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SITTING DAYS—2015

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<td>November</td>
<td>9, 10, 11, 12, 23, 24, 25, 26, 30</td>
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<td>December</td>
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FORTY-FOURTH PARLIAMENT
FIRST SESSION—SIXTH PERIOD

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

Senate Office holders
President—Senator Hon. Stephen Parry
Deputy President and Chair of Committees—Senator Gavin Mark Marshall
Temporary Chairs of Committees—Senators Christopher John Back, Cory Bernardi,
Sam Dastyari, Sean Edwards, Alexander McEachian Gallacher, Susan Lines,
Deborah Mary O'Neill, Nova Maree Peris OAM, Dean Anthony Smith,
Zdenko Matthew Seselja, Glenn Sterle, Peter Stuart Whish-Wilson and John Reginald Williams
Leader of the Government in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC
Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Leader of the Australian Greens—Senator Richard Di Natale
Co-deputy Leaders of the Australian Greens in the Senate—Senator Scott Ludlam and
Senator Larissa Joy Waters
Chief Government Whip—Senator David Christopher Bushby
Deputy Government Whips—Senators David Julian Fawcett and Anne Sowerby Ruston
The Nationals Whip—Senator Barry James O'Sullivan
Chief Opposition Whip—Senator Anne McEwen
Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart
Australian Greens Whip—Senator Rachel Siewert

Printed by authority of the Senate
### Members of the Senate

<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
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<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>LP</td>
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<tr>
<td>Back, Christopher John</td>
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<tr>
<td>Bernardi, Cory</td>
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<tr>
<td>Bilyk, Catryna Louise</td>
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<tr>
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<tr>
<td>Brandis, Hon. George Henry, QC</td>
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<td>Bullock, Joseph Warrington</td>
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<td>Colbeck, Hon. Richard Mansell</td>
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<tr>
<td>Collins, Hon. Jacinta Mary Ann</td>
<td>VIC</td>
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<tr>
<td>Cormann, Hon. Mathias Hubert Paul</td>
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<tr>
<td>Dastyari, Sam</td>
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<td>Day, Robert John</td>
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<td>Fierravanti-Wells, Hon. Concetta Anna</td>
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<td>Lambie, Jacqui</td>
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<td>Lazarus, Glenn Patrick</td>
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<td>Leyonhjelm, David Ean</td>
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<td>Lines, Susan</td>
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<td>Lindgren, Joanna Maria</td>
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<td>Ludlam, Scott</td>
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<td>McEwen, Anne</td>
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<td>McLucas, Hon. Jan Elizabeth</td>
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<td>Milne, Christine Anne</td>
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<td>Moore, Claire Mary</td>
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<tr>
<td>Muir, Ricky Lee</td>
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<td>Nash, Hon. Fiona Joy</td>
<td>NSW</td>
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Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives:

<table>
<thead>
<tr>
<th>Territory</th>
<th>Senator</th>
<th>Party</th>
<th>Senator</th>
<th>Party</th>
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<tbody>
<tr>
<td>Australian Capital Territory</td>
<td>Gallagher, K.</td>
<td>ALP</td>
<td>Peris, N. M.</td>
<td>ALP</td>
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<tr>
<td>Northern Territory</td>
<td>Scullion, N. G.</td>
<td>CLP</td>
<td></td>
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</tr>
</tbody>
</table>

(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr), pursuant to section 15 of the Constitution.

(2) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice J Faulkner), pursuant to section 15 of the Constitution.

(3) Chosen by the Australian Capital Territory Legislative Assembly to fill a casual vacancy (vice K. Lundy), pursuant to section 15 of the Constitution.

(4) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Mason), pursuant to section 15 of the Constitution.

**PARTY ABBREVIATIONS**

AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
FFP—Family First Party; IND—Independent, LDP—Liberal Democratic Party;
LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party
Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Acting Secretary, Department of Parliamentary Services—D Heriot
Parliamentary Budget Officer—P Bowen
<table>
<thead>
<tr>
<th>Title</th>
<th>Minister</th>
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<tbody>
<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon. Tony Abbott MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon. Nigel Scullion</td>
</tr>
<tr>
<td><strong>Minister for the Public Service</strong></td>
<td>Senator the Hon. Eric Abetz</td>
</tr>
<tr>
<td><strong>Minister for Counter-Terrorism</strong></td>
<td>The Hon Michael Keenan MP</td>
</tr>
<tr>
<td><strong>Minister for Women</strong></td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon. Charles Porter MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon. Alan Tudge MP</td>
</tr>
<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong></td>
<td>The Hon. Warren Truss MP</td>
</tr>
<tr>
<td>(Deputy Prime Minister)</td>
<td></td>
</tr>
<tr>
<td>Assistant Minister for Infrastructure and Regional Development</td>
<td>The Hon. Jamie Briggs MP</td>
</tr>
<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon. Julie Bishop MP</td>
</tr>
<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon. Andrew Robb AO MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Foreign Affairs</strong></td>
<td>The Hon. Steven Ciobo MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Trade and Investment</strong></td>
<td>The Hon. Steven Ciobo MP</td>
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<tr>
<td><strong>Minister for Employment</strong></td>
<td>Senator the Hon. Eric Abetz</td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
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<tr>
<td>Assistant Minister for Employment</td>
<td>The Hon. Luke Hartsuyker MP</td>
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<tr>
<td>(Deputy Leader of the House)</td>
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<tr>
<td><strong>Attorney-General</strong></td>
<td>Senator the Hon. George Brandis QC</td>
</tr>
<tr>
<td><strong>Minister for the Arts</strong></td>
<td>Senator the Hon. George Brandis QC</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<tr>
<td>Minister for Justice</td>
<td>The Hon. Michael Keenan MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Attorney-General</strong></td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
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<tr>
<td><strong>Treasurer</strong></td>
<td>The Hon. Joe Hockey MP</td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon. Bruce Billson MP</td>
</tr>
<tr>
<td>Assistant Treasurer</td>
<td>The Hon. Joshua Frydenberg MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Treasurer</strong></td>
<td>The Hon. Kelly O'Dwyer</td>
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<tr>
<td><strong>Minister for Agriculture</strong></td>
<td>The Hon. Barnaby Joyce MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Agriculture</strong></td>
<td>Senator the Hon. Richard Colbeck</td>
</tr>
<tr>
<td><strong>Minister for Education and Training</strong></td>
<td>The Hon. Christopher Pyne MP</td>
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<tr>
<td>(Leader of the House)</td>
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<tr>
<td>Assistant Minister for Education and Training</td>
<td>Senator the Hon. Simon Birmingham</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Education and Training</strong></td>
<td>Senator the Hon. Scott Ryan</td>
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<tr>
<td><strong>Minister for Social Services</strong></td>
<td>The Hon. Scott Morrison MP</td>
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<tr>
<td>Assistant Minister for Social Services</td>
<td>Senator the Hon. Mitch Fifield</td>
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<tr>
<td>(Manager of Government Business in the Senate)</td>
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<tr>
<td>Minister for Human Services</td>
<td>Senator the Hon. Marise Payne</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Social Services</strong></td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
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<tr>
<td><strong>Minister for Industry and Science</strong></td>
<td>The Hon. Ian Macfarlane MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Industry and Science</strong></td>
<td>The Hon. Karen Andrews MP</td>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>The Hon. Kevin Andrews MP</td>
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<tr>
<td><strong>Minister for Veterans' Affairs</strong></td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
<td>Title</td>
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<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Centenary of ANZAC</td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Assistant Minister for Defence</td>
<td>The Hon. Stuart Robert MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Defence</td>
<td>The Hon. Darren Chester MP</td>
</tr>
<tr>
<td>Minister for Communications</td>
<td>The Hon. Malcolm Turnbull MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Communications</td>
<td>The Hon. Paul Fletcher MP</td>
</tr>
<tr>
<td>Minister for Immigration and Border Protection</td>
<td>The Hon. Peter Dutton MP</td>
</tr>
<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td>Minister for the Environment</td>
<td>The Hon. Greg Hunt MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
<td>The Hon. Robert Baldwin MP</td>
</tr>
<tr>
<td>Minister for Finance</td>
<td>Senator the Hon. Mathias Cormann</td>
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<tr>
<td>Special Minister of State</td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Finance</td>
<td>The Hon. Michael McCormack MP</td>
</tr>
<tr>
<td>Minister for Health</td>
<td>The Hon. Sussan Ley MP</td>
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<tr>
<td>Minister for Sport</td>
<td>The Hon. Sussan Ley MP</td>
</tr>
<tr>
<td>Assistant Minister for Health</td>
<td>Senator the Hon. Fiona Nash</td>
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</tbody>
</table>

Each box represents a portfolio. Cabinet Ministers are shown in **bold** type. As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
<table>
<thead>
<tr>
<th>TITLE</th>
<th>SHADOW MINISTER</th>
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<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>Hon. Bill Shorten MP</td>
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<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon. Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Small Business</td>
<td>Hon. Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Small Business</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Cabinet Secretary</td>
<td>Senator the Hon. Jacinta Collins</td>
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<td>Hon. Michael Danby MP</td>
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<tr>
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<td>Dr. Jim Chalmers MP</td>
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<tr>
<td>Deputy Leader of the Opposition</td>
<td>Hon. Tanya Plibersek MP</td>
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<tr>
<td>Shadow Minister for Foreign Affairs and International</td>
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<td>Development</td>
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<td>Senator Claire Moore</td>
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<tr>
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<td>Hon. Matt Thistlethwaite MP</td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Shadow Minister for Infrastructure and Transport</td>
<td>Hon. Anthony Albanese MP</td>
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<tr>
<td>Shadow Minister for Cities</td>
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<tr>
<td>Shadow Minister for Tourism</td>
<td>Hon. Julie Collins MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Regional Development and</td>
<td>Hon. Alannah MacTiernan MP</td>
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The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 09:30, read prayers and made an acknowledgement of country.

DOCUMENTS
Tabling
The Clerk: I table documents pursuant to statute in accordance with the list circulated in the chamber.

Details of the documents also appear at the end of today's Hansard.

BILLS
Social Services Legislation Amendment (Defined Benefit Income Streams) Bill 2015
Second Reading

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

Senator MOORE (Queensland) (09:31): We seem to be going through this particular process quite regularly at the moment with one particular bill. You would remember that in the past we had a composite bill that included about seven changes that were proposed, some of which were not going to be implemented until 2017. The one before us today is to be implemented in January 2016, and there was one that was going to be earlier than that.

I will not traverse the arguments that I put to this place on Monday about my concerns about the fact that we on the Senate Community Affairs Legislation Committee have not had significant time, I believe, to look in depth at the proposals in front of us. I think we went into detail on our view that the best way in any of these situations is to allow people who are interested in the legislation to have the opportunity to provide submissions, to ask questions and then to come to a public inquiry of a committee to allow all of us to understand fully the complexities of the issues and also the concerns. That particular process was handled in this place. We have not had that issue. We have already passed the largest component of that composite bill, which was the change to the assets test, and the second part has come before us. This is another part where we have had real trouble in really looking at exactly what the impact will be, the numbers of people that will be involved and also how it fits into the overall planning of people on pensions.

In this case, we have advised the government that we will be supporting this particular part of the legislation, the Social Services Legislation Amendment (Defined Benefit Income Streams) Bill 2015, which is on the defined benefit process. We have had considerable discussion with people who understand the impact, and we note—and we say this very openly—that, in the time that we had submissions in this area, there was only one submission that actually pointed out objections to this part. We know that a number of individual people have contacted us subsequently and pointed out their concerns because of their personal circumstances, and we acknowledge that there will be people who are affected by this change. However, in view of the overall process and the overall budgetary impact, our party is supporting this particular change.
We accept also that in this case the information that we received in the departmental submission points out clearly the background to how we have arrived at what is defined as an anomaly in the way the income test is handled for people in this area. There is a clear explanation in the department's submission:

A defined benefit income stream is a pension paid from a public sector or other corporate defined benefit superannuation fund …

It particularly impacts on people who have had a public sector background, ‘where the pension generally only reflects years of service and final salary’. The department continues:

In these schemes employers usually fund these income streams as liabilities arise. Generally employees do not provide any of their own contributions to these income streams.

However, some of these schemes, particularly State Government schemes, include up front contributions …

Then the department goes on to explain clearly how the anomaly has occurred that there has been different treatment to the defined benefits scheme. The department's explanation goes back to 1998. I have to admit I was working in the department around that time—

Senator Fifield interjecting—

Senator MOORE: The Department of Social Security at the time. My corporate memory does not actually go back to that time, but I remember clearly that at that stage there was one of the fairly regular overhauls of social security legislation. This happened many times, but 1998 was a big one. As part of the overhaul of the social security rules for income streams, the means test treatment for defined benefit income streams was standardised. There was discussion across the community at the time. Under the income test in particular there were changes to the asset test treatment, and we are looking at an income test change here. Under the income test, all income was accessible except for a small portion representing the amount of personal after-tax contributions, if any, provided directly by the member. This amount was called the deductible amount and was based on the income tax definition, again trying to make sure there was some consistency between the definitions. It was set at a fixed dollar amount when the income stream commenced. It was clear that was the way that planning was done.

In July 2007 there was another process of change which does occur. It looked at superannuation. I remember this one very clearly. I was here, and there was great discussion around this one. This was called at that stage the better superannuation package, and at that stage superannuation measures were introduced to simplify the taxation of superannuation payments. Through that process, the change in the calculation of the deductible amount resulted in people with service prior to 30 June 1983 having a significant amount of up-front employer contributions treated as after-tax contributions. The higher deductible amount was also changed from a fixed amount to a percentage of annual income, which meant it increased as income stream payments increased.

This is complex in the way it operates, but we know that the people who are affected, who have their own packages involved, have great interest in and great knowledge of their individual circumstances. They have taken advice, they understand and they know what the impact of every dollar is in their weekly, monthly and annual process. They understand most clearly what any changes would mean to the way their circumstances are assessed and, particularly under our social security network, how their processes are affected in terms of
their access to pensions as well as the other things that run with pensions at the state, federal and local government levels.

Together, the changes that I indicated happened as part of the better superannuation package resulted in a higher deductible amount and, consequently, higher income support payments even though nothing had changed for the defined benefit recipient in terms of their contribution. For example, as at 30 June 2006, only 2.6 per cent of income support recipients had a deductible amount greater than 10 per cent. The figures in terms of those who are going to be impacted by this are small but still significant. The department has indicated in their submission that there are around 140,000 DSS recipients with the defined benefit income streams. Around 55 per cent of income support recipients with defined benefit income streams currently have no deductible amount. The processes I have described in the way the schemes were handled. Their circumstances indicate that they are not assessed in this way. A further 10 per cent have a deductible amount less than 10 per cent, which was about 2.6 per cent, as we said. Approximately 35 per cent—around 47,700 people—are impacted by the change, of which around 20 per cent are provided by federal government, 75 per cent by state and local governments and round five per cent by corporate organisations that had had their own defined scheme.

The measures that are in this piece of legislation will generate savings of $465.5 million, as calculated by Treasury, over the forward estimates for all affected agencies. For the first full year, approximately 46,000 DSS recipients will receive a pension allowance reduced by an average of $2,150 a year—$82.70 a fortnight—and the allowances of 1,700 DSS recipients will be cancelled. That is the explanation of the process and the background to how this package will impact on pensioners across Australia.

I have to mention the correspondence that I have received in my office. Mr President, a large number of the correspondents have been from your state, Tasmania. I am not sure—and I have not been able to get information from the department—whether any greater number of people in Tasmania are part of this scheme. But in the emails and letters that have been coming there have been quite a number from Tasmania. I am interested in this and I will be following up, Minister, as to whether we can get more information about why that is so. It could well be that they are just people who have more networks and more access to information and share the process of contacting their parliamentarians from Tasmania. That is a possibility. We have had people from across the country contact us with different concerns about the other changes in this bill. I acknowledge those people who have taken the time to contact our office and to make their concerns known.

As the shadow minister said in the other place when this bill was being debated, I think only yesterday, this is not an easy decision. It is clear that any such decision by anyone in this place is not easy, because we know that there will be an immediate impact on people's own plans, ways of living and process of planning for the future. However, because of the very limited number in the quite small client group that will be impacted by this, I think there is an opportunity for them to have information and to have support—to get some financial support both through the Centrelink process and outside, to see what the maximum income will be if they lose part payment or if they lose the kinds of figures that were given to us by the department in their submission.
We will be supporting this bill. We maintain our concern about the fact that there has not been, I believe, an opportunity for sufficient scrutiny to give those people who have taken the time to contact us more chance to work through the documentation that we have received from the department. As I said earlier on this particular part of the submission, I made some comments the other day about the quality of the modelling that we had received. On my reading of the departmental submission that we received on this—the background and the figures that they provided—I have confidence in supporting it. So, with those caveats about lack of consultation, with the concern about the people who will be affected—because I know there will be those—and with the understanding that the whole issue of retirement payments will necessarily be considered by this chamber into the future, Labor will support this bill.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:43): Before I begin to speak on the Social Services Legislation Amendment (Defined Benefit Income Streams) Bill 2015, I point out that some time was spent in the chamber on Monday having a go at the Greens for passing what we thought was a much more straightforward bill, although some people would argue that it is complex: the pensions asset test bill. We note that the pensions asset changes have been extensively discussed since April, before the budget came in, when the changes were mooted. But this part of what was a bigger bill, which is now a separate bill, has not had much discussion and is in fact quite complex. I am framing my comments in that context.

As we highlighted during the discussion on the pensions asset limit changes, the Greens are supportive of better targeting of government assistance to those who most need it. Those who have saved and can contribute to their retirement should be doing so. The treatment of the deductible amount of the defined benefits is clearly not well targeted. However, through this process it is unclear who is affected and how. I will go through that in a minute.

This measure has not had as much attention as the assets test, because a lot of focus was on the assets test and, as I said, this one is a lot more complicated and it is harder to work out who is affected. There has been little public discussion. However, people, as Senator Moore just pointed out, are now focusing on it more. There are a lot of emails. I note that we are getting a lot of emails from Tasmania. I think that perhaps that shows that the Tasmanians have their act together and have been looking at this issue.

Changes were made in 1998. The anomaly that was introduced in 2007 has led to defined benefits not being fully assessed by Centrelink, which considers pension eligibility. In other words, part of your income is not being assessed when determining pension eligibility. It does need to be corrected. It is unfair. As I understand it, it was not the defined purpose of the changes in 2007, so we do not disagree that this needs to be addressed. However, by the time the Senate committee reported in this place, we were not discussing this particular measure in that bill, so again we feel that people have not had as much opportunity to look at the detail of this, and that is because some of the information is not available. We all agree that this needs addressing, but we have concerns about how it is going to impact on people.

I note from Senate estimates that 65 per cent of those on a defined benefit income will not be affected, so we are not talking about all recipients of a defined benefit when we are talking about the impact. This is important, because we know that these schemes were offered to a wide range of public servants and that many of the 141,000 people who currently have one were in front-line services: we are talking about teachers, nurses, firefighters, social workers.
and police. On the other hand, we know that these schemes were also offered to department heads, to judges and even, as I understand it, to some politicians. So we are talking about a group of people who, it would be fair to say, have very good salaries, and we are talking about a group of people—teachers, nurses, firefighters—who were not on extremely high salaries.

Judging from the calls and questions that our offices and some of my colleagues’ offices have received, the government has not shown the community how this measure will operate. As I said, it has not been as publicly debated as the assets test was. It is worth nothing that there are literally hundreds of schemes. When we looked at this in estimates, the Department of Social Services could not tell us how many schemes there are. Some of the schemes only have a handful of pensioners in them. Understanding all of the interactions here is impossible without an almost forensic analysis of each of those schemes.

With the pension assets test, the government was able to show how it had done its due diligence with microsimulation modelling. The department used real data and applied the tests to that data in a robust way so that we can say—and I am confident we can say—there are at least 171,000 pensioners who will be better off in the first instance under the new assets process. With this measure, it is fair to say we do not have quite the same confidence. I was there during the estimates process, but I have also gone back and pored over the detail of those estimates in Hansard. Unfortunately, during the estimates process, the Department of Social Services could not tell us how many funds there are. As I have just said, there could be, as we understand it, literally hundreds. It also could not tell us whether those funds are still taking new entrants. We think most of them are not, but it is not clear. The department could not tell us how many people there are in each scheme—as I said, in some instances, there are only a handful—what the occupations of those receiving the benefits were and what the average household income for recipients in a defined benefit scheme is. These are the questions that the department could not answer. None of these questions, to my knowledge, have been subsequently addressed by the department’s submissions or in response to further questions on notice through the normal estimates process.

While we do support and will continue to support measures that make the pension and income support system fairer, it is difficult to know what some of the full range of impacts will be. I am particularly concerned about those who were teachers, firefighters or police, who, it is fair to say, were not on high incomes. We know some of the average impacts, but nothing so detailed as a micro-simulation of the effects, using real data, appears to have been done. If the government does have these figures, they have not been released. The government certainly has released them for the pension assets tests.

Representatives from firefighters, teachers and police have contacted the Greens and told us that they are concerned about the impacts that this legislation would have on their members, and also to express concern that some things are unclear. It is unclear what the full effect of the changes will be and in fact what the range of impacts will be on some of the recipients.

I suspect a lot of people are unnecessarily worried. There is a large group of people who get only a small amount out of the scheme. Of those affected by the bill, it appears that those who have large exempt proportions were those who were able to contribute over and above the basic contributions their employers made, in the same way as the wealthy are now taking
advantage of the super tax breaks. So, in other words, this is going to impact more on those who were contributing a large amount of money and are benefitting very substantially from the loophole that occurred. I repeat again that we do not think it is fair when some are getting a lot of money, and high benefits, from a loophole, where a large amount of income is not being assessed in the income and assets tests. I think any fair-minded Australian would think that that is not fair.

Clearly, people are having a hard time getting across this very complex system, particularly with so many schemes to review. The police federation has told us that they alone have 15 schemes that affect serving and retired police officers. Again, there is a high level of complexity. We know that employees took out a range of options and gave up other benefits or income in a range of ways as a condition of their employment, particularly before the current superannuation arrangements came into place.

I urge all organisations that have been commenting on this, and looking into it, to carefully monitor how their members are affected and to bring to the government's attention any unintended consequences. Having said that, I also acknowledge that social service stakeholders support better targeting of pensions—I have raised this issue repeatedly in this place. These include ACOSS, the Welfare Rights Network, Uniting Care and COTA. They have submitted to the inquiry that they support this change, but they stated they would like to see changes occur in the context of the retirement income review, which, of course, the government is now undertaking as part of their tax review. I have consulted with these groups, and it is clear to me that although they support measures that make the pension fairer they want to see all income treated according to the same rules. I have paid careful attention to what stakeholders are saying.

I also draw the Senate's attention to the change that will take place in six months time, whereas the other pension changes take place on 1 January in the following year. Although the Council on the Ageing does support these changes, they have concerns about the time frame. By comparison, the pension assets test gives people 18 months to adjust. The point made to me is that because this is a defined benefits scheme there is less ability for people to adjust than there is if you are adjusting to the new changes to the pension assets test. A number of people have written to us to highlight that there is not the same option to rearrange your affairs under this scheme. I will certainly be monitoring this process carefully.

People have also raised concerns with us that, while it was clear in the pension assets test changes that there were individuals who were going to be affected, they would in fact get the Commonwealth Seniors Health Card. It is unclear to people whether in fact that is going to be the same process for those who are affected by these changes to the defined benefits scheme, and I urge the government to clearly look at the people who are affected and at how they are getting support. I also note that there is some interaction here with working-age payments and pensions, particularly the disability pension, that people have raised concerns with us about. They feel that the government has not properly addressed those concerns. From submissions to the committee, and also from emails we are getting, we know that there are 247 police on disability pensions who, it appears, will be affected.

It is not clear how to identify how defined benefit schemes have been used to provide care and support to those who are forced into early retirement due to a severe workplace injury. Those who have worked on the NDIS and have participated in the discussion about no-fault
injury insurance schemes will know that this is another area of reform that is very difficult and is currently underway.

I will be watching to ensure that this bill does not have unintended consequences for those with a disability. It is clearly a small group—we think less than 0.1 per cent of all pensioners—but that does not mean that those people are not important. It means that we need to very carefully, again, look at not just the broader group but specific groups within those who are being adversely affected.

We have given this issue very careful consideration—the same as we gave the pension assets test changes very careful consideration. We understand that there may be a group of people who are affected—in fact, who have unintended consequences—and that is our area of concern, particularly for those people on modest incomes as public servants, such as teachers and firefighters, who may be adversely affected. They went into these schemes thinking that that was the right thing to do. They got caught up in the loophole and, again, we acknowledge the loophole. It is unfair that there are those with a high level of assets who are getting a very healthy income stream out of this process who are not being counted. We acknowledge that we need to address that issue, which is why we will be supporting this bill. As you can see from what I have just described in my second reading contribution there are complexities here, but we agree that we need to make this process fairer.

We will be supporting it, but we urge the government to monitor the impact of this, particularly the unintended consequences, because they have not been able to model them the same as they could model—as I said, through the microsimulation process—the impact of the pensioner assets test. They have not been able to do this here because it is complex, because of the multiple schemes. I understand that. We do not know how it is specifically affecting different former income earners. Again, I do not know whether the government is finding it too hard to model, or they just have not done it.

We urge them to monitor this. We certainly will be, and if there are unintended consequences for those people, particularly those with low and modest assets, we urge the government to then bring it back if they need to make amendments. If they do not, we will be. We will be monitoring this carefully, because overall we do think it is in the best interests of making the whole system fairer and consistent and applying rules that have equal impact. However, there may be a group of people who are affected through this process. Please monitor it.

We certainly will be, and we will bring back changes if this is causing hardship for those people who were teachers, firefighters and police. We note that military personnel have been exempted from this process. We need to look at those other public servants whom no-one could say were on very high incomes and who have contributed through their service, thinking they were doing the right thing. We will be monitoring that very carefully and proposing amendments if the government does not act to address those unintended and unforeseen consequences.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (09:59): I do not think there are other colleagues looking to make contributions, so I will sum up at this point. As has been canvassed, this bill will introduce a further 2015 budget measure improving the fairness and sustainability of the pension system for improved fairness and equity. The bill will make sure a fairer proportion
of superannuants’ actual defined benefit income is taken into account when the social security income test is applied.

From 1 January 2016, this measure will introduce a 10 per cent cap on the defined benefit income test that can be excluded from the social security income test. A defined benefit income stream is a pension paid from a public sector or other corporate defined benefit superannuation fund where the pension paid generally reflects years of service and the final salary of the beneficiary.

Current arrangements allow some defined benefit superannuants to have a larger proportion of their superannuation income excluded from the pension income test, but it is important to point out that people receiving Department of Veterans’ Affairs pensions will not be affected by this change and that defined benefit income streams paid by military superannuation schemes will be excluded. This is essentially an equity measure. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator Lines) (10:01): As no amendments to the bill have been circulated, I shall call the minister to move the third reading unless any senator requires that the bill be considered in Committee of the Whole.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (10:01): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a second time.

Excise Tariff Amendment (Fuel Indexation) Bill 2015
Customs Tariff Amendment (Fuel Indexation) Bill 2015
Fuel Indexation (Road Funding) Special Account Bill 2015
Fuel Indexation (Road Funding) Bill 2015

First Reading

Bills received from the House of Representatives.

Senator CORMANN (Western Australia—Minister for Finance) (10:02): I move:

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

Question agreed to.

Bills read a first time.

Senator CORMANN (Western Australia—Minister for Finance) (10:02): by leave—I move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the bills, allowing them to be considered during this period of sittings.

I table a statement of reasons justifying the need for these bills to be considered during these sittings and seek leave to have the statement incorporated in Hansard.

CHAMBER
Leave granted.

The statement read as follows—

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2015 WINTER SITTINGS**

**Excise Tariff Amendment (Fuel Indexation) Bill 2015**
**Customs Tariff Amendment (Fuel Indexation) Bill 2015**
**Fuel Indexation (Road Funding) Special Account Bill 2015**
**Fuel Indexation (Road Funding) Bill 2015**

**Purpose of the Bills**
The purpose of these Bills is to validate by legislation the Excise Tariff Proposal (No. 1) 2014 and the Customs Tariff Proposal (No. 1) 2014 (tariff proposals) to give legislative effect to the indexation of excise and excise-equivalent customs duty applying to fuels from 10 November 2014, to round fuel duty rates and create a special account to ensure additional revenue gained is used to fund the provision of road infrastructure projects.

**Reasons for Urgency**
The tariff proposals were tabled in the House of Representatives on 30 October 2014 to increase the rate of excise and excise-equivalent customs duty on fuel. The tariff proposals must be validated by legislation within 12 months of tabling otherwise the effect of the tariff proposals will be invalidated retrospectively. This will require the Commissioner of Taxation and the Comptroller-General of Customs to refund the additional amount of excise and excise-equivalent customs duty collected over the previous 12 months to duty remitters (fuel manufacturers and importers).

**Question agreed to.**

**Second Reading**

**Senator CORMANN** (Western Australia—Minister for Finance) (10:03): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

**EXCISE TARIFF AMENDMENT (FUEL INDEXATION) BILL 2015**

The Government is determined to build a stronger and more prosperous economy and repair the Budget.

That's why we are continuing to calmly and methodically implement our Budget measures.

Today I am pleased to say that the Government has successfully reached an agreement to re-introduce the indexation of fuel excise to inflation.

Restoring the biannual indexation of fuel excise—first introduced by the Hawke Labor government—is a significant structural reform that will provide a stable and growing source of revenue.

All the revenue raised through this measure will be linked by law to funding roads.

It will provide a source of revenue to enable us to deliver our historic infrastructure growth package of over $50 billion—the biggest infrastructure spend in the history of the Commonwealth.

The agreement that has been reached today will see the Roads to Recovery programme receive a boost of $1.1 billion over the next two years—$300 million in 2015-16 and $805 million in 2016-17.
This funding builds on the additional $350 million provided under the program in the 2014-15 Budget and brings total Road to Recovery funding to $3.2 billion over the 5 years to 2018-19.

This investment will go straight to local councils around the nation to upgrade and repair local roads according to their own priorities. Allocated funding will be distributed according to a formula based on population and road length set by the Local Governments Grants Commissions in each state and territory.

Payments go directly to Councils and are made either on a reimbursement basis or based on the projected expenditure across the forward 6 months.

There are no shortages of good projects for the councils to fund, and under the Roads to Recovery programme councils will have to demonstrate they have not reduced their baseline funding allocation toward roads.

Excise has applied to domestically produced petrol since 1929.

Indexation of excise was first introduced by the Hawke Government in 1983 to ensure that excise continued to grow at the same rate as consumer prices, providing more stability to businesses and consumers.

From March 2001, the rate of excise was frozen at 38.143 cents per litre. This eroded the value of excise as a share of the price of fuel over time and, as a result, the real value of excise has decreased.

The policy announced in the 2014 Budget is for fuel excise to increase twice a year in February and August in line with movements of the Consumer Price Index.

Restoring this indexation is currently implemented by 12-month tariff proposals. These proposals took effect from 10 November 2014 and increased fuel excise from 38.143 cents per litre to 38.6 cents per litre. Fuel excise was then increased in line with Consumer Price Index to 38.9 cents per litre from 2 February 2015.

These two increases total less than a cent per litre and for a typical household consuming 50 litres of petrol a week, the estimated price impact of the indexation of fuel excise has been a modest 40 cents per week.

While the impact on households has been modest, the impact on the Budget is significant.

The indexation of fuel excise will raise approximately $3.6 billion over the five years to 2018-19 and over $23 billion over the next decade.

The reintroduction of fuel excise indexation will provide a predictable and growing source of revenue, which will be used to continue to deliver the vital road infrastructure that Australia needs.

The Bills will also establish the Fuel Indexation (Road Funding) special account.

This account will ensure that the net revenue raised through the reintroduction of fuel duty indexation is invested in road infrastructure through the States and Territories.

Importantly, this measure will not increase input costs for businesses using fuel in off-road operations or operating a vehicle with a gross vehicle mass in excess of 4.5 tonnes. This is because these businesses are able to receive fuel tax credits to offset the increased fuel excise paid.

Consequential amendments will also be made to the Excise Tariff Act 1921 in order to simplify the burden on businesses by rounding the applicable duty rate of indexed fuels from three decimal places of a cent to one decimal place.

Madam Speaker, this agreement is a further step that demonstrates the Government is making significant progress in repairing the budget.

However, there is still more work that needs to be done to ensure we return the budget to surplus as soon as possible.

Full details of this Bill are contained in the explanatory memorandum.
CUSTOMS TARIFF AMENDMENT (FUEL INDEXATION) BILL 2015

This Bill is part of a package of Bills that will give effect to the Government's commitment to reintroduce biannual indexation of fuel excise and excise-equivalent customs duties.

Specifically, this Bill amends the Customs Tariff Act 1995 so that the rate of excise-equivalent customs duty applying to all imported fuels, with the exception of aviation fuel, crude oil and condensate, will be biannually indexed by reference to the Consumer Price Index.

The indexation of fuel excise and excise-equivalent customs duty will contribute to the Budget by raising approximately a net $3.6 billion over the five year period to 2018-19.

Consequential amendments will also be made to the Customs Tariff Act 1995 to simplify the burden on businesses by rounding the applicable duty rate of indexed fuels from three decimal places in the cent to one decimal place.

Full details of this Bill are contained in the explanatory memorandum.

FUEL INDEXATION (ROAD FUNDING) SPECIAL ACCOUNT BILL 2015

This Bill is part of a package of Bills that will give effect to the Government's commitment to reintroduce biannual indexation of fuel excise and excise-equivalent customs duties.

Specifically, this Bill establishes the Fuel Indexation (Road Funding) special account for the purposes of the Public Governance, Performance and Accountability Act 2013.

The Treasurer will be responsible for making a determination to allocate funds to the special account. The Deputy Prime Minister and Minister for Infrastructure and Regional Development will then be able to direct that amounts be transferred from the special account in order to provide funding to the states and territories for road infrastructure investment.

This account will ensure that the net revenue raised through the reintroduction of fuel duty indexation is used to assist the Government continue to deliver the vital road infrastructure that Australia needs and will be reported in Budget Paper No. 4.

Full details of this Bill are contained in the explanatory memorandum.

FUEL INDEXATION (ROAD FUNDING) BILL 2015

This Bill is part of a package of Bills that will give effect to the Government's commitment to reintroduce biannual indexation of fuel excise and excise-equivalent customs duties.

This Bill makes consequential amendments to the COAG Reform Fund Act 2008, the Excise Act 1901 and the Fuel Tax Act 2006 as a result of the reintroduction of fuel indexation. These amendments include ensuring that the determination of future rates of the road user charge are made to one decimal place of a cent consistent with fuel duty rates.

Full details of this Bill are contained in the explanatory memorandum.

Senator MOORE (Queensland) (10:03): I rise to speak in support of this package of bills that will reintroduce the indexation of fuel excise and ensure that the benefits are seen through improvements in outer suburban and regional roads. By way of overview, these bills amend the Excise Tariff Act 1921 and other legislation in order to ensure that the rate of fuel excise duty applying to all fuels, with the exception of aviation fuel, crude oil and condensate, will be biannually indexed by reference to the consumer price index.

As the minister pointed out in his second reading speech, there is a long history in the levying of excise on fuel in Australia. Excise has applied to domestically produced petrol since 1929. From its introduction up until 1983, changes to the excise rate were largely made
in an ad hoc manner. Indexation of excise was introduced by the Hawke Labor government in August 1983 in order to maintain the real value of excise collections and to provide more stability for business and consumers.

In March 2001, as part of a reflexive political measure, the Howard government ended regular indexation and froze the excise rate applying to petroleum products. This left the excise rate on petrol at its current level of 38.143¢ per litre.

The re-introduction of fuel excise indexation will provide a predictable and growing source of revenue, which will be used to deliver road infrastructure projects. Labor has sought, and the government has agreed to, an additional $1.1 billion in Roads to Recovery funding for regional roads as part of a compromise to pass the government's re-introduction of indexation for fuel excise. This is good news for regional and local roads.

The Abbott government's cuts to local government have had a devastating effect on economic activity in regional areas, with unemployment high and many regions currently experiencing youth unemployment over 20 per cent. The $1.1 billion boost to the Roads to Recovery program will stimulate regional economies, generating much needed jobs and a boost for vital local infrastructure.

The government has smashed confidence since it came to office and undermined the transition in our economy. In its first budget, the Prime Minister froze local government assistance grants for three years, cutting $925 million from regional communities over three years. With economic growth below trend, unemployment with a six in front of it, the economy and our regions need a kick-start to help bring youth unemployment and unemployment, generally, down.

There is currently a $15 billion local government infrastructure deficit. This funding boost extracted by Labor is critically needed in regional areas. The Australian Local Government Association estimated that 11 per cent of roads managed by councils were in poor or very poor condition. Overall, councils manage 670,000 kilometres of roads, which is about 75 per cent of all roads by length.

As a result of a trick to bypass the Senate on the excise indexation, the Abbott government had threatened to return the additional fuel excise it has collected from Australian motorists over the last eight months back to oil companies. This is just clearly unacceptable to Australian motorists. It is unacceptable to the community and it is unacceptable to Labor. This was a difficult decision, but the prospect of billions of dollars being returned to oil companies was clearly unacceptable. We would much prefer this money to be spent on roads in regional and outer suburban areas rather than handed back to multinational oil companies.

This additional allocation to Roads to Recovery addresses a clearly identified and acknowledged infrastructure gap. We know that there is a backlog, and that local government had to pull back on road works due to the FAG cuts last year—as we said earlier, $925 million over four years. Experience shows that these additional funds, available in effect from next week, could be and will be quickly applied to the road backlog, helping to fix roads and put downward pressure on unemployment. The funds go to all local governments around Australia, ensuring that all communities will benefit from the additional roads spending.

These funds will be of particular benefit for regional areas and outer suburbs, as the Roads to Recovery formula, a very complex formula, works that way. In November 2014, the
Australian Local Government Association estimated that 11 per cent of roads managed by councils were in a poor or very poor condition. We have a large number of roads, about 75 per cent of all roads by length, which are managed by local councils. That report showed that $11.1 billion worth of council roads were in poor or very poor condition. These funds will make a start on addressing that backlog.

The national infrastructure audit, released last month, made the following points with respect to rural roads:

Rural roads owned and operated by local councils are important for local economic activity, and are an important part of the nation’s transport network, providing the ‘first and/or last mile’ of many land based supply chains. There is evidence of a maintenance deficit across many of these roads. This is a particular issue for local governments in rural areas with large road networks and declining income bases.

Labor also believe that the federal government should invest in public transport. This is our clear and consistent position. However, in the context of this decision, it is appropriate that the first two years of excise—calculated to be about $1.1 billion—be initially allocated across the nation rather than to any single public transport project.

The fuel excise indexation move of the Abbott government will add over $22 billion to the budget bottom line over the next decade. As we know, this change was part of last year’s budget and is part of the current projected tax-GDP levels. The fact is the Abbott government is taxing Australians at higher rates than at any time since the Howard government. Before the last election, Tony Abbott, as the then opposition leader, said there would be no new taxes and that they would lower the tax burden. Those promises, like many others, were well and truly broken in the first budget and then broken again in the second budget. The most recent budget saw tax receipts rise each and every year over the budget forward estimates. This government cannot be trusted on tax. They promised not to increase or to introduce new taxes. They promised a lot on taxes. The Abbott government’s second budget includes at least $3.9 billion in new taxes, tax rises and charges—that is just over the forward estimates—and that is just what we know about. The Prime Minister and the Treasurer like to pretend they do not increase taxes, but their record is the opposite of that.

As I have already said, supporting this legislation is a hard decision, but the prospect of billions of dollars being returned to oil companies was clearly unacceptable for Labor and for the community. We believe spending this revenue on roads in regional and outer suburban areas rather than handing it back to multinational companies is a preferable outcome. Labor will ensure the government is held to account for its announced position that every dollar raised by re-introducing excise indexation is directed to building new and upgrading existing road infrastructure. We also believe that these discussions must continue to be had in this place. We support the legislation.

Senator BERNARDI (South Australia) (10:12): In following Senator Moore, I am going to express my principled opposition to increasing tax and, in particular, this tax. However, I do need to comment that my principled opposition to this is because I do not believe Australians should be paying more tax. During the contribution by Senator Moore, I noticed that while she said she is opposed to this tax, Labor are going to be supporting it and voting for it. There is no commitment from the Labor Party—not a skerrick of commitment from the Labor Party—to abolish this additional tax, so they cannot credibly come in here and take this
pious view—‘We don't like it, but we're going to support it because we really don't like new taxes’—and yet continue to advocate for new taxes again and again.

Labor have embraced, I must say, what is this Orwellian newspeak, where they talk about budget savings. But do you know what budget savings are under the Labor Party? They are actually new taxes. They are costs for consumers in this country; they are new taxes for taxpayers. They are not savings; they are expenses. Australian people are heartily sick of this double-dealing and distortion of words, by the twisting of things in saying, ‘We're saving the budget, we're saving money’, when you are actually putting an additional penalty on the Australian consumer.

They have this rhetoric about roads and how they have had this road to Damascus moment, this epiphany, and that there is some sort of trickery. The government, to their credit—they are clever—used a legislative framework, which is entirely permissible, to bring this to a head. The framework did not go to the parliament—it is going to be voted on now—but the government are perfectly entitled to do that; it is within their realm to do it. It was not trickery, it was not anything else; it was a legislative instrument, Senator Moore. The fact that they have called your bluff on this, and the Labor Party's bluff on this, says more about the Labor Party than it does about the government. The government is in the business of pursuing its agenda. I have a principled opposition to increasing taxes, but that is not the point. The Labor Party have no principles. They have absolutely no principles in this respect. The Labor Party are saying that they have had this road to Damascus moment, because all of a sudden this funding is going to go into roads. It is going to go into roads for the next couple of years. Let's not hear the pious lectures about stimulating rural economies or anything like that, because that is not what it is about as far as Labor are concerned. Labor are only interested in getting more and more taxes, otherwise they would commit to abolishing this should they ever get back into government. But they will not, of course.

If we in this country are serious about tax reform, serious about acting in the national interest, we will have a radical rethink about how taxes are applied. Ronald Reagan was right about how governments approach things. They never have enough money. If something is continuing to function, you tax it and tax it and tax it until you cannot tax it any more. It is not sustainable. We already pay far too much tax in this country. We need to have a radical rethink about how government can move into the 21st century from its taxation base. That means simplifying it, ensuring that today's governments—I do not mean in any sense the immediate government—the current crop of political people, do not continue to go ahead mortgaging our children's futures and asking them to repay the debt so that we can enjoy a standard of living today. It is not fair, it is immoral and it is not sustainable. That is the radical rethink that we have to come to terms with.

How can we do it? We have to get past the tired old means of giving people money or allowing them to earn it, taking it from them and then giving it back again. It is not necessary. What is necessary is that there be some sort of constitutional limit on the ability of government to borrow, quite frankly. There need to be spending limits. In six years under the previous government, we saw a net position of $60 billion of surplus funds—hard-won over 10 or 12 years, saved by coalition governments—turn into a $260 billion debt. That is outrageous in six years—$260 billion of debt and a debt trajectory that would have seen nearly two-thirds of a trillion dollars, $667 billion, in debt going forward, if we followed
Labor's plans. That is Labor's way of managing the economy. Let me tell you, it is simply unsustainable. It is something that we will rue for decades to come.

I understand that the government needs to redress the imbalance in the budget, and this measure today is a small way of doing it. I understand that the government has do this because it cannot get real savings measures through the parliament. I go back to that. A savings measure in this place is not a new tax—that is an expense for the Australian people. So let's stop this Orwellian newspeak. Let's stop redefining words, saying that a saving for government is a new tax for the individual. Governments do not have any money in their own right. What they have is taxpayers' funds, and it is incumbent upon them to spend those wisely, appropriately and efficiently and to be effective in delivering outcomes. We need to have a serious look at the role of government and the role of Federation in this country and at how we best maintain a tax base that is both fair and equitable and that is going to limit the insatiable appetite of government to do more, to try more, to fail more, to spend more. That is what we need in this country. I commend this government for producing a tax white paper for discussion so that we can have a Federation white paper, because they are important components of how we can get through this.

I say on the record that I am opposed to this—not for the reasons that the Greens will be opposed to it or anyone else will be opposed to it, but because I do not believe we need new taxes in this country. We should be cutting taxes in the interests of every Australian.

Senator DI NATALE (Victoria—Leader of the Australian Greens) (10:19): I rise to speak today about what is an enormous missed opportunity, a missed opportunity to get Australia on track when it comes to taking real action on climate change, a missed opportunity when it comes to addressing the great inequity and unfairness that exists in this country—the growing gap between the haves and the have-nots. Before I talk about that missed opportunity, let's talk a little about the context here and the history behind this Excise Tariff Amendment (Fuel Indexation) Bill 2015 and related legislation.

In the government's first budget, we saw a budget that attacked almost every group in Australian society: the young, the old, the sick, the poor. It was a budget that attacked the social contract that many generations have fought so hard to create here in Australia: the notion of a fair go, the notion of what it means to be a caring, decent and compassionate society. In among that budget was a budget measure that was to increase the price of fuel for ordinary Australians; alongside a co-payment to go and see a doctor; alongside changes that would make it harder for young students to get a university education; alongside an indexation measure to pensions which would effectively mean a pay cut for almost every pensioner in the country; and alongside a change that would have booted a young person off income support for six months if they were unable to find a job, and they would struggle to feed, clothe and house themselves.

It was also in the context of a big, bold promise that the Prime Minister made to the nation that there would be no new taxes. That is the context in which this announcement was made and that is the context in which the Australian Greens responded, under the leadership of Senator Christine Milne, and supported by each and every member of our party room—that is, that you need to go back to the drawing board. You need to fix that cruel and harsh budget, and if you are to introduce a change to fuel indexation then you need to do it in a way that
transforms our economy and starts taking the necessary action we need to take to address climate change.

Instead, what we got from the Prime Minister was the middle-finger salute, saying, 'No. Every cent is going to roads, like it or lump it. If you don't support us then what we are going to do is come up with a sneaky plan to hand back every cent to big oil companies.' I say to the opposition: it is the government that would be making a decision to hand back that money to big oil companies and it would be the government that would wear the consequences of that decision.

If you are to introduce a measure, and in principle we do not oppose measures such as increases to fuel through changes to indexation, you need to do it in a way that allows us to drive the transformation that is necessary to tackle climate change and also address the regressive impacts of those taxes. I point to the shining example of how you introduce a pollution tax and drive that transformation in the example that is the introduction of the price on carbon.

What we saw there was a price on carbon, essentially a pollution tax. What we also saw was one of the biggest changes to taxation in this country with this enormous raising of the tax-free threshold, which meant that the poorest and the most vulnerable people in the Australian community would pay less tax and would be compensated for that decision. We also saw another $10 billion investment through the Clean Energy Finance Corporation to enable us to drive the transformation that is necessary. That is the model for how you introduce a measure such as a pollution tax.

Senator Milne made it absolutely clear at the time that we were prepared to negotiate on the basis of that model, which is: let us invest in public transport to drive the transformation and let us deal with some of those equity measures. But what we saw was a government that attempted to bully, hector and use the sneaky mechanism of blackmail, effectively suggesting that money would go back to big oil companies. That is where we were until recently. But there was a change recently. The government has finally recognised that it cannot use a sledgehammer if it wants to get its legislation through the Australian parliament. This is the parliament voted for by the people, and this parliament exists as a check on the otherwise untrammelled power of the executive. So, it is true that the Australian Greens started having some discussions with the government, on both of those measures that were outlined earlier, under the leadership of Christine Milne—investment in public transport and dealing with equity measures. Those talks were constructive and we were making progress.

This nonsense that you cannot pick one the public transport project over another is just that—nonsense. Why can't we have a public transport fund that allows us to pay for those measures that we know will help us drive the change that is necessary? Why can't we have an equity measure in the budget that allows a small compensation payment for some of the most vulnerable members of the community? Despite what Joe Hockey might say, poor people do drive cars, and this is a bigger hit on their budget than it is on the budgets of those people who are at the more wealthy end of the income scale.

What we saw only yesterday was a case of putting politics before good policy. That is what it was, pure and simple—putting politics before good policy. This veil of an excuse that we cannot hand the money back to big oil companies? Give me a break! Up until yesterday we heard comments from the Leader of the Opposition about this being a huge mistake, an attack
on poor people, the government using blackmail to try to get its way. Then we have this road to Damascus conversion, conveniently after the Labor Party were shown up to be hypocrites for their decision to oppose pension changes that would benefit those with more modest means ahead of those at the wealthy end of the scale. It was pure politics. Simply, the idea that the Greens would get an outcome that was good for the Australian community was too much to bear. So what do we see? We see the opposition leader and the government do a deal that puts more money into roads, that does nothing to address climate change and the transformation that is necessary in this country, and does nothing to address the inequity that exists in this measure.

The opposition leader went as far as to say that the more you drive, the more you pay, the more roads you can have. Every person in the country who cares about climate change, global warming and the future that our children will inherit will remember those words—get in your car, put the pedal to the metal, pollute the atmosphere and we will build more roads. What does that do in addressing what is the great challenge that lies ahead of us? It does nothing. This is a case of politics being put ahead of policy. We had an outcome that would have meant hundreds of millions of dollars being invested in public transport and some compensation for people on low incomes—that was ripped away from the Australian community because the Labor Party was desperate to do a deal with the government to deny the Greens the opportunity of getting that outcome for the Australian community. That is what this was about, and nothing else—politics ahead of policy.

