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SITTING DAYS—2011

<table>
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<th>Date</th>
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<td>February</td>
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<td>March</td>
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<td>May</td>
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<td>June</td>
<td>14, 15, 16, 20, 21 22, 23</td>
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<td>July</td>
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<td>16, 17, 18, 22, 23, 24, 25</td>
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<td>September</td>
<td>12, 13, 14, 15, 19, 20, 21, 22</td>
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<td>11, 12, 13, 31</td>
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<td>November</td>
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FORTY-THIRD PARLIAMENT  
FIRST SESSION—SECOND PERIOD

Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

Senate Officeholders

President—Senator Hon. John Joseph Hogg  
Deputy President and Chair of Committees—Senator Hon. Alan Baird Ferguson  
Temporary Chairs of Committees—Senators Guy Barnett, Thomas Mark Bishop, Suzanne  
Kay Boyce, Patricia Margaret Crossin, Mary Jo Fisher, Michael George Forshaw,  
Annette Kay Hurley, Stephen Patrick Hutchins, Helen Evelyn Kroger, Scott Ludlam,  
Gavin Mark Marshall, Julian John James McGauran, Claire Mary Moore, Louise Clare Pratt,  
Hon. Judith Mary Troeth and Russell Brunell Trood

Leader of the Government in the Senate—Senator Hon. Christopher Vaughan Evans  
Deputy Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy  
Leader of the Opposition in the Senate—Senator Hon. Eric Abetz  
Deputy Leader of the Opposition in the Senate—Senator Hon. George Henry Brandis SC  
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig  
Manager of Opposition Business in the Senate—Senator Mitchell Peter Fifield

Senate Party Leaders and Whips

Leader of the Australian Labor Party—Senator Hon. Christopher Vaughan Evans  
Deputy Leader of the Australian Labor Party—Senator Hon. Stephen Michael Conroy  
Leader of the Liberal Party of Australia—Senator Hon. Eric Abetz  
Deputy Leader of the Liberal Party of Australia—Senator Hon. George Henry Brandis SC  
Leader of the Nationals—Senator Barnaby Thomas Gerard Joyce  
Deputy Leader of the Nationals—Senator Fiona Nash  
Leader of the Australian Greens—Senator Robert James Brown  
Deputy Leader of the Australian Greens—Senator Christine Anne Milne  
Leader of the Family First Party—Senator Steve Fielding  
Chief Government Whip—Senator Anne McEwen  
Deputy Government Whips—Senators Carol Louise Brown and Helen Beatrice Polley  
Chief Opposition Whip—Senator Stephen Shane Parry  
Deputy Opposition Whips—Senators Judith Anne Adams and David Christopher Bushby  
The Nationals Whip—Senator John Reginald Williams  
Australian Greens Whip—Senator Rachel Mary Siewert  
Family First Party Whip—Senator Steve Fielding

Printed by authority of the Senate
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(1) Chosen by the Parliament of South Australia to fill a casual vacancy vice Amanda Eloise Vanstone, resigned.
(2) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Ian Campbell, resigned.
(3) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Christopher Martin Ellison, resigned.
(4) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

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

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

iii
**GILLARD MINISTRY**

<table>
<thead>
<tr>
<th>Position</th>
<th>Minister</th>
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<tbody>
<tr>
<td>Prime Minister</td>
<td>Hon. Julia Gillard MP</td>
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<tr>
<td>Deputy Prime Minister and Treasurer</td>
<td>Hon. Wayne Swan MP</td>
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<tr>
<td>Minister for Regional Australia, Regional Development and Local Government</td>
<td>Hon. Simon Crean MP</td>
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<td>Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate</td>
<td>Senator Hon. Chris Evans</td>
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<td>Minister for School Education, Early Childhood and Youth</td>
<td>Hon. Peter Garrett AM MP</td>
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<tr>
<td>Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate</td>
<td>Senator Hon. Stephen Conroy</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Hon. Kevin Rudd MP</td>
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<td>Minister for Trade</td>
<td>Hon. Dr Craig Emerson MP</td>
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<td>Minister for Defence and Deputy Leader of the House</td>
<td>Hon. Stephen Smith MP</td>
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<td>Minister for Infrastructure and Transport and Leader of the House</td>
<td>Hon. Anthony Albanese MP</td>
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<td>Minister for Families, Housing, Community Services and Indigenous Affairs</td>
<td>Hon. Jenny Macklin MP</td>
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<td>Minister for Sustainability, Environment, Water, Population and Communities</td>
<td>Hon. Tony Burke MP</td>
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<td>Minister for Finance and Deregulation</td>
<td>Senator Hon. Penny Wong</td>
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<td>Minister for Innovation, Industry, Science and Research</td>
<td>Senator Hon. Kim Carr</td>
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<tr>
<td>Attorney-General and Vice President of the Executive Council</td>
<td>Hon. Robert McClelland MP</td>
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<td>Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate</td>
<td>Senator Hon. Joe Ludwig</td>
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<tr>
<td>Minister for Resources and Energy and Minister for Tourism</td>
<td>Hon. Martin Ferguson AM, MP</td>
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<tr>
<td>Minister for Climate Change and Energy Efficiency</td>
<td>Hon. Greg Combet AM, MP</td>
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[The above ministers constitute the cabinet]
Minister for the Arts
Minister for Social Inclusion
Minister for Privacy and Freedom of Information
Minister for Sport
Special Minister of State for the Public Service and Integrity
Assistant Treasurer and Minister for Financial Services and Superannuation
Minister for Employment Participation and Childcare
Minister for Indigenous Employment and Economic Development
Minister for Veterans’ Affairs and Minister for Defence Science and Personnel
Minister for Defence Materiel
Minister for Indigenous Health
Minister for Mental Health and Ageing
Minister for the Status of Women
Minister for Social Housing and Homelessness
Special Minister of State
Minister for Small Business
Minister for Home Affairs and Minister for Justice
Minister for Human Services
Cabinet Secretary
Parliamentary Secretary to the Prime Minister
Parliamentary Secretary to the Treasurer
Parliamentary Secretary for School Education and Workplace Relations
Minister Assisting the Prime Minister on Digital Productivity
Parliamentary Secretary for Trade
Parliamentary Secretary for Pacific Island Affairs
Parliamentary Secretary for Defence
Parliamentary Secretary for Immigration and Citizenship
Parliamentary Secretary for Infrastructure and Transport and Parliament Secretary for Health and Ageing
Parliamentary Secretary for Disabilities and Carers
Parliamentary Secretary for Community Services
Parliamentary Secretary for Sustainability and Urban Water
Minister Assisting on Deregulation and Public Sector Superannuation
Minister Assisting the Attorney-General on Queensland Floods Recovery
Parliamentary Secretary for Agriculture, Fisheries and Forestry
Minister Assisting the Minister for Tourism
Parliamentary Secretary for Climate Change and Energy Efficiency
SHADOW MINISTRY

Leader of the Opposition

Hon. Tony Abbott MP

Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade

Hon. Julie Bishop MP

Leader of the Nationals and Shadow Minister for Infrastructure and Transport

Hon. Warren Truss MP

Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations

Senator Hon. Eric Abetz

Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts

Senator Hon. George Brandis SC

Shadow Treasurer

Hon. Joe Hockey MP

Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House

Hon. Christopher Pyne MP

Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals

Senator Hon. Nigel Scullion

Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate

Senator Barnaby Joyce

Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee

Hon. Andrew Robb AO, MP

Shadow Minister for Energy and Resources

Hon. Ian Macfarlane MP

Shadow Minister for Defence

Senator Hon. David Johnston

Shadow Minister for Communications and Broadband

Hon. Malcolm Turnbull MP

Shadow Minister for Health and Ageing

Hon. Peter Dutton MP

Shadow Minister for Families, Housing and Human Services

Hon. Kevin Andrews MP

Shadow Minister for Climate Action, Environment and Heritage

Hon. Greg Hunt MP

Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship

Mr Scott Morrison MP

Shadow Minister for Innovation, Industry and Science

Mrs Sophie Mirabella MP

Shadow Minister for Agriculture and Food Security

Hon. John Cobb MP

Shadow Minister for Small Business, Competition Policy and Consumer Affairs

Hon. Bruce Billson MP

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

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

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

TUESDAY, 1 MARCH

Chamber
New Zealand Earthquake....................................................................................................... 793
Governor-General’s Speech— Address-in-Reply................................................................. 793
Condolences— Larcombe, Sapper Jamie Ronald....................................................................... 793
Reflection on the Chair ........................................................................................................ 800
Modified Rules for Question Time .................................................................................... 803
Tax Laws Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 .... 803
Income Tax Rates Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011— Second Reading................................................................................................................ 803
Questions Without Notice—
Carbon Pricing................................................................................................................. 814
Carbon Pricing................................................................................................................. 815
Carbon Pricing................................................................................................................. 816
Carbon Pricing................................................................................................................. 818
Carbon Pricing................................................................................................................. 819
Radioactive Waste............................................................................................................. 821
Carbon Pricing................................................................................................................. 822
Broadband ...................................................................................................................... 824
Carbon Pricing................................................................................................................. 825
Questions Without Notice: Take Note of Answers—
Carbon Pricing................................................................................................................. 828
Radioactive Waste............................................................................................................. 834
Notices— Presentation ....................................................................................................... 835
Leave of Absence................................................................................................................. 838
Notices— Withdrawal ......................................................................................................... 838
Committees— Legal and Constitutional Affairs References Committee—Meeting ............ 838
Corporations and Financial Services Committee—Meeting .............................................. 838
Corporations and Financial Services Committee—Meeting .............................................. 838
Rural Affairs and Transport References Committee—Extension of Time ......................... 838
Electoral Matters Committee—Meeting ......................................................................... 838
Gambling Reform Committee—Meeting .................................................................... 839
Cyber-Safety Committee—Meeting ............................................................................. 839
Community Affairs References Committee—Extension of Time .................................... 839
Finance and Public Administration References Committee—Reference ......................... 839
Matters of Public Importance— Carbon Pricing.............................................................................. 840
Notices— Presentation ....................................................................................................... 854
Auditor-General’s Reports— Report No. 32 of 2010-11.......................................................... 854
Committees— Legal and Constitutional Affairs Legislation Committee—Report ............... 854
Corporations and Financial Services Committee—Reports .............................................. 854
CONTENTS—continued

Documents—
Tabling .............................................................................................................................. 855
Tax Laws Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 .... 855
Income Tax Rates Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011—
Second Reading ................................................................................................................ 855
Documents—
Tabling ........................................................................................................................ ...... 859
Indexed Lists of Files ....................................................................................................... 860
Questions on Notice
Indigenous Communities—(Question No. 172) ............................................................... 861
Broadband, Communications and the Digital Economy: Stationery—(Question No. 229) .......................................................... 862
Finance and Deregulation: Stationery—(Question No. 239) ........................................ 863
Special Minister of State: Stationery—(Question No. 266) ........................................... 863
Uranium Mining—(Question No. 317) ........................................................................ 864
International Product Stewardship Summit—(Question No. 318) .............................. 864
National Container Deposit Scheme—(Question No. 319) ............................................. 865
Sustainability, Environment, Water, Population and Communities—(Question No. 320) .......................................................... 866
World Heritage Committee—(Question No. 321) .......................................................... 866
Australian Heritage Council—(Question No. 322) ....................................................... 867
National Capital Authority—(Question No. 323) .......................................................... 868
Commonwealth Heritage Strategies—(Question No. 324) ............................................ 868
National Trust of Australia—(Question No. 325) ........................................................... 872
ATM and EFTPOS Fees—(Question No. 361) ................................................................. 872
Olympic Dam—(Question No. 366) .............................................................................. 874
Pharmaceutical Benefits Scheme—(Question No. 370) .............................................. 876
Christmas Island National Park—(Question No. 376) .................................................. 878
Bilateral Investment Agreements—(Question No. 377) .................................................. 881
Families, Housing, Community Services and Indigenous Affairs: Accommodation—(Question Nos 2869, 2886 and 2887) .......................................................... 882
The PRESIDENT (Senator the Hon. John Hogg) took the chair at 10.49 am and read prayers and made an acknowledgement of country.

NEW ZEALAND EARTHQUAKE
The PRESIDENT (10.50 am)—I present letters from the Leader of the Government in the Senate, Senator Evans, and the Leader of the Opposition in the Senate, Senator Abetz, requesting me to summon the Senate to meet earlier today to acknowledge the devastation of the earthquake in New Zealand. As a mark of respect to the victims of the earthquake in Christchurch, New Zealand, I ask honourable senators to stand in silence for two minutes.

Honourable senators having stood in their places—

The PRESIDENT—I thank the Senate.

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations) (10.53 pm)—I thank senators for their cooperation.

I move:

That the sitting of the Senate be suspended till 12.30 pm today.

Question agreed to.

Sitting suspended from 10.53 am to 12.30 pm

GOVERNOR-GENERAL’S SPEECH
Address-in-Reply
The PRESIDENT—I remind honourable senators that, pursuant to the order of the Senate agreed yesterday, the address-in-reply will be presented to the Governor-General at Government House today at 5.30 pm. For this purpose, the sitting of the Senate will be adjourned at 5 pm. Cars will be leaving the Senate entrance at 5.15 pm for the purpose of taking senators to Government House.

CONDOLENCES

Larcombe, Sapper Jamie Ronald
Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations) (12.30 pm)—by leave—I move:—

That the Senate record its deep sorrow at the death, on 19 February 2011, of Sapper Jamie Ronald Larcombe while on combat operations in Afghanistan, places on record its appreciation of his service to our country and tenders its profound sympathy to his family and friends in their bereavement.

Jamie Ronald Larcombe was born in 1989 in Kingscote, South Australia. He attended Parndana Area School, played football for Western Districts and was a local fire brigade volunteer. His life ambition was to serve his country. In 2008 he joined the Australian Army. Having successfully completed his recruit and combat engineer basic training in that year, he was posted to the 1st Combat Engineer Regiment based in Darwin. In 2009, Sapper Larcombe was deployed to Indonesia as part of the humanitarian Operation Padang Assist. In October last year he was deployed to Afghanistan as part of Operation Slipper.

On 19 February this year, while serving as a combat engineer with Mentoring Task Force 2, Sapper Larcombe was killed in action during an engagement with insurgents in the Mirabad Valley region of Oruzgan province. He was mortally wounded when his patrol was subject to a coordinated attack, which employed both machine gun and small-arms fire. Sapper Larcombe had just marked his third anniversary of Army life.

The commanding officer of Mentoring Task Force 2, Lieutenant Colonel Darren Huxley, says Jamie Larcombe was ‘a trusted sapper’, a ‘comrade in arms’ and a ‘mate’. During a service for Sapper Larcombe at
Multinational Base Tarin Kowt, Lieutenant Colonel Huxley paid tribute in these terms:
Mateship is what defines the best in an Aussie Digger and Jamie was amongst our best. Jamie was a volunteer for his country, as we all here are. He knew the risks of his chosen profession and he accepted them. He shared the danger and austerity, but mostly, I am sure, he was driven by his desire to protect and support his mates. Jamie Larcombe is now part of our nation’s history and his name will echo in Anzac Day toasts long after all of us have gone.

At the conclusion of the memorial service, more than 2,000 soldiers from six nations stood side by side to pay their final respects to Sapper Larcombe. It was a fitting tribute to a fine Australian.

Sapper Larcombe was loved by his family and respected by his peers. He died doing what he wanted to do: serving his country as a combat engineer in the Australian Army. Sapper Larcombe’s life ambition was to serve and he will forever be remembered for his service. The pain of his loss will not be lessened by any words we speak in this chamber today, but we do want to acknowledge his contribution and sacrifice, and pay our respect. I hope his partner, his parents and his sisters take some comfort from the esteem in which his memory is held and will forever be held.

I also acknowledge that an Afghan national, who was engaged as an interpreter, died in the same insurgent attack that killed Sapper Larcombe. Those interpreters and other support personnel are vital to our operations and to our troops. We offer our condolences to his family and regret his death enormously.

Unfortunately, this parliament on too many occasions in recent times has had to acknowledge the passing of an Australian soldier. Sapper Larcombe is the 23rd Australian soldier and the fifth Australian combat engineer to die in Afghanistan. Combat engineers are soldiers who build bridges and roads, clear landmines, and locate and disarm roadside bombs. They have paid a high price for their service in this conflict.

Three weeks ago, the Senate extended its condolences on the death of Corporal Richard Atkinson. Corporal Atkinson was a member of the 1st Combat Engineer Regiment, also killed in action in Afghanistan. I extend my condolences to members of the regiment as they carry on with their dangerous mission in Afghanistan. I thank all our serving men and women in Afghanistan for the work they are doing in our name.

The government acknowledges that Australia’s participation in the International Security Assistance Force effort in Afghanistan has extracted a significant toll. The loss of life and the trauma of injury associated with this conflict is a lasting reminder of the dangers our Defence Force personnel confront each day. All of us in the parliament acknowledge the great responsibility we have when we support the commitment of Australian troops overseas and we certainly take that responsibility very seriously, and feel very much the loss or injury of Australian personnel. I know that a couple of senators have sons serving in the defence forces. Like all parents of those serving, I know they worry for them. Obviously the family of those soldiers who died pay a terrible price as well and our thoughts are with them. I want to acknowledge that we recognise not only their suffering but also the contribution that their children have made to the defence of Australia and its national interests.

I am sure I have the support of all the Senate when I say on behalf of the government and the nation that we convey our deepest condolences to those who knew and loved Sapper Larcombe.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (12.37 pm)—
Last Saturday week Australia lost one of its finest, and with it a new name was added to our list of heroes. I talk of Sapper Jamie Larcombe, who was killed in action whilst serving in Afghanistan. The coalition joins the Senate in mourning the loss of this young Australian fighting to free Afghanistan from the bases and the curse of international terrorism. Sapper Larcombe’s life was taken too soon, in a worthy cause and in a selfless manner—as a volunteer. That is why his memory and legacy will live on forever not only in the hearts of his family but in an exceptionally proud and grateful nation.

Jamie Larcombe was born in September 1989 on Kangaroo Island in South Australia. He was a community-minded person who volunteered at the local CFS. He was a keen Crows supporter and a footy player himself for the local Western Districts club. By all accounts the 21-year-old was a fun-loving individual who loved life and loved to give where he could. Our thoughts are with his parents, Steven and Tricia, his three sisters, Ann-Marie, Emily and April, and his partner, Rhiannon, who are suffering unimaginable sadness and grief. We are also thinking of the members of the 1st Combat Engineer Regiment, who lost a good mate, and the close-knit community of Kangaroo Island, who lost one of their own, described and known locally as ‘an awesome bloke’.

It is right, it is proper and it is important that we give recognition to the young life laid down for our nation and the international community. We hope that no family ever has to experience that which Sapper Larcombe’s family has suffered. Yet he volunteered on our behalf so that we do not have to experience terrorism on our doorstep. I am again reminded of the words of Corporal Ben Roberts-Smith VC, our latest VC winner, when he said:

I want my children to be able to live as everyone does now without the fear of getting on a bus and having it blow up.

I do what I do because I believe in the country that we live in. I believe that we are making a difference in stemming the flow of terrorism.

I urge everyone to remember that Sapper Larcombe was a hero. He was a young man who made the ultimate sacrifice, a volunteer in the service of his country. We are proud to stand behind the men and women of the Australian Defence Force. In Afghanistan they are fighting alongside armed forces of many other nations to ensure that the country is never again used as a base for international terrorism—a mission to ensure the security of all Australians and to make the world a safer place.

Of course, in that task many Afghans are involved, and we note the passing of an interpreter in the same incident. Similarly, our thoughts and prayers are with the interpreter’s family. Whilst that family are far removed from Australia, I am sure that the pain and suffering they are going through is identical to that which the Larcombe family is experiencing as we speak.

The commanding officer of Mentoring Task Force 2, Lieutenant Colonel Darren Huxley, summed it up perfectly when he said that Sapper Larcombe was a young soldier who epitomised the core values of an Australian soldier. Let me quote:

Jamie Larcombe is now part of our nation’s history and his name will echo in Anzac Day toasts long after all of us have gone.

It was Sapper Larcombe’s life ambition to serve our great nation. He made the ultimate sacrifice to serve our country, embodying every aspect of the Anzac spirit. Today we pause to recognise his service and to record our gratitude and the thanks of a proud nation. May his service and sacrifice in the cause of freedom be an inspiration to all.
thankful nation salutes his volunteer spirit, his service and his sacrifice.

Senator JOYCE (Queensland—Leader of the Nationals in the Senate) (12.41 pm)—I rise to concur with the remarks of Senator Evans and Senator Abetz. Sapper Jamie Ronald Larcombe was on engagement high in the Charniston Valley as part of Operation Geelong with Mentoring Task Force 2. As part of that operation their Bushmaster, for reasons I do not quite understand, was stopped. They dismounted from the Bushmaster and in the initial volley of fire both Sapper Jamie Larcombe and an Afghan interpreter were killed. They were medivaced out almost immediately but were unfortunately pronounced dead on arrival. What this goes to show is the precarious nature of this work, which is nonetheless absolutely essential. It is vitally important that we reflect this to Jamie’s family—his parents, Steven and Tricia, and his three sisters—who obviously have an immense amount of grieving to go through as they deal with the loss of the family’s only son.

Jamie grew up in the country area of Kangaroo Island. He was a person who applied himself to the things that so many people relate to—to football, to an involvement with his local bushfire brigade. He was a person who had a community minded outlook right from the word go. He was known by his mates as ‘Larco’. On reading about him we find that he was very much a person whom people could rely on to lift their spirits when they were down—to get them down to the public bar and have a beer with them. For those who were under the pump and struggling with the pressure that the field of engagement can bring on, he was a person who would try to make sure they could tolerate it; yet he was only 21 years old when he was fulfilling that role.

Jamie Larcombe was held in high regard by the people around him because he was seen as a team player, a person who saw himself not as the centre of attention but as a crucial cog in the job that he did. He now becomes one of the 23 in this engagement who have given their lives, made the supreme sacrifice. This nation remains forever more in gratitude and will never forget the sacrifice that he has made and his family will continue to make. We do not presume for one moment that the speeches we give here will arrest their pain but we do hope that they show we are totally focused on the sacrifice they have made and will continue to keep Jamie in our hearts.

In an op-ed piece I wrote last week for the Canberra Times I said that, in those passing moments as we walk across the marble foyer once more and look up the street to the War Memorial, we will remember Jamie Larcombe. We will also remember Corporal Atkinson from the same 1st Combat Engineer Regiment based in Darwin, which has had two tragic deaths in such a short period of time. There is purpose to this: it is the defence of our nation; it is seeking out and closing with the enemy. If we do not engage with the enemy there, it is only a matter of time before we will have to engage with the enemy here. We keep Jamie Ronald Larcombe and his family in our thoughts and prayers. God bless them.

Senator HANSON-YOUNG (South Australia) (12.45 pm)—I rise to add the Greens’ support to this condolence motion. We concur with the other speakers and with all senators in sending our condolences to the family, the friends and the colleagues of Sapper Jamie Ronald Larcombe, who died tragically in a foreign land. Sapper Jamie Larcombe died in Afghanistan. He was there serving his country. His body has now been brought home to this nation, which he served so bravely and courageously. Sapper Larcombe
was only 21. He was born at Kingscote on Kangaroo Island in my home state of South Australia. He has left behind his family, his parents, his three younger sisters and his partner Rhiannon. Our hearts go out to them. He was doing what he thought he should: he was serving his country.

While the Greens do not believe in the deployment of Australian troops to Afghanistan, we totally and unreservedly support our service men and women in the job that they do. We think of them as our ambassadors. We think of them as people who are doing their utmost to serve their country. When we look at the fact that Sapper Jamie Larcombe was the 23rd soldier to tragically die in Afghanistan from this nation, we also have to extend our deepest sympathies and thoughts to all of the families who are grieving now.

There are many more serving our country today and they are true patriots. Our thoughts are with them. We wish them safety and our hearts go out to their families, who are always worrying about how their loved ones, their children, their brothers, their sisters, their husbands, their wives, their girlfriends, their boyfriends or their partners are. On behalf of the Australian Greens I send our commiserations, our greatest respect and our concern for the comfort of all the families who are grieving now.

There are many more serving our country today and they are true patriots. Our thoughts are with them. We wish them safety and our hearts go out to their families, who are always worrying about how their loved ones, their children, their brothers, their sisters, their husbands, their wives, their girlfriends, their boyfriends or their partners are. On behalf of the Australian Greens I send our commiserations, our greatest respect and our concern for the comfort of all the families, the friends and the fellow unit members of Sapper Jamie Larcombe. We all aspire to a future world where we are rid of violence, war and destruction. It is no way for human affairs to be handled, but in the meantime it is still part of the way in which this world does malfunction. I send our deepest regrets to the family.

Senator FIELDING (Victoria—Leader of the Family First Party) (12.48 pm)—I also concur with the remarks that have been made in support of this condolence motion. Our heartfelt condolences, thoughts and prayers go out to the family and friends of Sapper Jamie Ronald Larcombe. There is no greater sacrifice than to lose one’s life for others. It is a big price to pay. It is a big thing to ask our kids, our fellow Australians, to go out there and make sure that we still enjoy the safety and security that we have here at home. It is a big sacrifice and our hearts do go out to Sapper Larcombe’s parents, his three sisters and his girlfriend as well.

Senator XENOPHON (South Australia) (12.49 pm)—At the outset I would like to offer my deepest condolences to Sapper Jamie Larcombe’s family and friends. While nothing we can say in this place can take away their grief, I hope the knowledge that our thoughts and prayers are with them can offer some small comfort. I further support the condolences for the life of the Afghan interpreter lost in the same incident.

The loss of a child is something no parent should have to endure and in war too many sons and daughters have been taken early from their parents. Sapper Jamie Larcombe came from Kangaroo Island—a wonderful part of Australia with a tremendous tight-knit community of some 4,000 residents. I know that that entire community has deeply felt the loss of Sapper Larcombe and they will offer all the support and love they can to his family. I hope that Sapper Jamie Larcombe’s family and loved ones will be able to draw strength from this support. It is hard for us to comprehend their loss. Many others have already paid tribute to Sapper Larcombe’s dedication to service, community spirit and love for his family, friends and country. I echo their sentiments.

At the ramp ceremony in Adelaide just a couple of days ago, the Chief of Army, Lieutenant General Ken Gillespie, is reported as saying:

…it is another very sad occasion for the Army.

“It gets exponentially harder each time you do it,” he said.
“Whilst I’ve been the Chief of Army, we’ve had 18 of the 23 soldiers die.”

“I’ve got to tell you, it doesn’t get any easier.”

I think that is very telling and powerful from the head of the Army and says something about his compassion for his troops. It is clear that we have lost a remarkable young man and it is truly a tragedy that he has been taken from his family so soon. My deepest sympathies and condolences go out to Sapper Jamie Larcombe’s family and friends and his colleagues in the 1st Combat Engineer Regiment. May he and his sacrifice never be forgotten.

Senator FAULKNER (New South Wales) (12.51 pm)—I too support this motion of condolence on the death of Sapper Jamie Larcombe. As we have heard, Sapper Larcombe was killed on 19 February, just one day after his third anniversary of joining the Australian Defence Force. He was serving on his first tour of Afghanistan. We know that Sapper Larcombe’s death is the 23rd operational death in Afghanistan on Operation Slipper. His is the fifth death of a combat engineer in Afghanistan and the second from the Darwin based 1st Combat Engineer Regiment within recent weeks.

Sapper Larcombe was killed while patrolling an area south-east of Patrol Base Wali in the Mirabad Valley of Oruzgan Province. An insurgent group engaged ISAF forces and Sapper Larcombe along with an Afghan interpreter was shot, having disembarked their Bushmaster vehicle. A Medivac helicopter was immediately deployed to rescue the pair, but both had died before returning to Tarin Kot.

Every Australian soldier killed in action in Afghanistan leaves a grieving family, grieving friends and grieving members of the Australian Defence Force. At a time like this our thoughts are with them—the people so terribly affected by the death of their loved one, whom we honour in a condolence motion such as this. Today it is Sapper Larcombe’s family, as well as others who are close to him—his parents, partner, three sisters, his friends and his mates from the 1st Combat Engineer Regiment. I can only hope, as other senators have said, that these words and the many others that have been written and spoken about Jamie are of some comfort to them. Finding the appropriate words when such an enormous sacrifice has been made is difficult, but I can say, particularly to those close to Jamie Larcombe, that we in the Senate join with very many other Australians who will always honour him and will never forget his sacrifice.

Senator JOHNSTON (Western Australia) (12.54 pm)—I rise to support the remarks and contributions of all senators with respect to Sapper Jamie Larcombe, particularly those of the Leader of the Government in the Senate, Senator Evans, and my leader, Senator Abetz. Twenty-one-year-old Sapper Jamie Larcombe was killed in Afghanistan when his patrol was ambushed on Saturday, 19 February. He was part of the Darwin based 1st Combat Engineer Regiment taking part in the Mentoring Task Force, which is helping to train the Afghan National Army. At the time of this engagement as part of Operation Geelong, Mentoring Task Force 2 was undertaking an unpartnered patrol in an area to the south-east of Patrol Base Wali aiming to extend our influence in the Mirabad Valley where we are building a new patrol base. Both Sapper Larcombe and an interpreter were struck by enemy gunfire and, despite the concerted efforts of his mates and colleagues, he was unable to be saved.

The hearts of all Australians go out to Sapper Larcombe’s family—his parents, Tricia and Steven, his younger sisters, Anne-Marie, Emily and April, and his partner, Rhiannon—friends and fellow soldiers on the tragic loss of Jamie. The same regiment,
as we have heard, lost Corporal Richard Atkinson in a bomb blast just 17 days earlier. This is a double blow to our combat engineers. It is also a terrible reminder to 22 other families, in particular the Atkinson family with Richard’s funeral just a fortnight ago in Launceston.

We have lost another one of our brave and courageous young soldiers, all of whom have been doing an extremely dangerous job in very trying and hazardous circumstances in a very faraway land. This is a devastating time for Sapper Larcombe’s loved ones and his unit, and I extend my condolences and support to them all. He was a very fine soldier, a dedicated professional, a true and very real Australian hero.

Senator McEWEN (South Australia) (12.56 pm)—I seek leave to incorporate in Hansard contributions to the condolence motion by Senators Wortley and Farrell.

Leave granted.

