation's small budget goes to fixing damage done by natural events with little left over for health, education and social services.

A very insightful recent report was published by the University of New England Professor Lalit Kumar, who studied the ongoing costs that we are going to face for replacing infrastructure due to climate change. The South Pacific clean-up bill, he estimates, over the course of the coming years, will be $21.9 billion. This is a killer fact: Kiribati, Marshall Islands and Tuvalu have 95 per cent of their infrastructure within 500 metres of the coastline. For them, the situation is dire. When Australians talk about climate change, we talk about something that will affect us in the future. For Pacific nations, the leaders now are getting desperate. It is a clear and present danger and they want Australia's assistance.

The Pacific Island Forum was established in 1999 and the group has stood the test of time. But in one conference, Tony Abbott and this government has managed to threaten the forum's very existence, with a number of the nations actively considering walking out—

The SPEAKER: The member for Kingsford Smith will refer to members by their correct titles.

Mr THISTLETHWAITE: if the Abbott government fails to do more to alleviate the damaging effects of climate change. They are clearly disappointed with this government's announcement of targets for emissions reductions in the lead up to the Paris conference, quite simply because these are inconsistent with a cap of two degree warming. Australia's commitments will not get us to two degrees. The Pacific Island nations are now saying if we do not cap it at 1.5 per cent, they are going to be wiped out. They know what a present danger this is and what a danger the Abbott government is to their very existence.

The Pacific Islands Forum members are right, they are correct to be concerned about this issue, about their future and about the Abbott government's lack of action on climate change. Mr Abbott is heading to the Pacific Islands Forum in Port Moresby. He needs to listen to the leaders of other nations and do more when it comes to tackling climate change.

Moore Electorate

Mr GOODENOUGH (Moore) (19:55): The 7th of September marked the second anniversary of the election of the Abbott government, and I take this opportunity to place on record the main local issues of importance in my electorate of Moore. Many constituents have
said that they want to see their elected representatives spending the majority of their time in parliament focussed on serious economic and national government issues which directly affect their standard of living, and less time being distracted by side issues and infighting.

One of the primary issues is maintaining low interest rates, as a great proportion of residents in my electorate are paying off their family homes, cars, credit cards, and personal loans. Many residents are also repaying debt on their investment properties, small business loans and overdrafts. If interest rates were to rise to the levels when Labor was in government then many would struggle to meet their monthly repayments. This is the reason why the federal budget has been formulated to restore fiscal responsibility by reducing successive budget deficits, with a plan to get the budget back into surplus. This will enable the Abbott government to begin repaying Australia's national debt, which will see the economy on a strong foundation into the future, maintain Australia's AAA credit rating, and keep interest rates low for the householders of Australia through sound monetary policy. Rising interest rates will adversely affect all Australian households.

Another issue of importance is employment. Currently 75 per cent of Moore residents commute outside of the electorate daily to their workplaces, despite 50,000 jobs being provided locally. Greater employment self-sufficiency is a major issue which is being addressed through local economic development initiatives such as the development of the Neerabup industrial area, construction activity in the Joondalup CBD and with future redevelopment of the Ocean Reef Marina.

The city of Joondalup has set a target of creating 20,000 new local jobs by 2031. The extension of Lakeside Joondalup shopping city into Western Australia's largest shopping centre has certainly created more retail jobs. I fully support the City of Joondalup's plan to construct a regional performing arts and cultural centre in the heart of Joondalup, which will attract major theatrical musical performances drawing patrons to the area, adding vibrancy and boosting local restaurants, cafes and the hospitality industry.

An estimated gross regional product of $4.8 billion is generated annually within Moore. However, the current cyclical economic downturn of the mining industry has had a flow-on effect on many other sectors within the local economy such as hospitality, retail and services. Many small businesses have experienced a reduction in their turnover and profits. The solution in part is through further economic development and reforms, which will involve greater value-added downstream processing, deregulation and diversification within the local economy to make it less vulnerable to cyclical events. There is a need to attract investment in venture capital, advanced technologies, tourism, services and renewable energy.

Another key initiative is the development of export markets for Australian made goods and services through international free-trade agreements, which reduce or eliminate tariffs imposed by foreign governments on Australian products, making our products more competitive and saleable in overseas markets. Free Trade equates to duty free sales and purchases.

There is an urgent need to upgrade the ageing telecommunications infrastructure network in the older suburbs of Moore, and implement the rollout of the National Broadband Network on a timelier basis to facilitate the growth and development of the innovative digital economy. Improving the communications infrastructure in my electorate on a more timely basis is of critical importance.
I thank members of the community who took the time to complete and return my electorate wide survey, and those who have contacted me to express their views. As a result, I have collated a list of local projects to champion and issues to advocate for going into the future. I will be corresponding with government agencies and departments to further these causes on behalf of my constituents.

The SPEAKER: It being 8pm, the debate is interrupted.

House adjourned at 20:00

NOTICES

The following notices were given:

Mr Morrison: to present a Bill for an Act to amend the law relating to social security, and for related purposes.

Ms Ley: to present a Bill for an Act to establish and provide for an immunisation register, and for related purposes.

Ms Ley: to present a Bill for an Act to amend the Australian Immunisation Register Act 2015 and to deal with consequential and transitional matters arising from the enactment and amendment of that Act, and for related purposes.

Mr Hartsuyker: to present a Bill for an Act to amend the law relating to social security, and for related purposes.

Mr Bandt: to move:

That this House:
(1) takes note of the recent reports of widespread exploitation of workers within 7-Eleven stores across Australia;
(2) expresses concern at reports that 7-Eleven has been systematically underpaying employees, paying as little as half the minimum wage and threatening foreign workers with deportation; and
(3) calls on the Government to grant a visa amnesty to affected workers who make underpayment complaints or make submissions to the Senate inquiry into the impact of Australia’s temporary work visa programs on the Australian labour market and on the temporary work visa holders.
CONSTITUENCY STATEMENTS

Sydney Electorate: Immigration Legal Services

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (09:30): There are two legal services I want to talk about in my electorate that provide services for refugees—the Immigration Advice and Rights Centre, which is located in my electorate, and the Refugee Advice and Casework Service, which was in my electorate until August this year but has now relocated to Randwick and still holds hold legal help services and refugee clinics at UTS in my electorate on Monday and Wednesday nights. I want to talk about these two services very briefly because if we have a just and methodical refugee intake in Australia one of the most important things is to understand the necessity for people to be able to make their legal case. The application process might include 80 pages of forms to fill in and a statement of claim that might take three hours to write. When you consider that many of the people who are filling in these forms and making these statements do not have English as a first language, you come to understand the importance of having legal advice during the process and consistent legal advice throughout a case.

In the case of the Immigration Advice and Rights Centre, a not-for-profit centre, they have in the past depended on funding from Commonwealth and state legal aid and some funding from the Immigration Application Advice and Assistance Scheme. Two-thirds of the funding comes from the Commonwealth and state legal aid systems. In early 2014, criteria changes for the use of the IAAAS funding had a huge impact on the casework of this centre. The centre can no longer use the money for matters at the tribunal or for any tribunal decisions being remitted back to the department. That means they are forced to find funding from other sources to do the bulk of their work. Of course, with uncertainty about legal aid funding, that funding source becomes very tenuous.

The Refugee Advice and Casework Service do an absolutely magnificent job. In the last year they helped almost 3,000 people. They ran 66 community education sessions giving people information about refugee law and processes. They helped 115 refugees with information about helping their partners and children join them in Australia. And, very importantly, they represented and supported about 100 children in Australia without their parents. They have also seen real pressure on their funding. There has been a reduction in access to the Translating and Interpreting Service and other cuts. That means they are turning people away. There are people who receive no assistance with their applications—(Time expired)

Maranoa Electorate: Inborn Error of Metabolism

Mr BRUCE SCOTT (Maranoa—Deputy Speaker) (09:33): I rise to speak about a very passionate family in my electorate and about a condition that is probably little known to many Australians, and that is Inborn Error of Metabolism, which is commonly referred to as IEM. This family contacted me about the health of their two young daughters aged four months and two years. I am pleased to say that the coalition government will continue with the worthy
program that supports this family and many other families who have children who have this condition known as IEM.

The human body is a complex thing, but what happens when your body cannot quickly turn food into energy, the very process that sustains life and your body? Imagine your shock when you learn that your newborn baby suffers from this rare genetic disorder. If it is not treated correctly this disorder can lead to brain damage, liver failure, seizures and, in some cases, death. This confronting scenario is being faced by Matt and Brooke Dwan, in Warwick in my electorate, with their two beautiful daughters being diagnosed with IEM condition soon after their birth. IEM is rare. It is a disorder that many people have not heard of. Matt and Brooke had not heard of it at the start of this journey, but it threatens their children's lives. Brooke is a driven athlete and a Paralympian. A couple of months ago she wrote me an impassioned letter about her daughter's health. As part of the IEM treatment a strict low-protein diet must be maintained. The federal government provides a program to support children and adults to buy these specialised food products. This program was due to finish by 31 December this year.

I have always been a strong advocate for better health outcomes and support for people in my community, and I am sure every member of this parliament is similarly driven. The tyranny of distance in Maranoa means IEM patients and their families are burdened with the additional costs of sourcing vital, specialised low-protein foods not available in most supermarkets—and certainly not in those in remote parts of my electorate of Maranoa. Geographic isolation inflates these costs, so I made urgent representation to the federal Minister for Health so we could continue this important government subsidy into the future. Without the federal government's $11.7 million subsidy program to support patients' access to this vital and expensive medically prescribed diet, Maranoa families struggle to afford the specialised food that ensures the long-term health of their children suffering from this rare disease. After hearing Brooke's emotional story and other similar stories from my constituents, I am very pleased to say that the coalition government is set to continue this worthy support program for children and adults suffering from IEM disorders.

Scullin Electorate: Wattle Festival

Mr GILES (Scullin) (09:37): I spent Sunday, 30 August in Hurstbridge, a particularly beautiful part of the Scullin electorate. The occasion was the annual Hurstbridge Wattle Festival. The festival marks the start of spring. Unfortunately, it was not a particularly spring-like day in Melbourne's north-eastern suburbs, but it was a fantastic day and a great event to be part of. At the Hurstbridge Festival, it is extraordinary to see a small community transformed, with thousands of people present and a range of community activities taking place. It is not just a family day out, it is an occasion where the community comes together to talk about things that matter. I saw Probus, the CWA and many of our emergency services groups engaging with the community, building support and building an understanding of the matters of concern to them. There was also a Labor stall, which I shared with my colleague and friend Daniel Green, the member for Yan Yean in the state parliament.

I was struck by the range of issues that attendees at the festival shared with me. They had a deep concern about the attitude of this government to the widening inequality in society. In particular, the government's failure to act on the crisis in jobs is a matter of great concern right across Melbourne's north. I was also struck by their concern about some other issues in the
federal sphere. In particular, there was a deep concern in Hurstbridge around our failure to take meaningful action in respect of climate change and passionate calls from many community members for a more humane approach to be taken to those seeking asylum in Australia. I was pleased, however, to see how many people reflected with me and Daniel Green on the difference the Daniel Andrews Labor government is making in their community on issues such as the Yan Yean road duplication, which is underway. They said the leadership that Daniel Andrews has shown on issues of importance to them has made a difference to our standing as a city and as a state. It was telling that there was no Liberals stall at the festival this year, it not being an election year.

The festival was a wonderful event and I was pleased that I could share it with my daughter Alice. I think she enjoyed the Thomas the Tank Engine ride rather more than the time she spent on the Labor stall, but it was terrific to be out and about with her and with other families in the community. I would like to acknowledge all the sponsors—in particular, Nillumbik Shire Council—that made this event possible. Also, I would like to thank the volunteers, who did so much to create a great event that meant so much to thousands and demonstrated the tremendous strength of community spirit that is evident right across the Scullin electorate and, in particular, the wonderful community of Hurstbridge.