We could have worked together on this. We could have had a sensible discussion about what was necessary to get this measure over the line to ensure that we saw changes that would set this country up through this century. Instead, again, there is no vision, no forward-thinking: 'How do we ensure that we deny some oxygen to an opponent and ensure that they do not make the evening news?'

That is what is wrong with the political debate in this country. For too long, politics has been put ahead of good policy, and what we need now is for people to recognise that we are here at the service of the Australian people and that our job is to deliver outcomes for them, not outcomes for us.

That is why the Greens express our deepest concerns at a measure that will make pollution worse and will ensure that people at the lower income end are hit hardest and that we do nothing to address the great challenge that lies ahead of us—and that is the challenge of catastrophic climate change. If you ever wanted a clear indication of where this government and the opposition stand on the great challenge that lies ahead of us, look no further than this decision.

Senator IAN MACDONALD (Queensland) (10:30): It distresses me that on this bill, the Excise Tariff Amendment (Fuel Indexation) Bill 2015, I might be seen voting with the Greens political party, but my opposition to this bill is now 12 months old. I made it quite clear 12 months ago, when these measures were first talked about, that I would be opposing this aspect of the government's repair job.

I, as much as anyone, understand the difficult job our government has had in trying to repair Labor's financial mess. As everyone knows, if something were not done about it, the debt owed by the Australian taxpayer would have increased to something like $700 billion in a very short period of time. Already we are paying something like $1 million a day in interest
on money that the previous Labor government borrowed. That is $1 million each and every day that is not going to hospitals, schools and roads. It really shows just how completely incompetent the Labor Party was, and I know our government had that very difficult job in last year's budget to try and arrest that decline. Last year and over the past year, I opposed certain elements of last year's budget, most of which, I am pleased to say, have now been addressed. While some people did not like the approach I took to some of the initiatives in last year's budget, I am, as I say, pleased that nearly all of the concerns that I complained about and argued about have been understood and, in one form or another, adopted by the government. By contrast with last year's budget, I think this year's budget is a credit to Mr Hockey, Senator Cormann and, indeed, the government as a whole. It has set the country on the right path.

But I am opposed to this bill and I said so last year. I indicated publicly last year that I would vote against this measure, but the government in its wisdom last year found a lawful mechanism whereby it could introduce the excise, as I understand it, as a customs regulation that did not need to come before this parliament. But it was said by the government at the time that in using this mechanism under the Customs Act, as I understand it, it did have to come before parliament within 12 months for parliamentary approval. I indicated 12 months ago that, when that did happen, I would be voting against this, and I intend to honour the commitment that I made to myself and, more importantly, to the people that I represent in this country.

I will be opposing it for a different reason to Senator Bernardi, who has long held a view, which he so articulately represented today. I have a different view to him but have reached the same conclusion—that I oppose this excise increase. I will be voting against the bill, certainly, on very, very different grounds to those enunciated by the Labor Party and which I am sure will be even further discussed by the next speaker from the Greens political party. The Greens political party oppose this because they do not have any regard for people who live outside the privileged capital cities, which have a tram system, a suburban train system and a public bus system on every corner. That is all the Greens are concerned about. They want more money for public transport—that is great, but there is not much public transport in Croydon or Normanton or Julia Creek or even Mount Isa. This is why the Greens, on this subject and on so many others, are completely wrong.

In fact, whilst opposing this bill I congratulate the government and thank them from the bottom of my heart that the additional money that will be raised by this facility will, as I understand it, go into a hypothecated fund for road construction over the future and will provide funds for road building around our nation even in excess of the moneys that have been announced by the government today. I give the government every credit for that and I congratulate them on it. In that sense, I completely oppose the reasoning of the Greens political party and support the government in where the money is going. Some might say I am having a bob each way in this debate, but I am a realist. I understand that the Labor Party is voting with the government and that my voice, opposed to this, will be not particularly relevant. So the money will flow and, acknowledging that, I am delighted with the government's commitment, which I think the Labor Party supported, which means a lot more money will go into roads around the country. Indeed, I understand that Senator Cormann has
already indicated on behalf of the government that an additional $1.1 billion from this excise money will go into Roads to Recovery.

Senator Jacinta Collins: You can thank me later!

Senator IAN MACDONALD: I will thank you now, if you had something to do with that. People come up to me and explain how good Roads to Recovery is. I do not need to be told about Roads to Recovery. I was the minister for local government who, in this chamber, introduced the Roads to Recovery program. It is probably the best program for rural and regional Australia, particularly, although it does apply to capital cities as well. It is a program that enables local council to look after their roadworks with their rate base where they were not able to do it before.

As I used to say to John Howard: 'This has been the most popular program you have ever introduced in rural and regional Australia.' Roads to Recovery has done marvellous things, over time. There was some thought that under the Labor term they would cut back on that but, when pressured on it, they did not. That program was introduced into this chamber in 2001, I think it was, and I am delighted to see it has continued. It has done such a lot to help rural and regional people, particularly in getting decent roadworks out there.

The Greens would not understand this. I suspect Senator Lazarus—who always supports the Greens—would not understand this either. Rarely are they in rural and remote Australia. They do not understand the importance of Roads to Recovery funding for rural communities right across the nation. That is why the Howard government introduced it. I am delighted at Senator Cormann's indication that an additional $1.1 billion is going into the Roads to Recovery program.

Having been so praiseworthy of what will happen up with the money, why am I opposing it? I oppose it because any fuel increase—be it by way of government tax or by way of international oil-company profits—impacts more heavily on those who live in rural and regional Australia. I asked Mr Hockey, at the last budget, whether any modelling had been done by the federal government on the impact of an increase in excise on rural and regional Australia as opposed to our privileged fellow citizens who live in the suburbs of the major cities and towns of our nation. Mr Hockey did give me something.

With respect to Mr Hockey—and Treasury, who did it—it was not particularly persuasive. I do not have the figures; I do not have the resources to get the figures and this debate has come on a little earlier than I might have expected. From my own experiences, over 25 years, in trying to help people in Queensland, the state I represent, and particularly those who live distances from the capital cities, I know the impact of any increase in fuel on the cost of living for people in those areas.

People who live in areas remote from the capital cities already are disadvantaged. You do not have to be Einstein to work out that if you need to get goods from the capital city to where I live, in Ayr, you have a 1,000 kilometre road hike by the transport company to bring the goods. Of course, things have to cost more. We who live in the country accept that. There are advantages of living in the country, but the cost of living is always more.

If I want to see a specialist doctor I have to drive a hundred kilometres from my town. That is a hundred kilometres worth of fuel just to go and see a doctor. If you live in a capital city you can get on your suburban train and stop outside the doctor's door. It costs you—what's a
suburban train ride these days? Ten dollars? I do not know. I rarely do it, I have to confess, but certainly it is a lot less than paying for the petrol. I am pretty privileged. I live in a small country community that it is only 100 kilometres away from Townsville, a major northern city with all services.

But if you happen to live in Croydon or Normanton or Julia Creek or Birdsville, just for the normal costs of living—education, getting you kids to school or getting to see any sort of doctor—it costs a lot more. Where does the cost come? It comes because you have to drive there, and to get there in your car you have to put fuel into the fuel tank. So every time the cost of fuel increases, be it by government excise or otherwise, the cost of living to people in rural and regional Australia increases.

I know of an instance up on the Gilbert River in the Gulf Country of Queensland where a mother drives her children 80 kilometres to school in the morning, comes back—that is 160 kilometres—to do her work on the entity they are involved with and then, in the afternoon, drives another 80 kilometres back to the town and 80 kilometres back home. That is 320 kilometres a day, just to get the kids to school. The cost to that person is enormous. But it is never thought of by the Greens. There is not, unfortunately, a tram running from George Town to the Upper Gilbert River to allow these kids to get to school.

Senator Di Natale: Don't you believe in regional rail and buses?

Senator IAN MACDONALD: I'd love it! Where is your proposal? Are you ever likely to have a suburban rail network going from George Town—population of 400—to the Upper Gilbert—population of about 50? How stupid. How unrealistic. How completely removed from reality are the Greens political party? That is why they are concentrated on the inner-city latte set, who can easily jump on the tram, jump on the train, get the public bus—

Senator Di Natale: Coal seam gas—

Senator Whish-Wilson interjecting—

The ACTING DEPUTY PRESIDENT (Senator Lines): Senator Macdonald, resume your seat, please! Senators are entitled to be heard in silence, so let's have silence. Thank you, Senator Macdonald.

Senator IAN MACDONALD: Madam Acting Deputy President Lines, thank you for protecting me from this vicious attack by the Greens political party. Unfortunately, I did not hear the interjection about coal-seam gas, but that is a matter for another debate. To you and your mate Senator Lazarus: in Queensland where the coal seam gas is, the LNP won every seat in the last state election. So, if we do live in a democracy, if we do live where the voices of people count, then you know what the people think about coal seam gas, in spite of you and your mate Senator Lazarus trying to build up some support in an area that is, I might say, made up of very sensible people who know how they are voting. That is why every seat in South-West Queensland at the last Queensland election went to the LNP.

I am distracted. I come back to the very serious subject of the cost of living for people in the bush. I have given one small example. There are a million examples I could give if time permitted, but they would be repetitive. The couple that I have given clearly explain that. I understand the government has to raise money and, if they raise it from the people who have the advantage of getting on the suburban train or on the tram or on the public bus, that is fine. I remember some years ago—and regrettably the details have escaped me a little—that during
the Fraser years there was a scheme in place where petrol anywhere in Australia would be no more than 5c a litre dearer than it is in the capital cities. I am not sure why that was ever stopped. I suspect the voting strength of people in the rural and regional areas was not sufficient for successive governments to continue that program, but that was a good scheme that should be looked at again. In one way it would help ameliorate the often very great disparity in the price of fuel in more remote areas. The fact that rural people, of necessity, must use their cars for longer distances and more often than those in the city means that, again, the cost of living for people in the country is more expensive.

The government, perhaps even misguided, think that giving more money to Roads to Recovery will help rural people and might be some form of compensation, but, as I have pointed out, Roads to Recovery goes to the Brisbane City Council as well. I do not begrudge them that, but of course you know the Brisbane City Council has a budget bigger than the state of Tasmania, so it does not really compensate. There are other programs that this government have had for rural and regional people that do recognise the cost disadvantages of living in the country, but nothing impacts on people's lives in areas 100 or 200 kilometres from major cities more than the cost of fuel—just to get the kids to school, to get kids to their sporting events and to get to doctors. For a lot of Australians to see a doctor involves a $500, $600, $700 or $1,000 plane flight to the next community or it involves driving those sorts of distances. Every time you put up the cost of fuel, those people suffer.

Because I said so a year ago and made the commitment to myself and to the people I represent, but more importantly because it has a huge impact on people living remote from the major cities and towns in our community, I do oppose this and will always oppose it. I was in parliament when the Howard government stopped the automatic indexation of fuel and I thought that was one of the best decisions. It was another very good decision of the Howard government. One was, as I said, Roads to Recovery, and stopping the automatic indexation was another. Why? Because it had a beneficial effect for people who live remote from the services that we all need for our daily lives.

I conclude where I started. It will distress me having to vote with the Greens on anything, but I will be voting against this legislation. I emphasise that it is on completely different grounds to the Greens. In fact, diametrically opposed are the grounds upon which I oppose this. I have no truck with the arguments the Greens have and will make on this subject. I would like to hear Senator Milne's next contribution regarding how she understands the plight of people living 1,000 kilometres away from a major city. I do not think the state Senator Milne represents has any communities more than 1,000 kilometres away from a capital city, but it will be interesting to hear that. It is with some regret that I will be voting against my own government, but I do so in furtherance of my long-held view that people who live in the country should not be disadvantaged any more than need be by where they live, and increases in the price of fuel certainly increases that disadvantage, which I will fight against forever.

Senator MILNE (Tasmania) (10:51): I am glad to hear Senator Macdonald at last expressing some concern for rural Australia, because for the last year he has been defending the Abbott government's increase in the fuel excise as government policy. It is interesting that he has now discovered what the Greens have been saying—since day 1, I might add—and that is that the poorest people live furthest from the centre of the city, often drive the oldest and least efficient vehicles and have least access to public transport. Those have been the facts for
a very long time. We have endlessly pointed out the impacts of the fuel excise on the poor, especially in rural and regional Australia.

I rise today because it is a great opportunity to set the record straight on a lot of nonsense that has been talked about on fuel excise. Let's go back to the very first principles. Firstly, the Greens want to see a reduction in greenhouse gas emissions as climate change is the emergency we are living in. Secondly, we want Australia to be a prosperous country with cities comparable with the world's best. We want amenity in our cities, because the overwhelming majority of people live in urban centres. We have to design our cities for the 21st century. Only yesterday, The Lancet mentioned the advantages of how redesigning cities to bring down greenhouse gas emissions also contributes to public health—more walking, more cycleways, more public transport. What is not to like about that? It addresses the obesity crisis at the same time as it addresses greenhouse gas emissions. Australia's cities are falling absolutely behind the rest of the world. We have to redesign the urban environment for the 21st century, and that is not happening. That is fundamentally the point that the Greens have made from day one.

We need to be raising money in order to spend it on the things that we need and raising the money in a way that actually contributes to social change. I would like to remind the Senate of what the Treasurer, Mr Hockey, said. He said:

Over the next six years, the government will help to build new roads, new rail, new ports and airports. He went on to say:

And to help pay for this, the government is re-introducing fuel indexation where every dollar raised by the increases will be linked by law to the road-building budget.

He then continued:

Shovels will start moving within a matter of months.

He cited projects and said:

... in New South Wales construction on the $11 billion WestConnex project will start within 18 months.

... The $18 billion East West Link in Melbourne starts work before Christmas ...

He went on to say that that is where the government's priorities would be. The people of Victoria did not want the East West Link. People in Sydney do not want WestConnex. There was no way that the Greens were going to provide the Abbott government with the money to build exclusively roads and prioritise two projects which we were campaigning against because the communities did not want them.

It happened at the exact same time as the government dumped commitments to public transport projects. Let me remind the Senate what they were—the Melbourne Metro, which had previously had money allocated to it, the Perth light rail and the Brisbane Cross River Rail. These projects, which were meant to be funded, were axed in favour of bitumen, not steel rails, but bitumen. All the Abbott government can think about in the 21st century is bitumen. It shows that they do not understand the way the world is moving.

If you were interested, as the government is, in just raising money—and this is a pure revenue raiser, not a transformative measure—and if you were genuinely interested in and actually knew the way the world was going, you would not be seeking to raise revenue from petrol excise because it may have crossed your mind that the transport fleet is rapidly going to
convert to electric vehicles. We already have hybrids, and we will go to fully plug-in electrics. When you go to a fully plug-in electric, you will not pay a fuel excise, and that is increasingly the way it is going to go. The wealthy are going to go straight to electric vehicles and the residualised cost is going to end up with the poorest people who drive the oldest and least efficient vehicles. They are left behind paying an ever-increasing fuel excise whilst wealthier people buy their Nissan LEAF and never have to pay fuel excise again. That is why cities around the world that have the smarts are saying, ‘We need to get into massive investment in public transport, and we will raise money for roads from congestion charges, or it will come from restructured taxes on use of roads.’ That is the way the world is looking at how you would actually structure the cost of investing in infrastructure when the world is moving away from fuel excise as such, if you regard it purely, as the government does, as a revenue raiser.

I also want to talk about why it is such a great thing to invest in public transport. One example I can give you is the Epping to Chatswood line in Sydney. It was the first major rail line in Sydney for two decades and it was finished in 2009. The evidence on that shows that it helped spur a surge of activity in the Macquarie Park area in Sydney. In fact, it led to an extra 1½ to 2½ per cent growth in spite of the global financial crisis. So that is a classic case of where investment in a rail project led to extra economic activity around the rail line. You are not going to get that with roads. In fact, what happens when you build motorways and freeways is that you get greater congestion, greater urban sprawl, cities sprawl further out and the poorest go right to the edges. For all those people who think that, automatically, an increase in fuel excise leads to a decrease in greenhouse gas emissions, it does not if you spend all of the money on not putting in alternatives like public transport but just build more freeways. That is why I had such an objection when former Prime Minister Rudd said he wanted to free up land on the edge of the cities, cheap land to build cheap housing to address housing affordability. That is the worst-case scenario because it condemns those people to poverty. It condemns them to poor amenity in their lives because cheap housing is going to be expensive housing through being costly to heat and costly to cool. Plus, they are not going to have public transport. They will have to spend a whole lot more to get to work and to be on their daily commute.

We have a situation where, if you are serious about addressing a genuine 21st century upgrading of our cities, you would be saying, ‘What do we need to do?’ We need to decrease congestion, we need to increase access to fast, efficient, safe public transport. We need to help improve people's health with better air quality, with more opportunities to walk, to cycle, to be part of looking after their own health and having better amenity in their urban environment. You would be planting more trees, having more parks and more shaded areas, because global warming, especially for Australia, is going to make life in a concrete jungle much more unpleasant than it already is. When you look around the world and see the sorts of projects that people are supporting, that is exactly what they are doing.

Go to what Infrastructure Australia has as its priority list for public transport. As the first thing it has that it would spend on the cross-river rail and Brisbane transit ways. The second thing would be Melbourne Metro, and the third thing would be the Adelaide east-west bus corridor. The next category for real potential is Perth's MAX Light Rail, Brisbane's east-west bus way, Sydney's north-west rail, Melbourne's Dandenong line and the Gold Coast's light rail. And in the early-stage category would be Brisbane for a rail line, inner Sydney for a
regional bike network, Sydney for a light rail, Western Australia for an airport rail link, and Canberra for a transit corridor and metro rail lines. They are Infrastructure Australia's clear directions in terms of where and how to spend on public transport. Yet this government said, 'We actually don't want public transport; we're going to kill those projects, and we're going to put every single dollar into roads and start by increasing congestion in Melbourne and Sydney with East West Link and WestConnex'—increased congestion, increased greenhouse gases.

Let me go back to my point about addressing global warming. Transport is a major emitter, an increasing emitter, in Australia. So, what are we going to do about it? When we tried to negotiate the clean energy package with the Labor Party, I tried to get mandatory vehicle fuel efficiency standards consistent with the European Union in the package. That would have made sense—to actually phase in those mandatory fuel-efficiency standards. Labor opposed it outright. They would not have it, and they have continued to oppose it, until the car industry shuts down in Australia. Why? Because the car industry here was not building fuel-efficient vehicles, was not building the vehicles that would have met the standards we wanted to set. And why didn't we require it of those companies, to build on that platform? Because the platforms they had were old-fashioned. Other places around the world had forced those vehicles to be more fuel-efficient. We were building cars here that were exactly the same vehicles as were being built by the same company elsewhere in the world, except that elsewhere in the world they were building them to higher standards.

The first thing you would do is mandatory fuel-efficiency standards. I have a private senator's bill in this parliament, and I have no doubt that my Greens colleagues will continue to work with that legislation to get mandatory vehicle fuel efficiency standards. That is the first thing you would do: upgrade your transport fleet. The whole objective should be getting people to drive less and, when they do drive, to drive more efficiently. In that context, you get people to drive less by getting a government to invest in public transport. And to get them to drive more efficiently you facilitate them in being able to get those more fuel-efficient vehicles. That is exactly the position of the Greens, and that is why we have argued it all along.

In the midst of all this we have had the Treasurer, Mr Hockey, coming out and saying that I would not answer his telephone calls in relation to fuel excise. Wrong. He never rang my mobile, ever. Let me put it on the public record here in the Senate: he never, ever rang. If you want someone to answer the call, you have to make it in the first place. It is fairly fundamental, but somebody who only supports bitumen and not 21st century measures maybe does not understand that. Secondly, he has clarified the record to say, 'Oh, no, actually I rang the office, and the office did not get back to me.' Well, I can say that I do not believe that is true either, because my staff absolutely understood that if ministers rang then the message had to be passed on—and it was passed on. It is peculiar that it was passed on for every other minister and just not the Treasurer—according to the Treasurer's assessment.

Minister Cormann knows that when he sought a meeting I did make myself available. His office asked for a meeting when he was overseas. I made myself available at a suitable time. The call was not made. Something came up. That is fine; those things happen. On another occasion I met with Minister Cormann in my office. At that point, again, I put the Greens' position: we wanted money for public transport and clarification of whether every dollar was going into the roads the government prioritised, and Minister Cormann made it very clear that
the government's policy was, whether or not the money was hypothecated or not hypothecated, that all of it would be going into roads, into East West Link, WestConnex and the other roads the government had prioritised.

The pig-headedness in this debate was the failure of the government to actually think about fuel excise as a transformative, 21st-century measure, to look at what Australia's vision is for how we want people to move around the country in this century. What is our vision for that? How do we make it fair for people who are poorer and in many cases, as I said, have further to travel by virtue of the fact that they are forced into the outer suburbs, or people who live in rural areas? How do we deal with that? How do we deal with competitiveness of our cities? I can tell you that when you speak to chambers of commerce around Australia they are very worried about the fact that both Melbourne and Sydney are congested compared with other, comparable, cities.

Many people will remember that when Ken Livingstone introduced the congestion charge in London there was a lot of criticism. But London has been transformed. It is amazing to see the public transport in London now. You would be crazy to take a car into London when you can take public transport so easily, so efficiently. It is regular, it is safe and it is reliable, and that has made a huge difference compared with how it used to be. That is what we could have done in Australia, and that is why the Greens said that we want money spent on public transport. It is why Senator Di Natale made that point and continues to make that point in relation to the Greens' position—because we want to bring down greenhouse gas emissions; we do not want to increase congestion; we do not want to increase greenhouse gas emissions by building motorways and freeways, leading to urban sprawl and increasing those emissions when we can see the way the world is going.

Let's have a conversation about what we want our cities to look like. I congratulate my colleague, Senator Ludlam, who has done fantastic work looking at how you would transform Perth. He worked with the Property Council there, and they came up with a model for seven representative public transport corridors. They were looking at how that would not only contain urban sprawl but lead to greater infill along those corridors. It would build more connected communities along those corridors, make it cheaper for people to commute and make a local community around those corridors.

The Property Council in Perth are not people with whom the Greens often have a great deal in common, but I have to say that they are totally on board with us around Australia, looking at how you can actually have a strategy of planning that leads to better amenity in our cities. I congratulate Senator Ludlam and I know that Senator Wright is keen to be looking at exactly the same thing for Adelaide, because it makes sense.

The overwhelming issue of the century is that people want to be happy and healthy and they want to live in a connected community. They want to bring down greenhouse gas emissions. All of those things are achievable if you change your mentality from bitumen to rail; if you change your mentality from petrol to electric vehicles and public transport; and if you change your mentality on revenue raising from just wherever you can grab that revenue to actually using it as a transformative measure.

My final remarks are with regard to the Labor Party. Last year Mr Shorten referred to Mr Abbott, during an SBS interview, saying, 'I'm not going to increase taxes, no new taxes' and then increasing the tax on petrol. Mr Shorten said:
We were never going to vote for that. A crocodile wouldn't swallow his nonsense.
Well, it seems the crocodile has swallowed the nonsense on this occasion. Mr Shorten went on to say:
That's why we're standing up for the 300,000 senior citizens getting the supplement. That's why we're standing up against the petrol tax.
Until, of course, we now discover that they are not. Finally, in a Radio National interview, he says:
I know that people say this is only a small increase but over time it compounds. People need their cars to get to work, to pick up the kids. When you increase transport costs it flows onto every aspect of the economy. It's sneaky, this measure. They won't take it through the Parliament. It does affect cost of living. The other thing about the way they're doing it is that if they're unable to convince Labor or the Greens then what happens is—because they're doing it by regulation rather than legislation, that if they're unable to convince us to change our principles in the next 12 months, which they're not going to be able to do of Labor, under the way they're constructing their sneaky manoeuver all this money will go back to petrol companies. It's very ill thought out.
Indeed it is, and I am surprised. But it is the second time in a week that Mr Shorten has backflipped. Having said he was not for turning on the renewable energy target, he did: he slashed it to 33,000 gigawatt hours. He was not for turning on the petrol excise—until he is.
We need a vision for Australian transport that is about reduced greenhouse gas emissions and modern, healthy cities. That is what this should be about, and looking after the poorest in our community. That is what the Greens were trying to do, and that is what has not been achieved in this deal which simply confirms both Labor and Liberal want bitumen. (Time expired)
Senator LEYONHJELM (New South Wales) (11:11): I rise to oppose the four fuel indexation and road funding bills before the Senate. Fuel taxes are unjustified. Taxes on goods and services should be limited to a broad based GST. That way, the government would not interfere with people's choices about what to spend their money on—everything would be taxed equally.

The only reason we have fuel taxes is that taxing fuel used to be one of the few ways governments could reliably extract revenue and, once a government starts taxing something, it finds it hard to stop. Fuel taxes are not directed to funding road construction and maintenance, and fuel tax revenue exceeds spending on road construction and maintenance. Fuel tax revenue last financial year was $19 billion, whereas total Commonwealth and state government spending on road transport was $16 billion.

We should also remember that fuel tax is not the only way that governments extract money from motorists. We face registration, licence fees, insurance taxes, and road tolls. This is not just double dipping; it is triple and quadruple dipping. Road users should certainly pay for the roads they use one way or another, but not every way.

Fuel taxes are also not a proxy for a carbon tax. Our current fuel taxes represent a carbon price of over $150 per tonne of carbon dioxide. No emissions trading scheme or carbon tax proposes the imposition of such a carbon tax, particularly when it is just on one product and not on the great bulk of products that generate greenhouse gas emissions.

More broadly, the Commonwealth government should not fund roads. There is no constitutional basis for Commonwealth involvement. And there is no policy reason for...
Commonwealth involvement. After all, roads are not like railway lines—we do not need to coordinate rail gauges. Commonwealth transfers to the states should be abolished, including for roads. The states can reduce their spending, for example, by means-testing access to government-run schools and hospitals. And if they do not want to do that, the states have the power to impose taxes that are less damaging than a lot of Commonwealth government taxes.

If Commonwealth transfers to the states are not abolished, they should at least not come with strings attached. The idea that public servants in Canberra have any idea about how to divvy up spending between particular roads, particular schools and particular hospitals is ridiculous.

On budget day I moved a motion calling on the Senate to express its opposition to the government's fuel tax increase. The motion passed with the support of Labor. Six weeks later, Labor has changed its mind. Labor, the coalition, and the Greens all support higher fuel taxes, provided the booty is spent to their liking. It is becoming clearer by the day to motorists, taxpayers and voters that the only true small-government, low-tax party in Australia is the Liberal Democrats.

**Senator LAMBIE** (Tasmania) (11:14): I rise to register my strong opposition to the package of four bills including the Excise Tariff Amendment (Fuel Indexation) Bill 2014 and affecting fuel excise. The Bills Digest describes this bill, the Excise Tariff Amendment (Fuel Indexation) Bill 2014, and the three associated bills as providing 'for the reintroduction of biannual indexation by the consumer price index of excise and excise equivalent customs duty for all fuels except aviation fuel, crude oil and condensate'. If this bill passes the Senate, Tasmanian motorists will pay more for their fuel. For that simple reason, I cannot support this legislation.

At a time when the average price of fuel in Launceston, Hobart, Devonport, Ulverstone, Burnie et cetera is 10c to 15c a litre dearer than on the Australian mainland, this government and its Tasmanian members want to guarantee that it costs more to fill up the car. This is lunacy. This means there will be less money in the family budget to pay for food, electricity, insurance, rates, rent and school fees. So I cannot support this unfair measure—not at a time when oil companies are making massive profits, when the watchdog, the ACCC, has turned into a watch poodle; and when Tasmanian families, the sick and the unemployed are struggling to keep a roof over their heads and food on the table. Many people already pay for fuel on credit cards. They are not putting luxury items on credit; they are forced to put essentials on credit cards.

The increased fuel cost will have a serious impact on my Tasmanian communities which are already doing it bloody tough. Recent media reports show that we have some of the highest unemployment rates in Australia. *The Advocate*, my local paper, reported higher jobless rates in Devonport and Burnie recently. Devonport and Burnie have much higher jobless rates than neighbouring municipalities, as many Tasmanians give up the hunt for work. Devonport's March quarter jobless rate of 9.2 per cent was much higher than Tasmania's 6.9 per cent and Latrobe's 5.2 per cent, according to figures from the federal Department of Employment. The Burnie region, where I am, had a 9.7 per cent jobless rate—significantly more than the neighbouring Central Coast at 6.5 per cent and Waratah-Wynyard at 7.1 per cent, and nearly double that of Circular Head at 4.9 per cent. Jobless rates fell in the
March quarter state-wide and in all nine Cradle Coast municipalities, but the total number of jobs in Tasmania has been falling since the start of 2015.

Not only is my community battling high unemployment, we have been challenged by a public health system which was driven into the ground by the former state Labor and Greens coalition. It is hard to justify paying more to fill up the family car when you or your loved ones are sick, and when we have a health system in which, as reported by another local paper, The Examiner, more than 10 per cent of Tasmanian patients waited more than one year for elective surgery in 2013-14. This is in stark contrast to the national average of 2.4 per cent. The recently released Australian Institute of Health and Welfare's Australia's hospitals 2013-14 report revealed that there were 15,000 elective surgery admissions to the state's public hospitals in that period. Of those, 11.5 per cent of patients waited more than 365 days for their procedures. The health minister, Michael Ferguson, on Monday labelled the wait times 'unacceptable'. Imagine being the breadwinner in a Tasmanian family and being sick, and living on credit from week to week—trying to find more money to fill up the car, so you can travel to hospitals in which, The Examiner says: 'Doctors and nurses say they are being stretched to the limit in the face of slashed budgets, joining calls for the state government to reinvest heavily in front-line numbers.' Health analyst, Martyn Goddard, says hospital staff numbers have remained static despite a huge increase in workload. Mr Goddard has warned that, without dramatic workforce changes, safety will be placed at high risk and more patients will be turned away untreated. Mr Goddard wants $223 million in GST revenue injected into the health system. The Tasmanian community is facing greater social challenges, greater government department dysfunction, and dearer fuel than any other Australian community. On top of all those injustices, we should not have to face increased fuel prices caused by the passage of this bill.

In closing, I want to mention the Greens' contribution. Making Tasmanians pay more for their fuel and energy will not stop world climate change. It will just make it tougher for average families to look after their children and to pay their bills. We could stop driving cars, stop using electricity, and go back to living like people in the middle ages—which is the vision that the Greens—and Islamic State—have for the world. And climate change, according to the Greens' own predictions, would still continue even if we all lived in a cave, burnt candles and ate tofu. We cannot stop climate change. We can only prepare for world climate change. We do that by making sure we have the cheapest and most secure fuel and energy supplies in the world.

I oppose this bill and the related bills. They increase Tasmanian fuel prices at a time when we should be driving down fuel prices.

Senator RICE (Victoria) (11:20): That was an interesting contribution from Senator Lambie. I rise to speak on the Excise Tariff Amendment (Fuel Indexation) Bill 2015, the Customs Tariff Amendment (Fuel Indexation) Bill 2015, the Fuel Indexation (Road Funding) Special Account Bill 2015, and the Fuel Indexation (Road Funding) Bill 2015. In particular, I rise to speak about the deal that has been done by the government and the Labor Party to increase the fuel tax that is going to be paid by Australians with all the money going to roads. This is an example of the Labor Party completely capitulating and giving the government everything they wanted. In the year that I have been in the Senate, discussion of the fuel excise has been on the agenda constantly. The Greens' position has been strong and firm and
consistent—that we were open to negotiations on the increase in fuel excise if that revenue was going to go to two things: one, towards public transport, so that we could support the transformational change that is needed in our communities to be building cities and building country regions that are not dependent upon fossil fuels—so that people would have a choice; so that people would not have to drive their cars, or not have to drive their cars long distances. That was the first of our negotiation points. The second was to address the impact that an increase in the fuel prices was going to have on low income people who currently do not have the choice to avoid spending that money.

Labor have given the government everything they wanted. Right from the beginning, the government have been saying that they want to spend all of this increase in fuel taxes on roads—roads, roads and more roads. They have been completely consistent as well—completely against having a society that is reducing our carbon emissions and is genuinely interested in the welfare of people. But, no; through the deal that Labor did yesterday, they have delivered to the government what they wanted. The government will be popping the champagne corks, because they have completely derailed what was looking, potentially, to be a successful negotiation between the Greens and the government to actually divert that money into something that was going to deliver on transformational change—to deliver some of the fuel excise increase into a fund for public transport and into measures that would mean there would be compensation for the low income people who currently do not have a choice. What a missed opportunity!

The other missed opportunity that we have here is a missed opportunity to begin that transformation of our cities and a missed opportunity to address the impacts of fuel prices on people. It is also a missed opportunity to do something about the fuel security that Australia currently does and does not have. We have had a Senate inquiry into fuel security in Australia which, I understand, is going to report tomorrow. The submissions to that Senate inquiry have been very clear: that Australia's almost 100 per cent reliance on imported liquid fuels leaves the country's industries, and us, as commuters, and our transport systems extremely vulnerable to supply disruption, and exposes our economy to continually rising and volatile world prices for oil. Under the direction that we are heading in, that is the reality that we are facing.

Clearly, what we need to do in order to address this major issue of fuel security is to look really seriously at, and to build, our use of fuels other than fossil fuels. The obvious solution to dealing with our fuel security issues and with the climate change consequences of burning fossil fuels, and to creating a place where low-income earners are not going to be at risk of having to cope with increased oil prices, is to shift towards renewable transport fuels—in particular, to shift to public transport, which can be much more easily fuelled by electricity and can be accessible to a wide range of people. We need to shift our vehicle fleet to electric cars and use other renewable fuels. These are the sorts of directions in which we need to be heading. This is the sort of opportunity that we should be taking at every instance.

We had an opportunity here that has been missed, and the impact on low-income people is going to be massive. I know, from the work that I have done in the transport field over the last two decades, that price matters and that people do find that, with the increasing cost of fuel, they are not able to drive as far. It means that people miss out if they have not got any other options.
I stand here as a Green really quite perturbed at the misunderstanding of the Greens' position on fuel prices and low income people. Yet our position has been very clear over the last 12 months: we have wanted to really work with people, and to give low income people a choice. I know, from having spoken to people all across the country and particularly across the state in the last 12 months, that the people who are suffering the impact of high fuel prices want to have the opportunity to use public transport. Research I have recently seen corroborates other research that shows that, even in outer suburban areas, rural areas and regional areas, if you give people a choice of where they want to see transport funding being spent then their No. 1 priority is public transport, because people realise that they need to have a choice. They want to have the option of using public transport. But, at the moment, where we do not have public transport systems available to people in outer suburban areas, they have no choice. So an increase in fuel prices is going to mean that it is money that they are going to have to put into their petrol tank and are not going to be able to spend on putting food on the table or shoes on their kids. So people realise that that is not a good direction to be heading in. They know that there is another way.

The Greens were negotiating with the government to have a public transport fund. That amount of money could have been spent on many different public transport projects. There would have been a very strong argument that the most efficient way to spend that money on public transport projects, thus spreading the benefits of that $2 billion over the next four years, would have been to make a massive investment in outer suburban bus services and bus services serving regional and rural communities, because they are the people who currently do not have the choice of public transport and for whom any increase in fuel is going to mean less money that they have got to spend on other, essential household and family goods and services. These are the people who we need to be giving the opportunity and the choice to have public transport that works for them and can enable them to travel on public transport and not rely on their cars.

The other opportunity that has really been missed here is this. Not only are we continuing in the direction which is bad for people on low incomes, but also we are absolutely continuing in a direction that is not in the interests of the long-term health and sustainability of our society. We know we have carbon pollution from increasing use of fossil fuels. We have particulate pollution in our cities. We need to be working that out. We need to be shifting away from the use of fossil fuels so that we can get outcomes, which we can do. We know what the answers are. We know where the money needs to be spent. They are outcomes that are going to be good for our climate, shifting us into renewably fuelled transport, good for the shape of our cities and good for the health of the people living in those cities.

Health is another really important factor that, again, is being disregarded here. By our not funding public transport, people are having to rely on their cars. Having to drive means that they are missing out on the health opportunities of the exercise that could be available. We know that with every public transport journey there is a walk, whether it is to the bus, to the train or to the tram. Just having that regular walk in people's days will reduce their risk of heart disease, reduce issues of weight problems and reduce the risk of cancer. These are the sorts of issues that would all come together if we were to take a holistic look at creating healthy cities. Yet it is this direction that the government and the Labor Party are ignoring, totally missing that opportunity.
I will finish on the deal that has been done to put this money into Roads to Recovery projects. As I said, this is exactly what the government wanted. They would have spent the money on roads anyway. As a former councillor, I know the benefits of Roads to Recovery. I know that councils really need that money to be spent on their local roads. But they also need money to be spent on their public transport initiatives. They also need to spend money on walking and cycling initiatives, and they are not being given the choice.

We need to work out where a balanced transport budget is. Over the last 50 years the bulk of funding has gone into road projects. We can never catch up. You are always fighting to catch up because the more money you put into the road projects the more people use those roads. The less money you put into public transport the less opportunity there is for people to use public transport and the more they have to use the roads. It is a completely endless cycle, and it is such an inefficient way to be funding our transport networks.

If we were to have affirmative action for public transport, it would mean that we could break out of that vicious cycle. We could give people the opportunity to shift their transport away from expensive car transport into public transport. If we give local governments the opportunity of funding sources not just to fund roads but also to fund walking and cycling, we are giving people the opportunity to be able to travel their journeys—and particularly the short journeys under five kilometres, which, in fact, are the majority of journeys that people take—by walking and cycling, and this would improve their health.

Doing all of these things leads to a positive, healthy situation both for the people of Australia and for our climate. Roads to Recovery projects are all very well, but we need to have a much better balance. We need to have a balance in transport funding so that we can reach a situation where I reckon we could have approximately a third of all journeys being made by walking and cycling, a third of all journeys being made by public transport and a third of all journeys being made by private vehicle transport, with those private vehicle trips increasingly being made by cars that are being fuelled by renewable fuels. That would be the sort of balance that would be heading us into a positive future that would be really addressing the issues of fuel security, of climate change, of unhealthy people and of the impact and the cost of transport on low-income peoples. We have missed that opportunity completely today, but we know that the Greens will continue to fight for it. We know that we have the support of the Australian community for healthy communities, for actively encouraging walking and cycling and for public transport. We know the fight is going to go on, but I am just so disappointed that today we missed such an incredible and important opportunity to further our progress on these issues.

**Senator DAY** (South Australia) (11:34): I must confess that the debate on the Excise Tariff Amendment (Fuel Indexation) Bill 2015 and the three related bills has come on a little more quickly than I expected, having been tabled yesterday in the other place and arriving here in this place for debate today. But, of course, I have learnt many times that it is all about the numbers in this place, and clearly the coalition of the Liberals, Nationals and Labor Party have the numbers to get these bills through. Still, I will take the time today to outline to the Senate and to the minister, who is here present, and also to the senator from Victoria from the Australian Motoring Enthusiast Party why I am likely to be one of the few who will be opposing these bills. My primary objection is the fact that motorists are already paying many times to drive on some stretches of road. They pay the fuel tax, they then pay a toll and they
pay the infrastructure incentive scheme, and now, with the indexation, we are looking at paying a fourth time to drive on the same stretch of road.

I have a background in roads. I started my working career in the South Australian Highways Department. Mr Acting Deputy President, I am sure you are familiar with that great building there in Walkerville, which I am pleased to say I was not based at but rather out at the Northfield research laboratories. It was a great time for Australia and South Australia as we truly were building the roads for the 20th century. We had the MATS plan—the Metropolitan Adelaide Transport Study. Land had been purchased. Engineering and design work had been done. In one of South Australia's most catastrophic mistakes since the founding of the colony, the newly elected Dunstan government scrapped the plan, and South Australia has never recovered from that mistake.

At that time, South Australia was the No. 3 city in Australia. It was home to 20 of the top 100 publicly listed companies in Australia. Today, there are just two. It has gone from 20 down to two. As an esteemed professor used to say on TV: why is it so? It is because, essentially, business goes where it is made to feel welcome, and it stays where it gets looked after. Say no more.

I have a strong dislike of tax increases. I believe—and as I told the Senate last September—that the pathway to surplus lies in reducing spending, not increasing revenue. But the government and the opposition are clearly addicted to this fuel tax. I have a background in business and, when faced with a decreasing market, the solution is not to try and raise your prices. The solution is to shrink to viability and then grow from there. Just yesterday BHP Billiton were telling the media that this very thing is their strategy.

Governments, including alternative governments, think they can get away with just raising revenue because, unlike business, they have the force of law to compel people to pay higher prices. But it is not the right way to treat taxpayers. I see the long-suffering taxpayers are looking for people in this chamber who will support tax reduction. They are noticing how my recent motion, co-sponsored by Senators Leyonhjelm and Wang, got no support from others—others who failed to support the merit of tax cuts, even if the budget is not in surplus. Recently in this place, we only barely passed a motion acknowledging that it was desirable that the budget gets back to surplus by 2020. People who want lower taxes and less government interference are noticing the high-tax approach of the major parties.

A little bit of history: petrol taxes were first introduced in Australia in the early 1900s as customs and excise duties on transport fuels, such as petrol and diesel, to fund the development and maintenance of Australia's new road network. Customs duty was first imposed at Federation on imported gasoline and other oils used generally as industrial solvents. It was not until cars became more common in the 1920s that the revenue from this duty effectively became a tax on petroleum products, which were then used as fuel. The definite link between fuel taxes and road funding was reinforced by the provision of exemptions—and later, rebates—of fuel tax for off-road users of diesel from the late 1950s, particularly for farming and mining, and by concessional rates of excise where fuel is used for purposes other than as a transport fuel. In other words, fuel excise is a user-pays model for our roads: those who use the roads should pay for the roads. That is fair enough. The importance of the diesel fuel tax rebate is an acknowledgement that those vehicles that do not use the roads should not have to pay for the roads.
The Australian Automobile Association, a federation of state and territory based automobile associations, yesterday objected to this deal between the coalition and Labor on raising fuel tax. This objection has been running since last year when the measure was first announced, and their pre-budget submission this year indicated they remain strongly opposed to the excise increase. Their first priority for the budget was the reversal of the decision, because it was 'unjustified, unfair and a short-term revenue measure.'

The AAA projects that the increase in taxes per 60-litre tank—and that is assuming a household has only one car to fill each week—will have risen 50c since November 2014 and will rise $2 to almost $2.50 per tankful by February 2018. That is $2.50 per tank increase within the next two years.

Looking at it another way: for motorists travelling an average of 13,000 a year—I am not sure what the Motoring Enthusiast Party's average kilometres travelled per year per motorist is, or what their assessment might be but, as an average motorist, I think I would probably drive between 10,000 and 20,000 kilometres a year at an efficiency of around 11 litres per kilometre—the cost has already risen by $12 a year but the annual cost will have increased to $60, thanks to indexation, by February 2018. That is far more than the 40c a year that has been claimed in the government's projections.

We are here debating this today, because a deal of some sort appears to have been done that gives the government the numbers to get the fuel excise indexation increase through. Labor says, 'Spend it on Roads to Recovery and you've got a deal.' What other choice did the government have? To absorb it into general revenue, Minister, as governments have been doing with a significant proportion of the excise for many years? That would not have gone down too well. Labor got a deal thanks to what the government was likely to do anyway.

Naturally, Family First welcomes more of the fuel excise being spent on roads. But it all should be spent on roads. There are local shire councils all over Australia that are saying they are happy that more will be spent on roads, but the tax they deserve was already being withheld. It is a bit like saying to the dam master, 'Thank you for making the river flow,' when the dam master was the one holding back the water in the first place If the government opened the floodgates to put the excise for roads where it should be, we would have far better—and let me highlight, far safer—roads than we have at the moment.

In my home state of South Australia, the South Australian Labor government is winding down speed limits in an attempt to improve safety. It is a lazy approach to safety. What should be happening is the building of better, safer roads. What we see in the regional areas of my home state and the minister's home state is not spending on regional road maintenance, shouldering, overtaking lanes and upgrades but a tendency to focus on metropolitan projects. For example, in Adelaide $160 million is to be spent on a tunnel for the O-Bahn to save inner suburban commuters two minutes off their travel time to the CBD. And that is just a microcosm of what happens nationally, where Sydney and Melbourne get the big road spending. It is the very thing that the Productivity Commission criticised yesterday.

_The Australian Financial Review_ reports today:

In a scathing attack on how state and federal government are botching the selection of infrastructure, Mr Harris challenged politicians to justify expensive but low-return projects over hundreds of smaller but more effective options. "Make the case for why the mega project must be preferred apparently to the
higher return local project', he said. "All of this is most obvious in roads investment; the last redoubt of the unreformed investment planning process."

It goes on:

With many big-ticket road projects delivering little more than $1 for every $1 invested, there were usually many more-modest but productivity-enhancing options that could generate returns of as much as $10, such as electronic traffic management systems …

Let me add a good example from my own home state of South Australia, after representation from regional mayors just this sitting fortnight. The small township of Port Wakefield sits at the crossroads connecting the north and south of our state. On public holiday weekends, when floods of people from Adelaide go to Yorke Peninsula for a spot of fishing, this junction is backed up a very long way and it is very, very dangerous. There was a bad fatalitv there just recently. These councils want federal government investment to provide either a bypass or another solution to this dangerous situation, not just for road safety but because it will allow that part of South Australia that is north of the Adelaide metropolitan area to take off. But what chance do they have when fuel excise is not spent on roads? I hope that the government will look at the Port Wakefield situation with these additional rivers of gold they will now get from fuel excise. Let's look beyond the metropolitan areas and fix these dangerous and productivity sapping bottlenecks and black spots like Port Wakefield. In this regard I wish to acknowledge the great work of Yorke Peninsula Alliance mayors and CEOs Rodney Reid, Cynthia Axford, Ray Agnew and Paul Thomas. Keep up the great work.

The reality is that the people who are hardest hit by a hike in fuel excise are country people. In my home state they already pay a lot more for petrol than city people do. They have to travel longer distances to visit family, to see their customers or clients and to participate in country sport. That is the reality of who will be hit hardest by this hike in fuel excise agreed to by the Labor, Liberal and National parties today. I thank and respect Senator Macdonald for his decision to cross the floor and vote against this today. I know that is a decision not reached lightly, and it should speak volumes to others in this place. It gives me no joy at all to be critical of other parties in this debate. I appreciate and support the task of budget repair. But, as I have said, the solution is not more taxation, but budget restraint and spending reduction. Perhaps others will join Senator Macdonald in voting against this tax grab. Thank you.

Senator MUIR (Victoria) (11:48): I acknowledge the comments of my colleague Senator Day, particularly his comment that lowering speed limits is a lazy attempt at road safety. In reality, as we pay a lot in fuel excise and other road taxes, we could be focusing on building much better and safer roads—and I come from a rural area, so I get to see some shockers. I acknowledge the Greens commitment to public transport but I do not think they speak to the masses of country people who have to drive 20 or 30 minutes through potholes to get to their local point of public transport and then go home and replace tyres and suspension components because not enough money has been spent on roads.

I rise to speak on the Excise Tariff Amendment (Fuel Indexation) Bill 2015 and related bills. As a senator representing the Australian Motoring Enthusiast Party it would come as no surprise that I would have something to say on this issue. The bills currently before the Senate are similar to the 2014 package of bills which did not progress through the Senate. The bills currently before the Senate validate the Excise Tariff Proposal (No. 1) 2014 and the Customs
Tariff Proposal (No. 1) 2014 which were tabled in the House of Representatives on 30 October 2014 to index fuel duty to the consumer price index from 10 November 2014. The legislation is expected to raise $3.6 billion over the five years to the end of 2018-19 and $23 billion over the next decade.

Given the similarities, I would like to spend a bit of time discussing the 2014 package of bills and how the proposed changes were received within the motoring community. The 2014 package of bills was referred to the Senate Economics Legislation Committee and the committee's report was tabled on 7 July 2014. Evidence presented to the committee can be grouped into three broad areas: (1) support for the indexation but with assurances that the tax credit arrangements would be taken into account and compensate for the increase in indexation; (2) support for the indexation but with additional funds raised to be dedicated to projects that go beyond road infrastructure; and (3) opposition to the package of bills because of concerns over the disproportionate adverse effects that an increasing petrol price could have on particular communities, lack of transparency and accountability associated with the Special Account and the potential to undermine the positive results stemming from the funds credited to the Special Account by withdrawing funds from other areas of road infrastructure. Some other arguments in favour of the proposed changes were that it would generate significant revenue, that the excise is not a new tax, that indexation works by maintaining the real value of existing taxes—so it is a tax—and that taxes on motor fuel are very low compared to other developed countries. For example, fuel tax in Germany is approximately three times as much as fuel tax in Australia—but we live in Australia, not Germany.

Arguments opposing the bill include that it will increase the cost of running a car. On average a motorist in Australia, as Senator Day pointed out, driving at around 10 to 11 litres of fuel per 100 kilometres, would need to fork out an extra $60 to $68 annually by the fourth year. If a motorist uses 60 litres a week, this would increase to an additional $142 annually by the fourth year. Not everybody drives one car, some families have more than one, and some people use a lot more than 60 litres of fuel per week. Indexation would hit low-income earners the most and, of course, those in rural and regional areas. The price impact of any increase will fall most heavily on households and users of light commercial vehicles used off-road—so not mining companies.