Senator WORTLEY (South Australia) (12.56 pm)—The incorporated speech read as follows—

I rise today to express my deep sadness on the passing of a young South Australian man, a Kangaroo Islander—Jamie Larcombe. Sapper Larcombe, a member of the 1st Combat Engineer Regiment, lost his life when his patrol was attacked by insurgents in the Mirabad Valley in Afghanistan. That weekend I was on Kangaroo Island among a large gathering of islanders at a community event, when the news came through. The effect on the island’s closely-knit community was immediate—a great sadness descended. One of the island’s own was lost, and in a place far away. Sapper Larcombe was just 21 years old.

Born at Kingscote on Kangaroo Island, Jamie Larcombe attended Parndana Area School where his youngest sister April still attends. He was noted for his involvement in community activities. He had been active in the CFS since his early teenage years and in 2007 helped fight the bushfires that swept across sections of Kangaroo Island. He loved motorbikes and footy. He still played for Western Districts when the opportunity arose, and he was a great Adelaide Crows fan. He won an Australian Defence Force scholarship in year 12.

Despite his youth, Sapper Larcombe had just marked his third anniversary in the Australian Army. He had already been deployed in Indonesia, helping with the recovery following the Padang earthquake in 2009. He was an impressive young man with a great deal to contribute, and a great future ahead. Clearly, he was much loved and cherished by his family, his girlfriend, his friends and his regimental mates.

Sapper Jamie Larcombe was farewelled at a memorial service at Tarin Kowt. When it was over, more than 2,000 soldiers from six nations stood to honour him as his coffin was lifted into an RAAF Hercules. I offer my sincere condolences to Jamie’s parents Tricia and Steven, partner Rhiannon, sisters Anne-Marie, Emily and April, and his Kangaroo Island and Army friends and communities. Vale, Jamie Larcombe.

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (12.56 pm)—The incorporated speech read as follows—

It is with great sadness that I support this condolence motion. I cannot begin to imagine the profound sorrow of Private Jamie Larcombe’s family—his parents, Tricia and Steven; his sisters Anne-Marie, Emily and April; his partner Rhiannon Penhall; and of course his friends—a football-playing country boy from Parndana on Kangaroo Island will have plenty of them. As a parent myself, my heart breaks for Jamie’s parents. I cannot imagine the heartache of having to farewell a child in this way. In the normal course of things, we parents expect to precede our children.

Jamie Larcombe died in the proud and selfless service of his country. Born in Kingscote, Jamie Larcombe graduated from the Parndana Area School in 2007 and joined the Army soon after his 18th birthday. Those who knew him say he always had his eyes and his heart set on a career in Australia’s Army. Jamie Larcombe was on his first deployment to Afghanistan. He had only been there a short time—since September—that is, around the time he turned 21.
This war in Afghanistan, which has claimed 23 Australian lives, has now hit home in the tight-knit community of Kangaroo Island. Jamie is one of many brave South Australians to have faced the ultimate sacrifice in Afghanistan since the Australian Defence Force commenced Operation Slipper in 2002. Sergeant Andrew Russell died in 2002. We lost Sapper Darren Smith and Private Tomas Dale last year and, now, Sapper Jamie Larcombe. His passing serves to remind us, yet again, of the reality of what we ask our defence personnel to do in various theatres of conflict around the world. They wear their uniforms in our name and put their lives on the line, in a very real way, every day.

Mr President, at another time in this place I spoke about Australia’s commitment to the war in Afghanistan. I said in that speech that unmitigated tragedies like the death of Jamie Larcombe are not just headlines in newspapers and radio and television news reports to be forgotten in a day or two. These tragedies are devastatingly real. Jamie Larcombe’s sacrifice is real, enduring and brutally painful—like those sacrifices made by the other personnel who have lost their lives in Afghanistan.

So, at times like this, we would not be human in we did not stop and ask ourselves whether we should stay in this conflict which is half a world away, a conflict that has taken 23 Australian lives and continues to bring so much grief and heartache to brave Australian families. But we stay to mark the courage and honour the sacrifice of Jamie and the other Australians who have died or been injured pursuing peace and security in Afghanistan.

The Ode of Remembrance is taken from Laurence Binyon’s poem For the Fallen, first published in The Times in September 1914. Over the decades, the third and fourth stanzas of the poem—more often just the fourth—have been recited as a tribute to all those who have died in war. We have all stood in RSL clubrooms around our nation and listened to it in respectful silence. I recite it now for Sapper Jamie Larcombe:

He went with songs to the battle, he was young.

Straight of limb, true of eyes, steady and aglow.
He was staunch to the end against odds uncounted,
He fell with his face to the foe.
He shall grow not old, as we that are left grow old:
Age shall not weary him, nor the years condemn.
At the going down of the sun and in the morning,
We will remember him.
And we will.

Question agreed to, honourable senators standing in their places.

REFLECTION ON THE CHAIR
The PRESIDENT (12.57 pm)—Yesterday, during the censure motion, Senator Bob Brown sought the protection of the chair from interjections. As all senators know, interjections are disorderly. The basis for this is standing order 197(1), which provides that a senator shall not interrupt another senator speaking, except to draw attention to a point of order or privilege or to call attention to the lack of a quorum; otherwise, a senator who has been given the call has the right to speak without interruption.

While interjections are technically contrary to standing order 197, in practice some interjections are tolerated if they are not disruptive or if they facilitate the exchange of views and arguments in a debate. However, the chair will protect from interjections a senator who asks to be protected. This principle has its basis in rulings of Presidents which have the force of standing orders.

When it appeared to Senator Bob Brown that he may not be getting that protection, he did make what can only be characterised as a reflection on the chair. In responding to a single word interjection by Senator MacDonald, Senator Bob Brown said:

That ignorance—which of course you are allowing him to continue to display, Mr Acting Deputy President, because you do not invoke the standing
orders of this place, as you should—which is writ large in what he is doing and saying—to which Senator Trood, as the Acting Deputy President, responded:

Senator Brown, order! It ill behoves you to cast aspersions on the chair.

As a reflection on the chair, the words were objectionable and therefore disorderly. Senator Trood was correct to insist on their withdrawal and I note that Senator Brown did withdraw them but only after seriously running the risk of being named for persistently and wilfully disregarding the authority of the chair. It is a basic rule of the Senate that order is maintained by the President or whoever is deputising for the President in the chair. Respect for the chair is fundamental to the effective operation of the Senate, a matter for which all senators carry responsibility.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (1.00 pm)—by leave—I move:

That the Senate take note of the statement.

Mr President, the statement you have made is, at its core, based on two false premises and does not, therefore, uphold the standing orders of the Senate. Firstly the characterisation of the breach of a standing order as ‘technical’ is wrong in general and in particular. To adopt departure of exception from the standing orders in particular circumstances is to undermine the standing orders and the high responsibility of the chair to defend their integrity.

In the particular case the President contends, incorrectly, that it was acceptable for the chair to allow ‘a single-word interjection by Senator Macdonald’. The Hansard record clearly reveals repeated, loud and disruptive interjections from Senator Macdonald, not directed at the chair but at me, from four metres away. He was, moreover, making a deliberate breach of standing order 197, backed by multiple interjections from fellow members of the opposition without the permission of the chair.

There has to be, and is, a distinction between the chair and its occupants. This is clearly entertained in the Senate’s ability to debate the occupant’s failure to uphold the Senate’s interests via a motion of dissent. On a day of major issues, including an opposition motion to censure the government, derailng the Senate’s order of business, I did not move dissent. However, dissent was warranted. The idea that any criticism of the ruling by an occupant of the chair is a reflection on the office of the chair is unsustainable. Its logical outcome is to allocate unrestrained warrant, including derogation of the standing orders, on the basis of tolerating technical infractions to the occupier. I do not accept this dangerous disempowerment of elected senators who have every right to be protected by the upholding, without fear or favour, of the standing orders.

In defence of the Senate, I do not accept your statement.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (1.02 pm)—Mr President, from time to time, as you would know, in the coalition question statements made by you. On this occasion we fully endorse and accept your statement. Mr President, I trust we always show good grace in accepting the authority of the chair and the decision of the chair, even when we might not necessarily agree with your determination. The simple fact is, and let us be quite frank here, that Senator Brown is a chief interjector, as indeed many of us are because we feel passionate about issues. That is the way it is in this place. Many a time when I have been called upon to withdraw I have thought, ‘That wasn’t a fair cop.’ Nevertheless, I have withdrawn. Quite frankly, many a time I have interjected or behaved in a manner for which, quite possibly, I should
have been called to account but have not been. I think that is the experience of every single senator in his place—

Senator Conroy—Speak for yourself!

Senator ABETZ—Apart, of course, from Senator Conroy, who is a paragon of virtue when it comes to the standing orders! More seriously, with great respect to Senator Brown, yesterday was not the finest display of temperament by a party leader who bears, I think, special responsibility to the colleagues who sit behind him or with him to ensure that the chair is fully protected at all times.

Those who occupy the chair do a very difficult job in this place. I have no doubt that they absolutely do their best and, as is the want of every human endeavour, from time to time they will get it wrong. I can say that overwhelmingly they get it right and, as the President has ruled, there is absolutely no doubt that on this occasion Senator Trood was absolutely impeccable in the way he handled it. Quite frankly, I am not sure how many other temporary chairs would have accepted the petulance of the Leader of the Australian Greens for so long without having him removed from the chamber. As indeed you said in your statement, Mr President, Senator Brown seriously ran the risk of being named. All this occurred after a single word interjection by Senator Macdonald. When a name was mentioned, Senator Macdonald said, ‘Who?’ This then led to what can only be described as quite a bizarre diatribe and an attack on the temporary chair.

From time to time, those of us who feel it is getting too rowdy, as we try to make our point, seek protection from the chair. That is a proper and appropriate course of action to take. When it is done, without fail, the chair asks the Senate to quieten down to allow the speaker to continue. If the chair were to interrupt each and every speech on each and every occasion there was a one-word interjection, this place simply could not operate. We all know that. So with great respect to Senator Brown, I would have hoped that he would have used the occasion to apologise for his petulance and to reflect on what he did yesterday, which, I repeat, was not the finest display of temperament by the leader of a party in this place. Indeed, it fell far short of the standard one would expect of a party leader.

Senator Trood, in the face of gross provocation by the Leader of the Australian Greens, handled the situation superbly with his demeanour and his coolness, which saved Senator Brown from being named and thrown out of this place. For Senator Brown, in his contribution this morning, to not be thankful to Senator Trood for his forbearance reflects very badly on the Leader of the Australian Greens. To you, Mr President, I say thank you for reporting back so quickly and confirming the correctness of Senator Trood’s ruling at the time.

Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (1.08 pm)—Mr President, I rise to endorse your comments. The government supports the statement that you have made wholeheartedly. We recognise the authority of the chair in this and many other instances. The chair’s role in this place is an important one. This is one of those important times when we require the cooperation of all senators to ensure that the Senate continues in a way that befits its role in a parliamentary democracy.

Occasionally we find that people do stray from that narrow path set by the rules. In those instances, the chair and the chair’s authority is integral to ensuring that we return to that path in order to allow us to debate the important matters that are raised in this chamber, to debate the issues before the
chair. We then need to use all of our ability to engage in those debates rather than be distracted by extraneous matters or interjections. It is the responsibility of all people in this chamber not to be distracted by the occasional interjection. Of course those interjections are disorderly and of course they should not be made, but I recognise, and I think everyone in this chamber recognises, that on occasions people are driven to making an interjection. It is certainly not a new phenomenon and I am certain that it will continue in future.

However, that does not detract from the fact that it is the chair who is charged with the responsibility of ensuring order in this place. The action that the chair took yesterday was proper and the ruling that you, Mr President, were asked to contemplate and report back on was proper. The government recognises that it was a matter that needed to be reported back on quickly and you have done so. The government appreciates your promptness in bringing it back here.

It is important that everybody in this chamber recognises that the chair plays an extraordinarily important role in maintaining order in this chamber. Where order is departed from, the chair’s role is clear: to bring people back to order so that the debate can continue. Sometimes it is necessary for people to recognise, even if they think they have been hard done by—I think everyone in this chamber sometimes thinks that, through a ruling of the chair, they have been hard done by—that the proper functioning of this chamber requires that, when that happens, they accept the chair’s ruling and move on to the important debates of this chamber.

Question agreed to.

MODIFIED RULES FOR QUESTION TIME

Senator Ludwig (Queensland—Manager of Government Business in the Senate) (1.11 pm)—At the request of Senator Sherry, I move:

That the order of the Senate providing modified rules for question time continue to operate as a temporary order until 24 March 2011.

Question agreed to.

TAX LAWS AMENDMENT (TEMPORARY FLOOD AND CYCLONE RECONSTRUCTION LEVY) BILL 2011

INCOME TAX RATES AMENDMENT (TEMPORARY FLOOD AND CYCLONE RECONSTRUCTION LEVY) BILL 2011

Second Reading

Debate resumed from 28 February, on motion by Senator Farrell:

That these bills be now read a second time.

Senator Ludwig (Queensland—Minister for Agriculture, Fisheries and Forestry and Minister Assisting the Attorney-General on Queensland Floods Recovery) (1.12 pm)—I rise to support the Tax Laws Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 and the Income Tax Rates Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011. These bills are important to Queenslanders, but not only to Queenslanders. They are important across all the regions of Australia to which I have travelled recently, all those regions affected by the extraordinary circumstances that have descended upon us—Queensland, New South Wales, Victoria, the top end of South Australia and across to the Gascoyne in Western Australia.

In contradistinction to that, the recent political tactics from the opposition on this bill are all too familiar—that is, to oppose, to block and to stop anything the government decides to do that is clearly in the national interest. Rebuilding Queensland is in the
national interest, keeping the economy strong is in the national interest and paying as we go while doing the rebuilding is in the national interest. It is easier for Mr Abbott to try and scare Australians than to try and lead. It is easier to exaggerate an issue than use reason and common sense in the debate.

What we are seeing in the Senate in this debate is yet another example of how this opposition leader’s negativity, his complete hollowness as a politician, is permeating through his own parliamentary rabble. It must be difficult for some in the opposition to drag themselves in here each morning knowing that they have nothing constructive or forward thinking to say on this bill or on many of the other matters that are brought here. There is a lot of hyperbole and misrepresentation in this place from those opposite. There has also been, quite frankly, a lack of understanding of the magnitude of the reconstruction effort required and a lack of goodwill towards the people of Queensland and those other parts of Australia where that reconstruction is needed.

We have heard from those opposite about tax grabs and a tax on volunteers. We have heard those opposite attack the member for O’Connor, Mr Crook, for supporting the government’s position. We have heard much from those opposite about the impacts these disasters have had on communities right across Australia and their very significant impacts on Queensland. We have not heard from them how we have to get on with the job of rebuilding disaster affected communities, how we have to rebuild our roads and bridges, and how we need to support our businesses and farmers.

I think it might be appropriate to remind the Senate why this bill is so important. I will focus briefly on my home state of Queensland as an example. The estimated impact of the Queensland floods on Australia has been put at $30 billion not including Yasi. Three-quarters of Queensland has been declared a disaster area. Sixty-seven local government areas have been designated for disaster assistance under the Natural Disaster Relief and Recovery Arrangements. These areas cover a population of over four million people.

This government is supporting the rebuilding of Queensland, and it is tough work. It involves tough decisions and the government will see the job through. Yesterday was the last day of summer, a summer many of us are glad to see the back of. It has been a dreadful season of natural disasters. I support this levy because I have seen first-hand the devastation of these disaster events and understand the scale of the work that is required. What is clear is that the Commonwealth government must play a leading role in the reconstruction of Queensland and must do so in an economically responsible way.

I have seen floods across the east coast through Toowoomba, floods through Brisbane and a cyclone that ripped across our north. Emerald is a town that I have seen in many states—in the peak of the drought and more recently at the height of the floods. Visiting Emerald on 4 January and again less than 10 days later, I noted the impact of the floods was, in a word, unbelievable. The swiftness of the waters and the impact they had on the countryside, on the railways and on the retail area of Emerald were devastating. The Rocklea markets in Brisbane under water was one of the more frequent images on our television screens during the flooding throughout the Brisbane CBD and surrounding suburbs. At that site entire forklifts were thrown across the markets as the floods ravaged Rocklea and moved through all that area. A challenge that confronted the markets was simply finding and identifying the hardware that was strewn across the side. I was particularly pleased to be able to see the
Rocklea markets back in operation a few days later. The spirit was still there to get the markets up and running as soon as possible. When I visited they had just completed their first day of limited trading and many distributors were still cleaning and hosing out sheds, recovering lost property and preparing access routes for the morning’s trucks.

In Dalby I met with the Mayor of the Western Downs Regional Council, Ray Brown, who talked to me about the issues that were confronting his community and the challenges ahead for flood recovery and reconstruction in that region. I had an opportunity to talk to many other mayors, and I will not name them all, across Gatton, Helidon and Grantham and to speak to local residents as well as community groups and organisations in those areas. Amongst the tears that people had, amongst the disappointment that they had having lost loved ones, amongst the disappointment and sadness of their having lost possessions and had houses flooded—or destroyed by Cyclone Yasi—the resilience of the community shone through. In Ipswich I witnessed reactions and emotions familiar to those of many other parts of Queensland as people were slowly, carefully, cleaning up, starting the rebuilding effort, commencing the work that would see them try to bring their life back to some sense of order. I was pleased also to spend Australia Day with communities in and around Toowoomba, including the people of Oakey, Chinchilla and Miles, as they celebrated what they had: their friendship and bond of comradeship in regional and rural communities—each other, in fact. As if this summer of floods was not enough, which I have mentioned, the impact of Cyclone Yasi left a tremendous mark on Far North Queensland. Having visited that region, I saw the devastation across Cardwell, Tully and Innisfail—hit hard by cyclones twice in five years. In these towns people were displaced, main streets impacted and agricultural sheds and crops destroyed. These people, as well as most of my state, require a recovery effort, a rebuilding effort, that is on a scale that we have not seen before in this country.

I detail these visits across Queensland because, as I met with regional councils impacted by floods and cyclones and facing the challenge of their recovery, the government was assessing the role that it could play and the way in which it could support the communities and towns across Queensland. The Gillard government has been clear that its role is to support communities, get them back on their feet and back into work and so recover from the natural disasters. It has involved tough decisions and these were taken by the Prime Minister to tackle head on the challenges of supporting the reconstruction effort. The government has made clear that the responsible course of action is for the government to be directly involved in supporting the rebuilding of Queensland. The scale of this disaster means we have taken difficult decisions to find the necessary funds to rebuild the roads, bridges, ports and community infrastructure that have been damaged by the floods. As part of the $5.6 billion recovery package announced by the Prime Minister, the government will institute a modest one-off levy. For every dollar raised by the levy to fund reconstruction efforts, the Commonwealth will raise $2 through spending cuts.

I turn the attention of the Senate to the nature of this levy and put this policy in context, given what I can only describe as a wall of hysteria that I heard from the coalition opposition yesterday. As I have said, the levy is temporary and modest. Only 46 per cent of taxpayers will pay the levy and 60 per cent of taxpayers will pay less than $1 a week. Further, low-income earners and individuals who have received the Australian government disaster recovery payment will be ex-
empt from the levy. As a progressive levy, it is based on the ability of an individual to pay. Anyone earning under $50,000 will not pay the levy, people earning between $50,000 and $100,000 will pay 0.5 per cent of taxable income in excess of $50,000, people earning over $100,000 will pay 0.5 per cent of taxable income in excess of $50,000 and one per cent of taxable income in excess of $100,000.

The levy will go towards supporting the Queensland Reconstruction Authority to rebuild vital bridges, roads, ports and railways. It is a good and appropriate means of raising the necessary funds to rebuild Queensland. The government has found $2 of savings for every $1 raised by the levy. These were tough cuts to respond to an unprecedented natural disaster. The Commonwealth has identified $2.8 billion in spending cuts to help pay for the flood recovery measure. These will be through abolishing, deferring and capping access to a number of carbon abatement programs. Also, funding under the Building Better Regional Cities and Priority Infrastructure programs will be redirected to flood rebuilding. In order to both manage the capacity of the economy and help the immediate rebuilding efforts, the government will defer some infrastructure projects, saving $1.8 billion.

I also take the opportunity to assist the Senate with what has already been rolled out into these communities or activated by the Commonwealth and jointly with the state government. In response to the natural disasters, the Commonwealth was quick to roll out emergency financial assistance measures to assist in recovery efforts. These included, as I mentioned earlier, the natural disaster relief and recovery arrangements, the Australian government disaster recovery payment and the disaster income subsidy. As at 24 February, approximately 649,531 AGDRP payments had been made across Australia, totalling $754 million. Of these, 376,172 payments worth $442 million related to the Queensland floods. As of 24 February, approximately 56,862 DIRS—which is the income subsidy—had been paid across Australia, totalling $25.3 million. Of these, 50,408 payments worth about $22 million relate to the Queensland floods. A range of cost shared NDRRA relief and recovery systems measures continue to be made available through the Queensland government, including matters such as personal hardship and distress relief assistance such as emergency food, accommodation, clothing and replacement of essential household items; psychological and financial counselling; public infrastructure restoration; concessional loans to small businesses, primary producers, voluntary not-for-profit bodies and needy individuals; and grants of up to $25,000 for small businesses and primary producers.

Further, for the impact of tropical Cyclone Yasi the government has announced a support package and wage subsidy. The government has worked with the Queensland government and the local community on a package that recognises the special characteristics of the region hit by the cyclone. The package, which is in addition to the standard NDRRA assistance, was announced on 16 February and extended on 25 February. It includes measures such as concessional interest rate loans and grants of up to $650,000 with a capped up to $50,000 non-repayable grant for eligible businesses, primary producers and voluntary not-for-profit bodies; a rural resilience fund; and a package of up to $20 million jointly funded by the Australian and the Queensland governments to provide support for a range of community and social support measures for community businesses and primary producers. A wage subsidy has also been made available through the Australian government to employers whose businesses have been directly affected by tropical
Cyclone Yasi and who are unable to pay full wages to employees during the recovery phase. Wage assistance will be paid to employers for eligible employees for 13 weeks in total.

A package targeted at supporting local councils impacted by Queensland’s floods has also been announced by the Commonwealth and state governments. The Queensland local council package is a $315 million package to help Queensland local councils repair utilities and infrastructure and support their efforts in recovering from both the floods and Cyclone Yasi. There is $265 million to the Queensland Reconstruction Authority to fast-track the repair of damaged infrastructure across Queensland. This is to repair severely damaged water and sewerage infrastructure owned by local government. It will be prioritised and will also provide up to $145 million to fast-track reconstruction of the Brisbane ferry terminals and the Brisbane River wharf. An upfront payment of $50 million will be made available to help regional and remote councils employ people to perform important clean-up and repair work, with the option to provide further funding for employment if required. Commonwealth funding for the package is $206 million and the contribution from the Queensland government will be $109 million.

Madam Acting Deputy President, what I have outlined to you and the Senate is the scale of not only the beginning of the devastation, the resilience of the community and their ability to engage and start the recovery effort but also their need for government assistance to ensure that recovery continues and that we do see the end where people can have a community—I guess in some respects it will never be the same—restored to a position where they can enjoy the amenities of their local cities and country towns. Of course, the scale of the destruction only really serves to put in context the scale of the reconstruction and recovery effort that now stands before Queensland.

I have made clear in this contribution that the levy is both modest and temporary. It is targeted and scaled to impact those who can pay. I have also taken the opportunity of explaining that the work and support the Commonwealth and state government have made available is flowing across the state already. It is much needed. This levy supports the rebuilding of Queensland infrastructure to get the communities and the state up and running again. This levy, as the Prime Minister has said, is about the Commonwealth standing together with Queensland and supporting it in its task ahead. I commend the bills to the Senate.

The ACTING DEPUTY PRESIDENT (Senator Hurley)—As Senator Ludwig was speaking as a senator for Queensland rather than as the minister closing the debate, the debate continues with Senator Ronaldson.

Senator RONALDSON (Victoria) (1.29 pm)—First of all, I would like to place on the public record my condolences to those who lost family and to those who had family who were injured and express my sympathy for the enormous amount of property damage that was done. In so doing, I of course speak for those in my own home state of Victoria who are also still suffering from the impact of the devastating floods. I think many of us will remember well January this year and everything that flowed from it.

I take issue with my friend and colleague Senator Ludwig. He said that government assistance was required. Yes, I agree with that aspect of his contribution to the debate on the Tax Laws Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 and related bill. I vehemently disagree with him that it has to be done by way of a tax. In the last 48 hours we have seen a relationship between the Prime Minister and
Senator Bob Brown, which is now to be known as the Gillard-Brown government. Indeed, it is a partnership which has been conceived on earth but which will be delivering from hell. I cannot imagine a more dangerous group to be running this country than Ms Gillard and, effectively, her de facto, fellow Prime Minister Bob Brown—a very dangerous outcome.

I want to talk about the ramifications of this levy and, indeed, the ramifications of the government’s carbon tax, which was announced a couple of days ago. But, firstly, I want to refer to those who have actually been concerned about the government’s levy. I note with some interest that on 29 January, under the headline ‘ALP’s flood tax revolt’, the Daily Telegraph said, ‘Furious, unnamed Labor MPs could not wait to tell the national correspondent Steve Lewis that they were opposed to this.’ One of them even said it was one of the ‘dumbest decisions’ made by the Prime Minister—

Senator Joyce—That’s saying something!

Senator RONALDSON—It is indeed—and a decision that left senior Labor figures shaking their heads at the lack of cabinet consultation. Of course, there was no cabinet consultation in relation to this matter. We now know full well that there was no cabinet consultation in relation to the carbon tax. So Labor got rid of one Prime Minister because he refused to engage cabinet or the backbench and they have now replaced Kevin Rudd with another Prime Minister, who also refuses to consult. So what was it all about? The micromanager Kevin Rudd has been replaced by the micromanager Julia Gillard. I suppose the big difference between Kevin Rudd and Julia Gillard is that he did not form this unholy alliance with Senator Bob Brown and the other Greens. That is the big difference between Julia Gillard and Kevin Rudd. Even Kristina Keneally, the Premier of New South Wales—for about another three weeks!—expressed concern about the impact of this tax. Can we please, during the rest of this debate and during the summing-up, refer to this as a flood tax? The use of this word ‘levy’ is totally inappropriate; it is a flood tax.

Government senators interjecting—

Senator RONALDSON—Clearly, having sat there quietly for a couple of minutes, they have arced up across the other side because they know, I know, we know and everyone listening to this knows that this is not a levy, it is a tax.

Senator Polley interjecting—

Senator RONALDSON—And do you know, Senator Polley, it is a tax that you can run from but most certainly cannot hide from. Those opposite have imposed another tax on the Australian people and they did not spend one nanosecond looking at other options. Senator Ludwig, as I said, was right: everyone in Queensland, Victoria and elsewhere who suffered from these floods needs government assistance. What they do not need is another tax. The interesting part about this, in my view, is that I think the Australian Labor Party—not you, Madam Acting Deputy President—in one fell swoop has sent a very dangerous message to the Australian people. There is anecdotal evidence, which I believe is correct from feedback that I have had, of the damage done by going to the Australian people and pleading for them to support the flood victims—which they did and which they have always been happy to do, as they did in Victoria two years ago—and then imposing a tax on top of that. You have destroyed the giving nature in this country. This will be the legacy: you will have single-handedly, potentially destroyed the giving culture in this country and you
will pay an enormous penalty for that stupidity.

The coalition’s response to this matter was the appropriate response. On the back of the need for the Australian community and the Australian taxpayer to support the people of Queensland and elsewhere with financial assistance, we actually went down an entirely different path to that of the Australian Labor Party. We looked at where there may be savings to be made, where there may be government waste that could be set aside and put towards the flood victims. The Australian Labor Party just lives on taxes. If it is a problem, you tax it. We have said, quite clearly, that there are other options in relation to finding the money, the government assistance, that should be provided.

I will go very quickly through the list again. We would partially defer water buybacks in the Murray-Darling Basin and delay funding under the so-called Building the Education Revolution program. We have seen more money wasted on this program than I think we have ever seen in this country’s history. You will waste that amount of money on the Green Loans and the Home Insulation programs but you will not give $5 million to our national icon down the road—the Australian War Memorial. I ask: what are your priorities? We would redirect the remaining funds from the Building Better Regional Cities program. We would reduce spending on the Automotive Transformation Scheme. There would be further cuts in funding to the GP Super Clinics Program—another farce. We would defer funding from the Australia Indonesia Education Partnership and discontinue funding to the National Solar Schools program and others. We sat down and looked at where the savings might be, because we acknowledge that the communities who suffered from the floods deserve this country and the government to put in for their reconstruction—but not by way of a tax.

When you look around this country, you will see whether there is fire or flood that the one thing that brings people together—the people in my state of Victoria, the people in New South Wales, Queensland and throughout the country, particularly country people—is their ability to respond quickly to changed circumstances, and especially when those changed circumstances relate to their neighbour or the person living down the road from them. What Australians are very quick to do in these times of trouble is to change their priorities. They will change their priorities in a nanosecond, and those priorities will be changed to ensure that they provide assistance to their neighbour in the widest possible sense. It begs the question: if people in that situation can change their priorities quickly, why is it impossible for the Gillard-Brown government to change its priorities? Why didn’t they do what that magnificent army of volunteers around this country did when they changed their priorities overnight to address the situation they were confronted with and respond accordingly? When you look at those who have been involved in these events, such as the SES, the farmers, the people in the towns and the cities—the sand baggers; those who dropped everything to help—you see that they changed their priorities and went to help their neighbour. The Australian community is quite capable of changing its priorities. It is extraordinary to me that this government is unable to do likewise.

I want to talk about the latest product of the Gillard-Brown government—the big new tax that is going to be delivered. My fear is that, when push comes to shove downstairs, the Independents will be so scared of taking on this government that they will roll over again. And when legislation comes back up here, the other part of the Gillard govern-
ment will ensure that this country has a carbon tax.

Senator Joyce—The torture of Hamlet: will I or won’t I?

Senator RONALDSON—Absolutely. I want to repeat the words, because the words have been repeated ad nauseam and the words will be repeated again after this. I just want to read them out. On 16 August last year, on Channel 10, Ms Gillard said:

There will be no carbon tax under the government I lead.

Senator Sherry interjecting—

Senator RONALDSON—I will take the interjection from the minister because I am absolutely gobsmacked at the stupidity of the Labor Party to talk about the GST. What political party took this tax to an election? The coalition government took the GST to an election. You bald-faced lied before the election about a carbon tax. You have not taken it to the people, and you refuse to do so. I refer to the words of Andrew Bolt, who said recently—

Senator Bilyk interjecting—

Senator RONALDSON—I will take the interjection from the minister because I am absolutely gobsmacked at the stupidity of the Labor Party to talk about the GST. What political party took this tax to an election? The coalition government took the GST to an election. You bald-faced lied before the election about a carbon tax. You have not taken it to the people, and you refuse to do so. I refer to the words of Andrew Bolt, who said recently—

Senator Bilyk interjecting—

Senator RONALDSON—Correct me if I am wrong, but I think Andrew Bolt—the man whom you now choose to abuse—might have just worked for the Australian Labor Party. But I might be wrong about that. Correct me if I am, please. No-one is jumping to their feet. Andrew Bolt said:

The public has been deceived, and an election stolen with a false promise.