**Where's William?**

Dr GILLESPIE (Lyne) (09:39): I rise to bring to the attention of the House the fact that 'Where's William?' walks are being held all around Australia and the world this Saturday, 12 September. This date marks one year since William Tyrell disappeared from his grandmother's garden in the sleepy hamlet of Kendall. The Bravehearts Camden Haven committee, led by chairperson Dale Symons, has organised a 'Walk 4 William' day this Saturday, commencing at 10.30 am. The walk will go from the Royal Hotel in Kew to the Kendall Memorial Park. This will be followed by a fundraising afternoon tea at Kendall showgrounds, hosted by Kendall's Where's William? committee. William's parents want to thank everyone who has helped in the search for William Tyrell so far.

Bravehearts is a wonderful organisation, which I have been an active supporter of since 2013 when we formed the mid-north coast Bravehearts committee. The committee members, the volunteers, have been very active in supporting the Where's William? campaign. Not only have they been distributing Where's William? merchandise, including T-shirts, caps and ribbons; they have also been sending kit overseas because of the interest in child protection that has been highlighted by the unfortunate circumstance of William Tyrell.

I would like to congratulate founding members Malcolm Neale, Erica Nelson, Louise Wycowski, Janette Hyde, Sue Tylman and Trudy Tracey, as well as Kylie Biltrisson and Bix Johansson who have moved on to other areas of the country and other pursuits. Bravehearts is doing a fantastic job with the Where's William? campaign. Somebody must know something. Any bit of information is really worthwhile. Give any information that you have to the local police and support Bravehearts in any shape or form, because they are Australia-wide and they are educating, empowering and protecting children.

On the mid-north coast we have set up a Ditto suite of education programs. Videos have been distributed to many schools and preschools so that our youngest and dearest can be educated, empowered and protected. It is such a simple thing to teach children what is inappropriate. The Ditto program, with the big, cuddly Ditto bear and the DVD presentation
in song and dance, teaches children what is appropriate and how to seek help from those who are in positions that can protect them. I highly commend this committee's work, and I highly commend the Where's William? campaign. If anyone has any information, no matter how small or trivial it might seem, please get onto New South Wales Police because it might be the critical piece that solves the puzzle of where William Tyrell has gone.

**Syria**

**Mr BANDT** (Melbourne) (09:43): People in my electorate of Melbourne—and, I suspect, right around the country as well—are concerned that we are on the verge of bombing in Syria. Bombing Syria will make a very bad situation worse. It will not stop ISIS, it will not make Australians safer and it will not make Syrians safer. Bombing Syria, when that country is in the middle of a very vicious and very complex civil war, risks creating more refugees, risks further destabilising the region and, perversely, risks helping the brutal Assad regime and offshoots of al-Qaeda that are currently involved in fighting ISIS as well.

The Assad regime is responsible for more than three-quarters of the deaths in Syria. But our government does not seem to have a plan for them. Our government does not seem to have a plan for dealing with the political or military problems in Syria or moving towards creating a sustainable and stable political solution. Its first instinct is to go in, pick sides and bomb—and that risks making a very tense situation worse. We are doing this without a long-term plan for Syria's stability. What about making an effort to help stop the flow of fighters, money and weapons over the border into other countries? What about working with the groups that very tentatively and in very difficult situations are trying to broker ceasefires? What about working with the civil society groups that want to see democracy and stability in the region? It seems that we have learnt nothing from the involvement of Western forces in this region. That is why it should not be up to the Prime Minister alone to determine whether Australia goes to war and whether we start bombing instead of exploring other solutions. That is exactly why we need to have a parliamentary debate before Australian armed forces are deployed in countries on the other side of the world, where we risk making a bad situation worse and where history tells us that, when we do it, we create the grounds for terrorists to thrive.

I am also distressed to hear reports that government members are advocating for a discriminatory intake of people who are fleeing the brutality of ISIS and the brutality of the Assad regime. When people saw the tragic images of a young boy washed up on a beach, they did not ask about his religion before deciding whether to help. People wanted to help. When someone says they need our help, our first question should not be, 'Tell me whether you are a Muslim.' Saying that we will leave you in harm's way because of your religion is not the way the government should go. ISIS kills Muslims too and they need protection. I am not a religious person, but saying we are not going to help because people are not Christian does not seem to me like a very Christian thing to do.

**Hindmarsh Electorate: Domestic Violence**

**Mr WILLIAMS** (Hindmarsh) (09:46): In August, I hosted the Minister Assisting the Prime Minister for Women, Senator Michaelia Cash, at a domestic violence forum in Adelaide. The forum was well attended by the community at the Thebarton Community Centre. I would like to thank and acknowledge Zonta District 23 and the Central District
Violence Service for their outstanding efforts in supporting and promoting the event which ensured that many more people were aware. People attended to hear about what the government is doing in this space and the challenges that we all face in addressing the problem. From Zonta, I would like to thank Cintra Amos, Nan Berrett, Anne Miller and Naomi Reschke. The Honourable Michelle Lensink and Deputy Leader of the South Australian Liberal Party, Vickie Chapman, were also able to attend, so there was great representation from the South Australian Liberal team. The government, of course, has made domestic abuse a national priority. Domestic abuse is, for first time ever, on the COAG agenda. COAG has a series of deliverables to achieve in relation to the national domestic violence order scheme, the national standards for perpetrator intervention.

I also attended the function for the Zahra Foundation on Saturday night. Zahra was an immigrant to our nation who hoped that a new start in Australia would provide the full life she was looking for. Unfortunately, this was not the case. She left her husband and was the victim of a tragic murder by her estranged husband in front of hundreds of witnesses at the Adelaide Convention Centre. The event and the Zahra Foundation aim to assist women who have been threatened and abused at the hands of their partners. It was also great that Senator Michaelia Cash was able to return to Adelaide for the Zahra Foundation event and speak so passionately about what the government is doing in this area at a national level. As a community, must work together to combat domestic violence and, by highlighting the issue and talking about the problems, we can help to shine a light on the problem which can only help us move forward.

The vast majority of this kind of abusive behaviour occurs in the privacy of a person's home—the place where you are supposed to be safest; your private sanctuary where you can escape from any other troubles. For many people this is not the case. They are subject to unacceptable violence and abuse that must stop. Many people think physical violence is the only form of abuse. That is not the case. Intimidation and threatening behaviour create an environment that is unacceptable and the main perpetrators are men. As the father of a daughter and a son, it is part of my job to teach my children that this kind of behaviour is not on. The Port Adelaide Football Club has joined the push and is helping to take the message to schools, teaching kids from an early age that they need to respect others.

I would like to finish with some of the advice from the White Ribbon Foundation: if you know someone who is acting in an inappropriate way, ask them whether they would they like someone treating their sister, daughter or mother in that way or how they would feel if someone treated them that way.

**Lilley Electorate: Golden Circle Cannery**

**Mr SWAN** (Lilley) (09:49): A few weeks ago, I had the opportunity to visit the Golden Circle Cannery at Northgate in my electorate, alongside Quan from the National Union of Workers and representatives from the company.

Golden Circle began as a grower cooperative in the 1940s with the pineapple cannery commencing production in 1947. Initially, the cannery produced around 40,000 tonnes of canned pineapple annually, in addition to some canned fruit salad, tropical fruit chutneys and fruit juice cordials. Today it produces over 150,000 tonnes of canned pineapple, as well as fruit juices and cordials.
The cannery is an iconic Queensland workplace and Golden Circle is a classic Queensland and Australian brand. The cannery is vital to our local economy, providing a livelihood directly for hundreds of jobs and indirectly for thousands of people across Brisbane. The best part about getting out to the cannery is to talk to the workers. Many of the workers, such as Mayumi who showed us around the lunch room, have been at the cannery for decades. Some have been there for over 30 years: a remarkable achievement that shows real dedication and loyalty to their jobs and to the cannery.

Unfortunately, many of the workers are casual workers and have been for decades, often unsure of whether they will have enough hours to get by. This is partly due to the seasonal nature of the work, but it is also a consequence of employment practices that do not do justice to a dedicated workforce and must be upgraded in fairness to the workers but also in terms of long-term productivity of the cannery. As a student, like many people over the last 30 or 40 years, I worked there as a younger man. Unfortunately, in recent years, the cannery has downgraded significantly, with a number of jobs being moved offshore.

The fall in the Australian dollar now gives the cannery an economic opportunity to reboot. The workers are up for it, but the workforce and our local community need to see the board come to the table with increased investment. I am pleased to see the company is still committed to keeping the factory open and is looking for new ways to upgrade this facility. It will be good to see the global board of Kraft Heinz recognise this strategic opportunity for food processing in Australia. It is good to see that the state government, through their state member Leanne Linard, is engaging positively with the company on new investment proposals.

The union—the NUW—is also committed to ensuring that the cannery workers, who have worked hard for decade after decade, get a fair go. Their priority is not only to ensure the job security of the casualised workforce but to engage constructively with the company to ensure the long-term sustainability of the cannery.

I would like to thank Golden Circle for giving me the opportunity to visit and Quan and the union for working hard for the workers at the plant. It is a great opportunity, with the lower dollar, to upgrade this facility and other food processing facilities right around Australia.

**Swan Electorate: Swan-Canning River Recovery Program**

Mr IRONS (Swan) (09:52): On Friday last week in my electorate, I was pleased to make some announcements of Community Action Grant recipients, which came from a commitment that was made initially in the 2010 election and then again in the 2013 election for $1 million towards the Swan-Canning River Recovery Program. The announcement of these Community Action Grant recipients is another milestone in the progress of that recovery program.

I was able to announce the successful recipients of the Community Action Grants for projects that will improve the water quality of the Swan and Canning rivers. The Swan-Canning River Recovery Program has three components: $500,000 to eliminate the aquatic weed hydrocotyle in the Canning River; $100,000 for education and $400,000 for direct action by community groups on the ground. The $400,000 is a significant part of that program, and it is great to see that it is going to be put to such good use by a real diversity of
local community groups. One of the conditions I insisted on early in the design of the project was that zero dollars were to be used for administration of the program, that 100 per cent of the $1 million was allocated and that it must be used for cleaning up the river in the three ways outlined.

I thank the Perth NRM and particularly the steering group for volunteering their time and services to help administer this program. They are ensuring maximum bang for buck for the taxpayer and doing a good thing for the environment. Geographically, this program is highly targeted to make sure that we make a real and lasting difference to this part of the river and get the maximum environmental result.

The nine successful projects that we announced on Friday covered the targeted region—the middle Swan and middle Canning rivers—and the total effort of this part of the program will be focused across nine suburbs. The announcement was at one of the sites which is going to benefit from the funding—the Aquinas College foreshore restoration project. It was fantastic that there were students and teachers there who are going to get involved in this program. I think this demonstrates that this really is a program that will be driven by the local community. This will be a grass roots action involving local groups, local schools and local students working to improve the environment on their doorstep. This is a program I started working on back in 2009, and I thank the minister and the coalition government for supporting it, with an input from local groups as well, particularly Russell Gorton and Jo Stone. We took it to two consecutive elections, and it is a proud moment to be able to declare that the work can now commence in the Swan-Canning River Recovery Program.

One of the successful recipients was the Canning River Regional Park Volunteers group, which is a fantastic group, who received a $15,000 grant out of that $400,000.

### Abbott Government

**Ms CLAYDON** (Newcastle) (09:55): Anniversaries are important historical markers, providing an opportunity for us all to reflect. This week marks the two-year anniversary of the election of the Abbott Liberal government. Like a marriage that has never lived up to the hopes and expectations of those involved, the last two years have been littered with broken promises, deception and duplicity.