The opposition decided to vote against the measure at the time, saying it broke a government promise not to introduce new taxes. With the opposition now coming on board to support this broken promise, they have opened themselves up to criticism. The Leader of the Opposition, Mr Bill Shorten, said yesterday that supporting the fuel excise was the best option for Australians. He said:

In a beauty parade, between giving money to oil companies and putting money back into Australian roads, generating jobs and confidence, it is clear which way Labor has to go.

It has been reported that the government will use $1.1 billion from the extra revenue it raises to pay for regional road upgrades through the Roads to Recovery program over the next two years. He said, 'This is a great outcome for people in rural and regional areas, especially my home state of Victoria.'

The coalition, according to an article on the ABC, said that all excise increases will go into road infrastructure. If that is the case, this means that over the next five years $3.6 billion will be spent on roads. This may not be good news for the Greens, but for all the other people who
do not live in the inner city of the capitals it is good news. Better roads mean safer roads, and safer roads can help improve road safety.

However, the reality is that just how much gets spent on roads will rest with the Treasurer, who has the power to make a determination under clause 8 of the Fuel Indexation (Road Funding) Special Account Bill 2015. I cannot say with any certainty that every dollar raised from reintroducing indexation of fuel will be spent on roads. Then what about the other 38 cents per litre that is currently taken, which mainly goes into consolidated revenue?

The passage of these bills is a bittersweet moment for me. Yes, I want better roads, but I think motorists already pay enough. I think that shadows what Senator Day said just moments ago. These changes will hit low-income earners the most. The price impact of any increase will fall most heavily on households, users of light commercial vehicles and users of roads. I am very concerned about how this will affect those on low incomes. As I said last year in response to the Treasurer’s comments about poor people not driving cars, we cannot all hop onto cows and ride into town.

As I have previously said, I am also concerned that, apart from the $1.1 billion that will be spent on roads through the Roads to Recovery program, there is no guarantee that the additional revenue raised from reintroducing indexation of fuel will be spent on roads. There is just no guarantee. Will this end up in consolidated revenue?

What about the 38 cents per litre that is currently paid by motorists? Perhaps there should be a guarantee that a percentage of this amount will be used for improving Australia’s infrastructure—a guaranteed percentage of the current revenue which ends up in consolidated revenue. After all, this Prime Minister is the Prime Minister for infrastructure. I believe this could help provide long-term certainty for infrastructure projects rather than the uncertainty created by annual determinations by the Treasurer or backflips by major parties. Roads are not built in a day. They are long-term projects and need long-term funding and guarantees by the government.

Financial assistance grants have affected local councils and the money which they can spend on their roads. As was said earlier, they are heavily reliant on roads in the local economy. These are important issues for all motorists and issues that I will be raising with the Treasurer when I meet with him tomorrow.

On this note, I oppose this bill, as I believe a lot more could be done for motorists if the taxes they already pay were actually spent on roads instead of going to general revenue. Also, rural and regional people will be hit the most.

**Senator CORMANN** (Western Australia—Minister for Finance) (11:56): I thank all those senators who have contributed to this debate. These bills validate the tariff proposals currently in operation and give effect to the government’s 2014 budget measure to reintroduce biannual indexation of fuel excise.

Indexation of fuel excise was first introduced by the Hawke Labor government in August 1983 in order to maintain the real value of excise collections and to provide more stability for business and consumers. The rate of excise on most fuels was frozen between March 2001 and November 2014. Petrol maintained an excise rate of 38.143c per litre during that period, which meant that the real value of the excise duty was eroded by inflation.
The government have made significant progress in repairing the budget, however more work needs to be done to return the budget to surplus as soon as possible. The 2015-16 budget maintains a steady and credible trajectory towards surplus despite a significant write-down in tax receipts and the iron ore price having more than halved since we came into government.

The reintroduction of fuel excise indexation will provide a predictable and growing source of revenue, which will be used to deliver the vital road infrastructure that Australia needs. Indexation of fuel excise will raise approximately $3.6 billion over the 2015-16 forward estimates period and over $23 billion over the next decade. All the revenue raised through this measure will be linked by law to funding roads. Importantly, businesses using fuel in off-road operations or operating an on-road vehicle with a gross vehicle mass in excess of 4.5 tonnes will not face an increase in their business costs due to the continuing operation of the fuel tax credit arrangements.

These bills include consequential amendments to the Excise Tariff Act 1921 in order to simplify the burden on businesses by rounding the applicable duty rate of indexed fuels from three decimal places in the cent to one decimal place. The passage of this significant structural budget reform demonstrates how the government is continuing to methodically and progressively implement our budget repair measures.

In this context, I would like to pause and thank the Senate for its support over this past fortnight for the government’s plan to strengthen growth, create more jobs and repair the budget. The Senate will be well aware that, when we came into government, we inherited a weakening economy, rising unemployment and a budget position which was rapidly deteriorating. That rapid deterioration, in the main, was as a result of unsustainable and unaffordable spending decisions in the period of the previous government. Yes, we had the global financial crisis and we at the time supported a level of fiscal response to that, but the fiscal response deployed by the government at that time was manifestly excessive. Furthermore, at a time when the terms of trade for Australia were starting to come off from their record levels and the price of our main export commodity, iron ore, was starting to come off, instead of trying to control expenditure moving forward, the previous government made a series of decisions to lock in permanent increases in spending, in particular in the period beyond the published forward estimates. That, of course, has put Australia on a more risky trajectory moving forward. These sorts of decisions have put our future economic growth opportunities and our future living standards at risk, which is why the government came into office with a plan for stronger growth, for more jobs and to repair the budget.

As I have been able to indicate to the Senate before, that plan is working—it is starting to have effect. Economic growth is now strengthening. Growth last year was better than the year before. Growth this year has started very strongly. Growth in the first quarter of 2015, at 0.9 per cent, was one of the strongest growth rates anywhere in the developed world. It was stronger than any of the G7 economies’ growth in that same period. Our employment growth in 2015 is much, much stronger than the employment growth rates that we inherited on coming into government. In fact, employment growth in the first five months of this year is about six times the rate that it was in the last 12 months of the previous government. And so it goes on.

Budget repair is a very important part of our plan to strengthen growth and create more jobs, because we need to ensure that government is able to live within its means—that
spending growth and spending overall do not exceed revenue. Our objective is to get the budget back into surplus as soon as possible, as we have articulated on many occasions. On that front also we are making progress. In this fortnight, we have been able to pass budget repair measures—measures to improve the budget bottom line—to the tune of nearly $11 billion over the forward estimates. Many of these measures, of course, will have a structural effect beyond the forward estimates, improving the budget bottom line in an ever-increasing way in the period over the medium to long term. That is excellent progress.

We still have more work to do. We cannot rest on our laurels. When we come back after the winter break, we do hope that the constructive approach taken by the Senate in recent weeks will be continued and that we will continue to be able to get some of the very important reforms through the parliament. In this fortnight, we were able to get the small business and jobs package through the parliament. We would like to think that, when we come back, we will be able to get the jobs for families package through the parliament, with, at its core, our proposals to make access to more affordable child care simpler and more flexible. We understand that simpler, more affordable and more flexible access to childcare arrangements is a very important part of helping families get into work, stay in work and be in work.

Getting back to the issue of fuel excise indexation, the government always said that our intention was to reinvest the additional revenue raised through this measure into our road infrastructure. At various times over the past year, as we were working through the issues and seeking a majority in this chamber, we explored the option—and we offered this to the Greens—to potentially decouple that hypothecation to road funding if it would help secure the Greens’ support. We also made an offer to the Greens in August last year that we would be prepared to make an additional investment in public transport infrastructure if it helped facilitate passage of this measure. But, of course, the Greens were not prepared at that time to properly engage with us and made various demands of the government that, clearly, they would have known were never able to be accepted by the government as responsible economic managers. It is true that, with the election of Senator Di Natale as leader of the Greens, we felt that there was a better prospect of perhaps reaching a consensus, understanding that we have different policy perspectives on the matters at hand but, obviously, working in the pursuit of the national interest and, hopefully, being able to find common ground.

But then, of course, the Labor Party came in with an offer that was too good to refuse. The Labor Party offered to support this very important structural reform, which helps us repair the budget, and asked in return for us to boost the investment in road infrastructure through our own Roads to Recovery Program. Given that we well understand on this side of the chamber the excellent contribution the Roads to Recovery Program makes to our road network, to local governments and to our communities across Australia, we of course were only too happy to enter into that understanding and that agreement with the Labor Party. I heard today from Senator Rice during the debate that she also, as a former local councillor, understands the value of the Roads to Recovery Program—and so there is a tripartisan consensus that the Roads to Recovery Program is a very good program. I am very pleased that Senator Rice supports our additional investment in our Roads to Recovery Program as a very important initiative.
During the debate, various people have raised the question of the implications for rural and regional Australia in particular. I thought I would place on the record that the majority of Commonwealth investment on road infrastructure has been directed to rural areas in recent years. On a per capita basis it is very significant. Even in absolute terms, if you look at Commonwealth spending on roads, overall, more than 60 per cent of Commonwealth investment in road infrastructure, over the last three years, has been invested in regional areas.

In the years 2010-11 to 2012-13 spending per capita in rural areas has been significantly in excess of that of urban areas. In relative terms, rural funding per capita has been at least three times that of urban areas. It stands to reason. They have a lower population but there are significantly larger road networks. From that point of view, we do understand that people in rural areas have to drive longer distances. There is also a commitment by the government to continue to invest, very strongly, in the necessary road infrastructure that regional Australia needs.

With few those remarks I am pleased to commend this bill to the Senate.

The DEPUTY PRESIDENT: The question is that the bills now be read a second time.

Question agreed to.

Bills read a second time.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator Seselja): As no amendments to the bills have been circulated, I shall call the minister to move the third reading unless any senator requires that the bills be considered in Committee of the Whole.

Senator CORMANN (Western Australia—Minister for Finance) (12:08): I move:

That these bills be now read a third time.

Question agreed to.

Bills read a third time.

Communications Legislation Amendment (SBS Advertising Flexibility and Other Measures) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator CANAVAN (Queensland) (12:09): I think this is my third go at finishing a contribution on this very important bill and, hopefully, I will see it through today. I will recap, because it was last week that the chamber last considered this bill. This bill is a very sensible, reasonable and moderate change to the requirements or restrictions placed on SBS when they undertake commercial advertising. We are making an incredible change from allowing SBS to advertise five minutes an hour, for 120 minutes across the day, to being allowed 10 minutes per hour but still restricting this to 120 minutes per day.

Our proposal as a government is that SBS would not be allowed to advertise any more over a day only more within particular hours. There is the same amount over a day but a more concentrated and focused advertising task in particular hours. Why is that important? It is important because some hours of TV are better than others. Some hours of TV will provide
SBS and broadcasters with an opportunity to raise more revenue than other hours. By making this change we allow SBS to make more efficient decisions on how they spread their advertising over the 24 hours in a day.

It is very important to remember and reflect that the commercial broadcasters are also restricted on how much advertising they can show, per day. This is by separate legislation. They are restricted to 350 minutes per day. We are maintaining the difference that SBS is not a commercial broadcaster and will advertise much less over a day than the commercial broadcasters, even after this change comes in. Commercial broadcasters have 350 minutes per day and SBS has only 120 minutes per day. The commercial broadcasters can advertise between 14 and 16 minutes per hour. If this bill goes through, SBS will have only 10 minutes per hour.

In my previous contributions I was critical of the Labor Party's stance on this bill, particularly their intransigence to cleaning up the mess they created. It is a very moderate change. It is only going to raise something like $28.5 million, from 2015-16, but it is still important. It is important to maintain SBS's services to allow them to continue to provide the product they do to all Australia. But the Labor Party opposed that, even though they put us in the position we are in. We have to find some efficiencies in savings, as any household would after borrowing $240 billion in six years. If you borrow $240 billion in six years you have to start cutting the cloth after those six years. The Labor Party did not want to do that.

I do give them credit for supporting the change to fuel indexation. That is another change we needed to make, a more substantial one, to get this country back on track. I just hope that rather than be inconsistent they could be consistent on these matters and be a partner in trying to get this country back on track. They could say: 'Okay, we agreed with fuel indexation; we agree that is something we have to face up to as a country and, if we do not, we will not have the money to pay for our roads in 10 or 20 years time.'

The Labor Party should likewise reconsider that if we do not make changes like this, now, how will we continue to fund SBS over the next 10 to 20 years? It is not as big a funding task as the billions of dollars we need for roads, but it still needs to be funded in some way, shape or form. They are not proposing more taxes. They are not proposing other funding streams for SBS, so how are they going to fund SBS's programs into the future? This is a reasonable change to take some pressure off the budget, to allow that funding to occur. I want to see SBS continue.

As I said in my earlier remarks, my mum is Italian. I grew up watching Italian news with her and her grandparents. I did not understand a word of it. But I understand the importance of this broadcasting channel in helping integrate our multicultural society and making people feel part of our community—part of Australia—when they arrive here.

We are very lucky to have something like the SBS. I cannot think of another example like SBS anywhere in the world, where a publicly funded broadcaster is dedicated to providing services to ethnic communities all across the country. The very fact that we are unique and we are able to fund this institution means that we must always be wary of making sure that we can continue to fund it, because, clearly, other countries have decided they cannot afford to fund something like this. We have decided we should, and I agree with that decision, but it has to be funded responsibly. We need to allow them to manage their budget responsibly. This would be an extraordinarily simple change which builds on the decades of history that
SBS have of partly funding their services from their own sourced revenue. They are systems that have been in place for decades and have been supported by both sides of politics. This is a very small and moderate change to those arrangements and they should be supported by this chamber.

The ACTING DEPUTY PRESIDENT: The question is that the bill be read a second time.

The Senate divided. [12:20]

(The President—Senator Parry)

Ayes .................... 28
Noes ..................... 31
Majority ............... 3

AYES
Back, CJ
Bushby, DC
Cash, MC
Cormann, M
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Lindgren, JM
McKenzie, B
Parry, S
Ronaldson, M
Ryan, SM
Seselja, Z
Smith, D

Bernardi, C
Canavan, M.J.
Colbeck, R
Day, R.J.
Fawcett, DJ
Fifield, MP
Johnston, D
Macdonald, ID
O'Sullivan, B
Payne, MA
Ruston, A (teller)
Scullion, NG
Sinodinos, A
Williams, JR

NOES
Brown, CL
Cameron, DN
Conroy, SM
Di Natale, R
Gallagher, KR
Ketter, CR
Lines, S
Ludwig, JW
McAllister, J
McLucas, J
Moore, CM
Polley, H
Rice, J
Singh, LM
Waters, LJ
Wright, PL

Bullock, J.W.
Carr, KJ
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Lazarus, GP
Ludlam, S
Madigan, JJ
McEwen, A (teller)
Milne, C
Peris, N
Rhiannon, L
Siewert, R
Sterle, G
Whish-Wilson, PS

PAIRS
Abetz, E
Birmingham, SJ

Urquhart, AE
O’Neill, DM
Statement

Senator IAN MACDONALD (Queensland) (12:22): Mr Acting Deputy President Bernardi, I seek leave of the Senate to make a 30-second statement about a vote in the Senate recently.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): There being no objection, leave is granted for 30 seconds.

Senator IAN MACDONALD: Thank you. I have been engaged, as we all have, in lots of meetings since the debate on excise. I did indicate during my second reading contribution that I would vote against that bill. I felt sure that the Greens, who spoke against the bill, would have called a division, and I would have been able to vote. I am horrified to find now that, in spite of opposition, the Greens have, for the first time ever, not called a division. Therefore, I was unable to record my vote against the legislation. I just wanted to make that clear.

The ACTING DEPUTY PRESIDENT: Thank you, Senator Macdonald. We will now go back to the second reading debate.

Bills

Airports Amendment Bill 2015

Second Reading

Senator POLLEY (Tasmania) (12:23): I am pleased to be able to speak to the Airports Amendment Bill 2015 today. The bill addresses deficiencies in regard to the Airports Act 1996 as these deficiencies create uncertainty and confusion about the process for establishing a second Sydney airport. Labor believe that Sydney needs a second airport sooner rather than later. We on this side of the chamber recognise that such infrastructure development is vital to continue economic growth. It is in this context that Labor support this bill.

The Airports Act 1996 was initially developed to address issues associated with the ongoing ownership and operation of our major airports following a process of privatisation that occurred in the early 1990s. It is focused on regulating ownership, planning and development of 21 federally leased airports. These 21 include all the main capital city airports around Australia. One of those privatisations was the lease of Sydney's Kingsford Smith Airport, which was a transaction that occurred in 2002 under the Howard government. The
legislation before us today seeks to deal with some of the unintended consequences of that transaction.

This bill also addresses the fact that the proposal for Sydney's second airport is based upon a greenfield development, and is something not contemplated by the regulatory structure of the current act. It also envisages the mandatory adoption of the environmental conditions in any airport approval. The opposition welcome that move because we believe that environmental best practice must underpin the development of Sydney's second airport. Sydney is a global city. Its efficient operation is central to the economic productivity, not just for New South Wales, but for the entire nation. Sydney's economic productivity is currently constricted by infrastructure limitations resulting in limited space and bottlenecks in the traffic network. There is broad consensus across experts that a second Sydney airport is needed.

The New South Wales and federal governments commissioned the joint study into Sydney's aviation needs which was commenced and completed under the former federal Labor government, reporting in March 2012. It warned that the economic consequences of inaction would be dire, including a $6 billion loss in national GDP by 2035. The key recommendation of the 3,000-page report was the development of a second Sydney airport. Handled properly, a second airport can provide important employment opportunities and jobs for tens of thousands of people in Western Sydney. The joint study found that, in the absence of a second airport in Sydney:

The number of total jobs that will not be created is estimated to grow over time as unmet demand increases. This is averaged to be 12,700 in NSW and 17,300 nationally over the period from 2011. In 2060 alone, the annual estimate of foregone jobs is approximately 57,000 in NSW and 77,900 nationally.

The Grattan Institute undertook detailed research last year, identifying geographic locations in which high-paying, high-productivity jobs are located. It noted:

Inner city areas and secondary commercial hubs, such as those around large cities' airports, also tend to be more productive than other locations.

New employment opportunities generated by a new Sydney airport are not restricted to the airport site. Airports attract industry to their precincts. The importance of this cannot be overstated.

The 2013 State of Australian cities report made clear that Australia is undergoing a shift whereby jobs growth is moving from the suburbs to the inner city. Notwithstanding this shift in jobs to the city, housing remains most affordable in suburban areas. The result is that many Australians have to commute from their homes in the suburbs to their jobs in the city. The social consequences of this trend are significant. Many Australian parents are now spending more time commuting than they spend playing with their children. The construction of a second airport in Sydney would go a long way to addressing this challenge for families in Western Sydney. A second Sydney airport would not only increase economic growth but improve the lives of thousands of people who would be able to live closer to their workplaces. That means less time on the road for parents and more time with their family and friends.

The Airports Act was designed to deal with existing federally leased airports and does not address the development of an entirely new airport. This bill provides for the development of a master plan focused on the strategic and conceptual elements of the development proposal,
as well as a process for initial major development plans. Once the development of the new airport is complete, the standard five-yearly approval arrangements that exist for all other federally leased airports will come into effect.

Importantly, Labor welcomes the bill's proposed strengthened role for the environment minister in making mandatory environmental conditions rather than, as is currently the case for other airports, making non-binding recommendations to the infrastructure minister. Labor emphasises that the EIS process which is being conducted under the Environment Protection and Biodiversity Conservation Act 1999 needs to be thorough, evidence based and transparent, with conditions that address environmental amenity as required. We welcome the commitment from the minister to allow a full process of concurrent community input into both the airport plan and the EIS later this year.

In conclusion, after working in government to lay the groundwork for the development of a second Sydney airport, Labor will continue to play a constructive role in making the project a reality. But in doing so we insist on proper process, including public consultation and assessment of environmental impacts. The project must focus on optimising the economic outcomes of such a development, including maximising employment opportunities for Australians. I commend the bill to the Senate.

Senator RICE (Victoria) (12:30): I rise to speak on the Airports Amendment Bill 2015. This bill goes some of the way to clarifying the process around the construction of a new airport in Sydney and removes the veto that the Sydney Airport Corporation, which runs the existing airport, currently has over the construction of a new airport. The Greens are not opposed to changing the rules around the construction of another airport and requiring an environmental impact statement, but we want to place on the record that we feel that an airport at Badgerys Creek does not seem to stack up as the right option for Sydney residents. We are seeking to amend this bill to ensure that should the location of any future airport be moved away from Badgerys Creek the government cannot turn around and say, 'Here's an environmental impact statement we prepared earlier for Badgerys Creek; that'll do.'

The government is rushing to build the Badgerys Creek airport without an owner or a builder. All it has is a commitment to more than $2 billion for more congestion-inducing roads in Western Sydney. There will not be a rail connection, and high-speed rail is not under consideration at all. This is not the transformative approach that Sydney residents and visitors need. The push for Badgerys Creek lacks crucial detail and is instead based on a whole host of false assumptions. If an airport at Badgerys Creek goes ahead, residents will suffer. There is no way around the increase in aircraft noise. While the land around Badgerys Creek is yet to be developed, that certainly will not be the case in 2025, when the airport is first operational. When look at this we must not look at what Badgerys Creek will look like in 2015; we must look to what it will look like after it has been in operation for a while.

It is unlikely to have a curfew. In fact, proponents of Badgerys Creek have stated on numerous occasions that the only way the airport will be financially viable will be if it operates on a 24-hour basis. It is completely unfair to suggest that Western Sydney residents should be subjected to a 24/7 airport when residents in the inner west of Sydney and the inner city have appropriate respite with a curfew. This will not reduce aircraft noise around the existing airport either. In fact, it is far more likely that the creation of a second airport at Badgerys Creek will increase aircraft noise at Mascot. Badgerys Creek is expected to be a
smaller airport with less hangar space and a smaller runway, similar to Avalon airport in Melbourne. And like at Avalon, Badgerys Creek will soak up demand for smaller, regional flights, leaving more arrival and departure slots open at Mascot for large, international jets. This means more aircraft noise, not less.

The benefit for jobs is not all it is cracked up to be. The Prime Minister's claim that the project will create 60,000 jobs is a fine example of pulling figures out of nowhere. The alleged job-creation figures have been used by several Western Sydney councils as well as Unions New South Wales to justify their support for Badgerys Creek. A more realistic scenario was developed by the New South Wales Business Chamber, which stands to gain enormous sums of money via the creation of another private—yet publicly subsidised—airport. They were relying on passenger movements estimated by the federal government's joint study into aviation capacity, and they slashed the job-creation estimates to one-sixth of Abbott's claim by 2040. It is quite clear that Abbott and the business lobby have inflated job-creation figures to boost support for Badgerys Creek.

But perhaps the worst part of this plan is the details of how people will get there and the impact of congestion on locals. There is $2 billion earmarked for massive, polluting roads and nothing for a rail connection. This is just going to put more pressure on roads. We know that the best way to unblock our roads is to give people the option of efficient, safe and affordable public transport. The jury is still out on the need for a second airport in Sydney. It has been challenged by numerous economists. In April, Fairfax economics editor Peter Martin wrote that he:

… would like to know the government had tried other solutions before settling on spending billions building a new airport in an inconvenient location.

It is these other options that we must be looking at. Imagine if we got serious about high-speed rail along the east coast of Australia. We could significantly reduce demand on our airports while delivering a much-needed boost to our regional centres. Yet we seem to be going around in circles.

The Melbourne-to-Sydney air route is the fifth-busiest air route in the world, and it is the third-busiest overland route—that is, a route where to travel overland is not straightforward. Sydney-to-Brisbane is pretty busy, too. The proportion of people who travel from Sydney to Canberra by air is ridiculous, given that the distance is under 300 kilometres.

The level of air travel into Sydney from Melbourne, Brisbane and Canberra is the sign of a desperately underdeveloped rail system. Medium-fast services should be able to travel faster than cars but badly fail that benchmark in all directions. And of course high-speed rail would really compete against air travel between Sydney and Melbourne, Brisbane and Canberra. What needs to happen is inclusion of the likely development of high-speed rail in the planning mix—to actually consider what that means for the number of flight arrivals and departures into Sydney.

Establishing a high-speed rail authority and reserving the route for high-speed rail are much more important than planning for a second airport in Sydney, because high-speed rail and good old ordinary, medium-fast, as-long-as-it was-efficient rail have the potential to be major factors enabling us to not only reduce the pressures on airports in Sydney but drastically reduce our transport related carbon pollution.
The rest of the world is moving on high-speed rail, so why not us? Other than Australia, Antarctica is the only other continent that does not have high-speed rail. And at the speed that we are moving on high-speed rail, it seems that the penguins are likely to beat us to it.

High-speed rail is affordable. You can tell this by the fact that the Chinese, the Japanese and the Spanish high-speed rail developers are all interested in coming to Australia and building high-speed rail as a purely private operation without needing public money. I am not saying that is the way that we should be heading, but the fact that they are interested in doing this shows you that there is a strong economic case for the development of high-speed rail along the east coast of Australia.

Without going to the transformative stage of high-speed rail, we need to make improvements to our existing rail services so that you can get from Sydney to Canberra, Sydney to Melbourne and Sydney to Brisbane faster than you can drive. This sort of thing is possible in every other country in the world where you have an efficient rail system. It needs to occur, and the way it has to occur is through putting more investment into improving our rail systems, not spending all that money on massive, polluting roads. We need affirmative action for public transport, because of the huge benefits to Australia that it would deliver.

I am not arguing that there is not a future for air transport, but we have to note that it is the most difficult form of transport to implement with zero carbon emissions. And that is where we need to be heading—we need to be reducing our carbon pollution to zero. The world is realising this. The world is moving on this. Country after country are having much more ambitious carbon reduction targets than Australia. The Pope has realised this as well. But it is clear from debate after debate in this chamber that Australia is very, very slow—as slow as the trains that travel between Sydney, Melbourne, Canberra and Brisbane. The good thing, of course, is that a better transport mix is not only low carbon but is better for local communities too. And the residents of Sydney deserve no less.

**Senator RHIANNON** (New South Wales) (12:40): I rise to speak on the Airports Amendment Bill 2015. The Greens do not oppose this bill as we are supportive of measures designed to limit the authority of the privatised Sydney Airport Corporation to dictate transport policy in New South Wales. When Sydney Airport was privatised by the Liberal-Nationals not only did the government cede authority over an important level of transport policy in Australia; it handed monopoly control of air travel in and out of Sydney to a private company that paid no tax in the 10 years following privatisation. What a deal. Travellers in the community are in agreement that the privatisation of vital transport infrastructure has been a failure.

The privatisation of Sydney Airport has made it much more difficult for the government to pursue a sustainable, long-term and consultative plan around air travel in the Sydney region. As previously stated, the Greens do not oppose plans to grant the government greater authority vis-a-vis the Sydney Airport Corporation when it comes to the planning of air-travel infrastructure. The Greens do oppose, however, the current plan—supported by the Liberal and Labor leaderships—to build a supplementary Sydney airport at Badgerys Creek. This opposition is shared by many in the local community as well as local Labor and Liberal MPs. My colleague Senator Janet Rice, the Greens transport spokesperson, has set out our position with regard to this aspect of the bill.
The fact that this legislation has been brought on more than six months after the government announced its intention to construct an airport at Badgerys Creek shows the lack of momentum behind this project. The fact that the legislation explicitly expands the potential list of bidders for the construction and operation of an airport at Badgerys Creek shows how little success the government has had in securing any private support for its plan to build a new airport at Badgerys Creek. All we have seen so far has been an announcement, the funding of more roads and now this legislation—months after the fact.

Many in the community and experts in the infrastructure industry remain convinced that the Abbott government and the Labor opposition have little intention of actually constructing an airport at Badgerys Creek. Both the coalition and Labor are keen to be seen to be getting on with planning for a new airport as a way to present a jobs message for Western Sydney. We now know that this promise does not stack up.

Time will tell if Badgerys Creek is ever built. The Greens are concerned that the case for the project does not add up for locals and the environment, and this is clearly illustrated when we look at the promised jobs growth. When Prime Minister Tony Abbott made his announcement last year regarding Badgerys Creek airport, many of the assumptions used by the coalition and the building lobby to build support for the airport were reported in the media as fact. As a result, much of the debate around the benefits of Badgerys Creek as a location for a second Sydney airport lacks accurate detail.

In his announcement, Prime Minister Abbott stated that the construction and operation of Badgerys Creek airport would create 60,000 jobs—60,000 jobs is a lot, and the announcement was clearly made to impress people. It was over an unspecified time frame. When you see that, it makes you wonder. The alleged job creation figures have been used by several lobby groups to justify their support for an airport at Badgerys Creek. No sources were presented for the Prime Minister’s 60,000 jobs figure claim. It has been argued that to achieve such a high figure the airport would have to have passenger movements rivalling Heathrow Airport in London or Los Angeles airport—a feat unlikely to be repeated at a supplementary airport at Badgerys Creek.

The only recent estimation of jobs created by the construction and operation of a Badgerys Creek airport was conducted by the New South Wales Business Chamber, a lobby group for the business sector who obviously stand to gain enormously by the creation of another private—yet, publicly subsidised—airport and the associated publicly subsidised infrastructure to service the airport. Their report estimated that 30,000 jobs be created by 2050—at least they gave us a time frame. Now that figure is already half of the figure touted by the Prime Minister and reported in the media, time and time again. However, this figure also relies on the assumption—

Debate interrupted.

STATEMENTS BY SENATORS

The ACTING DEPUTY PRESIDENT (Senator Smith): Order! It being 12.45pm, the Senate will now move to senators’ statements.
Australian Defence Force
Malaysia Airlines: Missing Aircraft

Senator JOHNSTON (Western Australia) (12:45): I rise today to pay tribute to the work of the Australian Department of Defence and the Australian defence industry in the largest maritime search in aviation history. All Australians know that on 8 March 2014, a Malaysia Airlines Boeing 777 aircraft disappeared during a flight from Kuala Lumpur to Beijing with 239 passengers and crew on board, including six Australians. No evidence of a crash site has been found but it is now presumed that flight MH370 ended its journey in the southern Indian Ocean, where the search continues today. Australia has provided substantial resources for that search, as we should. An initial search for the aircraft focused on part of the South China Sea, where the plane had disappeared from air traffic control radar screens as it headed towards the Vietnamese southern coast. However, a week later, fresh analysis indicated that MH370 had for some unknown reason diverted from its intended course and probably tracked south to an area some 2,000 kilometres west of Perth in the southern Indian Ocean. On 17 March, the Australian government assumed responsibility for search operations, partnering closely with China and Malaysia. The subsequent search covered some 4.6 million square kilometres and called upon the expertise of some of the finest minds in this field of endeavour from across the world. Ships and aircraft from Australia, China, Japan, Malaysia, New Zealand, South Korea, the United Kingdom and the United States have been involved in this search. It is the largest and costliest search in aviation history.

While the whereabouts of the doomed aircraft remains a mystery to this very day, it is worth reflecting on the efforts of Australia's defence forces, government agencies and industry in rapidly deploying such a massive search operation. It is testament to what can be achieved when Defence and Australian defence industry cooperate in a crisis. It also underlines the importance of maintaining and enhancing our own defence industry capability. I would like to firstly commend the Department of Defence for playing a key role in supporting the Australian Maritime Safety Authority as the lead search and rescue agency. The Royal Australian Navy's Fleet Base West on Garden Island, south of Perth, and RAAF Base Pearce, north of Perth, worked quickly to prepare the facilities to support a search force that would consist of multinational assets which would not just consist of units from our closest allies. The Royal Australian Navy's replenishment ship HMAS Success was the first Australian vessel to search for MH370, deploying on 19 March from Fleet Base West. In the following weeks it was joined by the Anzac class frigates HMAS Perth and HMAS Toowoomba. RAAF Base Pearce and Perth International Airport became the hubs for air search efforts involving more than 22 military aircraft and civilian jets from Australia, Malaysia, New Zealand, the United States, China, Japan and South Korea. In the 42 days of searching at that time, some 345 air sorties were conducted into some of the most remote maritime regions on our planet. The entire search operation was led by Chief Coordinator of the Joint Agency Coordination Centre, Air Chief Marshal, Sir Angus Houston. In just one day's work, Air Chief Marshal Houston would coordinate up to 10 military aircraft, four civilian aircraft and 13 ships into the search area. The Joint Agency Coordination Centre also liaised closely with Boeing, the United Kingdom's Air Accidents Investigation Branch, and Malaysia's Department of Civil Aviation. This was an extraordinary effort, logistically and diplomatically.
I have mentioned the work of various parts of Defence and of government agencies. But I think it is important to spend some time talking about the critical work of our local defence industry players in the search for MH370; work which has been largely unrecognised and, as I have become aware, unfortunately in some cases inaccurately reported. It demonstrates in stark relief the importance of fostering local defence industry expertise and capability in Australia. The major priority in the first few days of the search was locating the aircraft's flight data recorder and cockpit voice recorder, or black boxes, as they are well known. The black boxes are fitted with an acoustic pinger that transmits a pulse at over 160 decibels at 37.5 kilohertz for at least 30 days. However, the water depth in the search area ranged between 4,000 and 5,000 metres, making detection of this pinger—even at 160 decibels—extremely difficult. Locate the pinger and you locate the aircraft.

The RAAF contacted Sonartech Atlas, a Sydney-based systems engineering company specialising in the design and development of sonar systems for naval and civilian applications. Sonartech had worked on the design, manufacture and support of submarine sonars for the Royal Australian Navy, the United States Navy and a number of NATO navies. Sonartech has also developed an acoustic processor that could be used to detect and analyse acoustic signals picked up by sonobuoys. Defence knew that Sonartech Atlas's acoustics systems could locate submarines from an aircraft—but could it locate the ping from a black box some five kilometres under the water? This was the burning question. It is important to note that the frequency and nature of the pinger is quite different from the acoustic signatures that are usually searched for with sonobuoys. Sonartech's team investigated the situation and determined that a combination of its equipment and a particular sonobuoy could be used to detect the black box pinger. Within three days of being contacted by the RAAF, Sonartech Atlas had assembled a system in Sydney, tested it in its lab, and shipped it to RAAF Edinburgh in Adelaide where it was assessed by the engineering personnel of 92 Wing and the Maritime Patrol Systems Program Office, and then installed into an Australian maritime patrol aircraft, shortly after which that aircraft deployed to Western Australia to participate in the search. Within two weeks, a further four systems were assembled by Sonartech and sent to Western Australia for installation aboard Australia's other maritime patrol aircraft in search of MH370. Sonartech also provided two acoustic analysts to fly aboard our RAAF aircraft to assist with the collection and initial review and analysis of acoustic data. These on-scene reviews were supported by in-depth analysis conducted by DSTO staff, members of the Australian Joint Acoustic Analysis Centre at HMAS Albatross in Nowra, New South Wales, and Sonartech personnel in their Sydney office. This essentially tripartite approach with Defence, science and local industry, highly specialised as it is, working together in short time, is just one example of how Australian high-tech industry can and does effectively work with government.

The RAAF had the only air assets involved in the search for MH370 that were capable of conducting an airborne acoustic search—a situation that attracted the interest of the other aircrews involved in looking for this missing aircraft. The Australian maritime patrol aircraft's acoustic search covered an area in the order of 3,500 square nautical miles.

It is also worth mentioning that some of the specialist software used for the analysis had been progressed by Sonartech through the Capability and Technology Demonstrator Program.
administered by the Defence Science and Technology Organisation. This demonstrates the relevance and value of the CTD Program to enhancing Australian Defence capability.

The loss of MH370 is a tragic and unfortunate event, the response to which is a clear demonstration of Australian ingenuity and an example of how Defence and Australian industry can work together given the right environment. This is also true in the case of other government and Defence agencies that were involved, with the Defence Science and Technology Organisation, which I mentioned earlier, analysing acoustic data, predicting drift and re-evaluating Inmarsat signals used to determine the likely flight path of the doomed aircraft. The DMO's Maritime Signature Management and Target Services Systems Program Office provided equipment and resources to support the pinger detection trials. The Maritime Patrol Systems Program Office, responsible for the maintenance, upgrade and configuration control of the Australian maritime patrol aircraft, rapidly assessed and approved the temporary configuration change.

The search for flight MH370 has highlighted the need for the continued investment in and support for local capabilities, not just within government agencies and Defence but also in our local private industry. Australia must seek to advance its technological capacity and capabilities, preparing the nation for the future and future crises. It is a future in which our industry can take its rightful place, not just as a repairer, assembler or integrator of foreign technology, but that of a designer, developer and supplier of services and technology to receptive local customers and to overseas markets. We must recognise the skills that we do have and build on them. This may take some time, but it is important that we ensure our industry is viable and sustainable, and one that we can turn to for help in dealing with the challenges we must face, not just those in our long-term future but also those in the short term, particularly those crises which are impossible to predict.

This government recognises the importance of Australian defence industry and is committed to the further development of its capacity and capabilities. We are, however, a prudent government which recognises that this cannot be at any cost. We have an obligation to get the taxpayer value for money, and, where Australian industry can effectively and efficiently deliver it, it must be used. This commitment to local capacity of course is very relevant to our Future Submarine program, a program which will draw upon industry capacity and result in the creation of hundreds of new Australian jobs.

**Aged Care**

**Senator POLLEY** (Tasmania) (12:55): I rise to speak about Senator Fifield's attempts to provide certainty for the Commonwealth Home Support Program on Monday. His comments were nothing but a cosmetic job by a very desperate make-up artist, because he took his eye off the ball. Australia's aged-care reforms are in chaos, following an eleventh-hour backflip from the Abbott government last week.

When in government, Labor introduced the Living Longer Living Better reforms to aged care, with bipartisan support and following extensive consultation. Our reforms were designed to address some of the issues raised in the Productivity Commission's 2011 report, including the need to make aged care easier to access, fairer and more sustainable into the future.
The coalition promised to continue those reforms before coming to government, and the aged-care sector was reassured. But last week the government riled up more uncertainty for aged care by announcing plans to back down on their promise to continue the reforms put in place by Labor. The 2015 budget forecast significant changes to home care, with a major change to the way packages are allocated occurring as early as February 2017. These major changes included the integration of the Commonwealth Home Support Program into the Home Care Packages.

I must point out that the Home Support Program had not even been implemented, and you on the other side were planning to change it! And, as I said last week, the Assistant Minister for Social Services, Senator Fifield, made an eleventh-hour announcement to put the Commonwealth Home Support Program on ice until 2018. Does the minister understand that this gives the impression that the government has no idea what it is doing when it comes to aged care?

We understand that two of the biggest social reforms—Living Longer Living Better and the NDIS—have been dumped onto an assistant minister. But, as I have said in here before, you cannot afford to take your eye off the ball. Older Australians cannot afford for you to take your eye off the ball, Minister. Labor understood the level of leadership required to oversee the rollout of such a significant reform and we put senior cabinet ministers in charge.

Now the assistant minister has been forced to extend funding for home and community service providers at the last minute, in spite of months of assurances the reforms were all on track. Labor did the heavy lifting to transform the aged-care system. All the Abbott government had to do was oversee the rollout of those reforms in a timely manner.

What we see now is: major reforms have been banished to 2018—by which time it will most likely be someone else's problem. The government has not kept their eye on aged care since day one. There is only one issue that they have ever been passionate about, and that is cuts. They axed the aged-care payroll tax supplement within weeks of taking office, and then proceeded to do nothing. They created chaos when they took aged care out of Health so that it could be lost within the superportfolio of Social Services. Then we saw the way that the Dementia and Severe Behaviours Supplement blew out because no-one was watching. The minister did not have his eye on the ball. If it were not for Labor and our questions through the estimates process, they would not have even noticed. And now we all know that this year's budget did nothing but rub salt into the nasty wounds left by last year's budget.

The aged-care reform timetable has been well known since the legislation passed, over two years ago. There is no excuse for running out of time or leaving things to the last minute. The continued lack of leadership from the Abbott government is jeopardising Labor's aged-care reforms and is causing unnecessary angst and uncertainty in the sector and the wider community. Let me be clear: the reforms are not the problem here; the Abbott government's lack of oversight and failure to implement the reforms in a timely manner are the problem.

Labor is committed to consultation with the sector and to having their input. We have made it clear that we want to be bipartisan. But there is nothing bipartisan about announcing changes to the Living Longer Living Better reforms at the 11th hour without any consultation with us. Bipartisanship is not about making an announcement and expecting us to say nothing.
One of the important roles of a functional opposition is to keep the government accountable. That is what we are doing, and that is what I am doing here today. It is for this reason that Labor remains very concerned about the changes the assistant minister is planning to the aged care reforms. It really concerns me that there has not been a full oversight of the development of these policies going forward. These reforms were supported after lengthy consultation with the community and with the sector, and we had bipartisanship on that legislation. I am concerned now that the government's constant tinkering, short cuts, last minute decisions and budget cuts are undermining the reform process.

Aged care in Australia is in a shambles, and I call on the government to demonstrate a real commitment to aged care services and to our ageing population. There are critical issues facing the aged care workforce, and I would like to see a genuine investment in dementia, the workforce and bedding down the current reforms before running on to create new ones. The ageing of our population has put incredible pressure on the sector, and the projected demand for services in the coming decades means that we need to see the workforce triple by 2050.

According to Deloitte, our rapidly ageing population has made aged care the top growth sector in Australia. So, unlike mining, ageing is a growth industry and will employ more people than the mining industry did in its peak. In the next eight years we will need another 55,700 aged care workers. What is the government doing to ensure that we have the right workforce to meet the demands of older Australians now and into the future?

On 20 May the assistant minister told the Australian Ageing Agenda that: Government can't escape their obligation in terms of funding workforce. Building a better skilled, more appropriate aged care workforce will improve outcomes for older Australians … Unfortunately, like so many of his colleagues, his words do not match his actions. He has just overseen a 15 per cent reduction in the Aged Care Workforce Fund. He announced he would develop a workforce strategy in February 2014. We are now in June 2015 and we are still waiting to see that plan. He announced a grand plan to undertake a stocktake of the current government's funded workforce initiatives. We are still waiting for that too. The only workforce measure this government has delivered is a $40 million cut to the Aged Care Workforce Fund. The government's dithering, its delays and its disarray is being felt by the aged care workers, providers and older Australians who will feel the brunt of this government's lack of leadership and their lack of vision. This government is the reason why our aged care system is not world class and this government will turn us into an international laughing stock.

As I have said before, we are yet to see the Abbott government seriously invest in dementia care and initiatives. The government's inability to offer those living with dementia anything positive is reflected in a number of chaotic and thoughtless decisions. They axed the dementia and severe behaviours supplement without any consultation or warning and announced the untested, experimental flying squads to deal with the residents with severe behaviours. They cut $20 million further from the Dementia and Aged Care Services Fund and abandoned the National Younger Onset Dementia Key Worker program.

The ageing of our population, the alarming growth in dementia and the significant shortage in aged care and the workforce cannot continue to be ignored by this government. This government has just over a week before the programs—which are supposed to be rolled out—currently funded under the Aged Care Workforce Fund end. It has just over a week for the
mystery stocktake and the workforce strategy to rear its very ugly head. It has just over a week to doubt it has a forward-thinking and coherent plan for Australia when it comes to older Australians and the aged care sector. I seriously am looking forward to this. I am looking forward to seeing some leadership from the government. But, like all Australians, and particularly those working in the aged care sector, those living with dementia, their families and the wider Australian community, none of us will hold our breath, because it is quite apparent that the only passion this government has is to offer cuts to those most vulnerable in our communities.

Public Transport

Senator RICE (Victoria) (13:05): Sean is a 23-year-old student I know who lives in Footscray in inner Melbourne. He rides his bike to uni, which gets him there more quickly than a car would in Melbourne's traffic. He catches a train to the pub with his mates and he gets home again without having to worry about how much he has had to drink. Sean is one of the lucky ones who has the choice not to get his driver's licence.

On the other side of town, 18-year-old Sylvia lives in Cranbourne South with her family and is in her final year at high school. She wants to study engineering next year. She can do that at a TAFE college in Dandenong or Frankston. It would take her 15 minutes to drive to Frankston or it would take her 45 minutes to make the trip by bus, after getting someone to drive to her closest bus stop, which is three kilometres away. If she were to choose to go to study in Dandenong, it would take her 25 minutes in her car. But if she wants to take public transport, she would have to take a bus, then a train and then another bus, and it would take well over an hour.

For Sylvia, there is no real choice. So her No. 1 aim at the moment is to get her driver's licence. Her parents are going to buy her a car so that they do not need to keep driving her everywhere. It will be the fourth car in the family. Her elder brother uses his every day to drive to Monash uni at Clayton. It would take him an hour and a half to get there by public transport.

The freeway he drives on is packed each and every morning, as are the roads getting on and off of it, and the pressure continues for more lanes and upgraded arterial roads at the most congested pinch points. We can give the millions of people like Sylvia and her family a choice: we can go down the tired, old route of pumping more and more money into tollways and motorways that encourage more people to jump in their cars and pump out more pollution, increasing the congestion it is meant to solve; or we could prioritise the kind of transformative transport we need to bring us out of the kind of 20th century thinking that we have come to expect from this government.

Toll roads and motorways are extraordinarily expensive. Melbourne's East West Link was estimated to cost $18 billion—that is $1 billion per kilometre; $1 million per metre. Let us put that in perspective: in Victoria the average infrastructure spend each year is only $2 billion to $4 billion, so $18 billion would go a very long way to building virtually every heavy-rail project proposed for Melbourne—airport rail, Doncaster rail, Rowville rail, the Metro Rail tunnel.

We cannot afford to spend such huge amounts of money on roads that we do not need and which will not solve our congestion problems. Put simply: if you build satisfactory networks
of trains, trams and buses so as many people as possible have the choice to travel by fast, frequent, reliable, affordable and safe public transport, then people will use it. If you build it, they will come. We do not need everyone to use public transport; we just need a better balance. The bit of the equation which the road lobby seems to ignore is: that every person travelling by foot, bike or public transport means there is one less car on the road. Forget more and more roads: this is the best thing we can be doing to reduce congestion.

The benefits of encouraging alternatives to cars do not stop at economic or congestion-busting reasons—the health benefits of walking, cycling and using public transport are enormous. Last year around 16,000 Australians died due to inactivity. The Heart Foundation is clear about the benefits of more exercise. In their report *Move it—Australia’s healthy transport options*, they outline very starkly that low levels of physical activity are a major risk factor for ill health and mortality from all causes. People who do not do sufficient physical activity have a greater risk of cardiovascular disease, colon and breast cancers, type 2 diabetes and osteoporosis. Being physically active improves mental and musculoskeletal health and reduces other risk factors such as being overweight, high blood pressure and high blood cholesterol, and being physically inactive can take three to five years off your life.

We need to be doing everything we can to make it easier for people to get the 30 minutes of exercise they need five times a week to lead healthy lives. The easiest way for us to get enough exercise in our busy daily lives is to include it in our daily commute. Travelling by car does not do that; travelling by public transport usually does, and walking and cycling always does.

This is crucial in tackling childhood obesity as well. The past few decades have seen a dramatic decline in children riding to school. Currently, a whopping 62 per cent of kids are driven to school and a mere eight per cent ride their bike. This is the parents’ choice, but more than half indicate they would let their kids ride or walk to school if we had up-to-scratch infrastructure.

The investment I am talking about has the support of the public. According to a report released last week, 71 per cent of people support more funding for cycling, walking and public transport infrastructure. Of course we need to keep the roads we have got up to scratch but we also have to make up for the decades of underinvestment in public transport. We need affirmative action for our train, tram and bus networks to give people a real choice based on assessment of need—social, environmental and economic—including tackling climate change.

Infrastructure Australia know this. Their national infrastructure plan states that public investment in urban transport should focus on public transport, but we know where the government stands with their roads, roads, roads agenda. Labor is trying to have a bob each way, too: they are still committed to spending billions on the WestConnex motorway in Sydney, but this ignores the desperate lack of choice faced by Australian commuters every day.

We need to get away from this outdated thinking that federal transport funding should just be about roads, yet now we see that Labor has done a deal with the government on the fuel excise indexation that does nothing to address this. The Abbott government has been holding the parliament to ransom with the fuel excise, threatening to hand taxpayers’ money over to
the oil companies, if the Senate would not pass the legislation. And so, as we have just seen this morning, Labor caved in.

A good result would have seen two outcomes: for some of this money to go to public transport—because if you are going to make people pay more to drive, you have got to give them alternatives—and to compensate the least well off, who will be most impacted by this tax increase. Joe Hockey was wrong—people on low incomes do drive cars, and they often have to drive the furthest because they do not have any other choice.

The Greens were negotiating to see if we could get a good outcome for people, and it is the people who have lost out because of this deal between Tony Abbott and the Labor Party. This deal fails to cut pollution and fails to compensate the least well off.

Roads to Recovery is a good program, but we have now lost the opportunity to force the government into action on public transport. We have regional communities whose existing train services are broken. This money could have helped to provide decent rail services to communities like Albury and Newcastle, and we could have had a massive improvement in people's public transport choices with a relatively modest investment in buses in outer suburban and regional communities. The fact is that investing in walking, cycling and public transport infrastructure makes sense.