The Australian people, as Senator Williams said, know this absolutely. I now turn to the front page of the Australian—oh, no noise. Normally those on the other side arc up when the Australian’s name is mentioned—of course, unless there is a favourable article and then it is one of their favourite newspapers. On the front page there is again a quotation from the Prime Minister herself—the one person in this country that the Australian people should be able to take the word of. If she says something, the Australian people should be entitled to rely on that. Again I will quote:

I rule out a carbon tax.

Then, on 15 August, the Treasurer —

Senator Bilyk interjecting—

Senator RONALDSON—I thought you might say ‘It’s all right.’ I like you, Senator Bilyk, otherwise I would pursue this a bit harder, but I am not going to. On Meet the Press on 15 August the Treasurer, Wayne Swan, said:

... what we rejected is this hysterical allegation that somehow we are moving towards a carbon tax ...

‘Hysterical allegation’ is right. On 12 August, on the 7.30 report, Mr Swan said:

We have made our position very clear. We have ruled it out.

As soon as the election is over, the deceit starts. I suspect that Ms Gillard and her now comrade-in arms, Senator Brown, had actually had these discussions before the election. I rather suspect—

Senator Williams interjecting—

Senator RONALDSON—Call me cynical, Senator Williams—but I would not be surprised if indeed this formed part of the agreement in relation to the allocation of preferences. I reckon this was an absolute done deal two months before the election. But the Prime Minister and the Treasurer of this country went to the people and told a bald-faced untruth.

Those quotes will come back to haunt the Australian Labor Party, and they will come
back to haunt this government and the Prime Minister. I know, and we on this side know, that there are plenty on the other side of the chamber who are absolutely appalled and embarrassed that there will now be a carbon tax. There are some sensible people on the other side. I am the first to admit that there are some sensible people on the other side but this—

Senator Polley—you can’t even say it without laughing.

Senator RONALDSON—I know. You are absolutely right. I do not think there are very many. You have caught me out, Senator Polley.

Senator Joyce interjecting—

Senator RONALDSON—I know, I know. I am sorry, and I regret saying it now. I want to go through the ramifications of this new tax. The ramifications of this new tax on Australian families are quite dramatic, and I defy anyone in this chamber to stand up and say that Australian families are not under cost-of-living pressure. Everyone in this country knows that Australian families are under cost-of-living pressure. It is tough out there for families and it is incredibly tough out there for small business. I do not expect those opposite to know anything about the way of small businesses, because they pride themselves on getting involved in big business and then they reduce them to small business. They have no credibility at all in relation to small business in this country.

Small business is doing it tough, Australian families are doing it tough, and there should not be one person in this chamber who does not know how much electricity and other services have gone up in the last two years. They have gone up quite dramatically—and compared with a lot of people in this country we are well remunerated. I will just go through the figures. I think some 6.5 cents per litre is predicted to go on top of petrol prices if this goes through. If you are living in inner Sydney or inner Melbourne, the constituency of the Deputy Prime Minister—or is he the Prime Minister down the other end here—you do not know the impact of increased petrol prices. Get into the country and you will see what the impact of petrol prices is. Get into the country and see the families who have to drive their kids to two or three schools every morning and come back every afternoon. You go and speak to them about what impact petrol prices have on their families. Go and speak to those people who have lost all their crops in the last month and see how they will be doing it over the next 12 months, whether they can afford increased electricity, gas and petrol prices. The clear fact is that they cannot do so, and why we would be ahead of the pack in relation to this is beyond me. I am reminded that we emit just 1.28 per cent of global emissions; China, 22.3; the USA, 19.91; and the EU, 14.04. And we are leading the pack!

The outcome of this will be that you will be exporting nothing except our emissions. The Australian Labor Party will ensure that we are exporting nothing but our emissions, because that is what will happen. For all its sins, this country is a relatively clean emitter, but we are going to take our industry, particularly our manufacturing industry, away from this country and put it overseas in countries where they do not have the same controls that we have. That, to me, is a nonsensical outcome.

I have spoken to my colleague on my left, Senator Fierravanti-Wells, about the impact on the Illawarra, for example, and the jobs that we have lost in the Illawarra. That will take place all over the country. If you are looking at Victoria, look at the impact on a company like Alcoa, which is a very big employer in Victoria, and there will be plenty of others in a similar position.
I will finish where I started. I express my sincere condolences to those who have suffered so badly during these floods. I plead with the Australian Labor Party not to proceed with this tax and most certainly not to proceed with a new carbon tax.

Senator BILYK (Tasmania) (1.49 pm)—If Senator Ronaldson cannot run an argument for 20 minutes about the flood levy, I do not think there is much value in his arguments at all. I rise to speak on the Income Tax Rates Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011. We all know that Australia has been hit very hard by natural disasters this past summer, with floods occurring across the nation. We have also faced bushfires and a category 5 cyclone, as well as other storms.

Queensland was hit particularly hard by the floods and by Cyclone Yasi. As a result of these terrible floods and cyclones in Queensland, much rebuilding needs to be done. We know that people lost their homes and their businesses, and vital community infrastructure was damaged or destroyed. We all know that rebuilding will take a long time and will be costly. It will require local communities and all levels of government to work together. Just as Australians support each other in times of natural disasters, we need to be there for each other in the rebuilding phase that follows. The Gillard government are committed to rebuilding after this destruction and we are also committed to sound economic management, and that means that some tough decisions have to be made. As is always the case following a disaster or tragedy, Australians have been generous in helping those who are suffering. The money donated by people across the country following the recent disasters has been most welcome and will help provide relief to those affected. This money will help people who have lost possessions or, worse still, their homes or livelihoods. These people will certainly appreciate that financial support and the generosity that it conveys.

However, as generous as Australians are, these contributions alone are not enough to rebuild all that has been lost. The Australian government will foot the largest share of the bill, as we should. We will not shirk our responsibilities and we will not avoid the challenges presented by these disasters. We will face them head on. We need to rebuild and we need to do it as quickly as possible. We need to prioritise the rebuilding so that the most crucial facilities and infrastructure are rebuilt first.

The Australian government estimates that the contribution needed from federal funds is a minimum of $5.6 billion. That is a massive amount of money, as we all know. In fact it is about 30 times the amount that has been contributed to the Premier’s relief fund. As everyone would appreciate, we need to find this money in addition to continuing to fund our regular programs and services; we cannot simply put everything on hold until the rebuilding is complete. The $5.6 billion does not even include the damages from Cyclone Yasi. The government has assessed the damage from the floods and has decided that the best approach to meeting the cost of reconstruction is to find the money in two ways. Some of the money, two-thirds of it in fact, will come from budget savings. Spending in some areas will be cut or deferred, which, unfortunately, is necessary to meet the costs of the floods. However, in order that more services do not have to be cut or deferred, the government is asking taxpayers to contribute by paying a one-off levy.

For those on the other side, who really do not seem to understand, it is a one-off levy; it is only for a year. The government is not prepared to delay a return to surplus. We said that we would return to surplus by 2012-13 and we will meet that promise. Good eco-
Economic management dictates that it is sensible not to add pressure to areas that are already stretched. Despite the damage inflicted by the floods and Cyclone Yasi, Australia’s economy will be back at capacity in 2011-12. Australia has $380 billion in mining projects in the pipeline, we have a skills shortage on the horizon and our wages are at healthy levels. These are pressures that are likely to be even more pronounced as we enter 2012-13, our projected year of return to surplus. The government has taken a well-informed decision. It is a sensible economic goal.

The government firmly believes in a balanced approach to meeting the costs of the floods, which is why we have chosen to cut some spending programs, to defer some infrastructure and to impose a modest temporary levy. As I said—and I will keep saying it because those on the other side really do not seem to understand it—the levy the government is introducing is a one-off levy which will apply only to people on incomes of more than $50,000 a year. The spending cuts and deferrals combined will raise $3.8 billion, and the proposed levy will raise $1.8 billion. Despite the levy being modest and sensible, those opposite, in their usual fashion, have decided to oppose it. Before we had the theatrics of Senator Ronaldson yelling, getting very vocal and very loud, as though raising his voice will make a difference to what the people of Australia really want—and the people of Australia are quite supportive of this levy. But those on the other side go around scaremongering, trying to frighten people, giving misinformation, using the ‘tax’ word when they know it is a levy. We all know that the opposition love to oppose for opposition’s sake, and once again this is what they are doing. We had hoped that they might see that the levy is necessary for the rebuilding process, but they have failed to do that.

The Australian people have every right to ask tough questions of the government in order that they understand our decisions. Unlike those opposite, most Australians understand that the levy is an important part of the rebuilding. They understand that budget savings plus some moderate contribution from Australian taxpayers is a fair and balanced approach to raising the needed funds. In opposing this levy the opposition have conveniently forgotten their history of imposing levies. They imposed six different levies during their 12 years in government. If raising a levy is, as they claim, a sign of incompetent budget management, then what does that say about the government they ran? They also tried to impose other levies, unsuccessfully. In fact, since being in opposition Tony Abbott has proposed a levy to fund his paid parental leave scheme. They accuse us of being the party of high taxes, yet while we were trying to cut company tax they were trying to raise it. Abbott’s proposed levy was a tax on families at the checkouts at Coles and Woolies to help pay the wages of women taking maternity leave—women who are already earning $150,000 a year.

Tony Abbott has had several different positions on flood recovery. He embarrassed himself by saying that the National Broadband Network could be scrapped to pay for flood reconstruction. He forgot to account for the fact that the NBN is not just an expense; it is an investment with a commercial return. Then, in early February, he made the statement that there were $8 billion in funds, including in the Building Australia Fund, that were uncommitted. Later he had to revise that down to $2 billion. Both statements are incorrect, and it is a shame that Mr Abbott would attempt to mislead the Australian people to make political gain over such a sensitive issue. Tony Abbott finally settled on the coalition’s current policy when he announced that the coalition would propose further
budget savings as an alternative to the $1.8 billion raised by the levy. But how could we possibly trust the opposition to make savings? How can we trust Tony Abbott on his promise when he had a $10.6 billion black hole in his 2010 election costings? Of course it took them two weeks after Mr Abbott made that statement to actually come up with their proposals—two weeks, while he had a fight with his deputy and shadow cabinet over what savings to make. That is what the delay was all about: Liberal infighting. It seems that Mr Abbott’s attempts to make political mileage out of this tragedy know no bounds. After all, while Australians were digging deep to help with the flood recovery, Mr Abbott was soliciting political donations to help fight the flood levy.

We know that no-one likes to pay extra taxes; we absolutely know that. However, we also know that most Australian people are happy to pay a modest contribution—the word is ‘modest’—under extraordinary circumstances like those we now face. The Gillard government has received a number of high-profile endorsements for our proposed levy. For example, Colin Barnett, the Premier of Western Australia, has put aside political differences to support the levy. For example, Colin Barnett, the Premier of Western Australia, has put aside political differences to support the levy.

Senator Crossin—Who?

Senator BILYK—Colin Barnett, the Premier of Western Australia. He said:

I believe most Australians, most West Australians, are willing to contribute a little bit more to help Queensland get back on its feet.

Queensland Premier Anna Bligh said:

... as a nation we have come together in the past to help out the milk industry, the sugar industry, the workers of Ansett and to buyback guns after the Port Arthur tragedy. I think the people of Queensland are at least as important as all of those other levies in the past.

She is right. The people of Queensland are important—just as important as all other Australians in need of support. The government has also received support from the NGO sector. These organisations include the Australian Council of Social Service and the Salvation Army. The Australian newspaper also supported the levy. An editorial said:

... the imposition of the levy is reasonable and responsible.

That sums up what a good government should be. The Gillard government’s approach to funding flood reconstruction is both reasonable and responsible.

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Senator CORMANN (2.00 pm)—My question is to the Minister representing the Prime Minister, Senator Evans. Can the minister confirm that the carbon tax proposal was not taken to either the cabinet or the Labor Party caucus before it was announced as official government policy by the Prime Minister and others last Thursday?

Senator CHRIS EVANS—While it is obviously the policy of governments not to discuss what occurs in cabinet, I can confirm for the senator that, in accordance with normal government processes, the government’s position was determined by cabinet.

Senator CORMANN—Mr President, I ask a supplementary question. Since the official Labor Party caucus was obviously sidelined, given that the minister has not confirmed that the party room was consulted, is it that Senator Bob Brown and Senator Christine Milne are now part of the de facto Labor Party cabinet?

The PRESIDENT—The Minister need only respond to that part of the question which might refer to his portfolio responsibilities or those of the minister he is representing.
**Senator CHRIS EVANS**—I can confirm that, as I indicated in the primary answer to Senator Cormann, decisions in relation to the Gillard Labor government’s position are determined in accordance with normal government processes, and that includes cabinet processes. I do not intend to take the senator through those decision-making processes in detail other than to say he is wrong in his assertion. This illustrates the fact that the opposition have nothing to say about policy. They want to discuss the government’s processes and the role of the Greens— petty political point-scoring—but have nothing to say about the big issue of the challenge of climate change. They have nothing to say about it at all. This government is committed to working with those of goodwill and an interest in public policy in this parliament to get a good result for Australia. That is what we are seeking to do. *(Time expired)*

**Senator CORMANN**—Mr President, I ask a further supplementary question. I assume the minister is telling the Senate that he is unaware of Labor members and senators around parliament complaining about having been excluded from the carbon tax decision. I ask the minister: given this broken ‘no carbon tax’ promise will now push up the cost of living for all Australians, can the minister explain why the Prime Minister is hurting working families just to make the Greens happy?

**Senator CHRIS EVANS**—This again confirms that the opposition are bereft of ideas and bereft of any contribution to public policy. They are concentrated on their own internal divisions trying to prop up Mr Abbott’s leadership, under attack from the moderates on issues as broad as multiculturalism, immigration, foreign aid and now climate change. This government actually thinks climate change is a problem that needs to be tackled. We have consistently argued that we need a constructive response to the challenge of climate change and pollution in our environment. We have sought in successive parliaments to get a solution that allows us to bring in a price on carbon and allows us to tackle this great challenge. I would expect that the opposition actually try to engage in that real public policy challenge. Unfortunately, they refuse to. They look inward and are only interested in opposing. I think that other members of the parliament will obviously have to take the lead. *(Time expired)*

**Carbon Pricing**

**Senator HURLEY** (2.04 pm)—My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. Can the minister outline to the Senate the benefits to the Australian economy of putting a price on carbon? In particular, what certainty will this carbon price give businesses around future investment decisions?

**Senator WONG**—I thank Senator Hurley for that question—a question that recognises that this is an economic reform. Pricing carbon is a major economic reform that will transform our economy and it is a major economic reform that those opposite are simply not up to. It is a reform that will transform our economy, and because it is an economic reform we know on this side of the chamber that we have to provide certainty to business so they make the investment decisions which are necessary for the transformation of the economy.

The opposition appears to have forgotten that business investment decisions are not only made for one year but made for many years. Businesses need to be thinking not just about the next year but about the next five years or the next 10 years. Certainty around a price on carbon means that businesses are better able to plan and prepare for these future decisions. Certainty around a price on
carbon is fundamental to the better planning and preparation for these future decisions.

We are at a time in this country and in this parliament where we face a choice: do we want to shape the future or do we simply want to have the future imposed upon us? On this side of the chamber, we have Labor senators who are prepared to look to the future, prepared to reform for the future—a party that is prepared to build today for tomorrow. What we are faced with is nothing but a party of wreckers, led by a man who knows how to brawl, a man who knows how to destroy but a man incapable of leadership at this time, a man incapable of leadership in the face of this challenge. (Time expired)

Senator HURLEY—Mr President, I have a supplementary question. Can the minister outline to the Senate why investment certainty around a carbon price is likely to have beneficial flow-on effects to other areas of the economy and to members of the community?

Senator WONG—I thank the senator for her question. It goes to the issue of the extent to which the risk of uncertainty causes flow-on effects throughout the economy. It is interesting, isn’t it, to note that the party opposite used to be a party which believed in market mechanisms, used to be a party that understood the importance of utilising market mechanisms? Now it is a party that does not understand the importance of business certainty and is prepared to rip that away with its irresponsible pledge, delivered yesterday by the chief wrecker, Mr Abbott, to remove the price on carbon if it is ever to return to this side of the chamber. It is a party that used to understand the importance of business certainty and the importance of market mechanisms, now simply looking to its short-term political advantage. (Time expired)

Senator HURLEY—Mr President, I have another supplementary question for the minister. Can she outline any alternative approaches to putting a price on carbon and what risks these alternative approaches may engender?

Senator WONG—Really, there are no real alternatives on that side. The only alternative is more risk, more uncertainty, more blocking. They are good at wrecking action on climate change. They are good at saying no to reform, but they do not know how to reform. They do not know how to build. Perhaps they ought to take some heed of what Mr Turnbull has said in recent times and is on the record as saying: first, that their policy to deliver a five per cent reduction is ‘a recipe for fiscal recklessness’. Senator Bernardi ought to take note of Mr Turnbull saying he is supporting a policy that is a recipe for fiscal recklessness. But we also have recent revelations in the media that suggest Mr Abbott was even prepared to hint he would have supported a carbon price if that had meant he could form government after the last election. What an indication of the political opportunism of those opposite. (Time expired)

Carbon Pricing

Senator WILLIAMS (2.11 pm)—My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. Minister, I refer to the Prime Minister’s announcement last Thursday that because of ‘changed circumstances’ she was breaking her commitment made on 16 August 2010 that ‘there will be no carbon tax under the government I lead’. Can the minister inform the Senate exactly what the changed circumstances are to excuse the abandonment of the Prime Minister’s solemn promise to the Australian people? Could the minister indicate which countries have been inundated by rising sea levels since last August or which animal species
have become extinct since last August? Or are the changed circumstances simply that Senator Bob Brown is now our de facto Prime Minister?

Senator WONG—one of those questions in that series of questions really said it all, didn’t it? Fundamentally, there is a cabal of those opposite that simply do not accept the science. They hold extreme views—views that might be common on a One Nation website but are not common among the scientists who are experts in this field. Fundamentally, every question that some of the people in this chamber are asking about this issue—and the good senator who asked the question is one of them—proceeds on the basis that they do not accept the science. We do not agree. We do believe that the consensus science is very clear. It is extraordinary that those opposite, who pretend to know something about risk, would seriously say to the Australian people, ‘Yes, we know that there are all these world renowned scientists who tell us about the risk that climate change poses not just for today but for the next generation, for Australians beyond today’—all of the scientific evidence—yet still say we do not have to do anything. ‘We do not have to do anything; we think our political advantage is in running a scaremongering campaign, a fearmongering campaign, and closing our eyes to this challenge.’ You believe that that is the responsible thing to do. We on this side of the chamber do not share that view. We believe that climate change is real, that human beings are contributing to it and that we in this nation have a responsibility to act, not just because of today but because of tomorrow and what it means to future generations of Australians. This is a tough reform. We know this is a tough reform. So was tariff reform, but Labor did that. 

(Time expired)

Senator WILLIAMS—Mr President, I ask a supplementary question. Given a Labor-Greens carbon tax will cost jobs, close mines, drive investment overseas and increase the cost of living, how many industries are the Labor-Greens alliance prepared to sacrifice because of this regressive tax?

Senator WONG—we see again yet more scaremongering and fearmongering on the other side. We know what climate change means; we know the risk that climate change poses. There are some more sensible people on the other side, such as Mr Turnbull, who understand this issue; but when some on the other side are confronted by this generational challenge, all they can do is fearmonger. That is all they can do. They are good at wrecking, no good at building. You are all problem, no solution. That is the reality.

We on this side understand we have to transform our economy, we have to be able to compete in a world where low carbon will become more competitive and we have to compete in a world where our competitors are shifting to a low-carbon economy. We want to be in a position in 20 years time where this country is more dependent on clean energy and clean energy jobs than it is today. That is what we on this side want to do.

Senator WILLIAMS—Mr President, I ask a further supplementary question. I refer to the statement by Greens Senator Christine Milne last Friday that they are now power sharing with Labor. Can the minister tell the Australian people who is actually running this country?

The PRESIDENT—I think a look at the standing orders would be in keeping when asking those types of questions in future. Minister, you can answer the part of the question that applies to your portfolio, but you cannot answer those parts which do not apply.

Senator WONG—the Labor Party I think has been on record many times on these issues. We quite clearly said to the Aus-
tralian people that we believe that climate change is real, that human beings contribute to it and that carbon pollution contributes to it, so we need to do something about it. It is true that we were blocked—

Honourable senators interjecting—

The PRESIDENT—Senator Wong, resume your seat. I understand there might be an eagerness to debate the issue, but the time to debate it is at the end of question time.

Senator WONG—It is true that we were blocked in this place three times from putting a price on carbon. It is also true, as the opposition well knows, that we formed government as a minority government and the Australian people voted for the parliament we have. So, yes, we acknowledge we are prepared to work with the Independents and with the crossbenchers to get an outcome which is in the national interest. It might seem passing strange to those opposite that we would be prepared to work with the parliament to do something in the national interest. That is because you are entirely disinterested in the national interest.

Carbon Pricing

Senator PRATT (2.17 pm)—My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr. Can the minister please explain to the Senate the need for certainty about a carbon price to promote investment in green jobs, green technology and a greener Australia?

Senator CARR—I thank Senator Pratt for her question. The recently published Pew Charitable Trusts report of last year highlighted that in the period between 2005 and 2009 clean energy investments throughout the G20 increased by 230 per cent. What it also highlighted was that Australia was falling behind its G20 counterparts and that present calculations indicate that Australia ranks 14th out of the 20 countries. So it is little wonder that business has reacted with dismay as the Liberal Party turns its wrecking ball on this very important economic reform that has been initiated by the government.

What the Liberal Party are doing is essentially seeking to cripple confidence. They are killing jobs, they are posing a sovereign risk to this country, they are posing a risk to investment and they are exposing Australia to international ridicule. They are pandering to the Flat Earth Society in the hope that they can impress a few knuckle-dragging senators from some of the outlying parts of this country. But of course they are not impressing the business community in this country. They are not impressing those in the Liberal Party—

Honourable senators interjecting—

The PRESIDENT—Senator Carr, resume your seat. When there is silence we will proceed.

Senator CARR—They may be impressing One Nation advocates, they may be impressing the far Right demagogues in this country, but they are not impressing those that are genuinely progressive in the Liberal Party—and I know there are a few of them still left. We just had to watch Q&A last night to see Mr Turnbull making the point, in relation to Liberal Party policy, ‘I can’t cite any economist that agrees with it’—not one economist could he find. He said that he frankly preferred a price on carbon by a market based mechanism. (Time expired)

Senator PRATT—Mr President, I ask a supplementary question. Could the minister please further inform the Senate what the government is doing to tackle scaremongering and pessimism about carbon policy in the business community?

Senator CARR—I thank Senator Pratt. The Leader of the Opposition seems so intent on destroying these proposals that he clearly has not had time to read the documentation that is put before him. He said he would fight
every second of every minute of every hour of every week of every month so that he would go on and on in seeking to undermine confidence in the future investment in this country.

What we can do is turn to Mr Turnbull, who says that ‘any suggestion that you can dramatically cut emissions without any cost is—I will not use a favourite term of Mr Abbott—bulldust’; I think that is appropriate. Moreover, he knows it. What we can say is that there are those in the Liberal Party that know the truth. They do know the truth that the Leader of the Opposition, in making any suggestions that you can undertake significant change like this without cost, is not telling the truth. (Time expired)

Senator PRATT—Mr President, I ask a further supplementary question. Could the minister please inform the Senate how the government’s business support programs will help businesses understand and act on their opportunities?

Senator CARR—The government is not blind to the difficulties of transition. We understand that acting early actually provides some real advantages for this economy. We understand how important it is to ensure that we get the investments necessary to transform this economy. That is why we will be working with business and with industry for a long time, and it is why we want to make sure that business is able to maximise the opportunities that are presented by such a significant economic and social reform.

We have a whole series of programs throughout the government, a network of industry innovation councils and supplier advocates to help Australian firms to create and secure the jobs for the future. We want to ensure that we have the transformational strategies in place to ensure that workers in this country have a real stake in the future. We will not turn our back on the future, we will not seek to undermine jobs or seek to destroy business confidence in this country. (Time expired)

Carbon Pricing

Senator COLBECK (2.23 pm)—My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr. Can the minister inform the Senate what modelling the Department of Innovation, Industry, Science and Research has undertaken to determine the impact on jobs in the manufacturing sector of the government’s new carbon tax?

Senator CARR—I thank the senator for his question. The Department of Innovation, Industry, Science and Research has not undertaken modelling. What we have done is rely upon the advice from those central agencies that have undertaken the modelling. You know that, Senator. What we have done is to ensure that we have a policy framework in place to see real investment—

Senator Brandis—Mr President, I rise on a point of order. The point of order is on the question of relevance. The question was: what modelling has the department undertaken? The question has been entirely answered in the first sentence. The question having been entirely answered in the first sentence, nothing more can be relevant.

Senator Chris Evans—Mr President, I rise on the point of order. I do not know whether Senator Brandis is under threat inside the Liberal Party, but his points of order have got more ridiculous as the weeks go on. The ministers in this chamber have been called upon by Senator Brandis in incessant points of order to be directly relevant. Senator Carr immediately responded directly to the question, and was proceeding to answer the question more fully when Senator Brandis jumped to his feet and, unable to have his normal point of order, he had to try to think of another one which was, ‘Oh, he’s already
answered the question’. What nonsense, Mr President! If Senator Brandis is threatened inside the Liberal Party, he should deal with it there rather than try to boost his credentials by standing up in this place and taking ridiculous points of order.

**The President**—There is no point of order. There is a minute and 39 seconds remaining. I am listening to the answer that the minister has given and I believe the minister is addressing the matter in respect of the standing orders.

**Senator Carr**—What the government has determined is that it is absolutely critical to the future wellbeing of the Australian people that we are able to transform this economy to meet the enormous challenges of climate change. To do so we are prepared to work closely with the business community, and it is very important that we work with the community at large. That is why we have established the Australian Business Roundtable on Climate Change and that is why we have established the non-government organisations committee—to ensure that an appropriate policy framework is in place to protect the future for this country.

Those opposite are seeking to turn their backs on the future. They want to engage in the slur and innuendo of a program which, essentially, is equipping them to face up to the problems of the 1960s. We have now got to deal with a situation in the 21st century. Those opposite have failed to recognise their responsibilities to the future of this country and to the people of this country to ensure that we are able to protect the living standards of the Australian people.

Pretending that these things will just go away is not an answer. Pretending that we do not have to act on these issues is not an answer. We are in the business of ensuring that we get the investment in place to transform this economy to deal with the challenges of a low-carbon economy. The policies that are being pursued by this government are absolutely in keeping with ensuring that jobs for the future are protected and that economic opportunities for Australians are advanced. Pretending that these problems will go away is a terrible mistake. *(Time expired)*

**Senator Colbeck**—Mr President, I ask a supplementary question. What formal input, if any, have you had as minister into the deliberations of the government’s climate change committee, and what kind of information has your office and your department specifically been asked to provide to the committee on the impact on industry of the carbon tax?

**Senator Carr**—Thank you, Senator. I am intimately involved in the deliberations of the government in this policy. The whole-of-government processes which apply to a matter such as this also apply to the Department of Innovation, Industry, Science and Research. I am very pleased to be part of that process, ensuring the future prosperity of this nation. Any suggestions to the contrary are a terrible mistake—again. You are trying to drum up fear and you are trying to suggest things about that, whether that be cabinet processes or a number of other claims that are being made which are based on totally inaccurate information. I am sorry for you, Senator. Perhaps you should rely on more than the *Australian*; you may find that we are actually able to have a more informed debate.

**Senator Colbeck**—Mr President, I ask a further supplementary question. Perhaps we can go to the *Financial Review* then, Minister. Is not BlueScope Steel CEO Paul O’Malley correct when he says that manufacturing policy is now being directed by members of the government who show complete ignorance, do not want to listen, are engaged in economic vandalism and do not
care whether there are manufacturing jobs in Australia?

Senator CARR—I have had conversations with Mr O’Malley on numerous occasions. He is a member of our Steel Industry Innovation Council and he is a member of the business roundtable. So Mr O’Malley has an opportunity to put forward the views of BlueScope. I have also asked him to take the views of the Future Manufacturing Industry Innovation Council to that business roundtable. He is expressing his views about the need to ensure that there is a balanced approach to the policy framework that is being presented.

There is an ongoing public debate about what the level of assistance should be to ensure that manufacturing can make the necessary transition to a low-carbon economy. He is entitled to put that view; there will others who will put different views. At the end of the day, this is a proper debate that this country should have. It is a pity that you are not part of it. Your approach is to essentially turn your back on the welfare of the people of this country. (Time expired)

Senator Cormann interjecting—

Senator Cameron—I will come down to Wollongong to debate climate change with you any day.

The PRESIDENT—Senator Cameron and Senator Cormann, the time for debate is post question time. Senator Ludlam is waiting to ask a question.

Radioactive Waste

Senator LUDLAM (2.31 pm)—My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr, in his role representing the Minister for Resources, Energy and Tourism. It relates to the government’s proposal to dump radioactive waste at Muckaty Station, close to Tennant Creek.

Senator Chris Evans—On a point of order: the senator wants to ask a question to the Minister representing the Minister for Resources, Energy and Tourism, and I understand that it is Senator Sherry.

Senator Ronaldson—It will be a totally different answer to the one we would have got.

The PRESIDENT—We did make a statement earlier today, Senator Ronaldson, about interjections. That might have been a little bit helpful.

Senator LUDLAM—I thank the Leader of the Government in the Senate for that correction. I also acknowledge Mark Lane, a traditional owner from the area who is in the public gallery today. Can the minister advise the Senate on the status of recommendation 1 of the Senate Legal and Constitutional Affairs Legislation Committee inquiry into the radioactive waste dump proposal of late last year, which stated that Minister Ferguson should undertake as soon as possible:

… consultations with all parties with an interest in, or who would be affected by, a decision to select the Muckaty Station site as the location for the national radioactive waste facility.

Has the minister done so and, if not, why not?

Senator SHERRY—I thank Senator Ludlam for his question. I am just looking through the brief for my representational capacity and the information is not before me, so I will have to take it on notice.