Unemployment is up, with more people out of work today than at any other time in the last 20 years. More than 800,000 Australians do not have a job. Economic growth is wallowing, confidence is down, the budget deficit is up—it has, in fact, doubled—and the overall tax burden on Australians is up.

This is a government that came to power promising an instantaneous adrenalin charge to our economy. Instead, under Tony Abbott and Joe Hockey, the economy is flatlining. We all know that the Prime Minister said what he would do before he was elected, but it is important today to reflect on what he has actually done over the last two years. He said no cuts to education, yet he cut $30 billion out of schools, including $195 million from local schools in my electorate of Newcastle.

Today there are 100,000 fewer apprentices and traineeships across the country and the government continues to push for Australian students to pay $100,000 for degrees. The Prime Minister has said there would be no cuts to health, but instead he cut $50 billion from hospitals, including $150 million from the Hunter New England Area Health Service. And, of
course, there is his GP tax, first floated as an outright co-payment, now being delivered by stealth as a freeze through the Medicare rebate.

The Prime Minister said there would be no cuts to the ABC or SBS, yet he cut $1 billion in funding to both, with 1233 ABC radio station, in my electorate, losing one-third of its staff. The list goes on and on. He told Australians they would have access to the National Broadband Network by the end of 2016, at a cost of $29.5 million. Now the cost has nearly doubled. The roll-out will not be finished for years and, today, not one home in Newcastle has been connected to the NBN.

Finally, the biggest betrayal of all followed the Prime Minister's pre-election promise that no worker's pay and conditions would be threatened under his government. Instead, he is trying to cut the penalty rates of every worker in the hospitality, retail and entertainment sectors and has introduced Work Choices on water. His own Minister for Employment publicly condoned the sacking of workers by text messages. The last two years are littered with broken promises, confected budget emergencies, three-word slogans in place of serious public policy, ideological overreach at every turn. That is all this government has to show for itself after two years in office.

McMillan Electorate: Scouts

Mr BROADBENT (McMillan) (09:58): Scouting in all its structures is an ongoing success story for this great southland Australia. On 31 August, I was honoured when invited to attend the South Gippsland Scouts annual report and awards presentation evening in Leongatha. Inside the hall nearly 100 people had gathered around a roaring open fire, and this set the tone for the evening as Scouts, Rovers, Joey Scouts, Cub Scouts, Venturer Scouts and Rover Scouts, both young and old, current and retired, all shared the experience of their time in the Scouts. This movement that has endured for well over 100 years has served South Gippsland wonderfully.

After the cup of tea and greetings, it was outside to officially unveil the new signage that was lit up by two large spotlights. This new signage to be rolled out across Australia is giving a new, vibrant and modern face to scouting. Scouting is about action. In the parliament we are about words. In attendance we had District Commissioner Sue Kemp; the Chief Commissioner of Scouts Victoria, Brendan Watson; former Chief Commissioner Bob Taylor; and the grandson of the founder of Scouts worldwide, Michael Baden-Powell.

Michael was there in his own capacity but presented the Baden-Powell Scout Award to Ben Browning. This is the highest Scout award for youth members and was obviously highly prized amongst those present. Only a very few people in South Gippsland receive this award. In fact, just nine were presented state-wide last year. There was warm congratulations from everybody in the hall for Ben in acknowledgement of his remarkable achievement, none more proud than his parents, Janet and Ed Browning. Lucas Wilson from Mirboo North was Chief Scout Ambassador and presented me with this ambassador scarf or neckerchief that I am wearing today, with its woggle. This scarf was presented to me by this group and I was very honoured to receive it.

In his final message before he died, Lord Baden-Powell said to the youth of the world, through scouting:
Stick to your Scout promises always—even after you have ceased to be a boy and God help you to do it.

From what I saw that night, that is exactly what they were doing.

I said before that Scouting is about action. It has been an opportunity for young people across this nation. There was a survey of leadership across the UK, Canada, America and Australia. It found that nearly 90 per cent of people in leadership positions had had some association with Scouting through their lives. Congratulations to all in the Scouting movement across Australia. This new face of Scouting, the new signage and the new opportunities in Scouting across South Gippslanders are going to make a tremendous difference to our leadership into the future and I congratulate all of those who were taking part.

**Arts Funding**

Mr ALBANESE (Grayndler) (10:01): In 1963 John F Kennedy said: 'I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist. If art is to nourish the roots of our culture, society must set the artist free to follow his or her vision wherever it takes him or her.'

Indeed, here in Australia, I believe that our arts and creative industries are a critical part of our vibrant social tapestry. They nourish our communities and provide opportunities for local artists to perform, create and cultivate. Those more like me who are not artists have the opportunity to learn from, appreciate and engage with this talented and multifaceted industry.

Yet our federal government has lost its way when it comes to nourishing and promoting arts and culture. It has forgotten that the best communities are diverse and in order for talent to flourish it must first be cultivated or, as John F Kennedy explained, 'society must set the artist free'.

That is why it is very disappointing to see George Brandis, our arts minister, take an axe to funding for the Australia Council. After attacking the arts in their first budget the coalition have continued on their crusade. This year they have cut another $104.7 million from the independent Australia Council and transferred it to Senator Brandis and his department to oversee. Over the next year, grants to individuals and groups and small arts organisations will total just $12 million. To put this into perspective, the Australia Council allocated $46.2 million in grants and initiatives, just two years ago, in 2013-14. The Australia Council has a proud history of independence and is well-known for its work in supporting emerging artists, yet Senator Brandis seems to think he knows better than they when it comes to championing artistic excellence.

My own electorate of Grayndler is home to many theatres and spaces where local artists perform and display their work. Live music venues thrived, including the Factory Theatre, the Enmore Theatre, New Theatre and Camelot Lounge as well as Lazybones and Gasoline Pony just down the road from my office in Marrickville. The Chrissie Cotter Gallery in Camperdown features regular exhibitions and events and the Addison Road Community Centre gallery is joined by the extraordinary work of students at Dulwich High School of Visual Arts and Design and Newtown High School of the Performing Arts.

This diversity contributes to our inner-west community, giving people opportunities that might not otherwise exist. The government has a role to play when it comes to arts and
creative industries, providing support not trying to control it. Cutting funding is certainly not what is required. The minister and the Prime Minister must restore independence to arts funding. That is what the arts community expects and that is what the Australian community supports.

**Anzac Day Schools Awards**

Mr WYATT (Hasluck) (10:05): Last week, I presented two schools in my electorate with certificates of high commendation in the Anzac Day Schools Awards for 2015. Falls Road Primary School and Midvale Primary School both received these certificates in recognition of the incredible efforts they put into commemorating the Centenary of Anzac. It was a great privilege to be able to visit these schools to present their awards and see the wonderful pieces they had created to remember the Anzacs and their sacrifices. At Midvale Primary School, they created a beautiful mosaic that will be proudly displayed for years to come. The mosaic became the central focus of the schools commemorative program and permanent memorial. Students researched aspects of the Gallipoli campaign and the symbols of commemoration to include in the design. The mosaic includes 100 poppies to symbolise the Anzacs Centenary. Students from year P6 instructed the mosaic. The entry clearly showcased the whole-of-school learning activities around the creation of this wonderful piece of artwork. The obvious joy and pride of students in their work is summed up beautifully by a student's statement: 'I feel proud that everyone got to participate in making the mosaic.'

Falls Road Primary School showcased a wide range of learning activities ranging from propagating rosemary cuttings to the creation of a time line board displaying life in Australia over the last 100 years. Falls Road primary engaged the whole school in a range of activities to learn about the commemorating Anzac Day. Every student in the school made a poppy that was displayed at the Anzac Day service on a '100' frame. Each class made their own wreath and class representatives laid them at the service. Students from years 5 and 6 prepared and presented some well-known music, a PowerPoint presentation and an original writing called 'Letters from home and the front'. The judges commended the whole-of-school effort. The years 5 and 6 letters reflected empathy, perspective and research skills.

It was great to present those awards on behalf of the minister, but what was tremendous was the way in which the school community, the principal and the teachers and students immersed themselves in the history of the Anzac tradition and reflected not only the Anzacs but also all service men and women who have served this country. When they graduate and all leave the school, they will be able to come back and see the work that they have done to commemorate service men and women, who have given them the freedom to live in a country as great as ours. And I certainly want to acknowledge the parents. At both assemblies, there was reward in seeing the strength of the parent community participating in the presentation of those certificates, and it also showed the capacity of the school in bringing together not only its students but its parents and carers as part of the commemoration.

**Defence Personnel**

Ms BRODTMANN (Canberra) (10:08): Monday marked two years of this Abbott government—this government that has broken promise after promise and has delivered cut after cut; this government that has no vision for this country, creating uncertainty and chaos across almost every portfolio. That is certainly the case in the Defence portfolio. Before the 2013 election, then shadow defence minister David Johnston promised to build Australia's
new submarine fleet in Adelaide. It is two years on and the Abbott government still will not commit to building our Future Submarines in Australia. While we wait, more than 1,000 jobs have been lost from Australia's strategically vital shipbuilding industry already and thousands more jobs are at risk.

Over the past two years, we have also seen an appalling attack on the Australian Defence Force pay and conditions—attacks that I fought tooth and nail against. Thankfully for the ADF personnel, the government reversed its unfair decision to cut their wages and conditions. But the government is still pushing ahead with its campaign to cut the pay and conditions of staff at the Department of Defence. That, of course, comes after more than 2,400 jobs were cut from the department. Civilian Defence personnel are some of the most highly trained and highly skilled workers, and now they are facing another round of cuts after a redundancy round for EL1- to SES-level staff was announced on Monday. Targeting senior civilian Defence personnel is short-sighted and may also result in higher project costs and schedule overruns, as well as have a huge impact on workplace morale. These public servants are vital to the overall success of our military operations and capability, and more job losses have the potential to significantly erode capability. They are the force behind the force.

The list of this government's broken promises and cuts goes on and on. We have seen a reduction in Paid Parental Leave that will result in female Defence personnel losing 18 weeks of paid leave with their newborn baby. It is not just public servants, as the Prime Minister and the Minister for Social Services would have you believe. No, their unfair cuts to Paid Parental Leave will affect anyone on an employer funded scheme and make them worse off. That includes public servants, but it also includes Australian Defence Force and Australian Federal Police personnel, teachers, nurses and private sector workers.

We have also seen Defence families placed under unnecessary stress, for more than a year, following the on-again off-again sale of Defence Housing Australia. We have heard the former Defence minister degrade the ASC by saying he would not trust the workers there to 'build a canoe'. The Abbott government has an appalling track record when it comes to Defence over the last two years, in terms of cuts to jobs, cuts to wages and conditions, and cuts to security and certainty.

**Stronger Communities Program**

*Mrs WICKS* (Robertson) (10:11): I am pleased to rise to say that the coalition government's new Stronger Communities Program is underway. It is an important part of our positive plan to help build a better future for the Central Coast. The program is designed to help build stronger communities by giving assistance to local organisations for small capital projects that help others and deliver real and sustainable social benefits. Each electorate will receive funding of $150,000 per year, over two years, to support community projects and the grant process is underway and open now. What this means for local organisations in Robertson, like sport clubs or progress associations, is that they can now apply for grants from $5,000 to $20,000 as long as they match it on a dollar-for-dollar basis. To be eligible they need to be a community based not-for-profit organisation in their own right that is not a legal entity or owned by government.

To help identify our local organisations which need this support we have established the Robertson consultative committee and they will be working hard to determine which proposals are progressed to the department. We have an outstanding committee who met for
the first time last week, at Chertsey Primary School in Springfield, to discuss how the program will help ensure we do encourage stronger communities on the Central Coast. I would like to place on record my appreciation to our committee members, including Chertsey Primary School Principal Toni Skinner—and thank her for hosting us; our Gosford City Council citizen of the year, Paul Tonkin; the CEO of Ettalong Diggers, Bill Jackson; Greg Mawson, the president of the Gosford RSL Sub Branch; and representatives of the Central Coast Community Council, including Ed McCarthy, John Roberts and Kim Hopkins.

