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RADIO BROADCASTS
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- SYDNEY 630 AM
- NEWCASTLE 1458 AM
- GOSFORD 98.1 FM
- BRISBANE 936 AM
- GOLD COAST 95.7 FM
- MELBOURNE 1026 AM
- ADELAIDE 972 AM
- PERTH 585 AM
- HOBART 747 AM
- NORTHERN TASMANIA 92.5 FM
- DARWIN 102.5 FM
FORTY-FIRST PARLIAMENT
FIRST SESSION—EIGHTH PERIOD

Governor-General

His Excellency Major-General Michael Jeffery, Companion in the Order of Australia, Commander of the Royal Victorian Order, Military Cross

Senate Officeholders

President—Senator the Hon. Paul Henry Calvert
Deputy President and Chairman of Committees—Senator John Joseph Hogg
Leader of the Government in the Senate—Senator the Hon. Nicholas Hugh Minchin
Deputy Leader of the Government in the Senate—Senator the Hon. Helen Lloyd Coonan
Leader of the Opposition in the Senate—Senator Christopher Vaughan Evans
Deputy Leader of the Opposition in the Senate—Senator Stephen Michael Conroy
Manager of Government Business in the Senate—Senator the Hon. Christopher Martin Ellison
Manager of Opposition Business in the Senate—Senator Joseph William Ludwig

Senate Party Leaders and Whips

Leader of the Liberal Party of Australia—Senator the Hon. Nicholas Hugh Minchin
Deputy Leader of the Liberal Party of Australia—Senator the Hon. Helen Lloyd Coonan
Leader of The Nationals—Senator the Hon. Ronald Leslie Doyle Boswell
Deputy Leader of The Nationals—Senator the Hon. Nigel Gregory Scullion
Leader of the Australian Labor Party—Senator Christopher Vaughan Evans
Deputy Leader of the Australian Labor Party—Senator Stephen Michael Conroy
Leader of the Australian Democrats—Senator Lynette Fay Allison
Leader of the Australian Greens—Senator Robert James Brown
Leader of the Family First Party—Senator Steve Fielding
Liberal Party of Australia Whips—Senators Jeannie Margaret Ferris and Stephen Parry
Nationalals Whip—Senator Fiona Joy Nash
Opposition Whips—Senators George Campbell, Linda Jean Kirk and Ruth Stephanie Webber
Australian Democrats Whip—Senator Andrew John Julian Bartlett
Australian Greens Whip—Senator Rachel Siewert

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(1) Chosen by the Parliament of Queensland to fill a casual vacancy vice Hon. John Joseph Herron, resigned.
(2) Chosen by the Parliament of Victoria to fill a casual vacancy vice Hon. Richard Kenneth Robert Alston, resigned.
(3) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.
(4) Chosen by the Parliament of Tasmania to fill a casual vacancy vice Susan Mary Mackay, resigned.
(5) Chosen by the Parliament of South Australia to fill a casual vacancy vice Hon. Robert Murray Hill, resigned.

PARTY ABBREVIATIONS
AD—Australian Democrats; AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Labor Party; FF—Family First Party; LP—Liberal Party of Australia; NATS—The Nationals

Heads of Parliamentary Departments
Clerk of the Senate—H Evans
Clerk of the House of Representatives—I C Harris
Secretary, Department of Parliamentary Services—H R Penfold QC
HOWARD MINISTRY

Prime Minister
Minister for Transport and Regional Services and
Deputy Prime Minister
Treasurer
Minister for Trade
Minister for Defence
Minister for Foreign Affairs
Minister for Health and Ageing and Leader of the House
Attorney-General
Minister for Finance and Administration, Leader of the Government in the Senate and Vice- President of the Executive Council
Minister for Agriculture, Fisheries and Forestry and Deputy Leader of the House
Minister for Immigration and Citizenship
Minister for Education, Science and Training and Minister Assisting the Prime Minister for Women’s Issues
Minister for Families, Community Services and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs
Minister for Industry, Tourism and Resources
Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service
Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate
Minister for the Environment and Water Resources
Minister for Human Services

The Hon. John Winston Howard MP
The Hon. Mark Anthony James Vaile MP
The Hon. Peter Howard Costello MP
The Hon. Warren Errol Truss MP
The Hon. Dr Brendan John Nelson MP
The Hon. Alexander John Gosse Downer MP
The Hon. Anthony John Abbott MP
The Hon. Philip Maxwell Ruddock MP
Senator the Hon. Nicholas Hugh Minchin
The Hon. Peter John McGauran MP
The Hon. Kevin James Andrews MP
The Hon. Julie Isabel Bishop MP
The Hon. Malcolm Thomas Brough MP
The Hon. Ian Elgin Macfarlane MP
The Hon. Joseph Benedict Hockey MP
Senator the Hon. Helen Lloyd Coonan
The Hon. Malcolm Bligh Turnbull MP
Senator the Hon. Ian Gordon Campbell

(The above ministers constitute the cabinet)
HOWARD MINISTRY—continued

Minister for Justice and Customs and Manager of Government Business in the Senate
Senator the Hon. Christopher Martin Ellison

Minister for Fisheries, Forestry and Conservation
Senator the Hon. Eric Abetz

Minister for the Arts and Sport
Senator the Hon. George Henry Brandis SC

Minister for Community Services
Senator the Hon. Nigel Gregory Scullion

Minister for Revenue and Assistant Treasurer
The Hon. Peter Craig Dutton MP

Special Minister of State
The Hon. Gary Roy Nairn MP

Minister for Vocational and Further Education
The Hon. Andrew John Robb MP

Minister for Ageing
Senator the Hon. Santo Santoro

Minister for Small Business and Tourism
The Hon. Frances Esther Bailey MP

Minister for Local Government, Territories and Roads
The Hon. James Eric Lloyd MP

Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence
The Hon. Bruce Frederick Billson MP

Minister for Workforce Participation
The Hon. Dr Sharman Nancy Stone MP

Assistant Minister for Health and Ageing
The Hon. Christopher Maurice Pyne MP

Assistant Minister for the Environment and Water Resources
The Hon. John Kenneth Cobb MP

Parliamentary Secretary to the Minister for Finance and Administration
Senator the Hon. Richard Mansell Colbeck

Parliamentary Secretary to the Minister for Industry, Tourism and Resources
The Hon. Robert Charles Baldwin MP

Parliamentary Secretary to the Minister for Defence
The Hon. Peter John Lindsay MP

Parliamentary Secretary to the Minister for Transport and Regional Services
The Hon. De-Anne Margaret Kelly MP

Parliamentary Secretary to the Minister for Immigration and Citizenship
The Hon. Teresa Gambaro MP

Parliamentary Secretary to the Prime Minister
The Hon. Anthony David Hawthorn Smith MP

Parliamentary Secretary to the Treasurer
The Hon. Christopher John Pearce MP

Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry
The Hon. Sussan Penelope Ley MP

Parliamentary Secretary to the Minister for Education, Science and Training
The Hon. Patrick Francis Farmer MP

Parliamentary Secretary to the Minister for Foreign Affairs
The Hon. Gregory Andrew Hunt MP
SHADOW MINISTRY

Leader of the Opposition
Deputy Leader of the Opposition, Shadow Minister for Employment and Industrial Relations and Shadow Minister for Social Inclusion

Kevin Michael Rudd MP
Julia Eileen Gillard MP

Leader of the Opposition in the Senate and Shadow Minister for National Development, Resources and Energy

Senator Christopher Vaughan Evans

Deputy Leader of the Opposition in the Senate and Shadow Minister for Communications and Information Technology

Senator Stephen Michael Conroy

Shadow Minister for Infrastructure and Water and Manager of Opposition Business in the House

Anthony Norman Albanese MP

Shadow Minister for Homeland Security and Shadow Minister for Territories

The Hon. Archibald Ronald Bevis MP

Shadow Assistant Treasurer and Shadow Minister for Revenue and Competition Policy

Christopher Eyles Bowen MP

Shadow Minister for Immigration, Integration and Citizenship

Anthony Stephen Burke MP

Shadow Minister for Industry and Shadow Minister for Innovation, Science and Research

Senator Kim John Carr

Shadow Minister for Trade and Regional Development

The Hon. Simon Findlay Crean MP

Shadow Minister for Service Economy, Small Business and Independent Contractors

Craig Anthony Emerson MP

Shadow Minister for Multicultural Affairs, Urban Development and Affairs

Laurence Donald Thomas Ferguson MP

Shadow Minister for Transport, Roads and Shadow Minister for Tourism

Martin John Ferguson MP

Shadow Minister for Defence

Joel Andrew Fitzgibbon MP

Shadow Minister for Climate Change, Environment and Heritage and Shadow Minister for the Arts

Peter Robert Garrett MP

Shadow Minister for Veterans’ Affairs, Shadow Minister for Defence Science and Personnel and Shadow Special Minister of State

Alan Peter Griffin MP

Shadow Minister for Justice and Customs and Manager of Opposition Business in the Senate

Senator Joseph William Ludwig

Shadow Minister for Sport, Recreation and Health Promotion and Shadow Minister for Local Government

Senator Kate Alexandra Lundy

Shadow Minister for Families and Community Services and Shadow Minister for Indigenous Affairs and Reconciliation

Jennifer Louise Macklin MP

Shadow Minister for Foreign Affairs

Robert Bruce McClelland MP

Shadow Minister for Ageing, Disabilities and Carers

Senator Jan Elizabeth McLucas
Shadow Minister for Federal/State Relations and Shadow Minister for International Development Assistance
Robert Francis McMullan MP

Shadow Minister for Primary Industries, Fisheries and Forestry
Senator Kerry Williams Kelso O’Brien

Shadow Minister for Human Services, Housing, Youth and Women
Tanya Joan Plibersek MP

Shadow Minister for Health
Nicola Louise Roxon MP

Shadow Minister for Superannuation and Intergenerational Finance and Shadow Minister for Banking and Financial Services
Senator the Hon. Nicholas John Sherry

Shadow Minister for Education and Training
Stephen Francis Smith MP

Shadow Treasurer
Wayne Maxwell Swan MP

Shadow Minister for Finance
Lindsay James Tanner MP

Shadow Attorney-General and Deputy Manager of Opposition Business in the House
Kelvin John Thomson MP

Shadow Minister for Public Administration and Accountability, Shadow Minister for Corporate Governance and Responsibility and Shadow Minister for Workforce Participation
Senator Penelope Ying Yen Wong

Shadow Parliamentary Secretary for Foreign Affairs
Anthony Michael Byrne MP

Shadow Parliamentary Secretary for Defence and Veterans’ Affairs
The Hon. Graham John Edwards MP

Shadow Parliamentary Secretary for Environment and Heritage
Jennie George MP

Shadow Parliamentary Secretary for Treasury
Catherine Fiona King MP

Shadow Parliamentary Secretary for Education
Kirsten Fiona Livermore MP

Shadow Parliamentary Secretary to the Leader of the Opposition
John Paul Murphy MP

Shadow Parliamentary Secretary for Industrial Relations
Brendan Patrick John O’Connor MP

Shadow Parliamentary Secretary for Industry and Innovation
Bernard Fernando Ripoll MP

Shadow Parliamentary Secretary for Northern Australia and Indigenous Affairs
The Hon. Warren Edward Snowdon MP

Shadow Parliamentary Secretary to the Leader of the Opposition (Social and Community Affairs)
Senator Ursula Mary Stephens
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Thursday, 8 February 2007

The PRESIDENT (Senator the Hon. Paul Calvert) took the chair at 9.30 am and read prayers.

TEMPORARY CHAIRS OF COMMITTEES

The PRESIDENT (9.30 am)—Pursuant to standing order 12, I lay on the table a warrant nominating Senator Sandy Macdonald as an additional Temporary Chair of Committees when the Deputy President and Chair of Committees is absent.

PETITIONS

The Clerk—Petitions have been lodged for presentation as follows:

Palmerston: General Practitioners

To the Honourable President and members of the Senate in Parliament assembled:
The petition of the undersigned shows:
That due to the Federal Government policies
(1) The ratio of GPs to population in the City of Palmerston is 1:2200 when the national standard is 1:1200,
(2) Bulk-billing rates have dropped by 12% over the last 10 years in the City of Palmerston,
(3) And there is a lack of after-hours GP services in the City of Palmerston.
Your petitioners ask/request that the Senate:
(1) ENCOURAGE AND RECRUIT General Practice Doctors and
(2) ADDRESS the decline in bulk billing availability in the City of Palmerston
by Senator Crossin (from 898 citizens)

Palmerston: General Practitioners

To the Honourable President and members of the Senate in Parliament assembled:
The petition of the undersigned shows:
(1) The ratio of GPs to population in the City of Palmerston is 1:2200 when the national standard is 1:1200,
(2) Bulk-billing rates have dropped by 12% over the last 10 years in the City of Palmerston,
(3) And there is a lack of after-hours GP services in the City of Palmerston.
Your petitioners therefore ask the Senate to make laws that:
(1) ENCOURAGE AND RECRUIT General Practice Doctors and
(2) ADDRESS the decline in bulk billing availability in the City of Palmerston
by Senator Crossin (from 1,454 citizens)

Internet

The internet is a great educational tool. However children can too easily access pictures of violent cruelty and extreme pornography on the internet. Labor wants a ‘clean feed’ technology that can block access to these kinds of sites.

TO THE HONOURABLE PRESIDENT AND MEMBERS OF THE SENATE IN PARLIAMENT ASSEMBLED:
This petition of certain citizens of Australia draws to the attention of the Senate, the danger of children accessing internet pornography and other harmful internet pages.
Your petitioners therefore ask the Senate to make laws that:
All Internet Service Providers be required to offer a “clean feed” internet service to all households, schools and public libraries that blocks access to websites containing child pornography, acts of extreme violence and x-rated material.
by Senator McEwen (from 75 citizens)

NOTICES

Withdrawal

Senator WATSON (Tasmania) (9.31 am)—Pursuant to notice given at the last day of sitting on behalf of the Standing Committee on Regulations and Ordinances, I now withdraw business of the Senate notices of motion numbers 1 and 8 standing in my name for seven sitting days after today.
Presentation

Senator Siewert to move on the next day of sitting:

That there be laid on the table by the Minister representing the Minister for the Environment and Water Resources, any briefing packages produced by the former Department of the Environment and Heritage for the Minister’s consideration of the Hope Downs Iron Ore Project proposed by Hope Downs Management Services Pty Ltd.

Senator Allison to move on the next day of sitting:

The Leader of the Australian Democrats (Senator Allison): To move on the next day of sitting—

That the Senate:

(a) notes the growing international concern regarding nuclear weapons proliferation, as shown by the:

(i) decision by the advisory board of the Bulletin of the Atomic Scientists, on 17 January 2007, to move the hands of the ‘Doomsday Clock’ from 7 minutes to midnight to 5 minutes to midnight,

(ii) statement by the Director General of the International Atomic Energy Agency and Nobel Peace prize winner Mohammed ElBaradei, on 9 January 2007, stressing that ‘In addition to non-proliferation, it is also important to make progress on the second leg of the NPT – namely, the commitment by the nuclear weapon States to proceed in good faith towards complete nuclear disarmament’,

(iii) statements published in the Wall Street Journal, of 4 January 2007, by Henry A Kissinger, George P Schultz, William J Perry and Senator Sam Nunn, emphasising the urgency of agreed practical steps to achieve a world free of nuclear weapons, and

(iv) statements by Kofi Annan, on 28 November 2006, and the Rome Summit of Peace Nobels, on 19 November 2006, emphasising the urgency of eliminating nuclear weapons; and

(b) calls on the Government to:

(i) review all existing uranium contracts with a view to ensuring that atoms of Australian uranium will never facilitate, in any way, nuclear weapons in any country,

(ii) give an assurance that uranium will never be exported to any state that is not a Nuclear Non-Proliferation Treaty (NPT) signatory, or that has an extensive nuclear weapons program in which civil and military uranium are enriched or otherwise processed in the same facilities,

(iii) make representations to the United States of America (US), urging it to place greater importance not only on non-proliferation and counter-proliferation efforts, but also on its Article VI NPT obligation to achieve the total elimination of its nuclear arsenal,

(iv) press the US and China, in particular, to ratify the Comprehensive Nuclear-Test-Ban Treaty, and

(v) continue its co-sponsorship of the resolution ‘Renewed determination towards the total elimination of nuclear weapons’, and support all other nuclear disarmament initiatives on the floor of the First Committee and General Assembly including the New Agenda resolution ‘Reducing Nuclear Danger’ and the annual Non-Aligned Movement resolution.

Senator Nettle to move on the next day of sitting:

That the Senate:

(a) notes the failure of the Government to ensure that Mr David Hicks will receive a fair trial after he has been held in detention for 1 908 days; and

(b) calls on the Government to ensure Mr Hicks receives a fair trial.
Senator Nettle to move on the next day of sitting:

That the Senate:

(a) notes:
   (i) that Australia’s coal exports will cause as much greenhouse gas emissions as are produced in Australia each year, and
   (ii) that coal from the proposed Anvil Hill coal mine in New South Wales will cause more greenhouse gas emissions than the 4 million vehicles on New South Wales roads; and

(b) calls on the Government not to approve the development of the Anvil Hill coal mine.

Senator Stott Despoja to move on the next day of sitting:

That the Senate calls on the Government to release publicly the full KPMG report and privacy impact assessment into the Government’s proposed access card.

COMMITTEES
Selection of Bills Committee
Report
Senator Ferris (South Australia) (9.32 am)—I present the first report of 2007 of the Selection of Bills Committee and I move:

That the report be adopted.

Senator Ludwig (Queensland) (9.32 am)—There are two matters on which I seek amendment to that motion. I move:

At the end of the motion, add “and, in respect of the Income Tax Amendment Bill 2007, the Income Tax (Former Complying Superannuation Funds) Amendment Bill 2007, the Income Tax (Former Non-resident Superannuation Funds) Amendment Bill 2007, the Income Tax Rates Amendment (Superannuation) Bill 2007 and the Superannuation Legislation Amendment (Simplification) Bill 2007, the provisions of the bills be referred to the Economics Committee for inquiry and report by 1 March 2007”.

The Selection of Bills Committee has in the past—in the previous parliament and up to now—been an effective way of ensuring that the business of the senate gets looked at in an appropriate way. It determined whether or not an inquiry was required—whether a matter should be referred to a committee or not, because it could be dealt with in here. That system seems to have broken down with the government holding the numbers in this place. It wants to take the opportunity to ram legislation through this Senate.

What we now find is that the government is seeking to bring forward legislation into the house, but through the Selection of Bills Committee, before it is actually introduced here. Where the opposition and, I suspect, the minor parties may otherwise consider the decision to request an inquiry and provide for a certain time to allow that inquiry to proceed, the Selection of Bills Committee is the appropriate place for that debate to occur, and it has always worked on consensus. What happens, though, is that bills which are yet unseen are referred by the Selection of Bills Committee to inquiry and report or they are deferred. So people are making decisions in the Selection of Bills Committee without the ability or knowledge to see what is in the legislation itself—without having read it and without it having been introduced into the parliament. Where bills have then been introduced and examined and it is considered that they in fact should be inquired into, the opportunity for that has passed, because at the time the committee held its meeting there was no ability for the relevant shadows—the opposition and the minor parties—to have a look at the bill. This system is breaking down.

What should happen—the logical process—is that bills should be introduced into this house, there should be sufficient time for a bill to be examined, and the Selection of Bills Committee should then meet. They can
then decide by consensus, as they always have, as to whether that bill is required to be referred to the committee system for examination or whether it is of a type that does not require examination, is not referred and is therefore dealt with in the usual way and is available for debate in this house. That is the logical system that has been used in the past. What the government has done is seek to break from that process and seek to refer bills sight unseen—that is, they have not been introduced into this house or the House of Representatives, nor has an advance copy been provided. What happens is you get a name like ‘Income Tax Amendment Bill 2007’ and you have to make a decision as to whether that bill should or should not be referred to a committee for inquiry and report. Until you see the detail of that particular bill, it is impossible to make any fair determination of that. On that basis, we have sought these bills to be recommitted to the Selection of Bills Committee. They would not do it. So what we have now had to do is come into this house and say, ‘These bills should go back to a committee for examination and report,’ because having seen the bills there is a concern that there are matters that should be examined and reviewed by the relevant committee. (Time expired)

Senator LUNDY (Australian Capital Territory) (9.38 am)—Senator Ludwig has moved an amendment and I have a further amendment. Mr Acting Deputy President, do you want to deal with Senator Ludwig’s amendment or shall I move mine now as well?

The ACTING DEPUTY PRESIDENT (Senator Ferguson)—You can foreshadow an amendment and move it later, Senator Lundy.

Senator LUNDY—I will foreshadow moving it in speaking to Senator Ludwig’s amendment. In foreshadowing this amendment I make the same points as Senator Ludwig. We are dealing here with a process that is completely absurd if the opposition and cross-benches are to have any hope of making a considered determination about the reference of a bill to a committee. What appears to be happening is that the government are exploiting the fact that they know very well they have the numbers in this place and are trying to limit the extent to which their legislation is scrutinised by referring it, before it has even been seen, to a very limited inquiry. That really sits at the heart of Labor’s complaint on this matter and why we are raising it in the chamber today.

We are not in a position to be able to assess the type of committee hearing or the type of inquiry that is warranted without having seen the bill and having had the opportunity to absorb what is in the bill. To try to force this chamber to refer a bill to a very limited inquiry—as has been done before—completely ignores any concerns that the opposition or cross benches may have.

Senator Ludwig’s amendment refers to dates. My amendment relates to the terms of reference. Our concerns extend to the analysis of the viability of the registration process, in particular whether there are adequate proof of identity checks. We would like to see that as part of the terms of reference, as well as adequate time to allow this bill to be considered in committee.

This is not the first time this has been done by the coalition government. It seems to be some sort of exercise in ensuring that the committee system is being used, albeit, I and the Labor Party say, not used effectively. In fact it is being abused. That is not in the spirit of the processes that the Senate committee system affords. It does not allow us as an opposition to be able to investigate the bill and address all of the concerns that we are aware of and any additional concerns that
may be and should be drawn out through the committee process. The committee inquiry is so truncated that we are not even able to garner the witnesses before the committee to draw out those issues, so inevitably we are going to end up with untested or unscrutinised legislation. That is not good enough in a modern democracy like Australia and I think that it does constitute a form of abuse.

The concept of an access card has been around for quite some time. Because of the amount of community debate that has already been had on this issue, one would have expected that quite a lengthy inquiry was indeed warranted. If this issue is as profound and as important and as groundbreaking an issue as the minister claims—and I heard him yesterday say that it is a substantial renewal of this type of identity mechanism—then why would the government be hiding it? Why wouldn’t they want the utmost scrutiny of this bill? Why wouldn’t they want to test it with all of the constituencies and stakeholders that have an opinion about it? Why wouldn’t they want it tested in this forum both with the cross bench and, particularly, the Labor opposition that has been exploring these issues and participating in the public debate about the access card for some time?

It runs against the rhetoric that we have heard from the minister in this place and, again, just points to a form of abuse by the Howard government of the Senate committee system. Like my colleagues, I certainly urge the government to support our amendments and not to be pigheaded about this, to understand that it is about appropriate processes and scrutiny of these bills. I urge them not only to support these amendments but to allow a suitable date for reporting that will permit the committee to organise a series of decent and reasonable hearings so that all witnesses and stakeholders who want to appear have the opportunity.

Senator LUDWIG (Queensland) (9.43 am)—by leave—I foreshadow a further amendment to the motion relating to the Selection of Bills Committee report:

At the end of the motion, add “but, in respect of the Human Services (Enhanced Service Delivery) Bill 2007, the Finance and Public Administration Committee report by 12 June 2007”.

We are seeking to move a number of amendments and I intend to speak to this amendment for a couple of minutes. What needs to be made clear here today is that in terms of the access card—if I can use that short phrase—the government’s intention is to ram that through before Easter. That will not allow privacy interests, civil interests, the Australian Federal Police, who might have an interest, and all of those other relevant bodies and the community to be involved in the debate about the access card. It is imperative that this government allows sufficient time for this committee to be able to examine the access card.

I have already heard murmurings from the government backbench about this. It is necessary and desirable for this committee to have sufficient time to call for submissions, deal with those submissions and properly hold hearings through the committee process—it is not desirable that this government shorten the time frame to such an extent and use its numbers to ram this through. It is inappropriate and wrong of the government to take this tack on such an important card. It is clear that this is the type of bill that requires scrutiny, and this government should be ashamed that it is taking this course. The minister has allowed me a short time only to put this point; I would otherwise take a lot longer. On that basis, I will reserve my comments for another opportunity.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (9.45 am)—In the short time available I want to
canvass a number of issues. Firstly, there is the ludicrous proposition of the opposition that this government has restricted time for scrutiny of bills. When the opposition was in government we used to have a Friday committee. A bill would be introduced one week, you would have the Friday to sit to consider that bill and then you would report the following week. I remember that as a matter of practice when I sat on the Legal and Constitutional Affairs Committee. That was what we experienced as an opposition when this opposition was in government—a Friday committee system applied.

I want to foreshadow an amendment to the motion which has been moved by Senator Ferris, and that is:

At the end of the motion, add “and, in respect of the Human Services (Enhanced Service Delivery) Bill 2007, the Finance and Public Administration Committee report by 15 March 2007.”.

That will allow a five-week period of consideration for the bills that are considered in the Senate. That is not an unreasonable time. The government has previously released this bill in the form of an exposure draft for public comment—four weeks of exposure in December. When you add that to the five-week period which we are seeking, that is nine weeks of public scrutiny. Of course, the early passage of this bill is required to ensure that a legal framework is available to support the implementation of the proposed smartcard system, to enable registration for the card to commence in early 2008 and to provide sufficient time to provide meaningful information to the public about the proposed changes. Of course, the June date which has been suggested by the opposition is farcical. It would totally dismantle the time frame regime I have mentioned that is so essential. This legislation will provide certainty to achieve cost-effective procurement of technological services which will be required to support the smartcard. If any amendments are proposed to the bill by the committee, the 15 March reporting date will allow time for them to be considered by the government. That relates to the Human Services (Enhanced Service Delivery) Bill 2007.

The opposition is also seeking the referral of a number of tax bills and superannuation bills to a committee for reporting during the week of 1 March. These bills are technical; they relate to matters which have previously been scrutinised in detail. They have been examined by the Senate Standing Committee on Economics and there would be little benefit referring these bills to a Senate committee. That would simply delay matters. We know that we have a heavy legislation schedule for this sitting period and referring the bills to a committee will delay them. The amendments in these bills are minor and technical in nature; they raise no significant policy issues. All the policy issues have been dealt with previously and have been scrutinised by the Senate Economics Committee, as I said earlier. It is essential that we get these bills passed as soon as possible so that these changes can be put in place for the benefit of the Australian public.

When you get these comments about how little scrutiny of legislation we have had, it is interesting to take a look. Just last year we had a record number of bills referred to committees—100 bills were referred to committees last year. That is hardly an indication of a lack of scrutiny. In this case, we are saying that there are a number of bills which should be referred to committees, with realistic time limits. We have to get these bills in place so that these policy initiatives can be implemented.

The issue of the Scrutiny of Bills Committee is one which we have to address because the committee is not sitting regularly enough to consider bills which are introduced. As soon as a bill is introduced we want to con-
sider whether it needs to go to a committee so that we can give it as much time as possible. What we have been experiencing is that we have to wait for the committee to sit. This is not a criticism of that committee; it is just that it meets at a certain time and we have to wait until that committee sits so that we can refer a bill and consider its reference. (Time expired)

Senator BARTLETT (Queensland) (9.51 am)—This is a very important issue and the Senate needs to recognise that this is not just some minor spat to start the day. I have been involved with, or one step removed from, the Selection of Bills Committee process for a long time now. It worked perfectly well throughout all the period of this government—very cooperatively, very smoothly. There were occasional disagreements which were sorted out here in the chamber, but basically it worked quite well until this government got control of the Senate. It took them about six months after that before they started really mucking around with this process. The simple fact is that now we have the absurd situation where the government is referring its own bills, sight unseen, en masse and with the shortest possible time frames, to committees without any reason for their referral, without adequate time for the community to have input or for the committee to consider bills, and then railroad them back through here.

We had the ridiculous circumstance in the final sitting week in December last year where we had, through two reports of the Selection of Bills Committee, a total of 25 bills referred through 13 different packages to a whole range of different committees, almost all of them to report back either this week or the next sitting week in February, with all of that Christmas period in between. If people think it is possible for the community and different interest groups to keep track over the Christmas period of 25 different bills in a whole range of different areas and for the committees to do that work during that break, then they are kidding themselves. That is the sort of ridiculous circumstance we are in. The way it always used to work and the way it has to work is for there to be enough time after the bills are introduced to at least see what is in them before we can figure out what issues are being raised and whether or not they merit an inquiry and what sort of inquiry they merit.

This myth that is now being regularly put about that somehow or other, once upon a time, bills used to be introduced one week, we would have a Friday hearing, and then they would be debated the next week is just not true. I do not know why it continues to be said, but it is simply not true. I would like to get Senator Robert Ray in here; he has an elephantine memory and could detail in fine points the reality of what happens—I have heard him do it once or twice. He has probably given up bothering to come in and actually talk about the reality of what happens. But it just did not happen that way.

It does not matter how often you keep repeating it, it is not true. I have been around in various guises before I came into this chamber back to 1990 and I saw the changes that were made to the committee system in 1994—a number of which have now been reversed with the government taking all of them over again—and this notion that there was a one-week turnaround with a Friday hearing is not the way it worked. The simple fact is that for significant pieces of legislation that do require proper examination and do require community input, we are doing our job. It is not politics; it is not looking for advantage—it is doing our job. We are not looking for where the votes are; we are passing laws that are in place for decades that affect the entire Australian community and the government do not think we should take the time to look at them.
We have this proposal from the ALP that a raft of tax bills be examined for quite a brief inquiry and the government’s response is just: ‘No, not negotiable. We’re not even going to think about it, you just can’t do it.’

Who is the Treasurer to dictate to the Senate and say, ‘You can’t look at these tax bills’? What a disgrace that those are the depths to which we have sunk. The Treasurer can sit in his office over there, dictate to the Senate and say, ‘You’re not allowed to look at these tax bills.’

There are a bunch of five tax bills, and the people who have looked at them say, ‘These need some further examination only for a month or six weeks.’ What is the problem? I bet you anything you like those bills will not be debated here by the time that they would have been reported back on, as is being proposed in this amendment. It is complete contempt and complete arrogance and that is what we have sunk to. Do not let anybody kid you that this is business as usual. This is a serious undermining of the core business of the Senate. It is an absolute travesty and it is the key reason that the role of the Senate and the composition of the Senate after the next election has to be of major focus and major interest to the people of Australia because, if the coalition gets away with this this time around, you ain’t seen nothing yet. (Time expired)

Senator NETTLE (New South Wales) (9.56 am)—One of the bills that we are currently debating, relating to the access card, raises issues which have engendered considerable debate within the community. The government has not provided the opportunity for the public to look at the detail of the legislation. The legislation was introduced into parliament yesterday. The idea of a national ID card, firstly in the form of the Australian Card in the eighties, has been around for a long time, but the public cannot understand the consequences if they do not have the details in front of them. That bill was only introduced into parliament yesterday. Sure, it has been in discussion—it has engendered debate because 80 per cent of the Australian population do not want a national ID card. People need the opportunity to look at the legislation to be able to see whether this so-called access card is, as the Greens and many others have said, actually a de facto national ID card.

There are members of the government’s back bench who have also pointed this out. We need the opportunity to properly look at the legislation provided yesterday so that this issue of public debate can be resolved. While little pieces of information about this access card dribble out, more and more Australians have become concerned about the consequences of setting up a database where everyone’s information is in there and a card which has a biometric photo and a microchip that is going to hold far more information than was ever proposed with the Australia Card. As these details start to come out people have become more and more concerned about the fact that this so-called access card is a national ID card. The minister said yesterday in question time that the concerns people had on these issues were legitimate and that the majority of Australians did not want a national ID card. Come on, Minister, come on, government, give us the opportunity to look properly at the legislation you introduced yesterday so that Australians and parliamentarians in particular can decide for themselves whether what is being proposed by the government is in fact a national ID card that Australians do not want.

We need to have a substantial Senate inquiry. The government said that there would be a public inquiry into this issue yet they released an exposure draft at the end of December just before Christmas, with the January break to follow. That is the opportunity that the government proposed for people to
be able to have a public debate about whether we want a national ID card. That is ridiculous. It is a complete failure by the government to be genuine in any way whatsoever about consulting with the public on this issue when they introduce a piece of legislation into the parliament and limit the capacity for the public again to discuss a vitally important issue.

We all know in here how concerned Australians are about the idea of a national ID card. We all know in here how concerned Australians are about privacy and we know the community groups who have been speaking out on this issue and have raised concerns about this issue. That is why we have in this Selection of Bills Committee report massive lists of all the groups who should be invited to appear before the Senate inquiry. You cannot hear their evidence if you limit the opportunities for the Senate inquiry to exist, particularly after the government have said, ‘We’ll have a public inquiry; we’ll allow people to talk about this.’

The minister was in here yesterday in question time saying that people had legitimate concerns and did not want a national ID card. He is right: people do have legitimate concerns and do not want a national ID card. Not just the public but parliamentarians as well need a proper opportunity through an open and public Senate inquiry look into this legislation and determine for themselves if this so-called access card that is being proposed is in fact a national ID card. The Greens believe that the public need to have the opportunity to look at this information to determine for themselves what is being proposed by the government and for parliamentarians in particular to be able to determine how they should vote on this issue.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (10.00 am)—This is a very important issue today because it is a clear example of how this government intends to abuse its majority in the Senate. This is as clear an example as you will find of the arrogance and contempt with which the government now treats the Senate and the Australian people. This is an absolute abuse of power. The government is using its majority in the Senate to deny Australians the right to understand and debate the introduction of an access card—or national ID card.

This is an issue that is fundamentally important in Australia; it is fundamentally important that Australians have the right to understand and debate the issue. But the government comes in here today having abused the selection of bills process, which is generally operated on the basis of cooperation, and says: ‘No, you can have an inquiry. We can pretend the Senate still works, we will keep up the farce, we will pretend that we respect the institution of the Senate, but we’re going to slip through one of the most contentious bills in the history of the nation by having a quick and dirty inquiry that we will control. In a matter of weeks we will have had the inquiry, we will have had the facade of a democratic process, but the Australian people won’t have seen the bill and they won’t have had a chance to debate the issues. We will have had a couple of days of public hearings, chaired by a government senator with instructions to keep a lid on the proper debate, and then we’ll ram the legislation through the chamber, as has happened with all the previous legislation of significance.’

The government has attempted to put the Senate to sleep by pretending to follow due process and pretending to allow the Senate to continue its function, but, in effect, it has been abusing its majority time and time again. The arrogance of this is breathtaking. The government would have us slip through a process which allows a very cursory examination of a major piece of legislation that
no-one has seen yet, that no-one has any understanding of and which the government’s own Liberal backbenchers are deeply concerned about. Their own party room talked about how this was equivalent to giving the Nazis more of an opportunity to exterminate Jews. The Attorney-General himself talked about the dangers of this legislation down the track. This is an issue that is of deep concern to a whole range of people in our community, but the government is saying to us: ‘We’ve got the numbers; we’re going to roll the legislation through and we’re going to give you this facade of the Senate continuing its function in order to be able to defend ourselves against the accusation of abuse of our majority.’

The reality is that the government will have a quick and dirty inquiry. There will be limited hearings and a limited opportunity to debate the legislation and the government will bring the legislation in and ram it through the Senate very quickly. No major bill in the past was treated like this before the change of power that happened when the government got its majority. It is outrageous. I know it concerns a lot of government senators; it certainly concerns all senators on the non-government side. This is an abuse of the Senate. The government goes too far when it prevents senators from doing the job we were elected to do. That government has to be held up to examination for its abuse of the Senate. This proves to people why the government should never have been allowed a majority in the Senate. It proves why this is a dangerous thing for democracy.

Yesterday the government denied us the capacity to inquire into the Qantas sale. The Australian people were denied the ability to examine the issues involving the sale of Qantas, the future of the national icon airline and the future of jobs in the airline industry in Australia because the government did not want the debate. Now they are saying to us that we have no right to have a proper debate about the introduction of an access card. It is a disgrace—

The PRESIDENT—Order! The time for the debate has expired.

Senator STOTT DESPOJA (South Australia) (10.05 am)—I seek leave to make a short statement in this debate. I do not believe there are any other speakers left.

Leave granted.

Senator STOTT DESPOJA—I rise to talk not about the specifics of the bill but about the process, to support the comments of non-government colleagues and also to offer a compromise in this debate. Honourable senators would be aware of the Selection of Bills Committee proposals that were volunteered by the Australian Democrats and I understand that, as of today, the Labor Party has put forward a reference proposal for selection of bills and has now foreshadowed that with a change to a 12 June reporting date. I think that is preferable for all of us on the non-government side. But, having said that, given how desperate we on this side of the chamber are to debate in some detail these complex technical, technological, political and legal bills—65 pages on the access card were tabled yesterday—would the government even consider the dates that were put forward by the Australian Democrats in the selection of bills process? That proposal was for hearings to begin in the weeks beginning 5 March or 12 March, with a reporting date of 26 March or indeed 20 March, which was the date we were prepared to put forward directly to the minister and today in the chamber.

I am aware that these access card bills, in the form of an exploratory draft, have been around for some time. I do not know about you, but I cuddled up with mine over the summer holidays and read it, along with Andrew McGahan’s _Underground_ and Anna
Funder’s *Stasiland* just to get me in the mood. I think that there is a strong argument for an inquiry into these bills, even given that there has been an exposure draft, and especially given that there is a changed piece of legislation, which was tabled in the House of Reps—not the Senate; the House of Reps—yesterday. So will the government even consider a compromise, given the desperation on the non-government side about not just the complex nature of this legislation but the fact that it is a large volume of legislation which in the case of the access card potentially represents the greatest single privacy intrusion into the lives of the Australian people ever?

Question put:
That the amendment (Senator Ludwig’s) be agreed to.

The Senate divided.  [10.12 am]
(The President—Senator the Hon. Paul Calvert)

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<td>Majority</td>
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* denotes teller

**SENATOR LUNDY (Australian Capital Territory) (10.15 am)—I move:**

At the end of the motion, add “and, in respect of the Human Services (Enhanced Service Delivery) Bill 2007, the Finance and Public Administration Committee also inquire into the analysis of the viability of the registration process, in particular, whether there are adequate proof of identity checks”.

Question put.

The Senate divided.  [10.17 am]
(The President—Senator the Hon. Paul Calvert)

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<td>Noe</td>
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Question put.

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(The President—Senator the Hon. Paul Calvert)

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Question put.

The Senate divided.  [10.17 am]
(The President—Senator the Hon. Paul Calvert)
Carr, K.J.  
Faulkner, J.P.  
Forshaw, M.G.  
Hutchins, S.P.  
Ludwig, J.W.  
Marshall, G.  
McLucas, J.E.  
Moore, C.  
Nettle, K.  
Polley, H.  
Sherry, N.J.  
Stephens, U.  
Stott Despoja, N.  
Wong, P.  

Crossin, P.M.  
Fielding, S.  
Forshaw, M.G.  
Hutchins, S.P.  
Lundy, K.A.  
McEwen, A.  
Milne, C.  
Murray, A.J.M.  
O’Brien, K.W.K.  
Ray, R.F.  
Siewert, R.  
Webber, R.  
Wortley, D.  

Abetz, E.  
Barnett, G.  
Boswell, R.L.D.  
Calvert, P.H.  
Chapman, H.G.P.  
Ferguson, A.B.  
Fierravanti-Wells, C.  
Humphries, G.  
Joyce, B.  
Lightfoot, P.R.  
MacDonald, J.J.L.  
McGauran, J.J.J.  
Nash, F. *  
Patterson, K.C.  
Ronaldson, M.  
Scullion, N.G.  
Trood, R.B.  

Adams, J.  
Bernardi, C.  
Brandis, G.H.  
Campbell, I.G.  
Colbeck, R.  
Ellison, C.M.  
Ferris, J.M.  
Fielding, S.  
Johnston, D.  
Kemp, C.R.  
Macdonald, I.  
Mason, B.J.  
Minning, N.H.  
Parry, S.  
Payne, M.A.  
Santer, S.  
Troeth, J.M.  
Watson, J.O.W.  

Bishop, T.M.  
Calvert, P.H.  
Chapman, H.G.P.  
Colbeck, R.  
Ellison, C.M.  
Ferris, J.M.  
Fifield, M.P.  
Fielding, S.  
Johnston, D.  
Kemp, C.R.  
Macdonald, I.  
Mason, B.J.  
Minning, N.H.  
Parry, S.  
Payne, M.A.  
Santer, S.  
Troeth, J.M.  
Watson, J.O.W.  

Ay es............ 34  
Noes............ 36  
Majority........ 2  

A E S  

McEwen, A.  
McEwen, A.  
McEwen, A.  
Moore, C.  
Moore, C.  
Moore, C.  

Abetz, E.  
Barnett, G.  
Boswell, R.L.D.  
Calvert, P.H.  
Chapman, H.G.P.  
Ferguson, A.B.  
Fierravanti-Wells, C.  
Humphries, G.  
Joyce, B.  
Lightfoot, P.R.  

* denotes teller
Question negatived.

Senator ELLISON (Western Australia—Manager of Government Business in the Senate) (10.23 am)—I move:

At the end of the motion, add “and, in respect of the Human Services (Enhanced Service Delivery) Bill 2007, the Finance and Public Administration Committee report by 15 March 2007”.

Question put.

The Senate divided. [10.24 am]

(The President—Senator the Hon. Paul Calvert)

Ayes........... 44
Noes............. 24
Majority........ 20

AYES
Abetz, E.  Adams, J.
Allison, L.F.  Barnett, G.
Bartlett, A.J.J.  Bernardi, C.
Boswell, R.L.D.  Brandis, G.H.
Brown, B.J.  Calvert, P.H.
Campbell, I.G.  Chapman, H.G.P.
Colbeck, R.  Eggleston, A.
Ellison, C.M.  Ferguson, A.B.
Ferris, J.M.  Fielding, S.
Fierravanti-Wells, C.  Fifield, M.P.
Humphries, G.  Johnston, D.
Joyce, B.  Kemp, C.R.
Lightfoot, P.R.  Macdonald, I.
Macdonald, J.A.L.  Mason, B.J.
McGauran, J.J.  Milne, C.
Minchin, N.H.  Murray, A.J.M.
Nash, F.  Nettle, K.
Parry, S.  Patterson, K.C.
Payne, M.A.  Ronaldson, M.
Scullion, N.G.  Siewert, R.
Stott Despoja, N.  Troeth, J.M.
Trost, R.B.  Watson, I.O.W.

NOES
Bishop, T.M.  Brown, C.L.
Campbell, G.  Carr, K.J.
Crossin, P.M.  Faulkner, J.P.
Forshaw, M.G.  Hurley, A.
Hutchins, S.P.  Kirk, L.
Ludwig, J.W.  Lundy, K.A.
Marshall, G.  McEwen, A.
McLucas, J.E.  Moore, C.
O’Brien, K.W.K.  Polley, H.
Ray, R.F.  Sherry, N.J.
Stephens, U.  Sterle, G.
Wong, P.  Wortley, D.

PAIRS
Cooman, H.L.  Hogg, J.J.
Heffernan, W.  Couroy, S.M.
Santoro, S.  Webber, R.
Vanstone, A.E.  Evans, C.V.

* denotes teller

Question agreed to.

Original question, as amended, agreed to.

Senator NASH (New South Wales) (10.28 am)—I seek leave to have the report incorporated in Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE
REPORT NO. 1 OF 2007

(1) The committee met in private session on Wednesday, 7 February 2007 at 4.18 pm.

(2) The committee resolved to recommend—That—

(a) the provisions of the AusCheck Bill 2006 be referred immediately to the Legal and Constitutional Affairs Committee for inquiry and report by 14 March 2007 (see appendix 1 for a statement of reasons for referral); and

(b) the provisions of the Human Services (Enhanced Service Delivery) Bill 2007 be referred immediately to the Finance and Public Administration Committee for inquiry, but was unable to reach agreement on a reporting date (see appendices 2 and 3 for statements of reasons for referral).

(3) The committee resolved to recommend—That the following bills not be referred to committees:

- ACIS Administration Amendment (Unearned Credit Liability) Bill 2007
- Australian Energy Market Amendment (Gas Legislation) Bill 2006
• Classification (Publications, Films and Computer Games) Amendment Bill 2006
• Pregnancy Counselling (Truth in Advertising) Bill 2006
• Veterans’ Affairs Legislation Amendment (Statements of Principles and Other Measures) Bill 2006.

The committee recommends accordingly.

(4) The committee considered a proposal to refer the provisions of the following bills to the Economics Committee:
• Income Tax Amendment Bill 2007
• Income Tax (Former Complying Superannuation Funds) Amendment Bill 2007
• Income Tax (Former Non-resident Superannuation Funds) Amendment Bill 2007
• Income Tax Rates Amendment (Superannuation) Bill 2007
• Superannuation Legislation Amendment (Simplification) Bill 2007.

The committee was unable to reach agreement on whether the bills should be referred (see appendix 4 for a statement of reasons for proposed referral).

(5) The committee considered a proposal to refer the provisions of the Aged Care Amendment (Security and Protection) Bill 2007, upon its introduction in the House of Representatives, to the Community Affairs Committee. The committee was unable to reach agreement on the reference and deferred the matter to a subsequent meeting, to be held on 8 February 2007 (see appendix 5 for a statement of reasons for proposed referral).

(6) The committee considered a proposal to refer the provisions of the Tax Laws Amendment (2006 Measures No. 7) Bill 2006 to the Economics Committee. Again the committee was unable to reach agreement on the reference and deferred consideration to its next meeting (see appendix 6 for a statement of reasons for proposed referral).

(7) The committee also deferred consideration of the following bill to its next meeting:
• Family Law (Divorce Fees Validation) Bill 2007.

(Jeannie Ferris)
Chair
8 February 2007
Appendix 1

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill
AusCheck Bill 2006

Reasons for referral/principal issues for consideration:
55(d) Such other matters as are prescribed by the regulations.
58(1)(c) For such other purposes as are prescribed by the regulations.
We think the criteria and scope of the Bill should be in the Act not the Regs.

Possible submissions or evidence from:
MUA, TWU, AMWU, Aust Pilots Association

Committee to which bill is to be referred:
Legal & Const

Possible hearing date(s):
Your choice

Possible reporting date:
28 March 2006

(signed) Ruth Webber
Whip/Selection of Bills Committee member

Appendix 2

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: Human Services (Enhanced Service Delivery) Bill 2007-02-08

Reasons for referral/principal issues for consideration:
Analysis of the privacy and security implications of the legislation.
**Possible submissions or evidence from:**
Allan Fels; Australian Privacy Foundation; Law Council; Australian Medical Association; Australian Consumers’ Association; Electronic Frontiers Australia; Australian Law Reform Commission; Australian Chamber of Commerce & Industry; Office of the Victorian Privacy Commissioner; Department of Health and Ageing; Consumers’ Federation of Australia; Office of the Privacy Commissioner; attorney-Generals Department; banks and other service sectors; others

**Committee to which bill is to be referred:** Finance and Public Administration

**Possible hearing date(s):** Week beginning March 5 or 12

**Possible reporting date:** Week beginning March 26

Andrew Bartlett
Australian Democrats Whip

**Appendix 3**

**Proposal to refer a bill to a committee**

**Name of bill:** Human Services (Enhanced Service Delivery) Bill 2007

**Reasons for referral/principal issues for consideration:**
Analysis of the viability of the registration process: in particular, whether there are adequate proof of identity checks.

**Possible submissions or evidence from:**
Office of the Privacy Commissioner, Attorney Generals

**Committee to which bill is to be referred:** Finance and Public Administration

**Possible hearing date(s):**
Week beginning March 5/12

**Possible reporting date:**
Week beginning March 26

(signed)
George Campbell
Kate Lundy

**Whip/Selection of Bills Committee member**

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**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2007 AUTUMN SITTINGS**

**HUMAN SERVICES (ENHANCED SERVICE DELIVERY) BILL 2007**

**Purpose of the Bill**
The Bill will streamline and modernise Australia’s delivery system for health and social service benefits and reduce the opportunity for fraud in relation to such benefits.

**The Bill:**
- sets out the scope and purposes of the use of the access card and Register;
- sets out the information to be included in the Register and in the chip of the card and on the surface of the card;
- provides a registration process for obtaining an access card;
- vests ownership of access cards in card holders;
- allows card owners to use their access card for whatever lawful purposes they choose; and
- creates a range of offences to prohibit persons requiring an access card for identification purposes and to prohibit other improper uses of the access card.

**Reasons for Urgency**
To ensure community consultation on an exposure draft of the legislation prior to introduction in Parliament, it was not possible to introduce legislation in the 2006 Spring sittings.

The early passage of the Bill is required to ensure that a legal framework is available to support the implementation of the proposed access card system, to enable registration for the card to commence in early 2008 and to provide sufficient time to provide meaningful information to the public about the proposed changes.

The legislation will provide the certainty required to achieve cost-effective procurement of technological services required to support the access card.

(Circulated by authority of the Minister for Human Services)
STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2007 AUTUMN SITTINGS
AGED CARE AMENDMENT (SECURITY AND PROTECTION) BILL

Purpose of the Bill
The bill amends the Aged Care Act 1997 (the Act) to:

• implement new aged care complaints investigation arrangements, including a new Aged Care Commissioner;
• introduce the requirement for approved providers of residential aged care to report to the Department of Health and Ageing and the police allegations and incidents of sexual and serious physical assault; and
• introduce protection for approved providers and staff in residential aged care that report allegations and incidents of sexual and serious physical assault.

Reasons for Urgency
The amendments to the Act will give effect to the decision made by the government in July 2006 to implement new complaints investigation arrangements for Australian Government-subsidised aged care services, including the establishment of a new Aged Care Commissioner, as well as the introduction of compulsory reporting of alleged incidents of sexual and serious physical assault in residential aged care, and protection for approved providers and staff who report such incidents.

In the Minister for Ageing’s announcement of 27 July 2006, he foreshadowed an implementation date of 1 April 2007 for the aged care complaints investigation arrangements, compulsory reporting and protection measures. In order to meet this implementation date, the bill needs to be introduced and passed in the 2007 Autumn sittings.

(Circulated by authority of the Minister for Health and Ageing)
Appendix 6

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:
Tax Laws Amendment (2006 Measures No. 7) Bill 2006

Specifically Schedule 2

Reasons for referral/principal issues for consideration:
• Schedule 2 makes substantial changes to the interest withholding tax exemption
• Proposed changes in Schedule 2 may have an impact on the ability of Australian companies to raise finance
• Inadequate consultation with industry

Possible submissions or evidence from:
Institute of chartered Accountants

Committee to which bill is to be referred:
Economics

Possible hearing date(s):
Week of 19 February 2007

Possible reporting date:
Week of 1 March 2007

(signed)
George Campbell

MINISTER:
I move the following amendment:
At the end of the motion, add “and, in respect of the Human Services (Enhanced Service Delivery) Bill 2007, the Finance and Public Administration Committee report by 15 March 2007.”.

Rearrangement

Senator ELLISON (Western Australia—Manager of Government Business in the Senate) (10.28 am)—I move:
That the order of general business for consideration today be as follows:
(1) general business notice of motion no. 697 standing in the name of Senator Wong, relating to human activity and climate change; and
(2) orders of the day relating to government documents.

NOTICES

Postponement

The following items of business were postponed:
Business of the Senate notice of motion no. 1 standing in the names of Senator Siewert and Senator Milne for today, proposing the reference of matters to the Rural and Regional Affairs and Transport Committee, postponed till 27 February 2007.

Business of the Senate notice of motion no. 3 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing the reference of a matter to the Community Affairs Committee, postponed till 26 February 2007.

AUSTRALIAN TERRITORIES RIGHTS OF THE TERMINALLY ILL BILL 2007

First Reading

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.30 am)—I move:
That the following bill be introduced: A Bill for an Act to confirm the right of a terminally ill person to request assistance from a medically qualified person to voluntarily terminate his or her life in a humane manner, to allow for such
assistance to be given in certain circumstances without legal impediment to the person rendering the assistance, to provide procedural protection against the possibility of abuse of the rights recognised by this Act, and for related purposes.

Question agreed to.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.30 am)—I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.31 am)—I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

This is a Bill for an Act to confirm the right of a terminally ill person to request assistance from a medically qualified person to voluntarily terminate his or her life in a humane manner, to allow for such assistance to be given in certain circumstances without legal impediment to the person rendering the assistance, to provide procedural protection against the possibility of abuse of the rights recognised in this Act, and for related purposes.

The Bill is patterned on the Northern Territory Rights of the Terminally Ill Bill of 1995, which was overturned by the national parliament in 1997. Similar euthanasia laws are now available to the citizens of the Netherlands, Switzerland, Belgium, and the state of Oregon in the United States.

The Medical Journal of Australia has reported that hundreds of terminally ill citizens are assisted to an early death by compassionate medical attendants each year. Indications by terminally ill people that they wish to die are not uncommon even though there remains a social stigma on this issue.

The safeguards against misuse of the option of euthanasia are built into the Bill and this option is only available for adults.

The Bill also takes good account of the option of palliative care and cannot be used where, in the doctor’s opinion, palliative care is reasonably available to alleviate the patient’s pain and suffering to levels acceptable to the patient.

At least a week must elapse between the day the patient’s medical practitioner is told she or he wants to die and the patient has signed a certificate requesting assistance to die. At least 48 hours more must pass before the patient’s request is fulfilled. At any time in this process the patient can verbally rescind her or his request.

I commend the Bill to the Senate.

Senator BOB BROWN—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

GOVERNMENT ACCOUNTABILITY AND TRANSPARENCY

Senator MURRAY (Western Australia) (10.31 am)—by leave—I move the motion as amended:

That the Senate—

(a) notes:

(i) that the Canadian Government has delivered on its commitment to make government more accountable through the Federal Accountability Act, which received Royal Assent on 12 December 2006,

(ii) that through this Act and the associated Action Plan, specific measures will be introduced to help strengthen accountability and increase transparency and oversight in government operations, and

(iii) that the Canadian bill addresses issues which include:

(A) Transparency of donations;
(b) Truth in budgeting;
(c) Protection of whistleblowers;
(d) Strengthening the role of the Auditor-General and the role of the Ethics Commissioner; and

(e) Restrictions on Ministers, ministerial staffs and senior public servants engaging in lobbying after leaving office.

(b) and calls on the Australian Government to consider whether the existing legislative framework in Australia adequately addresses these issues in the interests of Australian democracy.

Question put.