After this year's federal budget continued the government's ideological aversion to anything that is not a road and contained no new funding for public transport, I held a forum in Melbourne to discuss what is next for getting our transport system back on track. I asked people to send a message to this government and I want to leave you with some of these messages. Nick refers to 'the Prime Minister's thought that there are not enough people to justify any vehicle larger than a car'. He urges Prime Minister Abbott to 'have a look at bus route 902 towards Nunawading in the morning peak'. Jim says: 'Cars are "so last millennium". We have to shift from carbon to renewables and stop choking our cities with motor vehicles.' And Jen's message sums it up: 'Don't turn Melbourne into LA. Cars and road building are band-aids. Please invest in public transport. My kids and my future grandkids matter.' I urge the government to take note of these messages and give Australians the transport they deserve.

Papal Encyclical

Senator BACK (Western Australia) (13:15): I rise to comment on His Holiness the Pope's recent encyclical *Laudato Si*, which translates as 'praise be to you'. I firstly acknowledge the excellent work that the Pope has undertaken since he has come to the papal throne in Rome. As a committed and practising Catholic, I certainly accept his right to speak on moral, social and ethical issues. In his encyclical the Pope says, 'I would like to enter into dialogue with all people about our common home.' Indeed, I also want to do that. In his encyclical the Pope spoke about the environment and our responsibilities and the gap between the rich and the poor—all of which he is certainly competent and capable of speaking about. Unfortunately he did not address what is probably the most overwhelming issue confronting the globe at the moment, and that is the question of population and its control. I also have had difficulty understanding what I and others believe to be his criticism of the technological advancements that have occurred around the world—and I want to come back to that. Without doubt, the relief of poverty, particularly in the developing world, is because advances in technology in the developed world are increasingly being activated in the developing world.
As the leader of 1.2 billion Catholics and the influencer of so many around the world, the Pope in his encyclical should have addressed the issue of population growth. Since 1950, and projected through to 2050, the population of the developed world has been around one billion people. That figure is not changing. In fact, if anything, it is slightly declining. By contrast, in 1950 around 1.5 billion people were classified as being in developing countries and by 2050 that will grow by a factor of more than five up to eight billion people. In 1800, there were one billion people in the world. It took until 1927—127 years—to double that figure to an estimated two billion people. It took only another 47 years to double that to four billion people in 1974, and it is expected that we will double that again, to eight billion, by 2025.

We see an absolute burgeoning population on a fixed surface of land area—that is, the globe that we have. In fact, it is not fixed. It is actually declining as we lose usable arable land through urbanisation, salinity and other causes of erosion. So in my view we have a circumstance where birth control is absolutely essential. As was pointed out in a newspaper article yesterday, life expectancy in Bangladesh in 1906 was 21 years. In 2014, it had jumped to 64 years—life expectancy in Bangladesh trebled. So you then start to ask: to what extent should we start looking at population control?

There was a very interesting experiment led by Bob Geldof in 1984. As we all know, at that time the country of Ethiopia was facing mass starvation through drought and loss of crops et cetera. The population of Ethiopia at that time was 40 million people. Bob Geldof, together with his friends in Band Aid, was able to raise a significant sum of money, of which some $150 million actually went to Ethiopia. In 1984 Ethiopia had 40 million people. But by 2014, with all of that aid, its population had jumped to just under 100 million people. That aid was not directed into areas that would sustain a population of 40 million. The population was clearly unsustainable at 40 million—given the drought, erosion and land degradation. The population has gone up by 2½ times in that country and it is still growing at three per cent per annum. And what are the issues confronting Ethiopia today? Deforestation, overgrazing, soil erosion, desertification and water shortage in areas due to poor management of water, crops and farming systems.

I do not know whether His Holiness is pessimistic about the future of technology, but certainly I am not. In the 1960s Norman Borlaug and others created what was known as the Green Revolution. He started out in Mexico in the late 1950s and early 1960s. With new plant varieties and new farming systems, with fertilisers and pesticides and with energy generated from fossil fuel, Mexico went from being scarcely self-sufficient to being a net exporter of wheat by 1963. And wheat yields in India and Pakistan doubled in the 1970s. Those countries went from being severely food deficient to being self-sufficient. The man is credited, in the Nobel Peace Prize which he was awarded, with saving up to a billion lives.

The point that is absolutely essential to make in this discussion is that technology and the opportunism of people led that revolution which we saw. If indeed, as the figures indicate, we are to have some 1.9 billion more people in our own region by 2050, we are going to have to be technologically innovative yet again. But this time round, unlike the work in India in the 1960s, we will be doing it with less land, less water, less money, less fertilisers, less pesticides and, indeed, with an ageing population. Therefore we have significant challenges. I make the point that the Chinese make: a hungry man is an angry man. Military leaders will tell you that right back through history, right through to 2015, most wars have been fought
over access to safe, reliable supplies of food and water. The mass migrations that we are seeing in the world at the moment can be related to that.

The Pope speaks of global warming, but the current evidence contradicts this. The Pope speaks of the role of the UN. I was at the UN General Assembly in 2013 when the Blue Mountains bushfires occurred. It was Christiana Figueres of the UN who made the statement that the Blue Mountains fires were due to climate change. Well, I spoke publicly at the UN at that time. I came back to our leadership to tell them the reason the Blue Mountains fires occurred was not anything to do with climate change or global warming; it was a complete and utter lack of any reduction of fuels in the Blue Mountains forests over far too long a period.

We come to fossil fuels and renewables. There is no doubt at all that into the future renewables will play a larger role. If you look at the main causes of illness and death in poverty-stricken areas of Africa today, particularly among women and children, it is because, for example, they are using cow dung for cooking purposes in dwellings with poor or nil ventilation. That is what is causing the respiratory problems. Yes, at some time into the future we may well be able to use solar and other forms of energy to help them. In the meantime, the quickest and best way of assisting them and getting circumstances where they have energy available for cooking and other purposes is gas-fired and/or coal-fired generation. Renewables will occur, but of course in the meantime we have a bigger challenge.

The message I would leave is this: for any project to succeed, it must be economically, environmentally and socially sustainable. I say to His Holiness: laudato si. Praise be to you also.

Queensland

Senator KETTER (Queensland) (13:25): I rise this afternoon to speak of this government's callous disregard for the people of my home state of Queensland. This is particularly in relation to the fact that this government is denying to Queensland much-needed infrastructure investment. In order to support that argument, I was interested to read in The Courier-Mail today an article headed 'Mining boss tells Abbott to cough up'. In this rather extraordinary article, the CEO of the Queensland Resources Council, Mr Michael Roche, who is not generally known as being particularly a friend of the Labor Party, has indicated his support for the Treasurer of Queensland, Mr Curtis Pitt, and said in this article:

We will back Mr Pitt 100 per cent in calling on the Federal Government to ensure that Queensland gets its fair share of infrastructure funding, …

Regrettably, last month's federal budget saw this government deliver no new infrastructure funds for Queensland for any of our significant projects. When it comes to federal infrastructure funding, this government has let Queensland down very badly. We all know that with the tapering off of the mining investment pipeline, what most of Australia is desperately in need of is infrastructure for innovation, for collaboration and for improved productivity, so that the jobs of the future can be realised. This government has sadly let Queensland down when it comes to this vital investment.

In fact Mr Roche has said that federal funding is being held back because the state would not take part in this government's ideological—that is my word—asset recycling scheme. We have had grave concerns about the asset recycling scheme for some time. We know that the
people of Queensland, at the January state election, spoke quite decisively on this issue of privatisation of state assets. Most people would be aware that probably one of the most significant issues in that particular election was the question of whether or not the state's assets should be privatised. The people of Queensland said quite emphatically that this was not to occur, and we saw the election of a state Labor government and the fall of the Newman government.

We in Labor know that this asset recycling proposition is an ideologically driven approach. It is the people of Queensland who are suffering because of this ideological fixation that the government has on the question of privatisation of assets. I refer to the report of the Economics References Committee, Privatisation of state and territory assets and new infrastructure, dated March 2015. Referring to the issue of distortion of decisions, it said:

The committee has considered evidence that binding infrastructure funding with privatisation has the potential to distort state and territory decisions on privatisation and infrastructure funding. The potentially undesirable outcomes of this distortion may include:

- privatisation of assets that would not otherwise be privatised;
- negative impact on states and territory revenues by selling revenue earning assets to purchase loss making infrastructure; and
- distorting the consideration of a range of more appropriate infrastructure funding mechanisms by states and territories.

It is very pleasing to see Mr Roche coming forward and saying in comments that are reported in The Courier Mail today that:

Tying federal support to the sale of state-owned assets is redundant …

We have a situation in Queensland where, I think, we have a bipartisan position that the state election has determined the issue of privatisation of state assets, despite the fact that we have a federal government that is seeking to deny us much-needed funding for job-creating infrastructure. The government's infrastructure funding policy is a joke.

I also want to give a more specific example of where this government has turned its back on the people of Queensland and, in particular, the people of Central Queensland in a most callous way. I have previously spoken on the issue of Tropical Cyclone Marcia. It was characterised as a severe tropical cyclone. This cyclone crossed the Queensland coast north of Yeppoon as a category 5 cyclone earlier this year. It swept through Rockhampton and a number of other towns in the Central Queensland area. My home state of Queensland experienced extensive damage and disruption to communities, businesses, the environment and infrastructure.

I saw the devastation firsthand in Rockhampton and Yeppoon when I visited the region earlier this year. I want to pay tribute to the Mayor of Livingston, Bill Ludwig, and the Mayor of Rockhampton, Margaret Strelow, for their attempts to try to secure appropriate support from this government for the recovery. Those communities have been hit very hard by the impact of Tropical Cyclone Marcia. There has been a particular impact on the motel and hotel industries. We have seen a number of facilities in those industries close down in recent times.

You will understand my dismay at learning of this government's refusal to pay its fair share of the category D assistance under the natural disaster relief and recovery arrangements. The Queensland government and the two local authorities that I have referred to got together and
came up with a sensible proposal to the federal government. It was a very detailed proposal for $198.5 million under the category D exceptional circumstances funding. But on 1 June the Prime Minister advised the Queensland government that the federal government was prepared to provide on cost-share basis only $27.75 million for Central Queensland. In his letter, the Prime Minister, quite insultingly, said that the overall impact of Tropical Cyclone Marcia was not of an exceptional nature compared to other cyclones that have been experienced. I am sure that the people of Rockhampton and Yeppoon would strongly disagree with those comments. It was an exceptional event for them.

The Queensland agriculture minister, Mr Byrne, has said that, without full category D assistance, major projects, including the Rockhampton riverbank reconstruction and the Yeppoon foreshore revitalisation project, cannot go ahead. Mr Byrne went on to say that: Category D assistance is a safety net to support communities facing extraordinary recovery costs following a natural disaster and a lifeline for the local economy that's still doing it tough.

I join with Mr Byrne in saying that the federal government's decision is a real slap in the face to local families, businesses and people who have had their lives torn apart by an extreme natural disaster.

This government has refused Central Queensland critical recovery funding, and I would go so far as to say that this government has abandoned Central Queensland. It is particularly disappointing to see the federal member for Capricornia, Ms Landry, failing to stand up for the region. I call on Ms Landry to stand up for Capricornia and to support these local development projects. I note that, following the letter from the Prime Minister to the Queensland government that I referred to, Ms Landry welcomed the announcement, saying that $28 million would make a significant contribution to the recovery. That amount of money is simply not enough to get Central Queensland back on its feet. Rockhampton mayor, Margaret Strelow, has said that Rockhampton alone needs at least $16 million. I am deeply disappointed at this government's inability to stand up for Australia's rural and regional areas by refusing to allocate its fair share.

Families

Senator MADIGAN (Victoria) (13:35): There is one segment of Australian society under attack at the moment, and more so than ever before. I am speaking about the family. No matter which way you look in this place or the other, the concept of family has diminishing currency. Whether we are talking about taxation, family support, child care or education, the place of the family, and the respect it deserves, is being eroded. Personally, I deplore this trend, and I worry about its consequences. In previous years, we understood the importance of families. We made laws to protect families. We built the function of our society around families. We did this because we recognised a key fact: happy and stable families are fundamental to a happy and stable society.

But, today, that idea is being challenged. Many say this idea of family is old-fashioned and out of date. Many say biological connections are unimportant and that it takes a village to raise children. Many say the 'nuclear family' is a relic from the past. They say it needs to be done away with. They also say there is nothing special about a mother and a father raising their own children. Many say laws that benefit the family are a form of discrimination against single people. Many say we are a society of individuals, not families, and that those who choose to have children should raise them unhelped and on their own. Even 'pro-family
conservatives' are now attacking the idea of the traditional family by gradually stripping them of their financial independence and autonomy. Platitudes about the importance of the family mean little if you are continually hurting families financially. The family is in need of defending. The family needs supporters and defenders. The family needs people who believe in it as a cornerstone of a healthy society. And that is why I am on my feet today.

Critics may be right when they say that the traditional family is old fashioned, but they are wrong when they use 'old fashioned' as a synonym for 'out of date'. The idea of a traditional family has been around for a long time. That is because it works. The traditional family has thrived in nearly every culture because it is the best way to ensure children have a stable environment to grow up in. Biology is important. It is vital that, where possible, children be raised by their own parents because of the strong natural bond that exists between them and their biological children. There is something special about the relationship a child has with its mother and father. To say otherwise is to deny reality.

Those who say supporting families is unfair on single people miss the point entirely. Governments do not support families because they are making arbitrary judgements on a person's relationship status. Rather, governments should support families because they have a vested interest in families succeeding. Stable families produce stable citizens and taxpayers. Payments and concessions made to families should be viewed not as handouts but as investments in our nation's future. Stripping payments from families will hurt not only the individuals involved but society as a whole.

That is why the words of many politicians ring hollow when on one hand they will boast about their family values credentials and then they promote ripping back family tax benefit payments. If you really are pro-family, you must be prepared to put your money where your mouth is. You must be prepared to support and subsidise the cost of raising a successful family. If not, you do even more damage to the family when its very concept is under attack. Many families in Australia are struggling to make ends meet. Is this government determined to make life even harder? The Prime Minister has said all Australians have to make sacrifices. Until recently, that was the song sheet he and the Treasurer had been singing from. But increasingly it seems as if it is families being asked to bear the brunt of budgetary savings measures.

Families deserve better. They have our nation's future in their hands. It is time we started showing more recognition for the role families play. Families need our support, and it is our duty to step up.

Mining and Energy

Senator SMITH (Western Australia) (13:41): In Perth yesterday morning, I had the privilege of addressing the annual convention of the Association of Mining and Exploration Companies, better known as AMEC. I use the word 'privilege' quite deliberately, because this is a gathering of those who will be largely responsible for driving the success of our mining and resources sector in the years ahead. By extension, this means they will also be responsible for creating jobs for thousands of our fellow Australians over the coming decade.

Perhaps the thing that struck me most clearly about yesterday's event was the very welcome mood of optimism present amongst the delegates, because here in Canberra often all we hear is people talking about the mining industry in the past tense. 'The boom is over,' we
are told, and efforts are made by some in this parliament to talk about the mining and resources sector as a relic of the 'old economy'. Discussions about the potential contribution of renewable energy are all very well. However, it is the mineral and resources sector that we know is capable of providing our energy needs today, and of creating jobs for today and tomorrow.

This is one reason why earlier this year, prior to the delivery of this year's budget, the Abbott government made the passage of the Exploration Development Incentive a key legislative priority. Small miners have long called for recognition in taxation arrangements of the long lead times between investment, exploration and production. Small exploration companies often must wait many years before tax losses from exploration expenses can be utilised. Many will never generate sufficient income to utilise their losses. This government legislated the Exploration Development Incentive because we are committed to doing something to assist in a responsible, economically effective manner. Discussions and presentations at yesterday's convention made it clear that the Exploration Development Incentive has been widely welcomed by those involved in mineral exploration. It is already making a very real difference in terms of working to develop the projects that will ensure the future strength of mining in this country and in terms of job creation in a challenging economic environment.

Of course, when it comes to meeting our energy needs and job creation, Australia does not rely on mineral exploration alone. The oil and gas industry is one of Australia's success stories, especially in my state of Western Australia. Its importance to our national economy by way of export revenue, job creation and regional development cannot be overemphasised. In 2013-14, Western Australia had a record $121.6 billion in sales from the minerals and petroleum extractive industries. The petroleum sector alone was valued at $26.5 billion, an increase of nine per cent on the previous year. This represents 22 per cent of the total value of resource industry sales for Western Australia, placing petroleum as the second most valuable resource after iron ore. There are also ongoing capital investment commitments in the state's petroleum sector and, as at February 2015, it was estimated that $152 billion worth of resource projects were either under construction or otherwise committed, and a further $75 billion is identified as being allocated to planned or possible projects in the coming years.

The economic benefits to the state do not end there. Strong growth in Western Australia's resources sector is set to continue as more liquefied natural gas projects come to fruition. Among these, the Gorgon LNG project is scheduled to commence production later this year, to be followed by the Wheatstone and Prelude projects in the next couple of years. As these projects move from the construction phase to the operational phase, skilled workers will be required for the new gas plants at Barrow Island and Ashburton North. This is part of the transition from the construction to the operational phase of the investment cycle, with the focus moving to more highly skilled, long-term jobs in operations, maintenance and logistics support. Additionally, further opportunities will be available in research, training and development.

With LNG exports expected to more than triple by 2018-19, Australia is poised to become the world's largest LNG exporter by the end of this decade. This is an extraordinary achievement. It reflects the remarkable breadth of knowledge and technological know-how in the industry in Australia, and the diversity of our abundant natural resources. Domestically,
Western Australians use more oil and gas than any other energy source and this trend is
expected to increase in the years ahead. The importance of a secure and reliable gas supply for
Western Australia cannot be overstated because it is the most energy and gas-dependent
economy in Australia. Natural gas fuels half of WA's primary energy needs and 70 per cent of
its electricity generation. This compares to 22 per cent and 16 per cent for Australia as a
whole. A secure and reliable gas supply will underpin jobs, investment and economic growth
in WA into the future.

Just as Western Australia's long-term interests are served by maintaining access to open
and competitive markets for iron ore, wheat and cattle exports, the same is true for gas. WA's
LNG industry is a source of comparative advantage that should be harnessed, not hindered. It
is delivering valuable infrastructure that will aid the development of the domestic gas sector
and will provide substantial investments for decades to come. This is why all of us—
government, industry and community—have a huge stake in safeguarding its future, a future
that relies on exploration and production from unconventional gas fields. The further
development of WA's onshore gas resources—unconventional and conventional—has the
potential to deliver significant social, economic and environmental benefits to the state and
the nation.

It is vitally important to encourage shale gas exploration in WA not only to provide a
clearer picture of the extent of the resources but also to promote a rational, objective and fact-
based discussion of environmental and land access concerns, especially in the Canning Basin,
which is located in the East Kimberley. Western Australia is in the fortunate position of being
able to build on a strong record of leading operational and regulatory practices in the oil and
gas industry. Many of these have been conveniently ignored by the anti-gas propaganda
coming from the Greens, which is solely designed to alarm local communities and
landholders. In this regard, I note the recent comments by Mr Stedman Ellis, the Chief
Operating Officer for the western region of the Australian Petroleum Production and
Exploration Association. He has urged communities in WA considering these issues to keep
an open mind and look carefully at the facts, in particular noting that in Queensland fracking
and gas exploration activities have been largely responsible for reversing the decline of many
regional communities. He said:
The facts are that fracking is a safe, reliable, well-understood technology that's been used in WA and
elsewhere since the 1950s and demonstrably it's had a very significant positive impact in other regional
communities.

He also noted that the scare campaigns being run on this issue:
… can confuse and scare people and I think unreasonably lead some of the community to miss out on
some of the opportunities that the gas industry can bring in terms of jobs and economic opportunity and
environmental responsibility to the region.

Despite the numerous scientific reviews and decades of practical experience showing the
material risks to the environment from shale gas extraction to be very low and that best
practice operational and regulatory approaches can ensure that resources are developed in an
environmentally responsible manner, one party, the Australian Greens, continue to rally
against not only shale gas exploration but the oil and gas industry as whole. They use political
activist groups like Lock the Gate or Frackman to seek a moratorium on fracking in the entire
Canning Basin until another comprehensive, rigorous and independent review has been
conducted. They support the trespassing on and the vandalism of private property and facilities, and the use of scare tactics and fearmongering in the communities in the Mid West and Kimberley regions of my home state of Western Australia. They demonise rural landholders who support oil and gas exploration, and condemn those farming groups that are working with the petroleum industry to develop access agreements and codes of conduct.

The Australian Greens need to be honest and upfront with the Australian people about their real objective, which is about not the environmental impact of fracking but the prevention of natural gas from becoming a major fuel source for the generation of energy as opposed to renewable energy. Their antifracking policy is solely about exerting political influence, rather than achieving environmental outcomes.

**Defence Procurement**

Senator McEWEN (South Australia—Opposition Whip in the Senate) (13:50): On Saturday, 23 May this year I joined 6,000 other people at Techport in Adelaide's northern suburbs to watch the launch of the first of three destroyers being built as part of Australia's air warfare destroyer program. After more than 10 years, the launch of the *Hobart* was the culmination of the hard work of more than 3,000 Australians. As a South Australian I was proud to be there amongst so many of the local workers and their families as they celebrated the transition of the ship from the hardstand to the water. After successfully building one of the most complex projects of its type in Australian history, an enormous amount of pride was evident from those who worked on the project. Thousands of hours of work had gone into the *Hobart*, and its launch was truly a momentous occasion in Adelaide. Onlookers and the general public who had also come to witness this event were equally proud and impressed that such a sophisticated and vital piece of defence capability had been built in my home state and my home city.

Unfortunately, a feeling of uncertainty lingered over the event. At the event I spoke to numerous workers and business representatives who were involved in the *Hobart* build directly and also through supply chain industries. As proud as they were to be at the launch and as proud as they were of their contributions to this magnificent project, their thoughts had already, of course, turned to what would happen to them in the future.

The uncertainty and the insecurity, which the Abbott government has inflicted on our shipbuilding industry and related supply-chain industries, leave thousands of Australians on edge, not knowing what the future holds for them. Without a decision from the government about the future of the submarine project and with increasing speculation about what might be or might not be in the much awaited defence white paper, Australia shipbuilding industry will continue to be left hanging perilously. Just last month we saw 120 or so contractors fired from Adelaide's ASC without warning—they were told on a Friday afternoon that they would no longer be required on the Monday because of the absence of work. In that same week BAE in Williamstown was forced to let go of 80 workers, again because of the lack of work and we heard that last week BAE Systems advised that it would not be tendering for the upcoming Pacific patrol boats program, due to the government's unfeasible time lines for that project. Earlier this year the shipbuilder Forgacs in Newcastle reduced its workforce by 20 per cent, and there are news reports today of a further 160 job losses to come in Newcastle. The toll is rising; every day of inaction means more job losses in this vital industry across our country. Of course, our thoughts are with the workers, who are losing their jobs, with their families.
and with the businesses that have worked so hard to support shipbuilding and defence industries and that are now facing the great risk of being unable to continue.

The government needs to act and it needs to act now. We cannot continue to lose jobs, shipyards and potentially destroy entire industries as a result of the government's indecisiveness. Even Mr Tony Shepherd—Mr Tony Abbott's captain's pick to head up his own Commission of Audit—has come out declaring that the shipbuilding industry should remain on our shores and saying that the government should follow the well-proven risk-reduction path of defence procurement that was established throughout the construction of the Anzac frigates and the Collins-class submarines. Mr Abbott should listen to Mr Shepherd and he should put the interests of all Australians first. The launch of the Hobart proved that we had the skills and the capacity, as well as the workforce and some of the most advanced engineering techniques to complete projects, including the future submarine project, right here onshore in Australia.

Rather than implementing a farcical, competitive evaluation process to provide cover for decisions that he has already made, Mr Abbott should put faith in the highly-skilled professional shipbuilding capacity that we have here at home. To make matters worse, it seems as though every time I open a newspaper there is another thought bubble from the government about their plans for the industry. Just this week, I was surprised to read that there is a possibility that the government may scale back the build of new submarines from 12 to eight. This would mean even fewer jobs, less opportunities and less certainty for industry, not to mention the impact on our Defence capabilities. After the announcement in May that Japan would participate in the sham of the competitive evaluation process, earlier this month Defence minister Kevin Andrews inspected Japan's defence facilities. These signs are ominous; they are signs that Mr Abbott is going to ignore his chief advisers and ignore the pleas of thousands of Australians and award the future submarine program to Japan. He has even been ignoring advice from his own senators. Just last week in this place Senator Fawcett dispelled the government's own lies that the government cannot build ships competitively. He put on record that Australia needs a viable shipbuilding industry. In fact Senator Fawcett said: We have and can continue to build the best ships at the best price, but it will take a long-term bipartisan approach.

Fair enough.

Labor wholeheartedly supports Australian shipbuilding and Australian Defence industries. We have a credible plan to protect our national strategic interests and, even more so in this time of economic uncertainty, we have plans to protect Australian jobs and in particular Australian manufacturing jobs. The launch of the Hobart proved that we do have a highly qualified workforce and that we should use that workforce to build the submarines of the future. Mr Abbott needs to wake up and realise that we need to protect the future of Australian shipbuilding and submarine industry before it is too late.

Australian Labor Party

Senator BERNARDI (South Australia) (13:57): It is a pleasure to take up the last two minutes and 21 seconds before question time. The Australian people need to be concerned with some of the actions of the Australian Labor Party in recent days. We find the Australian Labor Party have been cannibalising themselves and tearing themselves to pieces via the ABC's The Killing Season program, and might I say that we should continue to fund the ABC
to produce such incisive demolitions of the culture of the modern Australian Labor Party. We understand that there are lobotomised zombies on the other side and we understand also that there are groups of individuals who really do believe the mantra that 'politics is show business for ugly people'. Hence they seek out the cameras and they chase them all across the land. They chase them from Sydney down to Melbourne and pose on park benches, pretending they are talking to someone.

This is an extraordinary decision and determination by those who consider themselves the brains trust of the modern Australian Labor Party. Whilst I am loath to name these individuals, I will identify Senator Dastyari as the man—he is known as 'Dasher'—who hunted that camera incessantly. I must contrast Senator Dastyari's involvement with the involvement of the leader of the Labor Party in the Senate, Senator Wong. I found it extraordinary over the course of these three nights that Senator Wong was always marching behind the leader who was being plotted against. It was quite uncanny. There was Senator Wong arm-in-arm with Mr Rudd and then arm-in-arm with Ms Gillard and then arm-in-arm with Mr Rudd again. This is the sort of thing that the leadership team of the Australian Labor Party does. The only thing they are good at is plotting against each other. I thank the Senate for the opportunity—(Time expired)

The PRESIDENT: It now being 2 pm, we move to questions without notice.

QUESTIONS WITHOUT NOTICE

Defence Procurement

Senator KIM CARR (Victoria) (14:00): My question is to Senator Brandis, the Minister representing the Minister for Defence. I draw the minister's attention to the report in the *Newcastle Herald* that 160 more workers at Forgacs' Tomago shipyard will be laid off in July due to the lack of work. The report goes on to say:

... the rest of the jobs will be phased out by year's end unless there's a dramatic change in Commonwealth shipbuilding policy.

Minister, after two years of doing nothing, when will the Abbott government end its inaction that has caused hundreds of highly skilled Australian ship workers to lose their jobs?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:00): Senator Carr, I am delighted to be able to tell you that there has been a dramatic change in the policy of the Australian government. That dramatic change in the policy of the Australian government occurred in September 2013, when the Australian government changed and a government was elected that was committed to restoring the Australian shipbuilding industry—because, Senator Carr, as you should know, during the six years of the Labor government, for most of which you were the minister for industry in this country, not one single warship was commenced at any Australian shipyard. Not one. Not only was not one ship commenced at any Australian shipyard for the six years that you were the minister for industry—

Senator Conroy: Why don't you like Australian ship workers?

Senator Wong: You said 'ship'; your line is 'warship'.

Senator BRANDIS: but, Senator Carr—

CHAMBER
The PRESIDENT: Order, on my left!

Senator Wong: Your line is 'warship'.

Senator BRANDIS: I am trying to make myself heard over the screaming and screeching of Senator Penny Wong here.

Opposition senators interjecting—

Senator BRANDIS: Senator Carr, not only was not one warship commenced in the six years of the Labor government but the air warfare destroyer project, which had been begun by the Howard government, fell into abeyance with cost blow-outs and production delays, so that it was left to the Abbott government to complete and bring home the air warfare destroyer project and, as we will announce in coming months, the future Australian submarine. Now, Senator Carr, how you can complain, when for six years the Australian shipbuilding industry fell into the 'valley of death' during your custodianship of the portfolio of industry, is beyond me.

Senator KIM CARR (Victoria) (14:02): Mr President, I ask a supplementary question. I remind the minister that the latest lay-offs come on top of the 450 jobs that have already been lost at Forgacs on the Abbott government's watch, making a total of 610 jobs lost at this shipyard alone. This is in a period when you have decided as a government to send two ships offshore. And this is in addition to the 120 jobs lost at ASC in Adelaide and 100 more at BAE in Williamstown—(Time expired)

The PRESIDENT: As the time for asking the question expired, Senator Brandis, there was no question there, but I will allow you to address the question in any way you wish to.

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:03): I will take it as a comment, but I will respond, Senator Carr. Senator Carr, you are speaking about a shipbuilding enterprise in Newcastle. Let me tell you what the Newcastle Herald has reported: Newcastle Trades Hall Council secretary Daniel Wallace said unions and shipbuilding firms had been warning about the "Valley of Death" since Labor was in power. So the 'valley of death', Senator Carr—this phrase that has been around the Australian shipbuilding industry for some time, by the way—is a phrase that comes from the trade union movement complaining about the 'valley of death' into which you sent the Australian shipbuilding industry during the Rudd, Gillard and Rudd governments, when you served as minister for industry. The shipbuilding industry had a near-death experience under you, Senator Carr, and it is being revived by the Abbott government.

Senator KIM CARR (Victoria) (14:04): Mr President, I ask a further supplementary question. I ask the minister to explain why the government has sent two ships offshore, with this crisis facing the ship industry; and when will the government sit down with shipbuilders and bring work forward to avoid these job losses?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:05): Senator Carr, why did the Labor government commence no ships, warships, at any Australian shipyard in the entire six years you were in power? Not one, Senator Carr. Not one ship, warship, commenced in the six years when you were in power—not one. Meanwhile, nothing
was done to progress the Australian submarine—not a thing. That fell into abeyance while
Defence expenditure fell to the lowest level—

The PRESIDENT: Pause the clock.

Senator BRANDIS: as a proportion of GDP—

The PRESIDENT: Order, Minister!

Senator BRANDIS: since 1938—

The PRESIDENT: Order, Minister!

Senator Moore: Mr President, I rise on a point of order on direct relevance to the question
asked by Senator Carr, which was: when will the minister sit down with the shipbuilders and
bring work forward? That was the quite neat question.

The PRESIDENT: Thank you, Senator Moore. I remind the minister of the question. He
has 24 seconds remaining in which to answer.

Senator BRANDIS: Thank you for reminding me, Mr President, because that is precisely
what we have done—and I will tell you when we began, Senator Carr. We began with the
contractors for the air warfare destroyer project, which fell behind because of cost overruns
and construction delays during the six years of the Labor government, when the shipbuilding
industry went into the 'valley of death'. (Time expired)

Abbott Government: Legislative Program

Senator SINODINOS (New South Wales) (14:06): My question is to the Acting Leader
of the Government in the Senate, Senator Brandis. Can he update the Senate on the
government's record of achievements and, in particular, its record of legislative
achievements?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-
President of the Executive Council, Minister for Arts and Attorney-General) (14:07): Thank
you very much, Senator Sinodinos, for that very timely question. Yes, I can, because I am
pleased to say that the Abbott government has a great record of legislative achievement. That
is partly due to the fact that this Senate—which, of course, the government does not control a
majority of—has been passing government legislation. By the start of this week, already 68
bills had passed the Senate this year. We are not at the end of the sitting fortnight, as you
know, Mr President, but already in the last fortnight we have passed 35 bills. On Monday, we
passed 11 bills. Yesterday, we passed a further seven. Already this morning we have passed
another five. I want to pay a compliment to the Manager of Government Business in the
Senate, Senator Mitch Fifield, who has managed the government's legislative program so
skilfully for so long, but particularly in the last fortnight.

For example, Senator Sinodinos, Monday of last week we passed the small business tax cut
and instant asset write-off legislation. On Tuesday, the Senate passed the Abbott government's
plan to make the pension fairer and more sustainable, with benefits for 170,000 pensioners
with modest assets, who will receive an extra $30 a fortnight as a result of that legislation. On
Wednesday of last week, $3.3 billion of budget repair measures were passed in the Senate
with the passage of the budget's tax legislation—a great achievement, in particular, of my
colleague Senator Mathias Cormann, who had responsibility for that legislation. This
morning, Mr President, as you know, we passed the diesel fuel legislation.
Senator SINODINOS (New South Wales) (14:09): Mr President, I ask a supplementary question. Can the Acting Leader of the Government in Senate update the Senate on other government achievements?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:09): Yes, I can.

Honourable senators interjecting—

Senator BRANDIS: Yes, Senator Sinodinos, I can tell you more. The Senate has also passed the renewable energy target, which will result in more than 23.5 per cent of Australia’s electricity being derived from renewable sources by 2020. As I mentioned a moment ago, as recently as this morning, the Senate passed the biannual petrol indexation, which will improve the budget bottom line by $3.6 billion over five years. We, the Abbott government, are getting on with the job of building for the future. Our economic plan is working. Our legislative plan is progressing. We have created more than 280,000 new jobs since we were elected, and Australia is now back in business.

Senator SINODINOS (New South Wales) (14:10): Mr President, I ask a further supplementary question. What has been the role of the Senate in these achievements?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:10): Well, Senator Sinodinos, as you well know, none of this would have been possible without the cooperation of the Senate. I am pleased to say that in recent times the Senate has shown a more cooperative attitude towards the government than was the case, perhaps, last year. We understand that it is the opposition’s role to oppose, but it is the opposition’s role to oppose constructively. I do want to acknowledge and thank the opposition for its support on the renewable energy target legislation and its support on the diesel fuel rebate indexation legislation, just as I acknowledge the support of the Greens in passing the pension reforms which were passed through the Senate last week. The Australian people generally like the idea of a balance of power in our constitution, but they do expect the Senate to be constructive, and in this fortnight it has been.

Attorney-General

Senator JACINTA COLLINS (Victoria) (14:12): My question is the Attorney-General, Senator Brandis. I refer to the failure of the Attorney-General and the foreign minister to correct the record for a full parliamentary week after misleading evidence was provided on the provision of the Monis letter to the Martin Place siege review. Can the Attorney-General confirm that the Department of the Prime Minister and Cabinet advised his department at 12:15 pm on Monday, 1 June that they had not received the letter? Can he confirm that, at 5:30 pm that Monday, the Department of the Prime Minister and Cabinet asked the Attorney-General’s Department when the false claim would be corrected? Why did the Attorney-General ignore the advice on that Monday from the Department of the Prime Minister and Cabinet and fail to correct the record until the afternoon after question time of Thursday, 4 June?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:13): Senator
Collins, I am perplexed by you. I am perplexed because I thought that you were a member of a Senate committee that, at the moment, was considering this question and that the hearings of that Senate committee were current. So how you can be a member of a Senate committee examining a matter which is still current and have announced conclusions about it—

**The PRESIDENT:** Pause the clock.

**Senator Wong:** Mr President, I raise a point of order on relevance. This is a very serious matter, and what Senator Collins has put to the Attorney-General—

**Senator Ian Macdonald:** Is there a point of order?

**Senator Wong:** The point of order is relevance. The question directly went to the advice from the Department of the Prime Minister and Cabinet on two occasions on Monday, 1 June which appear to have been ignored by this minister in his failure to correct the record after that advice twice. He may think that it is amusing to criticise Senator Collins. I happen to think, and the opposition happens to think, that misleading the Senate is actually a very serious charge.

*Government senators interjecting—*

**The PRESIDENT:** Order on my right! Senator Wong, the minister was barely into his answer and I cannot at this point in time say that he is not going to be directly relevant to the question, so I call the minister.

**Senator BRANDIS:** Thank you, Mr President. I was merely making the point that it is very strange for a senator who sits on a committee examining a matter, where the proceedings of the committee are still current, to be announcing conclusions already before all of the evidence has been heard. So, Senator Collins, your question is actually inappropriate, but you do rather tip in your hand as somebody who has prejudged the issue. In any event, Senator Collins—

*Honourable senators interjecting—*

**The PRESIDENT:** Order! On my right and my left!

**Senator Wong:** Mr President, I raise a point of order on relevance. Criticism of Senator Collins is not relevant to the question asked. He is wasting time; he has gone over a minute. The Senate deserves an explanation of how you misled the Senate for four days after the Prime Minister's department advised you of such.

**The PRESIDENT:** There is no point of order.

**Senator Ian Macdonald:** Mr President, on the point of order, the Leader of the Opposition has form in using points of order to get up and lecture people and make speeches, and I urge you to call her to account, rather than listening to the spurious points of order.

**The PRESIDENT:** Order! There is no point of order. Both sides come to order. It would assist if we allowed the minister to be heard. I had trouble listening to the last 15 seconds of the minister's answer. Minister, you have 57 seconds.

**Senator BRANDIS:** If the matter is as important as the Leader of the Opposition says it is, perhaps I could be heard in silence when I answer the question.

*Opposition senators interjecting—*
Senator BRANDIS: Apparently not. Apparently it is not being treated seriously by the opposition, but, nevertheless, let me proceed with my answer. Senator Collins, in any event, your question is based on a false premise. I have addressed this more than once before. The record was corrected immediately—immediately it was confirmed to me that the evidence was incorrect. That occurred early on the Thursday afternoon of the second week of estimates, and I actually took the trouble, Senator Collins, of having the correction of the record hand-delivered to the Senate committee secretariat so that the Senate committee could be made aware of the correction as soon as possible.

Senator JACINTA COLLINS (Victoria) (14:17): Mr President, I ask a supplementary question. Can the Attorney-General confirm that he did not inform the foreign minister or her office that the minister had misled the House of Representatives on Thursday, 28 May until the afternoon of Thursday, 4 June, despite the Attorney-General becoming aware that the statements were misleading on Monday, 1 June?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:18): That is simply not true, Senator Collins; I did not become aware of that. It was drawn to my attention that there were doubts about the earlier evidence, so I asked the secretary of my department to conduct an urgent inquiry. The results of that inquiry were communicated to me early in the afternoon of the following Thursday, at which time it was confirmed to me that the earlier concerns were correct and that the evidence the previous week was wrong. I immediately corrected the record and I immediately advised the foreign minister of the matter, who herself immediately corrected the record.

Senator JACINTA COLLINS (Victoria) (14:18): Mr President, I ask a further supplementary question. How can Australians and the Senate have confidence in this Attorney-General when it takes a full parliamentary week for him to disclose the fact that misleading evidence was given on a matter of national security due to a missed tab on an Excel spreadsheet?

Senator Ian Macdonald: Mr President, I have a point of order on that question. That question is being looked at by two Senate committees and the information in that question is simply incorrect. There was a notification—

The PRESIDENT: Thank you, Senator Macdonald.

Senator Ian Macdonald: to my committee on the Thursday, as Senator Brandis says—

The PRESIDENT: You are now debating the matter, Senator.

Senator Ian Macdonald: and the evidence shows that was how it was.

The PRESIDENT: There is no point of order. The Senate can ask questions in relation to these matters.

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:19): As I have said—and I will continue to tell you, Senator, but it does not seem to be sinking in—it was confirmed to me early in the afternoon of the Thursday of the second week of estimates. I immediately corrected the record. I immediately advised the foreign minister of the fact. The foreign minister immediately advised the House of Representatives. I actually took the trouble
of having the secretariat immediately told by a hand-delivered letter so as to ensure that the parliament would have the opportunity to deal with the question before it rose that week—

Senator Wong interjecting—

Senator BRANDIS: and, in fact, it did so, because, far from avoiding questions, Senator Wong, I actually took questions from you that afternoon, as you know.

Asylum Seekers

Senator HANSON-YOUNG (South Australia) (14:20): My question is to the Minister representing the Prime Minister, Senator Brandis. My question is in relation to the legislation the government plans to ram through the parliament this week to give the government the power to continue detaining people on Nauru and Manus Island. Given the government’s urgency for this legislation, will the minister admit that this means Australia has been illegally detaining men, women and children in squalid detention camps for the last three years?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:21): No, that is incorrect, Senator. The government is of the view that the offshore processing arrangements are lawful. That is the view of the government. Some legislation was introduced, I understand, into the House of Representatives this morning. It will be debated in the House of Representatives today and I believe it will be introduced into the Senate either later today or tomorrow. But the answer to your question is that the government believes—and I understand the former Labor government also believed—that the offshore processing arrangements were lawful.

Senator HANSON-YOUNG (South Australia) (14:21): Mr President, I ask a supplementary question. Given the recent Philip Moss review and the current Senate inquiry into the conditions in Nauru has heard women and children have suffered rape, sexual abuse and conditions that are akin to torture, why on earth would this parliament give the government a blank cheque to keep children detained in these squalid conditions?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:22): Senator Hanson-Young, without accepting any of the absurd assertions you make and the false premises of your question, perhaps that is a point you may care to make in the parliamentary debate. But we are of the view that the measures this government has implemented to stop the flood of illegal immigrants, to stop the drownings at sea—more than 1,100 people who lost their lives as a result of policies that you—

The PRESIDENT: Pause the clock! Point of order, Senator Whish-Wilson?

Senator Whish-Wilson: Mr President, on a point of order: I wanted to draw attention to the word ‘illegal’. It is not illegal to seek asylum.

The PRESIDENT: No, that is not a point of order, Senator Whish-Wilson, that is a debating point.

Senator BRANDIS: Senator Whish-Wilson, that is not the legal advice of the Australian government. Senator Hanson-Young, as I said to you a moment ago, under policies that you supported, nearly 50,000 people came to Australia illegally. Eight hundred and twelve
asylum-seeker vessels came to Australia illegally. More than 1,100 men, women and children drowned at sea. And we stopped it.

Senator HANSON-YOUNG (South Australia) (14:23): Mr President, I ask a further supplementary question. Could the Attorney-General explain to the chamber why it has taken this long? Why wait until the last two days of the sitting period to introduce this legislation, considering the case before the High Court was lodged in May?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:23): The government is of the view that this legislation is beneficial to strengthen—

Senator Hanson-Young: But it's been illegal for the last three years!

Senator BRANDIS: Senator Hanson-Young, you interject that it has been illegal for the last three years. I have already told you that the legal advice to the government and to the previous Labor government was that the scheme was within the law, so there is not an issue about its legality. But I understand that it is being challenged in some proceedings in the High Court. There is this difference. The policies of this government—over your strenuous objection—stopped the boats, stopped the drownings and put the people smugglers out of business. That is the relevant difference.

Carers

Senator SESELJA (Australian Capital Territory) (14:25): My question is to the Assistant Minister for Social Services, Senator Fifield. Can the minister update the Senate on the implementation of the new national carers gateway announced in the 2015 budget?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:25): I thank Senator Seselja for yet another question. I think colleagues would be aware that there are close to three million carers in Australia and I think all colleagues recognise the incredible role that they play. In this regard, the Prime Minister seeks to lead by example, on behalf of colleagues, as evidenced by the annual Pollie Pedal fundraiser which, over many years, has raised many hundreds of thousands of dollars for Carers Australia. I know it is a commitment that all colleagues share.

Being a carer can be very demanding, particularly in the prime working years of one's life. It is also important to recognise that there are many young carers in the nation. That is why the government announced in this year's budget that we would invest $33.7 million in establishing a new carer gateway. From December 2015 the national carer gateway will provide a nationally identifiable place for all carers to go for information, regardless of who they care for, so they can access information about support and referral to services. The gateway will consist of a national website with a service finder and a national contact centre as the first step in a longer-term plan to better support carers.

On budget night we announced that we would establish a gateway advisory group, co-chaired by Ara Cresswell of Carers Australia. Today I am announcing the membership of that advisory group, which will consist of people with lived experience of being a carer, people who have had to interface with the disability and aged-care systems and mental-health systems, people who will provide good advice to the government on better support for carers.
Senator SESELJA (Australian Capital Territory) (14:27): Mr President, I ask a further supplementary question. Can the minister advise the Senate how the government is supporting young carers through the Young Carer Bursary Program?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:27): There are hundreds of thousands of young carers in Australia who have to juggle their caring responsibilities, study and, often, part-time work as well. Unfortunately, too often it is their study that gives way under the demands on their time. That is why the coalition has put in place, in honour of an election commitment, a Young Carer Bursary Program. It has an initial commitment of $3 million over three years to assist young carers aged 25 years and under to continue their studies. From February 2015, 150 annual bursaries valued up to $10,000 have been provided for carers. I am pleased to advise the chamber that such was the demand we were able to find additional funding to offer an additional 150 bursaries, valued at $3,000 each, to help these important Australians.

Senator SESELJA (Australian Capital Territory) (14:29): Mr President, I ask a further supplementary question. Can the minister advise the Senate what additional measures the government is implementing to support carers?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:29): Another important aspect of the government's announcement in the budget is that we are going to commence work on integrating the supports that carers receive to ensure there are dedicated and improved services for carers. This year the government is investing $532 million in carer supports through the Department of Social Services and, obviously, that is in addition to the $6.7 billion in direct payments to carers. This support includes counselling, respite training and assistance to continue education or participate in the workforce. We as a government are committed to continuing to improve the supports for carers and it will be on the basis of co-designed work on a plan to be undertaken with stakeholders, including carers, over the next six months which will determine how the national carer gateway will interact with the existing service system. This is a very important area of government policy.

Coal Seam Gas

Senator LAZARUS (Queensland) (14:30): My question is to Senator Birmingham, representing the Minister for the Environment. Senator, I note your government's deal with some members of the crossbench to ensure the conclusion of the burning of Australian native forests in the RET in return for the establishment of a national wind farm commissioner. I understand you have done this in response to community concerns around the apparent noise made by wind farms, which no scientific body has yet proved. Is the Abbott government aware that CSG mining also produces noise—constant, ongoing, brain-numbing noise?

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (14:31): I thank Senator Lazarus for the question, peculiar, though, the question perhaps is. Is there noise from CSG operations? Yes, there is. Is there an independent expert scientific committee that is extraordinarily well funded to look into the operation of coal seam gas?

Senator Lazarus interjecting—
Senator BIRMINGHAM: 'No, it is not,' says Senator Lazarus. Well, there is an independent expert scientific committee, Senator Lazarus. It has significant funding attached to it. You may choose to ignore it; you may choose to just listen to those sitting to your left. You may well be the 11th Green in this chamber, Senator Lazarus. That seems to be the direction you are taking. But, Senator Lazarus, the truth is that there is an independent expert scientific committee into coal seam gas and large-scale coal developments that does valuable work, that does provide valuable information to state governments and to the Commonwealth government, that helps to ensure we actually do have high-calibre analysis of what happens with regard to coal seam mining in Australia. There is a very valuable role that the coal seam gas industry plays. Senator Lazarus may be quite happy to see shortages in relation to gas in Australia in the future. This government is not. This government wants to see the development of our resources where possible. We want to see the development of those resources in a safe, sensible and sustainable way. We support the IESC in their work. They do incredibly valuable work, but so too is the CSG sector incredibly valuable to the safe and secure supply of gas for the ongoing development of this country into the future.

Senator LAZARUS (Queensland) (14:33): Mr President, I ask a supplementary question. Given the community concerns around the well-documented and scientifically proven health impacts of CSG mining, in addition to all the other serious negative impacts, including the pollution of underground water tables, contamination of water and poisoning of the land and soil and anything that lives or grows on at, will the government establish a CSG mining commissioner?

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (14:33): This government supports what we think are very good frameworks that were put in place in relation to how the independent scientific committee works. It has an agreement that underpins it that provides for information to be provided, not just to the federal minister in making determinations, particularly under the water trigger in the EPBC Act, but also to state and territory ministers when they are making decisions in relation to how CSG operates. There is an incredibly robust framework in place to ensure that coal seam gas development proposals are well analysed, well assessed and assessed against the best available scientific information, and that that information is then taken into account by the Commonwealth environment minister and relevant state ministers. We think it is a robust arrangement that is in place. It is incredibly strong, it is very well funded and it does a good job for a critical industry for Australia.

Senator LAZARUS (Queensland) (14:34): Mr President, I ask a further supplementary question. Rural and regional Queensland is being devastated by drought and CSG mining. The people of Queensland have been failed by all levels of government who have turned a blind eye to the damage caused by CSG mining. Does your government acknowledge that the people of Queensland, and more broadly all Australians, deserve to have their concerns regarding CSG mining responded to by your government?

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (14:35): The people of Queensland and the people right across Australia can have confidence that the $98 million we are investing in regional assessments on the impact of CSG mining is real funding making a real difference to the body of scientific knowledge that is there and that the processes work effectively. But, what is more, the people of regional...
Queensland can have confidence that they are getting hundreds of additional jobs as a result of the investment from CSG in those regions. Senator Lazarus would be well advised and perhaps he would like to travel with the member for Maranoa or one of the Queensland LNP senators through some of the regions, where he will find that it has turned around the prospects in a number of towns and that there are new job opportunities, new investment—valuable investment that is creating new opportunities for young people in those regions—and different opportunities, as well as the generation of valuable gas resources for domestic use and for the export market, generating wealth for this country, which you seem to be standing against, Senator Lazarus.