When we met last week, the committee talked about how proposals could include opportunities for sporting facility upgrades, like new scoreboards, seating, new turf, fit-out of change rooms, a new canteen, new lights, upgraded water systems, or perhaps much needed safety equipment for community based sporting clubs. There could be the potential to fit-out community centres, or grants could also be made available to help groups make sure they have got the necessary machinery and equipment to better serve our community, including items such as barbeques or lawnmowers.

I am calling for community groups right across my electorate to engage with this program. In particular, we want to hear from organisations that can help build stronger infrastructure to benefit our community. You only have to think back to April when the Central Coast was battered by a devastating storm. Thousands of families were left without power for many days and they had massive clean-up bills because of the significant damage. Of course, we have already seen an extraordinary response but this recovery is ongoing. We would love to hear from others who are involved in this and may be looking at things like new generators for community centres or who are involved with crisis and emergency response youth programs that are supporting and inspiring our region.

**Charlton Electorate: Schools**

**Mr CONROY** (Charlton) (10:14): I am very pleased to inform the House of two great local schools in the electorate of Charlton that are currently celebrating their 150th anniversaries. Both Plattsburg Public School and Lambton Public School were opened in 1865, and this year both these school communities are celebrating a very special 150th birthday.

As the first European settlement in Newcastle was established only in 1804, these two schools are amongst the oldest in the entire Hunter region. Both schools are in the northern part of the electorate I represent. Indeed, Lambton Public School is located on the border with the seat of Newcastle, and many residents of my neighbouring seat—Madam Deputy Speaker Claydon's seat—go there. Plattsburg Public School is in the suburb of Wallsend, and this very month both schools mark their 150 years since opening. The Plattsburg school community recently marked the special occasion with a dinner at South Leagues Club and will also celebrate with a spring fair, which will include tours of the school, memorabilia displays, classic cars and a market stall.

One notable alumnus of Plattsburg is my state colleague Sonia Hornery, the member for Wallsend, who is very proud to have started her primary education at the school. On behalf of the people of Charlton I send our best wishes to Principal Ellen Bax and the Plattsburg school community at this special time.
The staff and students of Lambton Public School will celebrate their special anniversary this Friday, and the Lambton community will commemorate the anniversary with a special parade along Elder Street. The parade will showcase the current staff and students and will be followed by a special formal assembly. The celebrations will continue over the weekend, with a dinner for 500 guests on Friday night, a fete on Saturday and an open day on Sunday. Lambton Public also marked the occasion with the publication of a special commemorative book, Celebrating 150 Years, which can be ordered online from the school's website.

To my mind, the proudest and most significant alumnus from Lambton Public School is Matthew Charlton, for whom my electorate was named. Matthew Charlton, a miner, was educated at Lambton Public School, went on to be a coalminer and an official for the mighty mineworkers federation and then led the Labor Party during its darkest days post the split over conscription. He is a great alumnus from Lambton Public School and one of the many notable figures to come out of this excellent school.

Again on behalf of the people of Charlton, I acknowledge and congratulate Principal Jan Partridge and all of the Lambton Public School community on its very special occasion. I am very proud to have some great public schools in my electorate, and Lambton and Plattsburg are two such examples. Thank you.

**Barton Electorate: Macquarie University Greek Association**

**Mr VARVARIS** (Barton) (10:17): On Saturday evening I had the pleasure of attending the 30th Macquarie University Greek ball, organised by the Macquarie University Greek Association. This event, a celebration of shared Greek and Cypriot culture, was another resounding success. The founding father of the Macquarie University Greek Association, the late Mr Vasilli Georgiou, was a father of modern Greek studies at Macquarie University. For more than 10 years he worked tirelessly to keep the flame alive for modern Greek studies. There was never a doubt that he was passionate about Greek culture and language or that he was determined to showcase the vast beauty of Greek civilisation. The Greek Association was born on 26 November 1984 as a means of showcasing Greek culture—my own heritage, of course, shared by many Greek immigrants and expatriates around the world, particularly here in Sydney. I am pleased that the Greek cultural flame has continued to burn strongly at Macquarie University.

The Greek ball is a much anticipated event of the university's social calendar, bringing together current and former members of the association to share Greek and Cypriot culture and enjoy this with current students. Since its inception the association has played an acutely active role on campus, seeking to provide a social and cultural meeting point for those interested in Greece or things Greek related and to promote a study of and contact with the country through its history, culture and people. The purpose of this great association is inextricably linked to its founder, Vasilli, who was a diligent advocate of Greek language and culture in Australia. It was Vasilli, through his commitment and hard work, who created a permanent department dedicated to modern Greek studies at Macquarie University. For 30 years now, the association has actively undergone fundraising efforts to raise funds and resources that are needed to keep Vasilli's vision alive. Vasilli would no doubt be proud of the legacy he has left behind, a legacy that promotes and fosters Greek culture amongst students, members and the broader community.
On top of promoting and sharing Greek culture and language with communities, the association also raises funds to respond to various extracurricular activities, including student theatrical productions and the students representative council, the SRC. The Greek ball is a chance for luminaries to get together and celebrate the achievements of this association. To be able to continue the great work from the foundation set by the late Vasilli is an absolute credit to all the students and members over the past 30 years. It was an honour to meet many of them on the night and hear their plans for the association. The Macquarie University Greek ball was also about acknowledging the countless community groups, businesses and individuals who have lent their support and assistance to the association in its endeavours since its inception. Importantly, the ball reminds all of us of Vasilli's efforts and contributions to the ongoing study and appreciation of Greek culture and language at Macquarie University and within the wider community. He left an incredible legacy which we are so fortunate to have.

**Nabarula, Ms Bunny**

Mr SNOWDON (Lingiari) (10:20): Today I want to talk about Bunny Nabarula. Bunny died recently. She was a leader—a fighter for her community. She was born at Kwarta, a soak on the Gosse River at Tennant Creek Station in 1930. Her bush name was Ngampangali. Until the age of 12, she lived in the bush camps throughout Warramungu country, although she was a Warlmanpa woman. She walked with her grandfather to Newcastle Waters, Marlinja, more than 550 kilometres there and back to visit her relatives. She learnt from Yurtuminyi and Kanturrpa country. She learnt the dances and songs and she believed in the centrality of her country for all her life. She moved to Warrabri in 1957, and in 1959 she gave birth to her only child, her son, Ronnie. In her life, Nabarula was an invaluable source for anthropologists and linguists as she could speak many languages—Warlmanpa, Warramungu, Warlpiri, Alyawarre, Kettetye, Jingili, Mudburra and English. She was particularly helpful to David Nash, who she taught Warlmanpa, and Jane Simpson, who learnt Warramungu from Nabarula's sister, Annie. Jane later wrote the Warramungu dictionary.

As early as the 1980s, Nabarula lobbied for renal dialysis in Tennant Creek so that people in her community did not have to move to Alice Springs for treatment. Nabarula was sought out to serve on many boards and committees, including Papulu Apparr Kari Language Centre, Anyinginy Health, and Julalikari Council. Her efforts were devoted to the protection of her country at Muckaty from the threat of a nuclear waste dump. From 2007 she demonstrated in Alice Springs, Darwin and Sydney as well as Tennant Creek. In 2012 she and other women blockaded the Stuart Highway near Muckaty, protesting against nuclear waste transport. They painted the Manuwangku—Muckaty—designs on their bodies and lay down on the Stuart Highway, stopping road trains. She gave evidence to the Federal Court hearing at Muckaty in June 2014. Her evidence was impassioned. At one stage, she jumped up from her chair declaring she would let herself be run over by a road train rather than let the nuclear waste be put on her country. When the Northern Land Council withdrew the offer from Muckaty for a nuclear waste facility and the government declined to pursue it, Nabarula was delighted with the victory for her people—as well we can imagine. Her persistence has guaranteed that Muckaty will remain free of nuclear waste, and future generations of her people will be able to visit and stay connected to their lands. I am proud to have known Nabarula—proud of her passionate commitment to family, country and community. She gave so much but asked for so
little in return. My deepest condolences to her large extended family and her people. May she rest in peace.

**Gilmore Electorate: Operation Hercules**

Mrs SUDMALIS (Gilmore) (10:23): Last Sunday was Father's Day, and I hope everyone's dad had a terrific day. My diary showed I was to turn up to Operation Hercules. At 8:30 am, I dutifully arrived at Jervis Bay airfield, part of the base facility at HMAS Creswell at the School of Survivability and Ship Safety. The event was the Shoalhaven Combined Emergency Services training camp exercise. The scenario was set that a plane carrying paratroopers had earlier clipped one of the buildings and crashed landed, and there was a scattering of mock casualties. Firstly the fire brigade attended the flaming wreck and controlled that. Then the paramedics arrived with their ambulances, seeking out the casualties. Police officers were coordinating and the SES were checking the safety aspects. The teams worked smoothly and methodically, then progressing into the mock burning interiors, full-blown flames and dense smoke, while searching for injured personnel. The visitors were able to watch all of this from the observation tower, using the special cameras used for exactly that purpose—assembling the ability of those involved inside the smoking, flaming spaces to navigate, locate the source and find injured victims. Every member of the Navy spends time at this type of facility, learning to deal with all manner of fire hazards and smoke problems. There is no fire brigade to call when you are on a ship at sea.

Last year, while on exchange with the Navy on a patrol boat, I also experienced wearing all the clobber of a duty fire officer. It is hot, awkward and uncomfortable. I can absolutely compliment everyone doing the training. It is extraordinarily difficult. Members of the Navy were the guides, the mock injured and, occasionally, the instructors. One safeguard event occurred when one of the injured, covered in mock blood and traumatised, actually felt unwell. She could not have been in a better place. She was in the best of hands with the paramedics and was quickly assisted into an ambulance.

Part of the event included searching the bush for a lost paratrooper, who had been travelling on the now crashed plane. The events also included a snakebite and other injuries including broken bones and other assorted first aid conditions that caused the team to respond appropriately. Another part of the search involved marine rescue, who had been tasked to search for bodies of survivors on Jervis Bay itself. The vessels had a very distinct search pattern—until this too was interrupted by a very real event: a rock fisherman was washed off rocks at Little Beecroft and into the ocean. His companion threw the angel ring and called for help, which was almost immediately in place due to Operation Hercules being onsite in the immediate vicinity. The final participant of the exercise was the Westpac Life Saver Rescue Helicopter. It was then brought in to winch the fishermen up to the helicopter. The helicopter then returned to its normal search role in the exercise of Operation Hercules. The expertise and dedication of our Navy, local police, state emergency services, rural fire services, marine area command, ambulance, state protection units and support unit, marine rescue and the Westpac Life Saver Rescue Helicopter personnel never ceased to amaze me. Thank you from the people of Gilmore.

**Wakefield Electorate: Swanborough, Mr Reg**

Mr CHAMPION (Wakefield) (10:26): It is my great pleasure today to talk about Reg Swanborough. Reg is 92, lives in Gawler, drives an immaculate Toyota Crown and is very
well known to the local community. He is a great supporter of the Labor Party and of my candidacy. He has always been very active, very enthusiastic and, at 92, is still going strong. I want to talk a bit about his autobiography *A life well lived: a war which shaped my future years*. There is a picture of Reg on the front cover and there is a picture of some of the naval training on the back cover. In this book, Reg talks about some of the battles that went on in the Mediterranean in World War II. My wife and I got married in Gibraltar last year; we have just had our first wedding anniversary. When you walk around Gibraltar you realise just how important it was to World War II and, in particular, the Allies' hold on North Africa and the Mediterranean.