The Senate divided. [10.37 am]

(The President—Senator the Hon. Paul Calvert)

Ayes…………. 31
Noes…………. 32
Majority……… 1

AYES
Allison, L.F. Bartlett, A.J.J.
Brown, B.J. Brown, C.L.
Campbell, G. * Crossin, P.M.
Faulkner, J.P. Fielding, S.
Forshaw, M.G. Hurley, A.
Hutchins, S.P. Kirk, L.
Ludwig, J.W. Lundy, K.A.
Marshall, G. McEwen, A.
McLucas, J.E. Milne, C.
Moore, C. Murray, A.J.M.
Nettle, K. Polley, H.
Ray, R.F. Sherry, N.J.
Siewert, R. Stephens, U.
Sterle, G. Stott Despoja, N.
Webber, R. Wong, P.
Wortley, D.

NOES
Abetz, E. Adams, J.
Barnett, G. Bernardi, C.
Brandis, G.H. Calvert, P.H.
Chapman, H.G.P. Colbeck, R.
Eggleston, A. Ellison, C.M.
Ferguson, A.B. Ferris, J.M.
Fierravanti-Wells, C. Fifield, M.P.
Humphries, G. Johnston, D.

Joyce, B. Kemp, C.R.
Lightfoot, P.R. Macdonald, I.
McDonald, J.A.L. Mason, B.J.
McGauran, J.J.J. Nash, F. *
Parry, S. Patterson, K.C.
Payne, M.A. Ronaldson, M.
Scullion, N.G. Troeth, J.M.
Trood, R.B. Watson, J.O.W.

PAIRS
Bishop, T.M. Campbell, I.G.
Carr, K.J. Coonan, H.L.
Conroy, S.M. Minchin, N.H.
Evans, C.V. Vanstone, A.E.
Hogg, J.J. Heffernan, W.
O’Brien, K.W.K. Santoro, S.

* denotes teller

Question negatived.

COMMITTEES
Australian Commission for Law Enforcement Integrity Committee
Establishment

Senator COLBECK (Tasmania—Parliamentary Secretary to the Minister for Finance and Administration) (10.39 am)—I move:

(1) That, in accordance with section 213 of the Law Enforcement Integrity Commissioner Act 2006, matters relating to the powers and proceedings of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity shall be as follows:

(a) That the committee consist of 10 members, 3 members of the House of Representatives to be nominated by the Government Whip or Whips, 2 members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent member, 2 senators to be nominated by the Leader of the Government in the Senate, 2 senators to be nominated by the Leader of the Opposition in the Senate and 1 senator to be nominated by any minority group or groups or independent senator or independent senators.
(b) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(c) That the committee elect a member nominated by the Government Whips or the Leader of the Government in the Senate as its chair.

(d) That the committee elect a deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(e) That, in the event of an equal vote on a question before the chair, the chair, or the deputy chair when acting as chair, have a casting vote.

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

(g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(h) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(i) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall comprise 1 Government member of either House and 1 non-Government member of either House.

(j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

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

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

(m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(n) That the committee may report from time to time.

(o) That, in carrying out its duties, the committee or any subcommittee, ensure that the operational methods and results of investigations of law enforcement agencies, as far as possible, be protected from disclosure where that would be against the public interest.

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

(2) That a message be sent to the House of Representatives seeking its concurrence in this resolution.

Question agreed to.

BUDGET
Consideration by Estimates Committees

Senator COLBECK (Tasmania—Parliamentary Secretary to the Minister for Finance and Administration) (10.39 am)—I move:
That—

(1) The order of the Senate of 7 December 2006 relating to committee groupings for estimates hearings be modified as follows:

**Group A**
- Community Affairs
- Environment, Communications, Information Technology and the Arts
- Finance and Public Administration
- Legal and Constitutional Affairs

**Group B**
- Economics
- Employment, Workplace Relations and Education
- Foreign Affairs, Defence and Trade
- Rural and Regional Affairs and Transport.

(2) The continuing order relating to the allocation of departments and agencies to standing committees be amended to read as follows:

Departments and agencies are allocated to the legislative and general purpose standing committees as follows:

**Community Affairs**
- Families, Community Services and Indigenous Affairs
- Health and Ageing

**Economics**
- Treasury
- Industry, Tourism and Resources

**Employment, Workplace Relations and Education**
- Employment and Workplace Relations
- Education, Science and Training

**Environment, Communications, Information Technology and the Arts**
- Environment and Water Resources
- Communications, Information Technology and the Arts

**Finance and Public Administration**
- Parliament
- Prime Minister and Cabinet
- Finance and Administration
- Human Services

**Foreign Affairs, Defence and Trade**
- Foreign Affairs and Trade
- Defence (including Veterans’ Affairs)

**Legal and Constitutional Affairs**
- Attorney-General
- Immigration and Citizenship

**Rural and Regional Affairs and Transport**
- Transport and Regional Services
- Agriculture, Fisheries and Forestry.

Question agreed to.

**WATER**

**Senator NETTLE** (New South Wales) (10.40 am)—I move:

That the Senate—

(a) notes that:

(i) the internationally significant Ramsar-listed wetlands, the Macquarie Marshes in New South Wales are dying because of a lack of water,

(ii) water for cotton irrigation upstream on the Macquarie River has been over-allocated and has starved the Macquarie Marshes of water, specifically the periodic flooding necessary for the marsh flora and fauna to survive, and

(iii) if there is not a substantial flood in the Macquarie Marshes in the near future, a substantial area of the marsh will be permanently damaged; and

(b) calls on the Government to:

(i) prioritise, for immediate buy-back, the over-allocation of water licences on the Macquarie River, and

(ii) ensure that a substantial and immediate environmental flow to save the marshes is allocated as soon as the drought breaks and water is available.

Question put.

The Senate divided. [10.42 am]
(The President—Senator the Hon. Paul Calvert)

Ayes............ 30
Noes............ 33
Majority........ 3

AYES

Allison, L.F. Bartlett, A.J.J.
Brown, B.J. Brown, C.L.
Campbell, G. Crossin, P.M.
Faulkner, J.P. Forshaw, M.G.
Hurley, A. Hutchins, S.P.
Kirk, L. Ludwig, J.W.
Lundy, K.A. Marshall, G.
McEwen, A. McLucas, J.E.
Milne, C. Moore, C.
Murray, A.J.M. Nettle, K.
Polley, H. Ray, R.F.
Sherry, N.J. Siewert, R.
Stephens, U. Sterle, G.
Stott Despoja, N. Webber, R.
Wong, P. Wortley, D.

NOES

Abetz, E. Adams, J.
Barnett, G. Bernardi, C.
Boswell, R.L.D. Brandis, G.H.
Calvert, P.H. Chapman, H.G.P.
Colbeck, R. Eggleston, A.
Ellison, C.M. Ferguson, A.B.
Ferris, J.M. Fierravanti-Wells, C.
Fifield, M.P. Humphries, G.
Johnston, D. Joyce, B.
Kemp, C.R. Lightfoot, P.R.
Mack, I. Macdonald, J.A.L.
Mason, B.J. McGauran, J.J.J.
Nash, F. Parry, S.
Patterson, K.C. Payne, M.A.
Ronaldson, M. Scullion, N.G.
Troeth, J.M. Trood, R.B.
Watson, J.O.W.

PAIRS

Bishop, T.M. Minchin, N.H.
Carr, K.J. Campbell, I.G.
Conroy, S.M. Coonan, H.L.
Evans, C.V. Vanstone, A.E.
Hogg, J.J. Heffernan, W.
O’Brien, K.W.K. Santoro, S.

* denotes teller

Question negatived.

SAME-SEX RELATIONSHIPS

Senator NETTLE (New South Wales)

(10.45 am)—I move:

That the Senate notes the right of the Australia Capital Territory Government to legislate for the legal recognition of same-sex relationships.

Question put.

The Senate divided. [10.47 am]

(The President—Senator the Hon. Paul Calvert)

Ayes............ 31
Noes............ 33
Majority........ 2

AYES

Allison, L.F. Bartlett, A.J.J.
Brown, B.J. Brown, C.L.
Campbell, G. Crossin, P.M.
Faulkner, J.P. Forshaw, M.G.
Hurley, A. Hutchins, S.P.
Kirk, L. Ludwig, J.W.
Lundy, K.A. Marshall, G.
McEwen, A. McLucas, J.E.
Milne, C. Moore, C.
Murray, A.J.M. Nettle, K.
Polley, H. Ray, R.F.
Sherry, N.J. Siewert, R.
Stephens, U. Sterle, G.
Stott Despoja, N. Webber, R.
Wong, P. Wortley, D.

NOES

Abetz, E. Adams, J.
Barnett, G. Bernardi, C.
Boswell, R.L.D. Brandis, G.H.
Calvert, P.H. Chapman, H.G.P.
Colbeck, R. Eggleston, A.
Ellison, C.M. Ferguson, A.B.
Ferris, J.M. Fierravanti-Wells, C.
Fifield, M.P. Humphries, G.
Johnston, D. Joyce, B.
Kemp, C.R. Lightfoot, P.R.
Macdonald, I. Macdonald, J.A.L.
Mason, B.J. McGauran, J.J.J.
Nash, F. Parry, S.
Patterson, K.C. Payne, M.A.
Thursday, 8 February 2007

Ronaldson, M.  Scullion, N.G.
Troeth, J.M.  Trood, R.B.
Watson, J.O.W.

(THE PRESIDENT—Senator the Hon. Paul Calvert)

Ayes............ 9
Noes............. 52
Majority......... 43

AYES

Allison, L.F.  Bartlett, A.J.J. *
Brown, B.J.  Fielding, S.
Milne, C.  Murray, A.J.M.
Nettle, K.  Siewert, R.
Stott Despoja, N.

NOES

Abetz, E.  Adams, J.
Barnett, G.  Bernardi, C.
Brandis, G.H.  Brown, C.L.
Calvert, P.H.  Campbell, G.
Campbell, I.G.  Chapman, H.G.P.
Colbeck, R.  Crossin, P.M.
Eggleston, A.  Faulkner, J.P.
Ferguson, A.B.  Ferris, J.M.
Fierravanti-Wells, C.  Fifield, M.P.
Forshaw, M.G.  Humphries, G.
Hurley, A.  Hutchins, S.P.
Johnston, D.  Kemp, C.R.
Kirk, L.  Lightfoot, P.R.
Ludwig, J.W.  Lundy, K.A.
Macdonald, J.A.L.  Marshall, G.
Mason, B.J.  McEwen, A.
McGauran, J.J.  McLucas, J.E.
Moore, C.  Nash, F. *
Parry, S.  Patterson, K.C.
Payne, M.A.  Polley, H.
Ray, R.F.  Ronaldson, M.
Scullion, N.G.  Sherry, N.J.
Stephens, U. Sterle, G.
Troeth, J.M.  Trood, R.B.
Watson, J.O.W.  Webber, R.
Wong, P.  Wortley, D.

* denotes teller

Question negatived.

MOBILE PHONES

Senator ALLISON (Victoria—Leader of the Australian Democrats) (10.49 am)—I move:

That the Senate—

(a) notes with concern new research from Europe indicating that:

(i) the long-term use of mobile phones results in a 40 per cent likelihood of developing a type of nervous system tumour near the phone ear,

(ii) researchers found those who had used a handset for more than 10 years were 39 per cent more likely than others to develop a tumour,

(iii) the authors of the study believe that there is a need for further exploration of the effects of long-term mobile phone use, and

(iv) in the United Kingdom a new study has recently been ordered where more than 200,000 volunteers, including long-term mobile phone users, are to be monitored for at least 5 years to plot mobile phone use against any serious diseases they may develop, including cancer, Parkinson’s disease and Alzheimer’s disease; and

(b) recommends that the Government implements a similar long-term study in Australia.

Questi on put.

The Senate divided.  [10.50 am]
Senator LUDWIG (Queensland) (10.54 am)—by leave—I wish to make a short statement. The opposition sought an amendment to that motion; however, it was declined by the Greens, as I understand it. On that basis we will not be supporting the motion.

Senator NETTLE—I move:

That the Senate:

(a) notes the rising tide of public protest in support of a fair go for Mr David Hicks who has been detained for 1 890 days; and

(b) calls on the Government to return Mr Hicks to Australia to face justice.

Question negatived.

CLIMATE CHANGE

Senator NETTLE (New South Wales) (10.55 am)—I move:

That the Senate:

(a) notes the statements by Clean-Up Australia Day founder, Mr Ian Kiernan, regarding the ‘absolutely frightening’ contribution of Australia’s coal exports to greenhouse gas emissions and climate change; and

(b) calls on the Government to work with state governments to reduce coal exports and provide a just transition for workers in the coal industry.

Question put.

The Senate divided. [10.57 am]

(The President—Senator the Hon. Paul Calvert)

Ayes............. 8

Noes............. 53

Majority........ 45

AYES

Allison, L.F. Bartlett, A.J.J. *
Brown, B.J. Milne, C.
Murray, A.J.M. Nettle, K.
Siewert, R. Stott Despoja, N.

NOES

Abetz, E. Adams, J.
Barnett, G. Bernardi, C.

Bishop, T.M. Brandis, G.H.
Brown, C.L. Calvert, P.H.
Campbell, G. Campbell, I.G.
Chapman, H.G.P. Colbeck, R.
Crossin, P.M. Eggleston, A.
Faulkner, J.P. Ferguson, A.B.
Ferris, J.M. Fierravanti-Wells, C.
Fifield, M.P. Forshaw, M.G.
Humphries, G. Hurley, A.
Hutchins, S.P. Johnston, D.
Kemp, C.R. Kirk, L.
Lightfoot, P.R. Ludwig, J.W.
Lundy, K.A. Macdonald, J.A.L.
Marshall, G. Mason, B.J.
McEwen, A. McGauran, J.J.J.
McLucas, J.E. Moore, C.
Nash, F.* Payne, M.A.
Patterson, K.C. Ray, R.F.
Polley, H. Scullion, N.G.
Ronaldson, M. Stephens, U.
Sherry, N.J. Troeth, J.M.
Sterle, G. Watson, J.O.W.
Trood, R.B. Wong, P.
Webber, R.
Wortley, D.

* denotes teller

Question negatived.

OIL DEPLETION PROTOCOL

Senator MILNE (Tasmania) (11.00 am)—I move:

That the Senate—

(a) notes:

(i) that the Marrickville Council in Sydney has adopted the Oil Depletion Protocol which seeks to address the impact of peak oil by steadily reducing oil usage, and

(ii) the council will reduce its oil usage by 3 per cent per year; and

(b) calls on the Government:

(i) to adopt the Oil Depletion Protocol to reduce Australia’s dependence on oil and ensure an orderly restructure of the economy and society for the post-oil era, and

(ii) encourage state and local governments to adopt the protocol and reduce oil usage.
Question negatived.

**COMMITTEES**

**Employment, Workplace Relations and Education Committee**

Meeting

Senator NASH (New South Wales) (11.01 am)—At the request of Senator Troeth, I move:

That the Employment, Workplace Relations and Education Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 8 February 2007, from 4.30 pm, to take evidence for the committee’s inquiries into the provisions of the Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2006 and the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Vocational Rehabilitation Services) Bill 2006.

Question agreed to.

**Environment, Communications, Information Technology and the Arts Committee**

Meeting

Senator NASH (New South Wales) (11.01 am)—At the request of Senator Eggleston, I move:

That the Environment, Communications, Information Technology and the Arts Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 8 February 2007, from 1 pm.

Question agreed to.

**Regulations and Ordinances Committee**

Delegated Legislation Monitor

Senator WATSON (Tasmania) (11.03 am)—On behalf of the Standing Committee on Regulations and Ordinances, I present the Delegated Legislation Monitor for 2006.

**BUDGET**

**Consideration by Estimates Committees**

**Additional Information**

Senator PARRY (Tasmania) (11.03 am)—On behalf of the chair of respective committees, I present additional information received by committees relating to estimates as listed at item 8 on today’s Order of Business.

The list read as follows—

Budget estimates 2006-07—

Community Affairs—Standing Committee—Additional information received between—

8 December 2006 and 5 February 2007—Health and Ageing portfolio.

22 December 2006 and 7 February 2007—Families, Community Services and Indigenous Affairs portfolio.

Finance and Public Administration—Standing Committee—Additional information received between 7 December 2006 and 7 February 2007—Prime Minister and Cabinet portfolio.

Budget estimates 2006-07 (Supplementary)—

Environment, Communications, Information Technology and the Arts—Standing Committee—Additional information received between 7 December 2006 and 7 February 2007—Communications, Information Technology and the Arts portfolio.

Environment and Heritage portfolio.

Finance and Public Administration—Standing Committee—Additional information received between 7 December 2006 and 7 February 2007—Finance and Administration portfolio.

Human Services portfolio.

Parliamentary departments.
Prime Minister and Cabinet portfolio.
Foreign Affairs, Defence and Trade—Standing Committee—Additional information received between 14 December 2006 and 8 February 2007—Defence portfolio.
Foreign Affairs and Trade portfolio.
Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 30 November 2006 and 6 February 2007—Transport and Regional Services portfolio.

NON-PROLIFERATION LEGISLATION AMENDMENT BILL 2006 [2007]
Report of Foreign Affairs, Defence and Trade Committee
Senator PARRY (Tasmania) (11.03 am)—On behalf of the Chair of the Standing Committee on Foreign Affairs, Defence and Trade, Senator Johnston, I present the report of the committee on the Non-Proliferation Legislation Amendment Bill 2006, together with three submissions.

BANKRUPTCY LEGISLATION AMENDMENT (SUPERANNUATION CONTRIBUTIONS) BILL 2006 [2007]
Report of Legal and Constitutional Affairs Committee
Senator PARRY (Tasmania) (11.03 am)—On behalf of the Chair of the Standing Committee on Legal and Constitutional Affairs, Senator Payne, I present the report of the committee on the Bankruptcy Legislation Amendment (Superannuation Contributions) Bill 2006, together with the Hansard record of proceedings and submissions.

CUSTOMS LEGISLATION AMENDMENT (AUGMENTING OFFSHORE POWERS AND OTHER MEASURES) BILL 2006
Report of the Legal and Constitutional Affairs Committee
Senator PARRY (Tasmania) (11.03 am)—On behalf of the Chair of the Standing Committee on Legal and Constitutional Affairs, Senator Payne, I present the report of the committee on the Customs Legislation Amendment (Augmenting Offshore Powers and Other Measures) Bill 2006, together with the Hansard record of proceedings and submissions.

COMMITTEES
Community Affairs Committee
Report
Senator HUMPHRIES (Australian Capital Territory) (11.04 am)—I present the report of the Community Affairs Committee on funding and operation of the Commonwealth State Territory Disability Agreement, together with the Hansard record of proceedings and documents presented to the committee.

BUDGET
Proposed Additional Expenditure Consideration by Estimates Committees
Senator IAN CAMPBELL (Western Australia—Minister for Human Services) (11.05 am)—I table particulars of proposed expenditure and a statement of savings as circulated in the chamber and seek leave to move a motion to refer the documents to leg-
islative and general purpose standing committees.

Leave granted.

**Senator IAN CAMPBELL**—I thank colleagues for granting that leave and I move:

That:

(a) the particulars of proposed expenditure and statement of savings, together with the Final Budget Outcome 2005-06 and the Advance to the Finance Minister as a Final Charge for the year ended on 30 June 2006 be referred to committees for examination and report; and

(b) consideration of the Advance to the Finance Minister in committee of the whole be made an order of the day for the day on which committees report on their examination of the additional estimates.

Question agreed to.

**Portfolio Additional Estimates Statements**

**Senator IAN CAMPBELL** (Western Australia—Minister for Human Services) (11.05 am)—I table portfolio additional estimates statements 2006-07 for portfolios and executive departments in accordance with the list circulated in the chamber.

*The list read as follows—*

- Agriculture, Fisheries and Forestry portfolio.
- Attorney-General’s portfolio.
- Communications, Information Technology and the Arts portfolio.
- Defence portfolio.
- Education, Science and Training portfolio.
- Employment and Workplace Relations portfolio.
- Environment and Water Resources portfolio.
- Families, Community Services and Indigenous Affairs portfolio.
- Finance and Administration portfolio.
- Foreign Affairs and Trade portfolio.
- Health and Ageing portfolio.
- Human Services portfolio.
- Immigration and Citizenship portfolio.
- Industry, Tourism and Resources portfolio.
- Prime Minister and Cabinet portfolio.
- Transport and Regional Services portfolio.
- Treasury portfolio.
- Veterans’ Affairs.

**CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT BILL 2006**

**VETERANS’ AFFAIRS LEGISLATION AMENDMENT (STATEMENTS OF PRINCIPLES AND OTHER MEASURES) BILL 2006**

**First Reading**

Bills received from the House of Representatives.

**Senator IAN CAMPBELL** (Western Australia—Minister for Human Services) (11.06 am)—I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I will be moving a motion to have the bills listed separately on the *Notice Paper*. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

**Second Reading**

**Senator IAN CAMPBELL** (Western Australia—Minister for Human Services) (11.07 am)—I move:

That these bills be now read a second time.

I seek leave to have the second reading speeches incorporated in *Hansard*.

Leave granted.

*The speeches read as follows—*
The Classification (Publications, Films and Computer Games) Amendment Bill 2006 amends the Classification Act to implement Government policy on the accountability framework for statutory agencies and to ensure the National Classification Scheme’s on-going smooth operation in a changing technological environment.

The bill facilitates the integration of the Office of Film and Literature Classification into the Attorney-General’s Department. Classification Board and Classification Review Board functions remain unchanged. But the Director of the Classification Board will cease to have agency management powers and financial responsibilities. The Attorney-General’s Department will provide staff to support each of the Boards and assume responsibility for their financial administration.

These changes reinforce the independent functions of the Classification Board and the Classification Review Board. The bill confines the existing powers of the Director to matters associated with the Board and gives separate statutory powers to the Convenor for matters associated with the Review Board.

The bill also transfers from the Director of the Classification Board to the Attorney-General, as the Minister administering the Act, responsibility for delegated legislation, consistent with ministerial responsibility.

This includes the power to determine markings to be displayed about classified material – to be exercised in consultation with State and Territory Censorship Ministers. The Minister, rather than the Director, will also determine fee waiver principles to be applied by the Director and the Convenor when waiving fees payable under the Act for applications.

The bill also makes amendments to improve the operation of the National Classification Scheme – responding to industry concern about marketing imperatives and the law’s application in light of changing technology. They streamline the classification process and reduce the regulatory burden on industry. These amendments have been the subject of consultation including with State and Territory Censorship Ministers.

Descriptions or translations such as sub-titling, captioning, dubbing or audio descriptions, and navigation functions such as interactive menus, are increasingly added to already classified films. Currently, these constitute ‘modifications’, necessitating the film’s reclassification.

However, descriptions or translations do not provide new content. They provide access to already classified material for the ageing population, and for people with language barriers, or visual or hearing impairments. Likewise, menu functions merely facilitate navigation around new media such as DVDs. They include ‘play’ or ‘fast forward’ functions, or menu options to navigate between selections.

Following amendment, such descriptions or translations and navigation functions will no longer be considered modifications requiring reclassification.

The bill also facilitates the addition of related but new material to already classified feature movies when they are re-released on disc for sale or hire. These include additional scenes, interviews with the Director, and even featurettes taking their meaning from the content of the film.

Currently, these additions mean that the disc constitutes a new ‘film’ as defined, and must be classified, even though the feature movie on the disc has already been classified. Additional content rarely results in a classification different from that of the feature film on the disc.

The bill provides for an additional content assessment scheme whereby a person appropriately trained and authorised by the Director may recommend to the Classification Board the classification and consumer advice for additional content released with already classified or exempt films. The Classification Board will retain responsibility for classifying the film. But its consideration will be assisted by the assessment of an authorised assessor.

The scheme contains safeguards to ensure the integrity of the system. These include requiring the Board to revoke classifications in specified circumstances which demonstrate that the assessment on which the classification was based...
was highly unreliable and the Board would other-
wise have made a different classification deci-
sion.
In addition, the Director has a power to revoke, in
specified circumstances, an additional content
assessor’s status or, in serious cases, bar them
from being an assessor for up to three years, or
bar an applicant from using the additional content
assessment scheme for up to three years. These
powers are permissive, and only exercisable un-
der certain conditions. They are designed to deter
users from abusing the system or providing lax or
inadequate assessments of additional content.
Decisions by the Director to revoke an assessor’s
status or bar an assessor or applicant from using
the scheme may be reviewed by the Administra-
tive Appeals Tribunal.
The additional content assessment scheme was
developed following public consultation on a
discussion paper released earlier this year. The
amendments are modelled on the existing author-
ised computer games assessor scheme which has
been operating successfully for some years.
The bill contains several other minor amendments
which respond to changing technology and mar-
keting initiatives and miscellaneous technical
amendments.
The amendments contained in this bill will ensure
the National Classification Scheme continues to
serve both industry and the public well – respond-
ing to the needs of the rapidly evolving world of
entertainment media but guaranteeing the reliabil-
ity of classification information for consumers.
I commend the bill.

VETERANS’ AFFAIRS LEGISLATION
AMENDMENT (STATEMENTS OF
PRINCIPLES AND OTHER MEASURES) BILL
2006
I am pleased to present legislation to give effect
to minor but necessary measures that will correct
a number of anomalies and improve administra-
tive procedures in the Veterans’ Affairs portfolio.
The measures will improve the support we pro-
vide to our veterans and defence personnel.
The bill will amend the Veterans’ Entitlements
Act 1986 (the Veterans’ Entitlements Act) to en-
able the Repatriation Medical Authority to review
one or a number of factors in a Statement of Prin-
ciples, rather than the entire contents of the
Statement of Principles.
The Repatriation Medical Authority’s medical
and scientific experts formulate Statements of
Principles that are used to assess whether or not a
claimed injury, disease or death is war or service
related.
The Repatriation Medical Authority reviews the
Statements of Principles regularly to ensure they
are based on the latest medical and scientific evi-
dence, in other words, best practice.
The amendments will enhance the review proc-
ess, making it quicker and more appropriately
focussed.
This bill also amends the Veterans’ Entitlements
Act to enhance the operation of rules on existing
income streams and clarify policies relating to
those income streams.
These changes include consequential amend-
ments, in response to changes in the family law,
to allow the means test to be applied to certain
non-superannuation annuities that are split fol-
lowing a divorce property settlement.
Other amendments to the Veterans’ Entitlements
Act will enable benefits and allowances, the rates
or amounts of which are fixed by or calculated
under Veterans’ Entitlements Act regulations or
any other Veterans’ Entitlements Act legislative
instrument, to be funded from the Consolidated
Revenue Fund.
This bill also corrects minor errors and anomalies
in the Military Rehabilitation and Compensation
Act 2004 (the Military Rehabilitation and Com-
pensation Act) and the Military Rehabilitation and
Compensation (Consequential and Transitional
These Acts provide treatment, rehabilitation and
compensation for all permanent and reserve
members of the ADF, cadets and cadet instructors
who suffer an injury or disease as a result of ser-
vice after 30 June 2004.
Benefits provided by the new scheme match and,
in many cases, enhance those provided under
previous arrangements.
However, certain unintended anomalies in the Military Rehabilitation and Compensation Act mean that the Act, in a small number of areas, does not truly reflect its original intentions.

This bill corrects those anomalies, including removing the age 65 age limit from the Special Rate Disability Pension which should be payable for life, consistent with the Special Rate or TPI pension under the Veterans’ Entitlements Act.

The bill will also correct the provisions covering liability by excluding the acceptance of a self-inflicted disease. This brings the Military Rehabilitation and Compensation Act into line with the Safety Rehabilitation and Compensation Act 1988.

The bill also includes amendments that will ensure that service personnel incapacitated by injury or disease during training are remunerated at levels commensurate with what they would have earned if they had completed their initial training and will provide for the payment of travelling expenses for claimants attending a hearing by the Veterans’ Review Board.

Amendments in the bill will re-open section 88A of the Veterans’ Entitlements Act to certain persons eligible under the Military Rehabilitation and Compensation Act. This will enable those eligible persons to receive treatment of a specified kind as determined by the Repatriation Commission.

Other amendments will clarify the Military Rehabilitation and Compensation Act in relation to who may lodge a claim on behalf of a member or a dependant who is under the age of 18 years and will remove the unnecessary requirement for the Military Rehabilitation and Compensation Commission to determine a treatment path for a serving member.

The proposed changes and minor technical amendments contained in the bill will enhance my Department’s capacity to deliver benefits and entitlements for our veteran and defence force communities.

Debate (on motion by Senator Ian Campbell) adjourned.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

COMMITTEES

Rural and Regional Affairs and Transport Committee

Reference

Senator SIEWERT (Western Australia) (11.07 am)—I move:

That:
(a) the Senate notes the likely impacts on agriculture, the community and the environment of the proposed dam on the Mary River at Traveston Crossing in Queensland; and
(b) the following matters be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by 27 March 2007:
(i) the impact on the Mary River, its dependent species and environs of the proposed dam,
(ii) the implications for communities living along the Mary River of the proposed dam to their livelihood and lifestyle, and
(iii) the balance of other options available to meet the regions water resource needs.

I think the issue of the proposed dam on the Mary River is of national importance and relates very intimately to the water debate that is currently going on around Australia. I am deeply concerned about the impacts this dam is going to have on the environment and on the people of Queensland and I do not believe that it is the best option for the water future for the south-east region of Queensland. It is 20th-century thinking in the 21st century. It will displace people and destroy ecosystems.

The Mary River is the home of the endemic Murray River cod, which I think most people know is endangered, and the endemic and vulnerable Murray River tortoise. It is also home to several other endangered, threatened and vulnerable species, including the Australian lungfish—which many people often refer to as the ‘missing link’ between humans and fish—the Richmond birdwing...
butterfly, three species of frogs and the Co- xen’s fig parrot, to name but a few.

The dam is designed to create a mega storage to take water from the Mary to the Greater Brisbane and Gold Coast region. A 1994 report by the Department of Primary Industries titled *An appraisal study of water supply sources for the Sunshine Coast and Mary River Valley* advised that the Traveston dam was unsuitable because of the high capital cost, inundation of prime agricultural land and displacement of rural population. The Noosa Shire Council engineer says that the dam’s capital cost per megalitre is $24,300. I would suggest that is a very expensive option, five times greater than was claimed when the announcement was originally made.

The proposal would see a 600,000 megalitre dam covering 7,600 hectares at Traveston Crossing. In terms of storage capacity, the dam would be, if it ever went ahead, the fifth largest in Queensland and the second largest serving the state’s south-east. The first stage is to be completed at the end of 2011. It would cost up to $1.7 billion and involve the construction of a 180,000-megalitre dam delivering up to 700 megalitres per annum. As you can see, this is a very big project. Then there are the second and third stages. All of these will cost a large amount of money and will have, I believe, an unacceptable impact on the environment and on the community.

Only stage 1 at this stage is proposed for environmental assessment. That is only the first part of the proposal and really you need to be considering the whole proposal as one. The incremental approach to environmental degradation also hides the overall environmental and community impacts of what is a mega proposal. As I said, it is 20th-century thinking in the 21st century. Rarely mentioned, the proposed water grid has enormous energy costs as well in moving water around the state, and it is all powered at this stage by solar fuel.

The dam is proposed to displace 900 landowners, inundating prime agricultural land, flooding the Bruce Highway and forcing the proposed upgrade to go through. This will displace other residents and, of course, impact on other prime agricultural land. Negative environmental and economic impacts on the Mary River catchment and downstream receiving waters include those impacts on the Great Sandy World Heritage area.

Permanent reduction in fisheries production, I believe, will result from this as well and will have serious implications for the fishing industry and on the tourism industry in the Great Sandy region, which as I think everybody in Australia knows is a large tourism area. Tourism related industries are a very important part of the regional economy there, with over 200,000 visitors to Fraser Island, and a vast amount of money is also pumped into the local economy by those tourists.

As you can see, this proposal will have unacceptable environmental, community and economic impacts. There has not been, I believe, an open and thorough analysis of the water in that region. We have not been able to analyse Queensland’s water figures to see just what alternatives there are. There are alternatives, we believe, that are much more appropriate, such as recycling. Water efficiency and conservation are also issues that should be fully considered. This is a stop-gap mega-engineering approach to the water crisis. I was hoping that we had got over this approach, but obviously we have not in this country yet. We need to look at a much more sustainable water future because this proposal is in no way sustainable, given its un-
acceptable environmental, community, economic and social impacts.

We believe this proposal needs to be referred immediately to the committee to look at because there will be decisions to be made in the very near future. If we are truly committed to a sustainable water future we should be looking at alternatives. The Queensland government is obviously trying to rush this decision through without adequate consideration of the social, environmental and economic impacts. Just by limiting the environmental assessment process to stage 1, the full extent of this proposal will never be considered, and that is of course a flawed environmental process.

This issue is pressing. It is very clear that there is strong community opposition to this proposal. The local community certainly do not support it, judging by the number of emails, phone calls and letters I have received on this issue. I am sure every other senator in this place has also received letters and knows those issues of concern.

I presented the notice of motion yesterday with the aim of bringing the matter on today and sending it off to a committee immediately because, as I said, we think this is urgent. I know that there are meetings coming up that will be discussing the future of this dam. We tried to keep this reference very simple, clear and focused on the impacts on the environment and the community and to ensure it looked at alternatives with the full knowledge of the water estimates for that region. I believe that they need thorough investigation. This is a very important issue. Given the focus of the whole country at the moment on the water crisis, those estimates go to the very heart of that issue and what we in this country believe is sustainable water management and its impacts on the community. We can no longer make decisions on water that have unacceptable impacts on the community, the economy and, very importantly, the environment. This will lead to the loss of a number of endemic and endangered species and in the 21st century we should no longer be making those sorts of decisions.

Senator BOSWELL (Queensland—Leader of The Nationals in the Senate) (11.16 am)—I happen to agree with much of what Senator Siewert says but we will not be supporting her motion because yesterday Senators Trood, Joyce and I gave notice of a motion to refer the issue of the south-east Queensland water supply, including the Traveston Crossing dam, to the Rural and Regional Affairs and Transport Committee.

We gave notice yesterday of our intention to move that motion on the next day of sitting when we came back. What we have done, Senator Siewert, is give notice of a motion that your leader, Senator Brown, in a press release yesterday said that he agreed with and supported. You came in here yesterday and after we had given notice of a motion you gave notice of one. The notice of motion that we made had been through our party room and had the support of the coalition. So, one would think, the motion will get up on the 26th.

That notice of motion was welcomed by everyone in the Mary Valley—from the locals to the Greens. People have rung me and faxed me and said they are very pleased that that motion will be coming up. Today we see the Greens coming in and bringing on a debate to change the terms of reference. I deliberately made the terms of reference so wide that any of those issues that you have brought up can be covered by the terms of reference that the National and Liberal parties have put down. I have looked at the matters that they wish to refer under their notice of motion and there is nothing in them that is not already covered by the terms of reference in the motion of coalition Senators Joyce and Trood and me.
I reiterate the original proposed terms of reference:

The examination of all reasonable options, including increased dam capacity, for additional water supplies for South East Queensland, including:

(a) the merits of all options, including the Queensland Government’s proposed Traveston Crossing Dam as well as raising the Borumba Dam; and

(b) the social, environmental, economic and engineering impacts of the various proposals.

These are very broad terms of reference that certainly encompass the matters that the Greens are concerned about. The Greens point (i) is basically about the environmental impact, and that is covered in my referral at point (b). The Greens point (ii) about the implications for communities is also covered in my notice of motion at (b). The Greens point (iii) concerning other options for water supply is ably covered in the very first words of my proposed motion, the ‘examination of all ... options’. The Greens are trying to get in on something that has already been proposed we investigate under a committee.

Senator Brown supported my notice of motion yesterday, and I do not believe there is any need to change any terms that are in our notice of motion. We have made it so deliberately wide that the people of the Mary Valley and adjoining shires will be able to get their day in court, will be able to put their arguments forward and will be able to request information that they have never been able to obtain.

I see that the Deputy Premier in Queensland has said that she has nothing to fear from this inquiry. If she has nothing to fear from the inquiry then I suspect the Greens and the Democrats will be on board and I presume the Labor Party will support this inquiry. She has put an overrider on it: she hopes the commencement of the dam operation will not be held up. I would think that this inquiry would be well and truly over before any start on the dam.

I say to the Greens: come on board with us, the Democrats and the Liberals and Nationals. You do not have to change any terms of reference because our terms of reference are a catch-all, or at least as much of a catch-all as we can make them. Let us go unanimously with one notice of motion, one resolution, and get behind it. I cannot speak on behalf of Senator Ian Campbell, but no doubt he will say that the government will not be supporting the Greens resolution because we have one of our own over here that has the support of the coalition.

Senator BARTLETT (Queensland) (11.22 am)—The Democrats, as people here would know, and I in particular as a Queensland senator, have been calling for a long time for a full public inquiry into the environmental impacts of the Traveston dam and I will also mention later on the Wyaralong dam. As Senator Ian Campbell, who is in the chamber, would know from his previous incarnation as Minister for the Environment and Heritage, we pushed quite hard and tabled many petitions in this place, containing thousands of names of people wanting a full public inquiry under the Environment Protection and Biodiversity Conservation Act. That did not happen, but I do not want to revisit that debate at the moment.

There is a bilateral agreement with the Queensland government. The position of the federal government is that the Queensland government has to conduct the assessment. I note that Deputy Premier Anna Bligh, probably at a time when she was Acting Premier, said the federal government could have done that if they wanted to and chose not to. I suspect that is just all part of the argy-bargy you get along the way. It does not really matter. The decision has been made. There is an environmental impact assessment conducted
under the Queensland government’s control. As I am sure Senator Campbell would point out if he stood up to speak, the federal environment minister under the EPBC Act has the ability to require more information to be provided if he or she—he at the moment, obviously—is not satisfied with the adequacy of the assessment that has been done.

That process is underway and it is very important but it still does not enable adequate public examination of all the issues surrounding the dam. Indeed, the EPBC Act, strong as it is, only gives the federal minister the power to examine issues relating to matters of national environmental significance, particularly threatened species in the case of the Traveston dam. World heritage values, wetlands and, I think, migratory birds have all been triggered. But those are the only things you cannot look at. Of course, as Queenslanders would know, there is an enormous amount of concern about some of the yield figures being put forward by the state government and the economics of the whole issue.

The social impact is horrendous. Occasionally I feel guilty about emphasising the environmental impact, the only area where the federal government has direct control, because it sounds like I am ignoring the social impact. I certainly do not aim to do that because the social impact is horrendous. It really should be emphasised now whilst we are having this debate and considering the inquiry that the community in and around Traveston Crossing and all of the towns around there—Kandanga, Federal and the towns surrounding Gympie—are suffering enormously. The trauma is enormous. Communities are being divided; people are being traumatised and the damage has already been done.

Deputy Premier Anna Bligh has said she does not mind a Senate inquiry as long as it does not delay the project. It is a simple fact, it is on the record in this chamber, that the assessment process and the final decision by the federal environment minister as to whether or not the dam could go ahead will not occur until next year. So any suggestion that a Senate inquiry, whenever its reporting date—March, June or August—is going to delay the dam is simply a furphy. The Deputy Premier should be called on that whenever she says it. There is no way that this could delay the dam a day.

What we should be delaying is the continuing pressure from the state government on people locally to allow their land to be resumed. If people want to sell up and get out, that is fine. I understand that is an individual decision for them to make, but this continual pressure on them to get out and for the government to buy the land up is causing immense stress. It is going to mean that if the dam is stopped—I would argue that there are compelling environmental grounds for the dam to be stopped under the federal EPBC Act—then the community will have already suffered enormous, irreparable damage. The state government will own huge swags of land through the area whilst not being able to go ahead with the dam. It is no secret that I hope the dam does not go ahead. Before it is even clear whether the dam will be allowed there is social damage already being done and some of it is irreversible.

I would repeat my call now for the state government to halt their continuing pressure on people potentially affected by this to have their land resumed now. There will be plenty of time afterwards—if whoever the federal environment minister will be gives it the go-ahead—for land to be resumed. From the day the first sod is turned, or whatever it is that you do when you start making a dam, to when it is actually built will be a very long time. There will be plenty of time to resume people’s land after the dam is finally ap-
proved if that is what happens. They do not need to cause that social destruction now.

To turn specifically to the reference here, what we have heard from Senator Boswell is basically that the government members have decided they want an inquiry. They want to move it in the next sitting week in three weeks time. They are saying that everything in the motion that Senator Stewart has put forward is covered in the government members’ motion, so we do not need this one. In that case why not just vote on this today? It is all clear, it is all votable, so why not bring forward the coalition members’ referral today and get on with it? The concern is there; I see no reason to delay it. I do not really mind. I have to say I prefer the terms of reference put forward by Senator Boswell and his Queensland colleagues.

I cannot help but note that it is a bit rich for the coalition members to all decide amongst themselves in their party room that they want an inquiry into something where there is obviously a political opportunity for them to beat up on the Queensland Labor government. You have been busily knocking off every proposal we have put on this side of chamber on a whole range of different issues, many of which do not have that partisan political focus. I think it is a bit rich to say, ‘We’ve all decided amongst ourselves, we’ve come up with the terms of reference,’ which you did not consult us about. Even though I have made it clear that I am supportive of the general intent, we had no consultation about the details of what is in them.

I personally believe the terms of reference should specifically mention the Wyaralong dam. I will move an amendment to the terms of reference when that comes up. I think Wyaralong is less destructive environmentally and socially but it certainly still has some environmental and social impact.

On top of that, let us not forget that we are talking about water policy, as the terms of reference of the coalition senators indicate. To me, even with the social and environmental damage, if it stacked up as a genuinely clever, necessary piece of infrastructure on water policy grounds and on economic grounds then at least there would some competing principles to wrestle over. But from everything I have seen—and this is why I think a Senate inquiry is important, because an environmental impact assessment does not look at these things—the economic case is ludicrous. In the case of the Traveston dam, it will cost $2 billion to build something where the water yield figures continually change, for starters. It will not only cost $2 billion to build it and for all the resumptions and the rebuilding of roads and powerlines, but added to that is the economic cost of taking out a lot of valuable agricultural land in that region. That land is also a key part of the character of that region, which is important if you want balance in a region so that it is not all just urban development and sprawl continuing to spread out from the development on the Sunshine Coast and the Gympie and Caloola areas. To take out that big part of the economy of the region and the very high-quality agricultural land also has a very significant economic cost that is not factored into that $2 billion either.

To produce a water storage piece of infrastructure that is not even guaranteed to fill is certainly a significant risk that relies on it raining sufficiently in the right area. Let us face it, south-east Queensland is full of dams, unfortunately the dams are not full. There are plenty of dams all around the place, it is just that a lot of them are not terribly full. The Wyaralong dam, which, as I said, comes under the terms of reference,
should be emphasised because it is also being assessed under the EPBC Act. I have spoken in this chamber before about a very detailed analysis that has been done by a very qualified person in Dr Brad Witt from the University of Queensland that draws serious doubts over the water yield figures put forward by the Queensland government and points out that there is a dam basically just over the hill in the adjoining catchment that has been empty for years. Somehow if you build this other dam in the adjoining catchment it is supposed to fill up. The waste of money purely on the basis of trying to look like we are doing something—which is where this all generated from in the Queensland context—is a serious issue. Unfortunately, it is not being examined anywhere else.

I think a Senate committee is not absolutely ideal and I wish there were other processes that allowed these things to be examined in an open way. Obviously there are politics involved in a Senate committee and partisan motives which are going to colour the debate, and that is not ideal, but the fact is that there are no other mechanisms by which these issues can be examined. Without those mechanisms, the Senate committee plays a valuable role in allowing these issues into the public arena for the public to have a say, for the evidence to be tested and for much more openness and scrutiny. I am pleased that in doing so the committee would be required to look at the wider issues and alternatives. It would not just say, ‘We don’t like this dam, so there,’ but would be forced to accept that there is a need to ensure there is an adequate water supply for the region and to consider alternatives and weigh them up against those that are being put forward.

I also want to emphasise that the one aspect of a Senate committee—whether via the motion put forward by Senator Siewert’s or by Senator Boswell’s colleagues—that does concern me is the potential for it to raise false hope. I want to emphasise this for all sides but particularly for coalition senators. It is one thing to give people a Senate committee inquiry, and that is important, but that process should not give them a sense that the Senate committee has the power the stop the dam, as it obviously does not. I also remind coalition senators that if they win the next election it will be a coalition minister who will have the power to stop this dam through the EPBC Act. If you go on and on about how bad it is—as you should, because it is bad—and then are in a position to stop it and do not deliver, that will be raising a lot of hopes and then dashing them. I really warn against doing that.

I think the evidence with regard to the lungfish in particular as a threatened species is compelling. Any endangered species is a concern but the lungfish is an incredibly significant species. It has been suggested to me by lungfish experts that it is unfortunate that we discovered the lungfish ages ago and it has always been around. If we had just discovered it now it would be seen as a greater scientific miracle than when the Wollemi pine was discovered because it is such a significant species in its place in the evolutionary chain. To use a fish example, the coelacanth, the fish that was long believed to be extinct that was discovered in what then qualified as deep-sea fishing in the 1920s, is still known today because of the amazement at its ancient make-up and its place in the evolutionary chain. The lungfish is more significant than that fish. The Traveston dam will potentially—which is the key thing the investigation will need to determine—lead to the extinction in the wild of an incredibly significant species. That, to me, is more than sufficient reason to stop the dam. That power will be in the hands of the environment minister, whether it is Mr Turnbull, Mr Garrett from the Labor Party or someone else the
Prime Minister after the election decides to appoint. That decision will sit in their lap.

We need to make sure that people’s hopes are not unduly raised, but we also need to make very clear that the power is there. It can be done and, in my view, it should be done. It should be stopped if the evidence stacks up. I am always open to being convinced to change my view if I am given more evidence that suggests that I am mistaken, but everything I have seen to date suggests that the impact on a range of threatened species, including the lungfish, will be absolutely critical and, in some cases, terminal. That is why we need to not forget that the power resides with the federal environment minister.

I will take the opportunity of emphasising to this chamber that the only reason the federal environment minister has that power is the actions of me and the Democrats back in 1999, passing the EPBC Act in the face of quite strident opposition—one of those ironies in life, I suppose. But we are dealing with the here and now, and the here and now is a proposal for a Senate committee inquiry. I think it is very valuable. Starting it off by having a spat about whose terms of reference to adopt is probably not terribly good.

I will finish by emphasising again that I am pleased that coalition senators are putting forward terms of reference. I am broadly happy with their terms of reference, apart from the comment I have already made. I do think that that needs to be contrasted with the attitude of government senators towards any number of Senate committee inquiries—I would say it is well into the twenties now—that have been blocked by the government. Just yesterday we voted on whether there should be an inquiry into the Qantas sale, obviously an issue of public significance and importance that would not otherwise be given public attention. That will now be dealt with in secret.

Contrast what is happening here, where coalition senators have basically decided amongst themselves that we are going to have a Senate inquiry, with their continual blocking of every other proposal for Senate inquiries into wide-ranging policy issues. We have had inquiries into the progress of mental health, which is clearly a cross-party issue of concern, blocked. The contrast is very stark. So whilst I am happy to support an inquiry it does frustrate me that it has only come about because of the political opportunity that has presented itself here. I do not think that is the best reason to be using for a Senate inquiry, but in the absence of alternatives I think it will be a valuable one. Frankly, I cannot see why we cannot get it started today, but it does not seem like we will be. We will get it started when we come back in late February.

Senator JOYCE (Queensland) (11.40 am)—I think we are all in screaming agreement that the proposed Traveston dam is the wrong dam for a whole range of reasons. From our side, that is not a statement that we are against dams; it is a statement that if you are going to build a dam you are best to build one in the right area. I will give you a couple of examples. This dam would cost about $1.7 billion of the Australian taxpayers’ money for about 150,000 megalitres of water. Its average depth would be about five metres, just the right depth for Cabomba weed to infest it. It is in a siltation area and it will be a siltation trap. There is about 90 feet of silt where they are building it at the moment, so it is a predominant alluvial floodplain.

It is not the case that these people are just saying, ‘We don’t want this dam.’ They have even suggested an alternative dam in their backyard, an alternative dam that is proximate to where the state government is talking
about putting it, and that is Borumba. Let us look at the difference. For Borumba you have a 200-metre wall. You will get one million megalitres of water stored. And this is in the same area, with the same people. It would have an average depth of 90 metres, and the land is already owned by the state government. It seems so obvious. People say, ‘It would never fill.’ That is not correct. In fact, the last time it would have filled would have been in the 1990s. It would have been 90 per cent full. There are times on the Borumba Dam at the moment where three Sydney harbours spill over it in a day. That would suggest that there is potential for an increased capacity.

It is also believed that the costing of this dam could spill out to around $3 billion for construction and $1 billion for reticulation and piping: a $4 billion investment. That is why we have to start asking questions, because, ultimately, it is the taxpayers’ money that is doing it—especially when you could build a desalination plant for about $450 million to $500 million which would provide the same amount of water as Traveston dam, and you could then put the change into the Ipswich Motorway, hospitals or other water projects. These are the questions that have to be asked.

There are two major issues pushing this project: one is the ego of Mr Beattie and the other is the ego of Ms Bligh. That is what is driving this. If there is a political opportunity there, there is the political opportunity there, but that is not the reason this inquiry is going forward. The reason is that the people of the Sunshine Coast want it. The people of the Sunshine Coast have been amassing in groups. The last time there were about 500 or 600 people at a meeting on a Sunday afternoon to say: ‘We want our day in court. We want someone to hear us. We want someone to listen to us.’ Anytime there is a meeting, they turn up. These people want to be heard. The primary driver of any political issue should be that you listen to the people. When they start amassing at meeting after meeting, asking for someone to hear the truth, for someone to hear the other side of the argument, then we have to try as best we can to give them that opportunity.

I agree entirely with Senator Bartlett: no-one has said that this Senate inquiry will stop the dam. No-one has suggested that. And the people understand that completely. We have said that to them over and again. We said it to them on the radio this morning. It is not about that; it is about getting the truth on the table and raising the political pressure on Mr Beattie and Ms Bligh to do the decent thing, the logical thing, to find a better expenditure of the taxpayers’ money at an alternative site. And some of those that have been suggested are in the backyard of where the current dam is, so it is not just parochialism.

I welcome what Ms Bligh said. She said she has nothing to fear. A person who has nothing to fear should have no worries about turning up to the Senate inquiry. The only reason you would not turn up to the Senate inquiry is that you have something to fear or something to hide—some reason why you do not want to tell the truth, under oath, on the public record. That is why you would not turn up. It is going to be interesting to see whether this person who tells us they have nothing to fear shows us later that they have something very great to fear.

I think the fear would start with the assessment process and why we ended up with the Traveston dam site. Let us methodically go through the list of all the proposed dam sites to determine which would be the best deliverer of water for south-east Queensland. People want to have that debate. We have heard that the fishing industry and the tourism industry will be threatened, but, when this dam goes through, Queensland will fail
to be self-sufficient in dairy products. It is a small issue! People in Brisbane like to drink milk. When the dam goes forward, one of the major dairy areas of south-east Queensland will be taken out of production. That issue obviously needs to be discussed further.

There are so many issues that have to see the light of day and be put on the table. The people of the Mary River and the Sunshine Coast are sick and tired of the manipulation and obfuscation—the nefarious imbroglio of Mr Beattie’s and Ms Bligh’s process for assessing this dam—and they want to get to the facts. I take on board what Senator Siewert says, but, with all due respect, there is nothing in her terms of reference that is not already offered and I do not think we should start this process with our own little jousting match about the terms of reference. We have acknowledged everybody. We have not isolated anybody and said that this is just a National Party idea, a Liberal Party idea, a Democrats idea or a Greens idea. We are just saying in this chamber that it is a good idea—and it is a good idea for people to know that they have a chance to have their day in court.

I acknowledge the hard work that Senator Trood has done in this process. There has been a bit of rough and tumble in trying to get this process going. Senator Trood has been a great advocate for the people of the Sunshine Coast and the Mary River. I also acknowledge the work that senators from other parties have done. But let us not cloud or stymie the issue now with an internecine fight over terms of reference. We have acknowledged everybody. We have not isolated anybody and said that this is just a National Party idea, a Liberal Party idea, a Democrats idea or a Greens idea. We are just saying in this chamber that it is a good idea—and it is a good idea for people to know that they have a chance to have their day in court.

Ms Bligh argues that we are threatening Queensland’s water supply. Let us get this straight. Even with the most perfect timeframe this thing will not be completed until 2011. The fact is that Brisbane will run out of water in the middle of next year. A dam that will only supply water by 2011 and will work only if it fills up with water—I imagine that means rain—is going to be no good for fixing a problem that will arise next year. So let us talk about the solutions for next year and how we go about doing something that will actually deliver water for the people of Brisbane. Good suggestions about desalination have been put on the table. There have been investigations by the local member, Dave Gibson, who has gone over to Western Australia to look at the costings of their desalination plants. Why would there be a wish to focus on that? Because that is all the time we have left if we want to provide water for Brisbane.

Surely, the issue that ought to be on the table is the fact that we have one of the major cities in Western civilisation and it is about to run out of water. Even Constantinople managed to deal with the siege of the Turks for three years without running out of water. But Brisbane is going to run out of water because of the complete and utter lack of planning by, and the complete and utter negligence of, the administration that currently holds the reins of power in Queensland, the Beattie-Bligh Labor government. They are going to run out of water. Ms Bligh has been saying lately, ‘We’ve got a water grid going.’ I read in the paper the other day that—if my recollection is correct—they have laid only about 500 metres of the 200 kilometres of pipeline that have to be put in. That is not a sign of a government that is taking seriously the threat of a major Western city running out of water.

We have to come up with serious solutions. Desalination has to be put on the table.
because, no matter what people think about it, we do not have the time to consider other alternatives. We have to come up with something that is going to deliver water for the area. We have to look at recycling, for industrial use at least, to try and take the pressure off. Certainly, new dams will have to go in—and I would be the first proponent for relevant dams—but we have to look at the facts. Why would you go for a dam that is five metres deep and on an alluvial swamp? There are even suggestions that it traverses a fault line. It will have huge social and economic impacts on the area—not just the immediate area but the whole of south-east Queensland. It will be a prime site for weed infestation. It will have huge environmental consequences for the Australian lungfish, the Mary River tortoise, the Ramsar wetland and the Great Sandy Straits. Why would you do that when there is another site, proximate to the area, where the infrastructure is already in place and you can store seven or eight times the amount of water at far less cost? It is an argument of logic.

As Mr Beattie and Ms Bligh dig their heels in more and more, the biggest threat facing the people of the Sunshine Coast and the Mary River valley is the egos of those two individuals, who, in a dictatorial manner like a Caesar or a benevolent dictator—they have half of it right—have decided they can go into an area and inflict their wishes, illogical as they might be, on the people to prove a point. They are trying to prove the point that they are strong. This Senate inquiry will prove that they are not, that they are foolish, that they are unfair, that they are unjust, that they are wasteful and that they are completely negligent about looking for a real solution right now that is proximate to Brisbane.