Senator LUDLAM—Mr President, I ask a supplementary question. Can the minister explain why after the 2007 election responsibility for radioactive waste management was transferred from the Innovation, Industry, Science and Research portfolio, where it had been for decades, to the Resources, Energy and Tourism portfolio where there is no expertise whatsoever in radioactive waste management.
Senator Abetz—Senator Carr was the minister.

Senator LUDLAM—That is why I was hoping to put the question to Senator Carr. Why was there a transfer?

Senator SHERRY—That is an arrangement between two ministers that would have been determined by the Prime Minister. I am not aware of why the transfer of responsibilities from Senator Carr to the Minister for Resources, Energy and Tourism, Mr Ferguson, occurred. The officers in the division were transferred. It is your prerogative to ask a question, but I do not really see how a question about the process of transferring ministerial responsibility from one minister to another would be particularly informative for you. Nevertheless, I will take it on notice and see what information I can find for you.

Senator LUDLAM—Mr President, I ask a further supplementary question. Thank you, Minister. I would very much appreciate a statement to the Senate about the reason for that extremely unorthodox change of responsibilities. Has the Minister for Innovation, Industry, Science and Research requested to take back responsibility for that portfolio—where it belongs—and, if not, will he do so as a matter of greatest urgency?

The PRESIDENT—Senator Sherry, I think you can answer the part of the question that may pertain to the portfolio that you represent, but I do not know if you can necessarily speak on behalf of another minister.

Senator SHERRY—Again, it is your prerogative to ask questions of this nature, Senator Ludlam, but I do not think it is unorthodox for responsibilities to be transferred from one department to another department. For example, with the new Department of Regional Australia, Regional Development and Local Government there was a range of responsibilities transferred from a number of other—

Senator Ludlam—Mr President, on a point of order on relevance, the minister appears to be answering my previous question. The question that I just put to him was whether the minister would take responsibility back for this portfolio.

The PRESIDENT—I think I ruled at the start that the minister may well have difficulty in answering for a minister that he is not representing, but I do invite the minister to answer on behalf of the minister that he is representing. If there is anything further that the minister wishes to add then the minister can do so. There is no point of order.

Senator SHERRY—Kim, have you asked for the responsibilities back?

The PRESIDENT—Senator Ludlam, I think that might solve that one!

Carbon Pricing

Senator BIRMINGHAM (2.36 pm)—My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. Will the minister guarantee that all Australian export and trade exposed industries will be compensated for, and protected against, additional costs imposed by the new Labor-Green carbon tax?

Senator WONG—I can certainly guarantee we will take the more considered and sensible approach choice than some of the moderates, such as Senator Birmingham, who used to support sensible policy in this area and are now lined up behind a bloke who thinks climate change is ‘absolute crap’, which were his words.

Honourable senators interjecting—

The PRESIDENT—Order! Senator Wong, you will have to resume your seat. Because of the noise I cannot hear any response.

Senator WONG—As I said, it has been interesting, hasn’t it, over the last few years in this chamber to watch those who call
themselves moderates on that side, who used to have a sensible approach on climate change, who used to have a sensible approach to multiculturalism and immigration?

The PRESIDENT—Order! Senator Wong, I draw your attention to the question.

Senator WONG—They are lining up behind a bunch of shadow ministers who have extreme views on this issue without speaking out. We on this side are a Labor government. We will always apply the values of a Labor government to the design of this policy just as we—

Honourable senators interjecting—

The PRESIDENT—Order! It becomes very difficult to hear what is going on in the chamber from here when conversations are taking place across the chamber.

Senator WONG—As I said, we are a Labor government and we will apply Labor values.

Opposition senators interjecting—

Senator WONG—While those opposite want to relive the election campaign over and over again, we will get on with the job of doing what is right for the country and that is what we are seeking to do. We are a Labor government and—

Senator Brandis—You keep this patronising tone up, Penny.

Senator WONG—When Senator Brandis has finished braying at me I might continue.

Honourable senators interjecting—

The PRESIDENT—Order! Interjections from both sides do not help.

Senator WONG—As I said, we are a Labor government and as the Prime Minister has said we will apply Labor values to this policy area as we do to all policy areas. We are conscious of the range of difficult policy decisions, including the ones Senator Birmingham references, that will have to be made, which is why the government are working sensibly and methodically through the multiparty committee to deal with a whole range of issues. They include coverage, they include the price level and they include what sort of assistance should be provided and how that transition should occur, and we will continue to do that work.

Senator BIRMINGHAM—Mr President, I ask a supplementary question. Given the minister provided no guarantee, will she ensure that the Greens, and Senator Milne in particular, do not get their way, and that no Australian export or trade exposed industry will be left significantly worse off, jeopardising billions in exports and thousands of jobs?

Senator WONG—We are working through the development of this policy through the multiparty committee. That involves not just the Greens but, as you know, other members of the crossbench. It would be better on this issue, which is important to the future of the nation, if the opposition were prepared to deal constructively with it but we are very clear that under their this leader, Mr Abbott, there will be no constructive engagement.

Government senators interjecting—

Senator WONG—Of course, yes, we know that Mr Turnbull was prepared to constructively engage and we know what happened there.

Opposition senators interjecting—

The PRESIDENT—Order! Senator Wong, I have to ask you to resume your seat.

Senator WONG—As I was saying, the opposition have chosen not only to deal themselves out of this discussion but to simply position themselves as entirely negative, entirely obstructionist and simply focused on wrecking this policy area. That is what you have chosen to do. (Time expired)
Senator BIRMINGHAM—Mr President, I ask a further supplementary question. Given the Prime Minister has been so happy and cavalier in breaking her promises to the Australian people—

Senator Bob Brown—Mr President, I rise on a point of order and ask you to look at the last question, and take into account that the Greens have always maintained that the issue of trade exposed industries should be taken account of, to see whether or not it is consistent with—

Senator Cormann interjecting—

The PRESIDENT—Order! Senator Cormann, Senator Brown is on his feet for a point of order.

Senator Bob Brown—standing order 73.

The PRESIDENT—Senator Brown, I do not believe that you have a point of order but I will go away and look at the question. If there is a need to come back to the chamber at a later stage I will. I am just giving you my early advice. Senator Birmingham, start again.

Senator BIRMINGHAM—Thank you, Mr President. Given the Prime Minister has been so happy and cavalier in breaking her promises to the Australian people and Australian industry about having a carbon tax just to keep the Greens happy, how can they trust these people, who keep claiming to be a Labor government, not to let the Greens get their way and decimate Australia’s export and trade exposed industries?

Senator Bob Brown—Mr President, I rise on a point of order and also ask that you take into account that question in considering standing order 73.

The PRESIDENT—Senator Brown, I will look at both questions and if I feel the need to come back to the chamber, as I said to you, I will. I will allow the question to stand at this stage and I ask Senator Wong to respond to that part of the question which she has representational responsibility for.

Senator WONG—I think Senator Birmingham’s question is in fact a re-run of the first or the second question, which I responded to. Again I say: these are part of the range of complex decisions that have to be made to put this reform in place. We will work through those issues with industry, with other stakeholders and, through the multi-party committee, with other members of this parliament. But, because it is in the national interest to do so, we will do so. It is regrettable that we are faced not with constructive dialogue with the opposition, or engagement, but with the sort of fearmongering that is implicit, or explicit, in your question and an opposition which simply is looking to what it believes is short-term political interest, not the long-term interests of the nation. (Time expired)

Broadband

Senator MARK BISHOP (2.45 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Can the minister advise the Senate on how the Gillard government’s commitment to build the National Broadband Network will help address climate change?

Opposition senators interjecting—

The PRESIDENT—I will give you the call when they are silent, Senator Conroy. The Minister for Broadband, Communications and the Digital Economy.

Senator CONROY—I thank Senator Bishop for his question. The National Broadband Network will connect all Australians’ homes, businesses—

Senator Abetz—All of them?

Senator CONROY—Yes—and hospitals to high-speed broadband. This will underpin and enable Australia’s digital economy. Tak-
ing advantage of digital economy opportunities will help Australia tackle major public policy challenges such as better managing our environment, energy and infrastructure. Ubiquitous high-speed broadband will facilitate greater teleworking opportunities and reduce the need for business travel through the greater use of telepresence technology, which will reduce carbon emissions.

Smart grid technology has the potential to reduce home energy bills and cut carbon pollution. Smart grids enable a two-way flow of information over a communications network that will provide a greater ability to incorporate renewable energy and allow consumers to manage their energy use. Early estimates show that, if smart grid applications are adopted around Australia, they could deliver an estimated reduction of 3.5 megatonnes of carbon emissions per annum.

The NBN will help Australia lead a global transformation as energy networks deploy broadband-enabled solutions to drive efficiency and the capacity—(Time expired)

Opposition senators—More!

Senator MARK BISHOP (2.48 pm)—Mr President, I ask a supplementary question. I thank the minister for that very informative response. Building on that, can the minister explain to the Senate how greater uptake of teleworking will assist Australia tackle climate change and how the NBN will facilitate greater uptake?

Opposition senators interjecting—

Senator CONROY—The NBN will be a catalyst for growth in teleworking because it will provide greater certainty—(Time expired)

Senator MARK BISHOP—Mr President, I ask a further supplementary question. Can the minister outline to the Senate how the Gillard government is utilising broadband-enabled technologies to tackle climate change?

Senator CONROY—The Gillard government has deployed a national telepresence system, with at least two facilities operating in each capital city. Usage of the system commenced in October 2009 and full interjurisdictional capability was achieved in July 2010. At the end of January 2011, 344 meetings had taken place, using the system for a total of 580 hours. Usage has been increasing steadily since it was first commissioned. Savings to date from not using airlines, taxis and hotels and from less lost productivity are $3.009 million. The use of telepresence has resulted in approximately 490 tonnes of carbon dioxide equivalents not being attributed to the Australian government. (Time expired)

Opposition senators interjecting—

Senator CONROY—We all hope on this side of the chamber that one day those on the opposite side of the chamber will join us in the 21st century, when you do not laugh at the mention of teleworking, because teleworking can assist Australia to tackle climate change through decreased fuel consumption, decreased congestion in our cities and infrastructure savings. Access Economics estimates that a 10 per cent increase in Australian employees that telework just 50 per cent of the time would save over 120 million litres of fuels and 320,000 tonnes of CO2 emissions.

Opposition senators interjecting—

The PRESIDENT—Sit down, Senator Conroy. I am waiting for silence. Senator Conroy.

Senator CONROY—The NBN will be a catalyst for growth in teleworking because it will provide greater certainty—(Time expired)

Carbon Pricing

Senator BARNETT (2.52 pm)—Mr President, now that the laughing and ridicule regarding the previous question has concluded—
The PRESIDENT—No, there is no need to preface questions like that.

Senator Barnett—Through you, Mr President, my question is to the Minister representing the Prime Minister, Minister Evans. Will the minister state clearly, once and for all, how much more Australian families will end up paying for electricity under the new Labor-Greens carbon tax?

Senator Chris Evans—Mr President, I try to treat all senators with respect when they ask questions but, quite frankly, this is just another stunt. There is no genuine interest from the opposition in engaging in a major public policy challenge. All we have is the attempt to run out and say: ‘The world’s going to end. Petrol’s going to go up. Electricity’s going to go up. It’s all too hard. Let’s pretend there’s no problem. Let’s forget what we’ve said about climate change since John Howard recognised the problem in 2007.’

Senator Ian Macdonald—Mr President, I raise a point of order on relevance. This minister was asked a very specific question. He has not even addressed it after a considerable amount of time; all he has done is berated the questioner and told the questioner how he should ask questions. Could you please draw his attention to the question and ask him to be directly relevant to it.

Senator Ludwig—Mr President, we now have a point of order taken without even pointing out what the subject matter or the issue was. All that the opposition have now said is, ‘We rise to take a point of order; we rise on whether it’s directly relevant or not,’ without even justifying the position that they have put. It is a frivolous point of order from the opposition on this issue, without their actually describing what is or is not directly relevant. The opposition jump up, say, ‘The minister is not being directly relevant,’ and sit down. On that basis, they should remain seated. There is no point of order. It has not been raised. The minister has been answering the question asked.

Senator Brandis—Mr President, on the point of order—

Honourable senators interjecting—

The PRESIDENT—Wait a minute, Senator Brandis; you will get the call. I need silence on both sides so that Senator Brandis can be recognised. Senator Brandis.

Senator Brandis—Mr President, I know the minister has a minute and 26 seconds to go, in which maybe he might come to the question, and I know that you have made allowance for prologue and preamble in answers, but the fact is that he was asked by how much electricity prices would rise and nothing he has said is even remotely relevant to that issue. That is the point that Senator Macdonald was trying to make when he took the point of order, and his point of order, with respect, is right. If it is not remotely relevant, how can it be directly relevant?

Senator Conroy—Mr President—

Honourable senators interjecting—

The PRESIDENT—Wait a minute, Senator Conroy. When there is silence, we will proceed. Senator Conroy.

Senator Conroy—Mr President, on the point of order: Senator Macdonald was unable to identify what the point of order was. He refused to acknowledge what the question actually was. He refused to acknowledge the preamble—all of the sledging that went on in the first part of the question—and just airbrushed it away; it did not happen. Unfortunately, the question contained a whole range of things, assertions and implications, that Senator Macdonald is simply seeking to ignore to waste the time of this chamber to take another frivolous point of order, and it should be dismissed out of hand.

The PRESIDENT—On both sides: I was certainly not helped at the start of the ques-
tion by the preamble to the question, but then
I was certainly not helped by some of the
noise that followed in the response. It makes
it very difficult up here to hear some of the
responses that are coming forth. The minister
has, as you rightly pointed out, one minute
26 seconds. I do not set aside part of the time
that is allowed for the answer, that being two
minutes, for preamble or prologue; I have
never stated that. I have never stated that from
the chair as such. The standing orders dictate
that there is a two-minute time limit in which
to answer the question. The minister, though,
has the responsibility in answering the ques-
tion to respond in accordance with the stand-
ing orders and to be directly relevant to the
question that has been asked. I acknowledge
that, but I do not accept that there has been a
time set aside for prologue or preamble.

I do listen carefully to what the ministers
are saying. Sometimes the ministers’ re-
sponses are drowned out by calling from
both sides of the chamber—and I am not
picking on one side or the other there—and it
makes it very difficult to pick up the full an-
swer that is being given. On this occasion, I
draw the minister’s attention to the fact that
there is still one minute 26 seconds remain-
ing in which to answer the question. It would
assist the chair if, when people are asking
questions, the banter that goes on is ceased. I
do understand that people want to let off a bit
of steam from time to time and I am fairly
tolerant about that. Minister, you have one
minute and 26 seconds remaining to answer
the question.

Senator CHRIS EVANS—Thank you, Mr President. This is a serious public policy
debate, and we need to deal with the issues
seriously, not pull stunts and not try to pre-
tend that these are not serious issues that
need to be addressed. Imposing a price on
carbon will increase the cost of certain goods
and services in the community. The architec-
ture of the scheme that we finally settle on
has not yet been determined. We have a
process by which we are trying to get in
place a price on carbon. There are a whole
range of issues that need to be determined as
we move forward. The rest of the parliament,
apart from the Liberal and National parties,
are intent on trying to engage in that debate,
trying to be serious about the challenges.
They are trying to grapple with this chal-
lenge. I remind people that Prime Minister
Howard recognised this back in 2007. He
said:

Significantly reducing emissions will mean
higher costs for businesses and households, there
is no escaping that and anyone who pretends to
do otherwise is not a serious participant in this
huge and important public policy debate.

I urge senators like Senator Barnett to listen
to what Prime Minister Howard had to say
about that. His running around and saying
that the world is going to end et cetera is not
a constructive contribution to the debate.

(Time expired)

Senator BARNETT—Mr President, now
that the minister has failed to answer that
question, I have a supplementary question.

Will the minister guarantee that Australian
families will not end up paying at least $300
a year for electricity under the new Labor-
Greens tax?

Senator CHRIS EVANS—What we
know is that the Liberal Party are running
around with different scare campaigns—one
day I think Mr Hunt was saying it is $1,000,
then $500, now it is $300. Quite frankly, no
determination has been made about the price
to be put on carbon—nor, therefore, the
ramifications that flow from that. What we
have made clear is that any revenue raised by
this government in applying the carbon tax
will be used to try and offset the impact on
households and businesses, to mitigate the
impact on them. That is the approach we
took when we tried to introduce the CPRS. It
is a consistent approach in trying to ensure
equity for Australian families while we try and drive a fundamental change in the Australian economy. It is a fundamental change. It is a major reform. It is serious. It is difficult. But it is worth doing.

Senator Barnett—Mr President, I ask a further supplementary question. Given the Prime Minister has been so happy to break her promise to the Australian people about having a carbon tax, just to keep the Greens happy, how can they trust that the government will not let the Greens get their way and impose spiralling electricity prices on Australian families?

Senator Chris Evans—When the tactics committee writes those questions for Senator Barnett, he ought to think more carefully about it. It does him no credit. He did not listen to the answer.

Opposition senators interjecting—

Senator Chris Evans—It is a question of whether you are interested in petty point-scoring, which may well go down well in Liberal Party council meetings. It is a reflection again that you fail to seriously engage with the big public policy question facing us. These are serious issues. They are difficult issues. They are issues the Liberal Party chose to engage with in the last parliament, before the reactionary forces got the numbers and forced Malcolm Turnbull out—and, as a result, you walked away. But now you have walked away completely from being serious players in the major challenges confronting this economy and our climate—and, quite frankly, it does you no credit. We have serious issues that need to be addressed, and I urge members of parliament to treat them seriously. (Time expired)

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Carbon Pricing

Senator Colbeck (Tasmania) (3.03 pm)—I move:

That the Senate take note of the answers given by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans), the Minister for Finance and Deregulation (Senator Wong) and the Minister for Innovation, Industry, Science and Research (Senator Carr) to questions without notice asked by Opposition senators today, and by the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) to a question without notice asked by Senator Bishop today, relating to a proposed carbon tax and to the National Broadband Network.

The government claim that our opposition to this tax is creating uncertainty for the business community, but in fact it is the government’s approach that is creating uncertainty. Don’t blame the coalition for the current uncertainty in the business community; have a look at yourselves. This situation has been created by the government, because they do not have a policy—all they have is an announcement. They have come out and said they are going to have a carbon tax, and they are going to work it out, but it is going to be starting from 2012. That is what promotes concern from the industry sector. It is exacerbated by their relationship with the Greens and it is compounded by their broken promises. So don’t start blaming the opposition for the uncertainty that exists, particularly by government actions.

I asked Senator Carr today what modelling his department had done in relation to jobs. At least he did provide the fact that they had done no modelling—they had done none. He said to the chamber that he relied on others to do that modelling. But we know that there has been no modelling done on the impact on jobs of a carbon tax, or even the defunct CPRS, because the impact on jobs
was an assumption, an input, to the modelling process. The government made the assumption at the outset that there would be no reduction in jobs and that employment would grow, so it is not a function of any modelling. Senator Carr should have done that work, to get an understanding of the impact on his portfolio. He is being negligent by not doing that work to get an understanding of the impact on his portfolio.

In fact, at estimates last week we heard that there are tens of thousands of manufacturing jobs that have disappeared from his portfolio in the last three years, since this government took over. And here is the minister who was so much in favour of manufacturing, the minister who was going to save manufacturing and manufacturing jobs in this country. He has completely failed: 87,000 manufacturing jobs have disappeared from this country since he became the minister. He wants to impose additional costs on those business, and has done no work to get any understanding of what the impact of government decisions might be. Senator Carr says it is being done by others, when in fact it is not—as I said before, it is an input of the modelling that was done by the government. So they have no understanding of the impact of this tax on jobs, no understanding of the impact on manufacturing in regional Australia.

It was absolutely no surprise when the CEO of BlueScope Steel said that ‘manufacturing policy is now being directed by members of a government who show complete ignorance’. They do not want to listen. You can be part of any council you like. You can be part of the manufacturing councils, you can have input—but, if the government are not listening to you, what impact can that have? If the government do not want to know, what impact can you have? They are in complete ignorance; they do not want to listen. They are engaged in economic vandalism. These are considered statements by the CEO of a major Australian company in relation to the person who is directing manufacturing policy in this country—a person who does no background research, who has no understanding of what is going on, who does not want to listen and who does not seem to care whether or not there are manufacturing jobs in this country. What a complete and utter indictment on the minister.

But of course all of this is compounded by the government’s complete breach of promise in relation to this carbon tax. The Prime Minister went to the election saying that there would be no carbon tax. It was repeated and repeated in context in relation to statements that were being made about a carbon tax. To quote the Prime Minister:

I think when you go to an election and you give a promise to the Australian people you should do everything in your power to honour that promise. We are determined to do that.

It is an indictment on this government. (Time expired)

Senator PRATT (Western Australia) (3.08 pm)—I believe that government ministers—Ministers Evans, Wong, Carr and Conroy—today have shown great leadership in responding to the questions asked of them. In contrast, we have from the opposition leader, Mr Abbott—a revolting leader, I might suggest, given that he is leading what is quoted as a—

Senator Kroger—I rise on a point of order. That language is inappropriate and does not befit this chamber.

The ACTING DEPUTY PRESIDENT (Senator Trood)—I do not think that is a point of order. Senator Pratt has the call.

Senator PRATT—To contextualise that remark, if I may—

Senator Kroger—Point of order. The senator was actually impugning an individual in the other place and I think it does not be-
hove this chamber. I ask you to get the senator to withdraw her remarks.

The ACTING DEPUTY PRESIDENT—I appreciate the point you are making, Senator Kroger, but I do not believe that is a point of order.

Senator PRATT—To contextualise what I have just said, there are two meanings to the word ‘revolting’: one, as in disgusting, and the other, as in participating in a revolt. So, we have a leader who says that he will fight this every minute—

Senator McGauran—Now that the senator has clarified the two meanings for ‘revolting’ it is now incumbent upon her to let the chamber know which ‘revolting’ she is referring to, because if she is referring to the former, that is without doubt a reflection on the Leader of the Opposition. But if she is referring to the second meaning of ‘revolting’ we accept that on this side.

The ACTING DEPUTY PRESIDENT—Senator Pratt, it might assist the matter if you were to explain the matter a little further.

Senator PRATT—I thought I had contextualised this in the context of Mr Abbott’s remarks about a revolt, and I think that speaks for itself. He is a leader who says that he will fight this every minute of every hour of every day, yet we know that Mr Abbott has not even looked in detail at this policy.

Opposition senators interjecting—

Senator PRATT—He has proclaimed that he will roll it back. Every minute of every day—does the man never sleep? No wonder the decision making is so appalling.

Yet we know that there are senators opposite who would support our approach. They believe in a price on carbon. We have a major economic reform and, I believe, the right approach to this issue. We need certainty for business, a case that has been well stated by our ministers today. In fact, a delay means business will not be able to make decisions. It drives up costs for businesses and costs for Australian consumers.

We know, this nation knows and this parliament should know that we need to shift to an economy that produces less pollution so that we can make goods that produce less pollution more attractive; in other words, goods that create less pollution should cost less than those that create a lot of pollution. It is a rational approach. The sooner we move on this journey, the cheaper that journey will be.

We also have climate scientists around the world telling us that carbon pollution is causing climate change and that the scientific case demonstrating this is in fact overwhelming. I am pleased to say that this government accepts the climate science. We know that the world is warming. 2010 was the equal warmest year on record, with 2001-10 being the warmest decade. In a summer where we have experienced such extreme weather events around the nation, we really need to ask ourselves, ‘Can we not participate with the globe in creating an insurance against this kind of effect on our population?’ No responsible government can ignore these findings, which is why we need to make a start now in reducing carbon pollution. We need to play our part in the world’s efforts to save our planet.

But these moves, as demonstrated today, are also about driving innovation, creating jobs and building a stronger economy. We
know that the world must move and if we lag behind we lose economically and our environment loses. The same scare campaigns have been run every time a government has set out on a major economic reform, such as reducing tariffs. It is easy to put off reform, to ignore the negative impacts of a patchwork economy and to ignore the challenges of climate change. We have been talking about a price on carbon for a long time, as have the opposition. But we know that, just like reducing tariffs, it is about creating jobs and building a stronger economy. It is about driving investment in clean energy and creating the jobs of the future. It is about business certainty.

(Time expired)

Senator KROGER (Victoria) (3.14 pm)—The question time we have just sat through demonstrates how those on the other side have absolutely no appreciation of the magnitude of the effect that a carbon tax will have on this country. How surprised I was to hear the question from Senator Bishop to Senator Conroy suggesting that the planet was going to be saved by the introduction of the NBN and that there was some relationship, some strong connection, between the rollout of an expensive NBN program and climate change. It is a poor reflection on those on the other side that they would seek to trivialise such an important debate.

But I guess I should not be surprised at all, because in the past week we have seen a disgraceful and outrageous abuse of the democratic rights of Australian citizens by this alliance government of Labor and the Greens. Let us call it what it is, and that is exactly what it is: an unholy alliance between the Labor Party and the Greens. In the very words of the Prime Minister before 21 August 2010, when we had the federal election: There will no carbon tax under a government I lead.

Let us reflect on this for a moment. This was no quick response to a doorstop. Again, days later—and we saw reports of it in the Australian—the Prime Minister confirmed that she was ruling out a carbon tax, period. But let us remember the context in which she made that statement and that pledge to the Australian people. At the time, the Labor Party was on the nose. The Labor government was on the nose because its own supporters were absolutely appalled at the way in which former Prime Minister Rudd was stabbed in the back. They were absolutely horrified. If they could not trust the gang of four—if they could not trust caucus with the numbers men wielding the power, and a couple of them share this chamber here with us: Senator Feeney and Senator Farrell—who could they trust? It is good to see that they were both promoted for their actions.

Prime Minister Gillard, in response to that, sashayed around trying to demonstrate her fitness for the job and in the process—surprise, surprise!—was not seen to be that real. In fact, she was seen to be stage managed and fake. Then we heard from the Prime Minister herself that the ‘real Julia’ would stand up—not the one who had been turning up to the contrived media opportunities but the real Julia. And so it was presumably the real Prime Minister Julia Gillard who made that pledge that there would be no carbon tax under her leadership. To be honest, I am staggered that she does not blush at the absolute hypocrisy implied by this backflip, but we have all seen that no lack of principle or honour seems to worry this government. Embarrassment certainly is not one of those things that the Prime Minister seems to suffer from.

We all saw, in the photo shoot of that carbon tax press statement, just who was in control of this particular policy. We had Senator Bob Brown at front and centre of the photo. In fact, I am reminded of The Addams Fam-
ily, for those of you who watched that television program a couple of decades ago. As I looked at that photo I wondered which one was Uncle Fester, the one who could put the light globe in his mouth and set it alight. Looking at Senator Milne, who was standing beside Senator Brown in the centre of the photo, I thought it might be Senator Milne, because she had a radiant glow. If one was in doubt of what was behind this policy, that photo should attest to it. This carbon tax is a disgrace, this government is a disgrace and the Australian people should boot them out sooner rather than later. (Time expired)

Senator WORTLEY (South Australia) (3.20 pm)—I rise to take note of answers provided by Ministers Wong, Carr and Evans today. It appears as though those people opposite were not listening to the answers provided. They have just gone off at their own tangent. A carbon price is a major economic reform that will create an incentive to reduce pollution and drive investment in renewable energy and low emissions technologies. The government recognises the concerns of industry in adapting to a clean energy future and adopting carbon pricing. However, the introduction of a price on carbon is an essential economic reform that will help Australian business, industry and communities to combat future challenges. Origin Energy, in a media release, said:

To drive a switch to lower carbon options in the electricity market, the fundamental requirements are a clear and credible long-term pricing framework and a carbon price that makes a real difference to investment decisions. Today’s announcement is a very positive start …

In another press release, the Clean Energy Council said:

… today’s announcement was an important step forwards in locking in long term investment certainty for both the clean energy industry and the power sector as a whole.

“A carbon price must be the cornerstone of any effective climate change strategy” …

The Multi-Party Climate Change Committee has agreed on the principle that appropriate account will be taken of the impacts on the competitiveness of all Australian industries, having regard to the carbon prices of other countries while maintaining incentives to reduce pollution. Meeting Australia’s emissions reduction target without having a price on carbon would be more costly than doing it by harnessing the power of a carbon price.

A price on carbon is the most efficient and effective way to reduce carbon pollution. It will create incentives throughout the economy for people to reduce carbon emissions, either through adopting existing technologies and practices or by finding smart and innovative new ways of doing it. The Climate Institute’s Clean energy jobs in regional Australia report, released on Monday, 28 February, predicts that a substantial carbon price would trigger tens of billions of dollars of investment in geothermal, large-scale solar, bioenergy, hydro, wind and gas. This is important work and it highlights the opportunities that could be created for Australian manufacturers in these emerging industries.

Senator Cormann—Why didn’t you say that during the election campaign?

Senator WORTLEY—On that point, we have always been clear—before, during and since the election campaign—that we want to, need to and must tackle the issue of climate change. Unless those on the other side have been living under rocks—

Senator Cormann interjecting—

The ACTING DEPUTY PRESIDENT (Senator Trood)—Senator Cormann, a little restraint is in order in these circumstances.

Senator WORTLEY—Unless those opposite have been living under rocks without radios, televisions, newspapers or internet access, then they should know that Labor
advocated long and hard for a carbon pricing regime between 2007 and 2010. Everyone in this chamber is aware of that. And it is what we spoke to the Australian community about during the 2010 election. We have always been upfront that the best way to do this is through a price on carbon.

A carbon price is a price on pollution. The best way to stop businesses polluting and to get them to invest in clean energy is to charge them when they pollute. The businesses with the highest levels of pollution will have a very strong incentive to reduce their pollution. Make no mistake: those opposite do themselves and the Australian people no justice by running a scaremongering campaign.

This government is very conscious of the cost-of-living pressures facing Australian families. That is why we have already reduced the tax burden on families, we abolished Work Choices, we increased the pension, we increased the childcare rebate and we introduced the education tax refund. That is why we are delivering an increase of $4,000 in family tax benefit part A, extending the education tax refund to uniforms and providing the option for families to receive childcare rebate payments fortnightly. All of these initiatives are fully costed and fully funded. We also understand that central to dealing with the cost-of-living pressures on working Australians is the government’s plan for a stronger economy, because a stronger economy means more jobs and better wages.

(Time expired)

Senator BOYCE (Queensland) (3.25 pm)—I also rise to take note of answers by the ministers named by others. I have great trouble saying that I am going to take note of answers, because there were in fact no answers. Senator Carr told us that he had not done any modelling at all on jobs in the manufacturing area. Manufacturing has lost almost 90,000 jobs during Senator Carr’s time allegedly in charge of the functioning of manufacturing, looking after them with his tender mercies.