When you look at the history and think of what lay in the balance—the very future of western civilisation—you realise how important men like Reg Swanborough were. He talks about the Battle of Cape Spartivento. When he was two days out of Gibraltar, heading south of the island of Sardinia, the boson's pipe sounded and then, over the PA system, the captain said:

This is the Captain speaking. Enemy vessels have been sighted by the Ark Royal's aircraft. They are ahead on a reciprocal course to us. Surface action can be immediately expected. That is all.

You can imagine a young man of 18, on hearing that call to action, being slightly struck with the importance of it. And Reg was later called by the yeoman of the watch to climb 150 yards up to the crow's nest and haul down a particular flag. It speaks to Reg's courage that he did that, without thinking about it, with cannon fire all around the ship that he was on with so many other young men. Armour-piercing shells were dropping into the water, sending huge cascades of water over the ship. He talks about these things with such enthusiasm—such was the heroism of the age. All of my constituents should take some time to think about Reg's experiences and the men and women who sacrificed so much to make sure there was not just victory in the Pacific but victory in Europe and victory for western civilisation.

**Depp, Mr Johnny**

Mr WILSON (O'Connor) (10:29): I rise today to commend the great actor Johnny Depp on his latest performance on the world stage, reviving his role as the swashbuckling pirate Captain Jack Sparrow in the latest incarnation of the blockbuster *Pirates of the Caribbean* series. However, in this sequel, it is on our island that the grave misadventure takes place. Ahoy! There be smuggling of two pooches named Boo and Pistol. Next, the illegal stowaways are discovered after a trip to a Queensland groomer turns into a famous photo shoot. Enter the villain, federal Minister for Agriculture Barnaby Joyce, who proclaims that Johnny's treasures will be 'doomed for destruction' if they are not despatched within the passing of 48 hours. Suspense rises to fever pitch—will our hero save the day? Then, in a cruel twist of fate, Mr Depp is revealed as the bad guy for allowing his international terriers to breach Australia's stringent border security. As he now ridicules Australia's strict biosecurity laws, does he not see that he himself is the fool for not recognising that two seemingly harmless pets could jeopardise an entire nation's health?

Australia, being 'girt by sea', is blessed to have natural boundaries to disease and pestilence, but these are not immune to foreign incursions via sea and air. We cannot police every entry to our shores. We rely to some extent on visitors being honest and doing the right thing. In this case, Mr Depp's deception was deliberate and foolhardy. Mr Depp's jetsetting pooches travel the globe, to countries with diseases we are fortunate to be free of. Many of
these can be transmitted to humans by dogs. For example, rabies has an incubation period of up to several months and, although the progression of the disease after this time is rapid, the virus can be found in the dog's saliva several days before the onset of clinical signs. Could a Boo bite be fatal to an unwitting groomer? Recent rabid ramblings from Mr Depp would tend to suggest he is unconcerned about the dire disease risk his pooches potentially posed. The USA has many tick-borne diseases Australia is free from. What if Pistol had such a parasite?

By allowing his pets to enter Australia without complying with basic quarantine measures such as treatment for common external and internal parasites, Mr Depp's dogs could potentially introduce other debilitating diseases to our citizens, our pets, our livestock and our iconic Australian wildlife. As for Mr Depp now proclaiming to have eaten his dogs on the instructions of our agriculture minister, it would seem he lives in a world as fantastical as the characters he played in Edward Scissorhands, Charlie and the Chocolate Factory and Alice in Wonderland.

In closing, I echo Minister Joyce's sentiment when I suggest that Mr Depp too should head off back to the USA with his international terriers if he does not see the logic in upholding Australia's stringent biosecurity measures. It is my hope that, through upholding strict, sensible and scientific quarantine measures, Australia will remain free of the plagues, pestilence and parasitism suffered by our neighbours near and far.

The DEPUTY SPEAKER (Ms O'Neill): In accordance with standing order 193, the time for members' constituency statements has concluded.

STATEMENTS ON INDULGENCE

Cummings, Mr James Bartholomew (Bart) AM

Ms RYAN (Lalor—Opposition Whip) (10:32): It has been said of Australians that we would bet on two flies climbing up a wall. This has become legend, immortal on-screen and in our own mythology. But there is punting and there is racing, and racing is the noble work between man and horse—owners, trainers, jockeys, strappers. Of course punting and racing are interconnected, and I rise today to pay tribute to Bart Cummings AM, a man loved by those who love racing and by those who love the punt.

Bart Cummings was to thoroughbred horseracing what Bradman was to cricket. We have heard that said before in these tributes, but I think it is more accurate to say that he was the Norm Smith. He was to racing what Norm Smith was to football—the strategist; the trainer; the never-say-die; the man committed to finding a way to win and to ensure that racing was the winner. If Roy Higgins is our most enduring jockey and Phar Lap the horse that Australians remember with most love, and if race callers Bill Collins and Johnny Tapp—'The Accurate One' and 'Our Johnny'—with their 30-year careers, were the race callers whom we most admire, then Bart Cummings is the trainer. But no-one touches Bart for longevity or for success.

He is of course known as the Cups King, best known and best measured, obviously, by the day that stops the nation. Many of us, my partner included, can recite the winners of the Melbourne Cup back to its inception—not me, I'm afraid; I need to read them. But for Bart they were Light Fingers, Galilee, Red Handed, Think Big—in 1974 and 1975—Gold and Black, Hyperno, Kingston Rule, Let's Elope, Saintly, Rogan Josh, and Viewed, the last, in 2008. You cannot hear those horses' names and not conjure an image of Bart at the track on
Melbourne Cup day, preparing his horses in some of the news pieces leading up to the day, where every year a camera crew would head out to Saintly Lodge to talk to Bart about his horses.

Bart was married to his wife, Valmae, since 1954, and they had just celebrated their 61st wedding anniversary. I would like to spend some time talking about my family and local connections to the great Bart Cummings. For me personally, my memories of growing up are of *World of Sport* on Sunday morning, listening to Roy Higgins and Johnny Tapp's calls, memorising the silks of the different trainers, hoping for a Cummings horse in the sweep every Cup day. Bart Cummings was a larger-than-life figure for me growing up. Interviews with him on prime time news heralded the beginning of the spring racing season every year. I remember staying up on Melbourne Cup day to watch the Southern Cross ballroom celebrations, to see Bart celebrating with jockey, with owners, with people who loved racing. He was part of the fabric of my life because of my family's connection to racing.

The local Werribee Racing Club was my father's passion. He was a very fortunate man to have been an early friend of Bart's. The Werribee Racing Club is one of the legacies my father left us—with a passion for racing. I rang my mother this morning to ask her about her memories of Bart and her memories of Val. Her words were, 'Oh, they were nice jolly people, like most racing people.' And then she reminisced about days when they graced the old members lounge at the Werribee racetrack on Werribee Cup day. And of course Bart trained local horses Leica Show and Leica Lover, who were owned and bred by a great friend of my father, Bob Gard. Leica Show won the 1974 Oaks and Leica Lover won the Australian Derby the year after my father died. My mother has strong memories of those celebrations and of Bart's work training the Leica horses.

Bart leaves Valmae, his wife, and Margaret, Anthony, Sharon and Annemarie, his surviving children. He was buried from St Mary's Cathedral in Sydney this week.

And of course Bart's is a great immigrant story as well, his father having been Irish and also a horse trainer. Bart lived his life along the lines that we know so many other Australians do: he was determined never to give up. We look back on a life in racing and stories of Bart rubbing shoulders with royalty, with incredibly wealthy people, and we often forget the hard times Bart and the Cummings family faced in their journey in racing. But we do remember that Bart never gave up. We also remember that many racing lovers and many punters every year hoped for another Melbourne Cup winner for Bart—but not this year. Rest in peace.

Mr Hogan (Page) (10:39): It is with great privilege that I get up to speak about Bart Cummings. Bart Cummings was in fact my cousin. My mother was Bart's first cousin, and my grandmother on my maternal side was Annie Cummings, and Annie was Jim Cummings's sister. I have great memories of my boyhood years when they were living at Glenelg. Bart and the family had their stables in Glenelg in Adelaide. I lived in the country, but we would often holiday in Adelaide and we would stay with Bart's sister, Teresa O'Driscoll. I can still remember that Teresa, her husband and her son, Jamie, had a house in Macfarlane Street adjoining the stables. In my earliest memories I can still remember Jim Cummings, who at that stage was still alive and who lived next door. Bart and Val lived on the other side of the stables on the other side of the block. I have many fond memories of walking around those stables and having the privilege of the horses and the champions that were in those stables. As the member for Lalor would appreciate, when you are with a horseracing family there are
things that you do that may be strange for other people. One that I remember is that on many
days we would sit in the lounge room—and I am showing my age here—and put on an LP
and listen to Melbourne Cup races in sync—one of the 10 or 12 LPs of Melbourne Cups that
we had. We would relive those races by listening to the LP, and we used to do that quite
frequently.

I have many memories and many stories I could tell. I also have many memories about
Val—Val, obviously, is Bart's wife. Val was, for me, a larger than life figure. I was a
relatively shy country boy when I would go and visit them. I remember one day Val took me
and Jamie, and some of her own children, to the circus. We were driving there, and all of a
sudden for me it was a car with no roof. I did not know that there was such a word as
'convertible'. Suddenly the roof of this car came off and I said, 'This car has no roof!' She was
a fun character; she was always laughing and great to be around.

As the member for Lalor indicated, they went through some very, very tough times, and it
is well publicised that in the late eighties and early nineties Bart went through massive
financial problems and he persevered. It was well within his character to do that. I think the
reason he endeared himself to the Australian public was not only the fact that he was
successful—there are a lot of successful people in our community and in our country—but
also that Bart had a manner about him and a way about him that was characteristically, dare I
say it, 'Australian'. He was very self-deprecating in lots of ways. One of my favourite
statements he used to have was—and he used to say it quite a bit—'I am just an ordinary
workin' fella havin' a bit of luck.' I remember a friend of mine spoke to him once and said,
'Bart, what advice would you give me?' Bart said, 'Always remember those you meet on the
way up, because you might meet them on the way back down.' In his wit he had a lot of
wisdom and he certainly had lived a very full life.

His beginnings were very, very humble. They had a family farm—I would not necessarily
even call it a property—near a place called Eurelia in his younger days, which was where my
mother also grew up as a young child. That place almost does not exist anymore. It was very
dry. The blocks that everybody got back then were very small and they thought they were
going to be able to support families but they did not, so there were very tough times, and he
saw everything. He saw great poverty and great hardship in his younger years and he got to
the stage where he was mixing with leaders, queens and royalty around the world and at times
did very well.

My thoughts are very much with Val—who is obviously still with us, and as I said she in
her own right is a great character, a great Australian citizen and a wonderful person to be
around—and the children, Anthony, Margaret, Sharon, Anne-Marie and John, and their
families. Bart has great-grandchildren, so I acknowledge all their families at this time. He was
a great Australian. They have every right to be very proud of him. My mother used to love
Melbourne Cup days when she would go off to her Melbourne Cup luncheons, and every year
that Bart won—there were a lot of them, as we know; there were 12—she felt very proud and
very honoured to be his cousin. He has brought his family and extended family great joy.

Mr RIPOLL (Oxley) (10:44): I rise to associate myself with the statements of the Prime
Minister and the Leader of the Opposition. As shadow minister for sport, I think there is no
doubt in anyone's mind that Australia is a sporting nation encompassing all sports, including
the sport of horseracing. There was no doubt that Bart Cummings was a hero to many and dear to the hearts of many in the sport of horseracing.