**Food Labelling**

Senator WILLIAMS (New South Wales) (14:36): My question is to the highly effective Minister for Veterans' Affairs, Senator Ronaldson, representing the Minister for Industry and Science. Will the minister update the Senate on feedback received from the community survey and consumer testing to improve country-of-origin food labelling?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:36): I thank Senator Williams most sincerely for the question and his interest in this area. Many consumers have expressed concerns about confusing labels and confusing phrases such as 'made in Australia.' They can appear on products even though the ingredients that make up that product are, indeed, imported.

In February this year the Prime Minister announced a ministerial working group chaired by the Minister for Industry and Science, the Hon. Ian Macfarlane, and included Ministers Joyce, Billson and Robb. My hardworking and effective parliamentary colleague Senator Nash also makes up this group. Our intention is to implement a graphic/symbol and words to describe both where the food is produced and the percentage of food that is Australian grown. This symbol and these words would identify whether a product was made, grown or manufactured in Australia, and the percentage of the ingredients in the food product that was Australian grown.

Coming back to the senator's question, both formal market research and a public survey are being conducted. They will collect consumer sentiment and ideas. Remarkably, as of 23 June, more than 10,000 surveys had been collected. This is a clear endorsement of the government's desire to enable Australian consumers to have their say. Consumers have made it very clear that they want access to clearer and more useful information about country of origin on food labels.

We are currently working closely with the food, retail and agricultural sectors to get the balance right and to maximise information for consumers while also considering costs to Australian industry and business. Australian produce and food is world-class. We are determined to introduce changes— *(Time expired)*

Senator WILLIAMS (New South Wales) (14:39): Mr President, I ask a supplementary question. Will the minister update the Senate on progress the government has made so far to improve country-of-origin food labelling?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:39): I, again,
thank Senator Williams for his question. The ministerial working group is aiming to ensure that the changes to food labelling give consumers the information they need without imposing excessive cost on industry and are consistent with our trade obligations. We are actively engaging with business and industry groups around the country to ensure these objectives are met. The government have begun that consumer and market testing consultation, and everyone can have their say.

We have also started discussions with the state and territory governments, whose cooperation will be essential to implement a meaningful new labelling system. We are also looking to use electronic platforms to provide more comprehensive product information to consumers, as only a limited amount of information can fit on a label. It cannot be underestimated how important it is for people to be able to make informed choices about the food they buy at their local supermarket.

Senator WILLIAMS (New South Wales) (14:40): Mr President, I ask a further supplementary question. Can the minister also outline to the Senate what steps the government is taking to ensure that food labels become clearer and more consistent for Australian consumers?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:40): Senator Williams, thank you. The government are working hard to ensure that consumers have access to clear, consistent and easy-to-understand food labelling that will allow them to make more informed choices. Stakeholders across all sectors have been supportive of our food-labelling changes, and are providing constructive feedback on the policy.

Following an extensive consultation phase, a final policy proposal will be considered later this year. Of course, there will be a reasonable phase-in period to give Australian producers time to adjust to new food-labelling requirements. Voluntary adoption of the new food labels will be encouraged ahead of the mandatory start date. We expect that consumers will see changes in their supermarkets sometime next year. People have been asking for simpler food labelling for a long time. This government is determined to deliver better country-of-origin food labelling in the most cost-effective way possible.

Drug Testing in Sport

Senator LEYONHJELM (New South Wales) (14:41): My question is to the Assistant Minister for Health, representing the Minister for Sport, Senator Nash. At the recent Senate estimates, ASADA noted that sporting organisations have their own strong incentives to be dope-free. ASADA noted that, around the world, sporting organisations can run their own anti-doping organisations. They do not need to be run by government. ASADA noted that, in Australia, if a sporting organisation wanted to opt out of the ASADA regime, there would be a potential loss of government funding from the Australian Sports Commission. So I have two questions. Shouldn't sporting organisations be free to manage anti-doping themselves? Is it the policy of the government to use taxpayer funding of sports to prevent this?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:42): I thank Senator Leyonhjelm for his question and for some advance notice of it. World anti-doping is founded on equal contributions from sports and governments acting in close collaboration, particularly through the operation of the World
Anti-Doping Agency. Over 175 governments, including Australia, commit to anti-doping through being a state party to the UNESCO International Convention against Doping in Sport. As a result, those governments agree to abide by the principles of the World Anti-Doping Code, which sets out uniform anti-doping rules to ensure the global response to doping is consistently applied. This is for the benefit of athletes competing on a level playing field and also, importantly, to protect athlete health.

A failure by a government to comply with the requirements of the UNESCO convention may result in its ineligibility to host major sporting events, such as the highly successful Cricket World Cup and Asian football tournament hosted earlier this year, amongst other consequences. International sporting federations also require respective national federations to implement anti-doping policies compliant with the code to be eligible to participate in international competitions. Many governments give effect to the obligations of the code through the operation of a national anti-doping organisation.

Past experience with doping matters shows the necessity of a dedicated capability enshrined in agencies such as ASADA to support sports to meet the requirements and to maintain a level of independence. It ensures that the anti-doping effort is appropriately resourced and capable of meeting the challenges of modern doping practices, particularly through investigations and intelligence. Without this, many sports would lack the capacity to administer an anti-doping program. Most sports lack the capabilities and, thus, work closely with anti-doping organisations on violation matters.

Senator LEYONHJELM (New South Wales) (14:44): Mr President, I ask a supplementary question. I note that the first question—shouldn't sporting organisations be free to manage antidoping themselves?—was not answered. On 7 February 2013 the then head of ASADA stated that it was 'the blackest day in Australian sport'. Does the government agree or disagree with the view that 7 February 2013 was the blackest day in Australian sport?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:44): In terms of the sporting organisations being able to run their own antidoping programs, the government believes—in terms of complying with the international rules and also having consistency of practice across sporting organisations, to be able to deliver those issues around level playing field and also protecting health—that it is important that we have the current system in place.

I understand that the 'blackest day in sport' comment was actually attributed to a media commentator and not the head of ASADA. I do recognise that the infamous press conference created expectation and was unfortunate in some of its overhyped delivery, and I would ask the senator to perhaps take that up with the member for Blaxland, Jason Clare. The Australian Crime Commission, though, is indeed very concerned about the serious issues of the involvement of organised crime in the supply of performance-enhancing drugs in Australian sport, and we are very committed to the protection of the integrity of Australian sport. (Time expired)

Senator LEYONHJELM (New South Wales) (14:45): Mr President, I ask a further supplementary question. Minister, your government is responsible for ASADA. Since ASADA's 'blackest day' comment, no player has been found to have breached any laws but plenty have been put through the legal wringer and have had their names dragged through the
mud. Will you apologise on behalf of the government to the Rugby League and Aussie Rules players and supporters adversely affected by the actions of ASADA?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:46): I think it is very important for senators to understand that there are actually no criminal sanctions for doping violations in Australia. Also there is actually no provision within the government legislation for the sanctioning of athletes for antidoping rule violations. These sanctions are determined, as many people would be aware, by the sporting organisations themselves, imposed by the relevant national organisation in line with the provisions of the code. Those sanctions of course range from periods of ineligibility for sport to disqualification of results and the loss of prize money. Any criminality associated with the supply or use of performance- or image-enhancing drugs is a matter for the relevant law enforcement agencies, and I think it is very important that we draw the distinction between those two matters.

Health Funding

Senator McLUCAS (Queensland) (14:47): My question is to the Assistant Minister for Health, Senator Nash. I refer to the government's decision to stop funding through the health flexible funds a preventive health agency called the CO-OPS obesity prevention network, which is working to combat chronic disease. Given that nearly $800 million is being cut from the flexible funds over the next four years, is CO-OPS just the first in a long list of casualties that will result from the cuts to these funds?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:47): Firstly, can I correct the senator's assertions in a couple of areas. It is not a cut to the flexible funds. The senator may have got that from some media reporting, but no decisions have been taken yet around the announcement in the budget for those flexible funds. The senator is also incorrect in using the figure of $800 million. As has been stated in this chamber, the figure is $590 million. What the senator is referring to is the end of the Collaboration of Community-based Obesity Prevention Sites, or CO-OPS, contract, which runs to 30 June this year. It is very important for senators to be aware that there are no front-line health service impacts. Those on the other side might like to assert that there are, but indeed there are not. This was—and the senator may not be aware of this—a back-of-house training, upskilling and service improvement program, not front-line services, and I think it is very important for senators to be aware of that.

The actual program aim of the CO-OPS was to create a robust national knowledge translation and exchange system that links academic policy and practice professionals to ensure best practice in the promotion of healthy eating and around physical activity. So I think it is very important that we look at the facts. And, as I stated, there are no impacts to those front-line services.

Senator McLUCAS (Queensland) (14:49): Mr President, I ask a supplementary question. Given that the CO-OPS were advised of the decision only once it had leaked from the Department of Health, can the assistant minister guarantee that every single other funded service under the flexible funds will have its funding extended beyond 30 June of this year?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:49): Firstly, the organisations were well aware that this
was a program that finished on 30 June 2015, so I do not think there can be any indication that there have been surprises in this area. It was a ceasing program. In terms of the flexible funds, funding has been committed over the next 12 months. The senator would well know that. Indeed, as has been indicated very clearly, no decisions have been taken yet about the changes to the funding arrangements of those flexible funds—no decisions at all. The minister has indicated that she will be working very closely across the sector in terms of delivering the efficiencies and the expectations around service quality that are required not only by the government but by the taxpayers whose funds go towards these programs.

Senator McLUCAS (Queensland) (14:50): Mr President, I ask a further supplementary question. Does the minister agree with the CEO of the Public Health Association, Michael Moore, that cuts to the chronic disease prevention and service improvement flexible fund make ‘no sense from a policy or an economic perspective’?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:51): I have a very good relationship, I have to say, with Michael Moore and have a very high degree of regard for the work he does. But just to reiterate—and I would be happy to clarify this with him—again, there have been no cuts to the flexible funds as announced in the budget. Those references to those funds in the budget are under consideration at the moment. Indeed, it is disappointing that those on the other side would choose to scaremonger about these programs when they should know—if they had been listening they would know full well—that no decisions have been taken around the changes to funding arrangements for those funds. I reiterate again that the minister has said she will be working very closely across the sector to ensure that we get that service delivery that is expected.

Employment: Women

Senator LINDGREN (Queensland) (14:52): My question is to the Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women, Senator Cash. Will the minister inform the Senate of recent initiatives that will enable women who have been out of the workforce to take up jobs which utilise their skills and experience?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:52): I thank Senator Lindgren for her question. I am pleased to inform the Senate that the government recently announced a new initiative in partnership with UnitingCare Australia that will assist mothers and women to get back into the workforce. The scheme will create jobs pathways for women who will be selected and placed into ongoing employment with UnitingCare agencies across Australia in the community and aged-care sectors. The scheme will be piloted at sites in Sydney, Brisbane, Perth and Adelaide and will commence on 1 July 2015.

This initiative will be particularly helpful for women who have spent time caring for children or other family members and who now wish to re-enter the workforce. The scheme will also provide opportunities for those disadvantaged and vulnerable women to access employment pathways, which will of course help break down the barriers to workforce participation and assist them and their families out of the poverty cycle.

Pre-employment training and other requirements for applicants will be identified and addressed as part of the scheme. Induction training, mentoring, peer support, and post-
placement support will be provided to maximise the opportunity for successful and ongoing integration back into the workforce. It is based on job seeker services and funding in place under the employment services model which commences on 1 July.

This is an entrepreneurial and practical approach to creating jobs pathways for women who have been out of the workforce and may not realise the skills they already have. Positions that will be taken up could be in areas, including: transport and administration; aged care; early-years care; palliative care; disability; and homeless support work. This project is a win-win for the women themselves; their families; the sectors in which they will be working; UnitingCare Australia, which will provide the vital services to the community; and the Australian community as a whole.

Senator LINDGREN (Queensland) (14:54): Mr President, I ask a supplementary question. Can the minister explain how the budget and initiatives such as the pilot program with UnitingCare Australia will result in better economic and workforce participation outcomes for Australian women?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:54): Through budget measures and programs such as the UnitingCare project, this government is improving the opportunity for sustainable employment outcomes for all of those in the workforce, and in particular for those who want to be in the workforce. Increasing women's workforce participation and economic empowerment is one of the most powerful ways to improve the country's economic prosperity and living standards.

The ability of a woman to earn an income and participate in work reduces her susceptibility to poverty, to homelessness and, of course, to family violence. That is why we have announced a budget which has women at its heart. It includes our families package, which will deliver a more affordable and accessible childcare system, allowing more Australian women to enter and stay in the workforce; and of course our small business and jobs package, which will support women in small business and encourage more women entrepreneurs.

Senator LINDGREN (Queensland) (14:55): Mr President, I ask a further supplementary question. Will the minister advise the Senate of other measures by which the government is improving women's participation in the workforce?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:56): Greater labour force participation by women will reduce the disparity in outcomes for women and men, with resulting benefits for families, personal skills development, women's financial independence and their retirement incomes. The government has funded a range of initiatives, including the project with UnitingCare. These include: our partnership with ASIC to upgrade the MoneySmart website, which includes new content designed to improve women's financial literacy at all stages of their life; funding the Australian Human Rights Commission to deliver a practical resource on employers' legal obligations, employees' rights and strategies to assist working parents to navigate various family stages, such as pregnancy, parental leave and return to work; and, of course, supporting disadvantaged women to find sustainable employment and to increase their financial independence through our partnership with Fitted for Work.
Legal Aid

Senator LINES (Western Australia) (14:57): My question is to Attorney-General Senator Brandis. Can the minister confirm that the new National Partnership agreement includes immediate funding cuts in some jurisdictions and a 30 per cent cut to CLC funding nationally from 2017-18? How many vulnerable Australians will be denied access to legal services as a result of these cuts?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:57): Senator Lines, I can confirm to you that a new National Partnership agreement for legal assistance will commence on 1 July.

On 26 March the government announced that as part of the new National Partnership agreement we would be reinstating $25.5 million over the first two years of that program to reinstate cuts that had been announced in the 2013 MYEFO across three programs. That means that 61 community legal centres, which would have been impacted by that savings measure, will have their current Commonwealth funding levels guaranteed over the next two years.

There have been some adjustments across the states and territories, both between the legal assistance commissions and the community legal centres. In some states the amount of funding has increased and in some states it has reduced, because a demand-driven formula has been applied by my department. At the Law, Crime and Community Safety Council meeting in Canberra some weeks ago that formula was not called into question by any state or territory Attorney-General—not one.

The new National Partnership agreement gives certainty to the legal assistance sector over the coming years. It maintains the Commonwealth's very significant commitment to that sector. It means by the way that, although the focus of Commonwealth funding is on Commonwealth cases, there are large areas, particularly Indigenous legal assistance, where the responsibility for funding state matters is entirely borne by the Commonwealth.

Senator LINES (Western Australia) (14:59): Mr President, I ask a supplementary question. Given that the current NPA funding expires on 30 June this year, when was the new National Partnership Agreement on Legal Assistance Services signed, and why was there a delay?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:59): There was no delay.

Senator Wong: When was it signed?

The PRESIDENT: Have you concluded your answer, Minister?

Senator BRANDIS: Senator Lines, the Commonwealth expects—as was always the case—that the agreement will be signed between now and 1 July; in other words, in the coming week.

Senator LINES (Western Australia) (15:00): Mr President, I ask a further supplementary question: can the minister guarantee that no front-line services will be affected and no services will close as a result of the Abbott government's cuts to community legal centres?
Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (15:00): Senator Lines, I can guarantee this to you: that the funding will be targeted where it is needed most. And if I can go to your first supplementary question for a moment, which perhaps I answered too briefly, it was always intended that the National Partnership agreement would be open for signature this month and that it would be completed before 1 July, and the Commonwealth expects that it will be. Mr President, I ask that further questions be placed on the Notice Paper.

Senator Ian Macdonald: Mr President, by way of a point of order, can I raise with you—and I did not want to do this when it would interrupt the flow of question time—standing order 73(1), which says:

questions shall not refer to:

(i) proceedings in committee not reported to the Senate.

The question from Senator Collins to Senator Brandis clearly related to evidence given before either one of two committees which have not reported to the Senate on their proceedings. She has had no private discussions with anyone; the evidence clearly came from those committees; and the standing order says that the questions 'shall not refer to proceedings in committee not reported to the Senate'.

The PRESIDENT: Thank you, Senator Macdonald. I understand what you are asking but, in this case, the standing orders refer distinctly to the Committee of the Whole of the Senate, not to estimates committees or standing committees.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

China-Australia Free Trade Agreement

 Senator PAYNE (New South Wales—Minister for Human Services) (15:03): During question time on 22 June, the Leader of the Opposition in the Senate asked a question on the China-Australia free trade agreement, parts of which I took on notice. I seek leave to make a short statement to provide further information to the Senate.

Leave granted.

Senator PAYNE: A project company requesting a project agreement under an Investment Facilitation Arrangement will need to identify the current and projected skills shortage in the business, and why these vacancies cannot be filled by Australian workers. The company will need to demonstrate that skilled workers are needed for a project, including how many, at what stage, and for which occupations. In order to sponsor workers, approved sponsors requesting an labour agreement under an IFA will need to provide information as required by the Department of Immigration and Border Protection, which may include requirements for labour market testing or evidence of their domestic recruitment efforts. ChAFTA will not remove the need for employer sponsorship or for compliance with all other 457 visa requirements.

In all of our existing FTAs, now including ChAFTA, Australia has exempted the following individuals applying for temporary entry work visas from labour market testing: business executives as intercorporate transferees, senior managers as intercorporate transferees; independent executives; and certain skilled workers who are defined as either specialists or
contractual service suppliers. Applications for temporary entry by these categories are managed under the sponsor-driven 457 visa arrangements. Under ChAFTA, Australia has also excluded the category 'installers and servicers' from labour-market testing. These workers already have access under Australia's 400 visa subclass, and ChAFTA makes no practical difference to this arrangement. It is also important to note that our ChAFTA commitments are reciprocal; China has also given access for Australian workers in these five categories.

Opposition senators interjecting—

The DEPUTY PRESIDENT: Order!

Senator PAYNE: In relation to the senator's question concerning some statements that the Prime Minister made in October last year and the question of a potential inconsistency, I can advise there is no inconsistency relating to the Prime Minister's statements when he said, in relation to the government's industry, innovation and competitiveness agenda that, 'labour market testing will remain'. The Prime Minister also said at the same press conference that the government wanted the 457 scheme to be easier to engage in, to attract more skills to Australia's economy while not undermining anyone's pay and conditions. While ChAFTA, like our other existing FTAs, achieves this goal by making it easier for companies to move their staff—in a limited number of exempted categories—between China and Australia, it has not otherwise removed the need for labour testing. Rather than reducing opportunities for Australian workers, ChAFTA enhances their prospects for new jobs in Australia. Together with the high-quality FTAs with Japan and South Korea negotiated by the government, ChAFTA will create jobs for Australians, not constrain them. As I stated earlier this week, and again on 22 June, independent modelling commissioned by the government forecasts the three North Asia FTAs to create almost 8,000 jobs in 2016, peaking at almost 15,000 jobs in 2020, as increased exports and cheaper imports allow Australian businesses to hire more workers.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Defence Procurement

Senator KIM CARR (Victoria) (15:06): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Carr today relating to jobs in the shipbuilding industry.

Could I pose a simple question: has this government actually come to terms with its responsibilities as a government? Because every possible explanation we get from this government—and it is demonstrated in the answer we heard today—is that they are still acting as an opposition. They do not take responsibilities as a government. After two years in power, the Abbott government has failed to ensure that there is any meaningful work for Australia's shipbuilding industry and its workers. Yet they still act as if they were in opposition by suggesting that this is a problem that, of course, is the responsibility of the opposition! We know the reality is somewhat different.

In 2013, the previous Labor government, in its bid to maintain the shipbuilding capacity of this nation, create the jobs and maximise the value for our Defence acquisitions, proposed a series of measures to actually bring forward work for shipbuilding in this country.

Senator Back: You just didn't tell anyone!
Senator KIM CARR: Yes, we did. And, after the election, it was the Abbott government that abandoned that plan, and the result has been a decimation of the Australian shipbuilding industry under this government's watch. Overnight we have learned that another 160 jobs will be lost. These are highly skilled jobs. That is 160 jobs lost for skilled construction workers at Forgacs in Tomago. That is on top of the 450 jobs that have already been lost at Forgacs under the Abbott government, and the reports have indicated that the remaining 290 positions at Forgacs are earmarked to go by Christmas unless this government actually gets into gear and does something—takes up its responsibilities—to ensure that we have sufficient work in our shipyards.

With no work, there is no certainty. The impact of that will see the incompetence of this government demonstrated by seeing large numbers of Australian workers thrown on the scrap heap. These are highly skilled men and women. They are irreplaceable. And if it is the case in the future that we do need to rebuild the capacity in Australian shipbuilding, it will be incredibly difficult and incredibly expensive to try to replace them. The jobs of 610 workers have been lost at Forgacs in Newcastle. There have been 120 lost at ASC in Adelaide. Hundreds were lost at Williamstown. And there are hundreds more to go.

The government, in two years in power, has failed to fulfil its responsibilities and failed to live up to expectations of what it said before the election but, above all, failed to acknowledge that it has a responsibility to act. This is a government that has seen thousands more ship workers' jobs at risk because of the failure of this government to acknowledge those responsibilities. What this government needs to do is to sit down with the shipbuilding companies and with the unions and be able to work through a realistic plan to bring work forward to make sure that these yards stay open, because closing these yards will have a profound long-term consequence for the industrial capacity of this country.

Under Labor's 2013 plan, we proposed that, at a minimum, one of the two supply ships for the Navy be constructed in 2015-16 and that it be, as a minimum, a hybrid build—built part overseas and part in Australia—but that the other be built in Australia, and that we would also bring forward the Armidale Class Patrol Boat replacement with local construction. And only Labor has committed to building and maintaining 12 future submarines in Australia. That is unlike the dodgy deal that this government has already done with the Japanese, where we are in the business of building a shipyard in Japan while closing shipyards in Australia. Let us see how this government explains that at the forthcoming electoral contest. Let us see how they explain why it is they are proceeding to export Australian jobs and skills and destroy our defence capabilities—as we know from the former audit commissioner Tony Shepherd, who made it clear. Surely we have learnt something from experiences in war in this country. And we have seen from the former defence minister's claim that we could not build a canoe in this country how wrong that attitude is. We should, according to Mr Shepherd, have confidence in Australian shipbuilding. (Time expired)

Senator BACK (Western Australia) (15:11): Senator Carr is just a gift that keeps on giving! It is just absolutely fantastic! Hypocrisy has been writ large here this afternoon.

It has been said that Labor did not commission the construction of any naval vessels during their time in government. Well, that is not quite right. They did in fact commission the construction of 12 landing craft. But do you know where the 12 landing craft contract went
to? Navantia, in Spain. Not a little island off the coast of Melbourne, but Spain—that is where Labor's only contribution went.

We heard from Senator Carr this afternoon that, regrettably, there have been staff put off or who will be put off from the Forgags project and also BAE's.

Senator Cameron: Forgacs!

Senator BACK: Thank you, Senator Cameron; I will defer to you on that. The reason, of course, was that BAE and the other company did not tender—they did not tender on the Pacific Patrol Boat Program.

Senator Kim Carr: The tender arrangements were impractical—totally impractical!

Senator BACK: But let me give you further and good information, since you obviously do not know it, Senator Carr. It was the coalition government that brought forward the Pacific patrol boat tender. It closed last Wednesday at 2 pm. And what was the Labor Party's only other commitment to the naval industry with regard to fleet size while they were in government? It was the purchase from the United Kingdom of what became the HMAS Choules, on which I had the pleasure of being, in Fremantle harbour, when it was named and commissioned.

As to the decisions by these companies to reduce their workforce, were they anything to do with the coalition government? Not on your nelly! It was, in fact, as Attorney-General Brandis told us, the trades hall secretary Mr Daniel Wallace who said that the unions and shipbuilding firms had been warning the Labor government since they were in power in 2010-11, and it was Defence—if only the then minister had bothered to listen—under the Labor government that had advised the government, back in 2011 or earlier, that they must commence construction of new naval ships or indeed they would lose the contract.

This afternoon I heard Senator McEwen in her senator's statement talking at some length about the pride with which everyone was associated the other day when the Hobart was launched. Well, as Senator Gallacher and Senator Carr and Senator Conroy would know, and as I am sure Senator Cameron should know, that project, the Air Warfare Destroyer project, was commissioned under the Howard government by the then defence minister, the proud South Australian, Robert Hill. Robert Hill signed the contracts and funded the project, and he has seen the benefit of the first of those vessels having been launched the other day.

Senator McEwen was talking about the apprehension of everybody around what the future might be. I wonder whether Senator McEwen might have gone and explained to those people why there needed to be any apprehension at all. The simple reason was that Labor went to sleep at the wheel during its time in government. Not only did they not commission one warship to be constructed in this country, but they took billions of dollars out of the Defence budget when Mr Stephen Smith was the Defence minister. We see a circumstance this afternoon where, regrettably, the Labor Party—amnesia writ large—did nothing when they were in government. Now the coalition is getting on with the job, only to be vilified by the very people who know deep down—and this includes the Leader of the Opposition in the Senate, Senator Wong, a South Australian—that they did nothing.

To answer Senator Carr's question: what has the coalition done? We are there supporting the naval shipbuilding industry. In June of last year, 12 months ago now, we brought forward the $78 million for the design work to retain the option of the future frigates. In December
2014, we announced that we were working with industry to fix the AWD program, a program that needed fixing because Labor did nothing during their time in government. That will create the industry around the fleet of future frigates. They need not go to Spain. They can be built here because of the excellence of this government. In February, the Defence minister announced the competitive evaluation process for the construction of our Future Submarine program. We stand proud. (Time expired)

Senator CAMERON (New South Wales) (15:16): Senator Back said that there was a gift that kept giving. That is Senator Back. To suddenly become an expert on shipbuilding when he cannot even understand or say the name of the shipyard where workers are losing their jobs is an absolute joke.

Government senators interjecting—

The DEPUTY PRESIDENT: Order!

Senator CAMERON: They have sent in here the Western Australian senator who would not even know where Newcastle is and would not care about the jobs in Newcastle.

Senator Back interjecting—

The DEPUTY PRESIDENT: Senator Back, leave the chamber.

Senator CAMERON: They do not care about high-skilled jobs in this country. They never have and they never will. Look at the pomposity and arrogance from this government. They are not concerned about what happens to high-skilled jobs in this country. Four thousand high-skilled jobs in the shipbuilding industry will go down the tube because of the incompetence and uncaring view of this government.

It is not only skilled jobs in the shipbuilding industry. Look at Toyota and Holden. They chased them out of this country. They told them to pack up and go away. The University of Adelaide has estimated that closing the motor vehicle industry will mean 200,000 job losses in this country. It will mean the loss of 98,500 jobs in Victoria and 24,000 jobs in South Australia alone. Forgacs, that shipbuilding company in Newcastle, will now be reduced to zero jobs by Christmas this year.

You have to look at what this government is all about. They want to send the jobs overseas. The submarines will be sent to Japan. We all know that a deal has been done to send the jobs to Japan. We all know that the senators from South Australia in here were absolutely mute about that issue for weeks. They did not have the backbone to stand up for jobs in their own backyard. From what I hear, the coalition members in the Newcastle and Hunter region are equally as mute, equally as jelly backed and equally as weak kneed as those MPs and senators down in South Australia.

What has this government got against high-skilled jobs that allow Australian workers and Australian tradespeople to access the middle class of this country? Why are they determined to hollow out the middle class of this country? Why are they determined to send jobs to China? Why are they determined to send jobs to Japan? Why are they determined to send jobs to Korea, when we should be building the ships and building a manufacturing base in this country?

This coalition are not to be trusted. They said they would build 12 submarines in South Australia and they have reneged on that deal. They are sending those submarines to Japan; we
know that full well. They have misrepresented their position. They have lied to the Australian public. They should be held to account for that.

At the moment, we are seeing this hollowing out of manufacturing jobs. They come here and they say, 'We've got these great trade agreements.' We heard the spin being put on the China-Australia Free Trade Agreement by the acting minister here just after question time. But that free trade agreement means that there will be a movement of skilled workers from China to Australia at a time when shipyard workers and vehicle workers are losing their jobs. This is economic madness.

This is a mob who wrap themselves in the Australian flag every chance they get. But when it comes to doing something about maintaining jobs so that we have got the independence to build our Defence acquisitions in this country, they run away from it. They do not wrap themselves in the flag. They send the jobs to Japan. They send the jobs to China. They do not stand up for this country. They are an absolute disgrace. They are untrustworthy and they should be thrown out at the earliest chance we can get to do it. (Time expired)

Senator O’SULLIVAN (Queensland—Nationals Whip in the Senate) (15:21): It is always a pleasure to be in the chamber when Senator Cameron makes a contribution. He often reminds me of those big storms out west. They start with a lot of promise and a big build-up of dark clouds and they end up just being wind. They have no ideas, no reflection on why the shipbuilding industry finds itself in this position—nothing, just empty wind. There is a further term, but the standing orders apparently prevent me from finishing the sentence.

Let us open with this question: in the six years Labor was in government, how many naval vessels did you commission? Just run it out—naval vessels. The answer would be none. I have not heard the opposition, in their contributions, making reference to why some of these companies find themselves in this position. If you do not want to listen to our contribution, let us go back to the Newcastle Trades Hall Council secretary, Daniel Wallace—I am assuming that you are in concert with Mr Wallace in relation to his observations. He said that the unions and shipbuilding firms had been warning about the valley of death since Labor was in power. The valley of death they made reference to was the—

Honourable senators interjecting—

The DEPUTY PRESIDENT: Senator O’Sullivan, resume your seat. There are too many interjections in the Senate, and they are too loud.

Senator O’SULLIVAN: I am finding it hard to function.

Senator Conroy: That won’t change if we shut up!

Senator O’SULLIVAN: Give it a try. What we have here is a commercial decision by VAE, and they are entitled to do that. I understand a little about commerce, but their decision has to do with six years under the Labor government when there was shipbuilding inaction—that is the term to be used—and, again, going back to Wallace and the valley of death.

This government is committed to supporting a productive and cost-effective naval shipbuilding industry in this country. We are prepared to invest in the skills and knowledge base of the Australian naval shipbuilding industry. We are prepared to commit to a long-term investment to ensure the industry enjoys a future in Australia—and these things take time. The absolute only explanation Labor could give for their inaction for six years was ‘preparation for an industry’. Of course, that was not happening. It takes time for these matters
to go through. We will lay out a clear, fully funded plan for a strong and secure Australia in this space.

Joel Fitzgibbon did nothing for shipbuilding in this country when he was the defence minister and he certainly did nothing to send more work down the pipeline for Australian shipbuilders, including those in Newcastle. I will mention here, Senator Conroy, so sit quietly: during the six years of Labor, where were you; where was Daniel Andrews; and where was Jay Weatherill? Why didn't they lobby their federal colleagues at the point when, as they were advised by Defence, critical decisions needed to be made?

Here we are now with a board full of revisionists wanting to visit on why these difficulties exist in the shipbuilding industry and accepting no responsibility whatsoever. We know why nothing was happening in this space: because Labor were too busy dismantling the great economic situation they were left with after the John Howard government. They even acknowledged the need for urgent decisions to be made in the 2009 and 2013 Defence white papers that they published but they did nothing. By making no decisions, Labor willingly put shipbuilding jobs at risk. Such is their disregard for proper processes that, under Labor, the 2012 and 2013 Defence capability plans were never even considered or approved by the National Security Committee.

There will be more contributions here. I imagine Senator Conroy will be next. It will be interesting for him to lay down why all this inaction occurred in the six years under Labor, whilst our economy was being dismantled and put in its weakest position in the history of this place. They should accept personal responsibility for the fact that these jobs are now under threat. Had they been active during their period in the term, we would have had, and would continue to have, a vibrant shipbuilding industry in this nation.

Senator GALLACHER (South Australia) (15:26): Firstly, I want to put on the record that Labor's first thoughts are with the affected workers and their families who are dealing with this news at an extremely difficult time. That is the difference between this side of the chamber and that side of the chamber. They have been in government since 2013 and the ordinary performances from Senator Brandis, Senator Back and Senator O'Sullivan is simply to reiterate the six years prior to that.

You have had two years to make decisions. I am sure it is of no comfort to a worker sitting down with his family and his kids to have you throwing across the chamber that two years ago someone else should have done something. The reality is that you have had two years of government. You won government. You had a defence minister and you had him white-anted. You have had your defence department white-anted. You have had the economic rationalists take over, saying, 'We will just not build anything here. Let's go and get a Japanese submarine and put all of those workers in South Australia, all of those workers at Williamstown, Forgacs, under the pump. Push them down.'

We actually care about workers, their families, their jobs and their futures—unlike anybody on that side, from what I have seen in their contributions today. I do not think any of those families are going to get any comfort out of this debate when you simply say, 'Someone should have done something six years ago.' You won government and, in the two years since then, all you have done is dismantle. You have dismantled a whole viable well-trained blue-collar workforce. Go back to Senate estimates where Defence Secretary Richardson said there wasn't a problem in the blue-collar workforce. He said there are no issues there—the issues
are in that tier of management. He did not say it was political. He said, 'I don't detect any less inclination to pay a premium for building in Australia'—very careful, diplomatic words—but there is. This is clearly what has happened here. You have got in, you have had a look at it, and you have said, 'We'll let this go the same way as Holden; we'll let this go the same way as manufacturing in this country.' You do not care about workers or their families. You will take no proactive steps in respect of maintaining good, skilled jobs and conditions. And there have been opportunities for you to do something different.

Senator O'Sullivan: We are doing things.

Senator GALLACHER: What it looks like you are doing, as Senator Carr has said, is transferring the whole future of submarine building to another country. You are avoiding the opportunity to set up in South Australia for a long, long time a decent, well-paid industry. And Forgacs is another example. You figure that you can hide that away in the economy of New South Wales. You think you can just slip out of that space and let those manufacturing jobs go.

Senator O'Sullivan: Six years!

Senator GALLACHER: The response is repeatedly that 'someone should have done something six years ago'. Well, you had an opportunity. Labor had the 2013 Future Submarine Industry Skills Plan and a plan for naval shipbuilding. It was designed to maintain industry capacity, create jobs and maximise the value for Defence acquisitions. It appears as though this government is going completely in the other direction: 'Let's invest overseas, let's take hard-earned taxpayers' dollars and invest in Japanese shipbuilding or submarine capability.' That is totally contrary to the best interests of this country. From a strategic defence point of view and from an economic perspective it is totally contrary to the national interest. And they stand here in this debate and say to workers who are facing redundancy, unemployment and relocation—all of the problems when workers lose their jobs—that it was 'someone else's fault'. They say, 'Don't blame a government that has been in power for two years, blame someone else who six years ago should have made a different decision.' I do not think workers will take any comfort from that. (Time expired)

Question agreed to.

Asylum Seekers

Senator MILNE (Tasmania) (15:32): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Hanson-Young today relating to payments in relation to the immigration detention centres on Manus Island and Nauru. Emergency legislation is going to be rushed through this parliament this week in order to retrospectively make legal the illegal. What an appalling thing! We have just had a celebration of the Magna Carta, the whole basis of which is that the King is not above the law, and yet this government, together with the support of the Labor Party, has been acting above and outside the law. The Human Rights Law Centre has taken this matter to the High Court. The thing in question is whether Australia has the specific legislative authority to detain or lock up people in another country. There is no doubt that we have got the power to lock people up in this country, but we do not have the power to lock them up in another country.
Nor is there a specific power to provide an appropriation in order to pay for people being locked up in another country.

It is absolutely disgraceful that, as this goes to the High Court to bring justice to people under the law, we have collaboration between the government and the Labor Party to retrospectively change the law to stop the High Court from being able to make its decision on this—which would find it to be illegal—in the winter break. This is going to go to court in the winter break. And in order to head it off at the pass the Leader of the Opposition, Bill Shorten, has called an emergency meeting of caucus today, and they have gone along like lambs straight after the Prime Minister to engage in enabling offshore processing. This was the opportunity to demonstrate that it is illegal to detain people in another country offshore. This was the opportunity to shut down offshore detention because it is illegal. It is not only unethical, un-Christian; it is illegal. And yet we have this collaboration to race this through the parliament today. What is the lame excuse? 'To enable the offshore processing to continue'—and what that means is ongoing abuse.

Australia has been found to be in breach of the torture convention—abuse and torture. We have a view from the Labor Party that you have to have a conscience vote on marriage equality because it is a matter of people's Christian values and conscience as to what they do about it. But apparently it is not a matter of conscience or Christian values that you would send children into an offshore detention facility where they are abused, where their mental health suffers, where women are being sexually abused, where guards are abusing people. People are too afraid to walk across to the toilet facility at night because they are afraid that they will be raped or abused on the way. When my colleague pointed out that a formal report said that children were being sexually abused, raped, at these offshore detention facilities, we got outrage from the coalition: 'How dare you say such a thing!' Well, it is not my colleagues saying it; it is the doctors, it is the reports. That is what is going on here.

The Labor Party have rolled into line with the Prime Minister, Mr Abbott. Let us not be in any doubt, the Labor, Liberal and National parties have got together here to try and bypass the High Court, to try and bypass the law of this land, and legalise the unthinkable. We are slipping into a very bad scene here in Australia when we are actually agreeing to legalise torture and abuse and look the other way. This whole business of offshore detention is 'out of sight, out of mind'. 'Send them out of country. Get the money that you do not have the legal capacity actually to pay at the moment out of appropriations and lock them up offshore and try and pretend it is the responsibility of the government of Nauru or the government of PNG.' It is not the responsibility of those countries; it is the responsibility of this one—and it is illegal. Let it be on the Labor Party's head that they today have agreed to work together with the government to bypass the High Court, to make legal what is illegal, and to turn a blind eye to the ongoing abuse and torture of people, including innocent children. That is something this parliament should be ashamed of. We are in breach of international law and we are in breach of human decency.

Question agreed to.

PETITIONS

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

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CHAMBER
Australian Citizenship

To the Honourable President and members of the Senate in Parliament assembled:

The petition of the undersigned seeks a fair pathway to citizenship for New Zealanders living in Australia.

Since 2001 a number of laws, regulations, and policies have been introduced that have the effect of denying New Zealanders who settle in Australia under the Trans-Tasman Travel Arrangement many of the basic rights enjoyed by all other permanent residents. As a result of these changes, these people are ineligible for Australian citizenship (and thus cannot gain voting rights and public sector and defence employment) and are denied access to student loans, disability services, basic social welfare provisions, and a variety of other Commonwealth and state government services.

Your petitioners request that the Senate:

Call for the Parliament of the Commonwealth of Australia to pass legislation that would end these permanent and arbitrary restrictions. We request all current absolute restrictions be removed and replaced by a system under which rights and access to services are granted after reasonable waiting periods. Most importantly, we request that all New Zealanders of good character who have made Australia their home be given the option of naturalisation on the same grounds as other permanent residents, allowing them to fully participate in Australian society and play their part in the democratic process.

by Senator Urquhart (from 18,052 citizens).

Petition received.

NOTICES

Withdrawal

Senator WRIGHT (South Australia) (15:37): Pursuant to standing order 78(1), I give notice of my intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion No. 2 standing in my name for today, proposing that the Federal Courts Legislation Amendment (Fees) Regulation 2015 be disallowed.

Presentation

Senators Back and Singh to move:

That the Senate—

(a) recognises the 70th anniversary of the signing of the Charter of the United Nations on 26 June 2015;

(b) notes that:

(i) Australia was one of the 50 nations which signed the Charter that established the United Nations (UN) organisation,

(ii) the UN came into being on 24 October 1945,

(iii) the signatories to the Charter agreed:

• to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

• to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

• to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

• to promote social progress and better standards of life in larger freedom,
and for these ends:

- to practice tolerance and live together in peace with one another as good neighbours, and
- to unite our strength to maintain international peace and security, and
- to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and
- to employ international machinery for the promotion of the economic and social advancement of all peoples, and

(iv) the first meeting of the UN Security Council in January 1946 was chaired by the Australian Ambassador, Mr Norman Makin, AO; and

(c) calls on all members and senators in the Australian Parliament to celebrate the achievements of the UN over the past 70 years.

Senator Gallagher to move:

(1) That a select committee, to be known as the Select Committee on Families, be established to inquire into and report by 13 October 2015 on the following matters:

(a) the short- and long-term impact and potential impact on Australian families and children of decisions of the Abbott Government taken since its election, including:

   (i) proposed changes to Family Tax Benefits contained in the 2014-2015 and 2015-2016 budgets,
   (ii) proposed changes to income support payments, including Newstart Allowance and Youth Allowance contained in the 2014-15 and 2015-16 budgets,
   (iii) proposed changes to child care contained in the 2014-15 and 2015-16 budgets,
   (iv) proposed changes to Parental Leave Pay contained in the 2015-16 budget,
   (v) the abolition of the Schoolkids Bonus and the Income Support Bonus, and
   (vi) any other changes by the Abbott Government to payments and/or concessions made directly by the Commonwealth Department of Social Services to Australian families; and

(b) the impact of these changes on particular groups of vulnerable families and children, including single parent families, single income families, families of people with disability, low-income families, Indigenous families and other vulnerable groups.

(2) That the committee consist of 5 senators, 2 nominated by the Leader of the Government in the Senate, 2 nominated by the Leader of the Opposition in the Senate, and 1 nominated by the Leader of the Australian Greens.

(3) That:

   (a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator; and
   (b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee.

(4) That 3 members of the committee constitute a quorum of the committee.

(5) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.

(6) That the committee elect as chair one of the members nominated by the Leader of the Opposition in the Senate and as deputy chair the member nominated by the Leader of the Australian Greens.
(7) That the deputy chair shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.

(8) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.

(9) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.

(10) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider.

(11) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(12) That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

Senator Wright to move:

Senator Brandis to move:
That the following bill be introduced: A Bill for an Act to amend various Acts relating to law and justice, and for related purposes. Civil Law and Justice (Omnibus Amendments) Bill 2015.

Senator Whish-Wilson to move:
That there be laid on the table by the Minister representing the Treasurer (Senator Cormann), by 10 August 2015, a copy of the documents provided by the Australian Taxation Office to the Economics References Committee into corporate tax avoidance, with only personal names redacted.

Senator Wong to move:
That the following bill be introduced: A Bill for an Act to amend the Intelligence Services Act 2001 and other legislation in relation to the membership, powers and functions of the Parliamentary Joint Committee on Intelligence and Security, and for related purposes. Parliamentary Joint Committee on Intelligence and Security Amendment Bill 2015.

Senator Moore to move:
That the Senate—
(a) notes the Abbott Government's failure to honour its promises; and
(b) calls on the Government to be accountable to the Parliament.

Senator Leyonhjelm to move:
That the following matter be referred to the Economics References Committee for inquiry and report by 13 June 2016:
The economic and social impact of legislation, policies or Commonwealth guidelines, with particular reference to:

CHAMBER
(a) the sale and use of tobacco, tobacco products, nicotine products, and e-cigarettes, including any impact on the health, enjoyment and finances of users and non-users;
(b) the sale and service of alcohol, including any impact on crime and the health, enjoyment and finances of drinkers and non-drinkers;
(c) the sale and use of marijuana and associated products, including any impact on the health, enjoyment and finances of users and non-users;
(d) bicycle helmet laws, including any impact on the health, enjoyment and finances of cyclists and non-cyclists;
(e) the classification of publications, films and computer games; and
(f) any other measures introduced to restrict personal choice 'for the individual's own good'.

Senator Collins to move:

That—
(a) the Legal and Constitutional Affairs References Committee be required to hold a private meeting from 3 pm on Thursday, 25 June 2015, otherwise than in accordance with standing order 33(1), and that the agenda for that meeting include:
   (a) the election of a new chair of the committee; and
   (b) deliberation on the committee's progress on its inquiry into the handling of a letter sent by Mr Man Haron Monis to the Attorney-General, including the letter, dated 24 June 2015 from Mr Thawley, Secretary of the Department of the Prime Minister and Cabinet, and received by the committee on 24 June 2015; and
(b) the time for the presentation of the report on the handling of a letter sent by Mr Man Haron Monis to the Attorney-General be extended to 12 August 2015.

Senator Rhiannon to move:

That the Senate—
(a) notes that:
   (i) the Minister for Foreign Affairs, Ms Bishop, stated in a speech to the Lowy Institute on 11 June 2015 that Australia's military deployments could be accounted for as foreign aid,
   (ii) the Australian Council for International Development has stated it is vitally important that the Government clearly separates Australian aid expenditure from military logistical support,
   (iii) the United Nations has urged developed countries to commit to a 0.7 per cent GNI target by 2015 to meet the Millennium Development Goals and Britain has legislated this target, and
   (iv) the Abbott Government has cut $11 billion from the foreign aid budget since it was elected in 2013; and
(b) calls on the Minister for Foreign Affairs to rule out accounting logistical support for the military and police in non-humanitarian responses as foreign aid.

Senator Fifield to move:

That, on Thursday, 25 June 2015:
(a) the hours of meeting shall be 9.30 am to adjournment;
(b) consideration of general business private senators' bills under temporary order 57(1)(d)(ia) shall not be proceeded with and that government business shall have precedence for 2 hours and 20 minutes;
(c) consideration of general business and consideration of committee reports, government responses and Auditor-General's reports under standing order 62(1) and (2) shall not be proceeded with;
(d) the routine of business from 12.45 pm till not later than 2 pm, and from not later than 4.30 pm shall be government business only;
(e) divisions may take place after 4.30 pm;
(f) the question for the adjournment of the Senate shall be proposed after it has finally considered the Migration Amendment (Regional Processing Arrangements) Bill 2015, or a motion for the adjournment is moved by a minister, whichever is the earlier; and
(g) debate on the question for the adjournment shall not exceed 40 minutes, and a senator shall not speak to that question for more than 10 minutes.

Senator O'Sullivan to move:
That the Senate—
(a) notes:
   (i) the near fatal overdose by five young people of the deadly and illegal drug fantasy, gamma hydroxybutyrate, at a South Stradbroke Island dance party on 7 June 2015, and
   (ii) the near fatal overdose by four young people of the deadly and illegal drug ecstasy on a Good Friday cruise in Sydney Harbour on 4 April 2015; and
(c) calls on the Australian Greens to condemn their New South Wales counterparts for their attempts to ban police sniffer dogs—an important police tool for preventing such overdoses at music festivals.

Senator Macdonald to move:
That the Senate—
(a) express its concern for the loss of important Australian cultural heritage, with the destruction by fire of the Waltzing Matilda Centre in Winton on 18 June 2015;
(b) acknowledges the impact of this event on the people of Winton who have lost an important tourism drawcard, and a significant employer; and
(c) offers the people of Winton its understanding and support at the loss of this icon.

Senator Macdonald to move:
That the Senate—
(a) welcomes the Vietnamese Community in Australia's (VCAs) celebration of the 40th anniversary of re-settlement in Australia with a reception at Parliament House on 22 June 2015; and
(b) congratulates the VCA on its contribution to the Australian community since the Vietnamese first arrived in 1975.

Senator Lazarus to move:
That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 3 December 2015:
Use of smoke alarms to prevent smoke and fire related deaths, with particular reference to:
(a) the incidence of smoke and fire related injuries and deaths and associated damage to property;
(b) the immediate and long term effects of such injuries and deaths;
(c) how the use, type and installation set-ups of smoke alarms could affect such injuries and deaths;
(d) what smoke alarms are in use in owner-occupied and rented dwellings and the installation set-ups;
(e) how the provisions of the Australian Building Code relating to smoke alarm type, installation and use can be improved;
(f) whether there are any other legislative or regulatory measures which would minimise such injuries and deaths; and

CHAMBER
Postponement

The following items of business were postponed:

Postponement

The following items of business were postponed:


General business notice of motion no. 768 standing in the name of Senator Lazarus for today, proposing the establishment of a select committee on residential fire safety, postponed till 25 June 2015.

COMMITTEES

Reporting Date

The Clerk: Notifications of extensions of time for committees to report have been lodged in respect of the following:

Economics References Committee—
forestry managed investment schemes—extended from 25 June to 17 September 2015.
Australia's naval ship building industry—extended from 1 July to 28 August 2015.

Environment and Communications Legislation Committee—Landholders' Right to Refuse (Gas and Coal) Bill 2015—extended from 7 August to 31 August 2015.

The PRESIDENT (15:40): Does any senator wish to have those questions put? There being none, I will now proceed to the discovery of formal business.

COMMITTEES

Economics References Committee
Reference

Senator DASTYARI (New South Wales) (15:41): I, and also on behalf of Senators Madigan, Leyonhjelm, Lazarus, Lambie, Xenophon and Whish-Wilson, move:

That the following matter be referred to the Economics References Committee for inquiry and report by 24 November 2015:

The economic effect of matters including the difference between cash rates and credit card interest rates, with particular reference to:

(a) the Reserve Bank of Australia's cash rate announcement and associated changes in credit card interest rates;

(b) the costs to banks, credit providers, and payments systems, including those related to:

(i) borrowings,

(ii) credit risk and default rates, and credit risk pricing,

(iii) various credit card loyalty programs, and

(iv) consumer protection measures, including reforms introduced following the global financial crisis,

(c) transaction costs, including interchange fees, on the payments industry;

(d) the costs to consumers, including those related to:

(i) how and when interest is applied,

(ii) minimum monthly payment levels,

(iii) various credit card loyalty programs of other users, and...
(iv) card fees, including ATM and POS fees;
(e) what impact competition and price signals have on the credit card market;
(f) how the enforcement of responsible lending laws and the national consumer credit regime affect consumer costs;
(g) how consumer choice of credit card products can be improved, with reference to practices in other jurisdictions; and
(h) any other related matters.