Senator Conroy laughably suggested that teleworking is somehow all by itself going to get rid of climate change and overcome emissions. Let us look at that. Firstly, was that a confirmation that there will be a carbon tax on petrol? Is that an extra incentive for people to stay at home and work rather than go to work? The teleworking industry has been growing at a rapid pace without either spending billions of dollars on the NBN or a carbon tax, so I am not quite sure what the massive change is that Senator Conroy is hoping to achieve here.

Then there were the answers of other senators, which bring us back to the basic point of this carbon tax that the government proposed last Thursday out of the blue. Senator Pratt had the nerve to suggest that we had not looked at the detail. We would love to look at the detail. Where is the detail? Are our trade exposed industries covered? Are manufacturing businesses that will suffer because of higher prices and an inability to charge their customers more covered? Who knows? Is petrol covered? The list goes on and on. What is the price of carbon going to be set at? If it is set at $26 a tonne, we are looking at more than $300 extra for electricity for the average Australian family, we are looking at about 6.5c a litre more for petrol for the average Australian family and we are looking at about an extra $100 a year for gas for the average Australian family. The price of manufactured goods—if they can get them—will go up or these people will simply have to go offshore or close down. The price of groceries and food will go up. So we would love to examine the detail of this proposed carbon tax. But all we got was this little bubble—this concept idea—from Ms Gillard, with her friends in tow.
One of the things that have puzzled the coalition and that we have been trying to understand since last Thursday is how on earth the Prime Minister could so shamelessly lie and break an election promise as she did. As a number of people have quoted, just before the election the Prime Minister said, ‘There will no carbon tax under the government I lead.’ We found it inconceivable that the Prime Minister could say that in August and do what she did, alleging changed circumstances.

I think perhaps what has happened is that we are misreading her comment of 10 August. It is not the ‘no carbon tax’ part of the promise that we should be looking at; it is the ‘under the government I lead’ part that we should be looking at. As she points out, in the present circumstances she does not lead the government. It is not the government she leads anymore, so the honest and right thing to do would be to go to an election to see what the people of Australia think about her carbon tax idea and to confirm whether it is she who leads the government or whether it is Senator Bob Brown, Mr Combet or Mr Shorten who leads this government. It certainly is not the Prime Minister, but she should have the courage to find this out at an election. (Time expired)

Question agreed to.

Radioactive Waste

Senator LUDLAM (Western Australia) (3.30 pm)—I move:

That the Senate take note of the answer given by the Minister for Small Business (Senator Sherry) to a question without notice asked by Senator Ludlam today relating to a proposed radioactive waste site at Muckaty Station, Northern Territory.

I put three questions to Senator Carr, who has held the portfolio of Minister for Innovation, Industry, Science and Research since the 2007 election, and was referred—or fobbed off, should I say—to Senator Sherry. The first question I put regarding the establishment of a radioactive waste facility at Muckaty Station in the Northern Territory was around recommendation 1 of the inquiry of the Standing Committee on Legal and Constitutional Committee into the provisions of the National Radioactive Waste Management Bill 2010, which I believe will shortly be before the Senate. Recommendation 1 said that before this project goes ahead, if indeed it ever does, the minister should as soon as possible meet with the affected parties. That does not sound too controversial to me. It was a unanimous recommendation that the minister should sit down—he should have the courage and, indeed, the basic courtesy to do that—on behalf of the Australian Labor Party and the coalition members and senators, who may well vote for this proposal when it comes to the Senate, and tell the traditional owners and the people in the broader community up there around Tennant Creek and Muckaty Station why the facility is going there, why they have been chosen. The recommendation of the committee was that until he does that this project should not proceed. I do not think that is controversial at all.

Many of the affected landholders up there have such serious reservations about this proposal that they have taken the government and the Northern Land Council on in the Federal Court. One of those traditional owners, Mr Mark Lane, who is a named applicant in that Federal Court action, was in the public gallery today and is still here in Parliament House. He should not be wasting his time with an action like this over land tenure, and the government should not be moving to dump this material on their land in the Northern Territory at least until the tenure issues are sorted out and we know who has traditional responsibility for that area. It is absolutely outrageous that the government
should be proposing to dump the most dangerous industrial materials that this country produces—to put them in shipping containers on semitrailers and take them to a cattle station. It is absolutely ridiculous. For the government to be proceeding, with the consent of the opposition I understand, to legislate on this matter before we even know who has responsibility for that country speaks to me of the concept of terra nullius. I think that is something that most members of this chamber and the other place would have hoped we had set to rest. But that is effectively what this is: we are treating it as though it is empty land.

The other questions that I asked probably seem to have come somewhat out of left field. Why, subsequent to the 2007 election, was responsibility for radioactive waste management transferred from the Science and Innovation portfolio, where it had been in various guises probably since the 1950s, and suddenly yanked across and put in Resources and Energy? To this day, I have no idea what that was about. It was taken out of the portfolio responsibilities that Senator Carr had when he was in opposition and transferred to the Minister for Resources and Energy, Martin Ferguson, who has shown blatant disregard for the rights of landholders and, in fact, for the entire Northern Territory community. Perhaps the Labor Party just think there is a handful of seats up there that they can do away with. Perhaps there is some kind of rather nasty political calculus at work that says, ‘It doesn’t really matter if the coalition or, heaven help us, even the Greens bowl over a couple of seats in the Territory, we can dump it up there.’ It is not happening. That material is not going to Muckaty Station, and this minister will have cost the country collectively several years by taking up this failed approach. He would know, if he had studied the limited history in this country of attempting to coercively dump radioactive waste on people, that this will end in failure. Now there is a tenure dispute in the Federal Court. We will be contesting this legislation when it comes into this chamber. When the minister sees the people who turn up at his office every so often and make a public spectacle of his disastrous handling of this issue he should know that will continue—it will intensify. Nobody is going away until this issue has been sorted.

The last issue, I suppose, is something of a longer term one: take it out of the politics and remember what this debate is about. What is the nature of this material that will still be ticking tens of thousands of years after we have gone? Why are we insisting on dumping it at a remote location? I do not believe that material is going to Muckaty, but if we defeat it at Muckaty where will the government turn to? What is the obsession with asking the question: which remote Aboriginal community should get this toxic material? We will move amendments to the bill when it is debated in this chamber, probably not too far away from now, that will back off the postcode issue of which politically vulnerable community we can dump this toxic garbage on and that will establish a commission in the cold light of day to look at the proper way of dealing with this waste. What do we mean by world’s best practice? Community consultation, siting this material close to the areas of expertise and the people who generated it, and stop producing this material in the first place.

Question agreed to.

NOTICES
Presentation

Senator Ludwig to move on the next day of sitting:

That—

(1) The following matter be referred to the Standing Committee of Senators’ Interests for inquiry and report by 12 May 2011:
The development of a draft code of conduct for senators, with particular reference to:

(a) the operation of codes of conduct in other parliaments;
(b) who could make a complaint in relation to breaches of a code and how those complaints might be considered;
(c) the role of the proposed Parliamentary Integrity Commissioner in upholding a code; and
(d) how a code might be enforced and what sanctions could be available to the parliament.

(2) The committee consult with the House Committee on Privileges and Members’ Interests on the text of a code of conduct with the aim of developing a uniform code, together with uniform processes for its implementation for members and senators.

Senator Xenophon to move on the next day of sitting:

That—

(1) The Tax Laws Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 and the Income Tax Rates Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 be referred to the Economics References Committee for inquiry and report by 18 March 2011, together with the following matters:

(a) the adequacy of current insurance and reinsurance arrangements by the State of Queensland of its assets; and
(b) the impact of the State of Queensland’s current insurance and reinsurance arrangements on the Natural Disaster Relief and Recovery Arrangement.

(2) The Senate calls on the Queensland Government to provide to the committee any correspondence, and any related documents, between the Queensland Government and any insurance advisers, insurance brokers, reinsurance brokers, insurers and reinsurers in relation to providing services, insurance products, offers or proposals of insurance or reinsurance of Queensland Government assets, from 1 January 2000.

(3) In conducting its inquiry, the committee seeks from any relevant individual, corporation or other private entity, any correspondence, and any related documents, between the Queensland Government and any insurance advisers, insurance brokers, reinsurance brokers, insurers and reinsurers in relation to providing services, insurance products, offers or proposals of insurance or reinsurance of Queensland Government assets, from 1 January 2000.

(4) This motion take effect from 2 pm Thursday, 3 March 2011.

Senator Ludwig to move on the next day of sitting:

That the government business order of the day relating to the Federal Financial Relations Amendment (National Health and Hospitals Network) Bill 2010 be discharged from the Notice Paper.

Senator McGauran to move on the next day of sitting:

That the Joint Standing Committee on Treaties be authorised to hold a public meeting during the sitting of the Senate on Monday, 21 March 2011, from 10.15 am to noon.

Senator Siewert to move on the next day of sitting:

That the Senate—

(a) notes that the British High Court is hearing a legal challenge to the decision to allow deep sea drilling in the North Sea, based on the concern that the oil and gas industry has not demonstrated its readiness to effectively respond to a large-scale spill in deep water;
(b) welcomes the fact that Australia is in the process of reviewing and reforming the legislation and regulation governing the offshore oil and gas industry, in the wake of the recent Montara spill in the Kimberley and Deepwater Horizon spill in the Gulf of Mexico;
(c) raises concern that deep sea drilling licences continue to be granted in Australian waters before this regulatory reform has taken place, and before the industry has demonstrated it has appropriate risk management practices, response plans and resources in place to handle a deep sea spill in Australian waters; and

(d) calls on the Australian Government to put in place a moratorium on deep sea drilling until the Senate has confidence that all the necessary measures are in place to prevent another serious spill.

**Senators Ludlam and Siewert** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the largest single rock art site complex, which is also the largest outdoor rock art complex in the world, is that located on the Dampier Archipelago,

(ii) the rock art located on the Dampier Archipelago provides the most significant and intact continuous chronology of human endeavour in the world and as such identifies that the rock art and its chronology is unique and irreplaceable, and

(iii) it is widely acknowledged that the Dampier Archipelago contains approximately 2.5 million carvings, and in the 117 km² of the Burrup Peninsula (formerly the Dampier Island) 10 000 pieces of rock art have been destroyed at a minimum with a further 2 000 remaining in the Western Australian Museum’s fenced compound; and

(b) calls on the Minister for Sustainability, Environment, Water, Population and Communities:

(i) immediately to place the Dampier Cultural Precinct on the Interim List of World Heritage sites, and

(ii) to act urgently to prioritise the nomination of the rock art present on the Dampier Archipelago to the World Heritage List.

**Senator Wortley** to move on the next day of sitting:

That the Joint Select Committee on Cyber Safety be authorised to hold a public meeting during the sitting of the Senate on Monday, 21 March 2011, from 10.15 am to 12.30 pm.

**Senator Bob Brown** to move on the next day of sitting:

That when the Government, or any other senator, intends to rely on the clauses under standing orders 55(2) to (5) relating to an unscheduled meeting of the Senate, leaders of all parties or independent senators shall be consulted in a timely manner prior to the summoning of the Senate.

**Senator Nash** to move on the next day of sitting:

That the Senate—

(a) notes that the Government:

(i) has admitted there is a problem with the criteria for independent youth allowance for inner regional students,

(ii) has committed to bringing forward its review of the matter, and

(iii) has indicated it will remove the difference between the inner regional area and the other regional zones for the eligibility criteria for independent youth allowance; and

(b) calls on the Government to bring forward its timetable for resolving the matter and, in particular, ensure that:

(i) the review is completed and funds to pay for the measure are secured by 1 July 2011,

(ii) that the current eligibility criteria for independent youth allowance for persons whose homes are located in Outer Regional Australia, Remote Australia and Very Remote Australia according to the Remoteness Structure defined in subsection 1067A(10F) of the *Social Security Act 1991* also apply to those with homes in Inner Regional Australia from 1 July 2011, and
(iii) all students who had a gap year in 2010 (that is, 2009 year 12 school leavers) and who meet the relevant criteria qualify for the payment.

LEAVE OF ABSENCE

Senator PARRY (Tasmania) (3.37 pm)—by leave—I move:

That leave of absence be granted to Senator Ferguson for the period 28 February to 3 March 2011 on account of parliamentary business overseas.

Question agreed to.

NOTICES

Withdrawal

Senator LUDLAM (Western Australia) (3.38 pm)—I withdraw business of the Senate notice of motion No. 1, standing in my name and the name of Senator Fisher—I should say, with some reluctance on behalf of Senator Fisher.

COMMITTEES

Legal and Constitutional Affairs

References Committee

Meeting

Senator PARRY (Tasmania) (3.38 pm)—On behalf of Senator Barnett, I move:

That the Legal and Constitutional Affairs References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 3 March 2011, from 4.45 pm, to take evidence for the committee’s inquiry into the Australian Law Reform Commission.

Question agreed to.

Corporations and Financial Services

Committee

Meeting

Senator PARRY (Tasmania) (3.39 pm)—On behalf of Senator Boyce, I move:

That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 2 March 2011, from 5 pm.

Question agreed to.

Rural Affairs and Transport References

Committee

Extension of Time

Senator PARRY (Tasmania) (3.39 pm)—On behalf of Senator Heffernan, I move:

That the time for the presentation of the report of the Rural Affairs and Transport References Committee on pilot safety, including consideration of the Transport Safety Investigation Amendment (Incident Reports) Bill 2010 be extended to 4 May 2011.

Question agreed to.

Electoral Matters Committee

Meeting

Senator McEWEN (South Australia) (3.39 pm)—On behalf of Senator Carol Brown, I move:

That the Joint Standing Committee on Electoral Matters be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 2 March 2011, from 9.30 am to 11 am, to take evidence for the committee’s inquiry into the conduct of the 2010 Federal Election and matters related thereto.

Question agreed to.
Gambling Reform Committee
Meeting
Senator McEWEN (South Australia) (3.39 pm)—On behalf of Senator Crossin, I move:
That the Joint Select Committee on Gambling Reform be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Tuesday, 1 March 2011, from 4 pm.
Question agreed to.

Cyber-Safety Committee
Meeting
Senator McEWEN (South Australia) (3.39 pm)—On behalf of Senator Wortley, I move:
That the Joint Select Committee on Cyber Safety be authorised to hold a public meeting during the sitting of the Senate on Thursday, 3 March 2011, from 9.30 am.
Question agreed to.

Community Affairs References Committee
Extension of Time
Senator SIEWERT (Western Australia) (3.39 pm)—I move:
That the time for the presentation of the report of the Community Affairs References Committee on planning options and services for people ageing with a disability be extended to 18 April 2011.
Question agreed to.

Finance and Public Administration References Committee
Reference
Senator XENOPHON (South Australia) (3.40 pm)—I move:
That the following matter be referred to the Finance and Public Administration References Committee for inquiry and report by 30 June 2011:
The superannuation claims of former and current Commonwealth Public Service employees employed on a full-time, part-time or temporary basis prior to the introduction of compulsory superannuation in 1992, who were either not aware or correctly advised of their eligibility for Commonwealth superannuation (the Commonwealth Superannuation Scheme), with particular reference to:
(a) the number of employees in the Commonwealth Public Service impacted, because they were not aware or correctly advised of their eligibility to Commonwealth superannuation prior to the introduction of compulsory superannuation in 1992, including, but not limited to, employees of the following Commonwealth departments and statutory authorities:
(i) Department of the Interior (which included Transport, Forestry and Conservation, and Agriculture),
(ii) Department of Works (later renamed the Department of Housing and Construction, and then the Department of Construction) in the Australian Capital Territory and New South Wales,
(iii) Department of Administrative Services in the Australian Capital Territory and Western Australia,
(iv) Department of Education in the Australian Capital Territory,
(v) Department of Supply in South Australia and the Australian Capital Territory,
(vi) Post-Master General’s Department in the Australian Capital Territory and New South Wales,
(vii) Australian Government Printing Office in the Australian Capital Territory and New South Wales,
(viii) Defence – Research Weapons Establishment in South Australia,
(ix) Defence – Defence Science and Technology Organisation in South Australia,
(x) Defence – Defence Research Centre in South Australia,
(xi) Australian Broadcasting Commission in South Australia, Tasmania, the Northern Territory and New South Wales,
(xii) Australian Atomic Energy Commission (now Australian Nuclear Science and Technology Organisation) in New South Wales,

(xiii) ACT Electricity Authority in the Australian Capital Territory,

(xiv) Northern Territory Electricity Commission in the Northern Territory,

(xv) Australian Antarctic Division in Tasmania,

(xvi) Australian National Airlines Commission (trading as Trans Australian Airlines (TAA)) in New South Wales, and

(xvii) Commonwealth Scientific and Industrial Research Organisation in the Australian Capital Territory, Queensland and Tasmania;

(b) the impact on the retirement incomes of these employees as a result of not being aware or correctly advised of their eligibility to the Commonwealth Superannuation Scheme;

(c) the handling of these cases by the Department of Finance and Deregulation;

(d) what, if any, actions the Department of Finance and Deregulation has taken to notify persons who may be applicable for these claims;

(e) consideration of cases under the Act of Grace by the Department of Finance and Deregulation; and

(f) any other related matters.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE
Carbon Pricing

The ACTING DEPUTY PRESIDENT (Senator Trood)—The President has received a letter from Senator Fifield proposing that a definite matter of public importance be submitted to the Senate for discussion, namely:

The Gillard Government’s inability and unwillingness to explain the effect on cost of living pressures of the Labor-Green carbon tax.

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

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

The ACTING DEPUTY PRESIDENT—I understand that informal arrangements have been made to allocate specific times to each of the speakers in today’s debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator BERNARDI (South Australia)

(3.41 pm)—In any normal environment it would be unbelievable to hear a government propose a massive new tax, a change in the fundamental way in which Australian businesses operate that is going to have a profound impact on Australian families, without any detail. In the normal range of circumstances, that would be simply impossible for the Australian people to swallow. But it is the track record of this government that they throw policy options out there and they say, ‘This is what we’re going to do, but don’t worry about the detail—we’ll fix that up later on.’ They are softening the Australian people up again and again and again, and they are conning the Australian people. That is precisely what is happening here, but the Australian people will not swallow it. They will not accept it anymore, because the track record and the legacy of this government is one of failure, incompetence and waste.

There is no reason any Australian should have any confidence in this government’s ability to introduce a carbon tax in this economy in an efficient, practical manner whilst not putting forward all the detail.

There is no doubt that those on the other side of the chamber will say, ‘We will provide the detail at a later stage; we are just agreeing on the framework right now.’ But Ms Gillard is damned by her own statements. On the one hand, she and her acolytes and
advocates are out there saying that we have to put a price on carbon so it will be more expensive and so we can change people’s behaviour. On the other hand, she says that we are going to compensate families for the cost-of-living pressures and the increases in their electricity bills—in fact everything they use. We are going to compensate them and sometimes maybe overly compensate them, which will not make them change their behaviour one little bit. But what we can be very sure of is that Ms Gillard cannot be trusted. We know she said she would not implement a carbon tax, and yet she is introducing one now. We know she said she would not knife Kevin Rudd, but she did anyway. This government cannot be trusted on the big policy issues or the detail.

What I would say to Ms Gillard and those opposite, who conveniently forget about the families of Australia, except at election time, is that the families of Australia are already struggling. They are already struggling with cost-of-living pressures which are a direct result of the government’s poor policies. Electricity prices have risen, and the government’s justification for future electricity price rises is that they are not responsible for the previous ones. What utter nonsense. They have implemented all these green programs, which have squandered billions of dollars, and they are already adding a billion-plus dollars a year to the price of electricity for consumers.

Cost-of-living pressures with regard to housing and interest rates are increasing. The government will say, ‘That is not us—our hands are not on the levers.’ But when you inject a hundred billion dollars or more of borrowed money into any economy, you see interest rates rise; that is just common sense. If it were not for this government’s wasteful spending and extravagant borrowing, we would not have interest rates anywhere near the mark they are at now. But of course the government does not want to know about that.

Food costs for Australian people are rising exponentially and the government do not seem to care. Already, we have predictions that fruit and vegetable prices are going to rise by up to 15 or 16 per cent in the months ahead. That is one estimate by a bunch of leading economists. But the government do not seem to care about that. They keep talking about how inflation is running at 2.5 per cent and saying that that should be okay because it is under the RBA’s threshold band. Let me tell you that the reality out there in punterville is that the cost of living is rising by 4½ or five per cent every year, because the official inflation rate is mitigated by things that are unnecessary, that are discretionary items for the Australian people. Unfortunately for the Australian people, housing and transport and food are not discretionary items and the cost of those things is devastating Australian families at the moment. Those are the things that the government are in absolute denial about, because they do not seem to care. They have never seen a problem that could not benefit from another tax. They have never seen a problem that could not be fixed by more government intervention and taking control of the lives of so many Australians. This is the great tragedy of it. The government are squandering a wonderful legacy—a legacy of prudent financial management, preparing for the future. Another generation—possibly two generations—of Australians have been sentenced to debt and serfdom at the feet of an extravagant, wasteful and hopeless government.

We know that there are those among us in society who are really struggling more than others. Welfare recipients, for example, have seen their cost of living increase by in excess of four per cent. We know that pensioners had their cost of living rise by 3.1 per cent over the year. Yet this government is now
proposing to add a tax that will increase the cost of living for everyone. It will not go away, because we know that the whole point is to ratchet it up again and again and again, every year, so that there is increasing pressure on people for the things that they need every single day of their lives. We are not talking about international air travel or anything like that—although that will be much more expensive. We are talking about when you start your car to drive down to the shops: it is going to cost more. When you turn on your lights or cook some toast or use electricity for anything in your house it is going to cost more. We know that when you go to the shop it is going to cost more, not only because of the increased costs for business but because the food is going to be higher priced.

I saw an interesting table today outlining the costs for the top companies in Australia of a carbon tax of $26 a tonne. For one energy generation company a carbon tax of $26 per tonne will lead to an estimated cost of $623-plus million. Do you think this company are going to absorb that? Of course they are not going to. They are going to pass it on to every single consumer. And so it will go down the line when Woodside Petroleum are responsible for another couple of hundred million dollars in additional imposts by this government. The simple fact is this: this government has run out of money and it has run out of ideas and it knows that what it does with regard to a carbon tax is not going to make one jot or tittle of difference to the environment or the climate. It is not going to make a difference to the temperatures around the globe. Yet it is pursuing this ideological agenda because it has run out of cash and it needs a justification for it.

Let me tell you that the Australian people are rapidly running out of cash too. They cannot continue to prop up a defunct, dud, deadbeat government. We have seen the results of what happens when that takes place overseas. We have seen comparable partners and comparable democracies struggle under the yoke of debt that has devastated their economies. We cannot afford to let that happen. But equally, we cannot afford to cripple Australian business, enterprise or industry under the weight of attacks that are unnecessary, unwise and self-indulgent. This measure is not going to make a difference to the environment; we know that. But we also know that it is going to make a huge difference to Australia’s competitiveness internationally. It is going to swallow up the profits of many companies unless they can pass the costs on—and they will have to do that in order to remain competitive for the cost of funds. We know that the government do not seem to care about the health and wellbeing of industry, which not only provides jobs for tens or millions of Australians but also provides our future base for prosperity. They do not care about that. They only care about the immediate needs that they have. That is a very selfish attitude for a government.

One thing that struck me when Ms Gillard announced this—I should say Senator Brown announced it; Ms Gillard played sidekick to him—was that she said, ‘Bill Gates was at the forefront of the digital revolution and look how wealthy he has become.’ Anyone who thinks that indulging in a new tax that is going to put Australian industry at a competitive disadvantage is somehow riding a great wave of future prosperity is fooling themselves; they are living in a fool’s paradise. You actually create wealth by creating something that people want. I have not met anyone who wants a new tax except those on the other side of the chamber and, unfortunately, the Greens. They are the people that want a new tax, because they are desperate for it. If you really want to have a competitive workplace and to promote industry in this country you do not slug those who are trying to build
wealth, but the government does not seem to understand that.

And then we hear about the other aspect of it, which is the green jobs it is going to create. We can only look at the examples of those countries which have pursued such an ideological agenda. Germany has dumped it because they have realised that any jobs that have been created have been offset by two or three times as many losses and that there are billions and tens of billions of dollars in subsidies that are necessary every single year.

Have a look at Spain. Spain is as close to bankrupt as any economy in Europe, basically because they pursued this ideological green agenda. There is so much to learn from right around the world about the policies that this government is advocating, which are failing internationally. They are going to fail the Australian people, and the fact is that this government will not explain them because they are tenderising the Australian people before they slug them onto the hot frying pan and try to cook them.

But the goose of this government is what should be cooked. This government should be plucked, it should be tarred and feathered and it should be splayed flat out and destroyed by the Australian people because they have failed miserably.

Senator CAROL BROWN (Tasmania) (3.53 pm)—I rise today to speak on the matter of public importance motion and to counter some of the claims made by those opposite. Firstly, let us be very clear right from the start: when the Prime Minister outlined the proposed carbon price mechanism last week she made it clear that this is an essential economic reform, and that it is the right thing to do. If we delay now we risk being left behind as the global economy transitions towards a low-pollution economy. It is a public policy responsibility to respond to the findings of the overwhelming majority of scientists on climate change. The scientific evidence is clear and we will act on it.

Placing a carbon price on pollution is the cheapest and fairest way to cut emissions. A price on carbon is essentially a price on pollution, and this is the most effective way to transition to a clean energy economy. The Australian economy is an emissions-intensive economy. The method of pricing carbon is the best way to encourage businesses to stop polluting and to get them to invest in clean energy.

As part of the renewed focus on clean energy, the Labor government have proposed a two-stage process for a carbon price mechanism. Firstly, we will start with a fixed price period of between three and five years. After this time we will transition to an emissions trading scheme. If the government are able to negotiate an agreement with the majority of both houses of parliament and to pass legislation on putting a price on carbon it is our intention to start the scheme on 1 July 2012.

I will point out to those opposite, and this goes right to the crux of today’s MPI motion, that every cent raised by placing a price on carbon will go to households, to businesses and to tackling climate change. We have been very clear right from the start: a carbon price will impact prices on certain goods and services. This is the whole point of a market mechanism; it sends a signal and markets respond. The carbon price will be paid by businesses that emit large amounts of pollution.

But what is disappointing is the disingenuous scare campaign coming from those opposite relating to the impacts for consumers. Over the past few days we have heard political scaremongering and mistruths from those opposite. They have been employing fear tactics of the highest order. This is exactly what we have come to expect from those opposite, because after all they are a
party with a leader who is now a renowned climate change sceptic. For those opposite, it is worth remembering that under the leadership of the Hon. John Howard, who many would deem to be a fairly conservative member of the Liberal Party—indeed, I believe he is a fairly conservative member of the Liberal Party—those opposite actually had a climate change policy in the lead-up to the 2007 federal election. It placed a price on carbon through an emissions trading scheme.

Those opposite also had an agreement with the government to place a price on carbon before the sceptics, led by the now Leader of the Opposition, Mr Abbott, and Senator Abetz, took over the leadership of the party and reneged on the deal. With the climate change sceptics reigning supreme in the Liberal Party we are faced with this political point-scoring and fearmongering. It is not helpful in the debate and it does nothing but alarm people unnecessarily. But it is hardly surprising those opposite have opted to take this low road.

We will ensure households receive assistance to cope with the changes that a carbon price brings. For those opposite to lecture this government on cost of living is beyond belief. In our time in government we have done more to ease the cost-of-living pressures faced by households than those opposite ever contemplated in their decade of government.

We have reduced the tax burden on families—not once, not twice but three times. We have abolished Work Choices, increased the pension, increased the childcare rebate and introduced the education tax refund. All of these initiatives were delivered within our responsible fiscal rules. We are also pressing ahead with new initiatives to combat the cost-of-living pressures; that is why we are delivering an increase of $4,000 in family tax benefit part A, extending the education tax refund to uniforms, giving the option for families to receive childcare rebate payments fortnightly and introducing paid parental leave for mums and dads.

We also understand that central to dealing with the cost-of-living pressures on working Australians is the government’s plan for a stronger economy, because a stronger economy means more jobs and better wages. Nothing could be more apparent than this government’s commitment to tackling cost-of-living pressures, and for those opposite to suggest otherwise is just ridiculous.

Let us be clear why we have announced our intention to place a price on carbon, as the Minister for Climate Change and Energy Efficiency highlighted in the other place yesterday:

Climate scientists are telling governments all over the world that carbon pollution is contributing to climate change. The scientific consensus is overwhelming and the government respects the climate science. A government in that circumstance has a public policy responsibility to act upon that advice in everyone’s interests and we simply need to make a start in reducing carbon pollution in our economy.

It is the responsible action for our government to place a price on carbon; we have delayed for too long. We must act now. If we do not act, Australia risks being left behind. This will hurt the Australian economy and cost Australian jobs. There has been too much uncertainty for too long. Businesses need certainty so they can plan for the future and maximise the opportunities that will rise from this reform. And this is what we are doing; we are stating our intention to price carbon, to give businesses some certainty.

And what are the opposition doing? I will tell you. Those opposite, led by Mr Abbott, have taken a reckless position and are threatening to wind back our price on carbon. As the Prime Minister has said:
… the Leader of the Opposition has confirmed that he now holds the most reckless political position taken by a national leader in the last 15 years. After we have priced carbon, given businesses certainty and households assistance, he is committed to ripping all of that up—the most reckless political position taken by a national leader in 15 years.

At a time when we are providing businesses with certainty and taking action on climate change, Mr Abbott and those opposite want to tear it all down. If we delay any longer we will miss the boat. The global economy is already shifting to a clean economy. Thirty-two countries and 10 US states are already moving towards an emissions trading scheme.

Australia has the highest emissions per capita in the developed world—even higher than the United States. It is our responsibility to take action now. If we do not act we risk Australian businesses and households being left behind. The global economy is already moving to cut pollution, and if we are left behind it will hurt our economy and cost jobs. We have already had positive research released by the Climate Institute about the job creation prospects of pricing carbon. The facts and the science are clear: the benefits of taking action on climate change in the immediate future far outweigh continual delay. The Labor government has always been committed to taking action on climate change.

On the other hand, Mr Abbott is taking a reckless and irresponsible position. As the Prime Minister highlighted on radio and in parliament, Mr Abbott is sending a terrible signal to international markets that Australia is a risky place to invest. By saying he will repeal a carbon tax, Mr Abbott is damaging our international reputation. This is a dreadful position to be taking. It is particularly concerning for businesses that have made decisions to invest in Australia based on a carbon price, especially in the energy sector where we want to see clean energy investment.