Why hold an inquiry? People are going to say: ‘This is overstepping the mark. You’re infringing on that state’s rights.’ The one thing that Queensland is missing is an upper house. Queensland does not have a bicameral system. It only has a lower house and that is why there are times when this chamber must step in to give some other, greater review of the aspects of law to the unicameral system in Queensland. When it is the suggestion of the people of Queensland that there must be a review, when there are not just one or two but a whole raft of opinions—there is an overwhelming sentiment—that there has to be a review of a decision made by the single house in Queensland, then I think we have the moral premise to go in and have an inquiry.

I look forward to this inquiry taking place. I hope that it has a hearing in the Mary River area. I hope we can give the people of that area the time for their day in court without undue cost to their wallets—and gosh knows that they have had to fork out enough so far. I acknowledge that Ms Bligh has said she has nothing to fear and I look forward hopefully to her appearing at the inquiry. If she has nothing to fear and nothing to hide, it stands to reason that she should be willing to turn up. I acknowledge that the people of the Mary River and the Sunshine Coast know, and everybody in this chamber knows, that the Senate inquiry itself cannot stop the dam, but it certainly can raise the political temperature on it, and so it should. It will be a just outcome and that is what this chamber should be espousing: a just and fair outcome for those people who have not been heard.

**Senator TROOD** (Queensland) (11.55 am)—I want to take the opportunity to make a few remarks on this particular issue because it is one of great interest to my constituents. It is a matter about which I have addressed the Senate at some length in the past. It is a matter which is very close to my heart, as it is of course, more so, to the people of the Mary River valley. I will not canvass in full detail the shortcomings of this
particular proposal with regard to the Traveston Crossing dam; Senator Joyce and Senator Bartlett have rightly articulated those with some force. This is a fundamentally ill-conceived proposal. It is bad on environmental grounds most particularly. It is bad economically. It is bad socially for the region. In fact, what is mystifying about it is that there seems to be almost nothing that can be said in support of this proposal.

I am not one of those people who think we should not be building dams. Indeed, I think there is a place for dams in the context of addressing the wide range of issues which confront the Australian community right across the country in relation to the provision of water. Desalination, dams, recycling, conservation and other methods should all be considered. I am certainly of the view that dams ought to be part of that mix in trying to address this very serious problem.

What is surprising is that this particular proposal has only one proponent. There is only one advocate for this proposal—that is, the Queensland government. It strikes me as peculiar in the context of infrastructure developments around the country, where often there is a need for a community or an individual to yield to wider community and public interest. There are those who recognise that their own particular interests might be affected and those in a community who are prepared to say, ‘I know you’re going to be affected, I know your particular concerns are at risk, but there is a wider community interest.’

What is interesting about this proposal is that there is only one advocate for it. I have waited, breathlessly almost, to find someone else who would support the proposition of the Beattie government that this dam ought to be built in this particular place, and no-one has come forward. Indeed, all the professional studies that have been prepared by those who are anxious about this proposition make the point that there are better ways to address the needs of south-east Queensland’s water requirements than building this dam.

So it is absolutely mystifying to me that the Beattie government presses this matter with a kind of ideological position when, as Senator Joyce has rightly pointed out, there is an alternative not far away. What is particularly peculiar about this as a matter of public policy is that the Beattie government seems entirely reluctant to consider alternatives, if not determined not to consider alternatives—for example, the Borumba proposal that Senator Joyce has rightly mentioned to the chamber this morning. Why is that? Why is it that there is such an obsession? Frankly, I cannot provide an answer. It is one of the things about this issue that I find most vexing indeed.

This motion seeks to refer the matter to a Senate committee. Standing in my name and in the names of Senators Boswell and Joyce is a proposal that was put on the Notice Paper yesterday in relation to a similar topic. The people of the Mary River need an opportunity to ventilate their concerns. They have largely been shut out of any sensible, rational opportunity to communicate their concerns about this proposal to the Queensland government. They have been frustrated that the process so far has been so fundamentally dishonest—it has so fundamentally misrepresented its intentions to the point where we have yet to find a likely location for the dam wall. I think we are up to proposal 3 or 4 so far. We still do not have a place where this dam wall might be constructed.

This is creating an enormous amount of uncertainty and anxiety in the community. I, like Senator Joyce, have addressed public meetings in the area. It has been in some respects a very traumatic process, with people weeping about the consequences and the way
in which this has been handled. This is no way to run a public policy railway. The Beattie government ought to do better. I have made it clear, as Senators Bartlett and Joyce have mentioned, that this inquiry will not take the place of the procedures that have been put in place under the Environmental Protection Act; what it will do is give them an opportunity, which they have hitherto been denied, to put their views and express their opinions to the Senate in relation to this proposal.

I would particularly encourage the Senate to look at the proposal in the notice of motion yesterday as in fact a wider proposal than the one that Senator Siewert moved this morning. Ours seeks to look more generally at the water requirements of south-east Queensland and it seeks to explore why it is that these needs have not been met—why it is that the water needs of south-east Queensland have been so fundamentally mismanaged by the Beattie government.

We ought to in that context pay some attention to the complicity of the new opposition leader of the federal Labor Party, Mr Rudd. As a bureaucrat in the former Goss Labor government in Queensland, it would seem he was directly responsible for ensuring that a particular dam proposal, which might well have addressed some of the water needs of Queensland and might well have provided precisely the kind of infrastructure that was needed and perhaps might not have placed us in this crisis, was terminated. We might find out why it was that he apparently terminated that proposal and did not proceed with it. That is something that ought to be of interest to the committee. Indeed, Mr Rudd needs to explain his party’s view on this particular proposal. I think I am right in saying that he has yet to declare his position on this matter.

**Senator Joyce**—He doesn’t know where it is.

**Senator TROOD**—That may be right, Senator Joyce. He is still struggling to identify the possible location of the Traveston Crossing dam. The virtue of the motion we put on the Notice Paper yesterday is that the proposal would look more broadly at the requirements of water in North Queensland and south-east Queensland. It would be to the benefit of Queenslanders more generally, certainly to those who live in the south-east. It would give the people of the Mary River, who have been so disadvantaged by this process and who have been so profoundly affected by the way in which it has been conducted, an opportunity to ventilate and articulate their concerns. We would get some facts about this which have hitherto been precluded from public view.

In closing my remarks, may I acknowledge, as Senator Joyce has generously acknowledged others, his particular contribution to dealing with this matter amongst the community, and indeed Senator Bartlett’s, but also the contributions of my Liberal colleagues in Queensland—Senators Brandis, Mason and Ian Macdonald—who have all been concerned about the direction of this proposal. We all believe it needs close scrutiny. None of us is convinced that it has merit. The Senate inquiry will expose the limitations of this proposal for what it is—basically, a public policy sham and an attempt by the Beattie government to cobble together a solution to a matter prior to an election in relation to which they had given absolutely no policy thought. It was an attempt prior to the last state election in Queensland to put something on the table. It did not receive the detailed assessment and examination that it deserved. We will perhaps be able to provide that in the course of the Senate inquiry.
Senator WEBBER (Western Australia) (12.06 pm)—I rise to briefly outline Labor’s view, but I cannot help but first respond to some of the remarks that have been made by Senators Joyce and Trood. On a light-hearted note I must say that when you come from Perth, Brisbane is an eastern city and not a western city! I struggle with that. But it is heartening to hear of your interest and the interest of your conservative colleagues in the desalination plant that we have operating in Western Australia. You might like to re-educate some of your colleagues in my home state whilst you are visiting there. It is interesting that people invoke ideas such as these: if the proposal is such a good one then you have nothing to hide; and the degree of concern and anxiety in the community is justification for having an inquiry. I agree with both of those propositions, and they were equally valid when people voted against the proposal to have an inquiry into the sale of Qantas yesterday. There is significant community anxiety about that too, Senator Joyce, but apparently that is not good enough for you in that case. I would have thought that Airline Partners Australia and Qantas should have nothing to hide and therefore should be willing to appear before a Senate inquiry, but you did not seem to deem that as something that should take place.

It is a pity that Senator Trood has left us, because he was talking about the views of the Leader of the Opposition, Mr Rudd, about a previous dam proposal in Queensland. He neglected to inform the Senate of the views of the then parliamentary leader of the state Liberal Party, who moved a motion in the state parliament on 3 October 1989 that began:

That this House demands the government not proceed with the construction or planning of the Wolffdene dam in any way.

It is very easy to come in here and say that Mr Rudd may or may not have had some involvement with that dam and to call on him to have a view about this. It is very easy to score cheap, personal, political points about an issue and neglect to talk about your own history. It is not just about Mr Rudd’s role in the Queensland bureaucracy at the time; you might like to start looking at your own first—at that of the then parliamentary leader of the state Liberal Party—before you come in here and start talking about things like that.

Having said that, though, Labor is not opposed to having an inquiry, but we are opposed to this particular motion. We are concerned about the reporting date. We agree that there is a water crisis in south-east Queensland and we do not see that the Senate should in any way choose to interfere with any arrangements that the state government may have in trying to address that crisis. That would be inappropriate for this place and for anyone in this parliament, or anywhere else for that matter.

We do agree with the proposal to have an inquiry; we are just concerned about this particular motion and the short time. Labor are in a position to support the inquiry foreshadowed by Senators Boswell, Joyce and Trood. The water crisis in south-east Queensland is obviously at the point where even those of us who live in Perth realise it exists. Those who live along the Mary River obviously have very good internet access, because they have been in touch with each and every one of us in this chamber to let us know their views.

Senator Abetz—Thanks to Telstra and the Australian government networking the nation!

Senator WEBBER—Unlike regional Western Australia, Senator Abetz, or the black hole that is Greenwood, which is in
inner northern suburban Perth, where you cannot get decent internet access. Perhaps if you live in those electorates in Queensland it is a bit easier. Labor will support a Senate inquiry into this issue, but we are not in a position to support this particular motion. A Senate inquiry should not be used in any way to delay the Queensland government’s bid to address the water crisis that is facing those in south-east Queensland, so we will support the foreshadowed motions of Senators Boswell, Joyce and Trood. But they need to think very carefully when they come in here, they need to look at the history and views of their own party, before they talk about what others may or may not have done.

**Senator IAN MACDONALD (Queenland) (12.11 pm)**—I support this motion only reluctantly; I think the politics of the motion are quite crazy. Why the federal parliament would be embarking upon an inquiry that can only achieve allowing Mr Beattie to escape from his own stupidity is beyond me. This whole issue arises from Mr Beattie’s incompetence and also the incompetence of former Labor governments and their senior adviser, Mr Rudd.

**Senator Webber**—What about your party’s role?

**Senator IAN MACDONALD**—I do not know. I would never accept what any Labor person might say when quoting a so-called *Hansard*—

**Senator Webber**—It was the 3 October 1989 state *Hansard*.

**Senator IAN MACDONALD**—but, even if it is true, you are quoting someone who is no longer in the parliament. I want to talk about people who are currently in this parliament and who aspire to lead this country—people who claim they have the foresight to properly run this country, as our Prime Minister has done now for 10 years and will continue to do for many years. The Prime Minister is a man of vision and foresight; Mr Rudd quite clearly failed that test when he was, in effect, the Queensland government. I am not sure what his official title was, but he was obviously the string puller for Mr Goss and the Queensland government at the time. Mr Rudd has a lot to answer for in relation to the water crisis in south-east Queensland at the present time. The Wolfdene dam, as I recall the issue a long time ago, had all of the land purchased and was ready to go, and the government of the day—never mind what an opposition of about five people said—

**Senator Webber interjecting**—

**The ACTING DEPUTY PRESIDENT (Senator Lightfoot)**—Senator Webber, yelling across the chamber is unruly.

**Senator IAN MACDONALD**—with a huge majority, was titularly run by Premier Goss but directed by none other than the current Leader of the Opposition and would-be Prime Minister, Kevin Rudd. It was Kevin Rudd who had the influence at the time to look forward to the problems of water in Queensland 10 years hence. Mr Rudd did not have that vision. He succumbed to political pressure at the time. Mr Rudd crumbled like a badly made cake. With no substance at all and with a bit of pressure put on him, he crumbled and pulled the Queensland government out of a proposal which, if it had been built, would have been looking after Queensland at this present time.

What has Mr Beattie done? And Beattie was part of that team at the same time. He has come up with this ridiculous proposal for a dam at Traveston Crossing, and a few other proposals besides that. Unfortunately, I have been at other meetings and have not heard what my colleagues have said, but I feel fairly certain that they have clearly enunciated the stupidity of this dam. Very impor-
tantly, not only is it going to affect the lives of many ordinary Australians but it is going to achieve nothing. It is a huge cost; the dam is not big enough; it is not deep enough; and we will lose more water in evaporation than will be usefully applied to south-east Queensland if the dam is ever built. Quite frankly, I do not think that Mr Beattie ever really intended for this to go ahead. He came up to an election a few months ago and had a number of crises to deal with—one of them was the health crisis. I must say, a democracy is a democracy and you accept the result, but I cannot understand my fellow Queenslanders rewarding Mr Beattie’s maladministration of the hospital system by re-electing him by almost the same massive majority he had before. Similarly, I cannot understand how they overlooked this water position.

Mr Beattie, clever though he is—and I like Peter Beattie; I admire him for his political nous and his political foresight; he is a great politician; he is not a great administrator, not a great Premier, but a great politician—needed something to defuse the issue of lack of water in south-east Queensland. So, what did he do? He picked some area where he knew the vote would not worry him, because it is an area where his party would never get much support in any case—

Senator Lundy—You’re making it up. Keep rewriting history.

The ACTING DEPUTY PRESIDENT—Senator Macdonald, you should ignore those interjections and direct your comments through the chair.

Senator IAN MACDONALD—I thought it might have been an intelligent interjection, but I was badly mistaken; I should not have bothered to think that. Mr Beattie needed to do something, so he declared this dam in an area where he knows he will not get any votes. He did not really bother to look into it and did not really bother to think what a stupid proposition it was anyhow. I think Mr Beattie will be desperately hoping that something will happen from this inquiry or elsewhere that will allow him off the hook. That is why I have some hesitation and wonder about the wisdom of actually putting this motion before the parliament, but it is here. I will partake in the committee inquiry. I understand it has been referred to the Senate Standing Committee on Rural and Regional Affairs and Transport, of which I am a participating member, so I will relish the opportunity to learn a bit more about all aspects of it and actually getting some of the facts. I feel fairly confident at this time—

Senator Lundy—You’d be well advised if you did that.

Senator IAN MACDONALD—Well advised to what?

Senator Lundy—Get the facts.

Senator IAN MACDONALD—I assume from that, Senator Lundy, you are guaranteeing that the Queensland government and all their public servants will come along and give evidence. As I was just about to say, I have not been involved in putting this motion together, but it is a fairly good bet that Mr Beattie will prohibit any of his public servants—any of the people with the real knowledge; any of the people with the facts and information—appearing before this committee. I understand that Senator Lundy is guaranteeing that the Queensland government will instruct their public servants to come along and give evidence. If that is what you are doing, Senator Lundy, thank you very much, because it would be fascinating to get some of the public servants involved. I have spoken to a few of the public servants and they have told me that they have never been involved in a more ridiculous infrastructure program. I asked them, ‘Why don’t you say something about this?’ and they said, ‘In Queensland at the moment, if any public
servant even indicates by the blink of an eye that they do not happen to agree with Mr Beattie and his 60-seat majority in Queensland, their futures as public servants are very, very limited.'

Senator Lundy—Are you making that up as well?

Senator IAN MACDONALD—Let us see, Senator Lundy.

Senator Lundy interjecting—

The ACTING DEPUTY PRESIDENT—Senator Lundy, you are out of order and you should remain silent.

Senator IAN MACDONALD—Thank you, Mr Acting Deputy President. I must say, I am enjoying Senator Lundy’s interventions because I am getting from her that she has information from the Queensland government that they will make their public servants available to give evidence.

Senator Lundy—I didn’t say anything of the sort. You’re verballing me and you’re making it up.

Senator IAN MACDONALD—Are you saying that they will give evidence?

The ACTING DEPUTY PRESIDENT—Senator Macdonald, I am sure that if you ignored Senator Lundy she would eventually remain quiet, which would be the great wish of this chamber.

Senator IAN MACDONALD—I do not particularly want her to remain quiet, because her interventions are showing the shallowness of the Labor Party’s approach to all this. What I do really want to get on the record is that Senator Lundy—a senior frontbench member of the opposition and obviously one who is very closely attuned to the Labor Party organisation and all the apparatchiks in Queensland—is guaranteeing that public servants will be able to give evidence to this inquiry without fear or favour. I look forward to that. I am very doubtful that it will happen. But, Senator Lundy, please prove me wrong and make sure that any public servant who is called or who has a contribution to make is able to give evidence to this Senate inquiry. If that happens, Senator Lundy, I will publicly apologise to you and Mr Beattie, but my suspicion is that they will not be allowed to come along.

Senator Lundy—You’re just lying. You’re standing there and lying.

The ACTING DEPUTY PRESIDENT—Senator Macdonald, do not be enticed by Senator Lundy to respond.

Senator Lundy interjecting—

The ACTING DEPUTY PRESIDENT—Senator Lundy, you are out of order!

Senator IAN MACDONALD—Heaven forbid! We have a prospective Prime Minister who could not even look after the water crisis in Queensland 10 years ago and we have prospective frontbench people here with that sort of immature and childish approach to their duties.

Senator Lundy—What? Calling you a liar?

Senator IAN MACDONALD—She keeps calling me a liar and hoping someone will take the point of order. I ask no-one to take the point of order. I would like it on the record to show what immature people we are dealing with when we deal with this so-called alternative government. You have an alternative government led by a person who had absolutely no vision for—

Senator Lundy—That’s another lie.

The ACTING DEPUTY PRESIDENT—Senator Lundy! You know the rules of this place very well; you have been here long enough. You should not use that term to any senator here, and I ask you to stand and withdraw it.

Senator Lundy—I withdraw.
Senator IAN MACDONALD—You have a prospective alternative Prime Minister to this country with a frontbench of the calibre you have just seen demonstrated in the last couple of minutes. This prospective leader did not have the vision 10 years ago to understand the crisis Queensland would be in at this time. As the man who pulled the strings of the Queensland government back in those days, he had no vision whatsoever, no understanding of the future and no understanding of the huge infrastructure gaps.

Consider the amount of money that the Queensland government rakes in from the Commonwealth’s GST—a GST, I might say, that was opposed by the Labor Party; but, talk to any of their premiers now and see how they embrace the GST in all of its glory. People still do not quite understand that every single cent of the GST collected in Australia goes to the state governments, all of which at the moment are, regrettably, managed—or mismanaged—by the Labor Party.

I have to say my home state of Queensland has done better out of the GST than most other states, at least in the initial period. Queensland should be rolling in money—sufficient money to look after the health system that is grinding to a halt. It should have sufficient money to set up the infrastructure that is needed to assist what is Australia’s fastest-growing region. The south-east corner of Queensland is growing faster than any other region of Australia. People—and I can understand why this happens—leave Victoria and New South Wales in droves and come to the good state. Mr Beattie is getting all the additional revenue from conveyance duty and all of the GST money, and I think it has all been spent on spin doctors for Mr Beattie and his team.

Certainly, I do not think this proposal for the Traveston dam is serious. I am a bit disappointed that we are going to take the pressure off Mr Beattie by allowing this inquiry to go ahead, but the decision has been made. I will certainly be involved in the inquiry and will try to get these public servants that Senator Lundy appears to have guaranteed will appear—

Senator Lundy—I never said anything of the sort.

Senator IAN MACDONALD—You are not guaranteeing they will appear? Will they appear?

Senator Lundy—It has nothing to do with me.

Senator IAN MACDONALD—Oh, it has nothing to do with you!

The ACTING DEPUTY PRESIDENT—Senator Macdonald, you should address your comments through the chair and disregard those unruly interjections by Senator Lundy.

Senator IAN MACDONALD—Thank you, Mr Acting Deputy President. Now I understand Senator Lundy is saying that she is not guaranteeing the public servants will appear. I go back to my original proposition: I hope they do, I would be very surprised if they do and, if they do, I will publicly apologise to both Mr Beattie and Senator Lundy.

As I was saying before I was interrupted again by Senator Lundy, it is an inquiry that I will participate in. If we can get the public servants and get them to have the courage to put the facts of the matter before the Australian people, I think that would be very useful. I think most Queenslanders who have followed the issue, particularly those in the Traveston dam area who are involved, know the facts of this matter at the moment. They do not need a public inquiry to know what a ridiculous proposition this is—a proposition that will impact seriously on people’s lives and futures. It is the sort of decision that a Labor government takes without any regard
for the rights, wellbeing and lifestyle of the people involved. With those reservations, I support the motion.

Senator SIEWERT (Western Australia) (12.26 pm)—So everybody agrees that there should be an inquiry into this proposal but they do not want to support this committee reference. That is fascinating. I would have thought that if people were really keen to get this inquiry underway they would want to see it done straightaway and would in fact be prepared to look at these terms of reference and maybe negotiate over them.

To set the record straight, I submitted my motion to the table office yesterday prior to notices of motion being given here. So, in fact, I was not trying to gazump Senator Boswell; I did not know he was moving a similar motion. As I said, I had already submitted my motion before presentation of notices yesterday. After I found out that Senator Boswell had presented his notice of motion yesterday, I tried to see if we could come up with a compromise where everybody’s needs were met.

If you look at the proposal that Senators Boswell, Joyce and Trood have submitted, you find for a start there is no date for when the committee should report. So we could have an ongoing inquiry just taking submissions endlessly. Where is the time frame? There is a very strong sense of urgency about the need for this inquiry. Where is their date? It seems to me the terms of reference for this inquiry were cobbled together fairly quickly. There is no date.

I would also like to point out an inherent contradiction in Senator Boswell’s terms of reference. His motion proposes to refer the matter to the committee for inquiry and report after ‘examination of all reasonable options’. Our very argument here is that this is an unreasonable option. The terms of reference say that we should be looking at ‘all reasonable options’ and then go on to look at the merits of all options, including the Traveston Crossing dam. Our very thesis is that this is an unreasonable option. That is why I think our terms of reference are much clearer. Senator Trood probably missed the fact that the terms of reference the Greens are proposing actually do require examination of other options. Our term of reference (iii) is ‘the balance of other options available to meet the region’s water resource needs’, which I think covers the question of other options very clearly.

I do think there are some flaws in the coalition senators’ terms of reference. I do think ours are better: they have a clear date for when the committee should report. They also make sure that we get on with the job right now and we do not waste any time. I am disappointed that the coalition and, for that matter, the Labor Party do not feel that they can support this motion. It was put up so that we can get on with the job of looking at this proposal and looking at alternative needs. I do agree with Senator Ian Macdonald that it is letting the Queensland government off the hook, but I think there is no alternative process for the community—the Queensland community in particular, of course—to actually get access to information and to be able to have their say. So, while I think that Senator Ian Macdonald does have a very significant point there, I do not think that that can take away from the need for the Senate to actually hold this inquiry, to at least have one method of shining some light on this proposal. As I said, I am disappointed that the committee of which I am deputy chair cannot get on with this job right now so we can start calling for public submissions and start getting access to this data. I am disappointed that we are going to have to wait weeks more before we can get on with this job. I put the motion to the Senate that the Rural and Regional Affairs and Transport Committee gets
on with this inquiry and has an inquiry into the Traveston dam and the alternative options for water supply for south-east Queensland.

Question put:
That the motion (Senator Siewert’s) be agreed to.

The Senate divided. [12.35 pm]
(The President—Senator the Hon. Paul Calvert)
Ayes……………… 9
Noes……………… 47
Majority……… 38

AYES
Allison, L.F. Bartlett, A.J.J.
Brown, B.J. Fielding, S.
Milne, C. Murray, A.J.M.
Nettle, K. Siewert, R.
Stott Despoja, N.

NOES
Abetz, E. Adams, J.
Barnett, G. Bernardi, C.
Brandis, G.H. Brown, C.L.
Calvert, P.H. Carr, K.J.
Chapman, H.G.P. Colbeck, R.
Crossin, P.M. Eggleston, A.
Faulkner, J.P. Ferris, J.M.
Fierravanti-Wells, C. Fifield, M.P.
Forshaw, M.G. Fifield, M.P.
Humphries, G. Joyce, B.
Hutchins, S.P. Kirk, L.
Kemp, C.R. Lundy, K.A.
Ludwig, J.W. Marshall, G.
Macdonald, I. McEwen, C.
Mason, B.J. Moone, C.
Nash, F. Parry, S.
Payne, M.A. Patterson, K.C.
Ronaldson, M. Polley, H.
Stephens, U. Scullion, N.G.
Troeth, J.M. Stery, G.
Watson, J.O.W. * Troed, R.B.
Wortley, D. Webber, R.

* denotes teller

Question negatived.

2006/07 SBT AUSTRALIAN NATIONAL CATCH ALLOCATION DETERMINATION

Motion for Disallowance

Debate resumed from 6 February 2007, on motion by Senator Siewert.

Senator SIEWERT (Western Australia) (12.40 pm)—I left off my speech on Tuesday quoting the Humane Society International’s submission to list the southern bluefin tuna as conservation dependent. In their application, they noted:

In 2003 it was found that an entire generation appeared to be missing from SBT stocks off Western Australia, that acoustic surveys of one- and two-year-old SBT found that between 1997 and 2000 the aged one cohort declined by over 200 per cent and since then it has been close to zero. Results from 2003 found zero southern bluefin tuna aged one. The survey did not operate in 2004, but in 2005 and 2006 the results were also close to zero. The near total absence of southern bluefin tuna in the survey area for six consecutive surveys, following four years of consistent detections, is of concern.

As the chamber might recall me saying, that is also the first action that I think the minister could be taking to start addressing the issue of decline in southern bluefin tuna stock. The second option that the minister could take would be to revoke the wildlife trade operation status of the fishery under the Environment Protection and Biodiversity Conservation Act. There is no case to be made for this as a sustainable fishery and its recognition as such under the EPBC Act is now quite pernicious.

Thirdly, the minister can nominate the listing of the species at the Convention on International Trade in Endangered Species of Wild Fauna and Flora, commonly known as CITES. This convention is now the last resort for this species which has been so badly let down by the regional fisheries management organisations which have failed to pro-
tect it for the last 13 years. And, yes, senators will probably recall that I have mentioned some of these issues in the past when talking about the need to protect southern bluefin tuna. It is unfortunate that I have to keep repeating these statements and the fact that the quota has been set so high for southern bluefin tuna that it seriously endangers it. These actions both at home and in international fora to protect these species must reflect the much broader approach that we need to take to marine sustainability. The government has to acknowledge that the current approach has failed and that extinction of this species is now a very real possibility.

Southern bluefin tuna is unfortunately not the only species threatened in this manner but it is an indication of the crisis facing some of our fisheries worldwide. The Bureau of Rural Sciences confirmed that the number of Australian marine species considered overfished has increased from 17 to 24 and that the most severely overfished species still have no prospect of recovery. To safeguard the marine environment we must move to the kind of ecosystem and precautionary approach to fisheries management which is detailed in articles 5 and 6 of the United Nations Fish Stocks Agreement. We have to move to a science based approach where regional fisheries management organisations are made more transparent and less prone to vested interests and the short-term demands of the market. We should immediately establish well-enforced large-scale no-take marine protected areas. We need independent observer schemes, real-time vessel monitoring and fish tagging. All of these must play a role in how we manage our fish stocks.

We believe that the government must take urgent action to start managing these fisheries better. They need to reduce the quota. These fisheries have an intrinsic value; they are not there just for fishing and they should not be mined as a commodity like dirt from a quarry. We really need to start managing these fisheries properly. Therefore, I have moved to disallow the quota on southern bluefin tuna. The quota is too high and is not supported by the science. We are in danger of sending a species to extinction.

Senator ABETZ (Tasmania—Minister for Fisheries, Forestry and Conservation) (12.44 pm)—This extreme Greens motion we are debating today is to disallow regulations allowing the sustainable harvesting of southern bluefin tuna. The consequence of this Greens motion would be to throw thousands of people out of work and destroy the city of Port Lincoln, as my colleague Senator Bernardi knows so well. I note Senator Bernardi’s presence in the chamber. He is a very strong champion of the Eyre Peninsula, Port Lincoln and the southern bluefin tuna industry. The Greens motion demonstrates as much as anything why the Australian Greens should never be trusted in any capacity with the Australian economy or, for that matter, with the Australian environment or with issues of sustainability.

The regulation we are debating today is the result achieved by Australia at the most recent Commission for the Conservation of Southern Bluefin Tuna, or CCSBT, and that was then translated into the Australian Fisheries Management Authority’s national catch allocation determination for southern bluefin tuna, which the Greens now seek to disallow. That determination is a landmark win for not only the Australian southern bluefin tuna industry but also southern bluefin tuna and international fisheries regimes. It is the culmination of many years hard work by the Australian government in documenting and exposing overcatch by the Japanese longline fleet and in working constructively through the CCSBT with other like-minded and responsible fishing nations to ensure the global sustainability of SBT stocks. It cements Australia’s reputation as a leading voice for the
conservation and sustainable use of SBT and shows that when responsible fishing nations such as Australia are prepared to stand up and be counted great things can be achieved.

Rather than accept the kooky, nut bag, deep green, ideologically driven rhetoric of the Greens, let us instead look, as we on this side of the chamber like to do—and I know Senator Bernardi will join me in this—at the facts. And they are these: at the 13th meeting of the CCSBT the commission members agreed to reduce the total global catch from 14,925 tonnes to 11,810 tonnes, of which Australia would harvest up to 5,265 tonnes. In making its decision the commission took advice from its scientific committee comprised of independent international scientists respected in their fields. The catch level agreed upon by members is within the levels recommended by this independent scientific committee. Let me repeat that for the benefit of the Greens: it is within the level recommended by independent internationally renowned scientists. It is not a pie-in-the-sky figure, it is not a figure plucked out of thin air; it is a figure within the levels recommended by international experts.

Why should we as a parliament override their advice? Is there any better advice that has been put on the table for us to consider—other than extreme Greens rhetoric? There is no advice other than the gloom and doom that the Greens preach no matter what the topic is. There is no scientific evidence to back up the assertion that we should be disallowing these regulations. The simple fact is, as is so often the case, the Greens simply will not accept the verdict of the international scientists who are experts in this field. Why? The answer is simple: because it does not support their ideology. That is the simple reason. But make no mistake: the result that we were able to obtain at the commission is not only a win for the fish in that it puts them on a sound, sustainable footing; it is also a win for our Australian SBT industry.

Two other key agreements were also reached by the commission. Firstly, the reduction in the global catch would be largely borne by Japan, whose national catch allocation has been reduced from 6,065 tonnes to 3,000 tonnes—that is, a 50 per cent reduction—over the next five years. Why is that? This is in recognition of the gross overcatch of tuna, possibly up to 178,000 tonnes, by the Japanese over the past 20 years. At this point I record my appreciation of the Australian industry and the government officials who worked tirelessly to uncover the overcatch and also of the Japanese government for the very responsible way in which they approached the discussions on this critical but very sensitive point at the commission.

The second decision I want to refer to is that Australia would retain its existing national catch allocation of 5,265 tonnes for the next three years in recognition that its operations have been compliant with the rules of the commission. In short, this is a great win for the industry. It is an important recognition that their operations have been world’s best practice. It allows them to face the future with increased confidence and I am sure it is a great comfort to the 3,500 employees in Port Lincoln who are employed either directly or indirectly by the industry.

The good news does not end there. Additional proposed reductions agreed by the commission members will take the actual catch below 11,530 tonnes for the next three years. Remember, when you take into account Japanese overcatch the global total allowable catch is being reduced not from 14,925 tonnes to 11,530 tonnes but from somewhere in the order of 20,000 tonnes to no more than 11,530 tonnes.

The commission also agreed to implement measures to improve monitoring, control and
surveillance in the fishery, including regulation of transhipping, 100 per cent observer coverage, a catch documentation scheme and a compulsory national vessel monitoring system. The commission also made a commitment to work on further measures including an independent observer program for fishing vessels, port state measures, boarding and inspection and a vessel register. Make no mistake, these outcomes were not easy to achieve. They were the result of tireless efforts by the Australian government and they are undoubtedly good for the industry and good for the fish.

Given that great record, what on earth are the Greens doing coming into this chamber seeking to move a disallowance motion? It is very disappointing and it does highlight a very important difference: the difference between the approach of the Howard government and the approach of the Greens to balancing jobs and the environment. I cannot put it more simply than to say: with the Greens it is either jobs or the environment, but with the Howard government it is jobs and the environment. We do not have to exclude ourselves from the environment, as the Greens would continually have us do. We believe that we are in fact part of nature and, just as much as other animals have the right to eat tuna, so do humans. It stands to reason that we harvest them sensibly and in a sustainable way and that is exactly what we were able to achieve in Japan just a few short months ago. On the back of that fantastic outcome for Australia that has got us credit all around the world, the Greens come in with their mantra of doom and gloom. They are not willing to recognise any of the expert scientific evidence or any of the advances that we were able to make and they just continue with the same old mantra of doom and gloom and say that this fish stock is going to become extinct. A lot more could be said about this motion but it is a matter of great regret that the Australian Greens are not willing to ever recognise the achievements that are made by any government anywhere in this country when it comes to matters of the environment.

It is a good occasion for us to also ask who would be running Labor’s fishing policy if they were to ever be elected to government, because that is a very important question that the Australian Labor Party needs to answer. For 10 years, the Australian Conservation Foundation had a policy of saying that wild fisheries were unsustainable, they should not be allowed and that exports of anything caught in the wild, in fisheries in particular, was not sustainable. Indeed, that same body said:

Tuna stocks have been devastated by Australian and international fishing fleets because of their high value in the Japanese ... markets. Tuna cages off Port Lincoln in South Australia, where wild caught tuna are fattened for later sale, are also controversial.

They said the groups—and that included the Australian Conservation Foundation—‘do not support the ongoing commercial targeting of southern bluefin tuna’. Who was the president of the Australian Conservation Foundation for that 10-year period? None other than the man who would be the environment minister in a Kevin Rudd led government. I say to the southern bluefin tuna industry of South Australia: beware, this is the man that may well be using an export licence or some other mechanism to put in train that which he actually believes and has put on the public record through his organisation, the ACF, for over a decade. The ACF actually said:

No existing commercial use of a wild stock, in particular those harvested for export, can be demonstrated to be ecologically sustainable.

The Labor Party have to come clean. Is this still Mr Garrett’s view or is it not? He has to tell the people of Australia, if it is not his
view, why he misled the people for a decade. Was it simply to raise funds for his organisation that made him willing to mislead them or is he now willing to mislead the Australian people in the hope of getting elected, so he can then implement policies that he actually has believed in for the last decade? That is a very scary thought for every single fisherman and community reliant on our sustainably managed wild fisheries. It is hard to believe, but I think the Australian Greens might even take a slightly more extreme position than Mr Garrett.

Senator Bernardi—Is it possible?

Senator ABETZ—One wonders, Senator Bernardi. It is a wonder that there would be room left to be more extreme than Mr Garrett’s and the ACF’s position in that regard, but what I would say is that for the Australian Greens to have come into this chamber with this motion just goes to show how out of touch they are. They would be willing with this motion to throw 3½ thousand people out of work in Port Lincoln. Earlier today they would have closed down coal mines and, of course, reimbursed the workers. We are not going to be able to reimburse the sacked workers out of the taxes raised from the southern bluefin tuna industry anymore because we would be closing the industry down as well. The Australian Greens have to come clean and tell the Australian people exactly how they are going to fund all these kooky policies, or perhaps they are willing to ensure that every single Australian lives in poverty whilst we have a burgeoning environment around us.

All around the world the lesson is that, when you have poverty, you have the worst environmental management. Having a good, sound, rich economy, as we have at the moment, allows us to fund environmental issues, including remediation. That is why Australia is able to have the marine protected areas that she now boasts and the forest reserves that she now boasts whilst maintaining sensible wild sea harvesting and sensible native forest harvesting. We are getting the balance right and, rather than continuing the anger of that which may have been relevant 20 or 30 years ago, I invite those Green activists to take away their views of the world as it was in the 1970s, come into the 21st century and ask themselves, ‘Have things changed; are things balanced?’ and what they will find is a much, much better world, a much friendlier world and a much nicer world than they would seek to portray to the rest of the community. Just in case Senator Siewert is in any doubt, the government will be opposing her motion.

Senator O’BRIEN (Tasmania) (1.01 pm)—It was an interesting contribution in part from Senator Abetz to Senator Siewert’s disallowance motion on the southern bluefin tuna quota. He never misses an opportunity to develop his conspiracy theories, which we have just heard. He is a bit like the Greens in that regard. They have always got their conspiracy theories and Senator Abetz equally has his conspiracy theories, and it is a very interesting theory that he puts forward. As Labor spokesman on agriculture, fisheries and forestry, I am very happy to put on the record our position in relation to current policies, and I will help Senator Abetz by doing that now.

The Labor Party is of the view that seafood is becoming an increasingly important part of a healthy, balanced diet. Recent surveys show that consumer awareness of the health benefits of seafood is on the rise and consumers are responding by purchasing more seafood meals. Demand for seafood, especially locally produced Australian seafood, is growing in the domestic market. In a broad strategic context, it is therefore critically important that the Australian government secures the supply of seafood for future
generations. This requires a comprehensive long-term strategy for sustainable aquaculture development and fisheries management. The Howard government, frankly, has failed in its duty to provide the framework for sustainable management of our valuable fisheries resources. The government has failed to provide adequate investment in programs to underpin the sustainable growth of the Australian aquaculture industry. The government has failed to provide a fair trading environment for local seafood producers.

Let me provide some explicit examples of where the Howard government has failed the seafood industry and seafood consumers. Firstly, the government has not provided an adequate level of protection from imported diseases—diseases which could potentially have a devastating financial impact on the Australian seafood industry and an unquantifiable impact on our marine ecosystems. Right now the Howard government is allowing diseased imported prawns to enter Australia, which represents a direct threat to the disease-free status of the $450 million Australian prawn industry.

Secondly, the Howard government has an appalling record on seafood labelling. Only recently has it decided to move to introduce ‘country of origin’ labelling on imported seafood products. It took nearly 10 years of concerted efforts on the part of seafood producers and their representatives to get the government to sit up and pay attention to the importance of the role that labelling plays in ensuring there is a level playing field between local and imported seafood produce. What has the Howard government done about the enforcement of labelling laws? Nothing. It established a 1800 number for the public to report false labelling, yet there have been continuing reports of inaction in response to complaints made to that very hotline. False labelling still remains a critical problem in some retail outlets and it remains a legitimate concern of the fishing and aquaculture industries.

Thirdly, the Howard government has failed to take seriously the longstanding concerns of local seafood producers about the lack of a level playing field with imported products. The Australian seafood industry is required to meet standards that are amongst the highest in the world for food safety, quarantine and environmental protection. These requirements impose significant costs on the local industry, and most local producers are happy to meet those requirements. However, there is no such requirement for imported seafood products. Seafood imports are not required to meet the same benchmarks as those imposed on our local industries. This creates a very unfair trading environment, where Australian law imposes significant costs on local producers and yet allows a vast amount of imported product that does not meet the same standard as domestic produce must meet. This has been a concern of local seafood businesses and families for much of the past decade. It is a large part of the reason why the balance of trade in seafood products has been steadily growing in favour of imports. It is also why Asian seafood imports can arrive in Australia at such a low cost. The Howard government has had 10 years to address this concern and yet it has done nothing about it. The Howard government, frankly, has run out of ideas to assist the local seafood industry and is not interested in addressing the unfair playing field for local seafood producers.

Let us look more closely at the Howard government’s management of our existing fish stocks. Successive ministers have failed in their duty to provide for sustainable management of fish stocks. Let me substantiate this observation. The Howard government recognised its own inadequate management of Commonwealth fisheries back on 14 December 2005—more than 14 months ago—
when the then Minister for Fisheries, Forestry and Conservation, Senator Ian Macdonald, announced a $220 million package called ‘Securing Our Fishing Future’. At that time, the minister said:

... the Australian government has made it very clear that it wishes AFMA to accelerate its current programmes to prevent overfishing, rebuild overfished stocks, and to take a more strategic approach to setting catch limits in future.

The message from the Australian government is clear: overfishing in Commonwealth fisheries is unacceptable and, if you think you cannot operate in that environment, you should consider applying for the buyout. Last week the Bureau of Rural Sciences released its Fisheries Status Reports for 2005. This important paper highlights the Howard government’s legacy of failure in fisheries management. Twenty-four of 83 species assessed are classified as overfished and/or subject to overfishing. This is up from 17 out of 83 in the previous year. Of the remaining species, 40 are classified as uncertain. This means that almost half of the surveyed stocks might be overfished but the government does not know because it has not gathered enough information.

The Howard government has had 10 years to address this critical lack of information and to improve its fisheries decision making. It has clearly failed. Of the remaining species identified in the BRS report, only 19 are classified as not overfished. But perhaps the most worrying aspect of the BRS report is the finding that the number of species classified as overfished and/or subject to overfishing has increased from five in the first survey in 1992 to 24 in 2005. The $220 million buyout package is the government’s attempt to fix the mess that it has created by its own poor management.

Given the status of our fish stocks, and the uncertainty created in the Australian fishing industry as a result of the announcement, it is not unreasonable to expect that the government would act quickly in its delivery of the buyout package. But, as the industry knows only too well, the government’s delivery of a package has been plagued by delays, inaction and, of course, a change of minister soon after the initial announcement. Industry had to wait nearly 12 months before any licences were actually removed from any fishery. In the case of the Northern Prawn Fishery and the Bass Strait Central Zone Scallop Fishery, business had to endure nearly 18 months of uncertainty before any licences were removed. Fishing families and onshore businesses which have been impacted by the government’s decision are still waiting for funding to flow from the onshore business assistance package. One wonders whether they have been delayed until this year for reasons that are obvious to everyone looking at the electoral cycle.

Labor will be taking a very close look at this aspect of the package to ensure it does not unfairly impact on working families in coastal regions and towns. This is yet another example of the Howard government’s unfair and uncaring attitude towards seafood producers and their families. To add to the litany of blunders, the government has added a whole new layer of uncertainty by proposing a radical restructure of the Australian Fisheries Management Authority. Labor is concerned about the impact that these changes may have on staff morale within AFMA and on communication and consultation with industry and non-government sectors. It is clear from this summary that the Howard government does not have a well-thought-out plan for the Australian seafood industry. Its approach to fisheries management has been piecemeal and ad hoc, lurching from crisis to crisis. It has lacked a comprehensive strategic approach to the seafood industry.

So what of the southern bluefin tuna and the motion from Senator Siewert? Everyone
should be concerned about the state of the southern bluefin tuna resource. By even optimistic estimates, the spawning stock is at very low levels. All this was confirmed by the BRS status report, which I have already referred to. The critical issue which we all need to focus on is how to fix the problem. Senator Siewert’s solution is to disallow the AFMA decision to set the Australian quota at 5,265 tonnes, the same level it has been at since 1989. We think this is the wrong solution.

Firstly, the Australian quota issued by AFMA is the same as that decided by the international Commission for the Conservation of Southern Bluefin Tuna in October last year. At that time, the CCSBT showed some strength by cutting Japan’s quota by more than half, from 6,065 tonnes to 3,000 tonnes for at least the next five years. This was a penalty for an independent panel finding that Japan had overcaught about 178,000 tonnes of southern bluefin tuna in the last 20 years. Senator Siewert’s solution would punish Australian industry for Japan’s overcatch, and we think that that is unfair.

Secondly, the CCSBT decisions show that the CCSBT can be an effective international body. What Senator Siewert’s motion does is reject the CCSBT decision. Again, this would only devalue that organisation just when it is showing some strength. It is important that responsible nation members, such as Australia, remain supportive of the CCSBT. Sound governance of our international waters is the key to long-term sustainability of migratory fish stocks such as the southern bluefin tuna.

Thirdly, the CCSBT decision was to fix Australia’s quota at the same level for the following three years; however, AFMA’s legislation allows it to be set for one year. This more conservative approach to managing the Australian component of the catch quota is supported by Labor. We think that allows scope for revision, if it is needed, by the Australian Fisheries Management Authority, even though we would be entitled under the ruling by CCSBT to fix the quota at that level for three years.

Finally, Senator Siewert must know that the vast majority of the Australian quota is normally caught by mid-March. Therefore, the practical effect of the motion is largely to provide comfort to the countries which over-caught and created problems for the stock. Southern bluefin tuna is a very important resource for Australia. It earns around $200 million of high value added exports and it generates about 2,000 jobs. However, this export income and these jobs will not continue if the resource is not sustainably managed. The challenge is to find the best strategy to rebuild the southern bluefin tuna stock. We think that stopping Australian fishing this year will only be counterproductive. Taking a decision to stop Australia from fishing southern bluefin tuna would not influence any other country and would considerably weaken Australia’s position in the CCSBT. What the government has to ensure is that overcatch never occurs again. This can only be achieved by being in the CCSBT and developing and enforcing the strictest regulations.

Some might suggest that all of this is dependent on Japan and that Japan could enforce a most rigorous regime because it is the main importer, in terms of commercial marketing, of the tuna. But that is another issue which needs to be taken up with the CCSBT by Australia. Of course, that is something Labor will be looking closely at in terms of the position we take to the election. We do not believe that it would be appropriate to disallow this regulation. We do not believe that the people who...
are employed in the industry this year should be told that their jobs are finished for the year. We believe that the arrangements, having been based on a scientific assessment and on Australia’s responsible performance in this fishery for some time, ought to be as proposed in the regulations. We will be voting against the motion.

Senator SIEWERT (Western Australia) (1.15 pm)—I cannot say I am surprised at the government’s response. I am surprised at the ALP’s response because they quoted figures from the latest BRS report about the state of our fisheries which must send shivers up the spine of any Australian, but particularly up the spine of anyone interested in the marine environment. The science shows that this species is endangered, that it is under threat and that Australia should be taking action. If this action is not taken, if Australia does not reduce its quota and if fishing continues at these high levels, there will be no fish into the future, so fishers will be put out of work. They will not be able to rely on this fishery for their income. We seek to disallow this quota because we believe it is too high. As I understand it, it is a fallacy to claim that if we do not take our quota we will not be able to participate in the commission. That is not true. I am sure Australia is creative and can find a way to work with other fishing nations in any case.

I am not sure of the date of the quote that Senator Abetz took from the Australian Conservation Foundation, because Senator Abetz did not give it, but those of us that have been involved in marine conservation for quite some time will know that, until fairly recently, there was no ecologically sustainable assessment of Australia’s fisheries. So, when that statement was made, it was true. There was no assessment. It is only relatively recently that Australia’s fisheries have undergone a sustainable fisheries assessment process, and it has been quite an extensive process.

As for saying that we do not compliment or take note of successful or positive initiatives that are put in place, I think Senator Abetz has a very short memory. He will remember that we were actually very supportive of the $220 million fisheries package that was put forward. We were very supportive of that and I have been very supportive in the media about the tuna fisheries industry and fishers’ efforts to reduce the impact of their long-line fisheries—I am talking about Australia’s fishers, not other fishers—and to reduce Australia’s impact on albatross and other marine species. Senator Abetz, as I said, has quite a short memory on those issues. I think that he is misquoting the science. The science is very clear. The science on this species and other fish species is very clear, and it shows that humans are endangering tuna and other species and it is time that we took action to reduce our quota.

I outlined a range of measures that this government could be taking additionally to the measures that they are taking, because I do not think the measures that are being taken at the moment are effective, and neither do international organisations such as Humane Society International and World Wildlife Fund. World Wildlife Fund was extremely disappointed about the outcomes of the regional fishing organisations’ meeting held just last month in Kobe. It was extremely disappointed that they did not go far enough and they did not introduce the measures that are needed to start addressing tuna management around the world. To claim that there is now some sort of international framework in place that will ensure sustainable management of tuna requires a very far stretch of the imagination. There were very, very small steps taken, and no significant steps were taken that will ensure tuna management into the future.
I am extremely disappointed that the coalition and the ALP will not be supporting this disallowance motion. I believe that we need to very seriously rethink how we manage tuna stocks in this country and we have to start now before it is too late. It is very late in the piece that the coalition has acknowledged the impact of climate change and the fact that we have to be managing our water better. We are now in a major water crisis that is resulting in a major environmental crisis for the wetlands throughout the Murray-Darling Basin, and it looks as though we are going to have a ‘minute to midnight’ response when it comes to managing our fish species as well, unfortunately. As I said, I am very disappointed that there is no support for this disallowance motion.

Question negatived.

TAX LAWS AMENDMENT (2006 MEASURES No. 6) BILL 2006
Second Reading
Debate resumed from 6 February, on motion by Senator Colbeck:
That this bill be now read a second time.

Senator IAN CAMPBELL (Western Australia—Minister for Human Services) (1.20 pm)—I thank all those who have contributed to the debate. I commend the bill to the Senate.

Question agreed to.
Bill read a second time.

Third Reading
Bill passed through its remaining stages without amendment or debate.

CUSTOMS TARIFF AMENDMENT (MARKING OF PLASTIC EXPLOSIVES) BILL 2006
Second Reading
Debate resumed from 7 December 2006, on motion by Senator Ellison:
That this bill be now read a second time.

Third Reading
Bill passed through its remaining stages without amendment or debate.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION AMENDMENT (AUDIT INSPECTION) BILL 2006
Second Reading
Debate resumed from 30 November 2006, on motion by Senator Ian Campbell:
That this bill be now read a second time.

Third Reading
Bill passed through its remaining stages without amendment or debate.
STATUTE LAW REVISION BILL (No. 2) 2006 [2007]

Second Reading

Debate resumed from 6 February, on motion by Senator Ellison:

That this bill be now read a second time.

Question agreed to.

Bill read a second time.

Third Reading

Bill passed through its remaining stages without amendment or debate.

Sitting suspended from 1.25 pm to 2.00 pm

QUESTIONS WITHOUT NOTICE

Managed Investment Schemes

Senator O'BRIEN (2.00 pm)—My question is to Senator Abetz, the Minister representing the Minister for Agriculture, Fisheries and Forestry. I refer the minister to changes announced by the Assistant Treasurer to the tax arrangements for non-forestry managed investment schemes. Is the minister aware that this announcement has created significant uncertainty for this growing sector of Australia’s agricultural industry? Isn’t this uncertainty placing at risk up to half a billion dollars in investments and thousands of jobs in rural and regional Australia? Can the minister indicate what steps he took to try to save these jobs and industries or whether he simply accepted the Assistant Treasurer’s devastating decision that will destroy jobs and industry in rural and regional Australia?

Senator ABETZ—In relation to the matter that the honourable senator has raised, I can confirm that the Minister for Revenue and Assistant Treasurer, the Hon. Peter Dutton, announced on 6 February that the Australian Taxation Office has reviewed its interpretation of taxation law and will issue a draft taxation ruling, effective from 1 July 2007, setting out its reconsidered view in relation to managed investment schemes. The effect of this change in interpretation of the current law is that investors in managed investment schemes will no longer be able to claim up-front deductions for their contributions to the scheme on the basis that the investor is carrying on a business. It was also announced that the government has decided it is not disposed to introduce taxation arrangements for investment in non-forestry agribusiness.

I was asked what representations the minister made in relation to this. As the honourable senator knows, I represent the minister for agriculture in this chamber. If he had asked me about forestry MISs, for which I am personally responsible, I could have indicated the answer to him. In relation to the agriculture side, I will take that on notice.

Senator O'BRIEN—Mr President, I ask a supplementary question. I thank the minister for taking that on notice. It is regrettable that he has not been fully briefed to answer questions in question time on this important issue. Is the minister aware of comments by Mr Rob McGavin, of a company called Boundary Bend, that the government ‘has no idea of the impact this decision has on our business and has not consulted’? Robert Hance, CEO of Timbercorp said, ‘In not establishing a formal process of consultation and review, how can the government have any sense of the economic and social impact of their action on rural Australia?’ Can the minister explain why the government have not undertaken consultation with the industries and communities affected before making such a damaging announcement?

Senator ABETZ—I am aware of the comments. I would assume that the minister for agriculture would similarly be aware of those comments. In relation to the extent of the consultation that took place, I am not
fully privy to that and I will take that aspect on notice. I understand that consultation did take place but, as to the extent of it, I am unable to assist the honourable senator.

**Workplace Relations**

Senator BOSWELL (2.04 pm)—I direct my question to Senator Abetz, the Minister representing the Minister for Employment and Workplace Relations. Minister, what has been the effect of the government’s industrial relations policy, Work Choices, upon job creation? In particular, what impact has the removal of Mr Keating’s so-called unfair dismissal laws had on the level of employment, especially in relation to small business? Is the minister aware of any alternative policies that would make small business go back to the days of paying ‘go away money’?

Senator ABETZ—I thank Senator Boswell for his question and acknowledge his longstanding and unwavering support for small business, particularly in his home state of Queensland. We all remember the doomsday predictions of those opposite, and their union masters, about the effect Work Choices would have on employment. In the words of union heavyweight, now Labor candidate, Bill Shorten, Work Choices was ‘a green light for mass sackings’. As is usual for Labor, their predictions are wrong.

I can inform Senator Boswell, and especially those opposite, that according to today’s official employment figures a record 241,300 Australians got jobs, of which 85 per cent are full-time jobs, since Work Choices came into law. The unemployment rate today has hit 4.5 per cent, a 30-year low. We have achieved that by removing Labor’s job-destroying laws. But guess what Labor are promising—or should I say threatening—to do? They want to put those job-destroying laws right back into place. They are promising—or threatening—to rip up Work Choices. They are threatening to rip up 241,300 Australians’ jobs and they are threatening to make small business pay ‘go away money’ again. Why will Labor do it? Because the trade unions have told them to do it.

One needs look no further than in today’s *Australian* to get an understanding of the Labor Party’s approach to jobs. When Mr Garrett was asked about the job implications of Labor’s environmental policies, his answer was that was ‘hypothetical’. All of a sudden the jobs in the coal and resource sector are all hypothetical. Tell the workers there that. Their jobs would be hypothetical if Labor got their way. To make his point even more strongly about jobs for the future, guess what Mr Garrett said about Labor’s grand plan for jobs?

“We will continue to work with all sectors of the economy, particularly—
guess which one: agriculture, manufacturing?—
the unions,” Mr Garrett said.

The unions are now all of a sudden a sector of the economy. Under Labor, we will see jobs growth in the trade union sector. There will be a trade union official at every desk, at every factory bench, on every tractor around the country, in very bus. That is the way they are going to create employment—by having a new revitalised trade union sector.