Question agreed to.

MOTIONS

Australian Charities and Not-for-profits Commission

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:41): At the request of Senators Wong, Xenophon, Muir and Siewert, I move:

That the Senate—
(a) notes that:
(i) the Australian Charities and Not for profits Commission enjoys strong support from the charity sector, with over 80 per cent of respondents to Pro Bono Australia's annual State of the Not for Profit Sector surveys agreeing it is critical to a well functioning not for profit sector,
(ii) the Commission saves charities approximately $120 million a year in reduced compliance costs, freeing up resources to spend on helping the community,
(iii) the Government's plans to abolish the Commission are creating uncertainty in the charities sector and leading to high staff turnover within the Commission, and
(iv) the Minister for Social Services (Mr Morrison) has admitted he has no immediate plans to progress the legislation to give effect to the abolition of the Commission; and
(b) calls on the Government to withdraw the Australian Charities and Not-for-profits Commission (Repeal) (No. 1) Bill 2014 to provide certainty to Australia's charities.

Question agreed to.

World Hepatitis Day

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:42): At the request of Senators Smith and Singh, I move:

That the Senate—
(a) notes:
(i) the bravery of those Australians who shared their experiences of Hepatitis C in person and in the book Together We Can: See Our Future, launched at Parliament House Canberra on 16 June 2015 by Hepatitis Australia and the Australian Parliamentary Friendship Group for Blood-Borne Diseases,
(ii) that the stigma associated with Hepatitis C is increasing the suffering of many of the 230 000 Australians living with the disease,
(iii) that successful Australian treatment rates for Hepatitis C are extremely low,
(iv) that the Pharmaceutical Benefits Advisory Committee has recently recommended two new Hepatitis C treatments for listing on the Pharmaceutical Benefits Scheme,
(v) that not only do these and similar new therapies have the potential to be used with relatively minimal side-effects and may offer a better hope of a cure for people who cannot tolerate existing
treatments, they raise the possibility of the Australian eradication of Hepatitis C perhaps within a generation, and

(vi) the critical role funding plays in research and development into finding better treatment methods and a cure for Hepatitis C; and

(b) recognises and commends the organisers of World Hepatitis Day 2015, in Australia and internationally, who are working to bring together communities on 28 July to raise awareness and constructively work towards an end to this world wide epidemic.

Question agreed to.

BILLS

Higher Education Support Amendment (New Zealand Citizens) Bill 2015

First Reading

Senator KIM CARR (Victoria) (15:42): I move:
That the following bill be introduced: A Bill for an Act to amend the Higher Education Support Act 2003, and for related purposes.

Question agreed to.

Senator KIM CARR (Victoria) (15:43): I present the bill and move:
That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator KIM CARR (Victoria) (15:43): I move:
That this bill be now read a second time.

I seek leave to table an explanatory memorandum relating to the bill.

Leave granted.

Senator KIM CARR: I table an explanatory memorandum and I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

HIGHER EDUCATION SUPPORT AMENDMENT (NEW ZEALAND CITIZENS) BILL

The purpose of the Higher Education Support Amendment (New Zealand Citizens) Bill is to address a long standing inequity in the treatment of long term residents of Australia who – by circumstance of their birth – are New Zealand citizens.

These students are eligible for subsidised places at Australian universities, as Australian students are at New Zealand universities.

But at present New Zealanders, however long they have lived in Australia, are denied financial assistance under the Higher Education Loans Program (HELP).

An oddity of the Minister for Education's two attempts to revise the Higher Education Support Act 2003 has been the inclusion of overdue, non-controversial and comparatively minor reforms among the radical and contentious changes that were the substantial content of that legislation.

In the former category is a legislative remedy for the plight of students who, although they are long-term residents of Australia, are New Zealand citizens.
Currently, only Australian citizens and Australian residents who hold humanitarian visas may apply for the various HELP schemes.

It is an accepted principle that the beneficiaries of HELP should be people who will be able to repay the loan because they will be paying Australian taxes.

The Minister has indicated that the Government intends to expand the collection of HELP debts to include Australians who have moved overseas, but the fundamental principle stands.

It could hardly be argued, however, that extending HELP eligibility to long-term New Zealand residents of Australia would undermine this principle.

These New Zealanders are, as former Minister David Kemp's adviser Dr Andrew Norton has said, people "who have been in Australia for much of their lives, went to Australian schools, talk with Australian accents and consider themselves Australians for most purposes".

(Commentary from Carlton blog, 4 April 2015.)

The exclusion from HELP of people who can be so described is anomalous and unfair, and on that there seems to be broad agreement across the political spectrum.

When Labor was in government we announced legislation to rectify the problem, which would have taken effect on 1 January this year.

The legislation was not introduced, because the election intervened.

But after the present Government took office the Prime Minister and his New Zealand counterpart agreed that the issue must be resolved, and in the 2014 Budget papers the Government stated its intention to do so.

Labor would certainly have supported a Government bill, along the same lines as the bill we had foreshadowed, that opened HELP to New Zealanders in this country.

When the Government finally acted on the matter, however, the measure was bundled in with its attempt to deregulate university fees and cut funding for Commonwealth supported places.

As all Senators know, there are no circumstances in which Labor would support a bill containing those measures.

We have urged the Government to introduce a separate bill to allow New Zealanders in Australia to apply for HELP assistance, but the Minister has so far refused to do so.

He is effectively holding these students hostage to his desire to deregulate fees.

He wants to remedy one injustice by imposing a much greater one.

But Labor will not acquiesce in the Minister's stubborn refusal to act in a bipartisan manner on what surely should be a non-controversial matter.

The Higher Education Support Amendment (New Zealand Citizens) Bill 2015 will do what the Government could have, and should have, done by now.

Since the date at which the original legislation would have come into effect has now passed, the measure contained in this Bill will commence on 1 January 2016.


These sections define citizenship or residency requirements for, respectively:

- HECS-HELP, the loan scheme for university students in subsidised places;
- FEE-HELP, the loan scheme for students in full-fee places;
- OS-HELP, the loan scheme for students undertaking studies overseas; and
- SA-HELP, the loan scheme that assists students to pay services and amenities fees.
The Bill also amends clause 44 of Schedule 1A to the Act, which sets out citizenship or residency requirements for VET FEE-HELP, the loan scheme for students in higher level vocational education and training courses.

The Bill applies the same residency conditions for each of these loans.

As with the legislation originally proposed by the previous Labor government, this Bill does not provide recently arrived New Zealand citizens with access to HELP.

To be eligible, a student who is a New Zealand citizen must:

- hold a special category visa under the Migration Act 1958;
- have been a dependent child when he or she first began to be usually resident in Australia;
- have first been usually resident in Australia at least 10 years before the date of lodging the request for HELP assistance, or the date of lodging a previous successful request for a unit in the same course of study, whichever is earlier;
- have been in Australia for a period of, or for periods totalling, 8 years during the 10 years before the relevant lodgement date; and
- have been in Australia for a period of, or for periods totalling, 18 months in the 2 years immediately before the relevant lodgement date.

In other words, the beneficiaries of this change in eligibility requirements for HELP would be long-term residents of Australia by any measure.

They are people who would reasonably be expected to be taxpayers in Australia after graduation.

Reasonable people would not deny the justice of allowing these long-term Australian residents, who have come from a country with which Australia has such a close and historic affinity, to obtain access to HELP assistance.

The Bill does differ in one significant respect from the bill that Labor would have introduced in government.

It amends section 238-12 of the Higher Education Support Act 2003, which provides that amounts paid to HELP recipients should come from Consolidated Revenue.

As Senators will be aware, a private senator's bill cannot include an appropriation provision of this kind.

The Bill therefore inserts an additional subsection in section 238-12, which states that "an amount that is payable by the Commonwealth as a result of the amendments … is to be funded out of money appropriated by the Parliament for the purposes of such a payment".

For this Bill to achieve its aim, the Government must therefore be willing to support such an appropriation.

The Government must cooperate to that extent, and it can have no justification for refusing that cooperation.

What this Bill does, after all, is implement a policy that the Government says is its own.

The Bill circumvents the wholly unnecessary obstacle created by the Minister tying the measure to his plan to deregulate fees and cut funding for undergraduate places.

There is no reason why passage of the measure contained in this Bill should be impeded by the fundamental disagreement between the Government and the majority of Senators on deregulation.

There was never any good reason to include this measure in a deregulation bill, as the Minister has done.

I therefore ask the Minister, and all Government Senators and MPs, to take the fair and reasonable alternative, and treat the plight of New Zealand students at Australian universities separately.
I ask you to support this Bill, which sets in place a policy on which there should be broad agreement in this place.

Debate adjourned.

Social Security (Administration) Amendment (Consumer Lease Exclusion) Bill 2015

First Reading

Senator CAMERON (New South Wales) (15:44): I move:

That the following bill be introduced: A Bill for an Act to amend the Social Security (Administration) Act 1999, and for related purposes.

Question agreed to.

Senator CAMERON: I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator CAMERON (New South Wales) (15:44): I move:

That this bill be now read a second time.

I seek leave to table to table an explanatory memorandum relating to the bill.

Leave granted.

Senator CAMERON: I table an explanatory memorandum and I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

SOCIAL SECURITY (ADMINISTRATION) AMENDMENT (CONSUMER LEASE EXCLUSION) BILL 2015

The purpose of the Social Security (Administration) Amendment (Consumer Lease Exclusion) Bill 2015 is to amend the Social Security (Administration) Act 1999 to provide that consumer leases are excluded goods for the purposes of Part 3B of the Act.

This Bill is needed to remove the potential for Centrelink clients to suffer financial harm as a result of entering into one or more consumer leases for household goods which are currently available for people using Centrepay.

Labor will not stand by while low-income, vulnerable Australians are exploited.

Our system of social security should protect the poor and the vulnerable, not leave them open to financial exploitation by businesses.

Centrepay is a free service through which Centrelink clients may pay recurring bills and other payments via debit from their welfare payment.

It is a valuable service when used appropriately but there is considerable and growing evidence that it is becoming a tool for financial services businesses to exploit low income and vulnerable Australians.

Consumer advocates and financial counsellors regularly encounter significant numbers of Centrelink clients under financial stress as a result of entering into one or more consumer leases for household goods.
Common household goods obtained under a consumer lease can cost up to seven times more than the usual retail price for the same goods.

For example, a mid-range stroller retailing for $300 can cost up to $1330 if it is obtained under a consumer lease.

A basic washing machine retailing for around $450 can cost between $1100 and $1500 if it is obtained under a consumer lease.

And a child's cot retailing for $270 can cost up to $1550 if it is obtained under a consumer lease.

And at the end of the lease and after all that expense, the consumer does not own the goods.

The problem is widespread, but it is particularly acute in indigenous communities.

The Consumer Action Law Centre, the Australian Council of Social Services and Financial Counselling Australia have campaigned for some time to have consumer leases excluded from Centrepay because of the financial harm caused to financially vulnerable Centrelink clients.

The Micah Law Centre observed in 2007 that consumer leases are not genuine leases, but "loans in lease clothing".

Consumer leases are fringe credit products offered in the main to financially excluded consumers in the sub-prime end of the financial services market.

Many of the businesses offering consumer leases also operate in the payday lending market and similarly, cause significant financial harm to the most financially vulnerable people in the community.

There is evidence that consumer leasing businesses are using the fact that they are approved Centrepay service providers as a de facto government endorsement of the product in their marketing materials.

This Bill will ensure that Centrepay is prospectively closed to consumer leasing companies, for the same reasons it is closed to payday lenders.

Senator CAMERON: I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MOTIONS

Agriculture

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (15:45): I move:

That the Senate—

(a) acknowledges the valuable contribution that agriculture makes to Australia's social, economic and environmental sustainability;

(b) recognises:

(i) the approximately 123,000 farm businesses in Australia, more than 95 per cent of which are family owned and operated,

(ii) that Australian farmers produce almost 93 per cent of Australia's daily domestic food supply, and

(iii) the gross value of Australian farm production of over $51 billion; and

(c) congratulates the Government on the commencement of Taskforce Cadena, led by the Department of Immigration and Border Protection and the Fair Work Ombudsman, which will work with relevant agencies, including the Australian Federal Police, the Australian Securities and Investments Commission, and the Australian Taxation Office, and state and territory agencies, to reinforce existing action to tackle allegations of fraud and worker exploitation involving temporary visa holders.

Question agreed to.
Ackerman, Mr James

Senator LAZARUS (Queensland) (15:45): I move:

(a) expresses its deepest sympathy to the family and friends of Mr James Ackerman who sadly passed away on 22 June 2015 as a result of an on-field injury sustained while playing rugby league in Queensland on Saturday, 20 June 2015; and

(b) recognises the selfless actions of Mr Ackerman in donating his organs so others may live.

Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator LAZARUS: This week, we lost a wonderful young man by the name of James Ackerman, who passed away at the tender age of 25 as a result of injuries sustained while playing the game he loved, Rugby League. James lived for his family and the game of Rugby League. From one front-rower to another, our role on the field is to take the hits while taking the ball up. Our job is to create yardage gains for our team so our wingers have the space to score tries. It is a hard job but one that should enable you to come home to your family after every game, no matter what. Sadly, James never woke from a tackle and never made it home. James has also donated his organs and, as a result, some 10 people will be given the chance of life. I would like the Senate to join with me in honouring this wonderful young man, who has left behind a young family and a Rugby League community in mourning.

Question agreed to.

COMMITTEES

Select Committee on the Murray-Darling Basin Plan

Appointment

Senator DAY (South Australia) (15:47): I, and also on behalf of Senators Wang, Leyonhjelm, Heffernan, Lambie, Muir and Madigan, move:

(1) That a select committee, to be known as the Select Committee on the Murray-Darling Basin Plan be established to inquire into and report, on or before 26 February 2016, on the positive and negative impacts of the Murray-Darling Basin Plan and associated Commonwealth programs on regional communities, with particular reference to:

(a) the implementation of the plan, including:

(i) its progress,

(ii) its costs, especially those related to further implementation,

(iii) its direct and indirect effects on agricultural industries, local businesses and community wellbeing, and

(iv) any evidence of environmental changes to date;

(b) the effectiveness and appropriateness of the plan's Constraints Management Strategy, including:

(i) the progress of identifying constraints and options to mitigate the identified risks, and

(ii) environmental water flows and river channel capacity;

(c) the management of the Coorong, Lower Lakes and Murray mouth, including the environmental impact of the locks, weirs and barrages of the Murray River; and

(d) any related matter.
(2) That the committee consist of 7 senators, 2 nominated by the Leader of the Government in the Senate, 1 nominated by the Leader of the Opposition in the Senate, 1 nominated by the Leader of the Australian Greens in the Senate, and 3 to be nominated by other parties and independent senators.

(3) That:

(a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate, the Leader of the Australian Greens in the Senate or any other party or any independent senator;

(b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee; and

(c) a participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.

(4) That 4 members of the committee constitute a quorum of the committee.

(5) That the committee may proceed to the dispatch of business notwithstanding that all members have not been duly nominated and appointed and notwithstanding any vacancy.

(6) That the committee elect as chair and deputy chair a member nominated by minority parties and independent senators.

(7) That the deputy chair shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.

(8) That the chair, or the deputy chair when acting as chair, may appoint another member of the committee to act as chair during the temporary absence of both the chair and deputy chair at a meeting of the committee.

(9) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, has a casting vote.

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

(11) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings, the evidence taken and such interim recommendations as it may deem fit.

(12) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(13) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

Senator MOORE (Queensland) (15:48): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator MOORE: Labor does not support the creation of this select committee. The Murray-Darling Basin Plan is a historic agreement that represents a significant step forward in the management of our most important river system. This Basin Plan enjoys bipartisan support. As the government often says, it is committed to achieving the plan in full and on time. Further, review of the Basin Plan will do nothing but increase uncertainty. A House
committee inquiry was undertaken which reported in 2011. The Senate Rural and Regional Affairs and Transport Committee undertook an inquiry into the management of the basin, reporting in 2013. The Senate Environment and Communications Committee undertook various inquiries into elements of the management of the basin in the previous parliament. Most recently, the National Water Commission (Abolition) Bill was investigated by Senate committee and, as a result of that bill, now passed, the Productivity Commission will be undertaking five-yearly audits of implementation of the Basin Plan. In addition to this, an annual report on the Basin Plan is produced by the Murray-Darling Basin Authority. There is no need for this inquiry or this select committee, and Labor will not support it. (Time expired)

The President: The question is that the motion moved by Senator Day be agreed to.
The Senate divided. [15:53]
(The President—Senator Parry)

Ayes ....................35
Noes ......................29
Majority .................6

AYES

Back, CJ
Birmingham, SJ
Canavan, M.J.
Colbeck, R
Edwards, S
Fierravanti-Wells, C
Johnston, D
Lazarus, GP
Lindgren, JM
Madigan, JJ
McKenzie, B
Nash, F
Parry, S
Ronaldson, M
Ryan, SM
Sinodinos, A
Wang, Z
Xenophon, N

Bernardi, C
Bushby, DC (teller)
Cash, MC
Day, R.J.
Fawcett, DJ
Fifield, MP
Lambie, J
Leyonhjelm, DE
Macdonald, ID
McGrath, J
Muir, R
O'Sullivan, B
Payne, MA
Ruston, A
Seselja, Z
Smith, D
Williams, JR

NOES

Bilyk, CL
Collins, JMA
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Ludlam, S
Marshall, GM
McEwen, A
Milne, C
Peris, N
Rhiannon, L
Siewert, R
Sterle, G

Bullock, J.W.
Conroy, SM
Di Natale, R
Gallagher, KR
Ketter, CR
Ludwig, JW
McAllister, J
McLucas, J
Moore, CM
Polley, H
Rice, J
Singh, LM
Urquhart, AE (teller)
Question agreed to.

Legal and Constitutional Affairs References Committee

Reference

Senator HANSON-YOUNG (South Australia) (15:55): I move:

That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 15 September 2015:

(a) the reply of the Government to the order for production of documents ordered by the Senate in the amended general business notice of motion no. 724 moved by Senator Hanson-Young on 16 June 2015;
(b) any money paid to anyone on board a vessel en route to Australia or New Zealand by any Customs, Immigration or other Commonwealth officer from September 2013 to date;
(c) the facilitation or authorisation of the payment of any money to anyone on board a vessel en route to Australia or New Zealand by any Customs, Immigration or other Commonwealth officer from September 2013 to date;
(d) any payments made to any such vessels' captain, crew or passengers;
(e) any payments made in relation to the passage of any such vessels, their passengers or crew;
(f) the legality, under international and domestic law, of the above matters;
(g) the damage caused by the above matters to the bilateral relationship between Australia and Indonesia;
(h) the extent to which any such bribes constitute an incentive for people smuggling operations to Australia;
(i) whether it is standard practice for Australia to pay cash or other inducements to the captains or crew of boats carrying asylum seekers and, if so, how long this practice has been carried on and how much has been spent on this policy in the past, including what payments have been made to particular individuals and the amount of any such payments;
(j) any related matters.

I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator HANSON-YOUNG: This motion has been brought in to establish a Senate inquiry into this whole sordid affair. If you remember, two days ago the Senate disagreed with the government's claim that they were not going to give us any information, because of
public-interest immunity. This is an issue where the Australian public want to know what has been going on, how much money is being paid to people smugglers and what on earth the government has done to induce the people smugglers' business model.

Senator LAMBIE (Tasmania) (15:57): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator LAMBIE: I support the Greens motion to refer a matter, relating to the alleged bribery of people smugglers by Australian government officers, to a Senate committee. I have my differences with the Greens policy on climate change but I give credit where credit is due. This is an important motion, which I support. There is a grave allegation that the Prime Minister of Australia and his government have authorised a $30,000 cash payment to Indonesian people smugglers. This issue is not about stopping the boats; this issue is about whether a crime has been committed by the Australian Prime Minister and his Liberal cabinet colleagues.

Has the leader of our nation committed a crime by authorising and ordering cash payments to international criminals? I want to know and so do many Australians. The only way this question can be answered is to examine all the documents associated with this incident.

Senator IAN MACDONALD (Queensland) (15:58): I seek leave to make a statement for one minute.

The PRESIDENT: Leave is granted for one minute.

Senator IAN MACDONALD: As this has obviously turned into a debate—contrary to the rules—could I enter it, for a minute! The Greens continue to try to find fault with a policy that has actually stopped the boats. The things they complain about are, principally, matters that were introduced under the Labor government. At the time, the Greens never raised a whimper about the Labor government introducing Manus and Nauru. They never raised a whimper about children in detention, in those days. Now there is a different government, they continue to set up these useless committees that never go anywhere. There are already two committees looking at the same thing, in relation to offshore detention—set up by Labor, I might add—and this will be another waste of the Senate's resources.

The PRESIDENT: The question is that the motion moved by Senator Hanson-Young be agreed to.

A division having been called and the bells being rung—

Senator Ian Macdonald: Is it too late to move an—

The PRESIDENT: Just a moment. Lock the doors. Senator Macdonald, it is too late to move an amendment, if that is what you are seeking to do.

Senator Ian Macdonald: Mr President, I desperately want to move an amendment to refer this to any other committee but the Legal and Constitutional Affairs Committee.

The PRESIDENT: That is not in order, Senator Macdonald.

Senator Conroy interjecting—

The PRESIDENT: Order! Senator Conroy, the standing orders state that, once the tellers are appointed, you cannot move.
The Senate divided. [16:03]
(The President—Senator Parry)

Ayes ...................... 36
Noes ...................... 28
Majority ............... 8

AYES

Bullock, J.W. ............... Cameron, DN
Carr, KJ ................... Collins, JMA
Conroy, SM ................ Dastyari, S
Di Natale, R ............... Gallagher, AM
Gallagher, KR .............. Hanson-Young, SC
Lambie, J .................. Lazarus, GP
Leyonhjelm, DE .......... Lines, S
Ludlam, S ................ Ludwig, JW
Madigan, JJ ............... Marshall, GM
McAllister, J ............. McEwen, A (teller)
McLucas, J ................. Milne, C
Moore, CM ................ Muir, R
Peris, N .................. Polley, H
Rhiannon, L ............... Rice, J
Siewert, R ................. Singh, LM
Sterle, G .................. Wang, Z
Waters, LJ ................ Whish-Wilson, PS
Wright, PL ................ Xenophon, N

NOES

Back, CJ .................... Bernardi, C
Birmingham, SJ .......... Bushby, DC (teller)
Canavan, M.J. .......... Cash, MC
Colbeck, R ................. Day, R.J.
Edwards, S ............... Fawcett, DJ
Fierravanti-Wells, C .... Fifield, MP
Johnston, D ............... Lindgren, JM
Macdonald, ID .......... McGrath, J
McKenzie, B .............. Nash, P
O'Sullivan, B .......... Parry, S
Payne, MA ................ Ronaldson, M
Ruston, A ................. Ryan, SM
Seselja, Z ................. Sinodinos, A
Smith, D .................. Williams, JR

PAIRS

Bilyk, CL .................. Cornann, M
Brown, CL ................ Heffernan, W
Ketter, CR ................. Scullion, NG
O'Neill, DM ............... Abetz, E
Urquhart, AE ............. Reynolds, L
Wong, P .................. Brandis, GH

Question agreed to.
MOTIONS

Financial Services

Senator WHISH-WILSON (Tasmania) (16:07): I move:

That the Senate—

(a) notes:

(i) the recommendations of the Economics References Committee inquiry into the performance of the Australian Securities and Investments Commission, and

(ii) the allegations that financial planners at the Commonwealth Bank of Australia, National Australia Bank, ANZ Bank, Macquarie Bank and, most recently, IOOF had engaged in unethical and/or unlawful activity; and

(b) calls on the Government to establish a royal commission into misconduct within the financial services sector.

I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator WHISH-WILSON: It is time for a broad-ranging royal commission in this country into white collar crime and misconduct in the financial services sector. Nearly 12 months ago, the Senate inquiry of the Economics Committee made a recommendation for a royal commission into the Commonwealth Bank. Following that, in the last 12 months, thanks to some brave whistleblowers and some dogged reporting from Fairfax journalists, we have seen allegations and revelations of misconduct at Macquarie Bank, ANZ, National Australia Bank and, recently, at IOOF. How many more scandals are lurking under the surface?

Although the Senate has done some good work, and I do commend some of my colleagues in this chamber for their work, the committee made a recommendation for a good reason. That is, a royal commission would have the powers to get to the bottom of this and sort it out once and for all for the good of the financial services sector and for the good of the Australian people. I recommend my fellow senators support this motion.


The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: The government's position has not changed. The financial services industry has never been under closer scrutiny. Over the past 12 months alone we have had five inquiries into the sector. The Financial System Inquiry made recommendations to strengthen regulation of the financial advice sector and increase ASIC powers, as did the Economics Committee inquiry into the performance of ASIC. We are now working on raising professional standards for financial advisers in response to the bipartisan parliamentary joint committee inquiry. There is also a Senate inquiry into the scrutiny of financial advice which is due to report next year. Another Senate inquiry into forestry managed investment schemes is due to report mid year.

The government has delivered on its commitment to introduce a public register of all financial advisers. At the same time, substantial changes to the regulatory regime for financial advisers through FoFA are due to come into full force on 1 July. Also, the financial advice sector is a key focus for ASIC.
The PRESIDENT: The question is that the motion moved by Senator Whish-Wilson be agreed to.

The Senate divided. [16:10]

(The President—Senator Parry)

Ayes .................14
Noes ..................39
Majority..............25

AYES

Di Natale, R
Lambie, J
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Whish-Wilson, PS
Wright, PL

Hanson-Young, SC
Lazarus, GP
Milne, C
Rice, J
Waters, LJ
Williams, JR
Xenophon, N

NOES

Back, CJ
Birmingham, SJ
Bushby, DC
Carr, KJ
Colbeck, R
Day, R.J.
Fawcett, DJ
Fifield, MP
Gallagher, KR
Lindgren, JM
Macdonald, ID
McEwen, A (teller)
McLucas, J
Parry, S
Peris, N
Ronaldson, M
Ryan, SM
Singh, LM
Smith, D
Wang, Z

Bernardi, C
Bullock, J.W.
Cameron, DN
Cash, MC
Dastyari, S
Edwards, S
Fierravanti-Wells, C
Gallacher, AM
Leyonhjelm, DE
Ludwig, JW
Marshall, GM
McGrath, J
Moore, CM
Payne, MA
Polley, H
Ruston, A
Seselja, Z
Sinodinos, A
Sterle, G

Question negatived.

Apprenticeships

Senator RHIANNON (New South Wales) (16:12): I move:

That the Senate—

(a) notes that:

(i) the 2014 annual report of the New South Wales Department of Education and Communities shows that TAFE NSW lost 15 per cent of its teaching staff between 2011 and 2014,

(ii) new apprenticeships in New South Wales fell by 20 per cent in 2014,
(iii) the annual report further shows a 16.2 per cent decrease in apprenticeship completions from 2013 to 2014, resulting in 10 000 fewer apprentices completing their training in New South Wales, and

(iv) the Abbott Government has cut nearly $2 billion out of apprenticeship support since coming to office; and

(b) calls on the Federal Government to reinstate the Tools For Your Trade program and other forms of support for apprentices to boost skills development and improve job opportunities for young Australians.

Senator BIRMINGHAM (South Australia—Assistant Minister for Education and Training) (16:12): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator BIRMINGHAM: The government will oppose this motion. It has a number of flaws to it. But, importantly, I would highlight for the Senate that the government continues to provide significant funding to New South Wales for vocational education and training. It continues to honour all agreements struck with New South Wales in that regard and provide all funding. The government is also providing to New South Wales TAFE, one of the highest beneficiaries of the VET FEE-HELP scheme, very significant funding under that VET FEE-HELP scheme.

In regard to apprenticeships, I would highlight to the Senate that the decline in apprenticeship commencements was most marked and commenced in the period before the election of this government. It was following the 2011-12 budget of the previous government where the $1,500 standard employer commencement incentive was cut, which saw around 100,000 apprenticeships lost during that period. We are committed to providing significant support to apprentices through the $20,000 Trade Support Loans, which is nearly four times the amount of support that was available to apprentices under the previous government's programs.

Senator MOORE (Queensland) (16:13): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator MOORE: While Labor agrees with the sentiments contained within the Greens motion, unfortunately we cannot support this motion due to the lack of detail and the absence of costings. We saw $1 billion in cuts to apprenticeship programs in last year's budget. The government have replaced apprentice support with apprentice debt. Before the election, Mr Abbott promised that the coalition would provide better support for Australia's apprentices. They have now had two budgets, and all we have seen are cuts, cuts and more cuts. We need to start investing in programs to develop the skills and training that Australians need to obtain the jobs of the future. But these proposals must be detailed and must be costed.

The PRESIDENT: The question is that the motion moved by Senator Rhiannon be agreed to.

The Senate divided. [16:15]

(The President—Senator Parry)

Ayes ..................13
Noes ..................40
Majority ...............27
AYES

Di Natale, R  
Lambie, J  
Ludlam, S  
Rhiannon, L  
Siewert, R (teller)  
Whish-Wilson, PS  
Xenophon, N

Hanson-Young, SC  
Lazarus, GP  
Milne, C  
Rice, J  
Waters, LJ  
Wright, PL

NOES

Bernardi, C  
Bullock, J.W.  
Cameron, DN  
Cash, MC  
Conroy, SM  
Edwards, S  
Ferraravioti-Wells, C  
Gallacher, AM  
Lindgren, JM  
Macdonald, ID  
McEwen, A  
McKenzie, B  
Moore, CM  
Parry, S  
Peris, N  
Ronaldson, M  
Ryan, SM  
Sinodinos, A  
Sterle, G  
Williams, JR

Birmingham, SJ  
Bushby, DC (teller)  
Carr, KJ  
Colbeck, R  
Dastyari, S  
Fawcett, DJ  
Fifield, MP  
Gallagher, KR  
Ludwig, JW  
Marshall, GM  
McGrath, J  
McLucas, J  
O'Sullivan, B  
Payne, MA  
Polley, H  
Ruston, A  
Singh, LM  
Smith, D  
Wang, Z

Question negatived.

COMMITTEES

Economics References Committee

Reference

Senator XENOPHON (South Australia) (16:18): I, and also on behalf of Senator Wang, move:

That the following matters be referred to the Economics References Committee for inquiry and report by 1 July 2016:

(a) the measures governing the activities of Australian corporations, entities, organisations, individuals, government and related parties with respect to foreign bribery, with specific reference to the effectiveness of, and any possible improvements to, Australia's implementation of its obligations under:

(i) the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Convention), and

(ii) the United Nations Convention against Corruption (UNCAC); and

(b) as part of, or in addition to, paragraph(a), the effectiveness of, and any possible improvements to, existing Commonwealth legislation governing foreign bribery, including:
(i) Commonwealth treaties, agreements, jurisdictional reach, and other measures for gathering information and evidence,

(ii) the resourcing, effectiveness and structure of Commonwealth agencies and statutory bodies to investigate and, where appropriate, prosecute under the legislation, including cooperation between bodies,

(iii) standards of admissible evidence,

(iv) the range of penalties available to the courts, including debarment from government contracts and programs,

(v) the statute of limitations,

(vi) the range of offences, for example:
  (A) false accounting along the lines of the 'books and records' head in the US Foreign Corrupt Practices Act,
  (B) increased focus on the offence of 'failure to create a corporate culture of compliance',
  (C) liability of directors and senior managers who do not implement a corporate culture of compliance, and
  (D) liability of parent companies for subsidiaries and intermediaries, including joint ventures,

(vii) measures to encourage self-reporting, including but not limited to, civil resolutions, settlements, negotiations, plea bargains, enforceable undertakings and deferred prosecution agreements,

(viii) official guidance to corporations and others as to what is a 'culture of compliance' and a good anti-bribery compliance program,

(ix) private sector whistleblower protection and other incentives to report foreign bribery,

(x) facilitation payment defence,

(xi) use of suppression orders in prosecutions,

(xii) foreign bribery not involving foreign public officials, for example, company to company or international sporting bodies,

(xiii) the economic impact, including compliance and reporting costs, of foreign bribery, and

(xiv) any other related matters.


The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: Responding to corruption and the bribing of foreign public officials is something this government takes very seriously. The government has a zero tolerance approach to corruption in all its forms and is already taking significant steps to address this issue. We have strong laws to prevent corrupt activity both domestically and overseas, and in recent years Australia has dramatically stepped up efforts to enforce these offences. As a party to the OECD Anti-Bribery Convention, Australia is a member of the OECD working group on bribery. A number of recommendations were made by that group. In particular, the Australian Federal Police has taken significant steps to improve enforcement of foreign bribery by the launch of the AFP-hosted multi-agency Fraud and Anti-Corruption Centre to tackle serious and complex corruption, including foreign bribery, by bringing together experts from a range of agencies to ensure that foreign bribery allegations are fully investigated, and also the creation of a foreign bribery panel of experts. The government will continue to explore options to strengthen our laws and means of enforcing them but— (Time expired)
The PRESIDENT: The question is that the motion moved by Senator Xenophon be agreed to.

Question agreed to.

BILLS

Australian Government Boards (Gender Balanced Representation) Bill 2015

First Reading

Senator XENOPHON (South Australia) (16:20): I, and also on behalf of Senators Waters, Lambie and Lazarus, move:

That the following bill be introduced: A Bill for an Act to require Government board members to be appointed with regard to ensuring gender balanced representation, and for related purposes.

Question agreed to.

Senator XENOPHON: I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator XENOPHON (South Australia) (16:21): I move:

That this bill be now read a second time.

I seek leave to table an explanatory memorandum relating to the bill.

Leave granted.

Senator XENOPHON: I table an explanatory memorandum and seek leave to have the second reading speech incorporated in Hansard and to continue my remarks.

Leave granted.

The speech read as follows—

AUSTRALIAN GOVERNMENT BOARDS (GENDER BALANCED REPRESENTATION) BILL 2015

The need for balanced gender representation at board level, across all sectors, has long been widely recognised. Ideally, a company or government board should represent not only its own stakeholders, but the wider community. A balance of views, backgrounds and approaches has been shown to result in better outcomes for boards, and by extension for the entities they manage.

In particular, a significant body of research has shown that boards with more balanced gender representation lead to better financial outcomes for companies, as opposed to those with boards that consist entirely of one gender. For example, a recent study undertaken by Credit Suisse in September 2014 found that companies with more than one woman on the board returned a compound of 3.7 per cent a year since 2005 over those with no women on the board.

This echoes earlier research by Credit Suisse in 2012, which found that companies with women on the board outperformed those without by 26 per cent. Equally, a paper produced by Professor Robert Wood from the University of Melbourne’s Centre for Ethical Leadership summarises over forty pieces of research that support the argument that gender equality on boards leads to better outcomes.

The aim of this Bill is to implement in legislation the existing Government policy in relation to gender balance on Government boards, and as such to emphasise the Government’s position as a leader
in gender equality. The policy, which was established by the former Gillard Labor Government following the 2010 election, establishes a gender diversity target of 40 per cent men and 40 per cent women on Government boards, with the remaining 20 per cent to be made up of either gender.

The Bill introduces these targets as a positive obligation, rather than an aspirational objective. It also provides for certain exemptions, such as when it may not be reasonably practical to meet the target. The explanatory memorandum expands on the circumstances that would apply in this situation.

The Bill applies the gender balance target to Commonwealth entities under the Public Governance, Performance and Accountability Act 2013; Ministerial advisory committees; review committees where the appointments are made entirely by a Minister or the Cabinet; and Commonwealth statutory authorities. This definition is consistent with the boards that are currently required to report for the purpose of the Gender Balance on Australian Government Boards Report.

Further, the Bill establishes a legislative basis for the reporting requirements that currently exist in relation to the Gender Balance on Australian Government Boards Report. Under the Bill, each Portfolio will be required to supply information on each board within its remit to the Minister, who will then be required to collate this information into an annual report to be tabled in Parliament.

While this Bill focusses on existing policy, it is important to note the need for further measures to support this legislation. The Government should improve support and funding for programs such as Boardlinks to grow the pool of potential applicants, as well as working with organisations such as Women on Boards to raise awareness of this legislative change.

While there appears to be no valid argument as to why this legislation should not be put in place, the research quoted above shows that there are many arguments as to why it should. The business sector has made significant progress in terms of gender-balanced representation over the years, but there is still a leadership role for Government in terms of promoting boards that are more representative of our society as a whole.

The Australian Government has a responsibility to lead the way in terms of gender-balanced representation on boards, in order to drive a much-needed cultural shift. This legislation ensures the current policy, which is supported by both major parties, will remain in place and enforceable into the future.

Debate adjourned.

**DOCUMENTS**

**Consideration**

The documents tabled today relating to government documents were called on but no motion was moved.

**COMMITTEES**

**Rural and Regional Affairs and Transport References Committee**

**Report**

*Senator McEWEN* (South Australia—Opposition Whip in the Senate) (16:22): On behalf of Senator Sterle, I present the report of the Rural and Regional Affairs and Transport References Committee on Australia's sugar industry, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

*Senator McEWEN*: I move:

That the Senate take note of the report.
Select Committee on Health

Report

Senator McLUCAS (Queensland) (16:24): On behalf of Senator O'Neill, the Chair of the Select Committee on Health, I present the interim report of the Senate Select Committee on Health.

Ordered that the report be printed.

Senator McLUCAS: I move:

That the Senate take note of the report.

This is the second interim report of the Senate Select Committee on Health. It covers the activities of the committee in the first half of 2015. I present this report on behalf of our chair, Senator O'Neill, who had been attending a funeral. I am so pleased that you are back, Senator O'Neill, and you may wish to speak as well.

I want to give the Senate a flavour of the work that this committee has been doing. This second report outlines the evidence received to date regarding the government's primary health care and general practice policies, and, in particular, the report will be a record of the government's frequent changes of policy since the 2014 budget.

The report goes into some detail, explaining what I call the chronology of chaos when it comes to what has been happening in the health portfolio of this government. Let us go through it. In May 2014, the budget introduced the $7 co-payment on GP visits, diagnostic imaging and pathology as well as a pause on indexation of some MBS fees. In December 2014, the then health minister, the honourable Peter Dutton, announced that the $7 dollar co-payment have been dropped. In its place the government introduced a package of reforms, including: a reduction of the MBS rebate for short consultation times; a $5 co-payment with certain carve outs; and a four-year extension of the previously announced indexation freeze across all specialist and GP services under the MBS. We all remember what happened then. There was another outcry—a similar outcry to the one that followed the $7 co-payment that was announced in the 2014 budget. The government then, at the end of December, changed ministers. Changing their minister was the answer to the $5 co-payment.

In January 2015, after a concerted campaign from GPs and health consumers, the newly appointed health minister dropped the short consultation policy and the $5 co-payment policy. However, the indexation freeze remained and the minister announced her intention to consult with GPs and other stakeholders in order, she said, 'to come up with sensible options to deliver appropriate Medicare reforms.' The minister also said at the time—and this is of concern to Senator's who sit on this side of the chamber—that consultations will include the need to:

… insert a price signal of a modest co-payment into the health system for those who have the capacity to pay

In other words, this is still the end of Medicare. Let me tell you what Dr Kamerman had to say about what that would mean. Dr Kamerman is a well-regarded doctor from the Tamworth region, from recollection. He told us that because of these changes—the $5 co-payment—he would either have to remove staff from his practice or increase his fees. He said that currently
the payment to go to the doctor for a regular consultation was $35 for someone who was not concessional, and he would have to put that up to between $60 and $65.

So again, we have the minister having to respond to outcry in the community. And then in March, while the health minister's consultations continued—with little clarity about what they were actually doing—there were still concerns being expressed about the lack of detail in the government policy direction leading into the 2015 budget. The health minister then announced that the $5 co-payment 'has been taken off the table as it lacks broad support.' I could have told you that myself.

The minister continues to argue that expenditure on Medicare is unsustainable, against all advice from our committee and from what I am sure she hears across her consultation tables. She still insists that Medicare is unsustainable. That goes against all the evidence that we have received as part of that committee.

Minister Ley still insists that we need to put a price on going to the doctor. She said:

It's definitely good policy to put the right price and values signals in health to make sure number one people that people value the service that they get from doctors …

I can tell you now that people do value the service they get from their doctors and they do not need to be told that they have to pay extra for that. And then the budget we have just had in May introduced a broad-ranging review of the MBS items, and that is not a bad thing to do. But there have been some conditions that many, including the AMA, have commented on—'let's review the MBS items, but not as a cost-cutting exercise; let's make sure we make good decisions about which items should be there and what they should be paid for, so that we end up with a quality health system—an even better health system than we have now—but let's not do it just as a cost-cutting exercise'. But again, the four-year indexation freeze remains, and $57 billion is confirmed as being cut from public hospitals. Let us go to the evidence that we have received about the impact of a freeze of four years—and in some cases five years—on MBS items. The research, undertaken by the University of Sydney, indicates that the indexation freeze will cost GPs $384.32 in 2017-18 per 100 consultations, requiring an $8.43 co-payment per non-concessional-patient consultation. The research also shows that the total estimated loss in rebate income to GPs would be $603.85 in 2017-18 per 100 consultations, which equates to a reduction of 11.2 per cent. So we have the situation where either GPs just take a pay cut of 11 per cent—I do not think that is on the cards—or we will see an increase in co-payments—and, frankly, a decrease in bulk billing rates.

The final issue I want to go to in the time available is the broader question about where we are heading with health policy in this country. Where are we heading? It is a confused mess. It is chaotic. It is dysfunctional. And there is real uncertainty in the community and in the health sector about where we are going. Many of the witnesses who appeared before the committee brought this fundamental question to the table. In fact, Alison Verhoeven, CEO of the Australian Healthcare and Hospitals Association, said:

Overall, it is the AHHA's view that the health portfolio continues to have a burning need for strategic vision, for genuine consultation with all stakeholders, and not just a chosen few, and a true partnership with the states and territories and regional health bodies, rather than a penalising approach, in order to deliver what we all want: a healthy productive Australia with healthy contributing citizens.

We want to know where the government is heading. There is no understanding, there is no voicing of the policy and plan for health in this country. We are just lurching from cuts to cuts...
to unclear advice to the community as to where we are going. That is so evident in what we have seen with the cuts to the flexible funds.

Today, I asked the minister about the cuts to the flexible funds and I used a figure of $800 million. The minister has refuted that. I point the minister to page 16 of our report, where we quote Ms Melanie Walker, the Acting CEO of the Public Health Association of Australia. She explains what happened in the budget lock-up, where the secretary of the department told those who were in attendance—well, he did not give them a figure about how much the cuts to the flexible funds would be. 'We subsequently found out', she said, 'that another $500 million or so' was going to be cut—that is on top of the $197.1 million due to non-indexation. In Ms Walker's view, that is about $800 million. And I concur with her.

I thank the committee secretariat for everything they have done to support the committee, and I commend the committee's Second interim report to the Senate.

Senator O'NEILL (New South Wales) (16:34): I too rise to address the Second interim report of the Senate Select Committee on Health. I thank Senator McLucas very much, not only for her wisdom and experience as a member of the committee—particularly with that powerful interest that she has in mental health—but also I thank her for being ready to step in for me here in the Senate today, as I have been attending the funeral of a fine Irish Australian, Bernie Lowe, which was held on the Central Coast at The Entrance today at 11 am. I am very pleased to be able to return and speak to matters that I know would have inspired him to act for his local community. I want to convey my condolences formally on the record to his wife, Isobel Lowe.

Health is such a critical part of the way people interact with their governments. Sadly, we have been recording, over the course of the last six months, the fallout of the government's policymaking on the run. I want to put on the record the words of the President of the Royal Australian College of General Practitioners, Dr Jones, who gave this very salutary warning to the government:

Australian general practice patient services have been unfairly targeted by the government to find savings within the health budget. GPs and practices are now faced with an ethical dilemma of providing ongoing quality care balanced against practice business imperatives. Please remember—'please remember', he says, pleading with the government—that most general practices in Australia operate as small businesses.

But the attack that we have seen on the businesses which are our general practices across this country has been absolutely unprecedented. Far from the drama that those opposite attempted to create when they were claiming that Australia's Medicare system was in crisis and threatened to become unsustainable, the Bettering the Evaluation and Care of Health in Australia (BEACH) program report from 2013-14, entitled General practice activity in Australia 2013-14, states:

Australian general practice can reasonably claim to represent world best practice in terms of both cost and patient outcomes. There is ample evidence that preventive and primary care services that are patient-focused rather than disease-focused provide the most cost effective health outcomes for those individuals and communities.

That is the evidence base—GPs telling the government that the government are making decisions on the run that are causing chaos and threatening the provision of primary health
care across the nation, and the BEACH report, an independent study, saying that Australians get good value per dollar.

But this government cannot help themselves—they opposed Medicare at every turn, and here we are, in 2015, with their best efforts to destroy that very effective system of health access. They have had a few goes as it. And I absolutely concur with the comments of my colleague Senator McLucas who went through the litany of disastrous policy-making on the run that has characterised the health ministers of this government so far.

Can I say: it is a very different approach from the approach that Labor would take. But I do want to go, in particular, to the impact of the decision making of this government to continue a freeze on indexation. The $7 co-payment was so badly received, by a sector that was completely ignored at any point of consultation, that it was overturned by political will, frankly. The second phase of the $5 GP co-payment and the level A and B fiasco were similarly overturned by political will because of the terrible damage that they would do to the system and to those businesses run by our GPs across this country and, through that, to the access of Australian people.

But this government continues to say—and that is why this report is so important—that they want to put a price signal, a gap, between people seeking health and the person who can provide it for them. They want to put a gap between sick and vulnerable people—elderly people, the chronically ill, ordinary Aussies walking around healthy today but sick tomorrow, and children—and the health care they need. They want to send a price signal. It was bad when they wanted to do it themselves up-front, but the way they want to do it now is even sneakier. They want to do it by indexation.

So what does it mean, this indexation? I will use the words of Stephen Parnis, the vice president of the AMA, who indicated that the indexation freeze proposed by this government was a 'co-payment by stealth'. He said:

... irrespective of the model of business that you adopt, when the government component of contribution is fixed at zero per cent while all of the other overheads continue to rise, that means the margin there will diminish. If one is a practice that exclusively bulk bills, it will not take long before that impacts. Inevitably doctors will have to make decisions to change the way in which they bill—effectively, asking patients to make a contribution where the government is not. We believe that bulk billing rates will diminish.

That is what the government's policy is set to achieve—to place that price gap between ordinary Australians and the health care that they need. A freeze on indexation means that those who are providing the service will not have any increase in the provision of that service into the foreseeable future over the forward estimates. And of course as businesses—and, as I said at the very beginning, these GPs are businesses—they will not be able to continue to deliver that service. We have seen and recorded the struggle that GPs are already talking about. How do they discern who can pay and who cannot? How do GPs in poor communities discern who is the rich one that they are going to overcharge so that they can afford to give a basic service to somebody who has no capacity to pay?

We are not just talking about people here who might be on a concession card with carve-outs—because this is the other myth that we have been able to explore in the course of our inquiry. The reality is that there are many chronically ill people who manage their health very well, by attending their GP on a frequent basis and getting the good preventive care that they
need, and who are working and paying taxes. There is no proposal from this government to look after the chronically ill—none whatsoever. They are so determined to push ahead with this disastrous proposal.

I want to speak, briefly, in the time that remains, of the threat that this is, and not just to people in the city; I want to record the concerns that were raised with us in the regions. Regions are particularly vulnerable because we know that, in many cases, there might be only one place in which that service is provided. The concerns that are being raised with us are being raised in the states of Queensland, New South Wales and Victoria. They were raised most recently when we were in Broken Hill, in the health minister's own seat of Farrer. And the shameful thing that went on there—and, again, it reveals why this report is so important—is that the CEO of the local health district, albeit a state government employee, sent out an email, which we have recorded, telling his chief executives that, if they were contacted by the Senate Select Committee on Health, they were not to cooperate; they were not to respond. That is trying to hide what is going on—trying to hide every day the shameless attack that this government has been perpetrating, from the day that they came in, against health workers, health providers and health seekers across this nation.

Senator O'Sullivan: Mr Acting Deputy President, I rise on a point of order. The imputation in that delivery by the senator is a very, very serious one. It is suggesting that, somehow, the federal Minister for Health—

Senator McLucas: What's the standing order?

Senator O'Sullivan: Well, the standing order is—and you can go to Odgers, too; I can give you the lot today, because I have done the research. But Odgers itself talks about improper motives or personal reflections, and this has been attributed, as an improper motive, to the Minister for Health—that somehow she has got some local official engaged to do the bidding of the government, to prevent them from cooperating with a committee of this place! I do not think you could make a more serious imputation on someone's character or personality, and I think you should ask the senator to withdraw it.

The ACTING DEPUTY PRESIDENT (Senator Gallacher): Thank you, Senator O'Sullivan. Senator O'Neill, I would just draw your attention to the meaning of the temporary chairs and the President that we are to lift the standard, so to speak, of debate in the chamber, and, if you have made an imputation which you may wish to reconsider, feel free to do so.