Whilst Mr Abbott maintains that position now, who knows what his position will be in the coming months? In the short time of just 2½ years Mr Abbott has had at least eight different positions on climate change. Mr Abbott has flipped-flopped all over the place between support for an emissions trading scheme and his statement of absolute climate change denial. Only the Labor government has a plan to cut pollution and to begin to tackle climate change. Even the former Leader of the Opposition, the Member for Wentworth, Mr Turnbull said:

… politics is about conviction and a commitment to carry out those convictions. The Liberal Party is currently led by people whose conviction on climate change is that it is ‘crap’ and you don’t need to do anything about it.

This highlights that Mr Abbott is a climate change denier; he does not believe in the science and has no plan to tackle climate change. The government do have a plan for the future, and we want to give businesses and households certainty. All Mr Abbott wants to do is partake in a scare campaign to score political points. (Time expired)

Senator TROETH (Victoria) (4.03 pm)—The proposed carbon tax will come into effect on 1 July 2012. Coincidentally, that is the beginning of the 2012-13 financial year—the very year the government expects to bring the budget back into surplus. I would imagine that the ordinary Australian would rather pay less tax and see more government spending restraint, especially given the waste found in stimulus spending on projects like the Building the Education Revolution and pink batts, in order to achieve any future budget surpluses.

A carbon tax will add to the already overstretched home budget of many Australian
families. They will have increased cost-of-living pressures imposed on them every time they go grocery shopping, every time they turn on the lights at night and every time they fill up the car with petrol when taking children to school. The proposed carbon tax comes on the back of a mining tax which will also slug families with higher prices at the counter and for lighting, warming or cooling the home. The cumulative effect of the two taxes will put more pressure on household budgets that are already struggling with mortgages, the costs of education and transportation, and food prices.

The Reserve Bank forecasts that the impact of floods and Cyclone Yasi over summer will be a three per cent rise in the CPI inflation rate on items like fruit and vegetables—the effect of which is already compounded by the introduction of a flood levy. In the year to February the TD Securities and Melbourne Institute inflation gauge rose by 3.6 per cent—well outside the RBA’s two to three percent band. TD Securities reported that prices have risen over 16 consecutive months and should be above three per cent since September last year.

There is little wonder then that retail spending is not as robust as one would hope and that the saving rate has increased from negative two per cent to positive 10 per cent since the global financial crisis. This is a very responsible attitude on behalf of citizens, but for the economy to go around Australian families need to do more than just spend on essentials and save for rainy days. All of these cost-of-living pressures arrived in concert with the announcement of a carbon tax to begin just next year.

How are hardworking Australians expected to shoulder the burden of inflation and the Gillard government’s increasing dependency on, and proclivity to, tax, tax, tax? In my home state of Victoria, households are facing increases in the cost of water and electricity as a result of past failed state Labor policies, yet the federal government turns it head the other way on the pressures already faced by Victorians. The fact of the matter is that the real architect behind this policy is the Greens, not Labor.

Given Prime Minister Gillard’s ‘there will be no carbon tax under the government I lead’ election promise, it is clear that the government has been dragged kicking and screaming to this position, behind closed doors, to remain in favour with a minor party like the Greens. We know that Prime Minister Gillard was the one that advised former Prime Minister Kevin Rudd to drop his commitment to an ETS. Let the public record show that the Greens have taken full credit for the recent announcement on a carbon tax.

I take note of Senator Milne’s push for a ‘high enough carbon price’ which is to be linked by achieving the Greens aspirational carbon dioxide reduction target of 25 per cent of 2000 emission levels by 2020. No price has yet been set but we can imagine that behind closed doors the carbon tax architects will be pushing for the highest possible price. Concern for the environment is one thing but to foist a tax on struggling families is economic vandalism. The Greens also propose to put petrol in the equation. There are already substantial price fluctuations on the world market for oil given the current political and civil instability in oil producing nations. Economics 101 teaches us that with higher oil prices consumption at the bowser is lessened. Australian families are already dealing with this simple economic principle. So, should we reasonably expect Australian businesses and households to absorb more and more of the spiralling cost of petrol and ask them to limit their movements? If you were going to use public transport, the public transport in Victoria has
been a very unreliable alternative given past state Labor policy failures.

We are not to expect a static price lift annually with the carbon price but a dynamic price surge in the cost of living over the three- to five-year period. How much will the tax increase annually? I am afraid this proposal raises more questions than it seeks to answer.

The cost to industry should not be left unreported. BlueScope’s Paul O’Malley has already signalled that a carbon tax poses a threat to manufacturing in Australia. Mr O’Malley claims that with a carbon tax:
… imports will get a free ride, and Australian manufacturing will be taxed, and there will absolutely be leakage …

Economists like Alan Kohler and Terry McCrann have backed these concerns. Will the Greens stand up to scrutiny when cost-of-living pressures begin to weigh down on the backs of hardworking Australians?

Prime Minister Gillard and the Labor Party sought to make comparisons with Prime Minister John Howard’s introduction of the GST, but it is educational to note that the purpose of the GST was to broaden the base of the tax regime and ultimately lower the rate of taxes. This carbon price is designed to do nothing of the sort.

It is well known that I support action on climate change, but the ETS of some 14 months ago, with the Malcolm Turnbull amendments that I supported, is a very far cry from this heavy-handed slug on consumers and industry alike. Australian families, taxpayers and business will live to regret the day that this tax is introduced.

Senator BILYK (Tasmania) (4.11 pm)—The bluster and hot air coming from the other side of the Senate chamber on this issue and the contrived outrage we have heard during the week demonstrates one thing, that no matter what response the government comes up with to tackle the monumental challenge of climate change those opposite will oppose it. They will oppose it because they want to delay, because they want to frustrate and because they want to obfuscate. Why do they want to stop action on climate change? Because the ranks of the coalition are dominated by climate change sceptics and climate change deniers.

If there is any better demonstration that the coalition are opposed to action on climate change it is that they previously rolled their own leader over this very issue. You might remember we previously had an agreement with the opposition, which was when Mr Turnbull was leader, to pass the Carbon Pollution Reduction Scheme and to get on with the business of tackling the greatest economic and environmental challenge to face our nation, and what did they do? They rolled their leader. Let us not forget that the current leader of the opposition, Tony Abbott, came to the leadership on a platform of opposing action on climate change. In fact he described the science of climate change as ‘absolute crap’. That explains a lot about where he is coming from and it explains a lot about where the opposition is coming from.

As a further demonstration of the opposition’s determination not to act on climate change, they refused to join the Multi-Party Climate Change Committee. We extended an invitation to them to work together with us, the minor parties and independents, to come up with a solution that was in the national interest, and they declined. This government is getting on with the job. We are working with the Greens and the Independents through the Multi-Party Climate Change Committee to come up with a solution that is in the national interest.

If you want to have a debate about election commitments then remember this: we went to the election promising action on cli-
mate change and we went to the election saying that the cheapest and fairest way to cut pollution while transitioning to a clean energy economy is to put a price on carbon. It is an interim price as a first step towards an emissions trading scheme. It is the right thing to do for the Australian economy and it is the right thing to do if you are a government that, unlike those opposite, is committed to action on climate change.

A fixed carbon price for the first three to five years of the scheme will help to provide certainty to business. The opposition would have you believe that they know exactly what the price impacts of this policy will be. They know already before we have announced the policy settings, before we have announced which sectors are to be included and excluded and before we have announced what assistance will go to households. They have got out their ouija boards and their crystal balls and they have worked it out. Let me just say, Nostradamus has nothing on them. What the opposition are trying to do with their outlandish claims is run a big, fat scare campaign. Anyone who tries to claim at this stage of the debate that they know the impact a carbon price will have on prices and households either has an exaggerated sense of their predictive powers or is just being downright dishonest.

When the party of the GST and the party of Work Choices suddenly discover cost-of-living pressures, you cannot help but be just a tad suspicious about their motives. But there are a few salient facts that they fail to point out when it comes to their scare campaign. For example, unlike so-called direct action, a carbon price raises revenue that can be used to assist households. When we put in place a carbon price, the money raised will not be used to prop up the budget. Every cent raised from the introduction of a carbon price will go to three things: assistance to families to help with their household bills; initiatives to help business to transition to a clean energy economy; and measures to tackle climate change and invest in a clean energy future.

The opposition also fails to realise that a carbon price is a more cost-efficient mechanism for tackling climate change. On the question of a carbon price and its effect on electricity prices, let us hear the words of Mr Rod Sims, an adviser to the Multi-Party Climate Change Committee. In November 2010 he wrote about the emissions reduction target of five per cent of 2000 levels by 2020:

If Australia wishes to meet this target it can choose between at least two approaches: continue using the current high cost and non market mechanisms … or introduce a carbon price. Electricity prices will in future be lower if we take the latter path of meeting a given greenhouse gas reduction target through the introduction of a carbon price.

The biggest driver of electricity prices in Australia is the need for significant network investment over the next five years, and the uncertainty caused by having no carbon price is also helping to drive up electricity prices. Of course a carbon price will change prices. That is the whole point of a market mechanism—it sends a signal and the market responds. The way that we begin to shift to an economy which produces less pollution is to make the goods that create less carbon pollution cost less than the goods that create a lot of carbon pollution.

The opposition would have you believe that, in introducing a carbon price, Australia would be moving ahead of other developed countries. Let us examine that claim. The European Union has had an emissions trading scheme in place since 2005. The New Zealand emissions trading scheme commenced for forestry in January 2008 and for other sectors on 1 July 2010. The South Korean Ministry of Environment initiated a trial ETS in January 2010 to operate until 2012.
Denmark, the Netherlands, Norway, Sweden and Switzerland have carbon taxes of various forms currently in place. Several of these schemes have been operating since the early 1990s. To date, 139 countries have expressed their intention to be listed as agreeing to the Copenhagen Accord, and 85 countries, representing 80 percent of global emissions, have pledged emissions reduction targets or actions under the accord. Thirty-two countries and 10 US states are moving to emissions trading schemes. While the rest of the world economy moves to cut pollution, Australia risks being left behind.

We are the world’s highest per capita emitter of greenhouse gas emissions, higher even than the United States. If we are left behind, it will hurt our economy and cost Australian jobs. If we take the alternative path, however, and introduce a carbon price, this will drive innovation and build a stronger economy. Research from the Climate Institute estimates that 34,000 jobs would result from the clean energy boom if a price were put on carbon. I know those opposite are sceptical, but let us just look at what happened in my home state of Tasmania when the Tasmanian government made huge investments in wind energy. Now the Tasmanian company Roaring 40s, which is part owned by Hydro Tasmania, is exporting its knowledge of wind farm development, which is resulting in returns to the Tasmanian economy.

Of course, the federal opposition do not want to talk about the potential for investment in renewable energy that could flow from a price on carbon. After all, we are talking about a major structural reform to Australia’s economy, and every structural reform is inevitably followed by a scare campaign from those who oppose it. It is easy to put off reform, to ignore the challenges of climate change. However, such is the opposition’s stubbornness, such is their head-in-the-sand approach that they are not only saying they will oppose a carbon price but they say they will roll it back. This just demonstrates how reckless and irresponsible the coalition are with our economic and environmental future. You know what Mr Abbott’s policy of a rollback of a carbon price would do to Australia? It would create uncertainty for business and uncertainty about our energy security, and in an uncertain environment business investment dries up. It would remove household and industry assistance. It would open up Australia’s environmental standing to ridicule. This ridiculous policy is just another demonstration of why Tony Abbott cannot be trusted with Australia’s economic management.

In contrast to the opposition, who continue to deny and delay and frustrate action on climate change, this government is getting on with the job. We are committed to an emissions trading scheme, and in the lead-up to that scheme we will introduce a fixed price on carbon. We will use all of the money raised for household and business assistance and to tackle climate change. We are working through the Multi-Party Climate Change Committee to determine the policy settings. In the meantime, any claims made about the cost of a litre of petrol or a kilowatt of electricity are just idle speculation from an opposition that wants to run a scare campaign because they do not believe in action of any sort on climate change.

Senator BOSWELL (Queensland) (4.20 pm)—I rise to speak on this matter of public importance. I cannot remember a greater betrayal of the Australian people. The Prime Minister stood up a week before the election and said, ‘Under my government, there will definitely be no emissions trading or carbon tax.’ Then three or four months later, in the Senate and in the House of Representatives, we are faced with a carbon tax, which is supposed to give us certainty. What is the
certainty? I was speaking about this to one of the players yesterday. What is the certainty? We do not know what it is. We do not know how much the carbon tax will be. We do not know when the ETS is going to come in. We do not have the figure for how much it will be escalated. The government have provided the greatest uncertainty for Australia’s industry ever. There is no certainty. No-one knows what is going on out there. You admit it yourselves. You will not tell the people what the price of electricity will be. How can you get certainty with that?

Last week the Prime Minister bravely stood outside her office, surrounded by the Greens. She was going to put her stamp of approval on the party. This would be unequivocal. She was going to stand her ground and she was going to tell them. She was going to stand there and put a stamp of authority on this government—no shilly-shallying like Kevin Rudd; she was a woman of authority, and she was going to stand there and tell the Australian people: ‘I know what I’m doing. I’m a person who will take a position.’ The position she took was surrounded by the Greens. It looked as though she had subcontracted the government out to the Greens, and that is what the people are saying.

On Friday I happened to go down to a radio station. That is just a matter of fact. When I was down there I was talking about fishing, but the ETS came up. I put my head in the door and asked if I could say a few words, and I was given three or four minutes. I walked into the next cabinet and talked about fishing and walked out. It probably took half an hour. In that time the switchboard had lit up like a pinball machine. There were calls coming in everywhere. One hundred and sixty calls came in, not from well-heeled people and not from the business community but from the people, the battlers, who had placed their trust in the Labor government. These were not businesspeople; these were people who had to find the money—find the money for increased interest rates, find the money for increased food prices—and they could not see their way clear.

This government has put the price up. I asked the question in estimates the other day: how much is the price going up at $25 a tonne? The answer was that the price will go up 19 per cent, and then when you throw in the green power and renewable energy it goes up another five per cent, so the prices will increase by 24 per cent right across the board. Working families are going to have to find an additional 24 per cent to meet their commitments on electricity. Many people cannot even pay the bills now. Ergon Energy and the other authorities in Queensland are putting out lists of people who cannot meet their electricity costs and are getting their power cut off. So what does the government do? It whacks another 24 per cent increase on it.

It is bad enough for the workers, and it is going to be horrific for them. Many of them are struggling. But they are going to be cheered on by the Volvo socialists. The Volvo socialists are out there being represented by the Greens, and the Greens are taking the Labor Party to the cleaners. It is going to be a holocaust at the next election, because you—the Labor Party—are going to be vying for that 14 per cent vote and you are going to be fighting it out with the Greens. The blue-collar workers have abandoned you, and rightly so, because you have abandoned them. You have abandoned them on fishing. You have abandoned them on electricity. You have abandoned the Aborigi-

nels on Wild Rivers. You have walked away from your base. And you are trying to fight for that 14 per cent that is occupied by the Greens. You will battle it out, and you will
probably split the vote fifty-fifty, but you have lost your credibility.

If you do not think this is serious, I refer you to BlueScope Steel. BlueScope was part of BHP. BHP built this nation. It was one of the great companies that built this nation. It employed thousands and thousands and thousands of people. What has happened to BlueScope? Last year BlueScope turned in a minus profit of $50 million.

Senator O’Brien interjecting—

Senator BOSWELL—Senator O’Brien, if you listen to this, you might even learn something. BlueScope suffered a $50 million loss because of a high dollar, increased imports and global financial problems. What is this government going to do about a company who employ 10,000 people? On their estimation, at $25 a tonne, it is going to cost BlueScope $315 million. So they will not lose $50 million; they will lose $365 million. How does that work? How does that work by giving people certainty? Their expected losses will be $365 million, but it is not only BlueScope; it is OneSteel and it is many, many businesses. Take the case of Qantas. They are going to cop emissions trading. Well, that is all right; they will add it onto the ticket. Everyone will fly United or Singapore Airlines or something like that, disadvantaging our own Australian icon.

I do not think anyone over on that side has ever run a business. They have not run a business. They come in here with prepared speeches—Senator O’Brien probably will not—and get up and rattle off a prepared speech, probably written by the minister’s department. Have you ever, ever gone out there and experienced what it is to run a business, to meet the payroll, to pay the bills? You obviously have not done it.

We are told that the rest of the world are doing it. Well, the rest of the world were doing it. The United States has said, ‘We can’t afford this.’ India cannot afford it—and would you blame them, with people begging on the street for something to eat? Do you think their government are going to put an ETS over their industry? Don’t be stupid; they can’t. Even if they wanted to they could not. What about China? Are they going to do it? No. What about Brazil? No. What about Japan? No. What about Russia? No. We are doing this unilaterally. The EU have an ETS, in a certain way, but even they exclude agriculture, they exclude mining and they exclude 164 industries. They just about have an ETS where you don’t have an ETS. But come in, spinner! Come in, you bunch of mugs! We will fix Australian industry up. We will handicap it with so much tax, and then try and make a virtue out of it by saying we are going to create 34,000 green jobs by putting a tax on people like BlueScope, OneSteel, Qantas and meat processing companies like Teys and Nippon, and saying, ‘We’re being terrific!’ If putting a tax on was so easy, why not double the tax? We could double the number of jobs! It is absolute stupidity.

But even you cannot convince Heather Ridout. She is distancing herself from you today. Heather Ridout, who has been your No. 1 supporter, your fallback position, will not have a bar of it—nor, of course, will the Australian Chamber of Commerce and Industry. They have walked away from it too. You have not got a friend out there; you have not got a feather to fly with. You have lost your blue-collar vote and you are trying to fight for that 14 per cent narrow vote, which we call the doctors’ wives or the Volvo socialists. That is the vote you are going to get. You cannot expect the blue-collar workers of Australia ever to support you again, because you have let them down so badly.

Senator O’BRIEN (Tasmania) (4.31 pm)—What a shambles of an argument this
opposition has put up to this peculiarly worded motion that is before the Senate today—in fact, I do not even think it has been addressed by the speakers who spoke on behalf of it. One could have taken points of order continuously throughout the debate on relevance to the actual question before the chair. Rather than do that, I thought I would wait to see whether there was anything of substance which the speakers on the other side could put. Frankly, I was not disappointed: there was no substance in what they were saying.

Many of the coalition speakers’ arguments today, and indeed their spokesmen and women’s arguments in the community, remind me of a Peanuts cartoon which was published many years ago. Charlie Brown and Lucy were standing in a playground, and Charlie Brown had just been telling some people some stories, which he described as ‘little-known facts’. When Lucy asked, ‘Charlie, how do you know all these little-known facts?’ Charlie Brown put his hand up to his mouth and said, ‘I make them up’. That is what we just heard, and that is what we have been hearing from the coalition in this debate all along.

When we go to some of their spokespeople, they have been making up prices for the cost of a price on carbon for some time—making up prices. For example, Mr Hunt, on 6 January last year, said the effect of a carbon price on a family would be $1,100 a year. On Lateline on 25 February this year he said it would be $300. Mr Robb, on 27 February in the Sunday Age, was reported as saying it would be close to $1,000. Mr O’Farrell says it would be $500 for electricity. I do not know where the rest is coming from. We are hearing all sorts of stories about a price on carbon, and an effect on the community, when you cannot possibly make a calculation until you know what the actual price is—you cannot do it. They are making it up. They keep making stories up, which is part of what we know, and what the Prime Minister warned of on 24 February, when she said, ‘Get ready for it: the mother of all scare campaigns’. And that is what we are seeing from the coalition now: a plain, simple, politics 101 scare campaign, because they have nothing else to say on this issue.

We had the debate in here started by one of the greatest climate change deniers on that side of the chamber, Senator Bernardi. He has some pretty extreme views on other matters, I might say, but on the question of climate change he has the most extreme view I have heard from that side of the chamber. He actually encourages people to avoid reducing energy usage and says that energy usage is part of civilisation and we should use more! So he completely rejects the substantial consensus of the scientific community on climate change and suggests we should flout that, that we should actually make sure we emit more carbon and that it is a good thing. That is essentially what he has been saying.

Senator Troeth, to her credit, supported the ETS proposal that came through this chamber twice. She now says she does not support this, and that is her right. But at least she would look at a cogent argument and understands and accepts that we have a problem that we need to deal with. Senator Troeth, I believe, could be convinced to proceed down a path of seeking a solution, and Australia’s contribution towards a solution, to climate change; but I could not say that of Senator Bernardi, and I certainly could not say that of Senator Boswell.

Senator Boswell comes in here and talks about how we are allegedly betraying the working class. Senator Boswell voted for Work Choices. If there was a betrayal of the working class par excellence, that was it—so it is rich for him to come in here and bemoan the fate of the working class. He ought to
front up to the workers in some of those mines and say, ‘Yes, I voted to remove your conditions, to cut your pay, to make your job less secure, but I really like you and I want to protect you.’ They will not believe him. I do not believe him. I do not think this chamber should believe him either.

We have a problem. The world has a problem, and Australia is a part of this globe. We have to find a solution for it. But, at the same time, we have a responsibility to try to equip our industry to deal with the emerging realities of a global approach to climate change. I recall when in this chamber a couple of years ago this government talked about assisting Toyota to manufacture a hybrid vehicle. It was roundly condemned on that side of the chamber. And all of the other measures to encourage production of more-fuel-efficient cars were roundly condemned on that side of the chamber. We now have the Camry hybrid being manufactured here. We have a new Holden vehicle manufactured here. Ford is going to manufacture a four-cylinder vehicle, although it will bring in the engines. These things were not happening before. They mean keeping jobs here in Australia. That is what this government is doing.

In the same way, dealing with the question of a carbon price is to deal with the problems that will threaten the jobs of Australian workers and our entire community, and the viability of our communities. The only thing that a responsible government can do in these circumstances is to try to find a solution. The Prime Minister came before the Australian people and said, ‘We are going to go down this path. We are going to work with the majority of the parliament—we did invite the coalition but they refused to be part of it—to try to find a solution so that we can put a price on carbon and start to address the problems that this nation will have to be part of, because it is a world problem.’ We will have to come up with something that we can implement as soon as possible and get business and industry to establish their processes to deal with this problem. Then, the better will be the chance that Australian industry will survive the problems of the next two, three, four or five decades, when the world has to address the problem of climate change by pricing carbon. One would have thought that the party of the market economy on that side of the chamber would have supported a market driven approach to problem solving in the business community. But, no, they wanted the taxpayer to pay for any solutions. Ultimately, of course, it is the community that pays the tax. So, unless they were going to vastly reduce services, we were going to see the burden—I think it was $20 billion in the next ten years—fall upon the community, as well as the establishment costs. So we have an opposition that has decided for very opportunistic reasons to oppose a proposal that is in the best interests of this nation to deal with the issue of pricing carbon.

You could not really take seriously what the Leader of the Opposition says on this issue. He has had more positions—I was going to say more positions than the Kama Sutra on this, but it is probably the wrong approach to take because it is not quite that many. But he has had a great many positions on the question—

Senator Brandis—The Prime Minister lied, otherwise she would not have won that election.

Senator Nash interjecting—

Senator O’BRIEN—You have actually read it. I will take that interjection because I bow to the greater knowledge of Senator Nash on the Kama Sutra.

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop)—Order! Senator Brandis, I believe you made a remark that
was unparliamentary. Would you care to withdraw it, please. You referred—

Senator Brandis—I withdraw whatever I said that was unparliamentary.

Senator O’BRIEN—I thought you said you had read it, Senator Nash. It is an interesting commentary up here, Mr Acting Deputy President. Sometimes, when you sit up this end of the chamber you cannot hear what is going on down at that end, so perhaps I am enjoying an advantage over you at this time.

The Leader of the Opposition has had so many positions on this question that you just could not believe that he was ever genuine on it. He has talked about supporting former Prime Minister Howard’s position, which was to propose that if the coalition had won government at the 2007 election they were going to introduce an emissions trading scheme. Mr Abbott said he supported that. Then, in mid-2009, he suggested that the coalition would support Mr Rudd’s scheme. Shortly after that, I think it was just a couple of days later, he said, ‘No, we should oppose it.’ Then of course he came out with that infamous comment that described climate change as ‘crap’—I think that was the word he used. Then, on 4 October—(Time expired)

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop)—Order! The time for consideration of the matter of public importance has expired.

NOTICES

Presentation

Senator COLBECK (Tasmania) (4.42 pm)—by leave—I give notice that on the next day of sitting I shall move:

That the following bill be introduced: A Bill for an Act amend the Environment Protection and Biodiversity Conservation Act 1999 in relation to bioregional plans, and for related purposes—Environment Protection and Biodiversity Conservation Amendment (Bioregional Plans) Bill 2011.

AUDITOR-GENERAL’S REPORTS

Report No. 32 of 2010-11

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop)—In accordance with the provisions of the Auditor-General Act 1997, I present the following report of the Auditor-General: Report No. 32 of 2010-11: Performance audit—Northern Territory night patrols: Attorney-General’s Department.

COMMITTEES

Legal and Constitutional Affairs Legislation Committee

Report

Senator CAROL BROWN (Tasmania) (4.43 pm)—On behalf of the chair of the Legal and Constitutional Affairs Legislation Committee, Senator Crossin, I present the report of the committee on the provisions of the Sex and Age Discrimination Legislation Amendment Bill 2010, together with submissions received by the committee.

Ordered that the report be printed.

Corporations and Financial Services Committee

Reports

Senator WILLIAMS (New South Wales) (4.43 pm)—On behalf of Senator Boyce and the Parliamentary Joint Committee on Corporations and Financial Services, I present the following reports of the committee, together with the Hansard record of proceedings.

Statutory oversight of the Australian Securities and Investment Commission

Report on the 2009-10 annual reports of bodies established under the ASIC Act

I seek leave to move a motion in relation to the reports.

Leave granted.
 Senator WILLIAMS—I move:
That the Senate take note of the reports.
Question agreed to.
 Senator WILLIAMS—I seek leave to continue my remarks.
Leave granted.

DOCUMENTS
Tabling
The Clerk—Documents are tabled in accordance with the list circulated to senators:
Details of the documents appear at the end of today’s Hansard.

TAX LAWS AMENDMENT (TEMPORARY FLOOD AND CYCLONE RECONSTRUCTION LEVY) BILL 2011
INCOME TAX RATES AMENDMENT (TEMPORARY FLOOD AND CYCLONE RECONSTRUCTION LEVY) BILL 2011
Second Reading
Debate resumed.

 Senator BILYK (Tasmania) (4.45 pm)—Before we broke for question time I was saying in the debate on the Tax Laws Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 and the Income Tax Rates Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 that I thought most Australians would be happy to pay a modest contribution under such extraordinary circumstances and I was re-emphasising that this levy is a one-off levy. Taxpayers will only have to pay the levy during the 2011-12 financial year. This legislation ensures that this levy will be in place for only 12 months.

The government believes the levy is being implemented in a fair way, because people who earn under $50,000 will not have to pay the levy. This means that 50 per cent of Australian taxpayers will not have to pay the levy. They are the 50 per cent who can least afford to pay it, and we are protecting them. People earning above $50,000 will pay according to how much they earn. So those earning between $50,001 and $100,000 will pay 0.5 per cent. People who earn above $100,000 will pay one per cent. As an example, a taxpayer earning $60,000 per annum will pay 96c per week, which is not much when they have received tax cuts of $25.96 per week over the past three years. They are still coming out $25 in front. People earning $80,000 a year will pay $2.88 per week. Even a cup of coffee costs more than that these days. They will pay 10 times less than the tax cuts they have received over the past three years.

It is also important to note that those people affected by the floods will not pay this levy. That includes those seriously affected by recent disasters, including Cyclone Yasi. Exemptions will be provided to people who received an Australian government disaster recovery payment. They will also be provided to people who were affected by a declared disaster and who meet at least one criterion for an Australian government disaster recovery payment, even if they did not receive a payment. An exemption will also be provided to New Zealand special class visa holders who were technically ineligible for the Australian government disaster recovery payments but who have received an ex gratia natural disaster payment.

This legislation also provides for other exemptions to be made under legislation if they are required. As previously mentioned, the levy forms only one part of the flood rebuilding measures. We have also decided to defer some infrastructure projects to help meet the costs. This will allow us to meet capacity constraints and to redirect funds to the rebuilding process that needs to occur. Deferrals are being made in a number of different areas to ensure that they are fair and that no
one program or state is burdened greatly. The deferrals will help to free up skilled labour and building materials for reconstruction that must occur.

The next two years are crucial as we manage the reconstruction process and the mining boom. It is important to note that state governments have agreed or at least accepted the deferrals that have been made. There has also been the need to make spending cuts. This is never an easy process but at times it is necessary, and this is one of those necessary times. The Gillard government has acted decisively and made the tough choices. As a government we have kept spending lower than in any single year under the Howard government. The government has capped the National Rental Affordability Scheme and the LPG Vehicle Scheme to limit the costs involved. We have made the tough decisions to cut some funds from lower education priorities because the outcomes can be achieved through other initiatives. One example of this is the capital development pool. Funds from the Building Better Regional Cities program and the Priority Regional Infrastructure program will also be redirected to the flood rebuilding process.

The government has also made the decisions to abolish, defer and cap access to some carbon abatement initiatives. The Green Car Innovation Fund and the Cleaner Car Rebate Scheme are among these. This has been done because these initiatives are less efficient then a carbon price and will no longer be necessary. Other initiatives are best delayed until the full impact of a carbon price has been felt.

Central to these savings is the government’s commitment to a carbon price. Indirect measures have only ever been a poor substitute for a carbon price. They are not needed if we have a carbon price. The Australian government is legislating for a carbon price this year. The government realises that it is important to taxpayers that we are accountable for our management of their money. The federal government has agreed to make an advance payment of $2 billion to the Queensland government to kick-start the rebuilding process. This will be done in the current financial year and will be done as soon as arrangements can be finalised.

Both the Australian government and the Queensland government are putting in place mechanisms to ensure that the money is well spent and managed appropriately. The Australian and Queensland governments will sign a national partnership agreement to establish rigorous conditions for the use of federal funds. The Gillard government has also appointed the well-respected Major General Michael Slater as Chair of the Queensland Reconstruction Authority. Prime Minister Julia Gillard has also announced that Mr Brad Orgill and Ms Glenys Beauchamp will sit on the board of the QRA. Both Mr Orgill and Ms Beauchamp are experienced and successful in their fields. The Prime Minister has also appointed Senator the Hon. Joe Ludwig as the Minister Assisting the Attorney-General on Queensland Flood Recovery. Senator Ludwig will sit on the Flood Recovery Cabinet Committee of the Queensland government and provide reports to federal cabinet.