While Labor talks about hypothetical jobs, while Labor talks about the trade union movement as being a sector of the economy which may provide jobs growth, can I inform the Australian people that the Howard government will continue taking the difficult and tough decisions to build our nation with jobs and jobs growth. Because of the important decisions and tough decisions we have taken, we now have a 30-year low in unemployment of only 4.5 per cent. I invite Labor to
get on board with our strategy. *(Time expired)*

**Senator BOSWELL**—I ask a supplementary question, Mr President. Can the minister confirm whether there has been any change in policy on unfair dismissals from one Labor leader to the next?

*Opposition senators interjecting—*

**The PRESIDENT**—Order! That is not an allowable supplementary question.

**Child Care**

**Senator STEPHENS** *(2.09 pm)*—My question is to Senator Scullion, the Minister representing the Minister for Families, Community Services and Indigenous Affairs. Does the minister agree with the analysis by Treasury that parents who cannot find affordable child care for their kids are just being ‘too choosy’ and that there is no child-care crisis in Australia?

**Senator SCULLION**—I thank the senator for her question. We have heard much about this and I certainly have been reading in the papers some criticism from those on the other side in terms of the provision of child care and the cost of child care. I can make one absolutely categorical statement to this place: child care is more affordable and more available under this government than it ever was under Labor. We will invest $10 billion over the next four years. We have doubled the money and we have doubled the number of places.

It is interesting to hear from those on the other side that they have a whole range of new policies in this area. In terms of availability, they have said that they have a brand new policy. Of course I have touched on some of the government’s own policies, and I am very confident to be on this side. I recognise in their new policy that they are going to have a new hub, a new hotline. But our hotline, of course, has been widely available to Australians for the last six months. I am not suggesting in a cynical sense that they are looking for leadership on this matter from this side, but one suspects it is all too little too late. Their hub—

**Senator Chris Evans**—Mr President, I raise a point of order going to relevance. The minister was asked a specific question about his government’s Treasury’s analysis. The minister might want to talk about hubs, but I suggest he open his file—I know he is a new minister—

**Senator Ian Campbell**—What’s the point of order?

**The PRESIDENT**—Order! Senator Campbell, come to order. I cannot hear what the member is saying.

**Senator Chris Evans**—and find the section that says ‘child care’ and have a crack at answering the question.

**The PRESIDENT**—Senator Scullion, I remind you that you have 2½ minutes to complete your answer. I would remind you of the question.

**Senator SCULLION**—I am not going to speak to the point of order. In terms of a direct answer to the question, which is only a very small part of what we are talking about, the Treasury report actually indicates that, as a percentage of disposable income, the cost of child care has not gone up. People who come into this place should read those reports very carefully and not try to slice out little parts of them to suit themselves. Those on the other side support the notional policy that they are going to make it much easier to find out where the vacancies are. There will be 600 new lists in local governments across the place. That is going to make it easier! Six hundred new places to call. There is an answer to this and it is very simple and it exists today. Ring the hotline,
1800370305—sorry, 1800670305. That is the number.

Senator George Campbell interjecting—

Senator SCULLION—I will repeat it. It is a very important number. It is 1800670305. Any parent can ring that number and they can get information on real issues.

Opposition senators interjecting—

The PRESIDENT—Order! Senators on my left, all we can hear is an unholy noise from that side of the chamber. I ask you to come to order.

Senator SCULLION—Those on the other side simply confuse the issues. This government is providing sensible policies that actually assist parents in finding child care. That is an excellent hotline and it is much simpler than this notional new hub those opposite will create. The other part of their policy is: ‘We’re going to build 200 new childcare centres.’ They cannot tell us where—that is a secret at the moment, of course. The indication was that it would perhaps be in school grounds. If you ask the schools, they cannot find the room for them and they do not know where they are going to go. Again, those on the other side come from a government with a record of having half the number of childcare places we have made available and providing half the money that we are providing.

Senator STEPHENS—I ask a supplementary question, Mr President. I do appreciate that the minister is new to his portfolio, but is the minister aware that the Productivity Commission has found that child care now costs families an average of $233 per week? Is the minister further aware that $233 a week represents 22 per cent of average weekly earnings? Isn’t it a fact that families are spending almost one-quarter of their income on child care, one of the reasons why his colleague the Liberal member for Mackellar, Mrs Bishop, was furious with the Treasury’s so-called analysis?

Senator SCULLION—Again, those from the other side seek to misrepresent the facts. Isn’t it cynical to come into this place and say ‘child care costs more’? Of course things cost more. What they fail to say is that it does not cost more against disposable income, because they fail to say something about what they did not deliver, which is of course what we provide—the childcare benefit and the childcare tax rebate. The childcare benefit delivers $2,000 on average to families per year and the childcare tax rebate provides up to 30 per cent of out-of-pocket expenses, up to $4,000 per child per year. So you can come in here with distorted facts that seek to misinform the public. The Senate should be here to make sure that the public understands exactly what the circumstances are. This government is providing excellent child care to Australians. (Time expired)

Climate Change

Senator FIFIELD (2.16 pm)—My question is to the Minister for Finance and Administration, Senator Minchin, representing the Prime Minister. What is the government doing to address climate change in a way that does not threaten Australian jobs? Will the minister advise the Senate of any alternative policies?

Senator MINCHIN—I thank Senator Fifield for that question. Indeed, despite the misrepresentations of those opposite, this government has a very strong record in implementing practical policies to address climate change—without costing Australians their jobs. We have invested over $2 billion since 1996 in measures to address climate change, such as the $500 million Low Emissions Technology Demonstration Fund. We are funding practical measures to reduce emissions, such as clean coal technology and renewables, including most recently $75 mil-
lion to the solar tower in Senator Fifield’s state of Victoria. We have implemented the mandatory renewable energy target, which is stimulating around $3 billion in renewable energy investment.

Yesterday, we launched a discussion paper on how we could implement emissions trading as part of an international scheme, because we do not want—unlike those opposite—to cost Australians their jobs. As Senator Abetz just outlined, creating jobs is what this government is about. We have created over two million jobs since 1996 and achieved a record unemployment rate of 4.5 per cent. We would have thought that the Labor Party, as the so-called friends of the workers, would support pro-jobs policies, but of course that is not the case. They have been captured once again by the environmental movement.

As I set out yesterday, the car industry association of this country, the FCAI, told the Labor state governments’ National Emissions Trading Taskforce that a domestic emissions trading scheme unilaterally introduced in this country would do enormous damage to Australia’s car industry and the people who work in it. ABARE, one of the most respected research bodies in this country, has modelled and released data on the sort of greenhouse gas emission cuts that Labor has announced it wants to achieve unilaterally. The ABARE modelling shows that petrol prices would double, real wages would be 21 per cent lower and agriculture would decline by 44 per cent under the policies they want to introduce.

Yesterday, as Senator Abetz noted, Labor’s star recruit showed his true colours on the subject. First, as reported by today’s *Advertiser*, he put question marks on Labor support for the expansion of the Olympic Dam mine in the state of South Australia. That expansion is expected to create up to 23,000 jobs. Mr Garrett is now on record as apparently wanting to stop it, to make sure those jobs are not created. As Senator Abetz pointed out, we have the *Australian* quoting Mr Garrett today saying, when asked about the consequences of Labor’s policies on climate change and what jobs they would cost the coal sector, that was entirely ‘hypothetical’. So, when you ask a senior shadow minister from the Labor Party what the job consequences are of their policies, he dismisses that as an entirely hypothetical question.

Mr Garrett has form on this. As ACF president he made it clear that he was only focused on renewable and clean energy. He does not care about the coal industry and he does not care about jobs in the coal industry at all. For the last three months, his leader, Mr Rudd, has been making glib statements of good intentions pretending his is a new approach. We are starting to see the details of these policies. What they confirm is that, while Mr Rudd is new—very new and very inexperienced—the policies are not. What we have and what is certain is that the Rudd-Garrett grab for green votes is going to cost Australians their jobs.

**Child Care**

*Senator CROSSIN (2.20 pm)—* My question is to Senator Scullion, the Minister representing the Minister for Families, Community Services and Indigenous Affairs. Is it true that the Treasury’s analysis of child care used an average weekly cost of just $83.20 as the basis of its claim that ‘child care has remained affordable’? Is it not the case that some families living in our larger cities in fact pay over $100 a day—that is, six times the estimate used by Treasury—to get child care for their kids? Can the minister now explain the basis of the estimate used by Treasury?

*Senator SCULLION*—I thank the senator for her question. When you are looking at
of the Treasury report it is very important to look at the fundamentals of the report. We have already had one question from the other side that claims that for some reason or other the Treasury was not in support of the government’s position on this matter, which we have shown is absolutely not the case. We now have a question that goes to some of the detail, particularly about the differential cost of child care in regional Australia and child care in urban Australia.

There is a fundamental about the equity in the way that this government has handled the allocation of child care. Rather than decide that we are going to provide child care in this location and in that location, provide this type and for this demographic, we decided that the people most likely to make the very best decision about a child’s future are its parents. It is for that reason that we have provided directly to the parents the childcare benefit—and, as I informed the Senate earlier today, that is an average of $2,000 per family—and, of course, the childcare tax rebate of up to $4,000 for out-of-pocket expenses for each child per year. That is actually how we provide it, because it provides flexibility and choice.

This is a government that is not about dictating to other people how to run their lives. We know that the families are best represented by those in the family hierarchy. They know what is best for their children. They know whether they want child care near work or near home, or after-school care or day care. It is all about choice. This government is very proud of its record because we have continued to look at what families need.

Senator Crossin—Mr President, I rise on a point of order. My question was simply: what was the basis of the estimates used by Treasury? I would like the minister to answer that very simple question.

The PRESIDENT—The minister has a minute and a half left to complete his answer, and I would remind him of the question.

Senator SCULLION—The Treasury report does go to a number of issues. Not only am I delighted to see the Treasury’s report supporting government policy, but if those opposite had been reading widely about this issue they would also go to the childcare census—another independent group we can look to to get advice about how well the government is doing in the delivery of child care, particularly on availability and affordability. I read in the media—talking about reports—Labor’s interpretation of CPI. The Labor Party have come up with an interpretation themselves. We are not talking about somebody with some credibility in this area—not PricewaterhouseCoopers. The Labor Party decide on these things themselves. All I can say is that this government continues to deliver child care in a way that is flexible, affordable and available. And it is more affordable today than it ever was under Labor.

Senator CROSSIN—Mr President, I ask a supplementary question. I am tempted to re-ask my first question; I just simply wanted to know: what was the basis of the $83.20? But perhaps I will get that with the supplementary question. I further ask: is the minister aware of the Productivity Commission’s report on government services which notes that 189,000 children are currently unable to access the child care that is needed? On top of the $100-a-day fees that some families are paying, doesn’t that massive shortfall reinforce the fact that child care is in fact not accessible and not affordable? Does the minister still accept the advice of Treasury that families who cannot find affordable child care are just too damn choosy?

Senator SCULLION—To make a remark in this place about the capacity for parents to
make decisions about their own children’s care I think is pretty dangerous. I still contend that families should be the people who make those choices and decisions. With regard to the question, and particularly with regard to both costs and availability, we quoted costs, but the cost is not factored against the subsidy that this government has provided—something that those opposite did not provide. There was no childcare benefit and there was no childcare tax rebate in 1996. And you talk about availability. You can quote the numbers from our hotline, which is actually credible information. There are currently between 100,000 and 120,000 childcare places available in Australia.

Superannuation

Senator FIERRAVANTI-WELLS (2.26 pm)—My question is to Senator Coonan, Minister representing the Minister for Revenue and Assistant Treasurer. Will the minister inform the Senate how the government is improving the retirement income system for the benefit of all Australians?

Senator COONAN—I thank Senator Fierravanti-Wells for the question and for her longstanding interest in boosting the retirement incomes of Australians. Senators will of course be aware that in last year’s budget the government announced the most far-reaching and visionary reforms to superannuation in Australia’s history. The package includes changes to superannuation taxation, the age pension assets test, and superannuation contribution and payment rules. Legislation has now been introduced to give effect to the changes. Only yesterday, a Senate committee report on the changes unanimously recommended that the Senate pass the government’s simplified superannuation bills.

The reforms have also received strong community support. Money magazine’s Paul Clitheroe called the changes to simplify super ‘extraordinary’. He said, ‘As a result of the package, superannuation will move into the mainstream of our day-to-day conversation.’ Even former ALP minister Ms Susan Ryan has labelled the Treasurer, Peter Costello, a ‘superhero’ for his bold and effective plan to simplify super and reduce taxes. As part of the package, there will be no tax on benefits paid out of a taxed super fund for people who are aged 60 and over, no tax on lump sums and no tax on pensions. Tax arrangements for super will become less complex, making super the preferred savings vehicle for Australians. Reasonable benefit limits will be abolished, as will age based contributions. We will extend the incredibly successful super co-contribution scheme to the self-employed and allow them to claim a 100 per cent deduction for contributions. There are transitional measures in place to allow for a smooth shift to the new arrangements.

Put simply, these historic reforms will boost the retirement incomes of Australians considerably. After 40 years of employer contributions alone, an average worker earning $1,000 per week is projected to increase their retirement income by 17 per cent. The reforms will also boost incentives to work and to save. The legislative package rewrites the super laws to present a clearer picture of the tax of super across the life of superannuation investment. The number of pages of super law will be cut by over one-third. It is a pretty impressive package. In the words of AMP: ‘These initiatives will help ensure that Australia maintains one of the most progressive and well-managed retirement income systems in the world.’

Unfortunately, when you look at Labor’s policy vacuum on superannuation, it has consisted really, I suppose, of opposition for opposition’s sake. You could not really put it any higher than that. They have no plan for retirement incomes, no plan for the financial
security of Australian workers. Over the years, of course, we have seen them bluster about the introduction of the co-contribution and oppose the cutting of the super surcharge. They had to be dragged kicking and screaming into supporting these historic reforms. Susan Ryan has called Labor’s super policy ‘shabby’. Mr Weaven has said that the Liberal Party is now the ‘official party for superannuation’. Senators on this side of the chamber will wear this endorsement of Liberal stalwarts with a great deal of pride.

Qantas

Senator FIELDING (2.31 pm)—My question is to Senator Minchin, the Minister representing the Treasurer. Minister, I refer to the Qantas takeover. How does the government explain to Australian families and to workers fearful for their jobs that allowing the takeover deal of debt ridden Qantas will mean $200 million of income tax is lost to the Australian public each year?

Senator MINCHIN—That question in a sense goes to the individual taxation arrangements of a particular company and, of course, I am not at liberty to discuss the individual tax arrangements of any individuals or companies. But what I think Senator Fielding is raising is the general question which could be addressed apart from any issues associated with Qantas: the matter of private equity purchases of publicly listed companies, whether that is by foreign or domestic entities or whether it is of wholly or partly Australian owned companies. The issue you raise is a general issue which really, in effect, might be exemplified by Qantas, if what you say is true—and I am not necessarily saying so. But you are raising a general issue as to the taxation consequences for public companies that are acquired by private equity groups that acquire the entity by borrowings, which you assert then results in the entity paying less tax than it otherwise would have.

That is a very big issue and not one that is necessarily Qantas specific, but I guess every polity around the world may need to address it in due course. I am not seeking to diminish the importance of the issue Senator Fielding raises, but I do draw to his attention what is involved in any attempt by any government to deal with that. Is the proposition that governments—politicians and bureaucrats—should be somehow arbitrarily setting limits on the borrowings of companies in order to preserve certain taxation arrangements with a company? I think that is quite an extraordinary proposition. I would be very interested to hear if Senator Fielding has any particular policy proposals he wants to put forward on this matter.

The general position in Australia and most other countries in the world is that taxation law is set in order to derive fairly, equitably and efficiently sufficient revenues to meet the outgoings of the government of the day. Companies and individuals are then free within the law to organise their affairs so as to meet their tax obligations—but, I guess, as Kerry Packer once famously said: ‘There is no obligation on any company or individual to pay the maximum rate of tax under the law.’ Individuals and companies of course are free within the law to arrange their affairs according to the way they seek to meet their tax obligations.

In summary, yes, you have raised a general question about the taxation consequences, at least in the short term, for the private equity investment in private companies that may, to the extent that there is a greater level of debt than the company otherwise had, lead to less revenue to the government. On the other hand, to the extent that the company is even more successful as a result of the new ownership, which grows,
expands and repays that debt, it may well be that in the end there is greater revenue available to the company concerned. I acknowledge the importance of the general issue you raise, but I take you to the point that what you are contemplating in response involves very significant issues.

Senator FIELDING—Mr President, I ask a supplementary question. Minister, Australian taxpayers over a five-year period stand to lose $1 billion in tax revenue and their workers stand to lose their jobs, while some high-flyers will reap a windfall. What is in it for the people who carry all the risk and who cannot afford to lose—workers and their families?

Senator MINCHIN—The facts are that the former Labor government, with the coalition’s support, decided that governments should not own commercial airlines. That was a decision made over a decade ago. The airline was sold to a whole range of Australian and foreign shareholders. Those shareholders will now decide, as the owners of that company, whether or not they wish to accept an offer that has been made to them by a majority Australian equity consortium. At the same time, the Australian government, through the Foreign Acquisitions and Takeovers Act, is examining the proposal to ensure that it does comply with the FAT Act and, of course, the airline must continue to comply with the Qantas Sale Act. So, while I understand Senator Fielding feels emotional about this matter, our job is to ensure that the current laws are complied with—but at the end of the day it is a matter for the owners of that company, the shareholders, to decide whether they want to accept the bid that has been made for their shares.

Welfare and Identity Fraud

Senator MASON (2.36 pm)—My question is to Senator Ian Campbell, the Minister for Human Services. Will the minister inform the Senate what action the government is taking to protect the Australia taxpayer by cracking down on welfare and identity fraud? Is the minister aware of any alternative approaches?

Senator IAN CAMPBELL—I thank Senator Mason for his interest in an area that is important to just about every Australian family. We must ensure that the people of Australia who want to access welfare benefits, Centrelink payments, student assistance, Veterans’ Affairs entitlements or Medicare payments get those payments, get them on time and, increasingly, get them online using electronic means of servicing. Also—and I am sure Senator Mason would care about this—we must ensure that those people who are ripping off the system, ripping off the Australian taxpayer, are brought to justice. We must create a system that ensures that welfare payments and support are delivered efficiently and effectively to the people who need them.

That is the reason the government is bringing in a smart card—the Australian government smart card—to ensure access to these services. The government wants to ensure that, instead of having to fill out potentially up to 19 different application forms for services and concessions around Australia, you can do it once, you can do it securely and the government will know who you are. The smart card will ensure that your identity and information are protected.

The senator asks about alternative policies. The current Medicare card we use was sent out by the Australian Labor Party in 1984. Of course, the Labor Party would yearn for the good old days of the Datsun 200B, the 1984 car—

Senator Carr interjecting—

Senator IAN CAMPBELL—the days when Senator Carr’s comrades in the Soviet
Union were on the other side of the Berlin Wall.

Senator Carr interjecting—

The PRESIDENT—Senator Carr, come to order!

Senator IAN CAMPBELL—The Berlin Wall was still up. Senator Carr pines for those days—he loved the old Berlin Wall, except that Senator Carr was on one side of the wall and we were on the other.

Senator Chris Evans interjecting—

The PRESIDENT—Senator Evans, shouting across the chamber is disorderly.

Senator IAN CAMPBELL—Mr Rudd and his friends pine for the days when Cyndi Lauper was on top of the charts. They remember—Mr Rudd, Tanya Plibersek and the rest of the Labor Party brains trust—the days when Mick Young was struggling with a Paddington bear. A lot of us remember those days. That is when the Medicare card was invented, and that is what the Labor Party think we should stick by. We think that in a society where identity fraud is becoming a major problem—as Police Commissioner Mick Keelty says, between $1 billion and $4 billion is being ripped out of the system—we can design a better system.

The Labor Party is all over the place on this. Senator Mason asks us: is there an alternative policy? There are dozens of alternative policies. Talk about the signs of an inexperienced opposition that cannot get its act together! This is worse than Mr Latham and his Medicare Gold, which was just throwing money at everyone—it did not matter whether they were sick or they had cancer. This is Medicare Gold all over again. You have Kelvin Thomson, the former shadow minister, saying the smart card is a good idea, you have Wayne Swan in Queensland saying it is a good idea, but down in Sydney you have Tanya Plibersek saying, ‘No, we’re against it,’ and that people will be ripped off Medicare lists and young people will not be able to get Medicare. As Senator Scullion said earlier, Labor is spreading misinformation about this, trying to scare young people into believing that they will miss out on Medicare because of the smart card, when the smart card is all about ensuring that young people do get their Medicare.

The Labor Party are all over the place on this. I asked the Queensland transport minister, who is bringing in a smart card for Queensland and who wants to cooperate with the Commonwealth on this, to tell his comrade Mr Rudd to pull Comrade Plibersek into line on this. They are all over the place. It is a sign of inexperience. It is a sign that they have not moved on from the Latham period. (Time expired)

The PRESIDENT—Minister, I remind you that when you are referring to someone in the other place you should refer to them by their correct title.

Interest Rates

Senator SHERRY (2.41 pm)—My question is to Senator Minchin, the Minister representing the Treasurer. Is the minister aware of new mortgage repossession figures from the Supreme Court of New South Wales for 2006 which show that mortgage repossession actions have skyrocketed by 75 per cent since 2004? Haven’t the four back-to-back interest rate hikes that have occurred since 2004 been direct contributors to this massive increase? What other explanation does the minister have for these figures, which had such a devastating impact on 100 families in New South Wales every week last year? What is the government going to do to help the thousands of Australian families who are at risk of having to walk out of their homes because of the five years of interest rate hikes under this government?

Government senators interjecting—

CHAMBER
Senator MINCHIN—As my colleagues are indicating, the Labor Party has a hide to ask questions about interest rates, given its record on this subject. I do not need to remind the Senate that under Labor home mortgage interest rates averaged some 12.75 per cent; under us they are averaging 7.18 per cent. In relation to the very specific question that Senator Sherry has asked, I am advised that recent data on applications for repossession made to the Supreme Court of New South Wales show that 5,368 cases were lodged on the New South Wales repossession list during 2006—10 per cent more than were lodged during 2005. As an estimated share of all New South Wales households with a mortgage, cases lodged on the New South Wales repossession list increased from 0.3 per cent in 2004 to 0.56 per cent in 2006.

As is always the case with Labor questions and Labor assertions, one needs to keep some perspective on these matters. Clearly, there has been some increase in the number of applications for repossession, as Senator Sherry noted, but in terms of proportions we are talking about an increase from 0.3 per cent to 0.56 per cent. So the overwhelming majority of mortgage holders in New South Wales continued to be able to service and handle their mortgages.

I would also point out to Senator Sherry that the phenomenon he points to seems to be largely concentrated in the state of New South Wales. I wonder why that would be! New South Wales is, by far, the worst managed state in the federation, it has the worst performing economy in the federation and it has had the most hopeless state Labor government that this country has probably ever seen. That is what is causing the problem for New South Wales mortgage holders. The management of the New South Wales economy is appalling. To some extent that will have had some impact on the situation with repossessions which, as I say, must be kept in perspective, because we are talking about an increase from 0.3 per cent to 0.56 per cent.

Senator SHERRY—Mr President, I ask a supplementary question. Given the minister’s interest in the former Labor government, can he confirm that the current level of mortgage repossessions is now two-thirds higher than it ever was under Labor? Don’t the four back-to-back interest rate increases since 2004 represent a fundamental breach of the promise at the election that the Prime Minister, Mr Howard, made that a Liberal government would keep interest rates low?

Senator MINCHIN—As Senator Sherry well knows, our pledge to the Australian people, which remains absolutely true, is that interest rates under a coalition government will always be lower than they were under a Labor government or would be under a Labor government. We profoundly believe that to be true. The Australian people believe that to be true and they have the evidence of the performance of the Hawke-Keating government to prove that demonstrable fact when their policies drove interest rates through the roof and drove thousands upon thousands of Australians out of their homes.

Water

Senator BARTLETT (2.45 pm)—My question is to the Minister representing the Minister for Environment and Water Resources. I refer to the report by Laura Tingle in today’s Australian Financial Review which details an assessment by people within the Murray-Darling Basin Commission of the government’s National Plan for Water Security, which says that the plan:

... neglects crucial questions of land title, resource management and environmental water flows and could be underfunded by hundreds of millions of dollars.
Does the minister agree with the concerns expressed that the organisation charged with running the basin will need ownership rights and that this will cost billions of dollars, which will severely reduce the amount available for other measures? Does the minister also agree with the advice provided by people within the commission that the Murray-Darling should be run at arm’s length from politicians? If not, how can the minister assure the Senate and the Australian people that the government will not succumb to National Party pressure to unduly favour irrigators?

Senator ABETZ—Mr President, I thought that one of the hallmarks allegedly of the Australian Democrats was transparency and accountability, and one way that the Australian people get accountability is through the ballot box. I understand that the Democrats find that a painful experience but, nevertheless, in Australian politics you get accountability through the ballot box. Something as important as the Murray-Darling proposal, we believe, should be vested in those people who are ultimately answerable to the people. Therefore, we believe that there needs to be the sort of responsibility regime in place that we are proposing. To suggest that you can just park it off to the side to people who are unaccountable to the Australian people at the ballot box is not acceptable to us.

Having answered the latter part of his question, I have sought to go through the briefing notes that I have in front of me. I have all sorts of very interesting briefings in relation to the Murray-Darling commission and those matters that have been in the media in recent times, but not in relation to the article to which the honourable senator refers. Therefore, I will take that part of his question on notice.

Senator BARTLETT—Mr President, I ask a supplementary question. Given the minister’s view on accountability, why is it okay to park the management of the Reserve Bank with an unaccountable body rather than with the government? What is different in this case? Also, given the issue of environmental flows, can the minister indicate to the Senate and clarify the total amount of water that the government is planning to release to the Murray-Darling Basin each year? In the government’s plan they believe their overall program ‘will generate water savings of over 3,000 gigalitres a year’, but 50 per cent of that will be shared with irrigators and 50 per cent is to address overallocation and sustaining river health. Does that mean there will only be 1,500 gigalitres returned to the basin each year? Is that adequate, given recent scientific evidence about how much is needed to be put back into the Murray-Darling Basin?

Senator ABETZ—Allow me to assist the honourable senator. The big difference between the Reserve Bank and the Murray-Darling commission is that the Reserve Bank does not actually spend hundreds of millions of dollars of Australian taxpayers’ money, and I think that there is a very fundamental difference there. In relation to water allocations from the Murray-Darling catchment area, I invite the honourable senator to note that part of the problem of lack of water in the Murray-Darling could be overcome if we had proper stewardship of the national parks by the state governments in reducing the bushfires. The regrowth that is now occurring in the Murray-Darling as a result of poorly managed national parks and regrowth now after fires is taking up to 20 per cent of the water catchment that would normally have flowed down through the Murray-Darling. That is a huge amount of water, and if those who claim to be environmentalists were genuine they would help this side of the
parliament manage our forests properly for the benefit of the Murray-Darling. (Time expired)

Internet Pornography

Senator POLLEY (2.50 pm)—My question is to Senator Coonan, Minister for Communications, Information Technology and the Arts. Is the minister aware of a recently released book, *Sex Lives of Australian Teenagers*, that states that 65 per cent of boys and 50 per cent of girls have seen internet pornography by the age of 12? Is the minister aware that it is now nearly eight months since the government announced that it would give away filters to families to protect children from internet pornography? Can the minister now confirm that not one Australian family has received access to an internet filter under her proposal?

Senator COONAN—Thank you to Senator Polley for her question. I think it is fair to say that it is a very difficult issue and I thank the senator for raising it in the chamber today, particularly because it is a day when question time is broadcast around Australia and we are able to reach many parents and carers. It is a very important issue. I know that everyone in this chamber supports me and supports our government when I say that child pornography is an unmitigated evil, and I would hope that there would be absolutely no argument about that. This is an issue that I would hope is above politics, and I put on record the support of my colleagues from all sides in working to stop the sexual trade and trafficking of children.

The scheme announced by this government to create the National Filter Scheme at a cost of $93.3 million over three years to provide free PC-based filters or a subsidised filtered internet service for Australian families and funding to allow every public library in Australia to set up child-safe internet terminals will be operational this year. It certainly is a priority within my portfolio. A comprehensive national community education campaign will be undertaken to raise awareness of the National Filter Scheme and provide detailed information for parents about how they can access free filters and general internet safety information.

Senator Carr interjecting—

The PRESIDENT—Senator Carr, come to order!

Senator COONAN—It is important that everyone in this chamber supports the efforts to get this filter organised, and that is exactly what is happening. I think it is quite appalling that anyone would actually suggest that this government has not taken efforts to ensure that this very pernicious thing is addressed. Through the online content scheme, which the government established in 2000, any Australian can make a complaint about material, and I certainly urge Senator Polley to make complaints about any offensive material of which she is aware on the internet. The complaint is then investigated as a priority by the Australian Communications and Media Authority, the online body. If it is found to be a breach of classification standards administered by the Attorney-General, the image can be taken down immediately or the host faces significant penalty sanctions.

In addition, if the regulator considers that the content is sufficiently serious it must also notify the Australian police force. In relation to prohibited content hosted outside Australia, which is the case with certain websites like YouTube and MySpace, the regulator, ACMA, must notify the filter vendor so they can add it to their list of sites to be blocked. There are a number of measures that I do not have time to go into, but this government is serious that this is incredibly important and we are making serious efforts and putting a great deal of money towards addressing this problem in an emerging and difficult area.
Senator POLLEY—Mr President, I ask a supplementary question. Thank you, Minister, for attempting to answer the question, but the question was how many families have actually benefited from the policy announcement over eight months ago? Hasn’t the minister’s policy of promoting end-user internet filters failed to protect children from dangerous and disturbing internet pornography? Why hasn’t the government done all it can to protect Australian children from exposure to harmful internet content? Does the minister now admit that the government must adopt Labor’s policy and require internet service providers to block access to this repugnant material? Minster, can you confirm how many families have actually accessed your program.

Senator COONAN—Senator Polley obviously does not have a clue what she is talking about. Labor has promoted a clean feed system and the latest report on clean feed, which is the British system, the report to which Senator Polley refers, says that clean feed—

Senator Carr interjecting—

The PRESIDENT—Senator Carr, I am warning you. I have called you to order that many times today I have lost count. Once more and I will name you.

Senator COONAN—The alternative policy that Labor has talked about, clean feed, does not provide any greater assistance in the matter of stopping internet pornography. A recent report says that it is about 40 per cent ineffective. The Labor Party has absolutely no idea—

Senator Chris Evans—Mr President, I raise a point of order going to relevance. On three occasions, both in the original and supplementary question, the minister has been asked to tell the Senate how many Australian families have received access to an internet filter under her proposals. We have asked; Senator Polley deserves an answer to the question. If it is zero, why don’t you tell us?

The PRESIDENT—Minister, you have 14 seconds to complete your answer, and I remind you of the question.

Senator COONAN—The government is the only party that has seriously addressed the pernicious effects of pornography and we have a $116 million program under development to do that.

Indigenous Affairs

Senator TROOD (2.57 pm)—My question is to the Minister representing the Minister for Families, Community Services and Indigenous Affairs, Senator Scullion. I take this opportunity to say how delighted I am that Senator Scullion has been elevated to the front bench. I wish him a long and illustrious career in that position. Is the minister aware of the recent release of a report by the Queensland government highlighting Indigenous disadvantage in my home state of Queensland? What steps is the Australian government taking to assist Indigenous people to overcome this situation?

Senator SCULLION—I thank the senator for his question. I know that Senator Trood, along with his Senate colleagues from Queensland, is very committed to Indigenous affairs. They are committed, along with this government, to improving the living standards and opportunities for Indigenous people. I am aware of the report: Partnerships Queensland: future directions framework for Aboriginal and Torres Strait Islander Policy in Queensland 2005-2010. It was released earlier this week. This report paints a grim picture of despair and neglect. It is in stark contrast to the Queensland government’s own priorities. In the forward of the report the Queensland government’s own priorities read:
Improving social, health and economic outcomes for Aboriginal and Torres Strait Islander peoples is a priority for the Queensland Government.

Unfortunately this record tells a completely different story. At the Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities last year, it amazed me that the Queensland government said: ‘Everything is cool bananas; everything is going to be all right. There are no problems with the communities of course.’ But when you look at the report it shows some horrifying data on child abuse. Indigenous children aged under four years old, our most vulnerable and our youngest Australians, comprised 40 per cent of hospital admissions for assault. These are not just those who have turned up after being assaulted, these are actually admitted—40 per cent are under four years old. Young children on DOGIT communities, which is an acronym for deed of grant in trust, were between 23 and 24 times more likely to be hospitalised for assault.

I understand the report has been a long time coming. I can understand why the Queensland government has been sitting on it. They know that this is yet another example of how they have failed the Aboriginal and Torres Strait Islander citizens of Queensland. The Beattie government, only a matter of months ago, in the way they responded, obviously knew about these issues. They have abolished Indigenous affairs from their portfolio: ‘We will get rid of that.’ It is a bit embarrassing, I imagine. They have somehow doctored it, there is no extra resource and it has slipped into some other portfolio. I have to say there is no better example of absolutely empty rhetoric on one of the most important issues facing Australia. They have made a complete mess of very important relationships between the Indigenous citizens in Queensland and the police force. Premier Beattie has lurched from one clumsy response to another, we have had cover-ups, and he has made walking backwards an art form.

But, in all this, there are some positives. I have to say I am very pleased to see that Queensland has taken the opportunity to place more police officers in communities. It is fundamental because without the rule of law and the provision of housing, infrastructure and health care in the communities we are not going to get the effectiveness that we require. I am very pleased to see that has taken place. We are all doing our bit. The Commonwealth is spending $3.3 billion this financial year on Indigenous specific programs, which is 40 per cent more in real terms than Labor spent in their last year in office. We depend on the states and territories to provide the basic rights. We have to get the kids to school, protect the citizens and provide essential services. It is time the Queensland government lived up to its obligations to all its citizens. (Time expired)

Senator Minchin—Mr President, I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Answers to Questions

Senator CROSSIN (Northern Territory) (3.02 pm)—I move:

That the Senate take note of the answers given by ministers to questions without notice asked today.

In rising to take note of answers given today I am going to concentrate on the answers given by Senator Scullion on child care. I say at the outset that we are very mindful of the fact that this was Senator Scullion’s first lot of questions from the opposition, but I am aware that ministers do come into this chamber with a brief for a very important reason. There is a very serious issue that has arisen today in terms of Senator Scullion’s answers.
Perhaps after taking note he might want to come back into the chamber and correct the record because the ABS childcare consumer price index figure is actually based on out-of-pocket expenses. According to the ABS:

In summary, benefits available under the CCB—

that is the Commonwealth childcare benefits—are deducted from the actual child care prices (the gross prices) in measuring the cost recorded in the CPI ...

I think I heard Minister Scullion at least twice today suggest that their difference in childcare costing was much lower because of all the benefits that are provided by this government. He went on to rattle them off. In fact, that is not the case. Those costs are based on all of those benefits being deducted. So it is most unfortunate that in the minister’s first line of questioning from the opposition he sought to mislead the Senate—I notice that question time was broadcast today—and mislead the country. Perhaps there is the need for this minister to be better briefed and to read his briefs.

Essentially, I asked Minister Scullion today if he could just simply answer one question for this chamber—that is, what was the $83.20 a week that the Treasury figures used based on? That is really quite a simple question that I thought he could have given us quite a comprehensive answer on. But the minister has failed to answer that because in fact the Treasury figures are rubbery and incorrect. This government sought to blame parents for the lack of choice, availability and affordability; it is a line that this government has run. They cannot defend their policies and they cannot defend the basis on which their costings are used and they simply blame other people. In this case they blame hardworking parents who simply want to get access to child care that they can pay for.

The truth of the matter is that the out-of-pocket childcare expenses for families have doubled under the Howard government. The ABS consumer price index figure shows that if you took March 1996 as the base, so let us say that is 100, the childcare cost index in our cities has now risen to 201.78. It has more than doubled under the Howard government. Let me reiterate that these figures are calculated on the basis of removing benefits from any government policies, so they actually do not look at the gross prices, they look at the net prices. So Senator Scullion was wrong when he gave us an answer that rolled up all of the benefits. The childcare costs do eat up more and more of a family budget. Even after the Commonwealth childcare benefits are deducted, their out-of-pocket expenses are actually skyrocketing.

This government will say, ‘But we also give a 30 per cent rebate.’ It is actually a tax offset; it is not a rebate. It is not cash that parents ever see in their hands; it is a tax offset at tax time. We know that on last year’s taxation returns parents were claiming for 2003 and 2004, so you have to wait two years to realise any benefit under the childcare tax rebate that this government gives out.

The reality in this country at the moment is that child care is in crisis. I know that in Darwin five-day-a-week long day care is averaging $220 a week. We know that childcare costs eat up about 22 per cent of the average weekly earnings. Not only is it extremely expensive and unaffordable; it is not there. Parents cannot get the childcare places that they want. They are not available. There are not enough of them in this country. Child care is not accessible and not affordable, and the fact that parents simply cannot access child care on days they want it and at a price that is not eating into their family budget does not simply make them too choosy, as this government would want to label them; it
actually makes them quite desperate. We often hear that both parents have to work, and they wonder why when most of the salary of one parent is being eaten up in childcare costs. (Time expired)

Senator HUMPHRIES (Australian Capital Territory) (3.08 pm)—I sit behind the new Minister for Community Services and from this angle he has looked pretty good in answering questions during question time today and throughout this week. I think the minister has very adequately placed on the record the tremendous record that this government has with respect to provision of child care in Australia. It is a proud record that I think is not well attacked by a party which neglected child care disgracefully during its 13 years in office. We have doubled the number of places available to Australians in subsidised child care and we have increased the benefits available to Australians to afford child care. Our record demonstrates a growing capacity within the Australian childcare system and a greater capacity by Australians to meet what are of course rising costs in that system.

Let me take first of all the point that Senator Crossin was making about the rising costs. Of course the costs of child care are rising, and there are a number of reasons for that. One is that there has been an acknowledgement that we have not paid childcare workers enough in Australia, and a number of private and public organisations have been taking steps to redress that problem. Another is that there is more pressure on those places because today more Australians are working than ever before and unemployment is lower than ever before and, as a result, more people with young families wanting to go into the workplace also need to access child care. That is why the Australian government has boosted spending on child care so dramatically.

The points that were made by Senator Crossin and others today in question time about the unavailability of child care in particular places are such cheap politics they do not bear thinking about. Of course there will always be mismatches to some degree in any system between where particular places are and where particular need is. Nobody can create a system where those mismatches do not occur from time to time. Child care is not a mobile resource that can be loaded on the back of a truck and shipped to another city or another state at will; it has to be planned for. People need to be certified or accredited to provide those services. We need to ensure that in other respects there are the kinds of services our communities need. Sometimes the places where those services are available are not the places where the actual need occurs.

However, I think the government has done an incredibly good job at lifting the availability of child care in the places where it actually matters. The report from Treasury which was tabled recently demonstrates that average utilisation rates between 2002 and 2004 fell from 88 per cent to 85 per cent, for example, in long day care. What does that suggest? It suggests that in fact there is adequate long day care across the country by virtue of the provision made by the Australian government.

In 2005 only six per cent of parents reported having trouble accessing additional formal child care, and the share of low-income families experiencing difficulties with the cost of care has dropped from 30 per cent to 15 per cent in the years since 2000. That does not tell the story of a system in crisis; it does not tell the story of a system where affordability and accessibility are receding from Australian families. On the contrary, it suggests that the situation, although not perfect, is certainly improving.
I am particularly proud, as I said before—and the minister drew attention to this today in question time—that the Australian government has continued to increase investment in the number of childcare places. The Australian population has not doubled since 1996, but the number of childcare places available to Australians has. That says a great deal about the priorities of this government to ensure that child care is affordable to Australians.

Families earning between $30,000 and $80,000 a year with one child in full-time child care now pay less of their take-home disposable income in child care than they would have done 11 years ago under the Labor Party. That is a fact and is demonstrated very adequately. The fact is that the other figures cited in this place and elsewhere about the affordability of child care omit important information like the value of the childcare benefit and the childcare tax rebate. When those things are taken into account properly—and they are very important in making child care accessible and affordable—it paints a very different picture to that which those in this place have painted today. I am very proud of the government’s record on this matter. (Time expired)

Senator SHERRY (Tasmania) (3.14 pm)—In rising to take note of answers to questions today I want to go to the issue of rising interest rates and their impact in the Australian community. In the last few days, new figures have been released concerning mortgage repossession figures in New South Wales. These are important figures because they are an indication of the stress that many families are under as a consequence of the higher interest rates that we have seen over the last five years under this Liberal government. In New South Wales, the repossession figures from 2004 through to 2006 have increased by some 75 per cent. I have here the figures since 1990. What is interesting to note is that they were at their lowest over this period in 1994, when there were approximately 1,300. They were stable through until 1998, when they increased to around 2,000, and held steady until the year 2004, when they started to increase significantly.

Why is that the case? Obviously, there is a link between increasing interest rates under the Howard Liberal government and repossession rates. There has been a long-established nexus between the two figures. The reality on the ground in New South Wales—and I am sure that my colleague Senator Hutchins, who lives in Western Sydney, will be able to talk in more detail about this—is that this has a devastating impact on families when rising interest rates force families to sell. They do not just lose their home but have enormous general financial stress placed upon them.

I asked Senator Minchin today for an explanation of this in light of the promise made by the Prime Minister, Mr Howard, at the last election that he would keep interest rates low and that interest rates would not increase under a Liberal government. That was the promise. We heard it time and time again from the Prime Minister, Mr Howard, at the last election. I have asked Senator Minchin about rising interest rates on a number of occasions in the Senate chamber since the last election. What is his defence for the breach of this fundamental promise made by Mr Howard at the last election that the Howard Liberal government would keep interest rates low? What is his excuse? It is generally a historical comparison with the years of the Labor government. Comparisons can be valid from time to time but, if we are going to reflect on history, we have never yet had an explanation from Senator Minchin about why interest rates reached 22 per cent when the current Prime Minister was last Treasurer. If we want to talk about history, let us not just compare today with the period when...
Labor was in power but also with the period when Mr Howard was last Treasurer of this country, when interest rates reached a devastating 22 per cent.

But my argument would be this: we are now 10 years on from the Labor government. We know that the Prime Minister, Mr Howard, is a clever politician—he is very sharp and clever. We know that the Prime Minister is very good at pulling out simple themes in order to provide an excuse for things that go wrong on this government’s watch. But 10 years? The government have to take some responsibility for things that go wrong on their watch. It is now 10 years since they were elected, and the government simply will not take responsibility. When things are good, they take all the credit; when something goes wrong, the states are to blame or the old Labor government of 10 years ago is to blame. This is a Prime Minister and a government that are running out of puff and running out of ideas and they will not take responsibility. This is an important area that impacts on families. We have seen four increases in interest rates since the last election and eight in the last five years. That represents a fundamental breach of the promise and commitment Mr Howard gave quite solemnly at the last election that interest rates would remain low under a Liberal government. We have another example of the stress and hurt rising interest rates under this government are causing Australian families in our community. (Time expired)

Senator PATTERSON (Victoria) (3.19 pm)—I will take the opportunity to start off where Senator Sherry left off—talking about rising interest rates. Under Labor, we had unemployment at record levels and we had interest rates at record levels. As Senator Humphries said, the reason that we have increased demand for child care is because we have so many more people in the workforce because we have created jobs by running the economy efficiently and by reducing the future burden of the children who are now in child care. We paid back $96 billion of Labor’s debt. We are putting money into a Future Fund now to pay for unfunded Commonwealth superannuation to make sure that those children’s futures are secure. What we have done is to increase childcare places. When Labor were in government, they did not have sufficient childcare places and they were appallingly distributed, and there was a large demand for it.

There are still some states that need to lift their games in terms of regulation of the childcare industry. In particular, my home state of Victoria needs to do a lot more than it has done. It has been talking about it for a long while. Let me say that it is not just the Commonwealth government which is responsible for child care. The states can also play a part. Some states have started to look at the possibility, for example, of using state facilities—for example, areas within a state school—to co-locate child care. When I was minister, I constantly called upon the state ministers for planning and the state ministers for education to see where they could assist in child care.

One of the other things that we have heard is Labor crowing from the rooftops about their new education policy for children. Mr Rudd is out there. We saw Mr Latham down in the sandpit with the children; we have seen Mr Rudd. Being in the kindergarten or in the childcare centre always makes a very good photo. But what we find is that some of the states are doing appallingly on kindergarten and the provision of early childhood education, which is the responsibility of the states. For every child who cannot get a kindergarten place, what do we see? We see an increased demand for child care. The Labor states are falling down on the provision of kindergarten for every child of four, with a large percentage of children failing to even
get one day of kindergarten. Parents who are working then seek childcare places. Do not put all the blame on the Commonwealth. A large amount of money has gone into child care. We have increased the places. You can talk about money going in, but there are increases in CPI; but when you talk about the actual places you get the real picture.

There were 306,000 early childhood places under Labor. We now have 600,000 places. That is almost double the number. As Senator Humphries said, the number of children being born and needing child care has not doubled. There has not been a doubling in the number of children. We have seen a significant increase—almost a doubling—of the number of childcare places available under Labor. We have seen an escalation in the number of after school hours places. Parents concerned about their older children at school needing before- and after-school care say they want those places uncapped. But Labor has failed to commit to keeping those uncapped places for long day care. Labor has a long way to go in developing a policy. Rabbiting on about early childhood education without putting the pressure on the states to actually do something about it is no sort of policy.

To encourage women to go back into the workforce we have seen increased funding through the JET scheme for mothers undertaking training at, for example, TAFE. There are additional childcare places for them. Again, Labor has failed to talk about that. The Labor Party fails to acknowledge that we have a new childcare management scheme that will ensure up-to-date and accurate information is available on supply and demand and use of child care. As Senator Humphries has already said, there is spare capacity within existing childcare centres at a national level. There are some people who do not want their children to go to particular childcare centres. That is their choice, but they will not always get the sort of child care—for example, community child care—they want where they want it. But there are places.

Only six per cent of parents have reported trouble accessing additional formal child care. I can tell you where they will be: they will be in Lilyfield and Glebe in Sydney and they will be in Port Melbourne in Victoria—areas where you have gentrification of suburbs with high land values. There is a difficulty for childcare providers to find places to build childcare centres. That is why I have said that it would assist if the states could look at places where they could provide centres too. We have seen them in Victoria: there is a kindergarten located at the base of a high-rise development block. There are spaces if states want to put their minds to it as well.

For the Labor Party to come in here and to be critical of child care is just appalling. If you look at their record, Labor failed parents. They failed them on jobs, they failed them on interest rates, they failed them on benefits for families and they failed them on child care. (Time expired)

Senator HUTCHINS (New South Wales) (3.24 pm)—I wish to take note in particular of the answer given by the Leader of the Government in the Senate, Senator Minchin, to a question put to him by Senator Sherry. Last Friday I had the opportunity to address a seminar put on by retirees concerned about what the future holds for their grandchildren. I was among a number of speakers who addressed the seminar, which had about 40 or 50 people at it. One of the other people who addressed the seminar was Michael Crews, who is an officer of the Exodus Foundation in Sydney. I know Michael and his father quite well. Michael made the point that, from his experience and from facts that he is well aware of, any one of us is only one illness or
two pay packets away from poverty. As I said, he gave that address on the basis of his experience with that marvellous foundation. It was with distress that I became aware, as we all did, of the figures released yesterday containing the rise of mortgage repossessions in my state, New South Wales. I want to particularly refer to the area where I live, out in Western Sydney.

One of the real estate agents in Western Sydney, who is on the Reserve Bank board’s liaison network, said that they had reported a 400 per cent increase from the previous year in mortgagee sales. That sounds an astounding figure. I will bring it down and make it clearer. That represents 25 homes in Penrith that were repossessed. That is a 400 per cent increase on the previous year, when six homes were repossessed. In that 12-month period, 18 families had effectively been kicked out. I am sure you and I, Mr Deputy President, are well aware of the distress, the suffering and the pain that is caused by these actions which have occurred. The dislocation of families that inevitably results from what has come about is something that we should all be ashamed of and attempt to do something about.

I was disturbed at the fashion in which the minister answered Senator Sherry’s question. I have always felt that whenever Senator Minchin replies to a question from us he actually attempts to answer it, unlike other ministers. However, today we were beaten up by facts and figures that I felt had no connection to what we were trying to highlight—and that was the fact that families are in distress.

Why are they in distress? Because since 2004 there have been four interest rate rises, I think it is. That is what is happening out in the western suburbs of Sydney. People are being kicked out of their homes. That figure of 25 may not represent many people, but that is a significant increase from the previous year. I am well aware, like many of my other colleagues who live in those areas, that the home prices have been reduced significantly in that 12-month period. I am also aware of other stresses occurring in families as a result of the actions, or inactions, of this federal government. I am disturbed, as I said earlier, at the cold and heartless manner in which Senator Minchin answered Senator Sherry’s question. (Time expired)

Question agreed to.

AUDITOR-GENERAL’S REPORTS

Report No. 25 of 2006-07


COMMITTEES

Selection of Bills Committee

Report

Senator FERRIS (South Australia) (3.30 pm)—I present the second report for 2007 of the Selection of Bills Committee.

Ordered that the report be adopted.

Senator FERRIS—I seek leave to have the report incorporated in Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE

REPORT NO. 2 OF 2007

(1) The committee met in private session on Thursday, 8 February 2007 at 11.47 am.

(2) The committee resolved to recommend—

(a) the provisions of the Aged Care Amendment (Security and Protection) Bill 2007 be referred immediately to the Community Affairs Committee for in-
The committee recommends accordingly.

(3) The committee deferred consideration of the following bill to its next meeting:
- Family Law (Divorce Fees Validation) Bill 2007.

(Jeannie Ferris) Chair
8 February 2007

Appendix 1

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill(s):
Aged Care Amendment (Security and Protection) Bill 2007
Reasons for referral/principal issues for consideration
See Attached.
Possible submissions or evidence from:
Committee to which bill is to be referred:
Community Affairs
Possible hearing date(s):
Possible reporting date:
1 March 2007
(signed) Jeannie Ferris
Whip/Selection of Bills Committee member

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2007 AUTUMN SITTINGS
AGED CARE AMENDMENT (SECURITY AND PROTECTION) BILL
Purpose of the Bill
The bill amends the Aged Care Act 1997 (the Act) to:
- implement new aged care complaints investigation arrangements, including a new Aged Care Commissioner;
- introduce the requirement for approved providers of residential aged care to report to the Department of Health and Ageing and the police allegations and incidents of sexual and serious physical assault; and
- introduce protection for approved providers and staff in residential aged care that report allegations and incidents of sexual and serious physical assault.

Reasons for Urgency
The amendments to the Act will give effect to the decision made by the government in July 2006 to implement new complaints investigation arrangements for Australian Government-subsidised aged care services, including the establishment of a new Aged Care Commissioner, as well as the introduction of compulsory reporting of alleged incidents of sexual and serious physical assault in residential aged care, and protection for approved providers and staff who report such incidents.

In the Minister for Ageing’s announcement of 27 July 2006, he foreshadowed an implementation date of 1 April 2007 for the aged care complaints investigation arrangements, compulsory reporting and protection measures. In order to meet this implementation date, the bill needs to be introduced and passed in the 2007 Autumn sittings.

(Circulated by authority of the Minister for Health and Ageing)

Appendix 2

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill(s):
Tax Laws Amendment (2006 Measures No. 7) Bill 2006
Specifically Schedule 2
Reasons for referral/principal issues for consideration
Schedule 2 makes substantial changes to the interest withholding tax exemption.
Proposed changes in Schedule 2 may have an impact on the ability of Australian companies to raise finance.

Inadequate consultation with industry.

Possible submissions or evidence from:
Institute of charted accountants.

Committee to which bill is to be referred:
Economics

Possible hearing date(s):
Week of 19 February 2007

Possible reporting date:
Week of 1 March 2007

(signed) George Campbell

Whip/Selection of Bills Committee member
Former Committees

Additional Information

Senator FERRIS (South Australia) (3.32 pm)—I seek leave to table documents received by two former committees.

Leave granted.

Senator FERRIS—I present additional information received by the committees as listed at item 16(c) on today’s Order of Business.

The document read as follows—

Tabling of committee documents

In archiving the files for two committees that have ceased to exist it has become evident that some material received by the committee has not been tabled in accordance with usual Senate Committee practices. The material falls into three categories as listed below.

Documents received by the committee and authorised for publication.

This material has been considered by the committee and would normally have been tabled on the completion of the inquiry. It can be tabled without leave on the basis of Senate committee usual practices. It includes:

(1) Select Committee on the Administration of Indigenous Affairs:
Documents received at Public Hearing at Broome 22 July 2004 from:

Heather Hansen
• Kullarri Indigenous Women’s Aboriginal Corporation Foundation Structure

Kullarri Regional Council
• Kullarri Regional Strategic Plan, part 1
• Kullarri Regional Strategic Plan, part 2
• Kullarri Regional Strategic Plan, part 3

(2) Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund:
Documents received at Public Hearing at Brisbane 15 April 2003 on the Effectiveness of the National Native Title Tribunal from:

Mineralogical Society of Queensland
• Minerals and Mineralogy

Submission received 1 June 1998 on the Aboriginal and Torres Strait Islander heritage protection Bill 1998 from:
Burke Shire Council
• Western Gulf Savannah, The Plains of Promise

Documents responding to questions taken on notice at public hearings.

These documents are answers taken to questions taken on notice during a hearing on 2 March 2004. There is no record of the documents being formally received by the committee. However, it is material that would normally be received and authorised for publication. There is no request for the committee to keep any of the information in camera. These documents could be table by leave. Included are:

(1) Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Account:
• Letters dated 25 March and 2 April 2004 from the Indigenous Land Corporation

Documents provided at hearings but not formally received by the committee.