Senator O'NEILL: Thank you very much, Mr Acting Deputy President, and I did make an effort to indicate that it was a state matter before I made the commentary. But it is, nonetheless, in the federal Minister for Health's seat that we were given a clear understanding of the impact of the decision making and the chaotic announcements of this government on a local GP in her own town of Broken Hill. There has been a 20 per cent reduction in people seeking help from their local GP because they are so fearful of the price signal that this government has created, even as it has had to pull it back because of political pressure. The problem is that people have not been able to go ahead and seek health care when they need it.

Ms Jenny Johnson, the CEO of the Rural Doctors Association of Australia, indicates in our report—and we have quoted this in our executive summary—the complexity of the rural doctor's role:
… a rural doctor who is working in his or her general practice will also most likely be providing visiting medical officer services to the local hospital. Her comments are very much worth having a look at, as are those of the Australian Healthcare and Hospitals Association, the head of the AMA and the Royal Australian College of General Practitioners. There is one voice decrying this government’s policy making in health, and this report gives voice to those critics right across the nation.

The ACTING DEPUTY PRESIDENT (Senator Gallagher): Order! Senator O’Neill, your time has expired.

Senator O’NEILL: I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Rural and Regional Affairs and Transport References Committee

Report

Senator O’SULLIVAN (Queensland—Nationals Whip in the Senate) (16:46): by leave—I return to speak on the report of the Rural and Regional Affairs Transport References Committee into the current and future arrangements for the marketing of Australian sugar. I am very conscious that there are other senators here who want to make contributions on other reports, so I will truncate my contribution early so that they all have an opportunity to submit reports.

I want to congratulate Senator Sterle of the opposition, who chaired this committee. I had the privilege of being a participating member and travelling with the committee during the course of its hearings in my home state, and I have to say that Senator Sterle did a sterling job—if I might use the pun—in operating the committee. One thing that became very evident to all of those who participated in the committee was the very high degree of anxiety amongst people in the sugar industry, including but not limited to millers, who have got hundreds of millions of dollars worth of investment in infrastructure and assets in the industry, and, importantly, some 4½ thousand families, many of their communities and many tens of thousands more who have an interest in maintaining and supporting stability in the marketing arrangements in this great industry in my state.

The report furnished recently has recommended in part that we develop and implement a mandatory industry code of conduct, with appropriate consultation mechanisms before that is adopted. There was a task force also established by the Minister for Agriculture and the Minister for Small Business to look at the very same question, and between the Senate committee and the task force there was very broad consultation. I doubt that there was anybody in Australia with an interest in this matter who did not either submit or present themselves to one of the inquiries. In the case of the task force, they then went on to consult after they had formed a view in relation to what should happen next.

It is no accident that both the task force, whose work was completely independent of the work of the Senate references committee, and the committee arrived at the conclusion that to restore stability into the industry—the stability that they have had for over 100 years with current marketing arrangements—there was a necessity for the government to consider regulating an industry code of conduct. The Senate inquiry itself did not recommend a specific code, in terms of the detail, whereas the task force did draft a code, after consultation
with all of the stakeholders. I understand that if it has not already happened, that report will be presented in the other place.

I also want to acknowledge the input by two members from the other place: Mr George Christensen and Mr Keith Pitt. Both are very proud representatives of two very big sugar seats in my home state of Queensland, where the bulk of the industry is, with the exception of some stuff in northern New South Wales. Mr Christensen chaired the task force, and Mr Pitt brought great industry experience to that task force. He and his family have been involved in the production of sugar for a very long period of time. They both made, in their own ways, very valuable contributions.

In my time here am very proud, on occasions, to be involved in processes that seem to work. We cannot say that about every process, and we cannot say that about every process every day. But on this occasion, independent of each other, the Senate inquiry and the task force arrived at what appeared to everybody to be the appropriate natural conclusion, and that was to bring in this mandatory industry code of conduct to restore stability to a very important market. In recognising the effort and the stewardship of Senator Sterle and the stewardship of Mr Christensen and the contribution of Mr Pitt, I commend this report to the Senate.

Debate adjourned.

Community Affairs References Committee

Report

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:51): It is with pleasure that I present the report of the Community Affairs References Committee inquiry into the adequacy of existing residential care arrangements available for young people with severe physical, mental or intellectual disabilities in Australia, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator SIEWERT: I move:

That the Senate take note of the report.

This report documents the current situation, as much as we can ascertain, of the circumstances for young people with disability living in residential care. Before I go any further, I would particularly like to thank the submitters and the witnesses who presented evidence to our committee. Sometimes that evidence was quite distressing for the person who was giving it, and I thank them most sincerely for their evidence.

I would also like to take this opportunity to acknowledge Senator Linda Reynolds, who has put so much effort into this report. She brought this reference to this chamber and has worked tirelessly on this report and at the committee hearings that we had. Unfortunately, she cannot be here today, but I thought it was very important that we acknowledge her very significant input into this issue.

This committee report makes 12 recommendations but, from the outset, what we have found in this report is that far too many young people under the age of 65 are still living in residential aged care. It is completely inappropriate for these young people to be living in these circumstances. When you talk to the young people themselves, you hear their personal accounts of what it is like to live in aged-care facilities, living with older people. We have to
acknowledge that aged care is for older people, so you have got people under the age of 65 who are living in circumstances where they do not have any peers; they do not have their age cohort there. They also tell stories of how they make friends with the people who are in aged care, who then pass away. That is very distressing for them. One of the really important facts here is: when young people with disability are in aged care, they are not receiving rehabilitation, so they are stuck there with no way to get out.

We still do not know exactly how many people are in residential aged care, as the figures we got differed. One of the figures was that there are still 8,658 young people under the age of 65 in residential care; however, that needs to be clarified, because 90 per cent of those people are between the age of 50 and 65. Some states, including my home state of Western Australia, do not include those people in the numbers of young people. They quoted us numbers under the age of 50, which made it sound much more reasonable in terms of the number of people that are still in aged care.

We have made recommendations about the need to get our database correct and to actually look at the ACAT numbers. To go into aged care, a young person with a disability has to go through the aged-care assessment process—so it should be easy, you would think, to know the numbers of young people under the age of 65 who are in aged care.

One of the huge issues preventing young people from coming out of aged care is the lack of suitable accommodation. That issue came up time and time again, and we have made a series of recommendations about the need to address the issue of adequate accommodation. One of the big issues with the NDIS is that we still have not come to terms with how we are going to address housing for people coming out of residential care.

We have made a series of recommendations about better support for people, if they are in residential aged care: we need to be providing much more adequate support and we need a better assessment tool for those young people who are going into residential aged care. Of course, we want to see people coming out of residential aged care and going into appropriate housing so, as I said, we do make a series of recommendations around housing.

We believe that the Department of Social Services needs to finish the discussion paper that they have been working on for so long. Everybody out there is waiting for the joint-government approach to housing—and they are waiting and waiting. We did get quite an insulting answer to one of our questions on notice, telling us to wait until the Disability Reform Council paper comes out, which may be by September. People have been waiting and waiting for this, and waiting for far too long. So we make a recommendation there.

We also make recommendations that we need joined-up approaches here. We need a national task force where the states, territories and the Commonwealth work together to address the very significant barriers to enable young people to come out of residential care. They need to be able to access rehabilitation, which requires a national rehabilitation strategy.

Each young person needs wrap-around services, so we recommend that each young person with a disability in residential aged care has an advocate who is there to help them to work their way through the system. The other thing we heard repeatedly is that services do not join up, and you need to be able to address issues around housing and access to services and rehabilitation. We are also recommending that each young person in residential aged care has
a key worker who—Senator Reynolds coined the phrase of having a 'system wrangler'—can assist them to access those services.

We heard quite a bit of distressing evidence that, in some of the trial sites, young people in nursing homes were not being picked up for assistance with NDIS. That is a key issue, and I would like to congratulate the Summer Foundation who did that work. The NDIS and the NDIA have responded to that work and are starting to work better to address the issue of young people in nursing homes.

As I said, we make 12 recommendations, which I commend to this place. I commend them to state and territory governments, COAG and the NDIA. We have made a series of recommendations for all those bodies and we will continue to look at them to make sure that they are implemented. I would like to finish by thanking the secretariat, who has done such hard work and such a good job on this particular report.

Debate interrupted.

FIRST SPEECH

The PRESIDENT (16:59): Order! Before I call Senator McAllister, I remind honourable senators that this is her first speech and, therefore, I ask that the usual courtesies be extended to her.

Senator McALLISTER (New South Wales) (17:00): Let me begin by acknowledging the Ngunnawal and Ngambri people, the traditional custodians of Canberra. I pay my respects to their elders past and present. In a glass case down the hall, just 250 steps from this chamber, is a copy of the Magna Carta. For some, it will seem curious for a Labor senator to begin a first speech with a document signed by the English aristocracy 800 years ago this month, and yet the Great Charter captures a crucial moment in the democratic struggle for liberty and justice. It is a timely reminder of what a privilege it is to represent our nation's oldest continuing party, one of the world's oldest labour parties, in one of the world's most stable democracies. As a parliamentarian, I am a beneficiary of the countless battles that proceed liberal democracy and, as a Labor senator, I inherit a legacy that stretches back beyond the founding of our Commonwealth. Labor was there in the first Australian parliament, where we sought to secure the franchise for working people and for women.

More than 20 years ago I was proud to join Labor's ranks. In 2011 it was one of the great honours of my life to be elected Labor's national president, to represent the thousands of men and women who place their faith in our movement and in our values. As president I was proud to champion the important first steps we took to renew our party, delivering real opportunities for our members to participate in our politics. In this place, as in my former roles, I intend to take that 800-year-old democratic tradition seriously. The earliest Labor parliamentarians understood the potential of democratic representation and the power of government to deliver a just and more equal society. Labor's cause stems from the conviction that liberal rights mean little if they are not accompanied by the right to exercise them. The pursuit of equality is much broader than a mere balancing of the financial scales. Equality enables us to participate in all of those things that define us as human—to participate in the arts and in politics, to be part of community and to revel in the natural world. It is sometimes said that Labor's project is dead. For some, we are the victims of our own success, a party
founded for a collection of needs already met, a group of physicians looking for a disease that
no longer exists. This is false. Inequity and injustice persist.

I am a proud daughter of the Tweed Valley. Born in Murwillumbah, I was the first
daughter to Don and Alma McAllister and the first grandchild to Lyall, Ollie, Beth and Bill. I
was born during a big flood—although not as big as the floods in the following year, 1974,
which nearly swept the town away. Don and Alma established their family in the Tweed
hoping, I think, that my sister, Libby, and I might live in rude health immersed in the natural
beauty of that rural landscape and cocooned by the intimacy of a small community. Indeed,
the Tweed was a place rich in community—a place that valued theatre and music as much as
sport and surf lifesaving and where people looked out for one another. We were replete with
local examples of community leadership—people who knew that success was dependent on
the right balance of fun, respect, discipline and common purpose.

But like many regional communities, the Tweed was, and remains, a place troubled by
unemployment and by disadvantage. It was common that some families had little work. It was
frequent that people would get by on very low incomes. And professional qualifications and
university degrees were the exception rather than the rule. Like many young people from
regional Australia, in pursuit of education and work I moved to the city. And I was
overwhelmed by the realisation that what was typical for my community was not typical for
others. Others thought it normal to enter the bar, academia or medical practice. Others
planned for lives overseas or to follow their passions for fine art, performance and music. I
have never lost the shock of those early years—the enormous gap not just in wealth but also
in self-confidence between the community I grew up in and the one I entered as a student.

I left school more than 20 years ago but these challenges remain. Inequality still exists and
Labor's project continues. Inequality still exists between the wealthy and the poor. In 2013 the
ABS found that the wealthiest 20 per cent of Australian households account for more than 60
per cent of total net worth, while the poorest 20 per cent account for just one per cent.
Between men and women, inequality persists. Decades after we fought to establish equal pay
for equal work, women still earn on average almost 19 per cent less than men. Between those
with property and those without, inequality persists. In many of our major cities many with
good incomes remain unable to buy a home. And it persists between the cities and the regions.
Compared with major cities, life expectancy in regional areas is one to two years lower and in
remote areas it is up to seven years lower. And, of course, in its most extreme and shocking
manifestation inequality persists between Indigenous and non-Indigenous Australians.
Knowing this, no social democrat could accept that it is time to rest.

Labor's tradition rejects inequality but also seeks to extend prosperity. We reject simplistic
arguments that pit one against the other. In the same way, our tradition recognises that neither
the market nor the state alone can, or should, drive our fortunes. Markets are powerful
instruments for innovation and the allocation of resources. And yet all markets are
underpinned by the state—underwritten by public investment in people and in infrastructure.
In my lifetime we have experienced a period of immense economic change at the same time
as we are reaching the ecological limits of the physical world. For our generation the great
challenge will be to ensure that our economies are able to respond to a world defined by
resource scarcity whilst also fostering human potential. I am passionate about ensuring that
government institutions and processes are able to meet these challenges.
I have had the good fortune to work in senior roles in the New South Wales public service and to interact with public servants from many different jurisdictions. From watching my colleagues in those places, I learnt a great deal about leadership—about the steady and certain articulation of purpose and values, about the value of careful listening and about the mutual respect necessary to develop great teams. I am specially indebted to the terrific female leaders who, by their example, demonstrated that diverse leadership styles are not only possible, they are in fact desirable and effective. I have carried those lessons with me since. I hope to practice them in this place also and to support young women as I was supported.

More generally, every day my public sector colleagues showed me that there is both skill and honour in delivering great public outcomes. Too little credit is given to the intelligent, ethical men and women who enter public service. Equally, too little attention is paid to the economic significance of the public sector. The government sector accounts for approximately 35 per cent of our GDP. Any serious plan for our country requires a plan for the public sector, harnessing its power as an employer, a purchaser and a policy maker to stimulate innovation and productivity and to drive excellence.

For the last four years I have been fortunate to work for a global infrastructure firm, and I am honoured to have a number of colleagues in the gallery this evening. That experience has shaped my view about our nation's future with Asia. About six months ago I was invited to Singapore to take part in a gathering of our firm's senior leaders. On the first night, at a welcoming barbecue, I stood with colleagues drawn from as far afield as Sri Lanka, China, the Philippines and New Zealand. It was an incredibly diverse gathering, and it was brought together to work out how the many talented individuals in our national businesses would collaborate together within our region. It was a striking manifestation of our Asian century with its promise and its challenges, a century in which Australians must both compete and cooperate with individuals and organisations from across the globe.

Australia is the right economy, located in the right place, to grasp the opportunities presented by Asia's rise. However, success will require more than geographic good fortune. We need to think carefully about education, about investment in first-class digital infrastructure and about substantially improving our innovation capabilities. We need to think carefully about how our cities and towns will enable us to respond to these opportunities. As a child on the North Coast, I watched as governments sought to approve developments on coastal land at the expense of parklands and beach access. I saw selfless community leaders resist this dismal vision for our villages and towns, fighting not against development, but against poor quality development that enriched just one person, not the whole community.

It is unsurprising that these experiences drew me to environmental causes and sowed the seed for the creation of the Labor Environment Action Network, a grassroots body which continues to be a forceful voice for environment protection. However, it also laid the foundations for a lifelong passion for communities that are designed to work. Australia's first Minister for Urban and Regional Development, Tom Uren, was passionate about tackling the unequal distribution of opportunity built into the fabric of our cities—sewer ing the suburbs, protecting our heritage and delivering green space. Tom was a Labor hero, and I was fortunate to receive both guidance and support from him.

Decades later, we understand that cities are key junctions of the global economy, key sites in the collection and connection of ideas, innovation and economic activity. For the first time
in human history more people live in cities than in regional or rural communities. Australia is uniquely placed to reimagine urban life. For much of our history we have been an urban nation animated by rural myths. We have been, and remain, one of the most urbanised nations on earth. From my time in the infrastructure sector, I know that Australia is blessed with an army of talented professionals champing at the bit to bring their creativity and skill to shape sustainable, productive and liveable cities. The innovations and improvements that we can make to our own cities will not only improve the health and wealth of the vast majority of Australians, but will also be key intellectual exports that help shape the nature of urban life in our region.

In an interconnected world change occurs faster than ever before. Left unchecked, the expectation that our citizens unfailingly accommodate themselves to the demands of the global market has the potential to damage the social bonds that cement our communities. Long hours, irregular hours and insecure work, crippling commutes and challenges in finding housing near friends and family have far-reaching impacts. We should ensure that the economies and the cities we build in this century enable rather than compromise our communities. We should jealously guard our traditions of dignity and decency in our workplaces. We should be careful that the precious accomplishments of Australian multiculturalism are not thoughtlessly discarded or undermined by false choice between cultural diversity and economic or national security.

In our pursuit of prosperity we should not miss the significance of our national cultural life. Investments in the ABC and SBS, in our national performing and collecting institutions and in the myriad of small, creative institutions reap both social and economic rewards. Our artists hold up a mirror to our society. Sometimes they flatter us, sometimes they shock us. They always assist us to craft a story, our own story, about our past and our future. Ultimately, the good life is not just about ourselves or about our wealth, but about the relationships of kindness and reciprocity with our family, our neighbours and with strangers.

I come to parliamentary politics an unashamed idealist and a believer in the promise of our young democracy. This place provides enormous opportunity to do good, to explore ideas and to connect with the community and, of course, to hold the executive to account. As a house of review, this place offers opportunities to invite the public into the processes of our parliament. I take seriously my responsibility to protect and nurture these processes, to champion the institutions of our democracy and to maintain trust in public service as a crucial part of public life.

I also come to this chamber as part of the progressive wing of New South Wales Labor. I acknowledge the courage of Lionel Murphy and the others who followed him—Senators Gietzelt, Childs, Faulkner, Campbell and Cameron. Each put their own stamp on the role. As the first woman senator from this tradition, I hope to do it justice.

I wish to thank my predecessor, John Faulkner. I would like to thank him for his moral clarity and purposeful leadership. In recent months, these sentiments have been echoed by the many people who have spoken to me of his intellect and his integrity.

Many commentators call for greater diversity among our elected representatives. A diverse parliament relies on employers supporting staff who seek to combine their professional lives with political involvement. I am immensely grateful to AECOM's executive leadership and
those people in the public service leadership who supported me during the last decade and gave me so many opportunities.

I have grown up through Labor's ranks, and the labour movement has shaped much of my life and my political beliefs. I wish to acknowledge the pioneering Labor women who have championed women's interests and representation, including many who have personally supported me. To my union friends and the great Australian union movement, know that I will always be proud to associate myself with your work, which transforms the lives of working Australians and their families. I say to my many political friends, some of whom I have known for over 20 years, that through your friendship and your political energy and dedication you have given me so much. There are too many to name individually, but Tim Ayres and Verity Firth have been with me for every win, every loss and every major decision. Thank you all.

I thank my parliamentary colleagues—among whom I count many friends—for the warmth of your welcome in recent weeks. It is an honour to serve alongside you. I wish to acknowledge two longstanding friends from the other place. Tanya Plibersek entrusted me with her first campaign and has been a loyal confidante ever since and a shining example of ethical public service. Anthony Albanese supported me from the beginning and has never stinted in lending his conviction, courage and counsel to any of my endeavours. My staff have been outstanding in these early weeks. To Kate, Adam, Casey and Kun—thank you.

In the gallery I am supported by aunties and uncles, as well as old friends. I thank them for their kindness, their friendship and their patience with the demands that politics places on any relationship. My mum, Alma, my dad, Don, and my sister, Libby, are also in the gallery this evening, along with Libby's children, my niece and nephew. My mother-in-law, Josephine, is also here. No-one could ask for more love or support than I have been gifted by my beautiful family. Each of them live lives grounded in community, care and service. I hope my own contribution will do justice to their examples. I thank my husband, John, for his love, companionship, optimism and creativity in imagining how this life might work well. To my boys, our sons, Finn and Ted—I know you are proud of me, as I am of you. Finally, I say to the people of New South Wales that I commit myself absolutely to serving your interests and the interests of our democracy. Thank you.

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Sterle): Order, senators and members! If you have some discussions, sorry—we have to get on with some business. We actually work over here, contrary to popular belief among those from the other side.

COMMITTEES

Community Affairs References Committee

Report

Debate resumed on the motion:
That the Senate take note of the report.

Senator MOORE (Queensland) (17:23): It is a pleasure to join with Senator Rachel Siewert and also with Senator Nova Peris to talk on this committee report this afternoon and also, at the very start, to pay considerable tribute to Senator Linda Reynolds, who came into
the Senate quite recently. Through working with some people she met in a visit to a young person in a nursing home, she was stimulated and challenged to take up the issues around this particular concern and has been tireless in working with our committee. It is just a shame that she is not in the chamber today, but I feel certain she will be talking on this report at a future time.

In 2005, I was a member of a community affairs committee that looked into the issues around quality and equity in aged care, and at that time there was quite a community push around the issues of young people in nursing homes. In chapter 4 of its report, that committee—which has become known as the Marshall committee in reference to its chair, Senator Gavin Marshall—made a number of recommendations. One which I think is particularly pertinent in this discussion is:

The Committee is strongly of the view that the accommodation of young people in aged care facilities is unacceptable in most instances. The Committee therefore recommends that all jurisdictions work cooperatively to:

- assess the suitability of the location of each young person currently living in aged care facilities;
- provide alternative accommodation for young people who are currently accommodated in aged care facilities; and
- ensure that no further young people are moved into aged care facilities in the future because of the lack of accommodation options.

That report was in 2005. We are now in 2015, and that same recommendation could be moved unchanged into the recommendations from this report. That is a frustrating element of the work we have done.

There are also some very rewarding and positive elements. One was looking back and seeing that, as a result of the work of that committee and other pressures at the time—I never think that our Senate committees alone can change the world immediately; I think they can change the world, but they often need a lot of help from other areas—there was a response from the Council of Australian Governments and our Australian government, and there was a five-year program put in place, Younger People with Disability in Residential Aged Care. That was initiated in February 2006, and it was an important program. The commitment was by COAG, and it looked to making changes and ensuring that governments in every state and territory, and the federal government, had the issue of the inappropriate housing of young people in nursing homes as a priority, and there was significant funding for that five-year period.

One of the issues, though, is always to look at the accountabilities and the reporting process. Now, in 2015, it is difficult to see exactly what the real responses and impact of that process were. We know that there has been an examination, and unfortunately the examination was able to say that, whilst for some people this particular process had a good outcome, for many the need was still there. This is what we saw in our committee.

We also looked at the very important area of the human rights infrastructure within which young people in nursing homes should be considered. We know that we are a signatory to a number of United Nations conventions, and particularly the United Nations Convention on the Rights of People with Disabilities. A core component of that human rights commitment is 'the equal right of all persons with disabilities to live in the community, with choices equal to others', and that signatories 'shall take effective and appropriate measures to facilitate full
enjoyment by persons with disabilities of this right and their full inclusion and participation in the community. That, in fact, is the hub of the process that we followed in our committee: to listen to people about whether in fact that right has been enshrined in our community. Unfortunately, it is clear that that is just not true.

As with all of the committees in which we are involved in this place, the most confronting and rewarding aspect is listening to people who have the generosity, courage and resilience to come and talk to the committee about their own experiences. Again, across a number of public meetings that we had, we were challenged and privileged to meet with young people, their families and their supporters—people who have dedicated their lives to ensure that there can be difference in this space. Consistently, whilst we heard some good stories about where there has been some progress, overwhelmingly what people were saying to us was that they did not feel as though they had the opportunity for inclusion in their communities or the right to have a place to call home.

One of the things I remember was the submission that we had from an organisation called JFA Purple Orange—a great name and a great submission. I do not know whether you would call it 'Purple', but I will. 'Purple' said in its submission to us:

Home is more than shelter; it is a place of identity and expression, sanctuary and safety, a place that fosters strength, wellbeing and revival. Home is intimately and inextricably connected to the person. People with disability need to have choice in the place and with whom they live rather than simply accepting an accommodation offer or not. Current accommodation offers rarely relate to social networks, location of family, recognition of culture, personal desires or ambition.

You take what you are given because you do not know whether you will ever get a chance for anything else again. We heard from a number people about their fears, and we saw their anger about their voices not being heard. They were not given a choice of a place to call home. What is there through the limited access that people have to appropriate housing for disability across this country indicates that there is no choice. There is desperation, there is need and there is an acceptance in some places that that is the best you can do. Our committee does not accept that limitation. We cannot, because we have a responsibility to the people who came to talk to us to join with their calls to say they must have choice and they must have safety.

Senator Siewert talked briefly about the importance of rehabilitation. The clearest memory I have of this particular committee was meeting with families of people with significant disabilities and hearing from them about the way they have dedicated their lives to ensuring their family members will have support. We have heard that aged care is not the appropriate place to provide support for a young person—often it is the only choice, but it is not appropriate—and we heard the anger about the fact that, once a young person is confined to aged care accommodation, their needs and the desperate need they have for rehabilitation to help them becomes stronger. They want to become the best and most independent person they can possibly be, but that rehabilitation service is not available in aged care accommodation. I suggest that anyone who is interested look at the Hansard coverage of a number of our hearings, particularly one that we did in Melbourne, when we heard about the way people's lives have been completely impacted and the dedication of those around them.

We have made a number of recommendations but the core of our recommendations must be providing appropriate accommodation for young people with disabilities—and by this we mean people under 65, not just under 50 and not just under 30. We can celebrate that there
have been changes, particularly in the younger cohorts. For people under 65, aged care is not the best option. This should be a priority for governments at all levels, to ensure that there is change and response.

We wait, impatiently, for the NDIS paper on housing. I believe it has been leaked and that a paper is available and it has gone out to states—it just has not come to us. We did not request this particular document—we begged for it. We have been doing that for months. As yet the housing paper around NDIS has not become public. We believe that we have to see within this paper a real commitment to ensuring that those recommendations from 2005 will not be shelved in 2015. That will ensure that young people will not be only able to be placed in aged care accommodation when they have a disability. The people who are already in that place should be supported and we should be looking at ensuring that no more young people are provided only with that option. I also want to say thank you to all the people who helped us. (Time expired)

**Senator PERIS** (Northern Territory) (17:34): The young people in aged care report is a timely contribution to the important issue for young people with a disability who currently live in or are at risk of entering a residential aged care facility. I am very grateful to have been a member of the Community Affairs References Committee for this inquiry. I am sure all Australians understand that any one of us could become disabled at any time and be in need of care. So it is something that matters to all of us, but it also matters because a good society, and a great country, makes sure that people who are vulnerable are properly cared for—and that is what is at the heart of the mission of all carers.

As Senator Moore did, I thank my colleagues in the committee—Senator Siewert, the Chair, and Senator Moore and Senator Reynolds. Senator Reynolds is not here today but she was very passionate about this inquiry. I acknowledge the generosity and passion of everyone we spoke with—thank you to all the witnesses. In particular I would like to thank the witnesses from the Northern Territory: Carpentaria Disability Services, HPA, Somerville Community Services, Darwin Community Legal Service, the Aged and Disability Advocacy Service, the Multiple Sclerosis Society, Step Out Community Access Service, the Anyinginyi Health Aboriginal Corporation and the Department for Communities and Social Inclusion

I also acknowledge the previous inquiries held into this important issue. I have visited aged care facilities in the Northern Territory and I have seen the professionalism of those who work with disabled people in our community—whether that be in aged care facilities or in the home—and I have nothing but the utmost respect for carers. These wonderful dedicated carers strive to make our society better by assisting those members of our community that are in need of care and support.

In the Northern Territory and throughout Australia during our hearings we were able to provide affected people, their families, their carers, service providers and state and federal government agencies the opportunity to talk about current policies and the inadequate systems that have led to young people being placed in this situation. We listened and heard clearly what those living this experience had to say, and I think it was vital that we do that, particularly at this time of transition with the rollout of the NDIS. Senator Moore has recently touched on what the NDIS means. We looked at the relationships between this community of people with complex needs and the agencies, organisations and other stakeholders.
We also heard about the lived reality of people with complex needs and we sought to make some sound recommendations in our report of what could be done—not yesterday, but now and into the future. As I said previously, this inquiry set out to answer some important questions around the inadequacy of the existing services, the numbers and distribution of young people in the aged care system, those outside of any system, and those that are not currently receiving any care.

Accessing this data was not easy, and this needs to improve. We heard that repeatedly throughout this inquiry. Governments need that data to plan the disability and support services well into the future. We also looked at the trends and the health and support pathways that are available and the things that are not available. The serious and pressing question that has loomed for some time is whether the aged care system is appropriate for young people with a serious disability. I echo what Senator Moore said: the evidence was clear and the situation is not acceptable. Our recommendations take into account the evidence which clearly demonstrates that residential aged care is inappropriate for young people—especially for people under 65 years of age—and that there is an undersupply of Specialised Disability Accommodation. As mentioned, we note that the inquiry took place during the transition to the NDIS and that 'person-centred care' is vital and is the way of Australia's future. But it would be remiss of us not to point out the concerns we have—concerns regarding the arrangements for significant capital to be used to build the facilities that are required to address the dire shortages of appropriate facilities and services.

The major guiding principle is that young people with disabilities need to be in appropriate accommodation where they can access the care and services that they need. This is what we base our recommendations on. I commend the report to the Senate.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (17:39): I too rise to take note of the Community Affairs References Committee report into the residential care arrangements for young people with severe disabilities. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Regulations and Ordinances Committee
Delegated Legislation Monitor

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (17:39): On behalf of the Chair of the Senate Standing Committee on Regulations and Ordinances, I present Delegated Legislation Monitor No. 7 of 2015.

Order that the document be printed.

Human Rights Committee
Report


Order that the report be printed.

Senator RUSTON: I move:

That the Senate take note of the report.
I seek leave to have Senator Smith's statement incorporated in *Hansard*.

Leave granted.

The statement read as follows—

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' Twenty-fourth Report of the 44th Parliament.

This report provides the Parliamentary Joint Committee on Human Rights' view on the compatibility with human rights of bills introduced into the Parliament from 15 to 18 June 2015, legislative instruments received from 15 to 28 May 2015, and legislation previously deferred by the committee. The report also includes the committee's consideration of responses arising from previous reports.

In line with the committee's statutory function, the report outlines the committee's examination of the compatibility of these bills and instruments with our human rights obligations.

Of the five bills and one instrument considered in this report, two are assessed as not raising human rights concerns, and four raise matters requiring further correspondence.

The committee has continued to defer its consideration of a number of instruments, and concluded its examination of three bills.

In this report the committee has examined the Foreign Death Penalty Offences (Preventing Information Disclosure) Bill 2015, which was recently introduced by the member for Fairfax (Mr Clive Palmer MP). This bill raises a number of complex human rights questions which have been explored by the committee. The bill makes it an offence to disclose information which may assist in the investigation, prosecution or punishment of a person in another country where the death penalty may be applied. This is clearly intended to promote the right to life under the International Covenant on Civil and Political Rights, under which every human being has the inherent right to life, which should be protected by law.

However, the bill also contains an exception to allow information to be shared if the disclosure is said to be necessary to prevent or assist in the investigation or prosecution of a person suspected of engaging in terrorism or an act of violence causing death or endangering life.

This raises some complex questions over the nature of Australia's international obligations in relation to providing cooperation to foreign authorities. This is particularly so in circumstances where the provision of information may be necessary to thwart an attempted terrorist attack and therefore protect the lives of many innocent people.

We must remember that the right to life includes an obligation on the state to protect people from being killed by others. Yet, as Australia long ago abolished the death penalty, we are also under an obligation not only not to subject people to the death penalty ourselves, but not to expose a person to the real risk of the death penalty in another country.

This is an area that has generated considerable debate within the committee, particularly as many members acknowledge the difficult operational questions for police if they are to be prohibited from providing international cooperation or assistance where the death penalty might apply.

However, I note that the committee's mandate under the Human Rights (Parliamentary Scrutiny) Act 2011 is to examine all legislation that comes before Parliament for compatibility with human rights, and to report to Parliament on this issue. In this case, the statement of compatibility accompanying the bill did not address the human rights concerns outlined above and, as such, the committee has determined that it requires further information to be able to complete its human rights assessment.

As I've said before, the committee seeks to engage in dialogue with proponents of legislation, both to help the committee better understand the intent of the legislation and to help relevant legislation proponents to identify and explore questions of human rights compatibility.
This report also concludes the committee's examination of three bills for which the committee has now received responses from the relevant ministers. Two of these bills, the Australian Citizenship and Other Legislation Amendment Bill 2014 and the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015, raised complex issues for the committee. As will be apparent in the report, the committee did express different views as to whether a number of measures had been justified, and I encourage my fellow Senators and others to examine the committee's report to better inform their understanding of the committee's deliberations.

The ultimate purpose of the committee is to inform the debates of the Parliament on the merits of the legislation which we are asked to consider, and in that spirit and with these comments, I commend the committee's Twenty-fourth Report of the 44th Parliament to the Senate.

Question agreed to.

Environment and Communications Legislation Committee

Additional Information

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (17:40): On behalf of the Environment and Communications Legislation Committee, I present additional information received by the committee on its inquiry into the provisions of the Communications Legislation Amendment (SBS Advertising Flexibility and Other Measures) Bill 2015.

National Capital and External Territories Committee

Report

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (17:40): On behalf of Senator Brown, the Deputy Chair of the National Capital and External Territories Joint Standing Committee, I present the committee's interim report on Governance in the Indian Ocean Territories. I move:

That the Senate take note of the report.

I seek leave to incorporate Senator Brown's tabling statement in Hansard.

Leave granted.

The statement read as follows—

I rise, on behalf of the Joint Standing Committee on the National Capital and External Territories, to present the Committee's interim report on Governance in the Indian Ocean Territories.

In March of this year the Assistant Minister for Infrastructure and Regional Development requested that the Committee undertake an inquiry into the governance and administrative arrangements in Indian Ocean Territories—that is Christmas and Cocos (Keeling) Islands.

The Committee was asked to inquire into the interaction between formal institutions and the Indian Oceans communities, particularly: the role and capacity of the Administrator; consultations mechanisms; the role of local governments; and opportunities for economic diversification and development.

As part of this Inquiry the Committee held briefings and hearing in Perth, Canberra and Indian Ocean Territories.

An important part of the Committee's inquiry was a visit Committee members made to the Indian Ocean Territories in April 2015—a visit I was regrettably unable to participate in.
Through this visit Committee members were able to engage with the communities of the Indian Ocean Territories and gain valuable evidence and insight into the day-to-day challenges that residents face.

There are many strongly held views within these communities and I, on behalf of the Committee, would like to thank all those who participated in the briefings and hearings and gave evidence.

The evidence provided to the Committee illustrates a number of complex challenges facing the Indian Ocean Territories.

One thing that was made very clear by the evidence of the residents of the Indian Ocean Territories, was the high level of frustration with the current system of governance, which has many layers of bureaucracy and unclear delineations of responsibility.

These issues are not dealt with in this interim report and will instead be dealt with in subsequent reports after the Committee has the opportunity to gather further evidence about these challenging issues.

Instead this interim report deals with some aspects of the Indian Ocean Territories economic development where the evidence on how to proceed has been clear and consistent.

The interim report makes three recommendations intended to quickly boost the economy in these territories.

Firstly, the Committee recommends reopening the Christmas Island Casino.

The Committee's report explores the required policy, legislative and regulatory frameworks that would facilitate the reopening of the Christmas Island Casino.

It is the Committee's view that once appropriate frameworks are in place, the Department of Infrastructure and Regional Development should conduct an appropriate process to assess proposals from private sector proponents.

The evidence to the Committee on this issue was clear - the community wants the casino reopened.

This has been an ongoing issue for a time and work on this is long overdue.

It is promising that the Indian Ocean Territories Administrator recently issued a bulletin advising that Australian Government has agreed to undertake initial consultation regarding the proposal to re-establish a casino.

The Committee's second recommendation is that the Department of Infrastructure and Regional Development reinstate the capacity for international fee paying students to attend Christmas Island High School.

The Department previously allowed Christmas Island District High school to accept international fee-paying students, however this approval was withdrawn shortly after it was granted.

Provision of education services for international fee-paying students is often touted as one of Australia's stronger and most profitable exports, and in the brief period when the school on Christmas Island was able to accept international fee-paying it was demonstrated that there was the same potential to provide a range of flow-on effects to the local economy.

Finally the interim report recommends that the Australian Government calls for expressions of interest for the delivery of freight by sea to the Indian Ocean Territories for the carriage of Australian Government goods, to be followed by a full tender if appropriate.

A reliable and affordable shipping service is critical for residents to support business and further development. An expression of interest process would determine if there is capacity to improve efficiency and achieve better value for money to ensure that shipping service best serves the needs of residents and the Australian Government, as the single largest user.
In the interim report the also Committee highlights the Mining to Plant Enterprises Project on Christmas Island as an example for possible economic diversification. This project, through a research partnership between Murdoch University and Christmas Island phosphates, is looking at the viability of establishing agriculture on exhausted mining leases. The Committee recognises the project's achievements to-date and wants to see the project continue to thrive.

I commend the interim report to the House.

Senator BACK (Western Australia) (17:41): I rise to speak to the interim report tabled on behalf of Senator Brown and as a member of the Joint Standing Committee on National Capital and External Territories. The report is on the committee's deliberations and its visit to the Cocos (Keeling) and Christmas Islands in the Indian Ocean.

In 2014 this committee examined issues associated with Norfolk Island in a very bipartisan way, and I am pleased to report that we presented a unanimous set for recommendations to government. Starting on 1 July, just a week from today, we will see a radical change in the overall administration of Norfolk Island, bringing it much closer in a sense to Australia and in fact conferring on citizens of Norfolk Island and Australian citizens who determine to reside on Norfolk Island many of the privileges and rights that were denied them prior to the advice of this committee.

I now turn to the Cocos (Keeling) and Christmas Islands. Really the only thing they have in common is that they are in the Indian Ocean. They are more distant to each other than the east coast of Australia is to Norfolk Island, and each has its unique challenges. The work of this committee is by no means finished. This interim report deals with three areas and three recommendations, which I will address. I do want to place on the record that, before this committee finishes its work, recommendations will come forth on the overall governance of the Cocos (Keeling) and Christmas Islands. At the moment there is an ad hoc process in the selection of an administrator: each time the federal government changes, the administrator changes. Mr John Stanhope was the Administrator prior to the coalition coming to government; Mr Barry Haase, formerly the member for Durack, is now the Administrator. One of my real concerns is the actual role of the administrator, along with the reporting responsibilities of the administrator and the relationship of the administrator to government, to the minister, to cabinet and further to the communities. As you would know, Mr Acting Deputy President, I do have some personal experience in the administration of an island, which was in absolute disarray and was experiencing many of the maladies that these islands suffer now. Over a seven-year period, it was a pleasure to be able to address those issues. I do want to put on notice the fact that governance is a real issue.

The voice and representation of the people in the two island groups is certainly an issue. On our visits to Cocos (Keeling) and Christmas islands, they expressed deep dismay and concern to us about the lack of consultation on the ground and their inability to be heard. Again, I believe that is tied up in the question of governance.

Their political representation is of interest. Whilst the islands are both off the north-west coast of Western Australia, in the federal parliamentary sphere their interests are represented by the member for Lingiari, in the Northern Territory, in the other place; and by the two Northern Territory senators here in the Australian Senate. Again—without casting any aspersions at all on how they are currently represented—they certainly raised those points with us.
With regard to economic opportunities for both island groups, as Christmas Island now moves away from being substantially an island which has housed refugees and asylum seekers in recent times—and we know that those numbers are declining rapidly—we must look to its future and of course that of Cocos (Keeling) Islands. They have economic opportunities in tourism and even in agriculture. There is a very, very interesting agricultural program underway on Christmas Island which I think has a lot of merit.

The only other area I wanted to mention before going to the recommendations is the method of service delivery. For nearly all services on both island groups, delivery is actually an arrangement between the federal government and various agencies of the Western Australian government, coordinated through Premier and Cabinet. I can assure you, both from the feedback we got on the islands and from the consultations I have had with key service deliverers within the Western Australian government, it is an area that needs urgent attention.

In the few minutes remaining for me to speak, I want to talk specifically about the three recommendations in this interim report. The first, about Christmas Island's economic future and tourism, is a recommendation to examine reopening the Christmas Island casino. It was built many years ago by Mr Frank Woodmore, a Western Australian businessman. It had a colourful, although eventually unfortunate, history. The time is well nigh for us to examine the opportunity to once again grant a casino licence—through the federal government now, not through the state of the Western Australia—and there is widespread enthusiasm right across Christmas Island for that idea.

The second recommendation is about international students:

The Committee recommends the Department of Infrastructure and Regional Development take action to address any legislative anomalies or administrative deficiencies that may prevent educational institutions in the Indian Ocean Territories from providing educational services to international fee-paying students in accordance with the framework established by the Education Services for Overseas Students Act 2000 …

We heard about a program, in glowing terms—from the principal of a Christmas Island school—that got underway with international students on Christmas Island but had to cease.

The third and possibly most important recommendation in economic terms is for a shipping service for freight. For example, the cost of a tonne of cement on the mainland is $300; on Cocos island, it is $3,300 with delivery.

Question agreed to.

**DOCUMENTS**

**Marine Sanctuaries**

**Order for the Production of Documents**

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Sterle) (17:48): The President has received letters from party leaders requesting changes in the membership of various committees.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (17:48): by leave—I move:

That senators be discharged from and appointed to committees as follows:

Economics References Committee—

Appointed—

Substitute member: Senator Williams to replace Senator Canavan on Tuesday, 7 July 2015

Participating member: Senator Canavan

Education and Employment References Committee—

Appointed—

Substitute member: Senator Wright to replace Senator Rhiannon for the committee's inquiry into students with disability and the schools system

Participating member: Senator Rhiannon

Foreign Affairs, Defence and Trade References Committee—

Appointed—

Substitute member: Senator Wong to replace Senator McEwen for the committee's inquiry into the proposed China-Australia Free Trade Agreement

Participating member: Senator McEwen

Legal and Constitutional Affairs References Committee—

Discharged—Senator Wright

Appointed—

Senator Lazarus

Participating member: Senator Wright.

Question agreed to.

Senate Procedure Committee

Report

Senator MARSHALL (Victoria—Deputy President of the Senate and Chair of Committees) (17:49): I move:

That the Senate adopt the recommendations of the second report of 2015 of the Procedure Committee.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (17:49): I would like to acknowledge the Deputy President's sterling chairmanship of the Procedure Committee—

Senator Conroy: I think that's illegal in some states!

The ACTING DEPUTY PRESIDENT (Senator Sterle): It does not happen very often! Keep going.
Senator FIFIELD: I think it is worth pausing for a moment to reflect on the fact that the Procedure Committee is one of the places where the Senate really manifests its best self—where colleagues come together, seek to determine what are the best, fairest and most efficacious procedures for this place.

This particular Procedure Committee report is of some significance because there are a number of temporary orders which are becoming part of the standing orders. I know that is something that is of particular interest to Senator Wong, who I think has shared the frustration of many of us for some time of having to leaf through standing orders and various addendums in the form of temporary orders. The clerks will now have the opportunity to bring forward a new and consolidated set of standing orders, which I am sure we all look forward to.

Many colleagues will be very excited to know that the temporary orders relating to adjournment arrangements which saw open-ended adjournment on Thursday nights will not be continued and that we will in fact, in that area, revert to what the standing orders currently are. I know that many colleagues have been exercised about that.

While I am on my feet, I might talk a little more broadly about the Senate and procedure. What prompts me to do this is that earlier in the week I was speaking at the CEDA State of the Nation conference. I was on a panel with Mr Palmer from the other place, Senator Xenophon and Senator Wong. We each had the opportunity to address CEDA's proposition, which was 'That the Senate is a battlefield'. I did note in my contribution at the CEDA conference that it had sort of echoes of Pat Benatar's Love is a Battlefield! There were enough people in the audience who were of an age to appreciate the cultural allusion that I was making.

The other propositions of CEDA were that, in effect, it is the end of reform as we know it, and that it is not possible for the government to achieve significant reform in this place. I contested those particular propositions by CEDA and pointed out that the Australian Senate is probably the most misunderstood of Australia's 15 legislative chambers. I also pointed out that I do not think that the Australian Senate has ever had a rap quite as bad that of the New South Wales Legislative Council, which, up until the mid-1980s had 12-year terms, no constituents and no electorate offices. Indeed, up until the mid-1980s, when then Premier Wran introduced some constitutional changes, members were not even elected; the Legislative Council was appointed by the Legislative Assembly on the basis of the proportion of the vote that particular parties received at the preceding general election. Also, it only took members one term to be entitled to the pension. Anyway, I do not think that we have ever had a reputation as bad as the one the New South Wales Legislative Council used to have.

I think that another significant misapprehension is that the Senate was, in some way, modelled on the House of Lords. Of course, all of us here know that that is not the case, and that the Australian Senate was very closely modelled on the US House of Representatives. As we know, there are equal numbers of senators from the states, and it was designed to be a strong upper house. Indeed, it was designed to be equal in powers to the House of Representatives in all respects other than in money bills. So I think that that is a misapprehension; we have a different role and function compared to that which is in the United Kingdom, where, obviously, the House of Lords has the capacity to delay but not to deny.
We have a good and important role in terms of scrutiny. We have our 16 purpose-built Senate committees; we have the eight legislation committees and the eight references committees. So I think that our role is not well appreciated in terms of our responsibilities. The truth is, as I think we know, that federations are hard. We have 15 legislative chambers and nine jurisdictions, compared to New Zealand, which has one legislative chamber and one jurisdiction. But the federated nature is the price that we pay for unity in the first place. We do have a very different history which sees us in this place as a place of significant review.

I also pointed out to CEDA that that we have, in fact, had a fairly productive time in this Senate. I pointed out that, as of a week or so ago, since the election we have in this Senate passed 234 bills, not including the ones of this week, and 161 packages of legislation. We had 15 bills negatived in old Senate and 18 bills negatived in the new Senate, but many of those were subsequently passed into law. I thought that this might be a good opportunity to indicate that I gave a very spirited defence of the Senate at the CEDA conference. I indicated that we have had a good degree of success in this place, as a government.

I did not want to let the opportunity pass, as I commenced my remarks, of paying tribute to Deputy President Marshall for his chairmanship of the Procedure Committee and, of course, for his role as chair of committees in this place. Anyway, I thought that some of the discussions which took place in relation to the Senate in another part of this building earlier in the week might be of interest to the Senate.

Question agreed to.

BILLS

Airports Amendment Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator RHIANNON (New South Wales) (17:58): When debate was interrupted earlier today, I was talking about the Airports Amendment Bill 2015, which we have before us now. I was talking about the big promises on jobs associated with Badgerys Creek airport. I relayed how the Prime Minister promised that that airport will deliver 60,000 jobs. There is no time frame for that, but the promise is out there and it has been repeated many times. Then we have the New South Wales Business Chamber promising 30,000 jobs by 2050. That 30,000 figure is already half of the figure touted by the Prime Minister and reported in the media; however, it relies on the assumption that passenger movements are significantly higher than even the most generous predictions. A more realistic scenario, which was also developed by the New South Wales Business Chamber but this time relying on passenger movements estimated by the federal government's joint study into aviation capacity, puts the job creation figures at 10,000 by 2040. It is quite clear that the Prime Minister and the business lobby have inflated job creation figures to boost support for Badgerys Creek. Without a time line, without a business case and without a contract, any job creation figures touted by the government must be taken with a large grain of salt. This is clearly very important because the jobs issue is something that is very critical to the people of Western Sydney—and we start to see how considerably they have been misled, sadly, by both the Liberal and National parties and the Labor Party.
The issue of a curfew is also highly relevant to the business case behind Badgerys Creek. It has been stated many times that Badgerys Creek will only be viable when there are 24/7 operations, but this would expose residents in Western Sydney to aircraft noise that Sydneysiders living close to Sydney Airport at the Kingsford Smith site are protected from. The infrastructure minister ruled out a curfew just last month, further evidence that the community is ignored in order to protect the interests of the private corporations lining up to make a nice profit out of the construction of a publicly subsidised supplementary airport. How can the Liberal-National government argue that the residents of Western Sydney should be subjected to a 24/7 airport when residents in the inner west and the inner city benefit from a curfew at Kingsford Smith airport? While it is true that much of the land around Badgerys Creek is yet to be developed, that certainly will not be the case in 2025, when the airport is allegedly going to be first operational, or in 2035, when it has been operating for a decade. It makes more sense to create policy around what Badgerys Creek will look like in 20 years, not what it looks like now.

It has also been said that Badgerys Creek will reduce aircraft noise associated with Kingsford Smith airport. It is far more likely that the creation of a supplementary airport at Badgerys Creek will increase aircraft noise at Kingsford Smith. Badgerys Creek is expected to be a smaller airport with less hangar space and a smaller runway, similar to Avalon Airport in Melbourne. Like at Avalon, this means that Badgerys Creek will soak up demand for smaller regional flights, leaving more arrival and departure slots open at Mascot for large international jets. This means more aircraft noise, not less. More noise pollution for the locals is certainly not what we want.

Despite the fact that the leadership of the Labor Party and the coalition are on a unity ticket when it comes to Badgerys Creek, local Labor and Liberal MPs around the proposed airport site have raised significant concerns. Last year, Chifley Labor MP Ed Husic said:

I have maintained an unwavering position against an airport at Badgerys Creek for 15 years. He is certainly spot on. He further said:

I remain firmly of the view this airport will adversely affect the quality of life of the people of western Sydney and I won't be changing my position until I—and more importantly my constituents—are totally convinced it is in their best interests.