The federal government has established a reconstruction inspectorate to increase scrutiny and accountability throughout the rebuilding process. The inspectorate will report to the cabinet subcommittee on natural disasters, which is chaired and deputy chaired by the Prime Minister and the Minister for Regional Australia, Regional Development and Local Government, Simon Crean.

Former Premier of New South Wales and former federal Minister for Finance the Hon. John Fahey has been appointed to lead the
inspectorate. He will be supported by Mr Martin Albrecht and Mr Matt Sheerin, who are experienced in building and accounting respectively. The inspectorate will have the following powers: to scrutinise contracts, to inspect projects, to investigate complaints made by the public, to liaise with state agencies and to scrutinise requests by local government for reimbursement. The inspectorate will receive support from experts as needed and will require states to provide independently audited financial statements with their claims.

The Gillard government is committed to rebuilding following the devastating floods. We are committed to it for the long haul. Australians stick together in times of need and I am pleased to be part of a nation that has such pride in mateship. To reiterate, I understand that most Australians are happy to pay the small amount that we will be asking them to pay because these are extraordinary circumstances. It is a one-off levy and it will be paid during the 2011-12 financial year. The bill will ensure that this levy is only imposed for 12 months. We believe that it is being implemented in a fair way.

Senator Williams—It’ll be there for years.

Senator BILYK—I will take that interjection, Senator Williams. Your side are very good at forgetting that you implemented a number of levies during the Howard government years. In 12 years, there were six levies. For your side to jump up and down and say that if we implement a levy then we have not got any financial accountability is completely hypocritical and completely bizarre. The people of Australia realise how bizarre it is for your side to jump up and down and carry on about it. We had histrionics in here earlier in the day from Senator Ronaldson about the flood levy. He was jumping up and down and getting all theatrical. I am not quite sure which school of theatrics the opposition members come from. It was money that was probably not completely wasted, but in some situations they make too much of a fuss too often. They oppose everything that we put up. They are not interested in anything of significance. They do not support the flood levy. What they are saying to the people of Queensland is, ‘We don’t really care; we’re not willing give up 80c a week to help you guys rebuild your state.’ It is absolutely abhorrent of the opposition to stand up and make such fatuous claims and try to scaremonger so much. They are trying to frighten the people of Australia. I do not think that it does the opposition any good or that it benefits them in any way—which is of not much concern to me, but it belittles the whole concept behind the flood levy and what it is meant to be doing for the people of Queensland and Australia.

Senator NASH (New South Wales) (4.54 pm)—I rise to make a contribution to the debate on the Tax Laws Amendment (Temporary Flood and Cyclone Reconstruction Levy) Bill 2011 with great pleasure. It is a very interesting piece of legislation that we have before us. We in the coalition have every concern and consideration for the people who have been so tragically and devastatingly affected by the floods in Queensland. At the time, our hearts went out to them and continue to do. We will do all that we can to make sure that they have the assistance that they need to rebuild their lives. I want to take the opportunity to also note and acknowledge the very many people who have been so tragically and devastatingly affected by the floods in Queensland. At the time, our hearts went out to them and continue to do. We will do all that we can to make sure that they have the assistance that they need to rebuild their lives. I want to take the opportunity to also note and acknowledge the very many people who have been affected by floods right across the country since before December right across the summer period. There was a focus on the floods in Queensland, devastating as they were. But there have been an awful lot of lives, families and communities affected by floods across the whole summer right across
the country. They have been in our thoughts as well over what have been very difficult times for them.

What we have before us is another new tax from the Labor government. It certainly seems that whenever the Prime Minister and the government have a problem they automatically reach for the tax bucket. They put their hands over there in the little bucket and say, ‘What are we going to do?’ I should have called it ‘the ideas bucket’, actually, because there are certainly not many ideas in there. All they have is this one that they fall back on every time. When they ask, ‘What will we do?’ the answer is always a tax.

The point about this is as follows: if the government had any ability to manage the economy properly and if the government had not embarked on years of waste and mismanagement of taxpayers’ money, they would not need to try and get a tax through this parliament to fund the flood reconstruction. It is as simple as that. This government has absolutely no idea how to manage money, so they have gone to the Australian people and said, ‘By the way, we need to have another tax so that we can raise some money to help these people recover from the floods.’ It is ridiculous. We have a budget of more than $350 billion and the Prime Minister is telling us that she does not have the smarts to find enough saving measures to fund the $1.8 billion that this levy is going to raise. Many people would have had greater respect for the Prime Minister’s ability to find the savings measures to fund this. There is a $350 billion budget, and the Prime Minister cannot some savings measures to offset $1.8 billion. But no, that was not in the ideas bucket. The only thing in the ideas bucket was the tax. That $1.8 billion is going to come from the taxpayers of Australia yet again.

When I talk to people out in the community about this proposed measure from the government, there is a feeling somewhere between consternation as to why the government would even bother doing this when they should be able to just find savings measures and an absolute dislike of the fact that this government is going to put yet another tax on the Australian people. One of the things that people raise in these conversations is the effect that this is going to have on those Australian people right across this country who have already been so generous by reaching deeply into their pockets to donate to this cause, these people, these families and these communities that have been so devastatingly affected. In the true spirit of Australia, they have already donated.

Now what do they see? They see the Prime Minister turning around and saying, ‘We won’t worry about the fact that all of these very kind and generous people have donated; we’re going to tax them anyway.’ People out there in the community are quite rightly saying: ‘I tried to do the right thing; I wanted to do the right thing. I didn’t have a lot of money spare, but I wanted to contribute. I wanted to say to these people that I personally wanted to help. Now I find out that the Prime Minister is going to tax me as well.’ It is no surprise, no wonder, that those people out in our communities—and I know that my good colleague Senator ‘Wacca’ Williams has been talking to a lot of these people out in his community—are just astounded at this government. Not only are they double-dipping, they are showing beyond a shadow of a doubt that Julia Gillard, the Prime Minister, does not have the nous, the expertise or the willingness to try and find some saving measures to offset the rebuilding costs.

I seek leave to continue my remarks.

Leave granted; debate adjourned.
The ACTING DEPUTY PRESIDENT (Senator Mark Bishop)—I remind senators that cars will leave the Senate entrance for Government House at 5.15 pm this evening.

Senate adjourned at 5.00 pm until Wednesday, 2 March 2011 at 9.30 am

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

Civil Aviation Act—

Civil Aviation Regulations—Instruments Nos CASA—
EX24/11—Exemption – recent experience requirements [F2011L00318].
EX29/11—Exemption – Christopher Thomas Keating [F2011L00320].
EX30/11—Exemption – operations by paragliders in the Ozone Corringly Open and Australian Nationals Paragliding Championships 2011 [F2011L00310].

Civil Aviation Safety Regulations—Instrument No. CASA EX27/11—Exemption – drug and alcohol management plan information; Exemption – use of pre-hiring drug and alcohol tests [F2011L00319].

Commissioner of Taxation—Public Rulings—Taxation Determinations—Addenda—TD 93/47 and TD 93/97.


National Health Act—Instruments Nos PB—
16 of 2011—National Health (Highly specialised drugs program for hospitals)

Special Arrangement Amendment Instrument 2011 (No. 2) [F2011L00316].
17 of 2011—National Health (Chemotherapy Pharmaceuticals Access Program) Special Arrangement Amendment Instrument 2011 (No. 2) [F2011L00321].

Norfolk Island Act—Commonwealth Finance Minister’s (Norfolk Island) Orders 2011 [F2011L00317].

Telecommunications (Consumer Protection and Service Standards) Act—Australian Communications and Media Authority (Advice about Universal Service Subsidies) Direction (No. 1) 2011 [F2011L00311].

Tabling

The following documents were tabled:

Aboriginal and Torres Strait Islander Social Justice Commissioner—Reports for 2010—
Native title.
Social justice.


Anindilyakwa Land Council—Reports for—
2008-09.
2009-10.

Australian Broadcasting Corporation (ABC)—Equity and diversity—Report for the period 1 September 2009 to 31 August 2010.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 October to 31 December 2010.


Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Australian Customs and Border Protection Service—Report for 2009-10.


Treaties—

Bilateral—

Amendments to Singapore-Australia Free Trade Agreement, done at Singapore on 27 July 2009—Text, together with national interest analysis and annexures.

Treaty between Australia and the People’s Republic of China concerning the Transfer of Sentenced Persons, done at Sydney on 6 September 2007—Text, together with national interest analysis.

Multilateral—

Accession by Australia to the Convention on Cybercrime (Budapest, 23 November 2001)—Text, together with national interest analysis.

Explanatory statement No. 1 of 2011—Proposed Amendment to the Articles of Agreement of the International Monetary Fund on the Reform of the Executive Board, adopted by the IMF Board of Governors on 15 December 2010.

Indexed Lists of Files

The following documents were tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2010—Statements of compliance—Agriculture, Fisheries and Forestry portfolio.

Department of the Prime Minister and Cabinet.
Department of Veterans’ Affairs.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Indigenous Communities

(Question No. 172)

Senator Cormann asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 28 October 2010:

(1) What Indigenous communities (or trusts associated with Indigenous communities) receive royalty payments in excess of $500,000 per annum and, for each of these communities: (a) what was their resident population at the last official recording; (b) how many recipients of old age pensions were resident; and (c) how many recipients of a government working age payment were resident.

(2) Have any audits or other reviews of these communities been undertaken by the department to ensure that royalty payments are being used for the benefit of the community; if so, when did each review take place and what was its outcome.

(3) What oversight exists to ensure that royalty payments to Indigenous communities, and meant to benefit that community, are not simply paid out to one or more individuals within the community.

(4) Is the department aware of any cases of the age pension being withdrawn as a result of direct royalty payments exceeding allowable thresholds for pension benefits to continue; if so, how many cases and what was the date the pension was withdrawn.

(5) Given that significant royalty payments are being made to Indigenous communities, is the Minister satisfied that widespread breaches of pensions or other working age payments are not occurring; if so, what is the evidence that supports the Minister’s view.

Senator Arbib—The Minister for Families, Housing, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question:

(1) (a), (b) and (c) The majority of royalties are negotiated in a commercial context and are paid to the owner of the asset in return for its use. Where the Crown owns the asset (minerals for example), those royalties have a statutory basis and are paid to the Crown.

Like other individuals, corporations and groups who have an interest in land, Indigenous people, corporations and groups negotiate royalty payments in return for certain rights including access to and use of their land. They are negotiated on behalf of the relevant interest holder, which may not be the broader Indigenous community. These negotiations are commercial in nature and the amounts negotiated are, in general, not publically known but treated by the parties as commercial in confidence. It is therefore not possible to comment on the make up of communities receiving royalty payments.

The one exception to this is in the Northern Territory where, under the Aboriginal Land Rights (Northern Territory) Act 1976 (the ALRA), when statutory royalties are paid by industry parties to the Northern Territory and Australian Governments in return for mining on Aboriginal land, an equivalent amount is paid into the Aboriginals Benefit Account. The distribution of those funds is governed by Section 64 of the ALRA.

While inquiries could be made of the Australian Tax Office, it is inevitable that any response would result in an incomplete picture as many of the royalty receiving entities are not assessable for income tax purposes.

The commercial-in-confidence nature of most royalty negotiations and payments means the Department cannot answer the Senator’s question in any detail.

(2) There is generally no applicable power to conduct an audit or review of privately held funds. For further details see the answers to (1) and (3).
(3) The oversight arrangements that apply to entities that receive royalty payments made to Indigenous individuals, corporations and groups depend on the nature of the entity. This may include any or all of the requirements set out in trust law and specific requirements in the trust deed, and the relevant corporations law (including oversight by the Office of the Registrar of Indigenous Corporations and/or the Australian Securities and Investments Commission). The usual range of equitable and legal remedies are available for affected parties to pursue depending on their circumstances.

(4) This question relates to operational matters that are the responsibility of Centrelink. Centrelink is part of the Human Services Portfolio reporting to the Minister for Human Services, the Hon Tanya Plibersek MP.

(5) There is no evidence to suggest there are widespread breaches of Social Security rules. Departments and Centrelink continuously update risk assessments based on environmental scans, sampling data and results of current fraud and compliance processes.

Broadband, Communications and the Digital Economy: Stationery
(Question No. 229)

Senator Humphries asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 29 November 2010:
Since 14 September 2010, for each Minister and any Parliamentary Secretaries in their portfolio:
(1) What has been the total amount spent on stationery and publications, including a breakdown of all spending.
(2) What has been the total amount spent on printing ministerial letterhead.
(3) What is the grams per square metre [GSM] of the ministerial letterhead.
(4) Is the letterhead carbon neutral.

Senator Conroy—The answer to the honourable senator’s question is as follows:

(1) During the period 14 September 2010 – 29 November 2010, the following types of stationery were purchased and are shown below with their cost per unit at the time of purchase:

<table>
<thead>
<tr>
<th>Paper products</th>
<th>Cost per unit (GST exclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Envelopes DL</td>
<td>$0.075</td>
</tr>
<tr>
<td>Envelopes C4</td>
<td>$0.29</td>
</tr>
<tr>
<td>Envelopes C5</td>
<td>$0.27</td>
</tr>
<tr>
<td>‘With Compliment’ slips</td>
<td>$0.23</td>
</tr>
<tr>
<td>A4 Blank Paper 90GSM</td>
<td>$0.23</td>
</tr>
<tr>
<td>Business Cards</td>
<td>$0.66</td>
</tr>
</tbody>
</table>

Other stationery costs between 14/09/2010 – 29/11/2010 = $1017.38 (GST inclusive)

During the period 14 September 2010 – 29 November 2010, the following amounts were spent on publications for my offices in Canberra and Melbourne:

| MO Canberra                          | $299.40 (GST inclusive)       |
| MO Melbourne                         | $802.46 (GST inclusive)       |

(2) During the period 14 September 2010 – 29 November 2010, letterhead of the following types was purchased and is shown below with the cost per unit at the time of purchase:

| Senator the Hon Stephen Conroy letterhead | $0.036 per unit (GST exclusive) |
| Office of Senator the Hon Stephen Conroy letterhead | $0.039 per unit (GST exclusive) |

(3) 90 GSM.

(4) No.
Finance and Deregulation: Stationery
(Question No. 239)

Senator Humphries asked the Minister for Finance and Deregulation, upon notice, on 29 November 2010:

Since 14 September 2010, for each Minister and any Parliamentary Secretaries in their portfolio:

1. What has been the total amount spent on stationery and publications, including a breakdown of all spending.
2. What has been the total amount spent on printing ministerial letterhead.
3. What is the grams per square metre [GSM] of the ministerial letterhead.
4. Is the letterhead carbon neutral.

Senator Wong—The answer to the honourable senator’s question is as follows:

1. Stationery: The spending figures for stationery have been provided as a cost per unit. The billing cycle and the standard practice of ordering items such as paper and envelopes across Business Groups, rather than for a specific Office, means that the actual cost of stationery used for the period cannot be reasonably calculated. Details of the unit price for stationery items are:
   - White A4 80gsm multipurpose plus paper (ream) @ $4.63 ex GST each
   - With Compliments Slips (pk/50) @ $7.14 ex GST each
   - Envelopes size DL (box/500) @ $25.33 ex GST each
   - Envelopes size C4 (box/250) @ $39.29 ex GST each
   - Publications: $1,536.08. This figure relates to costs incurred between 14 September and 29 November 2010.

2. Ministerial letterhead is not pre-printed.
3. 80gsm.
4. No.

Special Minister of State: Stationery
(Question No. 266)

Senator Humphries asked the Minister representing the Special Minister of State, upon notice, on 29 November 2010:

Since 14 September 2010, for each Minister and any Parliamentary Secretaries in their portfolio:

1. What has been the total amount spent on stationery and publications, including a breakdown of all spending.
2. What has been the total amount spent on printing ministerial letterhead.
3. What is the grams per square metre [GSM] of the ministerial letterhead.
4. Is the letterhead carbon neutral.

Senator Wong—The Special Minister of State has provided the following answer to the honourable senator’s question:

1. Stationery: The spending figures for stationery have been provided as a cost per unit. The billing cycle and the standard practice of ordering items such as paper and envelopes across Business Groups, rather than specifically for the Office means that the actual cost of stationery used for the period cannot be reasonably calculated. Details of the unit price for stationery items are:
   - White A4 80gsm multipurpose plus paper (ream) @ $4.63 ex GST each
QUESTIONS ON NOTICE

- With Compliments Slips (pk/50) @ $7.14 ex GST each
- Envelopes size DL (box/500) @ $25.33 ex GST each
- Envelopes size C4 (box/250) @ $39.29 ex GST each
- Publications: $2,850.22. This figure relates to costs incurred between 14 September and 29 November 2010.

(2) Ministerial letterhead paper is not pre-printed for the Special Minister of State.

(3) 80gsm.

(4) No.

Uranium Mining
(Question No. 317)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:

(1) Is the Office of the Supervising Scientist (OSS) aware of a resolution passed at the recent Congress of the Nobel Peace Prize winning International Physicians for the Prevention of Nuclear War (IPPNW) in Basel, Switzerland, calling for an end to uranium mining on human rights and public health grounds stating:

‘Uranium ore mining and the production of uranium oxide (yellowcake) are irresponsible and represent a grave threat to health and to the environment. Both processes involve an elementary violation of human rights and their use lead to an incalculable risk for world peace and an obstacle to nuclear disarmament.

The International Council of IPPNW therefore resolves that:

IPPNW call for appropriate measures to ban uranium mining worldwide.’:

(2) Has the OSS made, or been requested to make, any analysis of this development.

(3) What is the view of the OSS on this position.

Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:

(1) Yes.

(2) No.

(3) The Supervising Scientist does not have a view on this position.

International Product Stewardship Summit
(Question No. 318)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:

With reference to the International Product Stewardship Summit, scheduled to be held in Sydney from 9 November to 10 November 2010, being organised by the Global Product Stewardship Council of which the department is listed as an ‘international speaker sponsor’:

(1) What is the cost of the department’s sponsorship.

(2) Is the sponsorship for a particular speaker; if so, who is the speaker.

(3) What amount of sponsorship was initially sought for the conference and who requested it.

(4) When was the funding approved.
Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:
(1) The cost to the Department was $15 000 GST exclusive for International Speaker Sponsorship.
(2) No. The sponsorship was for any two international speakers identified by the Global Product Stewardship Council.
(3) Global Product Stewardship Council initially sought $25 000 GST exclusive for sponsorship of the International Product Stewardship Summit.
(4) Sponsorship of the International Product Stewardship Summit was approved on 6 August 2010.

National Container Deposit Scheme
(Question No. 319)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:
With reference to progress made on a national container deposit scheme:
(1) Is the Minister aware the container deposit scheme, which originally had a timeline of 18 months, has now been investigated for 8 years.
(2) What is the reason for the delay.
(3) Can the Minister confirm that the decision to have a regulatory impact statement was passed in July.
(4) How long is it expected before a container deposit scheme will be introduced.
(5) Is the Minister aware that three government studies have found that a container deposit scheme will save local governments up to $32 million a year.
(6) Is the department currently considering alternative schemes, such as one-off grant programs managed by the Australian Packaging Covenant.
(7) Is the department aware that the recent BDA Group, Beverage container investigation, revised final report dated 28 April 2010 for environment ministers found such alternatives would cost local councils $36 million a year.
(8) Can the department confirm the current cost to local councils to support kerbside beverage container collection.

Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:
(1) I am aware that the Environment Protection and Heritage Council (EPHC) foreshadowed consideration of a national container deposit scheme (CDS) in 2002 in the context of its decision to consider a strategic national framework for waste issues. It was not until April 2008 that the EPHC decided to initiate a formal investigation into national approaches for managing packaging wastes such as beverage containers, including a national CDS. This report, the Beverage Container Investigation, was considered by the EPHC in May 2009.
(2) Work on the Regulation Impact Statement (RIS) is progressing in line with the work plan agreed by the EPHC in November 2010.
(3) Yes. In July 2010 the EPHC agreed to commence a RIS on national measures to address resource recovery and the environmental impacts of packaging wastes and litter.
(4) A RIS is a formal requirement of the Council of Australian Governments (COAG) to assess the likely impacts and benefits of regulation. The RIS on packaging and litter will provide an analysis
of the net community benefit of a number of possible national measures, including a national CDS, for consideration by governments.

(5) I am aware that a number of studies, including the Beverage Container Investigation commissioned by the EPHC, have suggested that a national CDS may result in a net financial benefit to local governments.

(6) The department advises that the Australian Packaging Covenant, along with other existing arrangements for improving packaging resource recovery and reducing litter, will form part of the ‘base case’ for the RIS analysis. In accordance with the COAG best practice regulation guidelines, the RIS must also consider other feasible regulatory and non-regulatory options.

(7) The Department advises it is aware that the Beverage Container Investigation considered a range of approaches to increasing packaging resource recovery which had different cost implications across sectors.

(8) The Department advises that studies undertaken to date have not quantified the current cost of kerbside beverage container collection at a national level.

Sustainability, Environment, Water, Population and Communities
(Question No. 320)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:
What is the current status or progress within the department in relation to the development of a national heritage strategy.

Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:
The Australian Government is developing a number of national leadership initiatives in relation to heritage. This includes the recently announced Australian Heritage Week.

World Heritage Committee
(Question No. 321)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:
In regard to World Heritage and United Nations Education, Scientific and Cultural Organisation (UNESCO) listing, and with reference to the recent article in The Economist (‘A danger list in danger’, dated 26 August 2010, found at http://www.economist.com/node/16891951) and other stories in the international media about the World Heritage Committee (the Committee) meeting in Brazil in 2010, of which Australia is currently a member:

(1) Is the Minister aware of the stories that World Heritage decisions have become highly politicised, and the scientific or expert basis for the work of the Committee has been severely compromised.

(2) Is the Minister aware of the recent decision, for example, to remove the Galapagos islands from the list of ‘world heritage sites in danger’, and that this was evidence that UNESCO is bending its own rules under pressure from member states.

(3) Can the Minister provide reassurance that Australia has and will continue to participate as a member of the Committee strictly on a scientific or expert basis.

Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:

(1) Yes, I am aware of the stories.
(2) Yes, I am aware of the decision.
(3) Yes.

**Australian Heritage Council**

*(Question No. 322)*

**Senator Ludlam** asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:

With reference to the New Acton Nishi development in Canberra and to the question on notice no. 141 submitted during the Budget Estimates of the Environment, Communications and the Arts Legislation Committee in May 2010 regarding the same development:

(1) (a) Was the Minister advised by experts in both the Australian Heritage Council (AHC) and the department of significant impacts of the New Acton Nishi development on National Heritage; if so, was this advice rejected in favour of expert advice provided by the developer; and (b) in making this decision, did the Minister also consider beneficial impacts such as economic or social matters on National Heritage.

(2) Given that the AHC is described on its website as the ‘principal adviser to the Australian Government on heritage matters’, are the AHC members among the best heritage experts in Australia.

(3) How often does the AHC comment to the Minister on such development proposals.

(4) Are the department’s heritage experts also among the best in Australia.

(5) Who was the heritage expert who provided advice for the developer.

(6) Is the developer’s heritage expert regarded as one of the best in Australia, for example, are they on the top 10 list of experts who might be recommended by the AHC.

(7) Why did the Minister ignore the advice of the AHC and the department in favour of the developer’s expert.

**Senator Conroy**—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:

(1) (a) The former Minister for Environment Protection, Heritage and the Arts received advice from the Department and comment from the Australian Heritage Council, both indicating that the New Acton Nishi development would be likely to have a significant impact on the National Heritage values of the Australian Academy of Science building. The Minister also received information in the referral provided by the proponent, which included documents prepared by the proponent’s heritage advisers. Consistent with the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), the Minister also considered public comments received in relation to the referral of the development. The Minister considered all of the information provided and came to the view that the development was not likely to have a significant impact on the National Heritage values of the Australian Academy of Science Building. (b) The Minister’s Statement of Reasons for his decision is at Attachment A.

(2) The Australian Heritage Council Act 2003 requires members of the Council to have substantial experience or expertise concerning heritage. The members of the Council meet those criteria. The Act does not require the Minister to form a view as to whether a person appointed to the Council is or is not among the best heritage experts in Australia.

(3) This is the only instance to date where the Australian Heritage Council has provided comment to the Minister on whether a proposed action is a controlled action.

(4) The Department’s heritage officers have a range of heritage-related skills. No work has been undertaken to determine whether a staff member is or is not among the best heritage experts in Australia.
(5) The proponent’s referral documentation included heritage advice from Paul Cohen of Cambell Dion, and Jennifer Hill and Elizabeth Gibson of Architectural Projects Pty Ltd. The proponent included advice from Dr Graeme Gunn of Gunn Dyring Architects, who advised principally on the context, urban design and architectural quality of the development, but who also advised on the ‘historical impact’ of the development.

(6) Whether a person is or is not among the best heritage experts in Australia is a matter of opinion. The Australian Heritage Council does not keep a ‘top ten list’ of experts.

(7) The Minister’s Statement of Reasons for his decision is available from the Senate Table Office.

National Capital Authority
(Question No. 323)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:

With reference to the proposed World War I and World War II memorials, which recently attracted some public debate about their appropriateness in the important heritage landscape of central Canberra: Has the department provided any formal or informal advice regarding the heritage impact of the proposed memorials to be located in Canberra; if so, what was the nature of that advice.

Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:

No. At the request of the National Capital Authority (NCA), the department provided informal comment in December 2007 and early 2008 on a draft competition brief prepared by the NCA for the design of a World War I and World War II memorial.

Commonwealth Heritage Strategies
(Question No. 324)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:

(1) With reference to Commonwealth heritage strategies:

(a) what is the current situation with heritage strategies which are to be prepared by Commonwealth agencies;

(b) how many agencies have finalised strategies;

(c) which agencies are still to complete strategies;

(d) what is the number of management plans finalised by the Department of Defence, a major property owner, in accordance with the Environment Protection and Biodiversity Conservation Act 1999 (the Act) for Commonwealth heritage places;

(e) when was the actual statutory deadline for the completion of strategies;

(f) what action has been taken to insist that Commonwealth agencies comply with the Act and complete their strategies; and

(g) did the Hawke Review (an independent review of the Act) examine this problem of agencies failing to meet their obligations.

(2) With reference to the Commonwealth Heritage List:

(a) what is the average number of Commonwealth heritage assessments finalised each year;

(b) is there any estimate of the total number of Commonwealth places likely to be eligible for nomination, especially in the light of the surveys required under the Act;

(c) is there an estimate of the time it will take to process all of these potential nominations;
(d) did the Hawke Review consider this issue;
(e) how many national and Commonwealth heritage assessments has the Australian Heritage Council (AHC) completed and provided to the Minister, but which have not yet been decided or announced;
(f) if there are places not yet decided or announced what are the names of these places, and how long ago were the assessments given to the Minister;
(g) what are the reasons for the delay in decisions and announcements;
(h) does the Act require the Minister to make decisions and announce them in a timely fashion; and
(i) did the Hawke Review consider this problem of the timeliness of listing decisions.

Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:
(1) With reference to Commonwealth heritage strategies:
(a) See (c) below.
(b) 16 heritage strategies have been completed to date by four portfolio departments and 12 other Commonwealth agencies.
(c) Of the 19 portfolio departments, four have finalised heritage strategies, and four departments have determined that they are not required to prepare a strategy. The following 11 portfolio departments have commenced but are yet to fully complete a heritage strategy under the EPBC Act:
   Attorney-General’s Department;
   Department of Education, Employment and Workplace Relations;
   Department of Immigration and Citizenship;
   Department of Agriculture, Fisheries & Forestry;
   Department of Families, Housing, Community Services and Indigenous Affairs;
   Department of Foreign Affairs and Trade;
   Department of Climate Change and Energy Efficiency;
   Department of Health and Ageing;
   Department of Innovation, Industry, Science and Research;
   Department of the Prime Minister and Cabinet; and
   Department of Resources, Energy and Tourism.
(d) As advised by the Department of Defence, in accordance with its obligations under the EPBC Act, the Department of Defence launched the Defence Heritage Strategy on 27 March 2006. The Defence Heritage Strategy commits Defence to prepare Heritage Management Plans for all Defence places currently included in the Commonwealth Heritage List by 2015. Defence is on track to meet the 2015 timeline and has already prepared 39 of the 58 Heritage Management Plans required for the 130 places listed in the Commonwealth Heritage List.
(e) An agency has two years from the commencement of the new heritage legislation (1 January 2006), or from the time it first owns or controls a place, in which to develop a heritage strategy and provide it to the Minister.
(f) The department does not have a compliance role under the EPBC Act to compel Commonwealth agencies to prepare heritage strategies. However, the department has:
- written to portfolio departments and relevant agencies in relation to heritage strategies to ensure they understand that the EPBC Act requires preparation of a heritage strategy by all Commonwealth agencies that own or control property, regardless of whether those properties have heritage values;
- offered ongoing assistance, and followed up with agencies on a number of occasions;
- held workshops with Commonwealth agencies;
- produced a series of guidance documents for agencies preparing a heritage strategy, reviewing a heritage strategy, or updating a heritage strategy;
- produced template heritage strategies to assist agency compliance; and
- developed guidelines for agencies to assess their properties, and a pro-forma to use to record their assessment.

(g) The Hawke Report considered the degree to which Commonwealth agencies have complied with their obligations to prepare and implement heritage strategies. Please refer to paragraphs 8.45, 8.46, 8.47 and 8.48 of the Report.

(2) With reference to the Commonwealth Heritage List:

(a) The number of Commonwealth Heritage List assessments is expected to grow significantly in future years.
   - In 2008-9 three assessments were finalised.
   - In 2009-10 one assessment was finalised.
   - In 2010-11 it is expected that 70 assessments will be finalised.

(b) No. However, there are approximately 200 places on the Register of the National Estate (RNE) that are owned by the Commonwealth and not in the CHL that may be eligible for nomination.

(c) No. Progress is subject to resources available to agencies with responsibilities under the EPBC Act.

(d) The Hawke Report considered the issues of heritage assessments. Please refer to paragraphs 8.29 and 8.30 of the Report.

(e) As of 6 December 2010, 12 National and Commonwealth Heritage List assessments have been provided to the Minister but not yet decided or announced.