These documents were tendered by witnesses over a number of hearings. Hansard records the documents as offered by each witness but there is no record in either Hansard or the committee’s minutes of the documents being received by the committee. These documents are all documents
that a committee would normally receive and authorise for publication. These documents could be tabled by leave. The details are:

(1) Select Committee on the Administration of Indigenous Affairs:

Public hearing in Canberra, 29 June 2004
Office of Aboriginal and Torres Strait Island Affairs

Mr Peter Vaughan
- Indigenous Affairs program/function allocations

Mr Bernard Yates
- Council of Australian Governments’ Meeting, 25 June 2004, Canberra, Communiqué
- New Australian Government Indigenous Affairs Arrangements
- Delivering Indigenous services – a new whole of government approach

Public hearing in Alice Springs, 20 July 2004
Des Rogers
- Video – Night Patrol News – Winter 2004
- Article – Night Patrol
- Establishment of Community Working Parties
- Framework for a Charter for Self Determination Murdi Paaki Aboriginal Regional Assembly
- Approved Grant Budget
- Establishment of Community Working Parties

Public hearing in Darwin, 24 August 2004:
Commissioner Ankarriyuwu (Kim) Hill – ATSCIN T North Zone
- Indigenous Constitutional Strategy Northern Territory

Central Land Council
- Submission from Central Land Council (not numbered – doesn’t appear to be on the List of Submissions)

Mr Peter O’Brien
Katherine Regional Aboriginal Legal Aid Service
- Copy of opening statement

Ms Lenore Dembski
- State of the Service Report 2002-2003; Chapter 11: Critical challenges for the APS as a whole
- Human Resource Management – Peter Blunt (excerpts)
- Mintzberg on Management – Inside our Strange World of Organisations – Henry Mintzberg (excerpts)
- Newspaper Article from Northern Territory News, Tuesday August 24 2004 p-3 – Elders project to reduce jail rates (excerpts)

Public hearing in Gove (Nhulunbuy) 25 August 2004:
Miwatj Provincial Governing Council
- Copy of Opening Statement
- Annual Report 2002-2003
- Memorandum of Understanding on Yolngu Learning Training & Employment Outcomes Department of Employment, Education and Training
- Miwatj Regional Authority Consultancy Report A Better Way A report to the Miwatj Regional Council
- Miwatj Regional Government Towards Stronger Indigenous Regional Governance
- Miwatj Strategic Plan 2003-2005
- Miwatj Provincial Governing Council Education Policy March 2003
I rise to speak on this motion put forward in my name on behalf of the Labor Party in relation to this Prime Minister’s continued scepticism over the link between human activity and climate change and the fact that this government has dragged the chain on climate change for over a decade. I also want to talk about the economic and environmental cost of this government’s inaction and of any future delays in tackling the challenge. We are calling on the government to finally recognise the link between human activity and climate change and to join the efforts of other members of the international community in ratifying the Kyoto Protocol.

We have seen this week in parliament the government trying to show its credentials, it says, on climate change. In fact, the government has had the opportunity, if it wanted to, to show the Australian people whether or not it has finally understood the implications of climate change. What have we seen? We have seen ministers running different lines. We have seen ministers changing positions. In question time in the Senate we saw Senator Minchin again running the hard line that Australia should not go it alone in terms of emissions trading and, frankly, contradicting the softening of his Prime Minister’s position and directly contradicting the position of Minister Macfarlane, who seems, for political or whatever reasons, to have had a conversion in relation to the issue of emissions trading.

We have had much fanfare around the Prime Ministerial Task Group on Emissions Trading. This was their big strategy to try and show that the Howard government actually knew something about what was happening in terms of climate change and was
We have seen a lot of media about the government doing this work on emissions, and yesterday we had the release of the task group’s much heralded paper. And I have it here. This is it—it is nine pages long. There are nine pages from the much heralded task group on emissions trading, delivered eight years after the Prime Minister rejected four reports on the same issue.

On Tuesday in this place, we had the release of the government’s response to the Senate Rural and Regional Affairs and Transport Committee’s report on rural water resource usage which showed yet again that the much trumpeted $10 billion water package was hastily put together, poorly costed and that as at December of last year the government was still saying ‘business as usual’—and it wants us to believe that it has really thought through the water policy and costed it properly?

As people know, we recently had the release of the fourth Intergovernmental Panel on Climate Change report, and we have seen the Prime Minister commenting on it. In his comments the Prime Minister demonstrated his complete lack of understanding of the issues. He described the possible outcomes and scenarios outlined in the report as being ‘uncomfortable for some’. That is his analysis of the enormous threat and challenge that climate change presents to Australia and to the globe.

The nine-page emissions trading discussion paper was released yesterday. It does make for some interesting reading because it represents a shift in position by the government. I suggest that the shift in position is not about conviction, not about an understanding of the scale of the threat and not about a willingness to address the long-term challenge to Australia’s economic prosperity and our environmental security; it is about a desire to demonstrate to the Australian public that the government are actually taking the issue seriously. It is all about political positioning; it is not about conviction or an understanding of the issues.

The report makes some interesting points. It states that the early adoption of emissions trading ahead of most of the rest of the world could promote investment and the development of a future comparative advantage for Australia. Frankly, the Prime Minister is unlikely to act unless he is pushed, and he does not want to act because, it appears, he is really not convinced climate change is real. He is still hiding behind his argument that if we act on climate change we will destroy the economy. We know it is a false choice, and his own report says as much.

When will the government come clean that its concerns about carbon trading and climate change are not a knee-jerk reaction but are really because it does not want any reaction at all? It does not understand the seriousness of this issue. It does not understand the implications for our future. What it does understand is political positioning—and, as I have previously said, the Prime Minister is a very clever politician. Climate change is simply too important an issue to be left in the hands of a government which does not understand the significance of the threat. In the last eight years, the government has ignored three reports on carbon emissions trading. Frankly, the Prime Minister did not need this subsequent report to tell him that urgent action on climate change was needed now.

Eight years after the Prime Minister rejected past reports, it is in black and white in his own prime ministerial task group report, which states:

Given the scale of the challenge faced there is no room for complacency.
Yet we know that back in March, June, October and December of 1999 similar reports were all ignored by this government. Frankly, the government failed Australians on climate change then and it is failing them now. We also know that the water package previously announced was cobbled together late. It is really an example of the government’s Johnny-come-lately—pardon the pun—approach to many significant environmental issues facing Australia.

I want to talk briefly about the fourth Intergovernmental Panel on Climate Change report. This report was produced by 600 authors from 40 countries, including 42 scientists from Australia and 620 expert reviewers, and 113 governments were involved. This report sets out in great detail some of the potential scenarios to be faced by Australia and the globe. This is the report about which the Prime Minister was asked on Late-line:

… what do you think living in Australia would be like by the end of this century for your own grandchildren … if … the average mean temperatures, around the world do rise by somewhere between four and possibly even more than six degrees celsius?

What did the Prime Minister say? He answered:

… it would be less comfortable … than it is now…

That is hardly a statement you should hear from a Prime Minister who should understand the scale, complexity and potential threat that climate change poses to this nation. The fact is that this potential increase in temperature carries a burden for future generations. It carries a burden in terms of highly stressed ecosystems, with many of our natural icons under siege. It also carries significant social and economic threats. The health, security and social implications of this sort of change are substantial. The Prime Minister went on to challenge the accuracy of the IPCC report in his interview. He stated:

… I think it’s very, very hard for us, in 2007, to try, with that kind of mathematical accuracy … to sort of extrapolate what things might be.

This really is the nub of the problem—the Prime Minister’s own misconceptions about climate change and his refusal to take responsibility for a decade of inaction by his government. As I said previously, this is a report from hundreds of respected scientists from 40 countries around the globe. These scientists have given us their best advice, and politicians should not try and diminish or minimise the nature of the challenge that we face by simply pointing their finger at the science. This is an issue about managing risks and this is where the policy approach of the Howard government differs.

Of course, as we all know, this report comes on top of the Stern report released last year, which set out in great detail some of the economic issues associated with climate change—hard economic data on the effects of climate change on the global economy. Every day more and more evidence comes to light. I previously commented on the fact that the Great Barrier Reef Research Foundation have warned that climate change is the No. 1 threat to the reef and could have devastating effects if it is not brought under control.

These are not scenarios that are simply ‘uncomfortable for some’; the report from the intergovernmental panel and the Stern report—even the Great Barrier Reef foundation’s report and comments—do not paint a picture of a future which is simply uncomfortable for some. Climate change is a significant economic and environmental issue for this nation, and we have to deal with it. What is required is a long-term approach and a risk management approach.
I want to briefly refer to the Business Council of Australia president, Michael Chaney. As you know, the Business Council has had a range of views in relation to climate change and a range of views amongst its membership, but Mr Chaney made this point: ‘Regardless of one’s views on the science of climate change, the case is now such that business must ensure against the risk of it with an effective policy response.’ This is a very similar position to that which was adopted by the Business Roundtable on Climate Change last year, which went through some of the economic implications and laid out some policy options for the government to consider. Their basic thesis was this: we do have the opportunity to act now, and the approach that business and government should take is one of risk management. We may not know where this will end up but we have to manage the risk now. We have to take a long-term approach and try and deal with the issue. We have to also put in place market based mechanisms to drive more sustainable outcomes.

We have business calling for this. Those on the other side say that they are the party for business. Well, they are not listening to business on this. They are not taking a risk management approach, they are not taking a prudent approach, they are not taking an approach that recognises the economic threat that climate change poses long term. What this government is focused on is its political positioning. We have seen that this week where we suddenly have this pale green conversion by some members of the Howard government, including the Prime Minister, who are trying to demonstrate to the Australian people: ‘Look, we actually care about these issues, despite the fact we have done virtually nothing for the last 11 years. We do care about these issues and are trying to shift position.’ But they have not got their lines quite right. We see Senator Minchin in this chamber running a different line to the position of the Prime Minister, and Mr Macfarlane in the other place also running a different line.

Mr Macfarlane, actually, is quite an interesting case in point. This is the minister who previously described the film by Al Gore, An Inconvenient Truth, as being ‘good entertainment’. He described emissions trading as ‘folly’. He now says he has an open mind to it. One wonders what has changed. What has changed in terms of the Prime Minister’s language on this? The Prime Minister was previously incredibly hardline: ‘We’re not going to go down an emissions trading path unless the rest of the world do it first.’ That really is a do-nothing strategy. It is a line that justifies inaction. What has happened to the Prime Minister in relation to this issue? The Prime Minister is now softening his position because he actually understands—as I say, he is a clever politician—that the community is starting to shift beneath him. The community is starting to understand much more than its political leaders the potential threat of climate change for future generations, and it wants politicians to do something about it.

Apart from business leaders, we have had church leaders and community leaders speaking out on this. Bishop George Browning of Canberra has been quoted as saying in relation to climate change:
“This is first and last a moral issue … Refusing to do everything within our power to stop the world from heating is a moral responsibility.”

The reality is that the states, community leaders, consumers and business are all crying out for national leadership on this issue, but we have not had national leadership from this government.

This is an opportunity for the government today. Maybe Senator Eggleston, who I understand will follow me, will actually outline what the government is going to do. What is
going to happen with this report? Is this just yet another piece of paper, another report that you put out there, pretending that you are going to do something about the most significant challenge facing this generation and this generation of political leaders and this parliament? Are you actually going to do something about this or is this yet another piece of political positioning to try to make people think that you are actually prepared to tackle the hard issues?

We saw earlier this week in parliament the Prime Minister again suggesting there was some doubt as to the link between human activity and climate change. Then the Prime Minister came in and corrected the record. As I said previously in this place, perhaps he had to do that because he was saying what he really thinks. That is possible. Perhaps he did not just mistake the question. Some might say he simply has mistaken the science and has mistaken the science for some time.

It is always an easy thing for a politician to say that a problem does not exist as the basis for justifying why you do not do anything about it. It is a very easy approach to deny that the problem exists. The Howard government have become very good at that. We saw that in question time today in relation to child care, with Senator Scullion denying that any problem exists—therefore, you do not have to fix it. That is the way the government have operated in relation to climate change for the last 10½ years. They have denied that the problem existed and they have continued to deny it. Only now, in the face of overwhelming international evidence and overwhelming community sentiment on this issue, do we see the government finally trying to pretend to do something about it. They will get up now and talk about all the money they are spending on this and that.

The reality is you have spent over a decade now denying that this problem exists, putting your heads in the sand, pointing your fingers at those who have said this is a problem, refusing to ratify the Kyoto protocol and having ministers out there saying, ‘We can’t go down an emissions trading scheme path—we can’t do this, we can’t do that—it’s bad for Australia,’ refusing to recognise there is a problem. The Australian people have woken up to that. They know there is a problem. Unfortunately, the government do not seem to understand there is a policy problem and a climate change problem. The only thing they understand is that they have a political problem.

Senator EGGLESTON (Western Australia) (3.52 pm)—This is about the fourth debate on climate change that the ALP has instigated. They seem to persist in not listening to what we have to say about our position. Senator Wong has just repeated the ALP’s view that the government have done nothing about climate change and have refused to recognise climate change, completely ignoring the fact that one of the first actions of the Howard government when we came into office was to establish the Greenhouse Office, the first for any government in the world. So, in other words, right from the beginning of the tenure of the Howard government, the issues of greenhouse gas problems, climate change and the need to promote renewable energy have been recognised. Senator Wong and her colleagues can get up and claim the contrary, but the facts are there. The facts cannot be denied. The truth of the matter is quite the reverse of what Senator Wong is seeking to promote—that is, during the 13 years that the Labor government was in office, under Messrs Hawke and Keating, very little was done about the environment, and no recognition whatsoever was given to the issue of climate change. It is a fact that back in 1997 the Howard government were very
perceptive in seeing that climate change was an issue and established, as I said, the world’s first greenhouse office.

It is a little bit boring to have to put forward the same facts time after time, but nevertheless that is what I plan to do. Senator Wong has said that the Prime Minister was a sceptic about climate change being caused by human activity. I think we were all a little bit sceptical about that. For example, I downloaded a page from the internet yesterday on the issue of climate change. There has been a very real and legitimate debate about the causes of climate change. It is a very simplistic thing to say, ‘Of course, this is due to human activity,’ but there is a lot of archaeological evidence that climate change is a cyclical thing and that it has gone on for many thousands of years. Only a couple of weekends ago, I heard a report on Radio National about some marine archaeologists who had examined coral deposits off the coast of Java. They found evidence that there had been cyclical climate changes for the 6,000 years that the coral had taken to accumulate.

Among the causes of climate change which I found on the web are natural causes, such as continental drift, the activity of volcanoes and, most importantly, the tilt of the earth’s axis. As the earth has rotated around the sun, at times there have been minor variations in the axis of the earth in relation to the sun which have caused changes in the temperature of the earth, because the earth’s orbit is somewhat elliptical, which means that the distance between the earth and the sun varies over the course of a year. If you extrapolate the axis changes of the earth’s orbit over a longer period of time, then you will get periods when the earth’s climate is colder—and those are ice ages—and periods when the earth’s climate is hotter. It is not at all impossible to hold the view that the present warming-up of the earth’s climate is due to axis changes in our orbit around the sun.

There is no doubt at all that, since the industrial revolution back in the 1700s, there has been a lot more greenhouse gas in the atmosphere, and there is no doubt that carbon dioxide is the most important of those gases. Methane is another important greenhouse gas. Over the history of the earth, both of those gases have been emitted in much larger quantities than they used to be, and there is no doubt that it is also a reasonable thesis that greenhouse gas is a cause of climate change.

Senator Wong referred to the United Nations group which reported last week and claimed that climate change was due to human activity. That might be the correct conclusion, but I think it should be recognised that this has been a legitimate debate over many years. It may be that the acceleration of climate change is due to human activity, and we certainly need to do something about it if it is the case that climate change is due to greenhouse gases. But it is quite wrong to say, as Senator Wong has said, that the Prime Minister has been a laggard in recognising that greenhouse gas might be an issue. Far from it: as I have said, since the very earliest days of taking office, the Prime Minister and his government have instituted programs to deal with the issue of greenhouse gases, climate change and emissions. The Prime Minister has stated quite clearly that he believes there is a connection between climate change and emissions. Senator Wong, we can draw no other conclusion than the fact that the Prime Minister is a climate realist. He realises that climate change is occurring. As I have said several times, right from the earliest days of his government, he has taken action to deal with climate change.

Let us look at what the coalition government has actually done on the issue of climate change. The coalition government has taken a leadership role at the international and national levels in response to the threat
of climate change and, in fact, has invested something like $2 billion in programs to deal with climate change. This includes hundreds of millions of dollars on solar and wind energy—in other words, renewable energy—developing new technology to make cleaner and more efficient fossil fuels and ways to capture and store greenhouse gases to stop them entering the atmosphere. Examples of that approach include the Howard government’s $500 million low emissions technology demonstration fund, which aims to leverage around $1 billion from industry to develop technologies to significantly reduce greenhouse gas emissions. Then there is the $100 million Renewable Energy Development Initiative, which provides competitive grants to support the strategic development of renewable energy technologies. And—surprise, surprise, Senator Wong!—as a result of the programs of the Howard government, Australia is one of the few countries in the world that is on track to reach its internationally agreed targets for greenhouse gas emissions.

There are a lot of countries in the world that criticise Australia for not ratifying the Kyoto treaty and principally they are European countries such as Germany and France. The fact of the matter is that, of all the European Union countries, only about three meet their greenhouse targets without the use of nuclear energy. So Australian is up there with the three that are meeting greenhouse targets without resorting to nuclear energy. Australia’s record is proving there is a way forward that allows emission cuts and economic growth. As a result of our climate change strategies, we are forecast to save 85 million tonnes of greenhouse gas emissions by 2010, while our economy is expected to double. That is the equivalent, Senator Wong might note, of taking every one of Australia’s 14 million cars, trucks and buses off the road and stopping all rail, air and shipping activity while still providing for major economic growth. That is quite an achievement. As a percentage of our total economy, this saving represents a fall of 43 per cent in greenhouse gas emissions between 1990 and 2010, while the Australian economy is doubling in size.

Australia, in fact, contributes only 1.46 per cent of global greenhouse gas emissions, which when compared to China’s greenhouse gas emissions, for example, is an extremely small percentage globally. If Australia were to close down all its power stations tonight, the savings in greenhouse gas emissions would be replaced by the growth in China’s energy sector emissions in less than 12 months. However, the coalition government continues to take seriously the issue of climate change and its role in reducing greenhouse gas emissions and the global greenhouse gas signature.

It is true that Australia has not ratified the Kyoto protocol. We have not ratified it because, in fact, it is a flawed treaty which would contribute very little to the reduction of greenhouse gases around the world. As I said yesterday, Kyoto is a symbol of concern about the effect greenhouse gas is having on our climate. By signing onto the protocol Australia has recognised and acknowledged that greenhouse gases are an issue, just as we did when we set up the first greenhouse gas office of any government in the world. But we have not ratified the protocol because it is a meaningless treaty. It is not a treaty that is going to produce any reduction in greenhouse gases and it would, unfortunately, have a very adverse impact on the Australian economy because we would have to stop using our abundant resources of cheap coal to provide energy, which would mean higher energy costs and would cost jobs in coal mines that would close down and jobs in Australian industry because it would be paying more for power.
However, we are concerned that there be some sort of meaningful and workable international accord to deal with greenhouse gases. What the Australian government have done is sought to set up a global agreement which will include some of the big emitters around the world. Australia is in fact a joint signatory in the first global agreement between the United States, China, India, Japan and the Republic of Korea. This is called the Asia-Pacific Partnership on Clean Development and Climate. The purpose of this agreement, which includes, as I said, some of the very largest emitters in the world, who are not signatories to Kyoto—China, India, Korea and the United States—is for these countries to work together to use technological solutions to bring about the kind of dramatic cuts in greenhouse gas emissions that the world, it seems, is going to need if we are to slow down the pace of climate change.

The countries in this Asia-Pacific Partnership on Clean Development and Climate are nations which cover almost 50 per cent of the world’s population, 50 per cent of the world’s GDP and 50 per cent of the world’s energy use and global greenhouse gas emissions. We believe that cooperative, practical action by these major regional economies has the potential to have a significant impact on global greenhouse gas emissions, reduce the longer term effects of climate change and decelerate—slow down—climate change, which is a very important objective.

So it is really quite fallacious for Senator Wong to get up in the Senate and claim that the Howard government has not been concerned about climate change and is not doing anything about it. Let us look at what the coalition government has actually done on the issue of climate change.

The Howard government have worked very hard to address this problem and, in fact, were conscious of it and decided to do something about it long before many other countries around the world, as symbolised by the fact that we set up the world’s first greenhouse office. Apart from the Asia-Pacific Partnership on Clean Development and Climate, Australia is also a party to the United Nations Framework Convention on Climate Change, which is the Kyoto treaty. Even though we have not ratified the treaty, we are still meeting our greenhouse targets that would be set under that treaty.

Senator McLucas—No, that’s not true.

Senator EGGLESTON—Senator McLucas is shaking her head; it seems a very strange thing that she is so sceptical of a magnificent achievement by the Australian government, something which I think ought to be lauded. It is a fantastic thing that regardless of the fact that we have not ratified the Kyoto treaty we are still meeting our greenhouse targets as though we had.

That brings me to the broad issue of the contrast between the ALP when they were in government, when nothing was done about climate change and nothing was done about greenhouse gas emissions, and the very proactive policies which the Howard government has followed, providing leadership to the rest of the world on this issue. I think that is, as I said, a very outstanding achievement on the part of the Howard government.

We do recognise that the world will need to make major cuts in greenhouse gas emissions if we are to avoid the more serious consequences of climate change. We believe that, to do that, we will need to use the broadest possible range of technologies, including renewable energies such as solar, wind, geothermal power, clean coal technologies and, yes, nuclear energy. We have other options, but nuclear energy is something that Australia will have to consider in the future as part of this overall reassessment of our energy needs and how we will provide
energy to industry and to the population of Australia.

The Australian government has invested heavily in the development and commercialisation of technologies for renewable energy and I think that is a remarkable and positive achievement of the Australian government that should not go unnoticed. As I said earlier, we have the $500 million low-emissions technology demonstration fund, which will leverage a further $1 billion or more in investment from the private sector. More than one-third of the government’s climate change funding is supporting renewable energy development, including a $75 million Solar Cities program and a $123 million program to extend and expand the Renewable Remote Power Generation Program, which is to provide renewable energy in remote areas through things such as solar energy, wind energy and other possibilities such as tidal power and wave technology.

In conclusion, the Australian government, the Howard government, has an outstanding record in dealing with environmental issues. The Howard government has an outstanding record in developing policies to address climate change. It is an enviable record; it is a record of which I would have thought all members of this federal parliament, regardless of their party affiliation, should be justifiably proud. I think credit should be given where credit is due.

Climate change and greenhouse gas emissions have only become a big issue over the last 15 or so years. The criticism of the Howard government seems to be, ‘You have not fixed it up, and we want it fixed yesterday.’ As I have said several times, the Howard government was one of the first governments in the world to be aware of these issues and has put in place a lot of very sophisticated programs to address the problems of greenhouse gas emissions. I think the Howard government deserves to be thoroughly congratulated on the fantastic contribution it has made to this reduction of greenhouse gases.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (4.12 pm)—Senator Wong’s motion dares to suggest that the Howard government has dragged the chain on climate change for more than 10 years! I think it is in fact longer than that that we have understood the dangers of climate change and greenhouse emissions. As much as I welcome Labor driving this debate now—that is a really good thing—it is coalition and Labor governments that have been dragging the chain for, I would say, 20 years. That is how long we have known about this looming threat to our environment and to our economy. Scientists and environmentalists have been talking about climate change for decades, perhaps for even more than 20 years. Yet neither of the major parties while in government acted in practical and serious ways to address it. Instead of that what we have seen has been largely a ‘business as usual’ arrangement.

As far back as 1988 the Democrats worked in the Senate calling for reductions in greenhouse gas emissions and a halt to climate change. In that year we introduced a private senator’s bill called the Ozone Depleting Substances Regulations Bill which aimed to ban the production and use of ozone-destroying CFCs. While the bill was said to have had merit by the major parties, it was defeated by both of them. Senator John Coulter made an interesting observation at the time about the economic policies of the ALP and coalition parties and the effect that these policies would have on accelerating climate change. He said:

... both the Government and the Opposition have adopted economic policies which are oriented towards growth and that growth measures the dollar value of throughput; therefore the increase in ozone depletion brought about by the increas-
ing consumption and release of chlorofluorocarbons is measured as an improvement in the economy; and therefore the signals which are being given by the economic indicators are inimical to a solution to this problem.

Frustrated by government inaction in 1988, the Democrats initiated a Senate inquiry into climate change. The report tabled in 1991 was called Rescue the future: reducing the impact of the greenhouse effect. That report received cross-party support and noted that human activity had resulted in increases in greenhouse emissions causing additional warming of the earth’s surface. It noted that Australia was a very high emitter per capita. It also noted that ‘actions to increase the efficiency of energy use will result in resources and cost savings to the benefit of industry and the community’ and that ‘governments must develop coordinated strategies to meet emissions targets’ and that long-term planning should focus on ‘alternative and renewable energy sources’. Fifteen years later those sentiments remain true. The committee made over 50 recommendations and very few of those were ever enacted.

Eight years later, again frustrated by inaction, I initiated and chaired another Senate inquiry into climate change. The report was titled The heat is on: Australia’s greenhouse future and it was tabled in May 2001, six years ago. This report was highly critical of the lack of action to date and made 106 recommendations in areas of transport, emissions trading, carbon and the land, energy use and supply, climate change and Kyoto—all of which are still relevant today. One of the committee’s key recommendations was the early introduction of a domestic emissions trading system with the aim to build capacity and experience, encourage uptake of fuel switching and energy efficiency, and position Australia to lead the international debate in the development of a global trading system. Six years ago this was recommended, and now the Prime Minister is thinking of getting on board.

The Democrats also recommended in the report that the Commonwealth government, in advance of a domestic emissions trading system, phase in a small carbon levy from 2003 to provide a signal to Australian industry. Where industry could demonstrate that this levy adversely affected their international competitiveness, some or all of those payments could be rebated or returned as a contribution to fund investment in emissions abatement actions within that industry. Unfortunately, it is probably too late for something like this. Recent economic and scientific evidence suggest we have to act now and we have to go with very deep cuts.

The Prime Minister did demonstrate something comprehensively the day before yesterday, on Tuesday, when he answered the question in the House of Representatives. He came back with a retraction some five hours later—no doubt after advisers had told him what a blooper he had made and how there was no way that the government could continue to say that there was no connection between greenhouse and climate change. But that retraction was almost as bad as the original phrase. He said that he acknowledged the connection between greenhouse and climate change but said he thought that he had been asked about the connection between greenhouse and drought and that he thought the jury was out on that connection.

Well, no. What is central to the findings of 2,500 scientists worldwide is that lower rainfall in most of Australia is going to be a climate change outcome of greenhouse gas emissions in the atmosphere that are now much too high and are causing the problems we are experiencing. The fourth assessment report released by the Intergovernmental Panel on Climate Change last week makes it quite clear that global warming is occurring
and will result in higher temperatures. That panel is a conservative organisation comprising 2,500 eminent scientists from across the world, and these scientists are in complete agreement about global warming. Scientific modelling from the IPCC, our own CSIRO and the Bureau of Meteorology all point to rising temperatures, increased evaporation and, importantly, decreased rainfall across Australia. It is true that the IPCC has technically not stated that there is a link between climate change impacts and the drought that we are having; however, the fourth assessment report outlines that for areas south of the 30-degree latitude—that is the majority of Australia—there will be less rainfall. The IPCC also says that the southern oscillation, referred to as El Nino, will mean drier and wetter areas will experience more frequent drier periods.

The Prime Minister is using the equivocation and the preference of the IPCC to use the terminology of ‘high degree of confidence’ rather than ‘certainty’, but the difference is like saying that 99 per cent probability of something occurring is somehow doubtful and that you must only act on 100 per cent certainty. A responsible risk management approach—and we hear much from the government about risk management—is that you weigh the probability of the occurrence against the magnitude of the impact to inform appropriate actions. When it comes to climate change, the scientific community is saying it is 99 per cent certain that there will be a massive environmental impact. How sure does the Prime Minister have to be before he will introduce the reasonable change policies that the rest of the world is already introducing, before his government will manage the risk to Australia through climate change?

**Senator Ian Macdonald interjecting—**

**Senator ALLISON**—I am sure you will get your chance, Senator Macdonald. As a farmer in New South Wales, Queensland, Victoria or South Australia, what is the risk framework approach to climate change? Farmers are already experiencing sufficient evidence of climate change and the impact of climate change. The resilience of regional and rural Australia is being tested as farmers are increasingly impacted through lower rainfall and more frequent drier periods—in other words, drought. As the climate change effect progresses we will see large abandonment of farms across the nation as they become unworkable due to lower rainfall, and we have known this for a long time. Brisbane and Adelaide are on stage 5 water restrictions; Melbourne is on stage 4 with a threat that it will be more serious soon. Do we need to ask suburban mums and dads who are consciously collecting shower water in buckets to put on their gardens what their risk management approach is? No.

The Prime Minister shows contempt for the scientific community and the international panel on climate change by casting doubt as an excuse for his government’s inaction. It is wrong of the Prime Minister to give Australians a sense of false hope that the water crisis will soon be over and that the drought is within reasonable and historical bounds. We need deep structural change in our economy to be able to adapt to the impacts and to mitigate the effects of climate change—and drought is one of those. A new way of thinking about water management is required, as is a new way of infrastructure planning. The introduction is required of responsible climate change policies that will assist industry to adapt to a carbon constrained future.

Similarly, the repeated statement of this government that it will not act on climate change because it will disadvantage the Australian economy is irresponsible in the ex-
treme. Since 2004, the states and territory governments, through the National Emissions Trading Taskforce, have been undertaking economic modelling of the costs of a national emissions trading scheme. Their fact sheet states:

The preliminary modelling indicates that the introduction of an emissions trading scheme may increase the Victorian real electricity price by between 4 and 6 per cent on average above business as usual (BAU) over the 2010-20 period, depending on the scenario. This will increase the average real Victorian household electricity bill by between $20 and $40 per year on average above BAU over this period.

That is as little as 40c per household per week. Yet today we had the Treasurer say that increasing prices for electricity and emissions trading would cost enormous amounts of money and that households would be paying through the nose. It is not going to break the bank and it is not at the level of dire economic impact on households that the government is suggesting.

The introduction of carbon pricing will result in more electricity from gas and renewable energy, make alternative transport fuels more competitive and encourage people to change their behaviour and reduce energy and fuel consumption. Australia’s emissions may only be 1.6 per cent of the global greenhouse gas emissions but that makes us the 10th highest in the world and, alarmingly, the second highest in terms of per capita emissions. So this is not just a practical issue; it is a moral issue in our view. Climate change and its impacts are real, as are the costs, which will far exceed money spent adapting our markets and industry to a carbon constrained economy.

After 10 years of personally raising the issue of climate change in this place it is heartening that there is now a real debate engaging all the political parties. The Prime Minister has been forced to take his head out of the sand and confront the science on this issue. I understand how difficult this is for him. It is not easy. In fact, I have no doubt that it is quite painful when you hold an ideology that is so much at odds with the concept that the way humans are using the planet’s resources is unsustainable. When you have to finally acknowledge that your belief system is based on a false set of assumptions and that other political parties, particularly the Democrats, had it right in the first place, I am sure it cannot be easy. I can understand why, having scoffed at the Democrats for so long, it would be hard to come around to agreeing that something must be done very soon and that the problem would not be so serious had action been taken when it was first raised in this place.

How did we get to be the 10th largest emitter in the world with our tiny population? We are just behind Britain, that tiny country which has about 60 million people, in terms of overall emissions.

Senator Ian Macdonald—They have a lot of nuclear power.

Senator ALLISON—What was that about power, Senator Macdonald?

Senator Ian Macdonald—They have nuclear power; we don’t.

Senator ALLISON—Nuclear power, as we all know, is roughly 17 per cent of the world’s generated power. To say that the difference is due to the 17 per cent—I cannot quote you the actual figures for the UK; it might even be 20 per cent—would be quite false. It would need to be three times that to make a difference. That is where our emissions sit—just behind Britain.

Senator Ian Macdonald—Where do they get their power from, then?

Senator ALLISON—Believe me, it ain’t all about nuclear power. The Prime Minister says ad nauseum that we should not make
changes until every other country comes on board. The problem with that argument is that other countries are already on board; they are taking action. Going back to the UK, they introduced some time ago a small carbon levy just for big industry. They fed that money back into big industry, used it for energy efficiency, and that has transformed their largest energy greenhouse emitters. We have seen huge energy efficiency as a result. In fact, energy efficiency is a huge area where there is great scope for us to make gains on greenhouse emissions, but Australia has relied entirely on voluntary arrangements.

We will be dealing with a bill, presumably in our next sitting week, which will look at the scheme which was introduced by this government—a voluntary arrangement where big business would be forced to put an audit on their energy efficiency and their energy consumption. But even if that audit found efficiency measures that would be effective and would have a short payback time, there would be no obligation on the part of those companies to deliver.

It is just one of the areas where Australia can and must act and where there is great scope for us to reduce our emissions. If you are going to be a world player, as yesterday’s task force paper, that very flimsy document with more questions than answers, seemed to be suggesting, then you have to do far more than Australia has been prepared to do. You have to acknowledge the achievements of other countries. The fact that China has a commitment to reduce by 20 per cent the carbon intensity of its electricity sector is something that this government does not talk about. China is always seen as the one that we have to bring on board and yet it is on board already. It has ratified Kyoto; it is already taking the sorts of steps that Australia is still reluctant to take. It is time to stop pointing the finger at other countries; it is time to look at our own opportunities. It is time to look after this country and to protect it, not just say: ‘We have to adapt to climate change. Too bad, it’s too late. We didn’t listen to the Democrats 20 years ago, now we have to adapt because there’s no other choice.’

It is not good enough either to say that we have to protect coalminers. I heard the Prime Minister say that the other day. Since when has the Prime Minister been worried about a handful of jobs in a particular industry? This is unbelievable. How many hundreds of thousands of people have been lost from the textile industry and various other industries that once thrived in this country? For the government to say that it is suddenly worried about coalminers is just extraordinary.

Senator Ian Macdonald interjecting—

Senator ALLISON—What it is worried about, Senator Macdonald, is $26 billion worth of coal exports which go from this country each year and which deliver to the government quite a substantial amount of money. It imagines that, if we change our rules here, somehow there will be a threat to those coal exports. Again, that is wrong because it is going to be about the rules of other countries. I think 60 per cent—I might be wrong; it might be higher than that, Senator Macdonald, but at least 60 per cent—of our coal is exported. But if it is being exported to Japan and China who are changing their rules as they start to comply with emissions constraining measures then our coal is done for anyway. There will not be the market there.

It will not be domestic policies which determine that. It will be what happens to the rest of the world, and that is what we should be interested in because, as I said, great progress is being made elsewhere but we are falling behind because we have a Prime Minister who still has his head in the sand on
these issues. He is still a sceptic, still saying
drought has nothing to do with greenhouse
emissions. It does, it will, it is going to get
very serious and I wish the Prime Minister
would recognise that. (*Time expired*)

Senator MILNE (Tasmania) (4.32 pm)—
I rise today to support the motion moved by
Senator Wong. Essentially it has three ele-
ments: it notes the continued scepticism of
the Prime Minister, Mr Howard, over the
link between human activity and climate
change; it notes the Howard government has
dragged the chain for more than 10 years on
climate change; and it notes the environ-
mental and economic cost of past inaction
and any future delays in tackling this chal-
lenge. It calls on the government to recog-
nise the link between human activity and
climate change and join in the efforts of the
international community by ratifying the
Kyoto protocol. All those things I think are
worth noting and it is worth calling on the
government to ratify the Kyoto protocol.

There is absolutely no doubt that the
Prime Minister remains a sceptic on climate
change. I do not know what he means when
he says he is a climate realist other than in
the sense that the polls are telling him that
the Australian people are very concerned
about climate change. They have made the
link between extreme drought, extreme
storms, floods and fires and climate change
and they want action. Most Australians are
ashamed of the fact that Australia and the
United States are the only two industrialised
countries not to have ratified the Kyoto pro-
tocol. It is inexcusable and it has left Austra-
lia way behind in adjusting to a low-carbon
economy.

One of the things that I want to draw at-
tention to particularly today is the Prime
Minister’s response this week. This is why I
say he is an ongoing sceptic; he does not take
a clear interest in the science. He was asked
this week by Tony Jones: ‘If the tempera-
tures, the average mean temperatures around
the world, do rise by somewhere between
four and possibly even more than six degrees
Celsius, what is going to be the impact on
the grandchildren?’ The Prime Minister said,
‘Well, it would be less comfortable for some
than it is now.’ Every scientist in the world
will tell you a four- to six-degree average rise
in temperature in the next 100 years is catas-
trrophic. It would result in six out of 10 spe-
cies becoming extinct, the death of all coral
reefs, consequent loss of fisheries, starvation
in many areas of the world, incredible
drought, loss of water, death and disease;
you name it. A four- to six-degree change in
temperature by 2100 would make a radical
change to human geography on earth. It
would see the icecaps melt, it would see
huge sea level rises and storm surges, and
millions would be displaced. I call that a lit-
tle bit more than ‘less comfortable for some’.
Extinction is more than a bit ‘less comfort-
able for some’.

Then we had the new Minister for the En-
vironment and Water Resources, Malcolm
Turnbull, saying that much of eastern Aus-
tralia is adequately elevated to deal with a one-
metre sea level rise. That might be from
where he stands on the cliffs above Sydney,
but he clearly does not understand the sci-
ence. A one-metre sea level rise around the
Australian coast means massive longshore
erosion. It means the loss of the beaches
from one end of the country to the other; it
means seawater incursion on an unprece-
dented scale into Kakadu and the wetlands.
Imagine the estuaries as a result of a one-
metre sea level rise and put on top of that
storm surge and extreme weather events and
you have lost vast amounts of Australia’s
coast and vast amounts of the infrastructure
that goes with it.

What you have from both the Prime Min-
ister and the minister for the environment is
that they have no idea at all about what temperature rise means and what sea level rise means. They come out and make these statements and, tragically, the people to whom they make them often do not understand how stupid the answers are or they would take them up on it. But no doubt the scientific community around Australia is absolutely horrified at the level of ignorance we are dealing with. It is on that basis that we hear the Prime Minister and the minister for the environment saying: ‘Oh, look, it’s okay to be sceptical; it’s reasonable to be sceptical. We don’t want to make knee-jerk reactions. We’ve got plenty of time.’

But we do not have plenty of time. Sir Nicholas Stern said quite clearly when he brought out his report that we have less than 10 years—less than one decade—to reduce greenhouse gas emissions globally to contain the global temperature rise to two degrees or less. Five hundred and fifty parts per million represents a 1.5- to 2.9-degree temperature rise. That is catastrophic! We have to keep the temperature below a two-degree rise, and to do that we need deep cuts by 2050 and deep cuts on the way by 2020. If you do not do that, you are condemning future generations to massive costs. You are condemning the earth to massive ecosystem change, dislocation for millions of people and insecurity.

Talk about security issues! Imagine the kinds of sea level rises if the West Antarctic iceshelf or the Greenland iceshelf melt. You will then see Bangladesh go under and millions of people looking for somewhere to go. It will be the same for the Pacific islands. Yet we had the former minister for immigration, Amanda Vanstone, saying that she did not believe in environmental refugees. In fact, she thought the notion of an environmental refugee was an insult to refugees. Environmental refugees are a reality; they are happening now. Already some of the world’s islands have disappeared.

In Nairobi last year the spokesperson for the government of Tuvalu said, ‘If we lose 43 nations, we lose their culture, their language and the integrity of their whole life and history.’ He was saying that if we allow temperatures to rise more than two degrees we are going to lose 43 small island countries from around the world. He went on to say, ‘If the rest of the world knew that 43 countries were going to disappear but they could not identify which ones then we would see some real action on climate change.’ It is as if the rest of the world has decided that 43 island nations can go under and we do not care. What is more, Tuvalu has asked, ‘Who will take our people?’ and Australia has said no.

Australia refuses to ratify the Kyoto protocol, refuses to take action to reduce greenhouse gas emissions and at the same time refuses to acknowledge environmental refugees. It is New Zealand that has put up its hand and said it will take people from the Pacific. Is it any wonder that anyone looking at climate change as a security issue will recognise that we are building enormous resentment in the Asia-Pacific region about Australia’s arrogance in relation to this matter?

Senator Ian Macdonald—What absolute rubbish!

Senator MILNE—It is not absolute rubbish. One of our very nearest neighbours, Kiribati, sent a parliamentary delegation here last year and said that of 100 inhabited islands they have identified at least 40 that would have to be evacuated in the next 15 years—30,000 people—and that they will have to absorb them on the remaining 60 islands. They were hoping to get refugee status through Guam to the United States because they knew that Australia would not
help them. That was a parliamentary delegation in this place last year, and the Australian government is not prepared to take on any kind of global moral or ethical responsibility for the fact that sea level rise is impacting on poorer people around the world who do not have the capacity to build seawalls and develop engineering solutions. The UK can say, ‘Let’s build a Thames barrier,’ which they have done. They are building massive seawalls. They are identifying some communities for managed retreat. But the poor in the developing world do not have those options.

Let me go to the next point in relation to the Kyoto protocol. We hear a lot from the government about the fact that they think the Kyoto protocol is useless. Nobody has argued that the Kyoto protocol alone is the answer; they have argued that it is the first step of global cooperation in getting outcomes, and that is already occurring. Under the Kyoto protocol there are three flexible financial mechanisms: one is emissions trading, the second is the clean development mechanism and the third is joint implementation.

Australia is sitting here with the Prime Minister saying, ‘Let me have a task force that might come up with an Australian designed global system.’ As if anybody in the rest of the world is in the least bit interested in Australia designing anything! They regard us as a pariah. We are not involved in the talks. Emissions trading is already occurring under the protocol in the pan-European trading system. For the benefit of the Senate, the World Bank and the International Emissions Trading Association estimated that the trading market last year was worth $US21 billion. Australia is missing out on being involved in the emissions trading that is already going on around the world.

In fact, in Australia there is already an active market around trading in offshore markets; investment banks are involved. The frustration is that the people who are putting uncertainty in the Australian business community are the government, because they are not telling companies when and how a price on carbon is going to be introduced. The business community know that it is coming and that the government will do what they have done in the last three months. Having been nowhere on climate change—being sceptics—they are suddenly saying, ‘We’ll have to acknowledge it because it’s an election year.’ Ultimately they will get kicked dragging and screaming to a price on carbon and, in the meantime, companies are saying, ‘For goodness sake, tell us what the price is going to be and how you are going to do this so we can make investment decisions.’

BlueScope Steel is a classic example in New South Wales. It is disgusting that Premier Iemma has exempted them from a carbon price in New South Wales. He has done it because they want to make a substantial investment and are saying they are not prepared to make that investment until they know what the price of carbon is going to be. So, to try and secure the investment, Premier Iemma has exempted them from a price on carbon, effectively exempting them from the lack of certainty. That is what has gone on in New South Wales. How many other companies around Australia are saying, ‘We’re not sure how to invest or which way to go because we’re not sure when the price on carbon is going to come in, whether it’s going to come in by way of an emissions trading system or whether it’s going to come in by way of a carbon levy.’ Let us not take the nonsense from the government about jobs. The people costing jobs and investment are the people who are fiddling around and refusing to acknowledge the global reality and who are in fact driving companies out of the country.
Last year, we had the government rushing along to stand beside Solar Heat and Power saying: ‘Aren’t we great? We’re giving this company a small amount of money.’ Then the company stood up and said: ‘We’re going to the US. We can’t stand it here anymore.’ The US understands that solar thermal can provide baseload power. They understand that, and that is why they have gone there. Prime Minister Howard, because he cannot get past the coal industry, says over and over again that renewables cannot provide baseload. He knows as well as I do that renewables can provide baseload. Solar thermal can provide baseload. Solar Heat and Power left the country with their workers. So too have Vestas, the wind farm operators and manufacturers of wind farm turbines. They left the country and the jobs went with them. Roaring Forties have gone to China, where it can make huge investments because the Chinese have set a 15 per cent renewable energy target.

There is a lot of finger pointing at China, but China has a 15 per cent renewable energy target. China has mandatory vehicle fuel efficiency standards. China has set a 20 per cent target for a reduction in energy intensity in their economy over the next five or 10 years. China is working very hard to gain competitive advantage in low-carbon technology because it knows that whoever comes up with the solutions and mass produces those solutions is going to keep ahead of the technology game. Meanwhile, we cannot sell cars made in Australia because they are great big gas guzzlers because the government has never forced them to be fuel efficient. The only people buying the big Fords and Holdens are governments for their car fleets to keep the companies propped up and to give them huge amounts of subsidies instead of forcing them to become fuel efficient. If they did, they would be competitive on the world stage.

It is because the government is so completely useless and irresponsible on the whole issue of climate change that it gives the Labor Party some opportunity to say that it has the policies in place. But let me say this: with the Labor Party, you had Senator Chris Evans out there in the paper today making ridiculous statements and saying that cutting coal exports would deliver no net greenhouse reductions. Coal exports are burnt in China and cause greenhouse gases, and the Labor Party cannot get away from coal. It has to make a decision about coal. You cannot have your shadow minister for the environment ducking questions on coal and saying they are hypothetical at the same time as the shadow minister for energy, Senator Chris Evans, is talking up coal and saying that the government should do more on coal. At the same time Senator Kerry O’Brien, the shadow minister for resources, is supporting an expansion in all kinds of resource based industries. If the government got a bit smarter about climate change it would expose the lack of policy rigour in the Labor Party. But at least the Labor Party is prepared to ratify Kyoto and at least the Labor Party has been prepared to say that it would accept reductions of 60 per cent by 2050. But when you get to the detail, there is none on how it is going to achieve that. We will be pursuing that in the debate, because the Greens say that we need to have at least an 80 per cent reduction by 2050 to get anywhere near keeping global warming to less than two degrees.

In terms of the economic costs, Clinton, who I heard in Montreal at the first meeting of the parties, got up and said, ‘Whatever it costs to mitigate against greenhouse now, whatever it costs to adapt to climate change now, is a fraction of what it is going to cost if we don’t do it, because the costs are going to be enormous.’ The report of the Australian business roundtable, the Stern report and
every single other report agrees with that. We have already seen the cost this summer of the drought and the cost of the fires. Look at the cost to the Murray-Darling. Look at the cost to the ecosystems. We have seen floods just recently and we are going to see more extreme weather events. They all cost vast amounts of money, and that money can be directly attributable to a failure to act on and mitigate climate change.

Let us not have the government saying that it is going to cost industry too much. What about the costs to the Australian community? We are already suffering these costs daily. In Europe in 2003, thousands died in the high temperatures. The climate change analysis tells us that we are going to have more very high temperature days in Australia. That is going to take its toll on the health system. We are going to have to make sure that our nursing homes, aged-care facilities and so on are air conditioned, and we need to provide the energy to do that through renewables.

There is a huge amount of planning to do to get us off our dependence on oil. The good news is that if we think about it strategically and plan it then we can build ourselves competitive advantage and a better quality of life. Investment in public transport in the cities would mean that it would be easier to get around, that it would be healthier and that there would be better air quality—good news all round. We should move to fuel efficient vehicles and to energy efficiency in our homes, offices, parliaments and in our way of life. It is not as if the solutions are not there.

My final point, which is on nuclear power, is that the Prime Minister’s only response to greenhouse gas emissions is that we will go nuclear—that will do it. What he fails to say is that Nicholas Stern says that we have 10 years to turn it around, and in that 10 years not one gram of greenhouse gas or carbon will be taken out of the atmosphere under the nuclear scenario that the Prime Minister outlines. So how is he going to get the cuts in that 10 years before any of his reactors come on stream? How is he going to react when the rest of the world says that they are not going to allow Australia to have any more free rides on the back of the efforts that are being made by the European Union in particular? It is only a matter of time before the European Union starts to take action against Australia on the basis that products going into Europe from Australia are subsidised by the fact that we do not put a price on carbon. That is already being discussed in the international community.

Australia needs to wake up to itself as a global citizen because, the way that things are going now, future generations are going to look back and regard the behaviour of this government—the lost 10 years—as a crime against the planet and a crime against humanity. That is what you are going to be charged with in the future, because future generations are going to look back in 2050 and be horrified that at a time when you had the opportunity to do something, when the science was there and told you what was going to happen, you deliberately did not act. That is criminally reprehensible. Future generations—your grandchildren and great-grandchildren—are going to look back and ask: ‘Why didn’t you act when you had the opportunity?’ It will be no use saying, ‘We didn’t know,’ because the science has been there for 20 years and the science is there now.

There is a 90 per cent probability that human activity is causing climate change. Business accepts it. The community accepts it. The Howard government does not accept it because of its relationship with the coal industry. Australia has to get off its dependence on coal as an export industry. We have
to build competitive advantage in manufacturing. We have to recognise that the sun is our greatest resource, not the coal that is under the ground.

Senator McLucas (Queensland) (4.52 pm)—I too rise to support Senator Wong’s resolution on climate change. First of all I want to go to the comments made by Senator Eggleston earlier in the debate. Senator Eggleston spent some time trying to defend the position of the government, saying, yes, the government now realises that there is a link between human activity and climate change—I will go to the evident change of opinion from the government later. But he then spent a lot of time saying that maybe it really is not human activity that is resulting in the climate change we are experiencing at the moment. He said that climate change is cyclical and that there is evidence of coral reefs in inland communities. He said that he had heard on the radio that continental drift can be a factor in climate change. He said that he also heard on that radio program that the tilt of the axis of the earth might be what is causing climate change.

If that is not being a sceptic, then I do not know what it is. He said it is not impossible to hold the view that climate change is a result of the tilt of the axis of the earth. I am sorry; there are over 2,500 internationally recognised scientists who have come together over many years to bring us the report that we received last week, the Intergovernmental Panel on Climate Change report, which says that human activity is the connection to climate change. I plead with Senator Eggleston: if you are going to be a leader in our community, you have to be truthful and you have to be straight. Referring to a radio program that says that the tilt of the axis of the earth is the reason that we are in this predicament is far from helpful.

As I said, we have seen a huge shift in the government’s position over the last month or so. The government has been dragged to the point where the Prime Minister—even though he had to go back into the chamber to clarify it—finally acknowledged that there is a link between human activity and global warming. That is a huge shift that this government has taken, and you have to ask why. Why has it taken till 2007 for this government to recognise the reality of climate change and to then develop some reasonable policy to respond to it?

I suggest it is not because the Prime Minister watched Al Gore’s documentary An Inconvenient Truth over the Christmas holidays. I am not sure that he has watched it. I do not think it is because the Prime Minister has read the many, many briefings that he would have received over the last 10 years about the impact of climate change, Australia’s role in the production of greenhouse gases and also Australia’s responsibility to mitigate it. I suggest he would have received thousands of briefings: briefings from the department of science, the CSIRO, the department of the environment, the department of health. I dare say he has had some information from his tourism department, and he has certainly had plenty of information from the business community telling him that this government needed to act. It is only this month that there has been any recognition by the government that it has a responsibility to work in front of the Australian community and not behind it.

It is not because of the facts, it is not because of the science that the government has changed its position. I suggest the reason that the government has changed its position on climate change is because the Prime Minister has finally understood that Australians are concerned about climate change. All of us are concerned about what we need to do to mitigate the effects of climate change as a
community and what we need to do to stop the growth in greenhouse gases. It is all about politics in this case, and that is not unusual for this Prime Minister. It is not about leadership; it is all about votes. It is not about dealing with the hard issues.

Senator Eggleston then went on to compare Australia’s emissions system with China’s. I suggest to Senator Eggleston that that is completely unhelpful. Quoting statistics when we are dealing with the issue of climate change is important in order for us to understand, but in the political arena it is completely unhelpful and very misleading. This is a global problem that we are dealing with. That is why the Kyoto protocol was devised. That is why nations around the world came to the view that the only way to deal with climate change was to deal with it as a global issue. Senator Eggleston went on to say that we needed a meaningful international agreement, that Kyoto was not the answer. He suggested that the Asia-Pacific partnership was an ideal solution to the problem. I do not share that view. The Asia-Pacific partnership comprises 50 per cent of the globe and 50 per cent of the emissions. As I said, this is a global problem; we need a truly international solution. To pin one’s flag to the Asia-Pacific partnership is false faith.

I want to use some of my time this afternoon to talk about the impact of 10 years of inaction, despite having the knowledge, and the effect of that inaction on my community of North Queensland. As you know, the Great Barrier Reef is loved and valued by all Australians. I would suggest that it is also loved and recognised as an amazing environmental icon by most in the world. We have, as Australians, a pride in its uniqueness. We also pride ourselves on the level of protection that we as a country give to the Great Barrier Reef. It is valued as an environmental asset and it is also an extraordinary economic asset, bringing over $5 billion annually to the Australian economy. I say to my community of North Queensland: without it, our economy would collapse.

It is not scaremongering to say that our Great Barrier Reef is at enormous risk, but do not take my word for it. The Chairman of the Great Barrier Reef Foundation is Mr John Schubert. John Schubert is the Chairman of the Commonwealth Bank and a former Chairman of Esso Australia. He is a respected businessperson and has a doctorate in chemical engineering. On 2 January this year he wrote an opinion piece in the Australian, in which he said:

Until my appointment as chairman of the Great Barrier Reef Foundation two years ago, I was something of a sceptic. However, the marine scientists who advise the foundation convinced me that climate change is the most pressing threat to our Great Barrier Reef.

I suggest to the Senate that Mr Howard would have had those same briefings. Mr Schubert had them two years ago. I suggest that Mr Howard has had those briefings for a very long time. Mr Schubert said:

The evidence presented by these scientists, the literature they have shared with me and my visits to the reef have proved to be so compelling as to prompt something of an epiphany.

John Schubert knows that climate change could devastate our Great Barrier Reef. He has had the evidence. But so has the Prime Minister.

In 2002 we had a coral bleaching event in the southern part of the Great Barrier Reef. The Great Barrier Reef Marine Park Authority at the time estimated that between 60 and 90 per cent of the reefs were affected to some extent in the area around Keppel Island. We cannot afford to lose 60 to 90 per cent of any of the reefs along the Great Barrier Reef without enormous impact on the biodiversity of the Great Barrier Reef. Along with that we have to understand that the reef, whilst it is an amazing ecological icon, is a
very important fishery. To lose the reef will mean that we also lose the fish that live around that reef, so it is not only environmentalists and reef managers who are concerned about the impact of climate change on the Great Barrier Reef; it is also the fishing industry. Mr Schubert described coral reefs as ‘a canary in the mine in the context of climate change’. I think that we should all use that image to think about what we need to do in the future.

The answers are many, but one of the answers, of course, is going to be research, not only into what we have to do to lessen our greenhouse gas emissions but into what we have to do because of what has already occurred and what is happening now—research into what we have to do in order to mitigate the effects of climate change.

Professor Russel Reichelt is the head of the Reef and Rainforest Research Centre. He is one of Australia’s leading marine scientists. Professor Reichelt has suggested that it is important for us to undertake research to ascertain whether or not it is possible for reseeding of the reef to occur if large bleaching events happen. I suggest to the government that that is a very useful strategy and a very useful piece of work that could be undertaken. He says:

We need an integrated risk management study to map out the most vulnerable and the most resilient parts of the reef to help us target management and conservation efforts.

This work needs to happen now. We cannot wait. We need to protect this asset, not only for its environmental values but certainly for its economic values.