On Monday, hundreds gathered in Sydney, joining thousands across Australia paying tribute to Bart Cummings. Bart Cummings was an icon of the Australian thoroughbred racing industry, known as the Cups King for his unbelievable record of training 12 Melbourne Cup winners. He was born in Adelaide in 1927 and took out his trainer's licence back in 1953. As a trainer, his record was remarkable, surpassed by none, and included 268 Group 1 winners, a list that included incredible feats: the Caulfield Cup seven times, the Cox Plate five times, the Golden Slipper four times, the Australian Cup on 13 occasions, 32 Derbies and 24 Oaks—something that anyone would be proud of. The names of some of the horses he trained have become some of the most well known in Australian racing—horses such as Galilee, Light Fingers, Let's Elope and Saintly, just to name a few.

Many Australians have an affinity with the romance of horseracing. The idea of the battler who gets a sporting chance to go from rags to riches seems to entwine itself tightly with the notion that we have of ourselves as Australians. Many good folk put some money on a horse on a daily basis, some on a weekly basis and some, like me, once a year only—if I remember—on Melbourne Cup Day. It is not that I am not interested or do not have a great day and enjoy the cup itself, but the pastime of actually betting on the horses for me seems to be surpassed by the gathering of people, which is much more enjoyable.

It was the Melbourne Cup where Bart Cummings achieved fame and that saw his name become so well known to all Australians. As I said earlier, Bart trained an incredible 12 Melbourne Cup winners. For many people making that once-a-year punt, the question was not so much of a question of which horse would win but, 'Which horse does Bart Cummings have in the cup?' That became for many people the deciding factor on where they would place their 'investment'—which is what I have written down here, but I might say 'gamble' for many others. It is a notoriously difficult decision, of course, and backing one of Bart's horses just seemed to make it a little simpler for some.

For his services to racing, Bart Cummings was made a member of the Order of Australia in 1982, and in 2001 the industry honoured him when they made him the inaugural inductee into the Racing Hall of Fame, surely one of the easiest decisions the selectors had at that time. Australia has lost a trainer with no peer, a great person, and I send my deepest sympathies to his wife of 61 years, Valmae, and all of his family.

Mr WILLIAMS (Hindmarsh) (10:47): Horseracing is a sport that has played a huge part in the development of the psyche of Australia. We have now lost one of the giants of the industry in the passing of James Bartholomew 'Bart' Cummings. Horses have played an important part in our history and, from the poems of Banjo Paterson to the works of many great artists, the affection that Australians have for such a noble beast is well documented. Many people around the nation enter into horse syndicates to own a racehorse and have some involvement in the racing game, while others invest their hard-earned into working with horses. The Cummings family is one of those that have invested their lives into working with horses. Bart was born to Jim and Annie in the beautiful suburb of Glenelg, in my electorate, many years ago. He actually grew up not far from where I lived for most of my life. He attended the Marist Brothers Sacred Heart College in Somerton Park, also in my electorate.
At the age of 11, he had a near-death experience that had a profound effect on him. He jumped into the ocean at Glenelg and was being swept out to sea when another schoolboy jumped in and saved his life. Another story that has been doing the rounds after appearing in his biography a few years ago is that after suffering from asthma as a boy, he visited the doctor with his horse-training father where, after a series of tests, he was told that if he avoided horses he would be fine. We know that he did not take that advice! When leaving the doctor's surgery, Bart said to his father, 'We've done our day and there is nothing more.' He was not going to be kept away from horses, though, as we all know. Bart stayed involved with the horses and was affected throughout his life by his allergies.

He received his training licence in 1953, when his father's overseas trip was extended from six weeks to six months. Success was not immediate for Bart, but he persisted. His first Group 1 winner was in 1958, and we know that he went on to train 266 Group 1 winners. But it was the Melbourne Cup where Bart Cummings really developed his rapport with the nation. It was as a 23-year-old strapper to the 1950 Melbourne Cup winner, Comic Court, which was trained by his father, that Bart would begin his love affair with the Melbourne Cup. Bart Cummings would go on to win the race that stops the nation 12 times, while developing a relationship with the Australian public rarely seen in any sport.

Rocket Commander, trained by Wayne Francis and Glen Kent, won the Bart Cummings Tribute on Saturday 5 September at Morphettville Racecourse in my electorate. I congratulate the South Australian Jockey Club on their tribute to Bart Cummings, which also included acknowledging him in the naming of the Bart Cummings Gates at Morphettville. I also want to take this opportunity to congratulate the board of the SAJC and their chief executive Brenton Wilkinson on the good work they are doing for horseracing in South Australia. I have had the pleasure of attending many of their race days at Morphettville, as well as one of their family days. They are always great events. I wish them all the best for the spring racing carnival.

I return to Bart Cummings's work, which speaks for itself. In addition to the Group 1 winners, they include 32 Derbies, 24 Oaks, seven Caulfield Cups, five Cox Plates, 13 Australian Cups, 11 Mackinnon Stakes, eight Newmarket Handicaps, four Golden Slipper Stakes and of course 12 Melbourne Cups. Some of those Melbourne Cup winners are well known to those of us who started following the Melbourne Cup during our younger years. Let's Elope and Saintly are a couple of examples.

Bart's son Anthony delivered a great eulogy at the funeral. I would like to add a couple of things that he said which I think up the man that I admired, like most Australians, from afar. Anthony said, 'There hasn't been a bridle made to hold him back' and that Bart's favourite sayings were, 'There's no such thing as no' and 'Never give up'. There is a great deal to admire about Bart Cummings, but what I respect most is that, even with all the success he enjoyed, he was first a husband, a father, a grandfather and a great-grandfather. I extend my sympathy to Valmae and to Bart's son, grandchildren and great-grandchildren. The Melbourne Cup will never be the same without the cups king.

Mr THISTLETHWAITE (Kingsford Smith) (10:52): On behalf of the people of Kingsford-Smith, I pay tribute and offer condolences for the life of a great Australian, Bart Cummings. Since 1883, when Randwick Racecourse was established in my community, many in my community have had a great fondness for the sport of kings, and everyone knows the
name Bart Cummings. It is synonymous with racing and it has been synonymous with Randwick Racecourse for many years. Bart was drawn to Randwick and moved his operation to Kensington in 1975, establishing Leilani Lodge on High Street. These stables quickly became the centre of success at Randwick and were the home of champions such as Ming Dynasty, Beau Zam, Sky Chase, Campaign King, Dane Ripper and Saintly. It is also at Leilani that he taught his son Anthony, who is an accomplished horse trainer and very respected in our local community, and his grandson James. They both got their start working for Bart. James was appointed Bart's foreman in 2009 at the tender age of 21. It led in 2013 to him and Bart being granted a joint licence to train in partnership.

Bart Cummings was born and raised in Glenelg in South Australia where he spent his life around horses, working as a stablehand for his father James Cummings. It is well known that early in his life Bart was diagnosed with an illness and was advised not to be around horses—because of an allergy. Thankfully he did not take that advice and he went on to become Australia's most successful horse trainer. He experienced his first taste of Melbourne Cup victory in 1950 when he strapped Comic Court for his father. In 1953, at the age of 26, he was granted a trainer's licence and won his first Group 1 race, the South Australian Jockey Club Derby, with Stormy Passage. He then went on to become one of our nation's most prolific trainers and sportspeople. The record is just unbelievable: seven Caulfield Cups, 13 Australian Cups, five Cox Plates, four Golden Slippers, 32 Derbies, 24 Oaks—a total of 268 Group 1 wins. Of course he is most famous for his 12 Melbourne Cups.

I am fortunate to have had many dealings with Bart Cummings. When I first started working as an organiser for the Australian Workers Union, I was appointed to work in the horseracing industry, particularly around Randwick, Rosehill and Warwick Farm racecourses in Sydney—predominantly to improve working conditions for strappers and stablehands, who were working at the time in what was almost Dickensian conditions. Thankfully, the conditions have improved quite a bit since then. So I did have some dealings with Bart Cummings. Every now and then we did have a run-in; we did not see eye to eye on a couple of issues. We did have our arguments. Bart was certainly a very tough negotiator who never gave anything away. But, at the end of the day, when you reached a deal with Bart Cummings, he stood by it. Compared to many other trainers that were training around Randwick at the time, Bart had a number of very loyal and long-term employees who had been with him for many years. If you want a good indicator of how a person treats their employees, look at how long their employees have been with them. Bart certainly had many loyal, long-term employees.

Bart was also of very quick wit and he had a very quick mind. He was famous for a number of sayings. His son, Anthony, said that he taught him everything that he knew; he just never taught him everything that Bart knew! He also said that a good horse would win the race that you train him for. I think that is the best way to sum up Bart Cummings. He had a knack and an ability to pick a horse and to set a horse for a particular distance or for a particular race. His record across the whole spectrum of races—from the sprints and the Golden Slippers, right up to the staying races in the Melbourne Cups—and the fact that he had success across all that range of different racing platforms is testament to that particular saying and his ability to pull that off.
It was wonderful to see on the weekend the Randwick racing community give the king of the 'sport of kings' a fitting send-off. The Cummings family gave the Australian Turf Club special permission to honour the legendary trainer at the Chelmsford Stakes day at Randwick on Saturday, where sections of the lawn in the Theatre of the Horse were painted green and gold in honour of the 12-time Melbourne Cup winner's famous colours. Jockeys wore black armbands and a minute's silence was observed. A special condolence race book was produced, and Cummings' old horse, Precedence, was granted special clearance to lead the Chelmsford Stakes field out as he continues to prepare for his fifth Melbourne Cup start.

Despite living a life surrounded by royalty, luminaries, dignitaries, prime ministers and premiers, by all accounts Bart was a down-to-earth person who treated everyone equally. Delivering his father's eulogy, Anthony said a couple of days ago:

In the end, dad was more than a horseman. An icon, a legend, all of that. Built from flames and hardship to go with success. Bob Hawke described him as a great and good Australian. Enough said.

In 1982 Bart was honoured with the Order of Australia for his contribution to the racing industry; in 1991 he was inducted into the Sport Australia Hall of Fame; and in 2001 he became an inaugural inductee into the Australian Racing Hall of Fame. He passed away two days after he and his wife, Val, celebrated their 61st wedding anniversary—an achievement in itself.

On behalf of the Kingsford Smith community, I offer my condolences to Val, to his children Margaret, Sharon, Anthony and Anne-Marie, and to his entire extended family. May he rest in peace.

Mr O’DOWD (Flynn) (10:59): I have had a long association with the racing industry and, of course, Bart Cummings has been around those discussions when talking about good times, when talking about good horses and when talking about good trainers. It is with great sadness that we say farewell to Bart Cummings, the cup's king. He will be remembered as a Titan for the industry, the greatest trainer this country has ever seen. The man was quick with a reply and so witty with his sayings. I remember once that a steward told Bart that he had too many flies around his stable. Bart replied: 'How many am I allowed? How many I supposed to have? Could you give me some indication?' That blew the steward away. He was always quick on his feet and quick with a reply.

Bart Cummings comes from a family of trainers. His father James trained Comic Court to win the 1950 Melbourne Cup. Bart was the strapper for that horse. Bart received his Australian licence in 1953 and set up his stables in Glenelg in South Australia. He had to wait five long years to get his first big win in the South Australian Derby, but from there he soared. He hit the big time in 1965. He won all his cup races in one year: the Melbourne Cup, the Adelaide Cup, the Caulfield Cup, the Sandown Cup, the Brisbane Cup and the Queen's Cup—a magnificent feat.

Barton crammed a lot of memories into his 87 years. One of the most memorable for me was the time his horse, Big Philou, was scratched from the 1969 Melbourne Cup. Bart had taken this horse to the Melbourne Cup with his team and had settled the horse into the stables and then, as a trainer does on a big day like the Melbourne Cup, he went off to socialise with some of his owners. He was only away from the horse about an hour when a strapper advised him that Big Philou had developed a scouring—and a bad scouring at that. The horse had been severely drugged by a large dose of laxatives. I believe Bart knew who was behind the
scene of this crime, but with lack of evidence he could not press charges. Bart knew who it was all right, make no mistake about that.