(f) The details of places not yet decided or announced, as published in accordance with the EPBC Act on the department’s website, are:

<table>
<thead>
<tr>
<th>Place</th>
<th>Date AHC Assessment submitted to Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia Square (NHL)</td>
<td>29/06/2005</td>
</tr>
<tr>
<td>Parliament House and Surrounds (CHL and NHL)</td>
<td>19/02/2007</td>
</tr>
<tr>
<td>Aboriginal Tent Embassy (NHL)</td>
<td>3/06/2008</td>
</tr>
<tr>
<td>Cascade Reserve and Adjacent Areas (CHL)</td>
<td>1/07/2008</td>
</tr>
<tr>
<td>Embassy of Sweden and Grounds (CHL)</td>
<td>10/07/2008</td>
</tr>
<tr>
<td>City of Broken Hill (NHL)</td>
<td>22/12/2009</td>
</tr>
<tr>
<td>Wilgie Mia Aboriginal Ochre Mine, WA (NHL)</td>
<td>22/12/2009</td>
</tr>
<tr>
<td>Goldfields Water Supply Scheme, WA (NHL)</td>
<td>23/12/2009</td>
</tr>
<tr>
<td>HMAS Sydney II and HSK Kormoran Battle Site and Wrecks (for CHL and NHL)</td>
<td>30/06/2010</td>
</tr>
<tr>
<td>Ngarrabullgan (NHL)</td>
<td>30/06/2010</td>
</tr>
<tr>
<td>The West Kimberley (NHL)</td>
<td>30/06/2010</td>
</tr>
<tr>
<td>The Great Ocean Road (NHL)</td>
<td>10/11/2010</td>
</tr>
</tbody>
</table>
The reasons for the delay in decisions and announcements mainly concern consultation, access and management issues. The specific reasons, as published in accordance with the EPBC Act on the Department’s website, are:

**Places under consideration for the National Heritage List**

<table>
<thead>
<tr>
<th>Name of Place</th>
<th>Reasons for extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia Square, Sydney, NSW</td>
<td>Consultation processes need to be completed with interested parties and management agencies on the long term protection of the place’s heritage values</td>
</tr>
<tr>
<td>Parliament House and Surrounds, Canberra, ACT</td>
<td>Consultation processes need to be completed with interested parties and management agencies on the long term protection of the place’s heritage values</td>
</tr>
<tr>
<td>Aboriginal Tent Embassy Site, ACT</td>
<td>To allow further consultation with interested parties and management agencies regarding any possible listing</td>
</tr>
<tr>
<td>The West Kimberley</td>
<td>To allow for further consultation with owners, occupiers and indigenous people with rights and interest in areas identified by the Australian Heritage Council as potentially having National Heritage values</td>
</tr>
<tr>
<td>City of Broken Hill</td>
<td>To allow further consultation with interested parties and management agencies regarding any possible listing</td>
</tr>
<tr>
<td>Goldfields Water Supply Scheme, WA</td>
<td>To allow further consultation with interested parties and management agencies regarding any possible listing</td>
</tr>
<tr>
<td>Wilgie Mia Aboriginal Ochre Mine, WA</td>
<td>To allow further consultation with interested parties and management agencies regarding any possible listing</td>
</tr>
<tr>
<td>Ngarrabullgan</td>
<td>To address management issues relating to any possible listing</td>
</tr>
<tr>
<td>HMAS Sydney II and HSK Kormoran Battle Site and Wrecks</td>
<td>To address access and management issues relating to any possible listing</td>
</tr>
</tbody>
</table>

Note that the Great Ocean Road National Heritage assessment provided to the Minister is still within the statutory 90 business day decision-making period.

**Places under consideration for the Commonwealth Heritage List**

<table>
<thead>
<tr>
<th>Name of Place</th>
<th>Reasons for extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parliament House and Surrounds, Canberra, ACT</td>
<td>Consultation processes need to be completed with interested parties and management agencies on the long term protection of the place’s heritage values</td>
</tr>
<tr>
<td>HMAS Sydney II and HSK Kormoran Battle Site and Wrecks</td>
<td>To address access and management issues relating to any possible listing</td>
</tr>
<tr>
<td>Cascade Reserve and Adjacent Areas</td>
<td>In light of the nomination of the Kingston and Arthurs Vale Historic Area for World Heritage listing, and the local concerns relating to that nomination, further consultation processes may be necessary with interested parties and management agencies before a listing decision is made.</td>
</tr>
<tr>
<td>Embassy of Sweden and Grounds</td>
<td>The Australian Heritage Council is considering nominating for assessment for the National and Commonwealth Heritage Lists a part of Canberra and would prefer to first consider general principles in assessing and managing heritage-listed embassies in a Canberra-nomination before any decision is taken on a specific embassy</td>
</tr>
</tbody>
</table>
(h) The EPBC Act requires the Minister to either make a decision to list or not list within 90 business days after receiving the AHC assessment, or to extend the period for making the listing decision.

(i) The Hawke Report considered the timeliness of listing decisions. Please refer to paragraph 8.29 of the Report.

National Trust of Australia

(Question No. 325)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 6 December 2010:

The August magazine of the National Trust of Australia (ACT) contains a column from its President, Mr Eric Martin AM, where he writes, ‘The 2010-2011 financial year poses an enormous challenge for the National Trust. Commonwealth funding is now project based, and … there is no income for general administration. The Council has accepted a substantial deficit budget for the second year in a row’.

Noting that this Commonwealth funding is a grant provided to the National Trusts, and given there has recently been a shift in the basis of the grant from support for general administration to project funding:

(1) Has the department received any feedback from all Trusts regarding the shift in funding.

(2) Is the department actively seeking any more feedback from all Trusts on the shift in funding.

(3) Has the department witnessed a negative effect of the all Trusts through shifting the funding to a project basis form; if so, has the department briefed the Minister on the problems caused; if not, does the department intend to brief the Minister.

(4) Has the Australian Heritage Council briefed the Minister on this issue.

(5) Will the Minister consider a reversal of the current policy direction and to reinstate the National Trust grant to support general administration.

Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:

(1) (2), (3), (4), (5) The National Trust Partnership Program Funding Agreement provides $195,125 in 2010-2011 for general administrative support, approximately the same as the previous year.

ATM and EFTPOS Fees

(Question No. 361)

Senator Siewert asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 15 December 2010:

With reference to automatic teller machine (ATM) and electronic funds transfer point of sale (EFTPOS) fees in remote community stores, can a list be provided of all Outback Stores in remote communities, detailing for each store:

(a) its location, community and owners/operators;

(b) what ATM and/or EFTPOS facilities are available;

(c) who is the ATM/EFTPOS service provider;

(d) what is the fee structure for: (i) balance inquiries, and (ii) withdrawals;

(e) what is the commercial relationship between the store’s operators and the service provider; and

(f) how much each store has made from ATM and EFTPOS transactions.
**Senator Arbib**—The Minister for Families, Housing, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question:

(a) (b) and (c) See Attachment A.

(d) Fee structure:

   (i) The ATM providers charge customers a balance fee between $1.25 and $2.00 for each balance enquiry.

   (ii) The ATM providers charge customers a withdrawal fee between $2.00 and $2.50 for each withdrawal transaction.

The fees charged by the ATM providers can be changed at any time at any location. Stores managed by Outback Stores do not charge the customers for using EFTPOS facilities.

(e) The Store Owners enter into a contract with ATM service providers to provide an ATM in the store. The ATM service is requested by the community.

(f) The stores currently do not make any money from EFTPOS transactions.

**ATTACHMENT A**

<table>
<thead>
<tr>
<th>Community</th>
<th>Region</th>
<th>Trading as /Store Name</th>
<th>Legal Entity / Store Owner</th>
<th>ATM Supplier</th>
<th>EFTPOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ali Curung</td>
<td>NT</td>
<td>Mirmirri Store</td>
<td>Mirmirri Aboriginal Corporation</td>
<td>Cashcard</td>
<td>Available</td>
</tr>
<tr>
<td>Angurugu</td>
<td>NT</td>
<td>Angurugu Store</td>
<td>East Arnhem Shire Council</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Balgo</td>
<td>WA</td>
<td>Wirrimanu Community Store</td>
<td>Wirrimanu Community Store Aboriginal Corporation</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Barunga</td>
<td>NT</td>
<td>Ngan Jilnguru Store</td>
<td>Barunga Community Store Aboriginal Corporation</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Beswick</td>
<td>NT</td>
<td>Beswick Community Store</td>
<td>Wuduluk Progress Aboriginal Corporation</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Bulman</td>
<td>NT</td>
<td>Gulin Gulin Community Store</td>
<td>Gulin Gulin Community Store Aboriginal Corporation</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Canteen Creek</td>
<td>NT</td>
<td>Canteen Creek Community Store</td>
<td>Canteen Creek Store Nominees Pty Ltd as trustee for the Canteen Creek Store Charitable Trust</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Engawala</td>
<td>NT</td>
<td>Engawala Store</td>
<td>Ntjaminya Store Aboriginal Corporation</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Epenarra</td>
<td>NT</td>
<td>Wetenngerr Store</td>
<td>Wetenngerr Aboriginal Corporation</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Imanpa</td>
<td>NT</td>
<td>Imanpa General Store</td>
<td>Imanpa Yaatitjiti Store Association Inc.</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Jilkminggan</td>
<td>NT</td>
<td>Dungalan Store</td>
<td>Dungalan Aboriginal Association Inc.</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
</tbody>
</table>

**QUESTIONS ON NOTICE**
<table>
<thead>
<tr>
<th>Community</th>
<th>Region</th>
<th>Trading as / Store Name</th>
<th>Legal Entity / Store Owner</th>
<th>ATM Supplier</th>
<th>EFTPOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manyallaluk</td>
<td>NT</td>
<td>Nungalawuy Community Store</td>
<td>Nungalawuy Store Aboriginal Corporation</td>
<td>NO ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Mimili</td>
<td>SA</td>
<td>Mimili Maku Store</td>
<td>Mimili Maku Store Aboriginal Corporation</td>
<td>Cashcard</td>
<td>Available</td>
</tr>
<tr>
<td>Ngukurr</td>
<td>NT</td>
<td>Ngukurr General Store</td>
<td>Ngukurr Progress Aboriginal Corporation as trustee for Ngukurr Progress Trust</td>
<td>Cashcard</td>
<td>Available</td>
</tr>
<tr>
<td>Nyirripi</td>
<td>NT</td>
<td>Nyirripi Community Store</td>
<td>Nyirripi Community Store Incorporated</td>
<td>Cashcard</td>
<td>Available</td>
</tr>
<tr>
<td>Pigeon Hole</td>
<td>NT</td>
<td>Nitjpurru Community Store</td>
<td>Nitjpurru Aboriginal Corporation</td>
<td>NO ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Ringer Soak (Kundat Djaru)</td>
<td>WA</td>
<td>Kundat Djaru Community Store</td>
<td>Kundat Djaru Community Store Aboriginal Corporation</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Santa Teresa</td>
<td>NT</td>
<td>Santa Teresa Community Store</td>
<td>Santa Teresa Pty Ltd as trustee for Santa Teresa Store Trust</td>
<td>Cashcard</td>
<td>Available</td>
</tr>
<tr>
<td>Tenant Creek</td>
<td>NT</td>
<td>Tennant Foodbarn</td>
<td>Tennant Creek Supermarket Pty Ltd</td>
<td>Customers ATM</td>
<td>Available</td>
</tr>
<tr>
<td>Titjikala</td>
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**Olympic Dam**

*(Question No. 366)*

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 17 December 2010:

Given: (a) the original Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) application for the Olympic Dam (by WMC Resources in 2005) was for production levels of up to 1 million tonnes of copper per year; (b) in the draft environmental impact statement (EIS) the limit was 750,000 tonnes; and (c) on 26 September 2010 in South America, BHP Billiton’s Group Executive and Chief Executive Non-Ferrous, Mr Andrew Mackenzie provided a presentation of the company’s inten-
tions for the Olympic Dam expansion to reach a scale of copper production of 750 000 tonnes by year 11 of the expansion, 1 million tonnes by year 17, and 1.4 million tonnes of copper per year by the 40 year mark.

(1) With reference to the EPBC Act and the Olympic Dam EIS assessment, of which we expect the supplement to the EIS to be released by end of 2010:

(a) does the Minister agree that the public has a right to be informed of the real scale of environmental impacts so as to come to an informed view on impacts and on alternatives;

(b) what level of copper production per year applies to the pending Federal Government EIS decision;

(c) will the Federal Government limit the scale of assessment and of decision under the EPBC Act on the Olympic Dam EIS to the maximum scale of mining operations and of consequent impacts assessed in the draft EIS provided by BHP Billiton in 2009 (which covered a level of copper production up to a total of 750 000 tonnes per annum); if not, why not;

(d) noting recent comments of an intended level of copper production up to 1.4 million tonnes per annum, does the Federal Government concur with a statement by the South Australian Minister for Mineral Resources Development (Senate Australian Legislative Council Hansard, 14 October 2010, p. 1060) that if BHP Billiton wishes to operate at a level higher than assessed in the 2009 draft EIS then they would have to re-apply for approval; if not, why not; and

(e) what ramifications does the proposed increase in production by BHP Billiton have for transport arrangements, including:

(i) by rail through Central Australia and Alice Springs,

(ii) out of the Port of Darwin, and

(iii) for processing arrangements in China.

(2) As described, BHP Billiton reported in its 2009 draft Olympic Dam EIS an intention to sell up to 1.6 million tonnes per annum of uranium-infused copper concentrate to China, which contains a few thousand tonnes of uranium. Recently BHP Billiton reported that the scale of production would increase to 3 million tonnes per annum with corresponding doubling in uranium infused with the concentrate:

(a) what ramifications does the proposed increase in production by BHP Billiton have for the treaty which is currently under negotiation with China to provide for precedent sale of Australian uranium in bulk (copper) concentrates with the intended processing of that uranium into nuclear fuel;

(b) what processing facilities in China are intended to receive this concentrate;

(c) what is the ownership or other commercial arrangements intended for these facilities between the Chinese Government and BHP Billiton;

(d) what will be done with the resultant wastes, including long lived bulk radioactive wastes, left in China each year from this proposed arrangement;

(e) does the department acknowledge that a proportion of these wastes are to be classified as Australian Obligated Nuclear Material (AONM); if so, to how much of the total volume of resultant wastes would AONM status apply; and

(f) is the department concerned that Australia (via BHP Billiton) would be dumping at least 1.2 million tonnes of radioactive mining wastes in China each year, and up to 2.2 million tonnes if the BHP Billiton proposed increase in the scale of the Olympic Dam new open pit mine operations goes ahead.
Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable Senator’s question:

(1) (a) The Minister strongly supports the EPBC Act provisions for ensuring the public is informed throughout the environmental assessment process. The Olympic Dam expansion is being assessed by environmental impact statement under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The draft environmental impact statement, of almost 1000 pages and several thousand pages of appendices, was released for public comment from 1 May 2009 until 7 August 2009. Under the EPBC Act, BHP Billiton is required to respond to the 4,179 submissions received along with the detailed comments provided by the federal and state governments. This process is currently being concluded. The final environmental impact statement will be published and made publicly available in hard copy and on the internet.

(c) and (d) The proposed action being assessed by the Australian Government relates to expansion of the Olympic Dam copper, uranium, gold and silver mine, processing plant and associated infrastructure, as described in the referral received under the EPBC Act on 16 August 2005, and as varied on 24 October 2008 and 9 June 2010.

In relation to copper production, the varied EPBC Act referral from BHP Billiton notes that the current proposed approximate production rate for the expanded operation (open cut and existing underground mine) is 750,000 tonnes per annum of refined copper equivalent. However, the assessment under the EPBC Act relates to the likely impacts on matters of national environmental significance of the referred action, rather than to a specific rate of mine production. It would therefore not be appropriate to limit the assessment or decision on the basis of a specific rate of mine production.

The ramifications of the current proposal have been described in the draft environmental impact statement, released by BHP Billiton in 2009 under the EPBC Act. The final environmental impact statement has now been submitted to governments and will be published once it is accepted by state and federal governments.

(2) This question should be referred to the Department of Foreign Affairs and Trade.

Pharmaceutical Benefits Scheme

(Question No. 370)

Senator Bob Brown asked the Minister representing the Minister for Human Services, upon notice, on 12 January 2010:

(1) Which government agency investigates instances of pharmaceutical stockpiling by Safety Net card holders.

(2) How many instances has the agency uncovered of such stockpiling.

(3) What is the Government’s response to cases of stockpiling.

(4) How many hospital re-admissions occur as a result of patients using out of date medicine.

Senator Arbib—The Minister for Human Services has provided the following answer to the honourable senator’s question:

(1) Medicare Australia is responsible for administering the Pharmaceutical Benefits Scheme (PBS) program and undertakes compliance activities to ensure the integrity of payments made under the program. However, stockpiling of PBS medicines is not an illegal activity and there is no legislative restriction to stockpiling by patients.

(2) While Medicare Australia may become aware of stockpiling activities in the course of undertaking compliance activities, stockpiling is not a compliance matter and is not investigated or tracked by Medicare Australia. Compliance concerns only arise where pharmaceutical medicines are passed
on to other patients, resold or remanufactured, or sent overseas. Medicare Australia has identified one case of stockpiling this financial year to date in the course of undertaking other compliance activities. No compliance action was taken in relation to the stockpiling as it is not illegal.

(3) Medicare Australia addresses concerns associated with PBS medicines a number of ways. Medicare Australia’s Overseas Drug Diversion (ODD) program aims to detect PBS medicines taken out of the country illegally. Medicare Australia works closely with Australian Customs and Border Protection Service and the Australian Federal Police in the course of conducting ODD program activities.

The Prescription Shopping Program (PSP) also relates to the supply of PBS medicines. The PSP offers an information service for prescribers if they suspect a patient is obtaining PBS medicines in excess of medical need. Medicare Australia also proactively contacts a prescribers and patients where they are identified under the PSP criteria. The PSP is designed to assist prescribers in making prescribing decisions. It is not illegal to seek PBS medications in excess of clinical need.

As outlined in our National Compliance Program 2010–11, Medicare Australia will be reviewing pharmacies with a high proportion of patients who appear to be stockpiling PBS medicines with a view to identifying potentially fraudulent claims and other compliance issues.

(4) Data is not collected on the number of hospital admissions or re-admissions that occur as a result of patients using out of date medicines.

Usage of out of date medicines in the community is minimised through initiatives such as the Safety Net 20 Day Rule, the Return Unwanted Medicines project and various National Prescribing Service (NPS) consumer Quality Use of Medicines activities.

The Safety Net 20 Day Rule discourages people from obtaining supplies of medicines earlier than they are needed and this reduces stockpiling of medicines. Under the Safety Net 20 Day Rule, for certain PBS medicines, a resupply within 20 days of a previous supply of the same medicine, will fall outside Safety Net entitlements.

The Return Unwanted Medicines project is a national scheme that enables consumers to return unwanted or out of date medicines to any community pharmacy in Australia, for disposal in an environmentally friendly manner, reducing the risk of medication misadventure.

The NPS was established in 1998 as an organisation independent of Government and industry, to provide medicines information and resources for health practitioners and consumers in improving quality use of medicines.

The NPS provides activities targeted specifically at consumers, including public awareness campaigns, the NPS Medicines Name Finder and the Medimate brochure which provides information about using medicines.

A new mass media campaign that focuses on why Australians need to pay more attention to their medicines was recently launched on 30 January 2011 on Network 7. The Be Medicinewise campaign has been developed by the NPS to provide medicine information to health professionals and consumers. Over the next four months the campaign will address what it means to be medicinewise and why it is important and provide information, resources and tips to help consumers navigate their medicines decisions and make better choices with regard to their health.
Christmas Island National Park

(Question No. 376)

Senator Ludlam asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 24 January 2011:

With reference to the management by Parks Australia of Christmas Island National Park and the red crab (Gecarcoidea natalis), covered by the Environment Protection and Biodiversity Conservation Regulations, and the latest red crab spawn migration to the coast that occurred in 2010:

(1) What was the extent of the spawn migration to the coast in 2010 compared with previous years.

(2) How was the spawn migration to the coast managed by Parks Australia in terms of determining which roads would be most significantly affected by a possible spawn migration.

(3) Which roads were considered for closure due to spawn migration.

(4) Which roads were closed due to spawn migration and for what duration.

(5) On what date was the closure of these roads announced.

(6) On what date did the spawn migration to the coast commence.

(7) On what date did the spawn migration to the coast officially cease.

(8) Were Parks Australia authorised to close roads on an as-needed basis due to regional spawn migration patterns, numbers or conditions exceeding the directive issued on 14 March 2010 by Parks Australia; if so, which roads were closed and for what duration; if not, why not.

(9) What was the estimated mortality of red crabs due to vehicle strike on Christmas Island during the 2010 season’s spawn migration to the coast.

(10) Was the spawn migration to the coast in the area between the golf course and the Christmas Island Resort significant.

(11) Was the road between the golf course and the Christmas Island Resort closed at any time during the 2010 season’s spawn migration to the coast; if so, for what period.

(12) Was the road between the golf course and the Christmas Island Resort considered for closure during the 2010 season’s spawn migration, either during the establishment of the closures authorised under subregulation 12.42(3) issued by Parks Australia (Darwin Office), or at any time on an as-needed basis; if not, why not.

(13) If the road between the golf course and the Christmas Island Resort was considered for closure but not closed, why not.

(14) Were any submissions made by any party or agency that the road between the golf course and the Christmas Island Resort should remain open; if so, who made those submissions.

(15) Did the submissions indicated in paragraph (14) affect any proposals to close the road between the golf course and the Christmas Island Resort.

(16) What was the estimated mortality of red crabs due to vehicle strike between the golf course and the Christmas Island Resort during the 2010 migration.

(17) Which coastal areas of Christmas Island record the greatest spawn migration numbers.

(18) Is the spawn migration uniform across the coastal areas of Christmas Island.

(19) Is the spawn migration more significant in any particular coastal area of Christmas Island; if so, can a list be provided of the area(s) by name and bearing locations.

(20) With the exception of part of Murray Road, why were no roads closed on the eastern side of Christmas Island by the subregulation 12.42(3) directive issued on 14 March 2010 by Parks Australia (Darwin Office).
QUESTIONS ON NOTICE

(21) What is the current estimated red crab population on Christmas Island as determined by the last census.

(22) Was the original red crab population on Christmas Island estimated to be approximately 15 million; if not, what was the original estimated red crab population on Christmas Island and why does it vary from the often stated figure of approximately 15 million.

Senator Conroy—The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator’s question:

(1) There is not yet a scientific methodology to compare the extent of migration between years. However, based on anecdotal evidence from long-term and experienced park staff and other residents, 2010 was considered to be a reasonably large migration when compared with recent years.

(2) Parks Australia relies on historical records of red crab movements to determine which roads will be most significantly affected.

We have installed infrastructure (crab bridges, underpasses and fencing) along some roads within the park and adjoining the park where crabs have historically migrated in high numbers. These crab crossings allow the crabs to be channelled under or over the roads. Roads in the park that do not have this infrastructure but also have high numbers of red crabs crossing them are closed during the migration.

(3) All roads within Christmas Island National Park likely to have large numbers of red crabs migrating across them were considered for closure. These included Murray Road, The Blowholes; The Dales; the Pink House Track; Margaret Knoll Road; and the Circuit Tracks.

Parks Australia worked closely with the Shire of Christmas Island, Regional Australia and the Australian Federal Police to review the likely closure of roads in key migration areas outside the park boundary. They included the Cove Car Park Road, Ethel Beach Road and Greta Beach Road.

(4) Within Christmas Island National Park, all roads with large numbers of red crabs migrating across them were closed during the migration. These were Murray Road, The Blowholes; The Dales; Pink House Track; Margaret Knoll Road; and the Circuit Tracks. Non-park roads closed in collaboration with the Shire included the Cove Car Park Road, Ethel Beach Road and Greta Beach Road. The length of closures varied according to the migration. Murray Road was closed at various intervals over the longest period, from 18 October to 20 December.

(5) A determination was published in the local paper, The Islander, warning the public of forthcoming road closures. From September until the 2010 migration, Parks Australia also regularly emailed key stakeholders and published information in The Islander. The information covered details of the migration cycle, how drivers could minimise crab mortality rates and the need for road closures.

It is not possible to announce the precise dates of road closures in advance. The migration depends on the moon cycle and the rains. Crabs begin migrating when wet season rains start, but the exact timing - and even the month - of the wet season changes each year.

Roads are closed on an ‘as needs’ basis on short notice as the migration commences, so there is often no or very short notice to the public.

(6) Some crabs commenced their migration by mid-October. However there is no specific migration commencement date as not all begin their migration at the same time. By early to mid-November 2010, most migrating crabs had commenced their migration.

(7) There is no specific migration cease date. The last major spawn date was 2 December. After the spawning the female crabs returned from the coast to upland areas on the island over a two week period. All roads were open by 20 December.

(8) Parks Australia is authorised to close roads within Christmas Island National Park on an as needs basis during the migration.
Roads outside the park boundary are managed by the Shire of Christmas Island and/or Regional Australia. Parks Australia works in collaboration with the Shire to manage these roads, but does not have the legal power to close them.

(9) There is no scientific program to monitor red crab mortality rates. Park staff estimate crab mortality at more than 500,000 over the last few months.

(10) Yes.

(11) The road was not fully closed during the migration. Parks Australia actively managed traffic during periods of high crab activity in the early morning and late afternoon from mid-November to early December. Park staff controlled traffic, with the support of the Shire, by escorting convoys of cars to and from the resort on an hourly basis.

(12) This section of the road is not within the boundary of the national park. As it is not part of a Commonwealth reserve the Director of National Parks has no authority to close the road. As noted in response to Q11, Parks Australia actively managed traffic on this road to reduce red crab mortality rates, with the approval and support of the Shire of Christmas Island which is responsible for the road. Other measures included raising community awareness, and encouraging drivers to reduce their speed and to car pool to reduce vehicle numbers on these roads.

(13) Parks Australia cannot legally close this road.

(14) There were no submissions made to Parks Australia for the road to remain open.

(15) As noted above no submissions were made for the road to remain open. Parks Australia is not able to close the road under r12.42(3), as the road is not within Christmas Island National Park.

(16) Park staff estimate crab mortality in this area was in the order of 400,000 crabs. However this estimate is not based on a scientific monitoring program.

(17) The migration is significant across the whole island. Major migration areas include the north coast of the island, the Blowholes area, the Dales and the north-east coast (Greta Beach, Ethel Beach, Resort Road).

(18) No.

(19) The migration is significant across the whole island. Major migration areas include the north coast of the island, the Blowholes area, the Dales and the north-east coast (Greta Beach, Ethel Beach, Resort Road). Arrows on the attached map show these locations.

(20) As noted in Q3,4,8 and 12, Parks Australia can only close roads within the national park. Under sub-regulation 12.42(3), the Margaret Knoll road, on the eastern side of Christmas Island within the national park boundary was closed at periods of high crab activity.

The North South Baseline road, which adjoins the park, was not closed because it has infrastructure to channel crabs under the road.

(21) The data from the last island-wide survey is currently being statistically analysed and the results are not yet available.

(22) There are various published estimates of red crab numbers but Parks Australia is not aware of the figure of 15 million. At least one estimate of over 100 million red crabs was made in the 1990s but it is difficult to assess the accuracy of the methodology and data used to produce this number. More recently, estimates have been made of red crab numbers based on burrow counts from the biennial island-wide surveys which commenced in 2001, but this data is currently being reanalysed to ensure that statistically rigorous population estimates can be calculated.
Bilateral Investment Agreements

(Question No. 377)

Senator Bob Brown asked the Minister representing the Minister for Foreign Affairs, upon notice, on 25 January 2011:

(1) With which countries has Australia signed bilateral investment agreements (as distinguished from Free Trade Agreements including an investment chapter).

(2) On what date were those agreements: (a) signed; and (b) ratified.

(3) How can members of the Australian public obtain copies of the agreements.

Senator Conroy—The Minister for Foreign Affairs and the Minister for Trade have provided the following answer to the honourable senator’s question:

Australia has signed bilateral investment agreements with 22 economies, but only 21 are currently in force as Australia’s bilateral agreement with Chile has been replaced by the investment chapter in the Australia-Chile Free Trade Agreement.

Bilateral investment agreements are customarily brought into force by an exchange of diplomatic notes confirming that all domestic legal requirements for entry into force have been completed by both parties to the agreement.


Investment Promotion and Protection Agreements in force as at January 2011

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Mexico Agreement with the Government of the United Mexican States on the Promotion and Reciprocal Protection of Investments [2007] ATS 20 | 23/08/05 | 21/07/07
Pakistan Agreement with the Islamic Republic of Pakistan in the Promotion and Protection of Investments [1998] ATS 23 | 07/02/98 | 14/10/98
Peru Agreement with the Republic of Peru on the Promotion and Protection of Investments [1997] ATS 8 | 07/12/95 | 02/02/97
Philippines Agreement with the Republic of the Philippines on the Promotion and Protection of Investments [1995] ATS 28 | 25/01/95 | 08/12/95
PNG Agreement with the Independent State of Papua and New Guinea for the Promotion and Protection of Investments [1991] ATS 38 | 03/09/90 | 20/10/91
Poland Agreement with Republic of Poland on the Reciprocal Promotion and Protection of Investments [1992] ATS 10 | 07/05/91 | 27/03/92
Romania Agreement with Romania on the Reciprocal Promotion and Protection of Investments [1994] ATS 10 | 21/06/93 | 22/04/94
Sri Lanka Agreement with the Democratic Socialist Republic of Sri Lanka for the Promotion and Protection of Investments [2007] ATS 22 | 12/11/02 | 14/03/07
Turkey Agreement with the Government of the Republic of Turkey on the Reciprocal Promotion and Protection of Investments [2010] ATS 8 | 16/06/05 | 29/06/09
Uruguay Agreement between Australia and Uruguay on the Promotion and Protection of Investments [2003] ATS 10 | 03/09/01 | 12/12/02

Families, Housing, Community Services and Indigenous Affairs: Accommodation
(Question Nos 2869, 2886 and 2887)

Senator Humphries asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 17 June 2010:

Do any of the departments or agencies within the Minister’s portfolio consider that new or additional office accommodation may be required in the next 2 years; if so, would that accommodation be provided in Canberra; and if so, approximately how many staff are estimated to need accommodation in the new or additional offices.

Senator Arbib—The Minister for Families, Housing, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question:

It is anticipated that no additional accommodation will be required in the next two years by the department or agencies within the Minister’s portfolio, however, replacement of existing accommodation will be sourced to consolidate expiring leases.

At this stage, the Department of Families, Housing, Community Services and Indigenous Affairs is planning in 2012 to consolidate five smaller tenancies into a single building in Canberra, affecting approximately 400 staff.
Aboriginal Hostels Limited will relocate from existing premises in Canberra to an alternative site due to lease expiry, affecting approximately 45 staff.