Far North Queensland is also the home of the wet tropics. We know with climate change there will be a loss of biodiversity in the wet tropics. We still do not know what is in the wet tropics. It is that diverse. It is a most amazing piece of rainforest in this country and is potentially the home of enormous biopharmaceutical assets to our nation. We do not know what is there, but at the same time we know that we are going to lose part of it.

I have spoken in the chamber before about the impact on the people who live in the Torres Strait. I am very fortunate in that I have been going to the Torres Strait for some 15 years now. When you sit down with leaders in the Torres Strait, they talk about the ocean, because their culture, their life, is inextricably linked to the ocean and it is part of their living. They talk more and more frequently now about the fact that the water is changing, the tides are shifting, the sand under the water is shifting and the erosion is much higher. This time last year we had some fairly horrific events in the Torres Strait. I am not saying that they were directly linked to climate change, but over the last 10 years we have consistently and increasingly heard, from people who know this country, who know this ocean, who understand it so well, that they are concerned about what is happening to the waters of the Torres Strait. Certainly some action should have happened.

I know that those same leaders have been telling members of the government the same story, and I know that only last year $200,000 was allocated to do some sort of study into what is happening with erosion in the outer islands of the Torres Strait. I suggest that $200,000 is nothing compared to what the people of the Torres Strait will need to mitigate rising sea levels. The islands of Saibai and Boigu are mud islands. Most of Boigu is actually under sea level. Any rise in sea level in the Torres Strait will affect the people of the Torres Strait.

We also know of the potential for climate change to affect the habitation of the people of the Pacific. I suggest to the government that our people—the people of the Torres
Strait—will be equally affected. They do not want to leave their islands because of their cultural connection to them. Unfortunately, if we do not start acting now, if we do not even try and work out what is happening in the Torres Strait by researching, by talking with people, by doing some real data analysis, we are leaving the people of Boigu and Saibai in particular with the prospect of having to be relocated to the mainland. They do not want to do that but they are thinking about how they might manage it. That is not fair, in my view.

At around this time last year, we had the event of Cyclone Larry. Following Cyclone Larry, a category 5 cyclone which had a devastating impact particularly on the areas south of Cairns—Innisfail, Mission Beach and Babinda—we had Cyclone Monica, which was another category 5 cyclone. We do not usually have two category 5 cyclones in a year. In fact, I cannot remember that happening in my lifetime.

Senator Ian Macdonald—We do.

Senator McLUCAS—No, we don’t have two category 5s every year.

Senator Ian Macdonald—I can tell you that we do.

Senator McLUCAS—You can have your say and tell me when we had two category 5 cyclones of the intensity of Cyclone Larry and Cyclone Monica in one year. The impact of those two cyclones on our community was enormous. People in the south even recognised it, because we did not have bananas for a year. But the impact on primary industries other than the banana industry was also felt by the sugarcane industry and the lychee industry. In fact, all of our primary industries were totally devastated. The economic impact was huge. There was an impact on our tourism industry because people were frightened of coming, even though they should have been. The invitation is there: please come to the north.

I want to talk today about the social costs. For the people whose houses were derooled, the people who lost their employment, the people who had to relocate because they simply could not stay there as there were no jobs to be had, that cost was huge. I acknowledge that the Commonwealth government certainly did put its hand in its pocket to help out, but the reality is that the Intergovernmental Panel on Climate Change say that there will be an increased frequency of very intense cyclones. They say that on the one hand there will be fewer cyclones overall but on the other hand the cyclones that we have will be of a more intense nature.

Senator Macdonald and I have lived through cyclones; he comes from the north as well. A category 1 cyclone is actually good for the environment up there, as we get a good dose of rain, especially if it goes over the Great Dividing Range, and especially if it gets into the Murray-Darling catchment system. But if the Intergovernmental Panel on Climate Change is right, we are going to see fewer category 1 cyclones and more category 5s. I am not saying that Cyclone Larry and Cyclone Monica can be directly related to climate change, but the fact is that the intergovernmental panel says that we will get increased frequency of extreme weather events like those two cyclones. That is the reality; that is what we are dealing with. We are dealing with the impact of those sorts of weather events on our communities. I am sure that Senator Macdonald has heard, as I have, that our communities are rightfully worried about what we are going to do to mitigate that and what we are going to do to protect our communities from that sort of damage.

North Queenslanders know that climate change is real. North Queenslanders know
that we have to do something as a community and as a nation—and, more importantly, as a global community. The Torres Strait islands people, tourism operators, reef managers and the managers of the wet tropics know that we have to do something. It is time for this government to really acknowledge and recognise the link between human activity and climate change and to join the efforts of the international community by ratifying the Kyoto protocol as a first step and then getting on with reducing our greenhouse gas emissions.

Senator IAN MACDONALD (Queensland) (5.12 pm)—I join this debate to bring some realism to the issues and comments that are before us. The motion refers to ‘the continued scepticism of the Prime Minister over the link between human activity and climate change’. That is simply not correct. The Prime Minister has quite clearly stated that he believes there is a connection between climate change and emissions. He is, quite clearly, a climate change realist.

The motion goes on to suggest that ‘the Howard government has dragged the chain on climate change for more than 10 years’. All of the speakers from the other side, particularly the Democrats and the Greens, conveniently overlook that it was former senator Robert Hill, when he was environment minister, who initiated the first greenhouse office anywhere in the world. That happened not long after this government took office. The motion refers to ‘the continued scepticism of the Prime Minister over the link between human activity and climate change’. That is simply not correct. The Prime Minister has quite clearly stated that he believes there is a connection between climate change and emissions. He is, quite clearly, a climate change realist.

The motion goes on to suggest that ‘the Howard government has dragged the chain on climate change for more than 10 years’. All of the speakers from the other side, particularly the Democrats and the Greens, conveniently overlook that it was former senator Robert Hill, when he was environment minister, who initiated the first greenhouse office anywhere in the world. That happened not long after this government took office. The previous government had no interest whatsoever in climate change issues, but our government, in one of its first initiatives, set up the Greenhouse Office within the department of the environment. We have been conscious of the issue and we have been working for the environment and against greenhouse gas emissions and climate change ever since that time.

It is easy for the Greens and the Democrats in particular to criticise the government and take a very anti-Australian view on all of these things. They conveniently forget these initiatives that were world class and world first. So rather than having dragged the chain on climate change, our government has been at the forefront of activity to prevent climate change for more than 10 years.

The motion goes on to note ‘the environmental and economic cost of past inaction and any future delays in tackling this challenge’. I guess we all understand the environmental and economic costs of climate change. But to suggest that that is caused by past inaction or will be the result of any future delays is simply not a fact. The motion goes on to call upon the government to recognise the link between human activity and climate change and to join in the efforts of the international community by ratifying the Kyoto protocol. As I have said many a time—and as any serious commentator would understand—signing a bit of paper, no matter whether it is called the Kyoto protocol or anything else, will not make one iota of difference to the rate of climate change or to greenhouse gas emissions. Observing the decisions that were taken in Kyoto as to the greenhouse gas emissions will make a difference.

Australia is one of the very few nations to have met the targets set in Kyoto at that time. I well remember that former senator Robert Hill, who attended that meeting in Kyoto, argued long and hard about what should be done. He also argued long and hard to protect Australia’s interests in allowing Australia to have a target of 108 per cent of 1990 levels, and that was agreed to by the world community. We have almost achieved that. In fact, we were achieving it until recently. Now it has blown out a little, and I will come back to that later. But we are one of the very few nations that has achieved those targets.
set in Kyoto. Other nations have not. But do you hear Senator Allison, Senator Milne, Senator McLucas or Senator Wong criticising those other nations? Do you hear any praise or congratulations for the great work that our country has done to be one of the few in the world that has actually achieved the targets set at Kyoto?

I wonder where these people are coming from. They get up here and continually bag and criticise Australia when Australia has done more towards meeting Kyoto greenhouse gas emissions targets than almost any other country in the world. And we have done that in a careful and economically sensible way. Did you, Mr Acting Deputy President Forshaw, and your colleagues in the Labor Party hear Senator Milne, and I thought I heard some on the Labor Party side, saying, ‘Hear, hear!’—saying, ‘What’s a few coalminers; what do we care about them?’ Goodness gracious me! Senator Allison should leave the leafy suburbs of Melbourne and get up into North Queensland and just see what a contribution coalminers do make to Australia’s economy. Those coalminers allow Senator Allison to live the lifestyle that she and all other Melburnians live because of the wealth that they bring to this country.

I am appalled at the Labor Party and their mates in the CFMEU for their muted response to actions that are urged by Mr Rudd, and certainly by the Greens and the Democrats, that would destroy the jobs of all those miners in the area where I come from. I have to say quite frankly that we have never been able to politically get the view across to all of those miners in Collinsville, Moranbah and the Bowen Basin and out in Mount Isa about just what an impact it would have on their jobs if the Labor Party proposals were to proceed. Regrettably, they all earn more than we in this parliament earn—not that that is a great benchmark by which to set any standard. But they earn considerably more than we do, and they deserve it.

If the proposals put forward by the Labor Party’s mates, the Greens and the Democrats were to go ahead, those miners would be looking for other jobs. All of their investments and all of their mortgages would be challenged and in real danger, yet you have senators in this chamber like Senator Allison saying, ‘What’s a few coalminers up in the north?’ I would hope that the CFMEU might take a bit more interest in the welfare of their miners. Sure, we have to address greenhouse gas emissions and climate change, and this government is doing it. But we are doing it in a way that protects the jobs of those miners and that protects the lifestyle and the economy of all Australians.

Speakers in this debate have continually criticised Australia—and never mind about the Australian government: we expect that in a political sense—when Australia is one of the best countries in the world when it comes to greenhouse gas emissions. Do you hear any recognition of that from Senator Milne, any conception that Australia has almost done it? Nobody else has, but Australia has. One of the speakers—I think it was Senator Milne—had the hide to talk about the UK and the European Union. As I recall, she said that the European Union was about to take action against Australia because of our carbon emissions. What an absolute joke! The European Union and the United Kingdom get a very substantial part of their power from nuclear power, which does not emit carbon in the way that fossil fuels do.

So you can have these holier than thou European Union countries saying, ‘We don’t have great emission increases’—although their increases are greater than Australia’s, I might add—and doing that on the back of a very substantial nuclear power industry. But if you ask Senator Milne, Senator Allison or
most of the Labor Party—and I emphasise ‘most of’ because there are a few sensible people in the Labor Party—‘What about nuclear power; wouldn’t that help to reduce our greenhouse gas emissions?’ for some, I would suggest, ideological reason that does not meet with favour. I was interested to hear Senator Milne lauding wind power. As I recall, it was not all that long ago that Senator Bob Brown used to come into this chamber and rail against wind power, rail against the big windmills on the horizon as being visual pollution or some other such rubbish. There has been so much hypocrisy about this particular situation.

I am pleased that Senator McLucas acknowledged that, with regard to the cyclones we have in North Queensland, she did not particularly relate them to climate change. But let me say to Senator McLucas that cyclones, roofs lifting off houses, flooding, inundation and severe damage from cyclones have been a part of the North Queensland landscape ever since I have been on this earth and I am sure for a long time before that. We will continue to get cyclones. To suggest that cyclones are a result of climate change avoids the fact that they have been with us ever since I can remember and, as I said, I am sure for a great deal of time before that.

I do say in passing—and I try to hide my glee in saying this; I do not want to insult all of my colleagues in the south—that we have had magnificent rainfall in the last few weeks. In fact, I have been cut off, in my home town of Ayr, from my office in Townsville. The road has been broken in five places. That is because we have returned to what we used to call normal monsoon seasons. Someone was telling me that it has really been 18 years since we have had these monsoon seasons.

I am delighted to see this sort of weather back in North Queensland. Sure, there is a bit of inconvenience. There will be a lot of damage to the roads. There will be some other economic disadvantages. But the benefit of these monsoons in the north is a return to the old days. I cannot work out whether climate change is part of it. It seems to me that if that is climate change—going back to what we used to get 18 years ago—that is fine by me. I do not pretend to make a scientific observation about that; I simply say that we have had good rains in the north this month and last month, like we used to in times gone by. As a result of that, of course, the North Queensland farmers—the graziers out west and the prawn farmers—are going to have some of the best years they have seen in recent times.

It seems to me that Senator Milne and Senator Allison totally oppose nuclear power and will not even look at it—and most of the Labor Party are in the same position—yet they then laud the European Union and the United Kingdom for their approach to climate change, without acknowledging that most of their power comes from nuclear power plants. I would like to ask Senator Allison or Senator Milne—actually, I think it was Senator Allison—just where the United Kingdom does get its power from. She said to me that only 17 per cent was nuclear. I think it is a bit higher than that. If she is right, where does the rest come from? I have not seen too many wind farms around the United Kingdom. I have not seen a lot of solar energy places. Is it oil or coal? Where does the rest of the power for the United Kingdom come from, if it does not emit greenhouse gases to the extent that causes the problems that have been mentioned?

We have always scoffed at the idea that, by signing a bit of paper called the Kyoto protocol, you can advance the cause of resisting climate change. But what we do say
and acknowledge is that the world has to reduce its greenhouse gas emissions. That is why Australia has taken a leading role in getting the big emitters—the United States, China, India and other countries that are not currently constrained by any targets—to come on board and do something serious about reducing greenhouse gas emissions. Australia I think deserves credit for this. Did I hear any of that from any of the speakers opposite? It is just this continual nitpicking against Australia.

The figures are around and if I can put my hand on them I will quote them, but, as I recall them, under the Kyoto protocol, greenhouse gas emissions are still expected to increase by 40 per cent on 1990 levels by 2012 compared with an increase of 41 per cent if the Kyoto protocol had not been signed. What a great initiative that has been for the world! Here we have senators opposite telling us that we have to sign the Kyoto protocol as if it is the saviour of all mankind. The actual facts of the matter are that, under the Kyoto protocol, greenhouse gas emissions are still expected to increase by 40 per cent on 1990 levels by 2012 compared with an increase of 41 per cent if the Kyoto protocol had not been signed.

Only about one-third of the global emissions of greenhouse gas are covered by countries that have taken on commitments under the Kyoto protocol. I repeat: Australia has not signed or ratified the Kyoto protocol, but we are one of the few countries that has abided by and met the targets set by Kyoto. This almost fanatical honouring of the Kyoto protocol by the mover of this motion and the Greens and Democrats senators is nothing short of humbug and hypocrisy. These people who promote the Kyoto protocol should get real, see what the real problems are and do what Australia is doing—get the big emitters such as the United States, China and India involved in some sort of arrangement where we can stop the emissions of greenhouse gas.

We are not opposed to a carbon trading regime, providing it is a regime that everyone in the world is involved in—which means that all of those who then become involved in it are treated fairly. That is what we have always said; that is what we believe is the case. That way, we will protect the jobs of coalminers because they will be working on an even playing field—on the same level as every other coalminer everywhere else in the world—and our manufacturing and export industries will be competing on a level playing field. But if you sign a document like Kyoto, when a lot of our major competitors in so many ways are not signing it, all you are doing is selling Australia down the drain. You are having very little impact on the total emissions of greenhouse gases and you are causing disruption to Australia and its workers.

Senator McLucas spoke, appropriately, on the Great Barrier Reef and said that this is one of Australia’s finest assets. There is no doubt about that; that is why the Howard government has contributed so much to its safety—most recently, by the closure of more than one-third of the reef to commercial fishing. That is just one example of the many initiatives taken by the Howard government to protect the Great Barrier Reef. We have set up the Reef and Rainforest Research Centre. We have contributed enormous amounts of money to science; we have contributed enormous amounts of money to various agencies whose duty it is to look after the Great Barrier Reef—and rightly so. Senator McLucas also mentioned the wet tropics areas. Again, the Howard government has recognised these as natural assets of this country and has contributed money to ensuring their safety and ongoing longevity.
This whole motion is another exercise, as I mentioned before, in hypocrisy and humbug. It is a motion that does not deserve support. If people seriously looked at the issues they would not get involved in this sort of senseless and meaningless political pinpricking and finger-pointing. It would be useful if members getting involved in this debate were to recognise what Australia has done, what it continues to do and what it leads the world in doing, and worked with the community to try to address the real problem that is global climate change. If we could do that, we would make some contribution to this whole issue rather than wasting our time on these sorts of silly motions. (Time expired)

Senator KIRK (South Australia) (5.32 pm)—I rise this afternoon to speak to and support the motion moved by Senator Wong in relation to human activity and climate change. Contrary to what Senator Ian Macdonald has just suggested, climate change is a very serious issue and it is an issue that, until recently, the Howard government has virtually ignored. As other speakers have said today, the only reason we have suddenly seen Mr Howard change from being a climate change sceptic to a climate change realist is as a consequence of his coming to the realisation that the overwhelming majority of Australians are very concerned about climate change.

Last Friday, the Intergovernmental Panel on Climate Change released internationally its fourth assessment report on climate change. This is a report that contains what can only be described as dire news for this generation. And it is even worse for those who are to come after us—for our children and our grandchildren. It is the case that the brightest scientific minds throughout the world have concluded that later generations will be forced to live on a planet—this planet—that will be, by their time, between 1.8 and 6.4 degrees Celsius hotter than it is today.

Looking at this report and the previous three reports that the IPCC has produced, it is really difficult to imagine how this world—the world that is going to confront later generations—is going to be. One thing that we can be sure about is that the world is going to be hotter and drier, and we are going to confront wild storms, huge bushfires and, no doubt, a substantial loss of security that we can only imagine at this stage. The year before last, 2005, was the hottest year on record and the five hottest years have been those in the past seven—quite an astounding statistic. According to the Bureau of Meteorology, this has come about because carbon pollution is changing our climate.

Despite the clear scientific evidence, the overwhelming scientific evidence that is now emerging and the evidence that has existed for some time, the Howard government—and particularly the Prime Minister himself—seems to have been, until recently, in total denial about the impact of climate change. In fact, as some speakers have said, last Monday night on the Lateline program, the presenter, Tony Jones, asked the Prime Minister:

... what do you think living in Australia would be like by the end of this century for your own grandchildren ... if the temperatures, the average mean temperatures, around the world do rise by somewhere between four and possibly ... six degrees celsius?

The Prime Minister’s answer—which was, I have to say, quite staggering—was:

... it would be less comfortable for some than it is now ...

I find that statement by the Prime Minister just unbelievable, especially in the light of, as I said, the overwhelming scientific evidence that climate change is not going to make things just ‘less comfortable for some’
but potentially is going to have a devastating impact on this planet. You also have to wonder how the Prime Minister could make this statement, which really does verge on dishonesty. How could he not be aware of that which it seems almost everyone else is aware of?

Based on the findings of studies done by the CSIRO, even a three-degree increase in temperature would produce 3,185 to 5,185 more heatwave deaths per year in Australia’s major cities, a 40 per cent reduction in livestock carrying capacity in native pasture systems, functional extinction of the Great Barrier Reef—as Senator McLucas spoke of during her comments today—a 15 per cent to 70 per cent increase in the number of very high or extreme fire days in the south-east of Australia, tropical cyclone rainfall increases of 20 per cent to 30 per cent as wind speeds increase by five per cent to 10 per cent, and flows to the Murray-Darling Basin falling by between 16 per cent and 48 per cent. What I have just referred to is merely the impact that climate change will have here in Australia, not to mention the way it will impact throughout the rest of the world.

It really is quite shameful that the Howard government has left this country unprepared for the serious challenge that climate change presents. The Howard government appears to be unprepared for and unaware of the impact of climate change, but the Australian people are not. According to a recent news.com.au survey, Australians are more worried about climate change than about terrorism or any other global issue. An overwhelming majority of respondents to the survey said that they did not trust the government on the environment and, while 68 per cent said Australia should sign the Kyoto protocol, an even greater proportion, 82 per cent, said that Australian policy should go further than what the treaty obliges us to do in relation to tackling climate change—which I thought was a very interesting response.

The reason climate change is considered to be a greater threat than terrorism to international security, not only by the Australian people, as I said, but also by the world’s security experts, is because a hotter, drier and wilder climate will have a devastating effect on the world’s fresh water and food supplies. Of course we are all aware of the impact that will have on communities. Sea level rise and food insecurity could lead to refugee flows estimated to be as high as 200 million people throughout the world. But this is the world, this is the future that we do face and this is what the Prime Minister describes as ‘uncomfortable for some’.

As I mentioned before, the world’s scientific community is united in relation to the impact of climate change. Six hundred scientists, including 42 Australian scientists, representing 113 governments on the United Nations Intergovernmental Panel on Climate Change found:

Warming of the climate system is unequivocal, as is now evident from increases in global average air and ocean temperatures, melting of the snow and ice and rising sea levels.

If I had a choice between taking the word of the Prime Minister, who says that climate change is going to make some people uncomfortable, and listening to the commentary by the scientists I have referred to, it is pretty clear that I would believe the scientists and I am sure that the overwhelming majority of Australians would agree with me.

It is outrageous that this government is not acknowledging the potential impact of climate change. We know that the Prime Minister said recently he is now a climate change realist, whereas before he was a sceptic, but there is no question that the Prime Minister has known about climate change and its potential impact for the 10 long years that he
has been Prime Minister of this country. He has learnt about the impact of climate change exactly the same way that all of us have learnt about it: through the previous three IPCC reports—those that preceded the one I have been speaking of—through reports put out by the Australian Greenhouse Office, and even through his own government in a 2005 report entitled *Climate risk and vulnerability*. This is not to mention all of the reports that have been done over the years by the CSIRO. The Prime Minister has also had Australian business talking to him over the last 10 years via the Business Roundtable and he has heard Australian farmers talk about this, particularly in recent years as they have experienced the one-in-100-year drought.

We in South Australia are particularly aware of the impact of climate change. Earlier in my remarks I mentioned the potential impact of climate change on flows to the Murray-Darling Basin and I mentioned figures that have been cited of reduction in flows of between 16 per cent and 48 per cent. In my state of South Australia we are very aware and very concerned about the water crisis that is gripping our state and, indeed, this nation. The toughest ever water restrictions we have had in our state have been imposed after the driest winter and the lowest inflows into the Murray in our state’s history. The reality is that if we do not have a climate change strategy then we are not going to have a water strategy either. Unless this government takes steps to properly address climate change, we are never going to fix the water crisis that is confronting this nation and my state.

Labor have taken a very different approach from this government to climate change. We have produced a climate change blueprint which puts forward responsible long-term plans to tackle climate change. We have said for some time now that we will ratify the Kyoto protocol. We have undertaken to cut Australia’s greenhouse pollution by 60 per cent by 2050, establish an emissions trading scheme and substantially increase the mandatory renewable energy target. When elected, a Rudd Labor government will take immediate and effective action to tackle climate change and thereby protect our children’s future. That is why our leader, Mr Rudd, has announced that he will be convening a national summit on climate change to be held here in late March or early April this year.

The difference between this government’s approach and the Labor opposition’s approach is pretty clear. We are looking forward and we have realised that there is no longer a debate about climate change; it has moved beyond debate. It is clear that the time for action is now. It is time to do something about it, to take positive steps and to convene a summit in the way that our leader, Mr Rudd, has suggested. All we have seen from this government is its complete lack of comprehension of the scale and impact of climate change and how it will change the lives of future generations.

I urge senators to support the motion presented today by Senator Wong. Climate change is the most pressing issue that we face in this country. Australians know that. It is a shame that the Prime Minister does not seem to understand that climate change is the most pressing environmental issue confronting us and that the time for action is now.

*Senator RONALDSON* (Victoria) (5.46 pm)—I do agree with one thing that Senator Kirk said—and only thing—and that is that there are significant differences between the ALP and the government in relation to these matters. The ALP response to this issue is a blueprint—and they toss in a steak knife as well, with something in April that will resemble a conference. So we get a blueprint
and a conference, probably with the ALP state premiers.

But this government quite clearly took this issue by the horns some time ago. I think Senator Sherry was here yesterday when I alerted the chamber to the fact that 10 years ago this government set up the Australian Greenhouse Office, the world’s first agency dedicated to addressing climate change. The head of that office is now chairing various international fora in relation to this issue. Ten years ago this government started this process. The Australian Labor Party has been out of office for 11 years and the best they can do is a blueprint and a meeting with the state premiers in April or May. That is the sum total of 10 years of inactivity in relation to this issue.

Senator Kirk, you are absolutely right that there are very clear differences between the government and the opposition. One is a litany of inactivity and the other is an absolute commitment to addressing the matters that you and I know are so serious. I want to read it out again—and I will do it slowly this time because clearly there were some on the other side who were not listening yesterday. The government recognises that the best scientific advice tells us that, globally, we need to achieve large reductions in greenhouse gas emissions over the coming decades. This is the government’s position in relation to this matter. This is the Prime Minister’s view in relation to this matter. How much clearer than those words can the government’s commitment to this issue be? My colleagues on this side—Senator Scullion, who recently received a much-deserved promotion, and the Deputy Government Whip, Senator Parry—are nodding furiously because they agree with me. How can anyone express it at any stronger than that statement?

Rather than a blueprint and a meeting of like Labor minds, we need solutions. And, gee, I wonder what the state Labor premiers are going to say about this conference. Do you think they might be slightly supportive? I suspect they probably will be. It will be an election talkfest that does not address the key issues that we are confronting.

I say to Senator Kirk: it is all very well to trot out a rock star to try and convince the Australian people of the bona fides of the ALP, but it takes more substance than the lead singer of a band prancing around like a stick insect during the mating season to deal with this absolutely fundamental issue that we are confronting. Blueprints are not good enough.

In the time left to me—Senator Kirk, I have learnt my lessons well from yesterday—I want to talk about some of those things that we have done that are not blueprints but solutions, that involve real dollars to address real problems. I will go through them slowly because, clearly, there were some on the other side yesterday who were not listening. It was appalling yesterday when Senator Milne, who pretends to be concerned about these matters, through her silence did not support any of these initiatives. There is the $2 billion climate change strategy, which is focused on very practical measures; the $500 million for the Low Emissions Technology Demonstration Fund; the $100 million for the Renewable Energy Development Initiative; the $100 million announced as part of the Asia-Pacific Partnership on Clean Development and Climate—practical, hands-on funding to address this serious issue—and the $75 million for the Solar Cities program. We are also investigating nuclear power’s potential as a low-emission energy source.

The Asia-Pacific partnership is not a blueprint, not some false meeting with Labor premiers; it is actual relationships with those who need our help and whose help we need
to address this international issue. It brings together the USA, Australia, Japan, China, Korea and India. They represent 50 per cent of the global economy. It is called the AP6. The partners represent around half of the world’s emissions, energy use and population. China and India are not part of Kyoto.

We get this constant parroting from the ALP opposition about their solutions to this issue—the blueprint, the set-up forum with the state premiers and signing Kyoto. What, pray tell, does Kyoto do in relation to the emissions of China and India, two of the world’s largest emitters? As Senator Parry said, it does absolutely nothing. What does the AP6 partnership do? It brings those two large emitters in and works with them to address appropriate outcomes.

What about renewable energy? I have not read much from the Labor Party about renewable energy. We hear the Greens parroting their old slogans all the time. Where are the Greens? Why aren’t the Greens here today to listen to this debate? Where are they? It is just like Senator Bob Brown. He opposed the Telstra sale and gave his apologies during the Telstra inquiry because he was in Sydney. But where was he? Where was the man who was so concerned about Telstra? He was outside the meeting, on his mobile phone. He did not have the intestinal fortitude to go in. He is all huff and puff. Is he in here today? Is he participating? Has he spoken? I do not know. Why isn’t he here today to listen to this debate? At least the Labor Party, to their credit, are participating in the debate, though they are not adding much.

This government is investing hundreds of millions of dollars in renewable energy. That is not a blueprint. That is not some set-up conference. That is not signing up to an agreement that does nothing about the major emitters in this world whose emissions are growing by the minute, let alone by the hour, the day or the year. The government is investing real, on-the-ground dollars: $123 million for the extension of the Renewable Remote Power Generation Program over four years; $100 million for the Renewable Energy Development Initiative; $75 million for the Solar Cities program; $20 million for the advanced electricity storage initiative; $14 for the advanced wind forecasting capability; $25 million to develop renewable energy as part of the Asia-Pacific Partnership on Clean Development and Climate; and $500 million for the Low Emissions Technology Demonstration Fund. That is not some nebulous blueprint. That is not some farcical set-up conference, enlisting the support of the state premiers. That is not high farce but big bucks on the ground, delivering outcomes.

In October last year, the Low Emissions Technology Demonstration Fund, the LETDF, awarded a $75 million grant to Solar Systems Pty Ltd. That grant will support the development of the world’s largest solar energy plant in Victoria. This involves real dollars going into real projects to address a real problem. It is not a blueprint. After 10 years and after having enlisted a rock star, the best Labor can do is a blueprint. Labor should be ashamed of itself. It should be ashamed of what it has not done. It should be ashamed to come in here and utter the platitudes that it does in relation to this issue.

Debate interrupted.

DOCUMENTS

The ACTING DEPUTY PRESIDENT (Senator Lightfoot)—Order! It being 6.00 pm, the Senate will proceed to the consideration of government documents.

Consideration

Tourism Australia—Report for 2005-06. Motion to take note of document moved, by leave, by Senator Ian Macdonald. Debate adjourned till
Thursday at general business, Senator Ian Macdonald in continuation.

Torres Strait Regional Authority—Report for 2004-05. Motion of Senator Bartlett to take note of document agreed to.

Aboriginal and Torres Strait Islander Social Justice Commissioner—Social justice—Report for 2005. Motion of Senator Crossin to take note of document agreed to.

Australia-Indonesia Institute—Report for 2004-05. Motion of Senator Stott Despoja to take note of document agreed to.


Medibank Private Limited—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Western Australian Fisheries Joint Authority—Report for 2003-04. Motion of Senator Ian Macdonald to take note of document agreed to.

Australian Electoral Commission—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

CrimTrac Agency—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.


Great Barrier Reef Marine Park Authority—Report for 2005-06. Motion of Senator George Campbell to take note of document agreed to.

Inspector-General of Intelligence and Security—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.


Department of Immigration and Multicultural Affairs—Report for 2005-06. Motion of Senator Hurley to take note of document agreed to.


Commissioner for Complaints [Aged care]—Report for 2005-06. Motion of Senator McLucas to take note of document agreed to.

Australian Security Intelligence Organisation—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Telstra Corporation Limited—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.


National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Australia Council—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Migration Review Tribunal and Refugee Review Tribunal—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

National Competition Council—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Commissioner of Taxation—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Bureau of Meteorology—Report for 2005-06. Motion of Senator Watson to take note of document agreed to.

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Director of National Parks—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.


Telstra Corporation Limited—Equal employment opportunity program—Report for 2005-06. Motion of Senator Webber to take note of document agreed to.

Australian Fisheries Management Authority—Report for 2005-06. Motion of Senator Webber to take note of document agreed to. On the motion of Senator Ian Macdonald debate was adjourned till Thursday at general business.

Australian Pesticides and Veterinary Medicines Authority—Report for 2005-06. Motion of Senator Webber to take note of document agreed to.

Australian Postal Corporation (Australia Post)—Equal employment opportunity program—Report for 2005-06. Motion of Senator Webber to take note of document agreed to.

Commission of Inquiry into certain Australian companies in relation to the UN Oil-for-Food Programme—Report by Commissioner the Honourable TRH Cole, AO, RFD, QC, dated 24 November 2006—

Volume 1—Summary, recommendations and background.


Volume 3—Sales, allegations and inquiries: January 2001 to December 2005.

Volume 4—Findings.

Volume 5—Appendices.

—Motion of the Leader of the Opposition in the Senate (Senator Evans) to take note of document agreed to.


Administrative Appeals Tribunal—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Indigenous Business Australia—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Reports by the Commonwealth Ombudsman—Personal identifiers 074/06 to 081/06. Motion of Senator Bartlett to take note of document agreed to.

Commonwealth Electoral Act 1918—2006 Redistribution into electoral divisions—Queensland—Report, together with composite maps and compact disc of supporting information. Motion of Senator Bartlett to take note of document agreed to.

Commonwealth Electoral Act 1918—2006 Redistribution into electoral divisions—New South Wales—Report, together with composite maps and compact disc of supporting information. Motion of Senator Bartlett to take note of document agreed to.

Australian Public Service Commission—State of the service—Report for 2005-06. Motion of Senator Watson to take note of document agreed to.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Government response to reports by the Com-
monwealth Ombudsman—Personal identifiers 082/06 to 104/06. Motion of Senator Bartlett to take note of document agreed to. *Migration Act 1958*—Section 486O—Assessment of appropriateness of detention arrangements—Reports by the Commonwealth Ombudsman—Personal identifiers 082/06 to 104/06. Motion of Senator Bartlett to take note of document agreed to.


*Native Title Act 1993*—Native title representative bodies—Carpentaria Land Council Aboriginal Corporation—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

*Native Title Act 1993*—Native title representative bodies—Aboriginal Legal Rights Movement Inc—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.


Department of the Treasury—Tax expenditures statement 2006, December 2006. Motion of Senator Bartlett to take note of document agreed to.

*Research Involving Human Embryos Act 2002*—National Health and Medical Research Council—NHMRC Licensing Committee—Report for the period 1 April to 30 September 2006. Motion of Senator Bartlett to take note of document agreed to.

*Superannuation (Government Co-contribution for Low Income Earners) Act 2003*—Quarterly report on the Government co-contribution scheme for the period 1 July to 30 September 2006. Motion of Senator Bartlett to take note of document agreed to.

Migration Agents Registration Authority—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

*Migration Act 1958*—Section 486O—Assessment of appropriateness of detention arrangements—Government response to reports by the Commonwealth Ombudsman—Personal identifiers 105/06 to 112/06. Motion of Senator Bartlett to take note of document agreed to.

Mid-year economic and fiscal outlook—2006-07—Statement by the Treasurer (Mr Costello) and the Minister for Finance and Administration (Senator Minchin), December 2006. Motion of Senator Bartlett to take note of document agreed to.

General business orders of the day nos 25, 29 to 63, 65 to 101, 103 to 132, 136, 137, 139, 140, 151 and 159 to 163 relating to government documents were called on but no motion was moved.

**COMMITTEES**

**Membership**

The ACTING DEPUTY PRESIDENT (Senator Lightfoot)—The President has received letters from party leaders seeking variations to the membership of committees.

Senator COLBECK (Tasmania—Parliamentary Secretary to the Minister for Finance and Administration) (6.01 pm)—by leave—I move:

That senators be discharged from and appointed to committees as follows:

**Community Affairs—Standing Committee**—

Appointed, as a participating member:

Senator Kemp

**Economics—Standing Committee**—

Discharged: Senator Brandis

Appointed: Senator Ronaldson
Appointed, as substitute members:
Senator Ferris to replace Senator Bernardi for the consideration of the 2006-07 additional estimates on 15 February 2007
Senator Watson to replace Senator Chapman for the consideration of the 2006-07 additional estimates on 14, 15 and 16 February 2007

Appointed, as a participating member:
Senator Kemp

Employment, Workplace Relations and Education—Standing Committee—
Appointed, as a substitute member:
Senator McGauran to replace Senator Lightfoot for the consideration of the 2006-07 additional estimates from noon on 15 February and on 16 February 2007

Appointed, as a participating member:
Senator Kemp

Environment, Communications, Information Technology and the Arts—Standing Committee—
Discharged: Senator Parry on 12 February 2007
Appointed: Senator Kemp on 12 February 2007

Appointed, as substitute members:
Senator Moore to replace Senator Wortley for the committee’s inquiry into Australia’s Indigenous visual arts and craft sector for the period 19 to 22 February 2007
Senator Parry to replace Senator Kemp for the period 19 to 23 February 2007

Appointed, as a participating member:
Senator Wortley for the period 19 to 22 February 2007

Finance and Public Administration—Standing Committee—
Appointed, as a substitute member:
Senator Stott Despoja to replace Senator Murray for the committee’s inquiry into the provisions of the Human Services (Enhanced Service Delivery) Bill 2007

Appointed, as participating members:
Senators Kemp and Wong

Foreign Affairs, Defence and Trade—Standing Committee—
Appointed, as a participating member:
Senator Kemp

Foreign Affairs, Defence and Trade—Joint Standing Committee—
Discharged: Senator Scullion
Appointed: Senator Sandy Macdonald

Legal and Constitutional Affairs—Standing Committee—
Discharged: Senators Brandis and Scullion
Appointed: Senators Sandy Macdonald and Parry

Appointed, as a participating member:
Senator Kemp

National Capital and External Territories—Joint Standing Committee—
Discharged: Senator Carr
Appointed: Senator Crossin

Rural and Regional Affairs and Transport—Standing Committee—
Appointed, as a substitute member:
Senator Adams to replace Senator Hefernan for the consideration of the 2006-07 additional estimates on 15 February 2007, and replace Senator Nash for the consideration of the 2006-07 additional estimates on 16 February 2007

Appointed, as a participating member:
Senator Kemp.

Question agreed to.

BUDGET
Portfolio Additional Estimates Statements
Senator COLBECK (Tasmania—Parliamentary Secretary to the Minister for Finance and Administration) (6.02 pm)—I table a correction to the 2006-07 portfolio additional estimates statements for the Industry, Tourism and Resources portfolio.
COMMITTEES
Employment, Workplace Relations and Education Committee
Reference
Senator PARRY (Tasmania) (6.02 pm)—by leave—At the request of Senator Troeth, the Chair of the Employment Workplace Relations and Education Committee, I move:

That the following matter be referred to the Employment, Workplace Relations and Education Committee for inquiry and report by 15 August 2007:

The current level of academic standards of school education, with particular reference to:

1. Whether school education prepares students adequately for further education, training and employment, including, but not limited to:
   a. the extent to which each stage of schooling (early primary; middle schooling; senior secondary) equips students with the required knowledge and skills to progress successfully through to the next stage; and
   b. the extent to which schools provide students with the core knowledge and skills they need to participate in further education and training, and as members of the community.

2. The standards of academic achievement expected of students qualifying for the senior secondary school certificate in each state and territory.

3. How such academic standards compare between states and territories and with those of other countries.

Community Affairs Committee
Report
The ACTING DEPUTY PRESIDENT (Senator Lightfoot)—Earlier today it was agreed that the report of the Community Affairs Committee on the Commonwealth State/Territory Disability Agreement be called on as the first report for consideration.

Senator HUMPHRIES (Australian Capital Territory) (6.07 pm)—I am very pleased to be able to return this afternoon to the subject of the report which the Community Affairs Committee presented earlier today on the Commonwealth State/Territory Disability Agreement. I want to record that, although this is not the only report that has been done into that agreement and Australian disability services in recent decades—nor is it the most authoritative on that subject—it is certainly a report which highlights a present and real need on the part of Australian governments to take seriously an area where, frankly, government performance at all levels has been unacceptable.

The report finds that there has been substantial dysfunctionality in Australian disability service provision. It goes on to strongly recommend that the next iteration of the Commonwealth State/Territory Disability Agreement tackle the underlying problems which leave large numbers of disabled Australians and their families either without proper services or with no services at all.

The CSTDA is essentially a funding agreement purporting to establish key national priorities for service provision for those in this country with disabilities and to coordinate that service provision so as to ensure that all areas of need are adequately addressed. Although the three previous CSTDAs made, I think, huge progress towards meeting those goals, the committee completed this inquiry more aware of the agreements’ failings than their successes.

The facts are stark. There are numerous examples within our disability system of inflexible access criteria, siloed services, bureaucratic application and assessment processes, poor linkages with companion services and obscure entry points to programs. Urgent reform is required to lift consumers out of the labyrinth which the system often represents and help Australians already under
pressure to find which services are available and the support at hand.

More transparency and better coordination are, however, only peripheral solutions to the central problem in disability services, and that is the fact that need in Australia outstrips capacity by an enormous margin. There are hundreds of thousands of Australians whose quality of life is greatly compromised because of their own or a family member’s disability. The committee heard countless stories illustrating this very point: younger disabled people in rural and regional Australia with no access to day programs or employment services; multiple sclerosis sufferers trapped in hospital beds because no suitable accommodation in their community exists—I am not only talking about rural communities but even major cities; people receiving some state support who are unable to move interstate because they would thereby drop to the bottom of the services queue in that new jurisdiction; and ageing carers facing the reality of needing care themselves, with limited prospects of residential options for their children when they reach that stage.

The report draws attention to the most important recommendation arising from this inquiry—that is, recommendation 21—that Commonwealth, state and territory governments jointly commit as part of the fourth CSTDA to substantial additional funding to address identified unmet need for specialist disability services, particularly accommodation services and support. I think it is fair to say that, after Indigenous Australians, those affected by disability rank as the most disadvantaged Australians today. Yet the burden of disability seems to have suppressed the capacity of this group of our country men and women to bring their concerns to national attention to the extent that their numbers and the severity of these issues would suggest.

The fact remains that it is extremely distressing, as the committee discovered, to see so many Australians with a severely compromised quality of life by virtue of the fact that they either have a disability or have made the decision as Australians to shoulder the responsibility of caring for a family member with a disability because they believe that the importance of that responsibility transcends anything else.

The committee recommends in its report a number of other changes to the operation of the CSTDA. Those are important and they are warmly commended to all of the governments concerned. Particularly, we believe that the next CSTDA should attempt to focus on services from the perspective of those who consume them. There should be, for example, a whole-of-government, whole-of-life approach to services for people with disabilities; there should be a partnership between governments at all levels, service providers and the disability community to set priorities and improve outcomes for people with disabilities; and it should be clear to the people who approach those services where they need to go to obtain a service if it is available. So much valuable and precious time and effort on the part of people under great pressure is expended in seeking services which are either not available in the form that they require or not there at all. The report makes a number of other recommendations which I commend to the Senate and particularly to the Commonwealth, state and territory governments.

Let me say just a couple of things before I sit down and allow others to speak in this debate. I draw attention to the fact that this is again a unanimous report of the Community Affairs Committee. We have certainly tried in recent years to make reports which reflect the unanimous view of its members, and we hope that that carries some weight in the eyes of the government and the community.
when examining these issues. I also commend the committee for having worked so very hard to produce this report after an extremely busy year as a committee. I draw attention to the fact that, according to figures published yesterday, the Community Affairs Committee of the Senate is the committee with, at the least, the greatest number of working hours—and, I would suggest, it also has a record in terms of the production of reports which other committees in the Senate would be hard pressed to match. I want to close by commending the committee secretariat, which has borne so much of the hard work in making this report possible after a year in which many other reports and matters were dealt with by the committee.

**Senator McLUCAS** (Queensland) (6.15 pm)—I too commend to the Senate the report of the Community Affairs Committee in its inquiry into the Commonwealth State/Territory Disability Agreement. Likewise, I am very pleased that this is a unanimous report. Virtually the first sentence uttered by one of the first witnesses to our inquiry, Dr Bronwyn Morkham, was that the power of the committee’s previous report, into the provision of aged care in Australia, particularly the chapter devoted to young people in nursing homes, was in its unanimity. I think that Dr Morkham’s plea to us to come to a unanimous report has been heeded. Hopefully, the governments—all governments—will recognise that this is not a report that reflects the views of any political group in this country; it reflects the views of people with disabilities and their carers as expressed through our committee process.

I initially moved the reference for this inquiry at about this time last year, and unfortunately that was not agreed to—I could make some points about that, but we do not have time. However, I am pleased to say that the Senate did agree to this reference in the middle of last year, for which I thank the Senate. The purpose of moving the reference was to allow all people in the disability community—people with disabilities, their carers and the disability service sector—to participate in and inform the negotiations that are currently underway in the lead-up to the fourth Commonwealth State/Territory Disability Agreement. The timing of this report is helpful to that, I think, along with its unanimity.

During the inquiry, we heard on many occasions that, in searching for support—and I say searching, not looking; scrabbling for support—people with disabilities and their carers were often told by a service provider that they were funded by, let’s say, the Commonwealth and so therefore providing a service to that individual was not their responsibility. And that was the same with the states and territories. If these recommendations are adopted, that blame game—that ‘not my responsibility’ argument will stop, and that would be a great contribution to assisting people with disabilities.

Part of the reason that service providers have to say, ‘I can’t help you,’ is lack of funding. Our first recommendation is that all governments, Commonwealth, state and territory, increase the level of funding to disability services in Australia. The other thing that is absolutely essential is that the fourth agreement must clarify the responsibilities of each of the parties so that people with disabilities and their carers know who should be funding certain services. The other achievement, if these recommendations are adopted, will be that people will have an understanding of what their expectations should be. People with disabilities know that they are not going to have their every need fulfilled, but they simply need an indication of what could be provided to them, and they also are looking for some sort of equitable access to services.
The recommendation I would like to talk about tonight, though, is recommendation 4:

That in the life of the next CSTDA, signatories agree to develop a National Disability Strategy which would function as a high level strategic policy document, designed to address the complexity of needs of people with disability and their carers in all aspects of their lives.

If governments adopt that recommendation, I believe it is the blueprint for the way forward that will allow people with disabilities to access all types of services that will support them. Too often people with disabilities are only supported with disability funding. A person with a disability has the same right to access transport funding or housing funding or health funding. We know, from undertaking this inquiry, that people with disabilities do not access generic funding to the level that other Australians do. That must change.

If we have a national disability strategy that encompasses all departments right across government at the Commonwealth, state and territory levels, we will have a document that is a blueprint for people with disabilities that recognises their rights as consumers of disability services but also their fundamental human rights.

Just briefly, there are a couple of other recommendations I would like to bring to the attention of the Senate. Recommendations 7 and 8 go to the question of indexation. In some respects indexation for some disability services is seen as growth funding, and that is absolutely inappropriate. Why is it seen as growth funding? There simply is not enough money to go around anyway. Indexation is designed to accommodate the increase in costs that any service will have. I encourage both the states and the Commonwealth to recognise our recommendation to set a realistic indexation level, in line with the actual cost of delivering services. Most of the costs in delivering disability services are human costs—staffing and wage costs. That will not change. It cannot change.

The other recommendation is that the Commonwealth government consider removing the efficiency dividend from the indexation formula for funds allocated through the CSTDA. There are very few efficiencies to be found when most of your costs are human costs. You cannot lift a person out of a bed faster. You cannot bathe a person faster. Those costs are going to be there. They are not going to change. You cannot computerise them. The application of the efficiency dividend to the indexation from the Commonwealth results in a direct cut to overall income.

The other issue I would like to go to is the issue of lifelong planning. It is very important for people with disabilities and the parents of people with disabilities to have an expectation of the sorts of supports that they will be able to have during their lives. Those support levels will change—that is natural—and they may change quite quickly. We have to have in place, though, a commitment from governments to support people with disabilities in their aspiration to be a part of society and to contribute to society.

We heard, as Senator Humphries has said, some horrifying stories of people being kept in their homes almost as prisoners. We heard stories many times of people living in nursing homes because the support simply could not be provided outside. But we also heard some very positive stories, and we should learn from those positive stories and make sure that the positive experiences, where people are supported and are encouraged to be participants in our society, are the model that we adopt and ensure is applicable to all people.

Finally, there is a chapter on the ageing-disability interface. In the years to come, the number of people with disabilities who are...
ageing will grow quite considerably. That provides a challenge to governments, and our recommendation is that people who are ageing who have disabilities need to be able to access services from whichever stream of funding is most applicable.

I thank all witnesses who came before the inquiry and all people who provided submissions, but I particularly want to thank Christine McDonald and Owen Griffiths and all the staff of the secretariat for their exemplary work and for their enormous patience in some trying times, even up to yesterday. I place on record my thanks. *(Time expired)*

**Senator PATTERSON** (Victoria) (6.26 pm)—I rise to support my colleagues in commending the Senate Standing Committee on Community Affairs report on the funding and operation of the Commonwealth State/Territory Disability Agreement. The Commonwealth State/Territory Disability Agreement is to be completed by June this year, and this inquiry was a perfect opportunity for the committee to go to nearly all the states taking evidence from carers and organisations about the way they see the functioning of the previous Commonwealth State/Territory Disability Agreements.

When I resigned from the ministry, I said that one of my greatest sadnesses was that I would not have the same clout in fighting for people with disabilities. I made a commitment that during the rest of my time in parliament I would continue to fight for them. I hope being a member of this committee has been part of fulfilling that commitment. As we moved around hearing the various stories, I felt embarrassment that, in a country with the wealth and resources we have, we were subjected to stories—and I think it would have been beneficial for other colleagues to have heard them too—that were tragic, of people who had been caring for their children for years, year in and year out, who had given up hope of even thinking that they might be on a list for accommodation, who were at their wits’ end to know where they should go and to whom they should speak to actually have someone listen to them. This was an opportunity for them to be heard.

We heard from a young man in Tasmania, 31 years old, with cerebral palsy—an articulate, bright young man who said that what he wanted to do was leave home, like any young person. He felt that he was a burden to his mother and stepfather, but there was nowhere for him to go. Today we met a young man with three children who has spent the last three years in Canberra Hospital. We met another young man today who had had a skateboard accident and been sent out of hospital in a parlous state because he was ‘blocking’ a bed—that was the word that was used. That young man read a statement at the press conference about his situation. He was considered virtually gone at one point.

We could go on with story after story. I commend the recommendations of the committee. I know it is not popular with treasurers, finance ministers, shadow treasurers or shadow finance ministers to be told that more money is needed for a program. But, if anything needs more money spent on it, it is the area of disability. There are people who are at their wits’ end, who have cared for their son or daughter or niece or nephew or partner to breaking point. That is the only way I can describe it.

One of the things that I wanted to point out in the recommendations—and I will not go through them all, for some of my colleagues have covered them—was recommendation 3, the last dot point: that the CSTDA should include a transparent and clear mechanism to enable people with a disability and their carers to identify and understand which level of government is responsible for the provision and funding of
services. When it is not clear it is easy to buck-pass. When it is not clear who is responsible for a 24-year-old with multiple sclerosis, it is very easy to pass the buck. What has happened when we have had young people in nursing homes is that once they were in the nursing home the Commonwealth was paying for them and there was no moral suasion on the states to do anything because the young people were off the waiting list. I am not criticising the states but that was what happened. There are some arrows that could be shot at the Commonwealth as well, but unless you have a clear definition it is easy to pass the buck.

We could not come to an agreement in the committee on a definition. My view is that you should specify an age and if the person is under that age the state is responsible for them and if they are over that set age the Commonwealth is responsible for them. With regard to accommodation in particular I am not saying that they should move, but they should be able to remain in place but with somebody to take responsibility for them. At the moment when you are on the cusp—if you are not young and you are not old and you have not got an absolutely clearly age related condition that is not related to your disability—it can be fudged about who is responsible. The fudging has to stop. There is no more excuse for fudging. The CSTDA should make sure that fudging from either side cannot continue.

I think that one of the most important things about this report is that it has been a unanimous report. As Senator McLucas has said, it reflects as much as it can, through the committee, the views of those carers and those people with disabilities who spoke for themselves as well. I want to commend this report to all the ministers. I know some of them and I hope that we have assisted them in jogging their treasurers and finance ministers into recognising that this is something that needs addressing. We cannot use excuses any longer.

To the committee, I know have they put in 150 per cent. I am concerned about the health of some of them and I would ask the Clerk and the President to make sure that one committee is not overloaded and understaffed, and I think ours has been. I am very concerned about the health of the staff of our committee because of the burden they have had and I would hope that that would be considered. I thank them for what they have done under very difficult circumstances. They have made a major contribution. We often forget them, but without them we would not have these reports. So I thank them and I hope we take consideration of the fact that they have been unduly burdened. Thank you.

Senator SIEWERT (Western Australia) (6.32 pm)—I too was a member of this committee and I too am extremely pleased that we had a unanimous report. It seems a bit strange to say that it was a pleasure to work on this committee but it was in terms of working with both committee members and committee staff who were so dedicated to what we were doing. It was also a pleasure to meet and interact with both people with disabilities and with their carers who came to the committee and who told us in many cases very disturbing and tragic stories.

We also heard some positive stories. As Senator McLucas said, there are many very positive stories. But unfortunately those are outweighed by the stories of people struggling, people with disabilities and their carers living in what can be described, I think, as most distressing circumstances. Not only, as Senator Humphries articulated, are some of the most disadvantaged people in our community living with disabilities, so too are their carers, and the carers of those living with disabilities have amongst the lowest
rating on the wellbeing index. So I think that we also need to bear that in mind.

The overwhelming sentiment from nearly all people, except two, making submissions to our inquiry was that there should be another agreement, and I also strongly believe that. But as my colleagues have articulated, the overwhelming No. 1 recommendation—even though it is No. 21—is that there needs to be more funding to meet unmet need. The tragedy here is that we do not have a firm understanding of what that unmet need is. In my home state of Western Australia they have a bit of an idea of how many people want accommodation but that is only known from those that are on the waiting list. It works differently in each state but in my home state of Western Australia you just keep applying, and if you do not get accommodation you just keep applying. People get sick of it so they self-select and so we do not have a firm idea of how many people do require accommodation.

As well as endorsing the issues that my colleagues have pointed out, I want to point out that there are issues around portability of services. If you are living with a disability in Western Australia and you want to move to the eastern states, you are not guaranteed access to similar services. In fact, some people told us stories of moving interstate and having to move back to their original state in order to get some sort of support. As we pointed out in the report, although the states and the Commonwealth identified this as an issue before the year 2000, it is still a major issue. There has to be some change in the way we do business to enable people to be able to move between states and have the same level of support services and have their needs met.

Another area that has come up is dual and multiple disabilities. We heard a number of stories where people who have dual disabilities or dual diagnoses were batted between services. It was a matter of: ‘No, you do not fit neatly into this service and you should go to the other service,’ or ‘No, you definitely do not fit into this service so you should go to the other service.’ They are falling between gaps because they are a round peg in a square hole. This should not be occurring to the most vulnerable members of our community.

I also strongly endorse the call for whole-of-life planning. Again we heard stories of people having to go back repeatedly for assessments. When people have disabilities, the medical profession and those people living with these disabilities know what is going to happen to them as they age, so they should not need to go back for repeated assessments. We also need a much more comprehensive assessment of people’s disabilities so that we can match services to their needs.

Another area that came out was equipment. Equipment is absolutely essential for those living with disabilities. Again it varies between states; it can be extremely difficult. Different states have different caps on what you can buy. It is also very difficult to transfer your equipment between some states. When you are moving out of a nursing home—we are encouraging young people with disabilities to move out of nursing homes—you cannot take your equipment with you. You cannot take your equipment into nursing homes when you go into one. These things should not be happening to people living with disabilities; we should be looking after them and making their life that much easier.

Ageing in place is also very important and looking after carers as they age. We need to ensure that we are meeting the needs of carers of people with disabilities. We heard stories of people in their late 80s and early 90s...
still looking after their child who has a disability and not going to hospital and not seeking medical attention because they were worried about their child.