Even though he led a charmed life, he hit hard times, like many did in the late 1980s and early 1990s with the recession. He bought a lot of horses as he did every year, some from New Zealand. But his team of owners had such bad times they could not pay Bart for the horses he had purchased on their behalf. This put Bart under a lot of financial pressure. But, as Bart was a fighter, he soon kicked back and won many more cups after that. His final Melbourne Cup win was with a horse called Viewed, back in 2008—exactly 50 years after entering his first Melbourne Cup starter. Twelve Melbourne Cups is a fantastic achievement—won by 11 horses. He had one horse called Think Big, who won two Melbourne Cups back in 1975 and '76. He had 268 group 1 winners—a fantastic achievement.

My condolences go to his wife Valmae and all the rest of the family. His son Anthony and grandsons James and Edward are following in Bart's footsteps. On the first Tuesday in November, I will be raising a toast to the memory of Bart Cummings—here, here to the cup king.

Mr McCormack (Riverina—Parliamentary Secretary to the Minister for Finance) (11:04): It is so good to be following on from those gracious and fine words by the member for Flynn. I think he and I are probably the two most avid racehorse followers in the chamber. There are very distinct Riverina connections to Australia's two best thoroughbred racehorse trainers: Tommy Smith and Bart Cummings. My electorate is one of the strongest racing regions in the nation, and it has been that way since the 1860s. Wagga Wagga's Murrumbidgee Turf Club, of which I was a director for nine happy years until 2002, was established in 1860, a year before the first Melbourne Cup was run and won by Archer. Indeed, in 1874 the Wagga Wagga Gold Cup offered a richer stake than the Melbourne Cup the same year, prompting The Australasian to ask, 'Will the VRC play second fiddle to Wagga?'

Bart Cummings, to whom we pay our sincerest respects with this condolence motion today, never won a Wagga Cup. He certainly nominated horses in the race which stops a region on the first Friday in May but, Bart being Bart, his charges were always lumped with more lead in their saddlebags by Southern District Racing Association handicappers than Cummings was ever prepared to cop. Such a shame.

The southern Riverina had a special place in Cummings' heart, for it was that fine district—Deniliquin, to be precise—from which the late Roy Higgins emanated. Higgins, appropriately dubbed 'The Professor', rode Bart's first and third Melbourne Cup winners, the tiny mare Light Fingers in 1965 and Red Handed in 1967. Red Handed gave Cummings his initial Melbourne Cup winner in the trainer's own colours, the now famous green and gold diagonal stripes. Like Light Fingers, he was the well-named son of French-bred sire Le Filou. I am interested to note that Racing Victoria stewards will allow Bart Cummings's name to remain in the training partnership with his grandson if the evergreen stayer Precedence makes the Melbourne Cup field in 2015. Precedence, who has already contested four Melbourne Cups, is being set for a fifth attempt at the race that Cummings made his own. That is why, as the member for Flynn mentioned, he was called the Cups King. Chief Steward Terry Bailey said that, if the horse made the Melbourne Cup field in 2015, the partnership name of James and Bart Cummings would remain. I tell you what: if Precedence gets in that field, get on it.
Tommy Smith was raised in the small western Riverina town of Goolgowi, where he spent much of his boyhood driving bullock teams and breaking in horses from the age of seven—just seven; imagine that—with his dad. Smith rode on the flat around the Riverina racetracks. They were pretty rough tracks back then. However, increasing weight resulted in him trying his luck as a jumps jockey, but a bad fall and a severely shattered hip forced him out of the saddle at age 20. TJ took up a trainer's licence and, by a stroke of good fortune, transformed a Riverina rogue, Bragger, into a handy horse—and the rest, as they say, is history. As his daughter, Gai Waterhouse, would later reflect, Tommy Smith famously told jockey George Moore, on a train from Wagga Wagga to Melbourne, that one day soon he would train the Derby winner and Moore would be aboard. There was never any doubting Tommy Smith's confidence. He realised his prophecy when Moore landed a 100 to one outsider, a real roughie, Playboy, a maiden, to win the 1949 Australian Jockey Club Derby. It was the first of a remarkable 35 Derby successes for TJ. Oh, how the sporty Riverina helped shape the careers of Australia's greatest racehorse trainers.

Finally, I would like to relate a tale about Bart, who passed away on 30 August, aged 87, which tells a lot about what a laconic wit he was and what a legend of the one-liner we have lost. The story goes that Cummings's Adelaide stables were being 'cased' by a council health inspector. Cummings trailed after the inspector—you can just see him doing it—throughout his long examination, peering over his shoulder as he scribbled down notes on his clipboard. At long last the inspector turned to Cummings and declared, 'You've too many flies in your stables, Mr Cummings.' To which Bart, peering out from under those big, bushy, iconic eyebrows, retorted, 'How many are we allowed to have?'—just classic Bart, absolutely classic Bart. Anyone who has backed a winner in the race that stops a nation on that first Tuesday in November has probably benefited from Bart. He won a dozen Melbourne Cups. Vale James Bartholomew Cummings. We will probably not see your like again.

The DEPUTY SPEAKER (Ms Henderson) (11:09): I thank the parliamentary secretary and I thank all members for their statements on the death of Bart Cummings. I too would like to pay tribute to the life of Bart Cummings and pass my sincere condolences on to the Cummings family.

Darling, Mr Leonard Gordon, AC, CMG

Mr Giles (Scullin) (11:10): I am pleased to make some very brief remarks in commemoration of an extraordinary life and a life of extraordinary service. Leonard Gordon Darling was a Companion of the Order of Australia and lived a life that traversed Australia's 20th century and, in many ways, prefaced our entry into the 21st century. His contributions predominantly were to industry, but I think it is also important to acknowledge that his was a life of service much more broadly. That includes his service to his country in the Second World War, but the matter I would like to touch on very briefly is his service to the arts, in particular the visual arts.

Having retired from an extraordinary career with 'The Big Australian', including shaping that company to a very great extent, he turned his attention to service to the broader community as the first chair of the National Gallery of Australia, as a philanthropist and, most importantly for me, as the driving force behind the establishment of the National Portrait Gallery, an extraordinary feature of our cultural patrimony and something that I think has
played a critical role in telling Australia's story to Australians through images of Australians. Vale, Leonard Gordon Darling.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (11:11): The Prime Minister and the Leader of the Opposition have both spoken in the House of Representatives of the business career and philanthropic generosity in Australia's cultural life of Gordon Darling. Today, I wish to speak more fully of his crucial role, together with his wife, Marilyn, in the establishment of one of our great national cultural institutions, the National Portrait Gallery. The National Portrait Gallery came into being because of the vision, commitment and support of Gordon Darling.

In 1992, Gordon and Marilyn put together an exhibition of over 100 paintings, sculptures and photographs intended to suggest the scope and variety which could be included in a national portrait gallery. It was a great success and gathered public support for the foundation of a portrait gallery. Initially formed as a program within the National Library, the portrait gallery has always attracted bipartisan support. Prime Minister Keating, opening an early exhibition in 1994, said that it was 'democratic in a totally uncontrived way' and that 'it might excite a wider interest in our history and society'. Prime Minister Howard, having been taken by the Darlings to Washington's National Portrait Gallery, was a strong supporter, leading to expanded accommodation in Old Parliament House and, ultimately, to the purpose-built gallery next to the High Court.

Despite Gordon Darling's undoubtedly conservative political leanings—he donated portraits of Robert Menzies and of John and Janette Howard to the gallery—he also donated portraits as varied as Nick Cave, Johnny O'Keefe, Mark Taylor and Eddie Mabo. One bias of Gordon's donations should be noted. His interest in cricket led him to donate portraits of Don Bradman, Joe Darling, his great-uncle, and Victor Trumper. Leo Schofield said that the Portrait Gallery reflected Gordon Darling's broad view of Australian life.

The purpose of the National Portrait Gallery is to increase the understanding and appreciation of the Australian people—their identity, history, culture, creativity and diversity—through portraiture. That the gallery achieves this purpose is largely due to the vision of Gordon and Marilyn Darling. A glance at the front page of the gallery's website demonstrates how well it has achieved its aim of reflecting and interpreting Australian society—what it means to be Australian—with images of Australians as diverse as Bart Cummings, John Bell, Joan Kirner and Alan Bond, and an evocative photograph of mother and child Linda and Bindi. The gallery's building, commenced in 2005 by Prime Minister Howard and opened by Prime Minister Rudd in 2008, is designed by architects Johnson Pilton Walker. It is the perfect home for the gallery. Uncompromising and yet modest, it complements its grander neighbours, the High Court and the National Gallery. It is entirely appropriate that visitors to the gallery enter through the Gordon Darling Hall and pass Shen Jiawei's portrait of Gordon Darling, founding patron.

I acknowledge a debt to Dr Sarah Engledow and her essay Uncommon Australians: the vision of Gordon and Marilyn Darling for much of the material in this speech. To Marilyn, and to Gordon's and Marilyn's families, we extend our sincere condolences.

The DEPUTY SPEAKER (Ms Henderson): I thank the member for Isaacs, and I thank all members for their statements on the death of Leonard Gordon Darling. I, too, wish to
salute the life of Leonard Gordon Darling and pass on my sincere condolences to the Darling family.

Federation Chamber adjourned at 11:16
QUESTIONS IN WRITING

Private Health Insurance Administration Council and the Australian Prudential Regulatory Authority

(Question No. 820)

Dr Leigh asked the Assistant Treasurer, in writing, on 23 June 2015:

In respect of the planned transfer of the oversight functions of the Private Health Insurance Administration Council (PHIAC) to the Australian Prudential Regulatory Authority (APRA),

(a) how many staff members does PHIAC currently employ to manage the functions being transferred to the APRA,

(b) how many staff members will be employed to manage these functions within APRA after the transferral of responsibilities,

(c) what sum of money has been allocated to APRA to administer these new functions,

(d) what consultation has been undertaken with industry about the transferral, specifically, how many meetings have been held, and where,

(e) what concerns have been raised by industry, and how has the Government responded to these,

(f) is he confident that APRA will be able to provide robust regulatory oversight of the private health insurance industry, and

(g) can he explain the regulatory arrangements that will facilitate this transfer of responsibilities

Mr Frydenberg: The answer to the honourable member's question is as follows:

(a) and (b): How many staff members does PHIAC currently employ to manage the functions being transferred to the APRA, how many staff members will be employed to manage these functions within APRA after the transferral of responsibilities?

PHIAC employed 34 full-time equivalent staff as at 30 June 2015. APRA has advised that:

- twenty staff were transferred permanently to APRA's Supervision, Actuarial, Policy, Premiums Research, Data Collection/Statistics, Legal, Enforcement and IT teams;
- five staff were temporarily transferred to APRA for 6-12 months to assist with transition: Finance, Human Resources, Web and Records Management; and
- the remaining PHIAC staff and statutory office holders, will either be retrenched by APRA or were retrenched through the operation of the legislation.

(c) What sum of money has been allocated to APRA to administer these new functions?

Consistent with other industries that APRA regulates, the regulatory activities associated with private health insurers will continue to be funded through industry levies.

(d) What consultation has been undertaken with industry about the transferral, specifically, how many meetings have been held, and where?

An exposure draft of the Private Health Insurance (Prudential Supervision) Bill 2015, with accompanying explanatory material, was released by Treasury on 12 January 2015. Submissions on the Prudential Supervision Bill were received following consultation and a number of issues raised were addressed through further drafting of the Prudential Supervision Bill.