This is an extremely important report, and my plea to the Commonwealth and to the states and territories is to please take on board these recommendations. There are a lot of them; there are 29. They are for things that need to be fixed. Please take it on board. I also make a plea to Minister Scullion, the new minister responsible for families here, to please read this report as soon as he can and start talking to his colleagues and to the state and territory ministers so that we can get this fixed.

Question agreed to.

**Consideration**

The following orders of the day relating to committee reports and government responses were considered:

Community Affairs—Standing Committee—Report—Funding and operation of the Commonwealth State/Territory Disability Agreement. Motion of the chair of the committee (Senator Humphries) to take note of report debated and agreed to.

Rural and Regional Affairs and Transport—Standing Committee—Final report—Australia’s future oil supply and alternative transport fuels. Motion of the chair of the committee (Senator Heffernan) to take note of report agreed to.

Economics—Standing Committee—Report—Petrol prices in Australia. Motion of the chair of the committee (Senator Brandis) to take note of report agreed to.

Legal and Constitutional Affairs—Standing Committee—Report—Unfinished business: Indigenous stolen wages. Motion of the chair of the committee (Senator Payne) to take note of report called on. Debate adjourned till the next day of sitting, Senator Siewert in continuation.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Review of Australia-New Zealand trade and investment relations. Motion of Senator Parry to take note of report agreed to.

Rural and Regional Affairs and Transport—Standing Committee—Final report—Water policy initiatives. Motion of the chair of the committee (Senator Heffernan) to take note of report agreed to.

Finance and Public Administration References Committee—Government response—Regional Partnerships and Sustainable Regions programs. Motion of Senator O’Brien to take note of document agreed to.


Migration—Joint Standing Committee—Report—Negotiating the maze: Review of arrangements for overseas skills recognition, upgrading and licensing. Motion of Senator Kirk to take note of report agreed to.

Foreign Affairs, Defence and Trade Legislation Committee—First progress report—Reforms to Australia’s military justice system. Motion of the chair of the committee (Senator Johnston) to take note of report agreed to.

Community Affairs Legislation Committee—Report—Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005. Motion of the chair of the committee (Senator Humphries) to take note of report agreed to.
Community Affairs References Committee—Report—Beyond petrol sniffing: Renewing hope for Indigenous communities. Motion of the chair of the committee (Senator Moore) to take note of report agreed to.

Electoral Matters—Joint Standing Committee—Report—Funding and disclosure: Inquiry into disclosure of donations to political parties and candidates. Motion of Senator Carr to take note of report agreed to.

Mental Health—Select Committee—First report—A national approach to mental health - from crisis to community. Motion of the chair of the committee (Senator Allison) to take note of report agreed to.


Rural and Regional Affairs and Transport References Committee—Government response—Rural water resource usage. Motion of Senator Siewert to take note of document agreed to.

AUDITOR-GENERAL’S REPORTS
Report No. 15 of 2005-06
Senator WONG (South Australia) (6.41 pm)—I move:
That the Senate take note of the document.

This is an Auditor-General’s report entitled Audits of the financial statements of Australian government entities for the period ended 30 June 2006. I want to make some brief comments regarding this report. In it the Auditor-General goes through a number of issues, but the one I want to focus on is the qualification of the consolidated financial statements. Yet again we have a qualified audit report in relation to the consolidated financial statements of the government. If this was a company serially offending and continuing to have qualified audits there would certainly be real concern in the marketplace over the fact that a company’s financial statements continue to be the subject of a qualified audit, but the government proceeds without worrying about that.

What is interesting to note is that one of the bases of the qualification of the audit is the misinformation that the government continues to peddle regarding the status of the GST. In fact, one of the bases on which the Auditor-General has qualified his report regarding the consolidated financial statements is the continued inappropriate treatment of GST revenue by the government, misinformation which continues to be repeated by the Treasurer and by members on the other side that the GST is somehow not a Commonwealth tax. They can keep saying it, but it is here in black and white in this report, as it has been for many years now, that that is incorrect and is one of the bases on which the audit report is qualified.

Question agreed to.

Report No. 7 of 2005-06

Debate resumed from 30 November 2006, on motion by Senator Carol Brown:
That the Senate take note of the document.

The ACTING DEPUTY PRESIDENT (Senator Lightfoot)—You should not be eating in the chamber, Senator Sherry.

Senator SHERRY (Tasmania) (6.44 pm)—I apologise for chewing a jube as I entered the chamber. I admire your ruthless efficiency today, Acting Deputy President, in your earlier removal of 173 reports from the Notice Paper in some 30 seconds.

The ACTING DEPUTY PRESIDENT—I think we are on Auditor-General’s report No. 7, Senator Sherry.
Senator SHERRY—Yes, I know, but I am just reflecting on your general approach to Auditor-General’s reports. It is very efficient. We are dealing with Audit report No. 7. Firstly, I want to acknowledge the generally fine work that the Australian National Audit Office does. It is a very important statutory independent organisation. I would have to say it is one of the few remaining statutory independent organisations that is important for the oversight of parliamentary departments and agencies against the general trend of this government—a well-known trend—of ruthlessly using its numbers in the Senate and its power through the executive in restricting our abilities to have informed and independent oversight of government operations of the day. So I am particularly pleased. I know the work of the Australian National Audit Office, the hard work, the diligence of the office in its performance of oversight of government departments and I place that on the record.

Report No. 7 is an audit report into the implementation of what is known as e-visa. This is a new program for the delivery of what is known as the working holiday maker, WHM, visa system. As the report notes, the number of temporary entrants coming to Australia on the working holiday maker visa has grown significantly. If we look at the table, figure 1.1 on page 25, we can see a steady and strong growth in visa grants over the period 1983-84 through to 2004-05, with a dip through the period 1989-90 through to 1992-93. There is growth, for example, over the last four years from 2001-02 off a base then of some 80,000, at a fairly consistent growth rate of approximately 9,000 to 10,000 visas, to a total of approximately 116,000 in the year 2004-05. So this is significant growth in foreigners coming under this particular visa grant program to work in Australia.

I do note that the Audit Office was generally pleased with the implementation of e-visa to handle the processing of the applications from young people from some 19 countries and regions in which Australia has a reciprocal arrangement that allows young persons to work in this country. The Audit Office did, however, identify a couple of issues where the department is required to improve performance. For example, it points out that the department is currently developing a cost-benefit analysis procedure to incorporate in all its new projects and initiatives. The implementation of e-visa presumably would result in greater efficiency and therefore lower cost in the handling of what is a very significant number of visa applications. However, to date it is not possible yet to identify what the cost-benefit analysis has been of the e-visa program. It was claimed—I think reasonably by the department—that the new system of e-visa would result in efficiencies, and it would be useful to know what the actual efficiencies and the savings to taxpayers have actually been as a result of this new processing system.

I note too the dispute about whether the visa application charge is a charge or a tax. You would think by now that disputes about charges versus taxes would be resolved. The ANAO obtained legal opinion that the visa application charge is a tax. The Department of Finance and Administration has advised that for financial reporting purposes, however, the visa charge is regarded as a regulatory fee for service and is therefore not a tax. It is an important issue because a regulatory charge is generally regarded as representing cost recovery where a tax is regarded as representing more than cost recovery. It is not a semantic issue and, whilst I do not want to go over the old debate about whether a surcharge tax in superannuation was actually a
charge or a tax, it is not a matter of some
insignificance or inconsequence.

I am surprised, frankly, given the exami-
nation this issue has had over a long period
of time, it is not yet finally resolved. The
Australian Bureau of Statistics has advised
that it is planning to develop a guidance note
to clarify interpretation of government finan-
cial statistics as it relates to taxes and fees for
service. The ANAO considers that following
its current review of cost recovery, the de-
partment should obtain clarification of the
accounting classification of the VAC. I
would certainly hope so and I would hope
that clarifying what is a tax and what is a
charge and cost recovery is finally resolved
across the entire public sector, because it is
an issue that is important and does need to be
resolved.

More generally on the charge of $185,
whilst there are no details on this point con-
tained in the analysis, I hope that it does rep-
resent cost recovery. I do not believe that as
a matter of sound policy we should be cross-
subsidising anyone who enters this country
to work. It is enough of a contentious issue
in other areas, not so much with this particu-
lar visa classification. It is enough of a con-
tentious issue to have had this government
allowing a flood of foreign workers to enter
the country. I certainly hope that they are
paying the full cost of visa application ser-
ices at the very least, notwithstanding some
other important policy issues that follow
from the flood of foreign workers that this
government has been allowing into the coun-
try in recent years.

Generally there are four recommenda-
tions made by the ANAO. Two are aimed at
improving the management of visa application
processing within the Department of Immi-
grantion and Citizenship. The third recom-
mandation focuses on complementing action
commenced by the department during the
audit to improve its performance informa-
tion—the issue I referred to earlier. The
fourth is focused on clarifying the account-
ing classification of visa application charges.

The response from the department was to
welcome the report of the ANAO. It is the
normal opening sentence or claim of every
department to welcome the report. What is
important is implementation, and it is pleas-
ing to see that the Department of Immigra-
tion and Citizenship is going to implement
the recommendations. We look forward to a
concluding report that they will be recom-
manded and implemented. (Time expired)

Question agreed to.

Report No. 18 of 2006-07

Senator WONG (South Australia) (6.54
pm)—I move:

That the Senate take note of the document.

I wish to speak briefly on the Auditor-
General’s report on ASIC’s processes for
receiving and referring for investigation
statutory reports of suspected breaches of the
Corporations Act. This report relates to the
way in which ASIC investigates suspected or
potential insolvency breaches of the Corpo-
rations Act. As senators may well be aware,
in the context of a company going into ad-
ministration or liquidation, the administrator
or liquidator can provide a report to ASIC if,
in his or her opinion, a possible issue that
ought to be investigated has been uncovered
in the context of the administration or liqui-
dation. Obviously administrators and liquida-
tors do this if they consider that some past
transactions should be investigated and also
if there are some technical issues associated
with the administration or liquidation.

Of great concern are circumstances in
which an avoidable transaction, for exam-
ple—that is, a questionable transaction—
may have been entered into that the liquida-
tor or administrator is not pursuing but in
their view ASIC needs to investigate. We in
the opposition do not believe that ASIC has
to investigate every one of these reports. We
understand that not every one of these re-
ports is judged by the corporate watchdog to
be worthy of investigation. There may well
be technical breaches or a risk audit in rela-
tion to the report from the administrator
whereby ASIC determines that it is not nec-
essary to continue further. But one would
have thought that a reasonable percentage
should be investigated.

What is concerning about the trend of
ASIC investigations contained in this report
is that there has been a substantial decrease
in the proportion investigated. The report
discloses that, whilst the number of com-
plaints about potential insolvency breaches
doubled in the period between 1997 and
2005, the proportion of total complaints in-
vestigated decreased from 7.5 per cent to less
than one per cent in the same period. Essen-
tially 99 per cent of complaints to ASIC by
external administrators are being ignored.
Under the Howard government 99 per cent
of stones are being left unturned.

We recognise that the government has be-
etedly seen fit to increase the resources to
ASIC, but there may well have been matters
that ought to have been investigated and may
possibly have led to further action if they had
been investigated. There may well have been
creditors whose rights and entitlements in an
administration may have been enhanced by a
further investigation that did not occur. It is
extremely irresponsible of the government to
have allowed a situation in which ASIC has
been underresourced and you have had this
dramatic decline in the number of statutory
reports regarding potential insolvency breacnes being investigated by the commis-
ion.

External administrators are a front-line
source of information for ASIC. To have
only one per cent of their complaints investi-
gated is unreasonable. Creditors’ interests
need to be protected, and the system relies on
the assumption that ASIC will have the ca-
pacity to investigate an appropriate propor-
tion of them.

It is not as if the Howard government has
not been on notice on these issues. These
issues were discussed by the Parliamentary
Joint Committee on Corporations and Finan-
cial Services, which did an inquiry into in-
solvency. I was on that committee and a
number of issues were raised. The whole
committee asked the government to bring its
attention to a number of matters relating to
our insolvency regime. As I recall, the gov-
ernment took over a year to respond to that
report. The government will need to explain
to any creditors whose interests were not
protected why that was the case.

We need to ensure that ASIC is resourced
sufficiently so that an appropriate proportion
of these statutory reports are investigated.
Our system of solvency administration,
which, by and large, is a good one, relies on
the corporate watchdog being able to follow
up a reasonable number of these statutory
reports. If you do not have that possibility—
if you do not have a reasonable number fol-
lowed up—then essentially what you are
saying is that you are allowing 99 per cent of
these statutory reports to go uninvestigated.
The government has never explained why it
is justifiable to have the drop that I have de-
scribed—a drop from 7.5 per cent to one per
cent. Anybody who understands risk man-
agement would suggest that at one per cent
you are not engaging in an appropriate risk
management strategy and you are not appro-
priately ensuring that our insolvency frame-
work is enforced.

I urge the government to consider this
Auditor-General’s report very closely. Insol-
vency is a difficult issue. People are often
left either without their entitlements or with much less than they would otherwise have had if the company had not failed. In the majority of cases that is the result of the market, the result of luck or the result of poor businesses practices. But there are occasions where there are untoward activities undertaken prior to a company going insolvent. People who invest in the company and people who deal with the company—small businesses and other creditors—as well as employees deserve to have some surety that our insolvency regime protects their interests.

Senator SHERRY (Tasmania) (7.01 pm) — Like my colleague Senator Wong I want to make a few comments about Audit report No. 18. As Senator Wong has noted, the findings in the ANAO report of a decline in investigations from 7.5 per cent to one per cent is, prima facie, of significant concern. This is a matter that I am sure ASIC are expecting that we will be subjecting to some attention. We will also direct some scrutiny to ASIC at estimates next week, and I am sure that will not come as a surprise to them. By way of background, we have in financial services generally what is known as twin peaks regulation: APRA and ASIC. They both provide in different capacities, but with some overlap, important safeguards to our financial services system. When we have a decline in evaluation of this significance, it raises alarm bells about the overall performance of ASIC and its role in protecting Australian consumers with regard to financial services.

We have seen recently the Westpoint financial scandal, with some $400 million lost as a result of Westpoint property schemes—the mezzanine property scandal. Between 2,000 and 3,000 Australians lost substantial amounts of money. ASIC in my view has been rightly criticised for failing to act earlier in this particular case. The Westpoint case was of such a significant size and so widespread that it rightly begs some fundamental questions about the role of ASIC and whether it should have acted earlier—and, I might say, acted earlier when there were complaints from no less than the Western Australian government and the Western Australian department of consumer affairs with respect to the activities of the Westpoint subsidiary property companies involved.

I will say, however, that while I have criticised ASIC for its lack of investigation and action in this regard, it is not just ASIC that I have concerns about. The substantial proportion of the assets—probably 30 or 40 per cent—in the case of Westpoint were invested through self-managed superannuation funds. They are regulated—or are supposed to be regulated—by the Australian Taxation Office. I have been very concerned about the lack of regulatory activity by the ATO with respect to self-managed superannuation funds. It has been an issue that I have raised constantly with the ATO for a number of years now. We are finally seeing the ATO target and focus more on the problems in the self-managed superannuation area. Self-managed superannuation funds are the fastest growing area of superannuation investment. There are more than 300,000 of them. That presents some difficulties regarding regulation. There has been significant focus on the growth of superannuation assets in Australia, assets which are a shade short of $1 trillion. The parliament will be dealing with some important changes to superannuation initiated by this government in the House of Representatives next week, and the Labor Party will be supporting that package of changes. There is a great deal more focus on superannuation, and there has been for the last 20 years.

When you are dealing with some $1 trillion in assets—and I think there will be a strong growth in those assets for the foreseeable future—it is very important that safety
surrounding superannuation is maximised. As is well known, superannuation is compulsory in this country. It is long term. It is for retirement. It is complex. It is not easily understood by the majority of Australians; therefore, there needs to be a higher bar applied to regulation around superannuation. I have met some of the victims of Westpoint. It is pretty depressing when you hear the stories. I think it highlights the importance of regulatory activity by ASIC, the ATO and APRA in this area.

Debate interrupted.

Consideration

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 7 of 2006-07—Performance audit—Visa management—Working holiday makers: Department of Immigration and Multicultural Affairs. Motion of Senator Carol Brown to take note of document agreed to.

Auditor-General—Audit report no. 8 of 2006-07—Performance audit—Airservices Australia’s upper airspace management contracts with the Solomon Islands Government: Airservices Australia. Motion of Senator O’Brien to take note of document agreed to.


Auditor-General—Audit report no. 15 of 2006-07—Financial statement audit—Audits of the financial statements of Australian Government entities for the period ended 30 June 2006. Motion to take note of document moved by Senator Wong debated and agreed to.


Orders of the day nos 5, 6, 8 and 9 relating to reports of the Auditor-General were called on but no motion was moved.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Marshall)—Order! The time allowed by the Senate for consideration of government documents, government responses and Auditor-General reports has expired. I propose the question:

That the Senate do now adjourn.

Australian Labor Party

Senator FIFIELD (Victoria) (7.08 pm)—Australians can be fairly indifferent to politics at times. Indeed, we have a fairly healthy culture of scepticism about authority and our political leaders. But Australians certainly do appreciate having good local members to represent them—someone who is one of them, someone who understands their needs, someone who knows about their area, someone who listens and, above all, someone who is an active participant in their community. Fortunately in each chamber, and on both sides, there are good and engaged local members and senators.

One example in the other place is the current Labor member for Isaacs, Ann Corcoran. She is widely respected as someone who is in touch with local concerns. She lives in the electorate. She is available to listen to her constituents. She is engaged and accessible. Sadly, though, Ann Corcoran was
defeated in her preselection last year. Despite this, I can attest that Ann is continuing to work hard for her constituents. My office is not all that far from hers and, at practically every community event I attend in the south-east of Melbourne, Ann is also there. Ann, as many in this chamber would know, was defeated by Mr Mark Dreyfus QC. Despite being heavily defeated in the ballot of local party members, he was installed by the central panel.

Mr Dreyfus’s preselection is interesting in the context of his 1998 report for the Victorian branch of the Labor Party, largely dealing with issues of branch stacking and internal party structures. In that report, Mr Dreyfus stated: ‘Membership makes a party, not the other way around. Labor is, or should be, people—not vehicle, not structure, not hierarchy.’ Yet it was structure and factional hierarchy, not people, that secured Mr Dreyfus’s preselection. He could only gain 44 per cent of the local vote. The only reason Mr Mark Dreyfus QC is the endorsed Labor candidate for Isaacs is because he and his factional friends put their own interests ahead of the wishes of ordinary rank and file local Labor Party members. You cannot have it both ways, although he certainly tries. He went on to say in the same report:

A measure of the party’s self-confidence should be an easing of the discipline, the ‘closed back-room-ness’ that formal factionalism inevitably brings.

I guess Mr Dreyfus was banking on this ‘easing’ of factionalism occurring only after he had managed to secure his preselection.

And that is the truth about Mark Dreyfus QC’s candidacy for Isaacs. I suspect he actually does not have a tremendous interest in representing the constituents of Isaacs or championing local issues. I suspect for Mark Dreyfus the seat of Isaacs is merely a vehicle for him to become Labor’s next Attorney-General. That is really not a reason to seek a seat. A seat in parliament, as all of us in this chamber know, is a profound responsibility. It is not to be taken lightly. It is not something that should be sought without due care and respect. It is not a factional plaything.

Mr Dreyfus QC’s name will be unfamiliar to most Isaacs residents. That is not surprising, given that he lives over 20 kilometres away in Malvern. You may well think that that is okay. He has been preselected now so he will probably move into the electorate or, at the very least, if he wins he will move into the electorate. But Mr Dreyfus has already stated that he has no plans to move to Isaacs, not even if he is elected. I suppose on one level you cannot blame him. He does receive very good representation from the member for Higgins.

Mr Dreyfus told the Age on 7 February last year that ‘the measure of a good MP is not where they live but how hard they work for local people’. I have been very happy to convey that message on behalf of Mr Dreyfus to many of the constituents in Isaacs. I actually think that Mr Dreyfus has a touch of what might be called ‘the Maxines’. Before the last election, senators will remember that Labor attempted to woo Maxine McKew for a federal seat in Sydney’s west. Mark Latham wrote in his diaries that past attempts to install Ms McKew had failed because she ‘couldn’t stand living in Cabramatta or Liverpool’. Mr Latham wrote:

So Maxine wants to be a Labor MP, but can’t stand the sight or smell of Labor voters, hey?

It remains to be seen with the coming election if Ms McKew will be successful beforehand in ousting Julia Irwin in Fowler and if she will deign to move into the electorate.

We have seen this sort of attitude towards representation in Melbourne’s south-east before. It has traditionally been a strong Labor area, but over time it has been somewhat
taken for granted. Those votes do seem to be very much taken for granted. Take the state seat of Lyndhurst, which sits within the electorate of Isaacs. It is held by state minister Tim Holding. I like Tim—I like him a lot; he is a nice guy—but Lyndhurst as an electorate is not to his liking for a residence. He prefers to live some 25 kilometres away in East Melbourne. The newly elected member for Narre Warren South, another state electorate close to Isaacs, is Judith Graley—again, someone I like. But I understand that she lived in Mount Martha, over 40 kilometres away. I am not sure if she has since moved into her electorate, but I certainly hope that she has.

If you ever needed convincing that Labor has no regard for constituents and the role of the local member, you need only look at comments made recently about another of Labor’s potential so-called star recruits, Victorian Treasurer John Brumby. Commenting on a purported push by Mr Brumby for a federal seat, Labor member for Bendigo, Steve Gibbons, let slip that some Labor members wished they did not have to bother with actually serving constituents. He said:

“But if he were to become federal Treasurer or Finance Minister or hold another senior position, he does deserve to be welcomed into a seat where he is not having to constantly worry about constituents’ problems.”

Mr Mark Dreyfus QC does seem to be evidencing something of that attitude. Mr Dreyfus owes quite a deal to his friends in the Labor Party. Not only did they help him conspire to dump Ann Corcoran but they have also thrown tens of thousands of taxpayers’ dollars his way. Mr Dreyfus pocketed over $50,000 from the Bracks government for representing them at the hearings into the proposed Mildura toxic waste dump. In the process, Mr Dreyfus betrayed the people of Isaacs. Labor’s plan to put a toxic waste dump in the middle of Victoria’s food bowl was always flawed and was never going to fly. The Bracks government has since abandoned that proposal, but this is extremely bad news for Mr Dreyfus. The Labor plan was to put a toxic waste dump in Victoria’s food bowl, Mildura, and then close the Lyndhurst dump, which is in the federal seat of Isaacs. By pushing the option of a toxic waste dump in Mildura, which was never going to fly, and by failing to look at alternatives, Mr Dreyfus has ensured that toxic waste will continue to be delivered to Lyndhurst, which is in the electorate he seeks to represent.

A recent headline in the Australian newspaper read ‘Toxic dump backflip will hurt star recruit’. I think that could well be the case. The panel report into the Mildura dump identified the need for a nine-kilometre buffer zone between a toxic dump and residences. But over 200,000 people live within nine kilometres of the Lyndhurst dump, many of whom are in Isaacs. Mr Mark Dreyfus QC has failed to respond to this and many other local issues. The local papers have practically given up calling him. No doubt they have the phrase ‘Mr Mark Dreyfus QC could not be contacted for comment’ as a template in their computers, such has been the regularity of their use of that phrase in newspaper articles.

The people of Isaacs deserve better than this. They deserve a local advocate who will stand up and fight for them. I commend to them the candidature of Ross Fox. He is energetic and experienced and he lives in the electorate. He knows the issues and is championing them. He is fighting for closed-circuit TV to tackle crime in Chelsea. He is fighting to have Wells Road fixed. He is seeking a meeting with Premier Bracks to convey residents’ outrage at the broken promise not to close the toxic waste dump at Lyndhurst.
The first test for Mr Dreyfus QC was to move into the electorate. He failed. It is not good enough to say to residents: ‘If you elect me then I’ll start to work for you. If you elect me then I’ll start to champion your causes.’ You have to do it when you are seeking election. You have to earn their trust and earn the privilege of representing them in the parliament. I have met Mr Dreyfus. He seems a thoroughly decent fellow. But he and the Labor Party need to be honest: he is not interested in representation. (Time expired)

**Mr David Hicks**

**Senator McEwen** (South Australia)

(7.18 pm)—This week has seen considerable attention given to the ongoing incarceration of an Australian citizen, David Hicks, in the United States detention facility at Guantanamo Bay. A rally was held on the lawns of Federation Mall at the front of Parliament House on Tuesday this week to remind all senators and members that David Hicks has been imprisoned for five years and is still waiting to be charged and tried for any crime. That rally was attended by a number of Labor and minor party members but I did not see any coalition members there.

Senators and members in this place, mainly from the opposition parties, have signed a letter addressed to the newly elected Speaker of the House of Representatives in the United States congress, Nancy Pelosi, requesting that the US congress take steps to have Hicks tried or returned home to Australia. Two motions noting Mr Hicks’s plight were put to the Senate. The Labor Party supported one of those motions but not the other, because our position is, and always has been, that Mr Hicks should be speedily tried by the United States for any alleged crimes or returned to Australia. The minor party that moved today’s motion would not agree to a Labor Party amendment. It was unfortunate to see a motion that should have been about fairness and justice used in an obvious attempt at wedge politics, a tactic we often see from the Greens.

This week has seen various articles in the media about Mr Hicks’s current situation, including reported comments that United States officials cannot guarantee he will actually appear before the US military commission within the next 12 months despite the fact that he has been incarcerated for five years. Then there is the ongoing debate about whether a military commission is a tribunal that offers any hope to those seeking a fair trial or just an attempt by the United States to be seen to be doing the right thing when in fact it is not. It is, as the shadow Attorney-General said this week, a legal experiment whose outcome we do not know.

For those of us who have followed the history of the Hicks case, it has been interesting and heartening to see the growing acceptance by the Australian community that there is something very wrong about a person being held in prison for five years without an opportunity to face a fair trial. Those who support Mr Hicks’s right to justice—and indeed the right of all persons to justice—are buoyed by the number of prominent Australians, including even some government members, who are publicly stating that the Hicks situation must be rectified quickly.

It is clear that the Australian people are well able to distinguish between the need to apply the law to people who are found to have committed illegal acts and the right of all people to defend themselves against accusations of illegal activity in a tribunal that is properly constituted and conducted. The Australian people can distinguish between what is needed to stop terrorism and an individual’s right to justice.

It has taken a while for the Prime Minister to come closer to the view that is held by most Australian people. For a long time, the
Prime Minister, the foreign minister and various attorneys-general were uncritical of the United States’s treatment of an Australian citizen languishing in a foreign jail without any prospect of a fair trial. As we know, it is not a regular jail that Mr Hicks is in but a military facility. Last year the United Nations said it should be shut down because its operations violated international treaties and its prisoners were denied justice. We have heard so many reports about the appalling conditions at Guantanamo, including treatment of inmates amounting to torture, that it is no longer possible for the Australian government to pretend that it is an acceptable place for anyone to be incarcerated for five minutes, let alone five years.

As we know, American citizens are not detained at Guantanamo. They have more rights and protections than that and cannot be held at Guantanamo. Indeed, it would be illegal for an American citizen to be held at Guantanamo. However, the US government maintains the right to operate the Guantanamo facility, despite calls for it to be closed down.

We know that the Australian government has a cruel attitude towards people being locked up for extended periods of time, regardless of their citizenship. We saw that only too clearly with the detention of women and children who sought asylum in this country only to be locked up in detention centres behind barbed wire. That continued to occur until the government saw that the public thought that was unacceptable treatment and changed tack. We also saw it in the dreadful treatment of Cornelia Rau, an Australian citizen who was locked up by her own government in a detention centre right here in her own country.

Just as the Prime Minister has figured out that he had better start talking about climate change because it was a matter affecting the government’s standing in the polls, he is now responding to a turning tide of public opinion in the matter of Hicks. The government has come on board and has started to make a few demands of the United States government. It has started to say that maybe the United States should get its act together and put the allegations against Mr Hicks to the test. Having sat on its hands for five years while it toaded to the United States, our government responds now when it sees that the Hicks matter is going to be an electoral liability. Of course, we should not be surprised at these reactive politics, because this is a government that shows no leadership in the areas of justice and fair treatment.

Instead of acknowledging the treatment of Mr Hicks as wrong, for years the government has tried to justify its abandonment of one of its citizens by reiterating the allegations against Hicks as if they were fact. It has accused all of us who support calls for Hicks to be afforded basic justice as being soft on the war on terror. It has remained silent about the gross abuses of international conventions and human rights that occur at Guantanamo Bay. What would you expect from a government that lied about asylum seekers throwing their children overboard and a government that swallowed the lies about weapons of mass destruction, thereby committing us to an unwinnable war?

It is testament to the Australian people that, despite the lack of leadership from the federal government, they can see that the ongoing saga of David Hicks is a matter of justice, not a matter of judgement. In closing, I would like to acknowledge the many people who have worked tirelessly, and continue to work tirelessly, on the Hicks case because they care about the preservation of basic human rights, including the right to a fair trial for all citizens of all nations. I would particularly like to mention the dignity and the dog-
ged perseverance of Mr Terry Hicks over a very long period of time.

**Tasmanian Bushfires**

**Senator Barnett** (Tasmania) (7.26 pm)—Tonight I wish to pay tribute to the many fine Australians who helped to fight Tasmania’s east coast bushfires in early December last year and indeed to all those involved in the recovery process. This is a stunning story of community spirit, bravery and generosity, as much as it is a story of utter terror and calamity. Fires struck Tasmania’s east coast in the Scamander and St Marys region in the week beginning Monday, 11 December. Both areas rely heavily on tourism and domestic holiday-makers, mainly in the summer months. You can imagine the devastating effect the fires had on the area. A heavy pall of smoke remained in the area for some weeks after the fires struck and continued to discourage visitors and holiday-makers. More than 20 homes were destroyed and 40 structures have gone. An estimated 30,000 hectares of private land and Crown land were burnt. Livestock were lost. Farmers were devastated. Luckily, there were no fire related deaths among residents or visitors.

As soon as the disaster unfolded, I went down to the area to meet with the local mayor, Robert Legge, his council and the local community. I attended three community meetings at St Helens and St Marys. We heard very tense, gut-wrenching stories. The Tasmania Fire Service, Tasmania Police and the emergency services presented the facts and addressed the concerns in a professional way. Prime Minister John Howard also visited the region within a very short time, as well as the bushfire areas in Victoria. Immediately upon his arrival, in a joint announcement with Tasmanian Premier Paul Lennon, he said that more than $800,000 in additional funding would be made available to help families, businesses and primary producers. This included $700,000 for a community recovery fund, to be established with equal contributions from the state and the Commonwealth. Both governments have agreed to contribute $50,000 to the bushfire relief appeal set up by the Red Cross.

Tonight I want to pay tribute to the Break O’Day Council—to Mayor Robert Legge for his leadership and courage under intense pressure; Deputy Mayor Margaret Osborne; the councillors; the council’s general manager, Brian Inches; and all the staff. They were outstanding in their efforts, which went beyond the call of duty. I want to thank them for their leadership during this crisis.

I also want to acknowledge the thousands of volunteers, particularly the firefighters. In Tasmania we have over 5,000 firefighters, 90 per cent of whom are actually volunteers. In this part of Tasmania, the bulk of the firefighters were in fact volunteers. I want to put on the record our grateful thanks as a nation for their work and service, not only in Tasmania but around our country. I also want to thank the state emergency service personnel, the relief agencies, utility company Transend and its linesmen, who worked around the clock to restore the power, and the townpeople. Many power poles burnt and lines were brought down.

The St Helens town hall was made a recovery centre and in less than 24 hours was overflowing with donated clothing and other household material. The Tidal Waters Resort at St Helens, formerly Doherty’s East Coast Resort, opened its doors to victims and provided free meals and up to 30 resort rooms free of charge over several days. I want to thank them for their generosity, especially the manager at the time, Denver Solomonz, for his kindness and humanity; the former owner, Michael Doherty; and the current owner, Brian Ragout, for his compassion and
care. The resort kept its dining and administration facilities open around the clock. The staff returned to provide food and service to not only the victims but also the firefighters. Thank you to all those involved and to other businesses like the Tidal Waters Resort for their support.

Together with the Prime Minister, I met three of the families who had lost everything in those first few days at the St Helens recovery centre. They were devastated and numb with shock. You will never get used to looking into the eyes of someone who has endured and survived a terrifying catastrophe such as a bushfire only to find out later that they have lost their house and possessions as well. I am reminded of the importance of waking up every day and being thankful and having a thankful heart for the things that we do have. The Prime Minister’s empathy with the families concerned, in those private moments away from the glare of TV cameras and microphones, was magnificent.

I also want to congratulate Fran Bradley, who lost her art gallery and home to the fires, for establishing the Break O’Day Bushfire Affected Residents Committee. I have been in touch with Fran and in fact this week spoke to her on the phone to discuss with her the problem of appeal and emergency funds not reaching the bushfire victims soon enough. I have offered to assist.

Now that the fires have passed for the time being, the region is still suffering, naturally, from the aftermath. Tourism visitor numbers are down. Sadly, some of this downturn can be attributed to media reports which gave the impression, at least on the mainland, that the entire east coast was ravaged, and indeed that St Helens was burnt out. This was entirely wrong. The east coast will recover from this terrible crisis that seemed to come from nowhere, but I urge Australians and indeed Tasmanians to remember Tasmania’s east coast—a beautiful place complete with the cream of Australian beaches that are never crowded. It is in fact the home of the commended tourism attraction, the Bay of Fires—a wonderful attraction indeed—and it has some other tremendous assets.

Prior to Christmas I convened a meeting of east coast business and local government representatives in St Helens to encourage Tasmanians to stick with the east coast community and to be a tourist visitor to the region over the summer. I just want to say thank you to the mayor, Robert Legge, and to those who attended that meeting and supported its efforts, especially to St Helens Chamber of Commerce President Geoff Butler; to Northern Tasmanian Development and particularly Andrew Eastick for his support; to the Tasmanian Chamber of Commerce and Industry for their support, backing it with a $5,000 donation for the campaign for Tasmanians to visit Tasmania’s east coast; and to the state Labor MP, Heather Butler, who attended the meeting together with Ben Quinn, the federal Liberal candidate for the area, who has expressed his concern to me and to the local community in that way. The campaign is underway with the support of Southern Cross Television and the newspaper in northern Tasmania, the Examiner. I want to put on the record my thanks to them on behalf of the local community for supporting the campaign to return to the east coast. The Howard government is committed to the region and will continue to be so.

I want to put on the record what the Prime Minister said in an interview in Tasmania with ABC radio’s Tim Cox during his visit to St Helens in early December, which I think touches on not only the volunteering spirit of our local community but the concerns of the east coast people. He said:

It never ceases to amaze me that over the years as Prime Minister I have visited a lot of these places
and they’re all a bit different but there’s one thing that’s in common and that is the indomitable spirit of people and also the willingness of their fellow Australians to risk life and limb, as is so often the case, to save their properties, and that is just terrific, and it’s something we ought to be very proud of. People have come from all around Australia on occasions to help, and I know if help is needed all around, both in Tasmania and in other places, then that will happen.

I also want to thank Rene Hidding, the local Liberal member, for the support he has given the area. He has visited regularly since the fires. I have met with Rene down there and discussed the concerns with him. Will Hodgman, together with the entire state opposition team, went specifically to St Helens for a meeting to show their concern and to get feedback from the local community on the things that they could do. It has been a pleasure talking to and meeting with Will Hodgman about the importance of supporting that local community. Indeed, tomorrow I will have the opportunity to head to Orford and Triabunna for the sinking of the ship *Troy D*, which has been supported with funding through the Australian government’s Regional Partnerships program. That will provide further tourism support for the east coast.

In conclusion, the east coast fires showed once again that the community spirit existing in regional areas—and to a large extent, in this case, manifested through the invaluable contributions of volunteers on the east coast—is alive and well. Finally, to the volunteers during the crisis: thank you again for your service and for your help. You have demonstrated great leadership and we appreciate your service.

**Senate adjourned at 7.37 pm**

**DOCUMENTS**

**Tabling**

The following documents were tabled by the Clerk:

*Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number*

**Customs Act**—

Tariff Concession Orders—

- 0614833 [F2007L00274]*.
- 0614891 [F2007L00273]*.
- 0614916 [F2007L00269]*.
- 0614917 [F2007L00268]*.
- 0614918 [F2007L00266]*.
- 0615702 [F2007L00267]*.
- 0618075 [F2007L00276]*.
- 0618146 [F2007L00265]*.
- 0618147 [F2007L00270]*.
- 0618149 [F2007L00277]*.
- 0618151 [F2007L00264]*.
- 0618250 [F2007L00271]*.
- 0618384 [F2007L00275]*.
- 0618403 [F2007L00262]*.

Tariff Concession Revocation Instruments—

- 6/2007 [F2007L00142]*.
- 7/2007 [F2007L00143]*.
- 8/2007 [F2007L00144]*.
- 9/2007 [F2007L00145]*.
- 11/2007 [F2007L00147]*.
- 12/2007 [F2007L00148]*.

**Defence Act**—Determination under section 58B—Defence Determinations—


**Migration Act**—Migration Regulations—Instruments—

- IMMI 06/005—Access to Movement Records [F2007L00260]*.
- IMMI 06/070—Alternative English Language Proficiency Tests to the Inter-
national English Language Testing System (IELTS) [F2007L00297]*.

Military Superannuation and Benefits Act—Military Superannuation and Benefits Amendment Trust Deed 2007 (No. 1) [F2007L00231]*.

Governor-General’s Proclamation—Commencement of Provisions of an Act

Greater Sunrise Unitisation Agreement Implementation Act 2004—Items 1 to 86 of Schedule 1—7 February 2007 [F2007L00256]*.

* Explanatory statement tabled with legislative instrument.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Bass Electorate: Programs and Grants**

*(Question No. 1497)*

**Senator O’Brien** asked the Minister representing the Minister for Education, Science and Training, upon notice, on 18 January 2006:

1. What programmes and/or grants administered by the department provide assistance to the people living in the federal electorate of Bass;
2. When did the delivery of these programmes and/or grants commence;
3. For each of the financial years 2002-03, 2003-04 and 2004-05, what funding was provided through these programmes and/or grants for the people of Bass;
4. For the 2005-06 financial year, what funding has been appropriated for these programmes and/or grants;
5. For the 2005-06 financial year, what funding has been approved under these programmes and/or grants to assist organisations and individuals in the electorate of Bass.

**Senator Vanstone**—The Minister for Education, Science and Training has provided the following answer to the honourable senator’s question:

The attached tables list Commonwealth funded programmes and/or grants that were available to the people in the electoral division of BASS during the 2002-03, 2003-04, 2004-05 and 2005-06 financial years. It should be noted:

1. DEST provides funding to the State Government and Education institutions in Tasmania which may benefit people living in the federal electorate of Bass. For these programmes and/or grants, the amount of funds used to provide assistance in Bass cannot be quantified and these programmes have been noted accordingly in the answer.

2. Where possible, DEST has identified the funding for each of the financial years 2002-03, 2003-04, 2004-05 and 2005-06. In some instances, funding amounts have been identified by calendar year, not financial year. These amounts are identified as calendar year funding in the answer.
### QUESTIONS ON NOTICE

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<th>Programme Name</th>
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<td></td>
<td>(a) 2002-03 FY</td>
<td>(b) 2003-04 FY</td>
<td>(c) 2004-05 FY</td>
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<td>Outcome 1</td>
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<tr>
<td>124:001 - Schools General Recurrent Grants - Government</td>
<td>YES</td>
<td>1970</td>
<td>Funding to State and Territory education authorities. Breakdown not available by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>124:002 - Schools General Recurrent Grants - Non - Government</td>
<td>YES</td>
<td>1970</td>
<td>2005-06 estimate based on previous years figures.</td>
<td>$15,102,000 (cal yr 2002)</td>
<td>$20,205,000 (cal yr 2004)</td>
<td>$22,325,000 (cal yr 2005)</td>
</tr>
<tr>
<td>124:003 - Schools Capital Grants - Government</td>
<td>YES</td>
<td>1988</td>
<td>Unable to provide 2005-06 funding by electorate</td>
<td>$1,345,000 (cal yr 2002)</td>
<td>$740,000 (cal yr 2004)</td>
<td>$2,486,000 (cal yr 2005)</td>
</tr>
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<td>124:101 - Schools Infrastructure</td>
<td>YES</td>
<td>2005</td>
<td>No funding allocated</td>
<td>No funding allocated</td>
<td>No funding allocated</td>
<td>No funding allocated</td>
</tr>
<tr>
<td>124:102 - Australian Tech Colleges</td>
<td>YES</td>
<td>2006</td>
<td>2006 funding agreements still under negotiation. Commercial in Confidence</td>
<td>No funding allocated</td>
<td>No funding allocated</td>
<td>No funding allocated</td>
</tr>
<tr>
<td>124:006 - Schools Strategic Assistance for Improving Student Outcomes - Gov (aka Literacy, Numeracy and Special Learning Needs Programme (schools grants element)</td>
<td>YES</td>
<td>2001</td>
<td>Funding amounts for 2002-03, 2003-04, 2004-05 and 2005-06 not available by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>124:007 - Schools Country Areas Programme - Government</td>
<td>YES</td>
<td>1982</td>
<td>Funding amounts for 2002-03 not available by electorate</td>
<td>N/A</td>
<td>$73,000 (cal year 2004)</td>
<td>$103,000 (cal yr 2005)</td>
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### QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>Programme Name</th>
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<th>Question 3 (b) 2003-04 FY BASS funding</th>
<th>Question 3 (c) 2004-05 FY BASS funding</th>
<th>Question 4 Total National funding for 2005-06</th>
<th>Question 5 BASS funding for 2005-06 FY</th>
</tr>
</thead>
<tbody>
<tr>
<td>124:009 - Schools Grants to Foster Literacy and Numeracy - Joint</td>
<td>YES</td>
<td>2001</td>
<td>Funding amounts for 2002-03, 2003-04, 2004-05 and 2005-06 not available by electorate.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$22,369,000</td>
<td>N/A</td>
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<tr>
<td>124:010 - Schools Strategic Assistance for Improving Student Outcomes - Non-Gov (AKA Literacy, Numeracy and Special Learning Needs Programme (schools grants element))</td>
<td>YES</td>
<td>2001</td>
<td>Funding amounts for 2002-03, 2003-04, 2004-05 and 2005-06 not available by electorate.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$153,361,000</td>
<td>N/A</td>
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<td>124:011 - Schools Country Areas Programme - Non-Government</td>
<td>YES</td>
<td>1982</td>
<td>Funding amounts for 2002-03 not available by electorate</td>
<td>N/A</td>
<td>No funding allocated</td>
<td>No funding allocated</td>
<td>$4,732,000</td>
<td>N/A</td>
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<td>124:013 - Schools Special Education - Non-Government Centre Support - ABSTUDY Secondary and Tertiary</td>
<td>YES</td>
<td>2001</td>
<td>Funding amounts not available by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$34,242,000</td>
<td>N/A</td>
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<tr>
<td>124:015 - Assistance for Isolated Children</td>
<td>YES</td>
<td>1969</td>
<td>$835,000 (cal yr 2003) $901,000 (cal yr 2004) $829,000 (cal yr 2005)</td>
<td>$261,000 (cal yr 2004) $340,000 (cal yr 2005)</td>
<td>$178,462,000</td>
<td>$56,191,000</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>124:016 - Indigenous Education Strategic Initiatives (IESIP/AESIP)</td>
<td>YES</td>
<td>1991</td>
<td>Funding amounts not available by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$393,674,000</td>
<td>N/A</td>
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<tr>
<td>124:021 - Schools Languages other than English - Government</td>
<td>YES</td>
<td>1987</td>
<td>Funding to State and Territory education authorities. Breakdown not available by electorate.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$15,082,000</td>
<td>N/A</td>
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<tr>
<td>124:022 - Schools Languages other than English - Non-Government</td>
<td>YES</td>
<td>1987</td>
<td>Funding to State and Territory education authorities. Breakdown not available by electorate.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$11,148,000</td>
<td>N/A</td>
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<tr>
<td>124:023 - Australian Government Quality Teacher Programme</td>
<td>YES</td>
<td>2000</td>
<td>Majority of funding to State and Territory education authorities. Breakdown not available by electorate. Figures provided are for National Awards for Quality Schooling</td>
<td>N/A</td>
<td>$24,000</td>
<td>N/A</td>
<td>$20,330,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>124:024 - Quality Outcomes - Other</td>
<td>YES</td>
<td>2003</td>
<td>$59,500 provided to cluster of schools in Tas. One school was in Electorate of BASS in 2002-03</td>
<td>N/A</td>
<td>$11,000</td>
<td>$7,000</td>
<td>$13,286,000</td>
<td>$984,000</td>
</tr>
<tr>
<td>124:089 - Values Education and Civics and Citizenship Education</td>
<td>YES</td>
<td>2004</td>
<td>N/A</td>
<td>$11,000</td>
<td>N/A</td>
<td>N/A</td>
<td>$9,930,000</td>
<td>N/A</td>
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<tr>
<td>Programme Name</td>
<td>Question 1</td>
<td>Question 2</td>
<td>Comments</td>
<td>Question 3</td>
<td>Question 4</td>
<td>Question 5</td>
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<tr>
<td>124:027 - Online Curriculum Content for Australian Schools</td>
<td>YES</td>
<td>2001</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
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<tr>
<td>124:028 - Grants and Awards</td>
<td>YES</td>
<td>1990</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
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<tr>
<td>124:030 - Careers, Transitions and Partnerships</td>
<td>YES</td>
<td>1999</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>$77,325,000</td>
<td></td>
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<tr>
<td>Outcome 2</td>
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<tr>
<td>124:035 - New Apprenticeship Centres</td>
<td>YES</td>
<td>1998</td>
<td>Demand driven national programme. Funding on a National basis. Breakdown not available by electorate.</td>
<td>$707,916</td>
<td>$740,628</td>
<td>$784,628</td>
<td></td>
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<tr>
<td>124:037 - New Apprenticeship Workforce Skills Development</td>
<td>YES</td>
<td>VARIOUS</td>
<td>includes SIP, ITSP, APPP, TIP, TIP and tools for your trade initiative.</td>
<td>$2,031</td>
<td>$28,050</td>
<td>$10,312</td>
<td></td>
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<tr>
<td>124:038 - New Apprenticeship Access Programme</td>
<td>YES</td>
<td>2004</td>
<td>Funding amounts not available by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>$21,502,000</td>
<td></td>
<td></td>
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<tr>
<td>124:039 - Workplace English Language and Literacy</td>
<td>YES</td>
<td>2002</td>
<td></td>
<td>$99,000</td>
<td>$127,000</td>
<td>$134,000</td>
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</tbody>
</table>

**QUESTIONS ON NOTICE**
<table>
<thead>
<tr>
<th>Programme Name</th>
<th>Is program available in BASS?</th>
<th>What date did program/grant commence?</th>
<th>Additional Information explaining funding amounts</th>
<th>(a) 2002-03 BASS funding for 2002-03 FY</th>
<th>(b) 2003-04 BASS funding for 2003-04 FY</th>
<th>(c) 2004-05 BASS funding for 2004-05 FY</th>
<th>Total National funding for 2005-06 FY</th>
<th>BASS funding for 2005-06 FY</th>
</tr>
</thead>
<tbody>
<tr>
<td>124:041 - Language, Literacy and Numeracy</td>
<td>YES</td>
<td>2002</td>
<td>LLNP delivered through providers. As providers have multiple delivery sites within Tas, exp figures are identified at site level within the electorate of BASS. Clients trained could be from inside or outside the BASS electorate</td>
<td>$148,000</td>
<td>$230,000</td>
<td>$316,000</td>
<td>$49,741,000</td>
<td>$144,000</td>
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<tr>
<td>124:042 - Basic IT Enabling Skills for Older Workers (BITES)</td>
<td>YES</td>
<td>2002-03</td>
<td>Number of allocated training places within Launseston Services Area are available. Max financial commitment for each year has been provided.</td>
<td>$66,500</td>
<td>$45,000</td>
<td>$40,000</td>
<td>$5,750,000</td>
<td>$40,000</td>
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<tr>
<td>124:043 - Disability Co-ordination Officers 124:105 - School of Fine Furniture</td>
<td>YES 2003-04</td>
<td>YES 2004</td>
<td>No funding allocated</td>
<td>$36,000</td>
<td>$40,000</td>
<td>$47,300</td>
<td>$1,304,000</td>
<td>$23,206</td>
</tr>
<tr>
<td>124:045 - Base Operating Grants</td>
<td>YES 1989</td>
<td>N/A</td>
<td>Funding under the Higher Education Funding Act 1988 and Higher Education Support Act 2003 is provided to an institution who may have students from different electorates or may have campuses in different electorates. We do not require institutions to provide a breakdown of funding by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$5,786,000</td>
<td>N/A</td>
</tr>
<tr>
<td>124:046 - Workplace Reform Programme</td>
<td>YES 2000</td>
<td>N/A</td>
<td>Funding under the Higher Education Funding Act 1988 and Higher Education Support Act 2003 is provided to an institution who may have students from different electorates or may have campuses in different electorates. We do not require institutions to provide a breakdown of funding by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$45,620,000</td>
<td>N/A</td>
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<tr>
<td>Programme Name</td>
<td>Question 1</td>
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<td>(a) 2002-03 BASS funding for 2002-03 FY</td>
<td>(b) 2003-04 BASS funding for 2003-04 FY</td>
<td>(c) 2004-05 BASS funding for 2004-05 FY</td>
<td>Total National funding for 2005-06 FY</td>
<td>BASS funding for 2005-06 FY</td>
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<tr>
<td>124:048 - Superannuation Programme</td>
<td>YES 1989</td>
<td>N/A</td>
<td>N/A</td>
<td>$102,459,000</td>
<td>N/A</td>
<td></td>
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<td>124:049 - Capital Development Pool</td>
<td>YES 1989</td>
<td>N/A</td>
<td>N/A</td>
<td>$81,449,000</td>
<td>N/A</td>
<td></td>
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<tr>
<td>124:052 - Equity Programmes</td>
<td>YES 1989</td>
<td>N/A</td>
<td>N/A</td>
<td>$20,701,000</td>
<td>N/A</td>
<td></td>
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<td>124:060 - Learning and Teaching Performance Fund</td>
<td>YES 2006</td>
<td>N/A</td>
<td>N/A</td>
<td>$54,471,000</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Programme Name</th>
<th>Question 1</th>
<th>Question 2</th>
<th>Comments</th>
<th>Question 3</th>
<th>Question 4</th>
<th>Question 5</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Is program available in BASS?</td>
<td>What date did program/grant commence?</td>
<td>Additional Information explaining funding amounts</td>
<td>(a) 2002-03 FY</td>
<td>(b) 2003-04 FY</td>
<td>(c) 2004-05 FY</td>
</tr>
<tr>
<td>124:062 - Workplace Productivity Programme</td>
<td>YES</td>
<td>2006</td>
<td>Funding under the Higher Education Funding Act 1988 and Higher Education Support Act 2003 is provided to an institution who may have students from different electorates or may have campuses in different electorates. We do not require institutions to provide a breakdown of funding by electorate.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>124:065 - Collaboration and Structural Reform Programme</td>
<td>YES</td>
<td>2003</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$11,090,000</td>
</tr>
<tr>
<td>124:106 - Commonwealth Grants Scheme (CGS)</td>
<td>YES</td>
<td>2005</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$3,209,687,000</td>
</tr>
<tr>
<td>124:111 - National Institutes</td>
<td>YES</td>
<td>2005</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$173,099,000</td>
</tr>
<tr>
<td>Programme Name</td>
<td>(a) 2002-03 BASS funding for 2002-03 FY</td>
<td>(b) 2003-04 BASS funding for 2003-04 FY</td>
<td>(c) 2004-05 BASS funding for 2004-05 FY</td>
<td>Total National funding for 2005-06 FY</td>
<td>BASS funding for 2005-06 FY</td>
<td></td>
</tr>
<tr>
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<td></td>
</tr>
<tr>
<td>124:112 - Indigenous Support Fund (API - Aboriginal participation Initiative)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$29,313,000</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>124:113 - Enabling Loading</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$12,545,000</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>124:114 - Transition Fund</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$11,025,000</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>124:115 - Research Training</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$655,766,000</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Programme Name</td>
<td>Question 1</td>
<td>Question 2</td>
<td>Comments</td>
<td>Question 3</td>
<td>Question 4</td>
<td>Question 5</td>
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</tr>
<tr>
<td>124.077 - International Postgraduate Research Scholarship Scheme</td>
<td>YES</td>
<td>1997</td>
<td>Funding under the Higher Education Funding Act 1988 and Higher Education Support Act 2003 is provided to an institution who may have students from different electorates or may have campuses in different electorates. We do not require institutions to provide a breakdown of funding by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>$18,458,000</td>
</tr>
<tr>
<td>124.068 - Higher Education Loan Programmes - HELP</td>
<td>YES</td>
<td>1989</td>
<td>Funding amounts not available by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>124.116 - Learning Scholarships</td>
<td>YES</td>
<td>2004</td>
<td>Programme did not commence until 2004 therefore no figures available for previous financial years.</td>
<td>$0</td>
<td>$816,000</td>
<td>$2,993,000</td>
</tr>
<tr>
<td>124.095 - DEST - Youth Allowance</td>
<td>YES</td>
<td>1998-99</td>
<td>$3,852,383</td>
<td>$3,766,785</td>
<td>$13,308,000</td>
<td>$1,687,287,00</td>
</tr>
<tr>
<td>124.096 - Austudy payment 124.099 - Fares Allowance</td>
<td>YES</td>
<td>1998-99</td>
<td>Funding amounts not available by electorate</td>
<td>$3,103,000</td>
<td>$2,770,000</td>
<td>$2,560,000</td>
</tr>
<tr>
<td>Outcome 3</td>
<td>YES</td>
<td>2002</td>
<td>Funding under the Higher Education Funding Act 1988 and Higher Education Support Act 2003 is provided to an institution who may have students from different electorates or may have campuses in different electorates. We do not require institutions to provide a breakdown of funding by electorate</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Programme Name</td>
<td>Question 1</td>
<td>Question 2</td>
<td>Question 3</td>
<td>Question 4</td>
<td>Question 5</td>
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<td></td>
</tr>
<tr>
<td>124:059 - Systemic Infrastructure Initiative</td>
<td>YES</td>
<td>2002</td>
<td>Funding under the Higher Education Funding Act 1988 and Higher Education Support Act 2003 is provided to an institution who may have students from different electorates or may have campuses in different electorates. We do not require institutions to provide a breakdown of funding by electorate.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>124:078 - Regional Protection Scheme</td>
<td>YES</td>
<td>2002</td>
<td>Funding under the Higher Education Funding Act 1988 and Higher Education Support Act 2003 is provided to an institution who may have students from different electorates or may have campuses in different electorates. We do not require institutions to provide a breakdown of funding by electorate.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>124:075 - Research Infrastructure Block Grants</td>
<td>YES</td>
<td>1996</td>
<td>Funding under the Higher Education Funding Act 1988 and Higher Education Support Act 2003 is provided to an institution who may have students from different electorates or may have campuses in different electorates. We do not require institutions to provide a breakdown of funding by electorate.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Output 3.1</td>
<td>YES</td>
<td>1991</td>
<td>Unable to identify proportion of funding allocated by each CRC to research locations in BASS.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>124:083 - Major National Research Facilities</td>
<td>YES</td>
<td>2001</td>
<td>$632,500</td>
<td>$42,308,000</td>
<td>$2,409,000</td>
<td></td>
</tr>
<tr>
<td>Programme Name</td>
<td>Question 1</td>
<td>Question 2</td>
<td>Comments</td>
<td>Question 3</td>
<td>Question 4</td>
<td>Question 5</td>
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</tr>
<tr>
<td>124.087 - International Education and Training</td>
<td>YES</td>
<td>2003-04</td>
<td>No funding allocated</td>
<td>No funding allocated</td>
<td>$22,910,000</td>
<td>No funding allocated</td>
</tr>
<tr>
<td>124.088 - Assessment Fee Subsidy for Overseas Trained Australian Residents (ASDOT)</td>
<td>YES</td>
<td>1996</td>
<td>No funding allocated</td>
<td>No funding allocated</td>
<td>$701,000</td>
<td>No funding allocated</td>
</tr>
</tbody>
</table>
Aviation: Multi-Crew Pilot Licence
(Question No. 2484)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 11 September 2006:

(1) With reference to the International Civil Aviation Organization’s Amendment 167 to Annex 1 of the Convention on International Civil Aviation and supporting Procedures for Air Navigation Services – Training (PANS-TRG) establishing a new type of flight crew licence to be known as the Multi-crew Pilot Licence (MPL): (a) which bodies have been consulted; and (b) what has been the nature of these consultations.