An exposure draft of the Private Health Insurance (Prudential Supervision) (Consequential Amendments and Transitional Provisions) Bill 2015, as well as the three levy Bills, were provided to the private health insurance industry on 20 March 2015. Submissions on these Bills were also received and issues raised were addressed through further drafting of the Bills.
Additionally, Treasury held industry consultation sessions with the private health insurance industry, the Department of Health and APRA on 16 January 2015, 29 January 2015 and 8 April 2015 in Canberra.

Further, APRA has consulted with the private health insurance industry on its proposals for the future prudential and reporting frameworks for that industry. APRA released a public consultation paper on 31 March 2015 and accepted submissions until 19 May 2015. During that period, APRA held face-to-face consultation sessions with representatives from the private health insurance industry in both Sydney and Melbourne on 24 April and again in Sydney on 11 May.

APRA has also held:
- nineteen meetings with Board directors and management of private health insurers. Where practical or possible these have been held at private health insurers' premises including in Sydney and Melbourne. Other meetings have been held in APRA's offices;
- eight presentations to industry conferences or at annual general meetings at locations including Adelaide, Canberra, Sydney and Melbourne. In addition; meetings have been held in person or by phone in APRA's Sydney offices; and
- four formal meetings with key industry service providers in APRA's Sydney offices.

(e) what concerns have been raised by industry, and how has the Government responded to these?


(f) Is he confident that APRA will be able to provide robust regulatory oversight of the private health insurance industry?

APRA and PHIAC staff have actively engaged for much of the past year to prepare for the transfer and to ensure that APRA was ready to deliver a seamless and effective transfer of responsibilities on 1 July. Further, as most of the PHIAC staff transferred to APRA, there was significant health insurance expertise within APRA from day one. This was complemented by APRA's prudential supervision capabilities currently in place for banking, insurance and superannuation.

(g) can he explain the regulatory arrangements that will facilitate this transfer of responsibilities?


Tax and Superannuation Laws Amendment (Better Targeting the Income Tax Transparency Laws) Bill 2015: Consultations
(Question No. 825)

Dr Leigh asked the Assistant Treasurer, in writing, on 23 June 2015

Could he provide a table detailing companies (formally or informally) consulted with, and the date(s) of consultation, regarding the Tax and Superannuation Laws Amendment (Better Targeting the Income Tax Transparency Laws) Bill 2015.

Mr Frydenberg: The answer to the honourable member's question is as follows:

Exposure draft legislation was released for consultation on 4 June 2015. Submissions on the draft legislation are available at:

QUESTIONS IN WRITING

Pilbara Energy Infrastructure Project
(Question No. 832)

Ms MacTiernan asked the Minister for Infrastructure and Regional Development, in writing, on 25 June 2015:

In respect of the Western Australian Government's Pilbara Energy Infrastructure Project, (a) has his department or Infrastructure Australia received advice from the Western Australian Government on this project; if so, what advice was received, and (b) has the Western Australian Government at any stage sought funding for this project.

Mr Truss: The answer to the honourable member's question is as follows:

(a) The Western Australian (WA) Government's submission to Infrastructure Australia's 2008 Audit included the project as a key priority. Infrastructure Australia has not received an Infrastructure Priority List submission from the WA Government on the Pilbara Energy Infrastructure Project. The Department of Infrastructure and Regional Development has received no advice from the WA Government on this project.

(b) The WA Government has not sought funding for this project from the Department of Infrastructure and Regional Development or from Infrastructure Australia.

Department of Communications: Casual Staff Contracts
(Question No. 881)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:

In respect of labour hire firms contracted by the Minister's department(s) in 2014-15, (a) how many positions were filled using casual staff from labour hire firms, (b) what sum was spent on the provision of these casual staff, and (c) what roles did these casual staff fulfill

Mr Turnbull: the answer to the member's question is as follows:

(a) Nil.
(b) Nil.
(c) Not applicable.

Department of Communications: Contracted Services Payments
(Question No. 899)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:

In respect of fees for late or delayed payment of contracted services or products by the Minister's department(s) in 2014-15, (a) which services or products do these fees relate to, and (b) what sum was spent

Mr Turnbull: the answer to the member's question is as follows:

No fees were spent in 2014-15 by the Department in relation to late or delayed payment of contracted services or products.

Department of Communications: Offices Efficiency Upgrades
(Question No. 935)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:
In respect of the Minister's departmental office(s), has the building(s) received energy efficiency upgrades; if so, (a) when, and (b) how has this upgrade affected (i) average energy use, and (ii) average energy cost.

Mr Turnbull: the answer to the member's question is as follows:
No.

Department of Communications: Office Equipment
(Question No. 1025)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:
What sum did the Minister's department spend in 2014-15 on the purchase and/or lease of (a) food and beverage equipment, and (b) exercise equipment, for staff in the (i) Minister's office, and (ii) departmental office(s)

Mr Turnbull: the answer to the member's question is as follows:
(a) (i) Nil.
(ii) Nil.
(b) (i) Nil.
(ii) Nil.

Department of Communications: Departmental Staff Redundancies
(Question No. 1131)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:
In respect of departmental staff (a) how many redundancies were made in 2014-15, and (b) what is the total cost of payments associated with these redundancies.

Mr Turnbull: the answer to the member's question is as follows:
In 2014-15 the Department provided 59 redundancies. Of those 59 redundancies, 53 were voluntary redundancies, 3 involuntary redundancies and 3 SES retirements from the APS.

The Department paid out $3,299,168 in severance benefits, $498,067 in lieu of notice payments and $2,591,601 in owed entitlements which included accrued long service leave and annual leave, totalling $6,379,836 in the 2014-15 financial year.

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<th>Redundancy Type</th>
<th>Number</th>
<th>Severance benefit</th>
<th>In Lieu of notice payment</th>
<th>Entitlements (including LSL and Annual leave)</th>
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<td>TOTAL</td>
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<td>$3,299,168</td>
<td>$489,067</td>
<td>$2,591,601</td>
<td>$6,379,836</td>
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Department of Education and Training: Ministerial Staff Lost and Stolen Equipment
(Question No. 1205)

Mr Conroy asked the Minister representing the Assistant Minister for Education and Training, in writing, on 17 August 2015:

In 2014–15, what sum was spent on replacing lost, stolen or misplaced equipment of Ministerial staff, and what goods were replaced

Mr Pyne: The answer to the honourable member's question is as follows:

During the 2014–2015 financial year there was no cost for replacing lost, stolen or misplaced equipment of Ministerial staff.

Department of Communications: Minister and Ministerial Staff Domestic and International Travel Costs
(Question No. 1235)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:

(1) In 2014-15, what sum was spent on (a) domestic travel, and (b) international travel, for departmental staff.
(2) Of this, (a) on what dates, and to what locations, did the Minister travel, (b) how many departmental staff accompanied the Minister on this travel, and (c) for what purpose was the travel.

Mr Turnbull: the answer to the member's question is as follows:

(1) In 2014-15 the Department spent (a) $811,453 on domestic travel and (b) $402,154 on international travel for departmental staff.

(2) Questions relating to Ministerial travel should be directed to the Department of Finance.

Department of Communications: Minister and Ministerial Staff Domestic and International Travel Costs
(Question No. 1265 Interim)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:

(1) In 2014-15, what sum was spent on (a) domestic travel, and (b) international travel, for the (i) Minister, and (ii) Minister's staff.
(2) Of this, (a) on what dates, and to what locations, did the Minister travel, (b) how many Ministerial staff accompanied the Minister on this travel, and (c) for what purpose was the travel.

Mr Turnbull: the answer to the member's question is as follows:

(1) and (2). These questions should be directed to the Department of Finance.

Department of Communications: Departmental Staff Training
(Question No. 1287)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:

In 2014-15, (a) what sum was spent on training for departmental staff, (b) on what date(s), and at what location(s), did the training occur, and (c) what outcomes were achieved

Mr Turnbull: the answer to the member's question is as follows:

In 2014-15:

(a) the total sum spent on training for Departmental staff was $855,906.68.
(b) The Department does not capture information relating to the date(s) and location of the training. 

(c) Training in 2014-15 enhanced the Department's capability in areas including strategic policy, economics, analytics, people management, communication and project management.

**Department of Education and Training: Departmental Media Events**  
(Question No. 1309)

*Mr Conroy* asked the Minister representing the Assistant Minister for Education and Training, in writing, on 17 August 2015:

In 2014–15, (a) what sum was spent on training for Ministerial staff, (b) on what date(s), and at what location(s), did the training occur, and (c) what outcomes were achieved

*Mr Pyne:* The answer to the honourable member's question is as follows:

The Department did not expend any funds on training for Ministerial staff for the 2014–15 financial year.

**Department of Infrastructure and Regional Development: Ministerial Conferences**  
(Question No. 1400)

*Mr Conroy* asked the Assistant Minister for Infrastructure and Regional Development, in writing, on 17 August 2015:

Did the Minister host any conferences in 2014-15; if so (a) on what date(s) did each conference occur, and at what location(s), (b) what total sum was spent on each conference, and of this, what sum was spent on (i) meals and accommodation, and what are the details, (ii) travel, and what are the details, and (iii) social events, and what are the details, (iv) travel, and what are the details, and (c) what outcomes were achieved at each conference.

*Mr Briggs:* The answer to the honourable member's question is as follows:

The Assistant Minister did not host any conferences in 2014-15.

**Department of Communications: Ministerial Conferences**  
(Question No. 1421)

*Mr Conroy* asked the Minister for Communications, in writing, on 17 August 2015:

Did the Minister host any conferences in 2014-15; if so (a) on what date(s) did each conference occur, and at what location(s), (b) what total sum was spent on each conference, and of this, what sum was spent on (i) meals and accommodation, and what are the details, (ii) travel, and what are the details, and (iii) social events, and what are the details, (iv) travel, and what are the details, and (c) what outcomes were achieved at each conference.

*Mr Turnbull:* the answer to the member's question is as follows:

Nil

**Department of Communications: Departmental Hospitality**  
(Question No. 1443)

*Mr Conroy* asked the Minister for Communications, in writing, on 17 August 2015:

In respect of catering and hospitality by the Minister's department in 2014-15, (a) what total sum was spent, (b) for what functions was the catering and hospitality, (c) on what date(s) did each function occur, and at what location(s), and (d) for each function, what sum was spent on (i) meals, (ii) drinks, (iii) hospitality staff, and (iv) other costs.
Mr Turnbull: the answer to the member's question is as follows:

Details of the Department's catering and hospitality expense from 1 July 2014 to 30 June 2015 is provided in the table below. The Department's financial management system does not allow for a distinction between spending on 'meals', 'drinks', 'hospitality staff', and 'other costs'.

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<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Purpose</th>
<th>Total (GST Excl)</th>
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Department of Communications: Ministerial Hospitality

(Question No. 1473)

Mr Conroy asked the Minister for Communications, in writing, on 17 August 2015:

In respect of catering and hospitality by the Minister in 2014-15, (a) what total sum was spent, (b) for what functions was the catering and hospitality, (c) on what date(s) did each function occur, and at what location(s), and (d) for each function, what sum was spent on (i) meals, (ii) drinks, (iii) hospitality staff, and (iv) other costs.

Mr Turnbull: the answer to the member's question is as follows:

(a) to (d) Details of the Minister and Parliamentary Secretary Office's catering and hospitality expense from 1 July 2014 to 30 June 2015 is provided in the table below. The Department's financial management system does not allow for a distinction between spending on meals, drinks, hospitality staff and other costs.

<table>
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<tr>
<th>Date</th>
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<tr>
<td>04/03/2015</td>
<td>Parliament House</td>
<td>Industry stakeholder meetings</td>
<td>$1,156.18</td>
</tr>
<tr>
<td>18/03/2015</td>
<td></td>
<td></td>
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