(2) Do any of these bodies have any commercial interest in either the provision of flight training or in the supply of equipment such as flight training simulators.

(3) For each type of aircraft involved in regular passenger transport, what are the current minimum requirements for a candidate to be issued with a commercial pilot’s licence.

(4) For each type of aircraft involved in regular passenger transport, what are the current minimum requirements for a candidate to be issued with an MPL.

(5) Has any body or organisation in Australia sought accreditation for a flight training course under the provisions of the minimum requirements for the issue of an MPL qualification; if so: (a) what is the legal status of any qualification issued; and (b) would these graduates be qualified to fly in Australian airspace.

(6) What legislative or regulatory changes are required to facilitate the issue of the MPL qualification.

(7) When will these legislative or regulatory changes be introduced into parliament.

(8) Are there any other jurisdictions that intend to implement the minimum requirements for the issue of an MPL qualification on 23 November 2006.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) (a) In considering the International Civil Aviation Organisation (ICAO) Multi-crew Pilot Licence (MPL) and the adoption of the MPL in Australia, the Civil Aviation Safety Authority (CASA) advises me that it intends to consult extensively with the aviation sector. An MPL industry panel has been established by CASA to consider the adoption of the ICAO MPL in Australia and to provide advice and recommendations to the Flight Crew Licensing (FCL) Sub Committee of the Standards Consultative Committee (SCC). Participants are members of the following organisations:

- Flight Training Adelaide
- Australian and International Pilots Association
- QANTAS
- New Zealand Air Line Pilots’ Association
- Alteon Training
- Royal Aero Club of Western Australia
- Multi-crew Training
- Ansett Flight Simulator Centre
- Orion Simulation and Training Services
- Regional Aviation Association of Australia
CASA commenced a formal consultation process with an MPL industry panel meeting held on 16 and 17 November 2006. The outcomes of this meeting were subsequently presented to the FCL Sub Committee and the SCC on 21 and 22 November 2006 respectively.

CASA has also invited relevant industry stakeholders to join a working group to consider changes that will need to be made to Civil Aviation Regulation (CAR) 5 and a supporting Civil Aviation Advisory Publication (CAAP). Details of the working group’s terms of reference and participants are still to be finalised.

(b) Consultation to date has focused on the nature of the ICAO MPL and the consultative process that should be used to consider adoption in Australia. A number of avenues for suitable consultation were discussed at the industry panel meeting. A process was devised by both CASA and panel members which will provide for use of the standard 15 step Regulatory Reform Program to amend Civil Aviation Regulation (CAR) 5. This process will also include a Notice of Proposed Rule Making (NPRM) and a 12 month agreed consultation period. This process was approved by the Standards Consultative Committee at its meeting on 21 November 2006 and the consultation process is due to commence shortly.

(2) Yes. I am advised that Alteon Training LLC is a simulator and flight training provider. CASA has been working with Alteon as they have been developing the ‘beta-trial’ course.

CASA advises that a number of other industry panel members represented bodies with potential commercial interest in the implementation of an MPL. These included Flight Training Adelaide, Multi-crew Training, Ansett Flight Simulator Centre, Orion Simulation and Training Services, and General Flying Services.

(3) The issue of a Commercial Pilot’s Licence (CPL) is not linked to aircraft type. The requirements for the issue of a CPL are contained in CAR 5.104.

(4) The requirements for the ICAO MPL are not fixed to particular aircraft type. Rather, ICAO has identified its suggested minimum requirements for the issue of a generic MPL. The ICAO minimum standards are contained in Amendment 167 to Annex 1 which came into effect on 23 November 2006.

(5) No.

(6) An amendment to CAR 5 will be required to facilitate the issue of the MPL qualification.

(7) As described in 1(b), the consultation process to consider the ICAO MPL is expected to be completed towards the end of 2007. The timing of legislative proposals will be determined at the completion of the consultation process.

(8) CASA is aware that the Joint Aviation Authorities, representing the civil aviation regulatory authorities of a number of European States, adopted an MPL on 15 November 2006 in accordance with the requirements contained in ICAO Annex 1. Aviation authorities in Canada, Singapore, Malaysia, China and India have also indicated that they are currently developing MPL regulations.

Tourist Refund Scheme
(Question No. 2584)

Senator Ludwig asked the Minister representing the Minister for Revenue and Assistant Treasurer, upon notice, on 18 October 2006:

For each of the financial years since 1996-97 to 2006-07 to date:

QUESTIONS ON NOTICE
(1) What is the value of the goods and services tax (GST) refunded on behalf of the Tourism Refund Scheme.

(2) What is the total value of GST foregone attributable to duty-free imports, broken down by classification under the *Customs Tariff Act 1995* (excluding classifications where the value of GST foregone is less than $1 million).

**Senator Coonan**—The Minister for Revenue and Assistant Treasurer has provided the following answer to the honourable senator’s question:

(1) The value of GST refunds approved for payment from 1 July 2000, when the Tourist Refund Scheme was introduced, is:

<table>
<thead>
<tr>
<th>Year</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-01</td>
<td>29,049,866.46</td>
</tr>
<tr>
<td>2001-02</td>
<td>41,281,560.82</td>
</tr>
<tr>
<td>2002-03</td>
<td>44,790,161.87</td>
</tr>
<tr>
<td>2003-04</td>
<td>46,330,365.00</td>
</tr>
<tr>
<td>2004-05</td>
<td>49,347,535.83</td>
</tr>
<tr>
<td>2005-06</td>
<td>52,003,884.84</td>
</tr>
<tr>
<td>2006-07 (to 30 September)</td>
<td>12,790,207.57</td>
</tr>
</tbody>
</table>

(2) The Australian Customs Service (Customs) advises that the total value of GST that would have otherwise been payable on duty-free imports is not available. Where passengers import duty-free goods in accordance with the passenger concession by-law, Customs makes an assessment to determine eligibility for the concession but does not collect further information as to classification or value of the goods.

**Defence: Contracts**

(Question No. 2596)

**Senator Mark Bishop** asked the Minister representing the Minister for Defence, upon notice, on 1 November 2006:

(1) (a) What contracts currently exist in the Defence portfolio for the provision of: (i) catering, (ii) cleaning, (iii) grounds maintenance, (iv) stores management, (v) warehousing and distribution, and (vi) explosives ordnance storage and management; and (b) for each category: (i) which companies have been awarded these contracts, (ii) for what term, (iii) at what total cost, and (iv) at which sites.

(2) (a) What tenders are currently in place for paragraph (1) (above); (b) what are the closing dates; and (c) which have closed and await finalisation.

(3) (a) What provisions referring to employment policies and practices are currently being used in tenders; and (b) what is the policy when prospective tenderers decline to offer Australian Workplace Agreements.

(4) What tenders in the categories in paragraph (1), are due to be issued in the next 3 months.

**Ms Julie Bishop**—The Minister for Defence has provided the following answer to the honourable senator’s question:

(1) See Table A.

(2) See Table B.

(3) (a) The Department of Defence requires tenderers to comply with all legislative requirements when delivering services under contract and employing staff.

   Only the Defence Integrated Distribution System contract specifies additional employment policies in that the operator (TenixToll Defence Logistics Pty Ltd) must comply with mini-
minimum employment numbers stipulated at specified regional and rural sites at Puckapunyal, Bandiana, Townsville, Amberley, Wallangarra, Oakey, HMAS Albatross (Nowra), and RAAF Williamtown.

(b) The Department of Defence does not have a policy on the use of Australian Workplace Agreements (AWA) other than the requirement for tenderers to meet all legislative requirements in the employment of staff.

It should be noted that AWAs are not applicable for locally employed overseas contractors.

(4) Tender for Port Agencies Services Standing Offer for the Middle East.
Tender for Logistics Support Services Standing Offer for the Middle East.
Tender for Operation Slipper Support Contract for the Middle East.
TABLE A (1)

<table>
<thead>
<tr>
<th>Contract Category</th>
<th>Companies Awarded Contract</th>
<th>Term of Contract</th>
<th>Total Cost (Approx)</th>
<th>Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Queensland Base Services Contract – includes catering, cleaning, grounds maintenance and stores management. See Note 2</td>
<td>Spotless Services Australia Ltd</td>
<td>1/8/04 – 31/7/09 (plus possible extensions)</td>
<td>$214,228,859</td>
<td>Sites and bases in South Queensland region</td>
</tr>
<tr>
<td>Woomera Commercial Support Contract – includes catering, cleaning, grounds maintenance and stores management.</td>
<td>BAE Systems</td>
<td>10/12/01 – 9/12/11 (plus possible extensions)</td>
<td>$55,547,442</td>
<td>Woomera</td>
</tr>
<tr>
<td>Riverina and Murray Valley Garrison Support Services Contract – includes catering, cleaning, grounds maintenance and stores management. See Note 2</td>
<td>ESS Support Services</td>
<td>1/4/05 – 31/3/10 (plus possible extensions)</td>
<td>$175,000,000</td>
<td>Sites and bases in Riverina and Murray Valley region</td>
</tr>
<tr>
<td>Sydney West South Garrison Support Services Contract – includes catering, cleaning, grounds maintenance and stores management.</td>
<td>Serco Sodexho Defence Services Pty Ltd</td>
<td>1/10/05 – 30/9/10 (plus possible extensions)</td>
<td>$250,551,326</td>
<td>Sites and bases in Sydney West South region</td>
</tr>
<tr>
<td>South Australia Garrison Support Services Contract – includes catering, cleaning, grounds maintenance and stores management.</td>
<td>Transfield Services</td>
<td>1/12/05 – 1/12/10 (plus possible extensions)</td>
<td>$106,800,000</td>
<td>Sites and bases in South Australia region</td>
</tr>
<tr>
<td>Sydney Central Garrison Support Services Contract – includes catering, cleaning, grounds maintenance and stores management.</td>
<td>ESS Support Services</td>
<td>1/5/06 – 30/4/11 (plus possible extensions)</td>
<td>$169,566,601</td>
<td>Sites and bases in Sydney Central region</td>
</tr>
<tr>
<td>ACT &amp; Southern NSW Garrison Support Services Contract – includes catering, cleaning, grounds maintenance and stores management.</td>
<td>Serco Sodexho Defence Services Pty Ltd</td>
<td>1/10/06 – 30/9/11 (plus possible extensions)</td>
<td>$119,855,770</td>
<td>Sites and bases in ACT and Southern NSW region</td>
</tr>
<tr>
<td>Central and Northern NSW Garrison Support Services Contract – includes catering, cleaning, grounds maintenance and stores management.</td>
<td>Transfield Services</td>
<td>3/12/97 – 30/1/07</td>
<td>$75,465,898</td>
<td>Sites and bases in Central and Northern NSW region</td>
</tr>
<tr>
<td>Contract Category</td>
<td>Companies Awarded Contract</td>
<td>Term of Contract</td>
<td>Total Cost (Approx)</td>
<td>Sites</td>
</tr>
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<td>----------------------------------------------------------------------------------</td>
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<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Central and Northern NSW Garrison Support Services Contract</td>
<td>Serco Sodexho Defence Services Pty Ltd</td>
<td>1/7/96– 30/1/07</td>
<td>$47,066,853</td>
<td>Sites and bases in Central and Northern NSW region</td>
</tr>
<tr>
<td>Western Australia Garrison Support Services Contract</td>
<td>Transfield Services</td>
<td>15/3/99 – 5/5/07</td>
<td>$161,462,000</td>
<td>Sites and bases in Western Australia region</td>
</tr>
<tr>
<td>Southern Victoria Garrison Support Services Contract</td>
<td>Transfield Services</td>
<td>17/9/99 – 30/6/07</td>
<td>$481,905,724</td>
<td>Sites and bases in Southern Victoria region</td>
</tr>
<tr>
<td>Northern Territory and Kimberley Garrison Support Services Contract</td>
<td>Serco Sodexho Defence Services Pty Ltd</td>
<td>1/7/99 – 10/07</td>
<td>$49,218,469</td>
<td>Sites and bases in Northern Territory and Kimberley region</td>
</tr>
<tr>
<td>North Queensland Garrison Support Services Contract</td>
<td>Serco Sodexho Defence Services Pty Ltd</td>
<td>1/12/98 – 30/9/08</td>
<td>$163,951,367</td>
<td>Sites and bases in North Queensland region</td>
</tr>
<tr>
<td>Tasmania Cleaning Contract</td>
<td>General and Window Cleaning Pty Ltd</td>
<td>January 2004 – January 2009</td>
<td>$1,280,000</td>
<td>Sites and bases in Tasmania region</td>
</tr>
<tr>
<td>Tasmania Grounds Maintenance Contract</td>
<td>Corporate Maintenance Solutions</td>
<td>May 2004 – May 2009</td>
<td>$800,000</td>
<td>Sites and bases in Tasmania region</td>
</tr>
<tr>
<td>Tasmania Labour Hire Contract for the provision of Hospitality and Catering</td>
<td>Searson and Buck</td>
<td>December 2002 – December 2007</td>
<td>$3,170,000</td>
<td>Sites and bases in Tasmania region</td>
</tr>
<tr>
<td>Standing Offer for the Logistics Support Services – Middle East – Operation Slipper</td>
<td>Inchcape Shipping Services</td>
<td>Contract duration is 10/12/02 – 31/12/06</td>
<td>US$1 million</td>
<td>Middle East</td>
</tr>
</tbody>
</table>

See Note 1, Note 2, Note 3.
<table>
<thead>
<tr>
<th>Contract Category</th>
<th>Companies Awarded Contract</th>
<th>Term of Contract</th>
<th>Total Cost (Approx)</th>
<th>Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standing Offer for the Provision of Domestic Services – Middle East – Operation Slipper. Service provided includes cleaning services.</td>
<td>Inchcape Shipping Services</td>
<td>Contract duration is 12/3/03 – 11/1/07 Planning to extend the contract until July 2007 under existing contractual provisions is being examined.</td>
<td>US$3.2 million</td>
<td>Middle East</td>
</tr>
<tr>
<td>Contract for the Provision of Services of Cleaning and Quarantine Inspection of Australian Defence Force (ADF) Vehicles, Stores and Equipment Returning from Operations Overseas. Services provided include cleaning and quarantine clearance. Contract for Comprehensive Logistics Services Contract in East Timor – Operation Astute. Service provided includes catering, cleaning and grounds maintenance.</td>
<td>Patrick Defence Logistics Pty Ltd</td>
<td>Contract duration is 14/12/05 – 14/12/06 Contract will be extended under existing contractual provisions to December 2007.</td>
<td>$1.5 million</td>
<td>Worldwide</td>
</tr>
<tr>
<td>Contract for the provision of services under the Global Freight Contract. Services provided include the provision of services for global freight forwarding and customs clearances for ADF stores and equipment leaving and entering Australia.</td>
<td>DHL Pty Ltd</td>
<td>The contract was signed 5 December for a duration of five years (with options to extend up to a further two years).</td>
<td>$65 million</td>
<td>Worldwide</td>
</tr>
<tr>
<td>Contract Category</td>
<td>Companies Awarded Contract</td>
<td>Term of Contract</td>
<td>Total Cost (Approx)</td>
<td>Sites</td>
</tr>
<tr>
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</tr>
<tr>
<td>Contract for the provision of services under the National Clothing Store Contract. Services include the operation of Joint Logistic Group retail Clothing stores along with the associated warehousing and distribution of clothing items.</td>
<td>Serco Sodexho Defence Services Pty Ltd</td>
<td>The contract was signed in July 2006 and is for a four year duration (with two options to extend for a further 12 month period)</td>
<td>$42 million</td>
<td>ACT (Duntroon and the Australian Defence Force Academy Sydney (Moorebank; RAAF Glenbrook; RAAF Richmond; Randwick; HMAS Kuttabul) Nowra (HMAS Albatross) RAAF Williamtown Singleton Darwin (Palmerston Barracks; Berrimah; RAAF Darwin) Townsville (Lavarack Barracks; RAAF Base) Adelaide (Keswick Barracks; RAAF Edinburgh) Brisbane (RAAF Amberley; Enoggera) Oakey Puckapunyal Watsonia Bandiana Victoria Barracks – Melbourne HMAS Cerberus RAAF East Sale RAAF Laverton RAAF Wagga Wagga Kapooka Karrakatta RAAF Pearce HMAS Stirling</td>
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<td>Contract duration is eight years (with two options of one year extensions). The contract was signed 18/12/03.</td>
<td>$1.1 billion (over 10 years)</td>
<td>Sydney (Defence National Supply Distribution Centre – Moorebank) Nowra (HMAS Albatross) Williamtown (RAAF Williamtown) Richmond (RAAF Richmond) Seymour (Puckapunyal) Melbourne (Watsonia Barracks) Hobart (Derwent Barracks) Adelaide (RAAF Edinburgh and Warradale) Perth (HMAS Stirling and Palmer Barracks) Darwin (RAAF Darwin and Winnellie) Townsville (RAAF Base and Lavarack Barracks) Brisbane (Bulimba, Meean-dah and Enoggera) Oakey RAAF Amberley Wallangarra</td>
</tr>
</tbody>
</table>

Contracts that include (v) warehousing and distribution, are:

Contract for the provision of services under the Defence Integrated Distribution Services Contract. Services provided include ADF warehousing and distribution and Army deep level maintenance at Joint Logistic Group Business Units.
<table>
<thead>
<tr>
<th>Contract Category</th>
<th>Companies Awarded Contract</th>
<th>Term of Contract</th>
<th>Total Cost (Approx)</th>
<th>Sites</th>
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<tbody>
<tr>
<td>Contract for the provision of services under the Class 8 Medical and Dental.</td>
<td>Serco Group Pty Ltd</td>
<td>Contract duration is seven years (14/3/2000 – 13/3/07) Planning is underway to extend this contract for up to 12 months while alternate support arrangements are considered.</td>
<td>$34 million</td>
<td>Randwick, NSW</td>
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<td>Services provided include warehousing, distribution and maintenance of ADF medical and dental stores and equipment.</td>
<td>Transfield Services Ltd</td>
<td>Contract duration is nine years (1/9/1998 – 31/1/2007) Planning is underway to extend this contract for up to 12 months while alternate support arrangements are considered.</td>
<td>$29 million</td>
<td>Singleton, NSW</td>
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<td>Contract for the provision of services under the Hunter Valley.</td>
<td>Thales Australia Ltd (formerly trading as ADI Munitions Ltd)</td>
<td>June 2001 – June 2011 (contract period is ten years, with a five year option at the Commonwealth’s discretion)</td>
<td>$450M over ten years</td>
<td>Contract includes 15 sites across Australia but these are withheld due to their security classification.</td>
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<tr>
<td>Services provided include ADF warehousing and Army maintenance at the Joint Logistic Group Business Unit detachment at Singleton.</td>
<td>Pentarch Pty Ltd</td>
<td>1/2/04 – 1/2/10</td>
<td>$4,500,000 (approx $750,000 per annum for six years)</td>
<td>Myambat, Orchard Hills, Wallangarra and Eden, NSW Mt Stuart, QLD Darwin, NT HMAS Stirling, WA Edinburgh, SA</td>
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<tr>
<td>Contract Category</td>
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<tr>
<td>Contract for the breakdown and destruction of unwanted small arms ammunition</td>
<td>Pentarch Pty Ltd</td>
<td>17/12/03 – 17/12/09</td>
<td>$6,000,000 (approx $1,000,000 per annum for six years)</td>
<td>Myambat, Orchard Hills, NSW</td>
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<td>‘Mulwala Agreement’ for the operation of the Commonwealth owned Explosives Manufacturing Facility at Mulwala, NSW, and manufacture of explosives for use in ADF munitions</td>
<td>Thales Australia Ltd (through ADI Munitions Ltd, a wholly owned subsidiary of Thales Australia Ltd)</td>
<td>1998 – 2015</td>
<td>$381,514,000 (approx $22,442,000 per annum)</td>
<td>Mulwala, NSW</td>
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</table>

NOTE 1: The total cost listed is the total contract cost for the term of the relevant contract rather than the individual functional categories specified in part (1). This is because those categories relate to services that are often supporting functions, or may be one of a larger number of functions, that are embedded in a broader contract. As a result, the costs for these individual services and functions cannot easily be extracted as discrete contract costs. The total contract value is, therefore, larger than the cost would be to deliver the specific service delivery function.

NOTE 2: Garrison Support Contracts and Base Services Contracts encompass a wide range of support services to bases including, but not limited to, catering, cleaning, grounds maintenance and stores management.

NOTE 3: An alternative strategy for the delivery of these services is being examined.
TABLE B (2)

<table>
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<th>Tender in Place</th>
<th>Category from part (1) that the Tender relates to</th>
<th>Tender Closing Date</th>
<th>Closed and Awaits Finalisation</th>
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<td>Central and Northern NSW Garrison Support Services Contract</td>
<td>Catering, cleaning, grounds maintenance and stores management, along with a number of other services, are delivered under Garrison Support Services contracts.</td>
<td>26 April 2006</td>
<td>A letter of intent has been sent to the preferred tenderer.</td>
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<td>Western Australia Garrison Support Services Contract</td>
<td>Catering, cleaning, grounds maintenance and stores management, along with a number of other services, are delivered under Garrison Support Services contracts.</td>
<td>13 July 2006</td>
<td>Contract negotiations are continuing.</td>
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<td>Southern Victoria Garrison Support Services Contract</td>
<td>Catering, cleaning, grounds maintenance and stores management, along with a number of other services, are delivered under Garrison Support Services contracts.</td>
<td>3 October 2006</td>
<td>Tender evaluation is currently in progress.</td>
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Aviation: Airport Emergency Plans

(Question No. 2625)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 9 November 2006:
With reference to Part 139 of the Civil Aviation Safety Regulations (CASR) and emergency plan testing at Alice Springs, Dubbo and Hobart airports:
(1) When was testing last conducted at these airports;
(2) If testing, as required by CASR Part 139, has not been conducted in the past two years (a) what action has been taken by the Civil Aviation Safety Authority (CASA); (b) if no action has been taken, why not; (c) what explanations have been provided by the airport operators for not meeting the regulation; and (d) what commitments, if any, have the airport operators given to CASA to undertake testing.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Alice Springs
(1) July 2006
(2) To maintain the required two-yearly frequency for emergency exercises at certified aerodromes, a full-scale exercise was required in February 2006. As this did not occur within the necessary timeframe, a request for corrective action was issued to the aerodrome operator in June 2006. A meeting was conducted with the aerodrome operator which determined that the emergency plan testing would occur in July 2006.

Dubbo
(1) 28 September 2006
(2) Not applicable.

Hobart
(1) 2004
(2) Hobart was due to conduct emergency test exercises by the end of 2006. The aerodrome operator applied for an extension which was granted on 15 December 2006. The next emergency plan testing exercise for Hobart is scheduled for 28 March 2007.

Transport and Regional Services

(Question No. 2632)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 9 November 2006:
(1) Has the department instituted an internal costing or cost recovery system; if so: (a) what was the reason for instituting this system; and (b) can details be provided of the costs associated with instituting this system.
(2) As at 30 September 2006: (a) how many staff are there at each Australian Public Service (APS) level (including executive and senior executive level staff) by business unit, division or branch; and (b) what is the average salary of staff at each APS level (including executive and senior executive level staff) by business unit, division or branch.
Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) No.
(2) Refer attached.
**QUESTIONS ON NOTICE**

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**Average Salary $**

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</table>

(i) Average salary represents the annual cash salary received through the Department’s payroll system. For the Secretary, salary is the base salary contained in the Prime Minister’s Determination under Section 61 of the Public Service Act 1999: Secretaries’ Remuneration of 4 August 2006.

(ii) Given confidentiality obligations concerning the disclosure of individual salaries, where there is only one or two officers at that level, no data has been provided. Instead, a departmental average has been provided.

(iii) The SES Band 3 shown against Aviation and Airports relates to the position of Deputy Chief Executive Officer, Civil Aviation Authority, Papua New Guinea, which is based in Port Mores by, Papua New Guinea.
Lockhart River Air Disaster
(Question No. 2709)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 10 November 2006:

(1) Is it the case that a global positioning system (GPS) navigation receiver could not be located in the wreckage of the aircraft VH-TFU, which crashed at Lockhart River on 7 May 2005.

(2) Was a GPS navigation receiver installed in the aircraft: if so: (a) when; and (b) was it functioning prior to the crash.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) Yes (see ATSB Interim Factual Report page 30)

(2) Yes (see ATSB Interim Factual Report page 10)

(a) June 2003

(b) A review of the aircraft’s maintenance documentation indicated that for the period from 8 January to 6 May 2005 there were no reported unserviceabilities with the GPS (see ATSB Interim Factual Report page 16). Examination of light globes from the GPS annunciator/control unit indicated that the aircraft system was receiving electrical power at the time of impact (see ATSB Interim Factual Report page 28). Flight Data Recorder (FDR) information shows that the aircraft was tracked accurately via the Lockhart River Runway 12 RNAV (GNSS) approach (see ATSB Interim Factual Report page 6), for which a serviceable GPS would have been required.

Vehicle Compliance
(Question No. 2712)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 10 November 2006:

With reference to the requirement that every vehicle supplied to the Australian market comply with Australian Design Rule (ADR) 69 Full Frontal Impact Occupant Protection and more recently ADR 73/00 Offset Frontal Impact Occupant Protection, for the period 1 January 2000 to 9 November 2006, can the following details be provided:

(1) A schedule of all vehicles tested for compliance with ADR 69 and ADR 73/00, including those that failed the testing and the reasons why the vehicles failed.

(2) A schedule of all vehicles provided with an exemption from testing for compliance with ADR 69 and ADR 73/00 on the grounds of being a derivative vehicle or a variant of a model already tested.

(3) A schedule of all vehicles provided with an exemption from testing for compliance with ADR 69 and ADR 73/00 on any other grounds but not including those listed in question (2), and the reason for the exemption.

Senator Ian Campbell—The Minister for Local Government, Territories and Roads has provided the following answer to the honourable senator’s question:

(1) No. The requested information is available but collating it into a schedule will require a significant diversion of resources. In many cases the data will be held by overseas approval authorities. I am not prepared to commit resources to such an exercise.

(2) No. For relevant models representative vehicle designs covering variants within the model range are required to be tested to the requirements of ADR 69/00 and/or ADR 73/00 as applicable. Retro-
respectively identifying untested variants would be a complex and resource intensive exercise and I am not prepared to commit resources to it.

(3) Vehicles that are supplied to the Australian market under low volume arrangements, whether new or used, may not need to be tested to either ADR 69 or ADR 73 as appropriate if the vehicle model was manufactured to meet at least one equivalent of either standard in its market of origin. This includes vehicles supplied under the Registered Automotive Workshops Scheme (RAWS). I am not prepared to commit resources to provide a schedule of these vehicles. However, it is possible to identify vehicle models approved under RAWS by searching the relevant web site at http://raws.dotars.gov.au/rawswebpublic/rawpubmain.asp.

Vehicles certified under the Low Production Passenger Car Scheme do not need to be tested to ADR 69 or 73. Vehicle models that have been approved under this scheme are: Bufori Mk III, Bullet Roadster, Caterham 7, De Tomaso Guara, Elfin Clubman C3, Clubman MS8 C, Clubman MS8 S, Pagani Zonda, TD2000 Roadster and UCA Ultima.

Australian Transport Safety Bureau

(Question No. 2715)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 10 November 2006:

With reference to the evidence to the Senate Standing Committee on Rural and Regional Affairs and Transport on 30 October 2006 (Committee Hansard, p. 51) that the assignment of resources to the Australian Transport Safety Bureau (ATSB) investigation of the Lockhart River air tragedy in May 2005 has ‘applied strains elsewhere’ and ‘there have been a number of other strains on the ATSB in terms of staffing’:

(1) Why has the Government not provided the ATSB with the resources it needs to investigate the Lockhart River disaster in a timely fashion while continuing to undertake its other responsibilities.

(2) Can details be provided of the ‘other strains on the ATSB in terms of staffing’.

(3) How has the Minister responded to the revelation of strained resources at the ATSB.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) The ATSB is appropriately resourced to conduct up to 90 aviation investigations each year.

(2) Retirement, resignation and illness have challenged investigation resource availability. Preparation for and attendance at Coronial Inquests has also had an impact.

(3) The Australian Government has provided additional resources to the ATSB. Commencing in the 2004-05 Budget the ATSB received an extra: $8.2m over four years to increase the number of aviation safety investigations conducted annually and $6.1m for the replacement of the ATSB’s aviation investigation database. The new Safety Investigation Information Management System (SIIMS) is expected to provide for more structured work processes and improved timeliness of investigations in 2007-08.

Workplace Relations

(Question No. 2828)

Senator Bob Brown asked the Minister representing the Minister for Employment and Workplace Relations, upon notice, on 23 November 2006:

(1) Following the validation of the Workplace Relations Amendment (WorkChoices) Act 2005 by the High Court of Australia, can the Minister confirm that, of the current conscientious objection certificates issued by the Australian Industrial Registry under the Registration and Accountability of
Organisations Schedule under section 180 of the Act, there are holders of these certificates in New South Wales, Queensland, Tasmania, South Australia and Western Australia that are small incorporated businesses and comply with federal criteria.

(2) What evidence is required to prove the size of a small business and that it is incorporated.

(3) (a) Have any federal certificates issued prior to 27 March 2006 been cancelled because the holder does not satisfy section 5 of the Act; and (b) are certificates being renewed so that federal criteria are being met.

(4) Given that the denial of union entry to certificate-holder workplaces operates in South Australia and New South Wales, will the Registrar recognise certificates issued under those jurisdictions but now transferred to the federal jurisdiction by the amended Act (that is, where a business satisfies the federal criteria specified in sections 5, 180 and 762 of the Act).

(5) Is it the Government’s intention to repeal the conscientious provisions in line with the 1996 proposal of the former Minister for Industrial Relations (Mr Reith) or will the Government amend section 180 of Schedule 1 of the Act to allow certificates to be issued on the basis of ‘conscientious objection to trade unions’ and align the definition of small business in section 762 of the Act to that used in the unfair dismissal provisions (that is, of 100 employees or less).

Senator Abetz—The Minister for Employment and Workplace Relations has provided the following answer to the honourable senator’s question:

(1) The Australian Industrial Registry has advised that conscientious objection certificates have only been issued to employers in Victoria.

(2) Section 180 of Schedule 1 to the Workplace Relations Act 1996 (WR Act) sets out the requirements for obtaining a conscientious objection certificate. The size of the employer’s business is not relevant to obtaining a certificate under s. 180.

(3) (a) and (b) The Australian Industrial Registry has advised that it has not cancelled any conscientious objection certificates issued prior to 27 March 2006 in order to ensure compliance with the definitions of employee and employer contained in ss. 5 and 6 of the WR Act. The definition of this Act in s. 4 of the WR Act means that the definitions of employee and employer in ss. 5 and 6 of the WR Act do not apply to Schedule 1. As a result, the Australian Industrial Registry does not need to review conscientious objection certificates issued pursuant to s. 180 of Schedule 1.

(4) No. The WR Act does not contain provisions that recognise and give effect to conscientious objection certificates that have been issued under State law. An employer or employee who is covered by the WR Act may apply for a conscientious objection certificate pursuant to s. 180 of Schedule 1.

(5) No.

Tenex

Senator Milne asked the Minister representing the Minister for Foreign Affairs and the Minister for Trade, upon notice, on 29 November 2006:

(1) Have officials of the department met representatives of the Russian state-owned nuclear fuel maker Techsnabexport (Tenex); if so, in the case of each meeting: (a) what were the names of the departmental officials; (b) what were the names of the people they met; (c) what was the date of the meeting; and (d) can details be provided of the topics discussed.

(2) Have officials of the Australian Safeguards and Non-Proliferation Office (ASNO) met representatives of Tenex; if so, in the case of each meeting: (a) what were the names of the ASNO officials; (b) what were the names of the people they met; (c) what was the date of the meeting; and (d) can details be provided of the topics discussed.

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(3) Have members of the Government met representatives of Tenex; if so, in the case of each meeting: (a) what were the names of the Australian Government officials; (b) what were the names of the people they met; (c) what was the date of the meeting; and (d) can details be provided of the topics discussed.

(4) With reference to the above meetings: (a) who initiated them; (b) how; and (c) when.

(5) What undertakings, if any, did representatives of Tenex give to: (a) officials of the department; (b) officials of ASNO; and (c) members of the Government.

(6) What undertakings, if any, were given to representatives of Tenex by: (a) officials of the department; (b) officials of ASNO; and (c) members of the Government.

(7) Have further meetings with representatives of Tenex or the Government of the Russian Federation been scheduled; if so, can details be provided.

Senator Coonan—The following answer has been provided by the Minister for Foreign Affairs and the Minister for Trade to the honourable senator’s question:

(1) & (2) ASNO staff are officials of the department, this answer covers the department including ASNO.

The only meeting specifically held with Tenex was on 18 October 2006, when Mr Andrew Leask, Assistant Secretary, ASNO, met with the Director General of Tenex, Dr Vladimir Smirnov, on the margins of the 15th Pacific Basin Nuclear Conference in Sydney. Also present were H.E. Mr Alexander Blokhin, Russian Ambassador to Australia, and other officials of Tenex and the Russian Embassy. Dr Smirnov provided a briefing on Tenex’s operations. Other subjects discussed were proposals for the expansion of Russia’s nuclear energy industry, developments in the international nuclear fuel cycle, and the operation of the Australia-Russia safeguards agreement.

Other contacts with representatives of Tenex have been incidental, e.g. where Tenex representatives have been present at meetings with Russian officials or at conferences. See for example (7) below.

(3) We are not aware of any meetings between members of the Government and Tenex. However, the scope of this question is very broad and goes well beyond the Foreign Affairs and Trade portfolio. As seeking the required information would entail a significant diversion of resources, we do not consider this effort can be justified.

(4) The meeting with Tenex on 18 October 2006 was initiated by Tenex, in the lead-up to the Pacific Basin Nuclear Conference.

(5) & (6) No undertakings were given either by Tenex or by ASNO or other departmental officials.

(7) Staff of the Australian Embassy in Moscow and other Australian officials routinely meet officials of the Government of the Russian Federation to discuss a wide range of issues.

Mr John Carlson, Director General, ASNO, met with Mr Sergei Kiriyenko, Head of the Russian Federal Atomic Energy Agency (Rosatom), in Moscow on 1 December 2006. Also present were Dr Smirnov of Tenex and officials of Rosatom and the Australian Embassy. Discussions at this meeting covered plans for Russia’s nuclear energy industry, technical and institutional developments in the international nuclear fuel cycle, and the Australia-Russia safeguards agreement.

No further meetings with Tenex are scheduled.

Legal Services

(Question No. 2899)

Senator Allison asked the Minister representing the Treasurer, upon notice, on 30 November 2006:

With reference to the department and all agencies in the Minister’s portfolio:

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(1) What action, if any, has been taken by the Government in relation to reports in *The Age* on 29 October and 30 October 2006, of an internal investigation that suggested that lawyers at Clayton Utz deliberately deceived the Supreme Court of Victoria in their action on behalf of British American Tobacco Australia Services Ltd in the appeal in 2002 against an earlier ruling by the Supreme Court of Victoria in favour of Rolah Ann McCabe.

(2) Does the Government consider that Clayton Utz has an obligation to inform the Supreme Court of Victoria, the Legal Services Commissioner of New South Wales, the Legal Ombudsman of Victoria and the Australian Competition and Consumer Commission, if the investigation found evidence of ethical misconduct and deception.

**Senator Minchin**—The Treasurer has provided the following answer to the honourable senator’s question:

(1) The Government considers that this is a matter for enforcement agencies, courts or professional standards bodies.

(2) The Government considers that Clayton Utz has an obligation to comply with Australian law, court rules, and relevant professional standards. The investigation and enforcement of any contraventions of these laws or rules is a matter for enforcement agencies, courts or professional standards bodies. The Government notes that the Victorian Attorney-General has referred this matter to the Victorian Director of Public Prosecutions and the Legal Services Commissioners of New South Wales and Victoria.

**NAIDOC Week**

(Question No. 2900)

**Senator Allison** asked the Minister representing the Minister Assisting the Prime Minister for Indigenous Affairs, upon notice, on 30 November 2006:

With reference to National Aborigines and Islander Day Observance Committee (NAIDOC) Week to be held in Perth in 2007:

(1) Will there be an official: (a) opening ceremony; and (b) flag raising ceremony.

(2) Who will coordinate events and send out brochures with the list of events a few weeks prior to NAIDOC Week, as the Aboriginal and Torres Strait Islander Commission once did.

(3) Will official awards be given to recognise the efforts of Indigenous people.

(4) (a) Will there be an official Western Australian representative on NAIDOC; and (b) will all states be represented.

(5) Will the funding application of the Office of Indigenous Policy Coordination be less cumbersome and funds distributed earlier than in the past.

(6) (a) What funds will be made available for NAIDOC celebrations in Western Australia; and (b) will there be recognition of the cost of organising events over such a vast area as is necessary in that state.

**Senator Kemp**—The Minister for Families, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question:

The national details for NAIDOC Week are determined by an independent Indigenous committee - the National NAIDOC Committee, currently chaired by Aden Ridgeway. The Government provides funding for both community-based and national NAIDOC Week events but does not take part in decision-making about these events.

I understand that the Committee has decided that the National NAIDOC Awards Ceremony 2007 will be held in Darwin on Friday 13 July.
The matter of WA representation on the National NAIDOC Committee is a matter for the Committee. Matters relating to NAIDOC activities in Perth are determined by the Perth and WA Indigenous communities, not the Government.

Funding for NAIDOC Week activities at community, regional and national levels has been higher than during the ATSIC period and has been more evenly distributed across Australia.

Funding for community and regional activities is applied for and managed through the Indigenous Co-ordination Centres (ICC) and the Government continues to improve the process of funding so its provision is as simple and timely as possible.

All NAIDOC activities across Australia are organised by local community members. It is up to each community to form their own local NAIDOC committee to coordinate events in their community and to apply for funding if they wish to, through their nearest ICC.

**In-Home Care Program**

(Question No. 2901)

Senator Allison asked the Minister representing the Minister for Families, Community Services and Indigenous Affairs, upon notice, on 30 November 2006: On what date will the In-Home Care program be released.

Senator Kemp—The Minister for Families, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question: The Minister for Families, Community Services and Indigenous Affairs, the Hon Mal Brough MP, released the report Final Evaluation: In Home Care on Wednesday 13 December. The report may be accessed through:


**Knight Industries Pty Ltd**

(Question No. 2905)

Senator Webber asked the Minister representing the Attorney-General, upon notice, on 1 December 2006:

(1) Is the Attorney-General aware of any contact between the Australian Security and Intelligence Organisation (ASIO) or the Australian Secret Intelligence Service (ASIS) and the directors or staff of Knight Industries Pty Ltd.

(2) Is the Attorney-General aware of any attempts by ASIO or ASIS to acquire the technology known as the Knight Direct Location System, also known as KDLS.

(3) Can the Attorney-General confirm that ASIO’s T4 Engineering section has investigated this technology.

Senator Ellison—The Attorney-General has provided the following answer to the honourable senator’s question:

(1) to (3) Consistent with long standing practice, it would not be appropriate for me to comment on the involvement of security and intelligence agencies in these matters.
Government Vehicle Fleet
(Question No. 2918)

Senator O’Brien asked the Minister representing the Minister for Local Government, Territories and Roads, upon notice, on 5 December 2006:

With reference to the answer provided on 5 December 2006 to question Corp 06 taken on notice during the supplementary budget estimates hearing of the Rural and Regional Affairs and Transport Committee on 30 October 2006 (Committee Hansard p. 10), where the department stated ‘The vehicle selection guidance issued by the Department of Finance and Administration does not refer to ANCAP’:

(1) Are the vehicle selection guidelines issued by the Department of Finance and Administration minimum or maximum guides.

(2) Are there any guidelines issued by any agency that would preclude the department instituting an additional requirement that vehicles for the department’s staff should have a minimum rating under the Australian New Car Assessment Program.

Senator Ian Campbell—The Minister for Local Government, Territories and Roads has provided the following answer to the honourable senator’s question:

(1) Minimum.

(2) No.

Government Vehicle Fleet
(Question No. 2922)

Senator O’Brien asked the Minister for Finance and Administration, upon notice, on 6 December 2006:

With reference to fleet vehicle selection guidelines provided by the department:

(1) Are the vehicle selection guidelines issued by the department, minimum or maximum guidelines.

(2) Are there guidelines issued by any agency that would preclude any department instituting an additional requirement that vehicles have a minimum rating under the Australian New Car Assessment Program.

Senator Minchin—The answer to the honourable senator’s question is as follows:

(1) Minimum.

(2) No.

Australian Transport Safety Bureau
(Question No. 2923)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 6 December 2006:

With reference to the investigation by the Australian Transport Safety Bureau (ATSB) of the fatal crash of the aircraft VH-TFU at Lockhart River in May 2005: Can copies be provided of all notices, requests or requirements served under section 32 of the Transport Safety Investigation Act 2003 on the Civil Aviation Safety Authority by the ATSB concerning the investigation of the Lockhart River crash; if not, why not.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

The question relates to lines of inquiry which are pursued in the draft Australian Transport Safety Bureau final investigation report. The draft report was released to Directly Involved Parties for review and
comment on 15 December 2006 to enable checking of the accuracy of the content and to ensure natural justice. Directly Involved Parties have 60 days to provide comment to the ATSB. Release of information relating to the draft report at this stage could compromise the Directly Involved Party process.

**Senior Volunteers for Indigenous Communities**

(Question No. 2939)

Senator Chris Evans to asked the Minister representing the Minister for Families, Community Services and Indigenous Affairs, upon notice, on 8 December 2006:

With reference to the Senior Volunteers for Indigenous Communities scheme announced by the Minister on 26 November 2006:

(1) On what date did the: (a) Minister or department first discuss with the National Seniors Association, the prospect of a seniors’ volunteer scheme for remote Indigenous communities; and (b) Minister first request or approve that the department develop a program and funding proposal to support the scheme.

(2) Given that the Indigenous Community Volunteers (ICV) has been funded by the Government for the past 5 years to administer a volunteer scheme in Indigenous communities: (a) is it the Minister’s intention that ICV will work co-operatively with the National Seniors Association to deliver the program; and (b) what service or assistance does the Minister expect ICV to provide.

(3) Was the department aware of the ICV scheme when the Minister was considering the senior volunteers proposal.

(4) On what date did the Minister inform ICV of this scheme.

(5) Can a breakdown be provided of the $300 000 in funding, including how much will be allocated for: (a) cultural awareness training; (b) community development training and preparation; (c) travel and accommodation costs of volunteers; (d) living costs of volunteers; (e) ongoing professional support for volunteers during their placement; (f) equipment and materials for projects in communities; and (g) the administrative costs of the program.

(6) How was it assessed that 30 000 volunteers could be placed at a cost of $300 000 to the National Seniors Association, amounting to $10 per person.

(7) (a) How will the National Seniors Association arrange placement of volunteers; (b) will they approach communities for possible placements; and (c) what decision-making role or choice will communities have in the selection of the volunteer.

(8) How many senior volunteers have registered for the scheme to date.

Senator Kemp—The Minister for Families, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question:

The Minister and representatives from the Department met with the National Seniors Association about a potential project on 14 September 2006. The Department commenced working on the project on that date.

The Senior Volunteers program is run by the National Seniors Association (NSA). Any collaboration between ICV and NSA would be a private arrangement between these two organisations.

The Department was aware of the ICV program when considering the NSA proposal.

ICV was informally advised about the potential project by the Department in the lead up to the launch of the scheme and formally notified on 24 November 2006.

The funding is provided to NSA to establish and operate the program. This provides for NSA to employ a project coordinator for two years and some travel and related support for the coordinator position.
Other costs related to the program are intended to be met by NSA through corporate and philanthropic support.

The Government expects there will be between 50 and 200 of the 300,000 NSA members working with Indigenous communities as volunteers over the two year period.

Placement of volunteers will be coordinated by NSA in consultation with the Australian Government and Indigenous communities. Communities will be consulted when selecting volunteers.

As of 13 December, over 200 people have expressed interest in participating in the program.

Middle East
(Question No. 2944)

Senator Allison asked the Minister representing the Minister for Foreign Affairs, upon notice, on 15 December 2006:

(1) (a) On 1 December 2006, why did Australia vote against the series of resolutions of the United Nations (UN) General Assembly reaffirming the inalienable rights of the Palestinian people; and (b) to what extent is this consistent with the: (i) Universal Declaration of Human Rights, and (ii) the Fourth Geneva Convention.

(2) Why did Australia vote against this resolution given the overwhelming UN General Assembly support for the adopted resolution on the peaceful settlement of the question of Palestine.

(3) Given that Australia has voted for such resolutions until 2004, does Australia’s no vote indicate a change in Australia’s position on Palestine.

(4) Does the Government’s recent history of abstaining or voting no indicate that it no longer considers Israel to have ignored the rulings of the UN Convention and International Court of Justice (ICJ).

(5) Does the Government no longer recognise Palestinian rights.

(6) Why did Australia: (a) boycott a meeting of the High Contracting Parties of the Fourth Geneva Convention that was to discuss alleged violations by Israel of the convention in its treatment of Palestinians in West Bank and Gaza; and (b) vote against the UN resolution in 2004 condemning Israel’s barrier wall, judged illegal by the ICJ.

(7) To what extent has this vote allowed Israel to annex more land from Palestinians.

(8) Is it the case that the Government supports a Palestinian homeland on the conditional acceptance of Israel to peacefully exist within secure and defensible borders; if so, how do the borders of this homeland vary from the borders established in 1967.

(9) Does the Government consider that: (a) the Palestinian homeland state should be geographically contiguous; if not: (i) why not, and (ii) does the Government consider that the current non-contiguous homelands of West Bank, Gaza and East Jerusalem are able to be formed into a viable state; and (b) Israel should accept the right of Palestinians to peacefully exist within secure and defensible borders of West Bank, Gaza and East Jerusalem.

(10) Is it still the case that the Government considers that the Hamas-led Government must recognise Israel, renounce violence and adhere to all previous agreements; if so, does this also apply to Israel; if not, why not.

(11) (a) In the 39 year occupation by Israel of Palestinian territory, how many people have been killed by acts of violence by each respective party; and (b) to what does the Government attribute the difference.

Senator Coonan—The following answer has been provided by the Minister for Foreign Affairs to the honourable senator’s question:
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(1) (a) On 1 December 2006 Australia voted against four resolutions of the UN General Assembly on “Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/RES/61/22), “Division for Palestinian Rights of the Secretariat (A/RES/61/23), “Special Information Program on the Question of Palestine (A/RES/61/24)” and “Peaceful Settlement of the Question of Palestine (A/RES/61/25)” because we are concerned about the disproportionate and duplicative allocation of UN Secretariat resources dedicated to Palestinian issues. These annual resolutions do nothing to streamline or rationalise the Secretariat’s structure nor to make its work more balanced, nor are they a constructive use of UN resources. Australia judges these resolutions make no contribution to the cause of peace in the Middle East. Australia does not support resolutions in the UN (or other multilateral fora) on Middle East issues that are unbalanced, include selectively anti-Israeli language or unduly divert UN resources into unproductive activity. The singling out of one side only for blame in a complex situation is unhelpful and will do nothing to advance the cause of peace in the Middle East. This does not in any way change Australia’s support for a two-state solution.

(b) There is no inconsistency between Australia’s position in relation to these resolutions and either the Universal Declaration on Human Rights or the Fourth Geneva Convention. Australia takes seriously its commitment to the rights enshrined in the non-binding Universal Declaration on Human Rights and is solidly committed to making the fundamental principles of universality, indivisibility and interdependence of all human rights a reality for all. The protections afforded to civilians by the Fourth Geneva Convention are not relevant to these resolutions. Nevertheless, Australia is fully committed to adhering to all of its obligations under all Geneva Conventions, and actively promotes universal adherence to international humanitarian law, the Geneva Conventions and the Additional Protocols.

(2) Australia’s voting decisions are made on the basis of Australian policy, and not in reference to other countries’ positions.

(3) No. Australia continues to support a two-state solution to the Israeli-Palestinian conflict which recognises Israel’s right to exist within secure boundaries and the legitimate aspirations of the Palestinian people to their own state. We strongly support international efforts to this end.

(4) On 8 December 2003, Australia voted against the Emergency Special Session General Assembly resolution (A/ES-10/L.16) which requested the International Court of Justice (ICJ) render an advisory opinion on the legal consequences of Israel’s security barrier. Australia voted against this resolution because the resolution unfairly isolated a single issue in a complex conflict, politicised the ICJ and did nothing to help the Middle East peace process. Our subsequent voting record on issues relating to the ICJ advisory opinion on the security barrier has upheld this position. On 30 June 2004 an Israeli High Court ruling, which called for the rerouting of a substantial section of the barrier northwest of Jerusalem, shows that the barrier is subject to domestic judicial process and the rule of law. See also (1) (a) above.

(5) There has been no change in the Government’s policy which recognises the legitimate rights of the Palestinian people.

(6) (a) Australia did not attend the 15 July 1999 (reconvened on 5 December 2001) meeting of the High Contracting Parties to the Fourth Geneva Convention regarding measures to enforce the Convention in the Occupied Palestinian Territories, including Jerusalem, because the Convention does not contain any provisions authorising the High Contracting Parties to convene conferences of this kind.

(b) Further to (4) above, consistent with this position Australia voted against the Emergency Special session resolution (A/ES-10/L.18/Rev.1) on 20 July 2004 because we opposed the earlier decision by the General Assembly to seek the ICJ’s opinion.
(7) Not at all.
(8) Australia, with the international community, continues to support a peaceful, negotiated settlement between Israel and the Palestinians: a two state solution that recognises the legitimate aspirations of the Palestinian people and Israel’s right to exist within secure and recognised borders. The final status borders will be a matter of negotiation between the Palestinians and the Israelis.
(9) (a), (i), (ii), (b) Australia supports a return to the principles of the Roadmap to Middle East Peace and a two state solution of the conflict that includes a viable, contiguous Palestinian state. The Government believes the long-term interests of Palestinians and Israelis lie in a resumption of negotiations leading to a just and lasting settlement of the conflict. The final status borders will be a matter of negotiation between the Palestinians and the Israelis.
(10) It is essential the Hamas-led Government recognise Israel, renounce violence and accept previous commitments by Palestinian representatives, as called for by the international community.
(11) The Government has no means by which to determine the number of deaths in Israel and the Palestinian Territories over the last 39 years. The Government recognises the seriousness of the conflict and strongly supports its peaceful resolution in the interests of the security and welfare of future generations of the Israeli and Palestinian people.

Nuclear Weapons
(Question No. 2945)

Senator Allison asked the Minister representing the Minister for Foreign Affairs, upon notice, on 15 December 2006:
(1) Would an upgrade of the United Kingdom’s nuclear-armed Trident submarines be consistent with the Treaty on the Non-Proliferation of Nuclear Weapons.
(2) Is the Government concerned that moves by the United Kingdom to upgrade its nuclear-armed Trident submarines would encourage horizontal nuclear weapons proliferation.
(3) What is the Government doing, if anything, to discourage vertical nuclear weapons proliferation in: (a) the United States of America; (b) the Russian Federation; (c) the United Kingdom; (d) France; (e) the Peoples Republic of China; (f) Israel; (g) Pakistan; (h) India; and (i) North Korea.

Senator Coonan—The following answer has been provided by the Minister for Foreign Affairs to the honourable senator’s question:
(1) Yes. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) defines the United States, the Russian Federation, the United Kingdom, France and China as nuclear weapon states. The Treaty does not prohibit the nuclear weapon states from modernising their nuclear forces. Consistent with its NPT nuclear disarmament commitments the UK has announced that its total number of nuclear warheads will be reduced by a further twenty percent, from the present holding of 200 to fewer than 160.
(2) No.
(3) At the 2005 NPT Review Conference Australia made clear its expectation that the nuclear weapon states pursue their NPT nuclear disarmament commitments vigorously and with determination. Australia with Japan submitted a working paper at the NPT Review Conference proposing a series of nuclear disarmament steps including a call for the nuclear weapon states to further reduce the operational status of nuclear weapon systems and reaffirmation of the necessity of a diminishing role for nuclear weapons in security policies (see http://www.dfat.gov.au/security/downloads/050519_Japan-Australia_disarmament_working_paper.pdf.)

The Government’s active approach to countering nuclear proliferation of all forms is set out in “Weapons of Mass Destruction: Australia’s Role in Fighting Proliferation” published in 2005. Fol-
lowing North Korea’s 9 October 2006 nuclear test, Australia was an early and strong supporter of a firm international response. Australia promptly implemented the sanctions applied by UN Security Council resolution 1718 and continues to press North Korea to verifiably abandon all nuclear weapons programs. Australia continues to take a leading role in pursuing nuclear disarmament-related objectives such as working for the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the negotiation of a Fissile Material Cut-off Treaty (FMCT) to ban the production of fissile material for nuclear weapons.