Another quote:

There must be detailed discussion and consultation with the community on any proposal for an airport the equivalent size of Brisbane's and to date this has not happened. I agree with much of what the member for Chifley has said and it is disappointing that the leadership of his party has run roughshod over his concerns to back the Abbott government's proposal fully. As recently as last month, the member for Chifley was, rightly, attacking the Abbott government for not taking its proposal for an airport at Badgerys Creek to an election and for failing to implement a curfew. Again, these are absolutely valid points and it is a shame they have been ignored by the Labor Party leadership and the shadow infrastructure minister, Anthony Albanese.

The shadow Treasurer and member for McMahon, Chris Bowen, is also opposed to the operation of an airport at Badgerys Creek without a curfew, again putting him at odds with Mr Albanese. The Labor members for Parramatta, Greenway and Werriwa are also on the record opposing a 24/7 airport at Badgerys Creek. The member for Blaxland, Jason Clare, has
stated publicly that any new airport at Badgerys Creek should be serviced with a rail link, not just road links. The government has already ruled out a rail link when Badgerys Creek becomes operational. It is simply extraordinary that the concerns of all these local Labor MPs have been ignored by Mr Albanese in his eagerness to support the Prime Minister's proposal for a 24/7 operation at Badgerys Creek. It is not just local Labor MPs who have spoken out against this proposal; many Liberal MPs have done so also. The member for Lindsay, Fiona Scott, has strongly opposed the operation of a 24/7 airport at Badgerys Creek.

While the Abbott government is currently pursuing the construction of an airport at Badgerys Creek, the Greens believe that, at an absolute minimum, an environmental impact assessment should be undertaken as soon as possible so the community is fully aware of its impacts. I will be moving a Greens amendment to the bill to clarify that, if Badgerys Creek airport is not constructed, a completed environmental impact statement for this location cannot be used as a substitute for an environmental impact statement for any other future airport location. The Greens do not oppose this bill, but we do believe it is really important that this amendment is adopted.

Senator XENOPHON (South Australia) (18:05): The Airports Amendment Bill 2015 makes arrangements for a second airport for Sydney at Badgerys Creek in Western Sydney. Clearly, Sydney does need a second airport—Kingsford Smith airport at Mascot is at capacity—but I wonder whether the need for it and the urgency would be as great if we had some high-speed rail links in this country, particularly between Sydney and Canberra, Sydney and Melbourne, and Sydney and Brisbane.

Sydney Airport Corporation has the right of first refusal to develop and manage the new airport. This option was part of the original privatisation deal that saw the airport sold for $5.6 billion by the Howard government in 2002. The privatisation of Sydney Airport, creating a monopoly out of our largest and oldest airport, has been a disaster for Sydney and the nation. Now we are considering a bill that makes arrangements to possibly extend that monopoly to the new airport, cementing high costs of services for the travelling public for decades to come. Many formally state owned enterprises have been privatised since the 1980s and sometimes not with a good result for the public—from the Commonwealth Bank to Telstra to electricity grids; and, in my home state of South Australia, the state government is crazily trying to privatise the Motor Accident Commission—but the privatisation of Sydney Airport has to take the cake as the craziest of all. It was not inevitable. The federal government did not have to privatise the airport and it did not have to include a first right of refusal for any second airport within 100 kilometres of Mascot, guaranteeing not only a monopoly now but a monopoly into the future if that is what the new owners want.

Back in 2002 it was thought to be a high price but, 13 years on, it is clear that Macquarie Bank got Australia's largest and oldest airport for a bargain. But it has gained a reputation for providing overpriced low levels of service, as a private monopoly, for those who have to use the airport. Sydney Airport Corporation pretty much charged what it liked for its services, including to the airlines and the travelling public, via landing and car-parking fees. Mr Acting Deputy President Sterle, you know—through chairing regional and rural affairs and transport committee inquiries—that landing fees for Qantas, for Australian airlines, are exponentially higher than they are for comparable overseas airports. It is a rip-off.
The ACCC is on the record as being concerned at the privileged place Sydney Airport Corporation has in extending its monopoly. Each year the ACCC looks at the prices set by airports and has found Sydney Airport to have the most exorbitant parking rates of any airport in Australia. In fact, it is way up there on an international level. For example, it costs drivers $32 for three hours or $135 for seven days in the longer-term carpark. These charges have generated a revenue of $120 million in the last reporting year—up 4.9 per cent, in margin, on the previous year. Why do they do it? It is because they can get away with it, as a monopoly. They will do it again at Badgerys Creek if they decide to take up the option to develop, which I suspect they will.

The issue of landing and parking fees for airlines has also been a sore point in Sydney. No one could accuse me of being mates with Qantas CEO Alan Joyce—and he cannot do anything about this; I even got a lawyer's letter from him over something I said about him, but we sorted that one out—but he is on the record as saying that Australian airports could charge fees for oxygen if they could and that Sydney Airport had amongst the highest charges. On this issue, I agree with Mr Joyce in his advocacy. He is absolutely right. He is speaking not just for his company but for all Australian airlines that want a fair go and for consumers who are being ripped off.

It does not end there. Credible reports from Michael West and Fairfax Media show that Sydney Airport Corporation pays little or no tax to the federal government. According to Mr West—a very experienced business journalist—Sydney Airport did not pay any tax in its first 10 years but has delivered more than $1 billion in fees to advisers and financiers. Because it is a monopoly, it can afford to carry huge debts and it claims interest as a tax deduction. That effectively cancels out any profits. The real profits are soaked up in hundreds of millions of dollars in fees to its bankers and financiers, each year. It is a nice little earner.

This monopoly privatised corporate entity generates about $700 million in financing costs soaked up on Macquarie Bank clients, bankers, advisers and security holders. To quote Rupert Murdoch, 'A monopoly is a terrible thing unless you happen to own one.' No wonder the ACCC has openly questioned why Sydney Airport received a first right of refusal to operate a second Sydney airport. In its 2013 airport updates the ACCC said that separate owners of the two Sydney airports would encourage lower prices and increase capacity and quality for customers. But that is not to be. The ACCC report said:

Unfortunately, in this case short term budgetary considerations have served to undermine the competitive framework that delivers improved services and lower prices within a market economy.

Who will pay, in the long run, for this undermining of competition? It will be the people of Australia, particularly the hapless passengers who have to travel through Sydney Airport and get ripped off, day in and day out. Those who must travel through its airport include many from my home state of South Australia who catch connecting flights, particularly to the United States and across the Pacific.

It has not been that long since the privatisation—just 13 years. In that time Sydney Airport has had three CEOs, but its first, Max Moore-Wilton, is now the chair of Sydney Airport Holdings, which owns 84 per cent of Sydney Airport. He has come a long way since those days, before the privatisation, when he was secretary of the Department of Prime Minister and Cabinet. He left to take up the helm of Sydney Airport Corporation just months later. He now
has the unprecedented opportunity to create a privately owned multisite airport monopoly in Sydney.

Sydney Airport might not be the only private company that charges like a wounded bull and structures itself to pay as little tax as possible, but it is Australian and was created by our federal government. The privatisation of Sydney Airport has been a disaster, and that disaster is set to continue if Sydney Airport Corporation decides to take up its option to develop and operate Sydney's second airport. We will rue the day, if that happens.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (18:12): I want to make a few comments on Sydney Airport and the Western Sydney airport. I commend Senator Xenophon for his great interest and passion around aviation and protecting our aviation assets. He and I have worked quite closely on the rural affairs and transport committee on a number of occasions. I do differ a little with him, in terms of our major airports. The intent of the government when Deputy Prime Minister Anderson, I think it was then, looked at privatising airports—our major airports—has been relatively well met. As I look and travel around the country I see that the privatisation has allowed an injection of capital, which has transformed the major gateways into each of our states around Australia.

Unfortunately, I cannot say I am quite so supportive of our secondary airports, the likes of Bankstown and Archerfield and others around the country. As recently as last weekend, when I was up at Port Augusta speaking with the manager of the unincorporated lands, I was very aware of the fact that airfields owned by local government and particularly those that serve remote communities are constantly under pressure to maintain the airfields to be capable of taking the Royal Flying Doctor Service, mail services and other services they critically need.

There are a couple of aspects to privatisation. Those in secondary and remote areas I am not such a great fan of; we still need to find ways to invest in those and make them viable for the future. With our primary airports privatisation certainly has transformed Australia, particularly when you look at the role of the airports as a hub not only for passenger movements but also for freight. This week I met with people at the Sydney Airport to talk about the Western Sydney airport and understand what their plans are for servicing regional communities and having that connection with international flights. I certainly compare it with South Australia with the advent of international flights—for example, going direct from Adelaide Airport to Asia and places like Hong Kong and therefore China. There is the export industry—for example, our prawn industry, which does not have the volumes to justify a freight aircraft all by itself—and there are other industries in a similar case. Once you have a passenger service, it means that you have the ability to get freight onto an aircraft and into a market and it opens up new markets around the world, but the important part is to have that link.

Certainly a key part of my discussions around the Western Sydney airport was to make clear in my mind that the planning of the airports and the airlines was to have a joined up service where we did not leave regional communities in the situation where, if they had business to conduct, travel to do or, importantly, exports to get to market, they were relegated to a secondary airport and then had to make a connection across Sydney to a major airport. I am pleased to report that that is not the intention that is being proposed at the moment.
Having been in the aviation industry for many years and having watched debates flow to and fro, I am very conscious that people have talked and talked and talked about Sydney airport and where it might be for longer than I think Senator Ian Macdonald has been talking about Traveston dam. By the time we have built the Sydney airport, perhaps we would have float planes on Traveston dam. I am glad to see that finally, after many years, we have a decision on a location and now we have started the process towards creating the airport.

If you look at the number of movements that come through Sydney and particularly if you look at the management of traffic—they have a cap on the number of movements in a period of time—it comes right down to managing the number of aircraft, even within a quarter of an hour block. It makes it very inefficient for the airlines in terms of bringing aircraft in, because, if they have to divert around weather, for example, or volcanic activity in Indonesia or somewhere and they fall outside of their preapproved slot, there are more aircraft programmed in a period and they do not have the fuel to hold, they end up getting diverted. In terms of the reputation of Australia as an international destination, the last thing you want is uncertainty on behalf of the passengers as to whether they are going to end up in Sydney, which is where they wanted to go, or possibly Brisbane or Melbourne, which are the two logical diversion points. Having the extra capacity at a Western Sydney airport means that we would be able to manage in a far more effective way the flow of air traffic and the volume coming in, not only overall but in any given time frame, which means that we will be able to see a great reduction in the number of aircraft that have to divert to other ports. That can only be good in terms of marketing Australia as a reliable destination for business, including tour businesses, as well as for people who wish to import and export goods using the airports.

This is an example of a promise by the government that, coming into government, there were a number of things we would do. There are the promises you have all heard: stopping the boats, which we have done; getting rid of the carbon tax, which we have done. This is one more area where the Prime Minister promised he would be the infrastructure Prime Minister and would drive development and things that would create jobs. I am pleased to see that this is one more area where the Australian people can look at the Abbott government and say, ‘They have actually been prepared to take a decision. It is not popular with everyone, but it is a decision that provides the potential to grow the Australian economy.’ If there is one thing that I firmly believe the coalition is characterised by it is looking at ways not to distribute wealth but to grow wealth—to make the pie bigger, because a rising tide floats all boats and people benefit when there are more jobs and more opportunities.

Certainly, when I look at Badgerys Creek and I look at what it will provide, I see it has significant benefit in terms of both investment and job creation. Ernst and Young did an analysis where they found that an airport at Badgerys Creek has the potential to generate some $24.6 billion in direct expenditure by 2060 and contribute $23.9 billion in gross domestic product to the national economy. It would be the largest job creator in Western Sydney. The construction of both the infrastructure package and the airport itself could create up to 8,000 jobs. Initiatives like this are the reason why we are seeing that the rate of jobs growth under the coalition is higher—in fact, multiples higher than at any time under your government, Mr Acting Deputy President Sterle. That is something the Australian community can look to with hope.
In terms of the value of the infrastructure that we are putting in, there is a large infrastructure project particularly around roads to make sure that the access is there. There is some $3.6 billion for a 10-year road investment package for Western Sydney. The Commonwealth is going to contribute some $2.9 billion to that. You can look up the detail of the roads that are laid out. What it says to me is that planning has gone on to create an asset in terms of the airport, but, more importantly, to integrate it with the infrastructure in Sydney. It is that long-term planning that I would like to turn to now.

I give credit to the former government for their aviation green paper and the white paper and the NASAG process that came out of that, which is the safeguarding of our airports process. It is the whole idea of trying to get co-operation between the federal government, state governments and local governments around planning permissions to safeguard airports. I am a little disappointed that it seems to have plateaued and the hard work of taking the policy concept and implementing it appears to have stalled. That may not all be the federal government's fault. It takes cooperation from states and local governments as well to make those things happen. We are seeing a lot of discussion with the Federation white paper and the COAG processes. I think both sides of politics suffer the frustration of our three levels of government and sometimes not being able to drive very good common sense ideas through. But can I say that NASAG and the process of protecting our airports and the airspace that goes with them are things that we do need in the national interest to get some alignment between the federal government, of whichever political persuasion, and the state and local governments. Why? Because it is important to our economy and it is important to lots of social functions—things like banking, mail services and medical services. Where we do not protect airports and the airspace, we will see a degradation in the ability of the aviation industry to service Australia in the manner in which we have become accustomed. The reason it is important for this process to be in place is that I frequently come across people at both local and state government levels who are interested in developing their communities, and I fully understand and appreciate that. Whether it is housing close to airports or large high-rise buildings in a capital city that infringe into the airspace,—the PANS-OPS criteria—those things have a direct impact on the viability of airlines to carry the kind of loads they look at.

In South Australia, for example, there was a great deal of contention a year or so back when people looked at the height of the city buildings and complained about what they called the archaic regulations that stopped us having even higher buildings. There was quite some discussion in the media about that and a bit of a head of steam developing in that these were really archaic rules, we should change them and we should have higher buildings. People did not realise that the height limits were actually related to operations out of the airport. If you were taking off from Adelaide Airport on the north-easterly runway and were flying on a cloudy day with a low-cloud base or by night and you had an engine failure in a large transport aircraft with passengers or cargo, then the airspace has to allow for the worst-case in terms of your performance and your climb configuration for you to control the emergency and then return the aircraft to the airfield. If you build higher buildings, then the aircraft has to be able to out-climb the worst-case, which is an intersection with that building. This means that the operators are constrained to carrying less fuel, which means that they go a shorter distance, or they have to off-load passengers or cargo. Eventually, you start constraining the operations to the point where airlines are not prepared to actually service that centre.
The long-term planning that NASAG envisaged is something that is really important for us to get into place. We have seen some benefits with Western Sydney in how the site was originally identified as early as 1969. As a result, the Australian government acquired a site of approximately 1,700 acres over the next decade or so. Land that has been reserved is now having very tangible inputs. For example, around noise and curfew, the fact that those long-term planning restrictions have been associated with that land has largely protected it from incompatible residential development. That means that the typical noise footprint for aircraft does not affect the same number of people it would if unencumbered building had been allowed in those areas. It is going to affect only around 3,900 residents, whereas a similar noise footprint at Kingsford Smith affects nearly 130,000 residents.

Technology for aircraft is getting better, particularly with precision vertical navigation options. Australia is now one of the greatest users, particularly at Kingsford Smith airport. That and new generation aircraft with high-bypass ratio engines, with a low-noise signature, means that we can get higher volumes of traffic into airports. The point I am trying to make here is that long-term planning that allowed us to set aside that land is now going to have a very tangible benefit. That means Western Sydney Airport will be capable of having 24-hour operations. It will not necessarily have to have a curfew. The planning, combined with advancing technology, gives great capability which will benefit our economy and the number of jobs that can grow at Western Sydney Airport.

As we look at these kinds of developments and the threats enveloping other airports—and in your own state, Mr Acting Deputy President Sterle, you would have seen media recently about Perth Airport and concerns about residential development—there are great concerns around incompatible development. Certainly, there are great concerns as I look at places like Archerfield, Bankstown and Jandakot in Western Australia. I just want to lay out, again, for both sides of politics that, for all levels of government, whether we do it through the Reform of the federation white paper or through the COAG process, we need to get on top of the NASAG concepts. I would argue that we even need to extend it to include what the Queensland government has, which are areas set aside in the approach and take-off paths of runway which allow for the fact that many secondary airports service single-engine aircraft with trainees. There is a danger that, if you have a failure, then, obviously, aircraft can come down in the area. Queensland has done a very good job of quarantining, if you like, a splay at the end of a runway. That is something we should be looking at more on a national basis.

So it is an important process, and I would certainly encourage state and local government associations to look at how they can work constructively with the federal government and realise that this is not just about a loss of rates they may suffer if they cannot build a particular subdivision of housing right next to an airport. If they look at the broader impact, the direct jobs associated with an airport and, also, what the airport enables in terms of tourism, in terms of business travel and, particularly, in terms of export for so many of our small- to medium-sized businesses, the economic impact on the state of having a reduced capability in that airport would be extreme. We really do need to take a long-term view around the issues of airport planning.

This all brings me back to Western Sydney. It is a good news story in that it is going to provide Australia and Sydney—I know Victorians do not like to hear this but Sydney still remains, for many people internationally, the place to see when they come to Australia—with
a more reliable and consistent opportunity to arrive without needing to divert and to provide the kind of capacity that will increase the flow of business travel, tourism and trade, which will be good.

The infrastructure side alone is a policy commitment by the coalition which has been fulfilled in terms of saying, 'We are prepared to take the decisions that, for many years, other people have not taken.' We have seen Prime Minister Abbott and his team take that decision. It is welcome. It will help grow, not only Western Sydney's, but Australia's national economy. The more the economy grows, the more we can invest in all the other things that people are legitimately concerned to see us invest in, so we can continue to make the investments in health and education and things like overseas aid and defence, which are important to the nation. I welcome the initiatives of this government, the decisions around Badgerys Creek and the development of Western Sydney's airport.

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (18:29): I am delighted to be able to contribute and sum up the debate in relation to the Airports Amendment Bill 2015. To continue on from the exceptionally eloquent speech of Senator Fawcett: this is a good-news story for the people of New South Wales and in particular for the people of Western Sydney. This is fantastic news for the people of Australia in terms of the overall benefit that this airport is ultimately going to offer.

It was on 15 April 2014 that finally the Abbott coalition government announced that the site for the Western Sydney new airport would be located at Badgerys Creek. As we have heard, this is an announcement that has been talked about for some time. In fact, I was not even born, amazingly, when a second airport for Sydney was first discussed. So to have, just over 12 months ago, the culmination of something that had been talked about for decades and decades finally come to fruition under the Abbott government is a fantastic thing for all Australians.

Of course, whilst this is a second airport for Sydney, it must be remembered that first and foremost this is an airport for the people of Western Sydney. But an airport at Western Sydney is going to bring benefits not just to the people of Western Sydney, not just to the people of New South Wales but to Australians as a whole. We know that a new airport at Badgerys Creek is going to be a major boost to the local economy. We know that it is going to create thousands of jobs during the construction phase, but also a pipeline of jobs once the airport becomes operational. This is a government that said, 'We want to be the government that builds the infrastructure to take Australia into the 21st century.' This is a government that said, 'If you give us the honour of electing us to office, we will create the jobs that are going to employ people today and going forward tomorrow. That is exactly what this proposed airport for the people of Western Sydney will do.

The Australian government is now working with the government of New South Wales to deliver the new infrastructure and to deliver jobs for the people of Western Sydney. We are looking at an employment boom of approximately 8,000 jobs that will be created as a result of the construction of the airport and the upgrades that are going to be occurring in relation to the roads that are being built. And of course then we have that flow-on benefit, those long-term jobs that are going to be created for Australians once the airport commences operation, flowing through right to the mid-2020s. We are only in 2015, and we are already talking...
about an employment boom of 8,000 jobs—quite literally taking us through into the future. As I said, and as we have heard from a number of our speakers, for many decades an airport was proposed, an airport was discussed, and finally, under the Abbott government, the work is now happening. It is certainly a project that the rest of the world will be watching.

Turning to the statistics in relation to the number of passenger trips, for example, 54 million passenger trips are forecast to go unmet at Kingsford Smith airport by 2060 unless another airport is built in Sydney. If we forgo those passenger trips, can you imagine the adverse consequences to our economy?—the loss of the tourism dollar, the loss of purchasing power, the loss of employment. Grabbing hold of those 54 million passenger trips is exactly what we want to do under this government, and that is why we are making the concrete decision to go ahead and build the Badgerys Creek airport.

In terms of the additional infrastructure that is going to be needed, this is a government that is going to ensure that it is a case of roads first and the airport second, because we want to ensure that the airport is a success right from the very start. What does that ultimately mean? It means that thousands of good jobs and better local roads will be delivered well before that first plane taxis down that runway. And what are we looking at in terms of that road infrastructure build? Fourteen intersections, eight kilometres of road and 10 kilometres of shared paths have already been built this year alone. That is absolutely amazing. The airport is going to create economic and employment benefits then be a catalyst for further growth. The analysis undertaken by Ernst & Young found that an airport at Badgerys Creek has the potential to generate 24.6 billion in direct expenditure by 2060. It also found that an airport at Badgerys Creek could potentially contribute a $23.9 billion increase in gross domestic product to the national economy. Again, we are talking about a project that is going to have a huge economic impact on our nation.

This project will be the single-largest job creator in Western Sydney. We are very proud of that as the Abbott government. We said that we wanted to create jobs for Australians. We said that we wanted to be the government that built the infrastructure today for everybody to use tomorrow. That is exactly what we are doing.

With the road infrastructure to date, significant progress has been made on the projects. This is included in the $3.6 billion Western Sydney Infrastructure Plan—$3.6 billion is being injected into Western Sydney by this government under this plan. As you know, the Prime Minister literally broke the ground on the Bringelly Road on 20 January 2015. We have also seen the commencement of construction on the Werrington Arterial Road in March 2015.

But we do not stop there. The Local Roads Package has also commenced, with $32.4 million being allocated across seven projects under round 1, and submissions for round 2 will be invited in mid-2015. Then we have construction on the Northern Road, which is expected to begin in late 2015, and construction on the new motorway connecting the M7 to the Northern Road motorway is expected to commence in 2019. So again, the benefits of this project are already being seen with the start of construction of road upgrades to support the new proposed airport.

As I have said, the new airport in Western Sydney is part of the coalition government's investment in the infrastructure for the 21st century, and it is going to generate thousands of jobs and provide a huge economic boost that is going to give us economic growth in Western
Sydney. And then of course we have those flow-on effects. It will be a catalyst for investment—investments in education, science, research and aeronautical industries.

In their contributions, a number of the previous speakers referred to high-speed rail. I would like to make some comments in relation to high-speed rail. The Australian government continues to explore what role high-speed rail could play as part of Australia’s long-term transport planning. There is no doubt Australia will need additional transport capacity in the future to meet our growing population's demands for travel. In planning to meet this demand—and this is where a number of our speakers failed to consider other forms of transport—we do need to consider all forms of transport modes, which include aviation, road, conventional rail and high-speed rail. We should not just limit ourselves to looking at high-speed rail, because what we need to do in our considerations is to determine the best approach for our unique conditions and then we need to optimise the benefits for our regions.

In terms of some costings that have been undertaken, the 2013 High Speed Rail Study Phase 2 found that it would cost approximately $114 billion to construct a line between Melbourne, Canberra, Sydney and Brisbane, with construction best staged over three decades and commencing with the Sydney to Canberra section in 2027.

The same study found that the cost of connecting Sydney, Canberra and Melbourne was approximately $50 billion. They are huge amounts of money that we are talking about here. Whilst I certainly appreciate that a high-speed rail is a priority for the Australian Greens in particular—and we have certainly heard from Senator Rice and Senator Rhiannon in that regard—it is not the subject of the bill that we are referring to and it does not replace the need for an airport in Western Sydney.

Western Sydney has a population of over two million people. That is almost the size of Brisbane. As the population continues to grow, we must provide the appropriate infrastructure a region of that size warrants. Currently, around 30 per cent of workers living in Western Sydney commute well outside their region to get to work. This has an economic as well as a personal and a family impact. Then we have a look at the projections. Where are we going? Projections indicate that, by 2041, a further one million people will live in Western Sydney; and, in the next 20 years, Western Sydney will account for two-thirds of Sydney’s population growth but only one-third of jobs. So Western Sydney airport will be a catalyst for growth. It will be a catalyst for investment and it will be a catalyst for jobs in Western Sydney.

The Airports Amendment Bill 2015 is going to amend the Airports Act 1996 to provide for the creation of an airport plan for the proposed Western Sydney airport, recognising that the airport will be a greenfield development that requires a unique process. The Airports Act provides the framework to manage and operate Australia's federally leased airports like Sydney, Brisbane and Melbourne. The airport plan will authorise the initial development and specify the Australian government's requirements for the airport.

Importantly, the bill recognises that the environmental assessment process currently underway for the airport is a key part of the approvals process. The bill confers an approval function on the environment minister in relation to environmental matters. The bill will require the Minister for Infrastructure and Regional Development to incorporate into the airport plan any environmental conditions imposed by the Minister for the Environment following completion of the environmental impact statement.
Preparation of a new and robust environmental impact statement is underway, and the community will have an opportunity to have a say on the draft environmental impact statement later this year. Once the airport plan envisaged under this act is in place, no further planning or development approvals will be required prior to initial construction commencing. It will enable detailed design and construction planning to commence as soon as possible after contract signature.

The bill also includes measures that would help the government consider alternative operators, should Sydney Airport group turn down an offer to develop and operate the proposed airport. Under the 2002 sale agreement for Sydney (Kingsford Smith) Airport, the owners of Sydney airport have a right of first refusal to develop and operate a second major airport within 100 kilometres of Sydney's centre. If they decline to exercise the right, the Commonwealth is open to looking at other operators, or to developing the site itself, provided it is done on the same terms. However, the Airports Act currently effectively prevents the Commonwealth from taking either of these actions in the event that the Sydney Airport Group declines to accept the offer. Section 18 of the Airports Act requires that the airport lessee companies for Sydney (Kingsford Smith) Airport and any airport site declared to be 'Sydney West Airport', as it is referred to in the Airports Act, must be subsidiaries of the same company. This is a legacy provision from the Airports Act as originally passed in 1996.

The bill removes the requirement of common ownership, providing the Commonwealth with the commercial flexibility to deal with third parties, or to develop the airport itself if required. The bill also removes the airport cross-ownership restrictions currently placed on Sydney West Airport. These restrictions prevent cross-ownership of more than 15 per cent between Melbourne, Brisbane or Perth airports and a new airport at Badgerys Creek. The amendment will help maximise the success of any market offering in the event that Sydney Airport Group chooses not to exercise an option to develop and operate the airport. The bill also contain some mechanical provisions to facilitate declaration of the airport site and other preparatory work.

In closing, this is the culmination of decades and decades of discussion. What has been decades of discussion under the Abbott coalition government has finally come to a decision. That decision was announced on 15 April 2014, when we said that the site for Western Sydney's new airport would be at Badgerys Creek. We said that if we were elected to govern, we wanted to be the government that built the infrastructure for tomorrow. We wanted to be the government that takes Australia into the 21st century. We said that we wanted to be a government that creates jobs for Australians today but also ensures that those jobs flow on to become the jobs for Australians well into the future. And that is exactly what we are seeing with the Sydney West Airport. As I have said, we are looking at a multibillion dollar boost to our economy. On top of that, we are looking at the creation of approximately 8,000 jobs. That is an absolutely fantastic package of support for Australians. And these benefits are already being seen with the start of construction of road upgrades to support the new airport. But on top of that, this is going to be a catalyst, going forward, for investment in so many things—investment in education, investment in science and in research, and investment in aeronautical industries.

I have listened very carefully to the debate and I thank those on the opposition benches for their support for this bill. I certainly commend the bill to the Senate.
The DEPUTY PRESIDENT: The question is that this bill be now read a second time. Question agreed to.

Bill read a second time.

In Committee

Bill—by leave—taken as a whole.

Senator RICE (Victoria) (18:49): I move amendment (1) on sheet 7735:

(1) Schedule 1, item 30, page 15 (after line 30), after subsection 96B(12), insert:

(12A) To avoid doubt, if the Sydney West Airport is not to be constructed and operated at Badgerys Creek, New South Wales, subsection (12) does not apply.

The government is currently pursuing the construction of an airport at Badgerys Creek. The Greens believe that, as an absolute minimum, we need to have an environmental impact assessment undertaken as soon as possible so that the community is fully aware of the potential impacts.

However, the reason for this amendment to the bill is to clarify that, if the Badgerys Creek airport is not constructed, for whatever reason, a completed environmental impact statement for Badgerys Creek cannot be used as a substitute for an environmental impact statement for any other future airport location. It is a minor amendment. It clarifies that, if Badgerys Creek does not go ahead for any reason or is substantially changed, a new environmental impact statement would be required for any other airport serving Sydney's west, and that the government would not be able to use the fact that Badgerys Creek was the plan in 2014 and 2015 to bypass proper environmental planning processes.

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (18:50): The government will be opposing the Greens amendment, but on the basis that the government believes that the amendment is unnecessary, given that the specific reference to Badgerys Creek in clause 96 B(12) of the bill. If I could just read into the Hansard clause 96B(12) of the bill. It states as follows:

For the purposes of this section, if:

(a) in December 2014, proposed action consisted of the construction and operation of a Western Sydney Airport at Badgerys Creek, New South Wales; and

(b) the proposed action was referred to the Environment Minister; and

(c) the Environment Minister decided under section 87 of the Environment Protection and Biodiversity Conservation Act 1999 that the relevant impacts of the action must be assessed by an environmental impact statement under Division 6 of Part 8 of that Act;

the environmental impact statement is the Sydney West Airport environmental impact statement.

Certainly, in terms of clause 96B(12) of the bill, you can see, Mr Chairman, as I have read it out for the benefit of the chamber, that that particular clause provides that the Sydney West Airport environmental impact statement is only for the construction and operation of a Western Sydney Airport at Badgerys Creek in New South Wales. So, in terms of the amendment moved by Senator Rice, it is not possible for the environmental impact statement that is currently being prepared or any subsequent consideration of that statement to be used for an alternative site.
Additionally, I think it is inconceivable that an airport plan could be determined for the Western Sydney airport at a different location but relying on an environmental impact statement for Badgerys Creek. On that point, can I again confirm for the chamber that the government remains committed to Badgerys Creek as the site for Western Sydney's first airport and, again, that is why we are spending the $3.6 billion on surrounding infrastructure in partnership with the New South Wales government. That is also why we have initiated the right of first refusal process with the owners of Sydney—Kingsford Smith—Airport and have spent the last nine months consulting with the Sydney Airport group, as we are contractually obliged to do, under the right of first refusal process.

So certainly, in terms of the amendment that has been moved by Senator Rice, the government does believe that it is unnecessary and, as I say, we will be opposing it.

Senator CAROL BROWN (Tasmania) (18:53): Labor does not support this amendment, and we note the comments of the government. The amendment adds nothing of substance to the bill. It seems to presuppose that an EIS for one specific major development can be transferred to a completely different site. This is a fanciful scenario wrapped up in an even more fanciful theory about the operations of environmental planning law.

Question negatived.

Bill agreed to.

Bill reported without amendments; report adopted.

Third Reading

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (18:55): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Migration Amendment (Strengthening Biometrics Integrity) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator CAROL BROWN (Tasmania) (18:55): I rise to speak on the Migration Amendment (Strengthening Biometrics Integrity) Bill 2015. Labor does not oppose this bill, but we have concerns about some of its provisions and we have circulated amendments that aim to address these concerns.

Biometrics are personal identifiers based on individual physical characteristics such as finger and hand prints, facial images, iris scans and signatures. Any of these identifiers may be digitised and stored in a database. Although these characteristics are unique to individuals, a biometric does not by itself provide exclusive proof of identity. Biometrics are, however, more accurate than documentary checks because they are relatively stable over time, at least for adults, and much more difficult to forge.

In conjunction with documentary evidence, therefore, the collection of biometric data makes the task of those who conduct identity checks at Australia’s air and sea ports...
considerably easier. Accordingly, biometrics have been collected for immigration purposes since 2004 for noncitizens. And since the foreign fighters act became law in 2014, they have been collected for citizens as well.

At present, the Migration Act authorises the collection of biometric data in eight circumstances. The bill now before the Senate consolidates seven of these into a single broad collection power. The eighth circumstance, concerning collection of biometrics from noncitizens in immigration detention, is not affected by the bill.

Most Australians who pass through routine immigration screening are not currently required to provide biometric data. It is not envisaged that this will change as a result of this bill. Nonetheless, the collection and retention of biometric data for immigration checks is reasonable—and, for security and law enforcement checks, it is both reasonable and, in most circumstances, appropriate.

Because of the nature of such data, however, issues of privacy and respect for individuals arise concerning the kind of biometric collected, the age of the person from whom it is collected and the consequences of any misuse of the information. Those issues become more acute for this bill because of the broad power of collection that it authorises.

These issues were canvassed by the Parliamentary Joint Committee on Human Rights and by many submissions to the Senate inquiry on the bill. The joint committee pointed out that creation of a broad discretionary power of collection necessarily limits the right to privacy, the right to equality and nondiscrimination, the right to equality before the law and the rights of the child.

At present, the Migration Act requires that collection of biometric data must be carried out in circumstances affording reasonable privacy to the person, must not be carried out in the presence of a person whose presence is not necessary for the purposes of the test or required by another provision of the act, must not involve the removal of more clothing than is necessary for carrying out the test and must not involve more visual inspection than is necessary for carrying out the test. The bill does not remove these requirements, but it does provide a new power for the minister and authorised officers to require that identifiers be provided in 'another way'—that is, in a way different from the rules set out in the act.

According to the explanatory memorandum, this new power will allow for quick live scanning of a person's fingers. It is not proposed to collect facial images under tests permitted by this new power and no clothing would be removed. However, as the Human Rights Committee has pointed out, the bill itself contains no such restriction. The government has given only a statement of its present intention. There is no guarantee that in future the new power could not be used in a way that contravenes the safeguards in the act.

Under the act, children can only be required to provide an identifier consisting of height and weight measurements or a facial image. The consent of a parent or a guardian must be given, and a parent or a guardian must be present while the test is carried out. However, this bill removes these restrictions. The explanatory memorandum offers several reasons for their removal. The first is that it is a child protection measure, responding to cases in which children have been trafficked or smuggled to Australia, sometimes with parental consent, as part of a family that is not their own. The second is that it is also a response to terrorism incidents in the Middle East and Africa that have involved children. The third is that it
provides greater consistency with the practice of other Five Eyes countries. Some of these countries do not set age limits for the collection of biometric data and some do so only as policy.

Clearly, no-one can condone the trafficking of children or the unconscionable conduct of terrorists who manipulate children into becoming their accomplices. The Department of Immigration and Border Protection has stated that it would still be normal practice, as a matter of policy, to obtain the consent of parents or guardians for the collection of biometric data and to have them present while tests are carried out. Nonetheless, it is not surprising that the removal of a legal requirement for this practice to be observed has caused deep unease. The intention may be to prevent the exploitation and abuse of children, but it is not inconceivable that, in the absence of these requirements, circumstances may arise in which they are abused.

Many submissions to the Senate inquiry called for the retention of some form of legal restriction to protect children and other incapable persons. The Law Council of Australia’s submission urged that guidelines be established to ensure that the collection of biometric data from children is carried out in a respectful manner and that independent guardians are appointed for unaccompanied children. Similar legislation enacted in the UK contains specific protections for vulnerable groups. Labor is moving four amendments related to this matter. The first two would see clauses incorporated in the bill to specifically require that particular care is taken to ensure that the privacy of minors and incapable people is respected and that they are treated with humanity and respect for human dignity. The third and fourth amendments would introduce legislated requirements as to who must be present when minors and incapable people are required to participate in identification tests without the consent of a parent or guardian.

A further issue that generated much debate when the UK was devising its legislation concerned the period for which biometric data should be retained. Several overseas regimes set a time limit for retention, while allowing possible extension of the limit. In Australia, there is a potential conflict between the provisions of this bill on indefinite retention of data and the recently amended Privacy Act, which requires that personal data must be retained for a reasonable purpose and only for so long as it is useful. Labor have examined this issue and we have concluded that existing provisions should be sufficient to require personal identifiers to be destroyed as soon as possible when they are no longer useful.

The government has assured us that this is certainly its intention. However, we remain concerned that there is no requirement for individuals to be notified if there is a serious privacy breach in relation to their identifying information. Our amendment defines a serious data breach as a situation where there is unauthorised access to or disclosure of identifying information and where there is a real risk of unauthorised use of the information or serious interference with the individual’s privacy. Our amendment would require that, in such circumstances, the person responsible for the information would be required to notify the individual of the privacy breach and also to notify the Information Commissioner. We hope this proposed section never has to be used, but we believe this layer of protection is important.

Senators will recall that in 2014 the Department of Immigration and Border Protection was involved in a security breach where the personal details of nearly 10,000 asylum seekers were inadvertently released on the department’s website, and earlier this year the department
inadvertently disclosed the passport and visa details of world leaders attending the G20 summit in Brisbane. It is true that these were documentary forms of identification, but consider the problems that could arise if biometric data were hacked. Unlike passports, tax file numbers and Medicare numbers, biometric data cannot be changed.

Because of the concerns I have articulated—concerns raised by the Law Council and other informed organisations during the Senate inquiry—Labor believes that this bill requires amendment. If this bill is amended in the ways Labor has proposed, Australia's collection of biometric data for the purpose of immigration and border protection will be safer and more efficient.

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (19:06): I move the second reading amendment standing in my name:

At the end of the motion, add "but further consideration of this bill be made an order of the day for the first sitting day after the Government has tabled the privacy impact assessment conducted by the Department of Immigration and Border Protection."

I rise to add a contribution by the Australian Greens tonight. We have some quite severe concerns about the Migration Amendment (Strengthening Biometrics Integrity) Bill 2015, and I want to acknowledge that some of those have already been put on the record by Senator Brown for the Labor Party, and I also want to acknowledge those committee stage amendments that have been brought forward by the opposition. I think it is unlikely that we will get to debate them tonight, but I indicate in principle support by the Australian Greens.

One of the issues that I do not think Senator Brown went into in her contribution is that a privacy impact assessment was undertaken for this bill and the government is refusing to put that into the public domain. This goes to the second reading amendment that the Greens propose and that I have moved. It was one of the key recommendations that came out of the Parliamentary Joint Committee on Intelligence and Security, which did not oppose the use of biometric data for the purposes that the immigration department intends, as I do not think the opposition opposes it. But they did throw up a red flag around the importance of conducting a privacy impact assessment. The government appeared to have accepted that recommendation, ensured that it was undertaken but is refusing to release it to the parliament.

If the parliament and the senators who are expected to debate this bill are in receipt of the information that has been collected, it would probably make the committee stage of this debate much smoother when we get back to it tomorrow. In the absence of that document, the only conclusion we can draw is that it contains information that would be concerning or alarming, and these are not trivial or hypothetical matters. The Legal and Constitutional Affairs Legislation Committee that conducted the inquiry into this bill of which my colleague, Senator Hanson-Young, was a part, called for the release of that document for full inquiry. If we take this a jump back to the last time significant expansion of powers in this regard was put through this parliament—which was the foreign fighters bill—that was the instance in which the PJCIS, which again includes a majority of coalition senators, recommended that the Privacy Commissioner conduct a privacy impact assessment prior to any further legislation in this area.

The reason why it is so important that this is done is that parliament has had regard to the privacy impacts of successive pieces of legislation passing through here. Earlier in the year, obviously, there was the mandatory data retention bill, which creates very fine-grained
information relating to the telecommunications devices that we use and carry around. This bill incorporates material that is much more intimate even than that traffic—fingerprints, retina scans and photographs that can be fed into facial recognition algorithms. Of course it is important to the immigration department and at airport checkpoints to know who is coming in and out of the country, but this is a department that has actually got something of a pretty sorry record of maintaining that material.

One of the privacy principles that was so cheerfully violated by the mandatory data retention bill was the concept embedded in one of the principles that was legislated and updated by this very government: that you should never collect more information than you need for the purpose that you are bringing to bear. It appears the way that this bill is drafted and the reason why stakeholders have raised such significant concerns is that the discretion for the kind of material that can be collected—and the manner in which it can be collected and the people from whom it can be collected—is extraordinarily broad and leaves enormous discretion in the hands of those who would be collecting the information. That is why it is so important that that privacy impact assessment be put on the table before this bill proceeds. It is effectively the impact of the Australian Greens proposed amendment.

A number of groups have raised very significant concern—Australian Lawyers for Human Rights, the Australian Privacy Foundation, the Refugee Council of Australia, the New South Wales Council for Civil Liberties and the Law Council of Australia. These are groups that have had cause to raise significant concerns around legislation brought through this parliament by this government for the last 18 months—in fact, for its entire term. It is becoming quite a familiar roll call of organisations—civil society and legal organisations across the country—who have raised extraordinary alarm at the nature, the thought processes and world view that underlie successive pieces of legislation. They are effectively grabs for power by the state over private individuals without equivalent protections being set up at the same time.

When you look at some of the statements that still exist with no sense of irony on the Liberal Party’s webpage about how your founding principles were about protecting individuals from arbitrary power of the state, the depth of the power grabs that have been occurring is remarkable. Regrettably, in the absence of that key piece of information that is being withheld from this parliament, we have to conclude that what we see here tonight is another one of those grabs for power.

The key concerns relate to the security of the data that is collected, and that goes to ensuring that it will not be hacked, leaked and distributed. Given the extraordinary intimacy of this detail that is being collected on people—not just suspects, but everybody transiting our borders—and if this material were to fall into the wrong hands, it could lead to one very obvious scenario: identity theft. If you have this information on an individual, you can assume their identity in almost trivial ways and wreck people's lives.

The Department of Immigration and Border Protection accidentally leaked the personal details of nearly 10,000 asylum seekers in Australia via its website, and that had to be exposed by a media organisation. But, rather than apologise to those people, the department and the minister, who was responsible at the time, got quite defensive about this extraordinary act that was perpetrated on asylum seekers. The risks for Australian citizens living in a fortunate place such as this go to things like identity theft and a whole range of other nasty
and adverse consequences that you could consider. But the risks for asylum seekers fleeing violent or totalitarian regimes to then find that their material has been leaked—and we know that database was accessed a number of times before that document was pulled and made no longer accessible—could be a matter of life and death. It is absolutely that serious. This is not a department that has inspired confidence in the past.

The bill appears to provide for a protracted period of retention and, if it is about identifying people who are traversing our borders, you would not expect that that was necessary. The collection of data from children and incapable persons without parents and without any kind of oversight or protection for those vulnerable individuals may run contrary to the United Nations Convention on the Rights of the Child—something that I would have thought that coalition MPs, giving them the benefit of the doubt, would care about quite a bit.

There are insufficient safeguards around the department's use of its new powers, and certainly around the ministerial discretion and the potential for scope creep to occur with respect to the data. For example, Australian law enforcement agencies around Australia are currently collaborating on facial recognition systems—and we went into this in budget estimates a couple of weeks ago—that would allow agencies to cross-match passports, driver's licences and, presumably, a dataset such as this one that is being collected at our borders, to try and identify persons of interest. Again, that is mostly for legitimate purposes. But the only things that prevent this material being used for illegitimate purposes are legal protections, safeguards, oversight and independent assessments of the impact on privacy. That is precisely what is being withheld from this parliament and that is what the Australian Greens second reading amendment goes to.

I thank the Scrutiny of Bills Committee for doing that work behind the scenes. It probably does not appear to be all that glamorous; nonetheless, it is extraordinarily important. The committee's Alert Digest No. 3 of this year states:

Of concern, from a scrutiny perspective, is the enormous breadth of this discretionary power. … it is clear by the terms of the provision that personal identifiers can be collected for any circumstance 'where a link to the purposes of the Migration Act or the Migration Regulations can be demonstrated'. … Given the voluminous content of the Migration Act and regulations, this approach (of not requiring collection to be linked to limited, specified legitimate purposes) represents a fundamental change in approach to the collection of this particularly sensitive category of personal information.

I do not know if there are any other speakers on the second reading list, but, when the minister is given the opportunity to sum up and we go into the committee stage, we will be very interested to know exactly why the powers that are being sought by the immigration department are this broad, what they are going to do to protect people's private information. I hope when we reconvene in the morning to continue debate on this bill there will be laid on the table by the responsible minister that privacy impact assessment. If I am reading the situation wrong, and others wrong, and that assessment has not been done, then there will be questions to be answered about that. But if that document exists, there is absolutely no conceivable reason why it should not be put before this chamber.

The Law Council, who we look to—and who I would have thought the government would also look to—as a moderating influence on power such as this has recommended that the bill not be passed until parliament and the Australian community have the opportunity to consider the results of a privacy impact statement on the bill conducted by the Privacy Commissioner.
We can tick that off because there is a second reading amendment on the table. They have also proposed that an independent guardian should be appointed to an unaccompanied minor if biometric information is required to be taken from the minor under the Migration Act. They propose that guidance be provided in the bill on what criteria need to be satisfied before a person is assessed as 'incapable' and that the government consult with stakeholders in the disability and trauma sector on what criteria should be used.

Before we close, I want to acknowledge that the two linked amendments that the AFP have brought forward relate effectively to mandatory data breach notification. That is something I think should be on the statute books already; it should be unnecessary for opposition senators to bring such an amendment forward, but I acknowledge that they have done so. At the moment, you would assume that if somebody is collecting sensitive personal information on you—over which you will lose all control and have no agency over what happens to it—there are three obligations. The first obligation is to collect absolutely no more information than is necessary—and the department appears to be failing that test as the bill seems to be drafted. The second obligation is to make sure that your systems are absolutely watertight and that appropriate and very high levels of protection of that private data are put in place so that the material does not walk. The department, on a couple of very high profile occasions, has failed that test as well. The third obligation should be that if you have collected more than is necessary, if your data security has failed and that material has walked and it has been accessed by third parties who have no business looking at it, then your primary obligation is to notify the people whose privacy has been breached.

The opposition amendment, which the Australian Greens will be supporting, goes to precisely that. That is an obligation the department should owe to people. It is an obligation they owe to those asylum seekers. It is an obligation, ironically, that they owe to President Obama and those others whose material was compromised by I think quite a trivial misreading of an Excel spreadsheet or some other event not that long ago. But particularly where people's private information is at stake, if the department loses control of it their obligation should absolutely be to notify those people. Mandatory data breach notification should be on the statute books in this country not just for this narrow case but much more broadly. It was a commitment the government undertook when they passed mandatory retention a short time ago. They said they would get around to it by the end of the year. That is a measure that should pass this parliament by the end of the week. There is no excuse for delay. I look forward to putting some of these questions to the minister directly when we get to the committee stage.

Debate interrupted.

ADJOURNMENT

The DEPUTY PRESIDENT (19:20): Order! I propose the question:

That the Senate do now adjourn.

IOOF

Senator WILLIAMS (New South Wales) (19:20): In the last week, Australians may have read about the goings on at a company called IOOF. This is a company that has $150 billion worth of funds under management and some 650,000 clients. It is the sixth biggest financial planning company in this country. But today there is a stain on IOOF. As if Australians have
not been sicken enough by the dodgy financial practices of some at the CBA, Macquarie Private Wealth and the NAB, we now have very concerning allegations of insider trading, front running and even cheating on exams—and instead of reporting these instances to the corporate regulator, ASIC, it was suggested that a donation be made to a charity. IOOF's Research Division provides independent research for the groups 1,120 member-strong financial planning network on many listed stocks and research reports on thousands of managed funds. The planners read these reports and go out to advise their clients.

With any organisation, and particularly one as large as IOOF, one would expect the highest standards, the highest ethics and a reputation beyond reproach. Tonight I will provide evidence that at IOOF there was no internal control policy for the production, editing and dissemination of research reports; no conflict-of-interest policy relating to such reports; and no share trading policy. What is meant by 'front running'? It is described as 'a practice by market makers of dealing on advance information provided by their brokers and investment analysts before their clients have been given the information'.

Tonight I name the head of research at Bridges, Peter Hilton, as a person who allegedly engaged in front running when he conducted trades on at least 53 occasions over some 20 years. A major part of his role is the dissemination of research to the Bridges network, including recommendations to buy, sell or hold securities. I will give some examples. In 2009 there was a potential breach assessment report in the research unit. It was investigated by Rob Urwin, head of investigations. Mr Hilton was questioned on his trading activities, including management of some Questor funds. Questor is a subsidiary of IOOF. I quote from notes taken at a meeting between Rob Urwin, head of investigations, and Gary Riordan, group general counsel, with Peter Hilton. Mr Urwin said:

With regards to the toll trade, I explained that an update Research was sent to the network on 27 August 2009—Maintain Buy. Peter explained that the stock was already a BUY, so an unchanged recommendation ought not trigger the Front Running issue. I explained to Peter that a Research report was given to the network and it was based on update information. Peter was the author of the report. Shirlene placed an order to BUY Toll on the 26 August 2008. Peter advised that he assumed that the order would not be executed until after the embargo period had expired. I explained to Peter the process undertaken by the Responsible Executive of his or her delegate to review staff orders against the embargo list. I advised that it was impossible to put a hold on the order as the Research report has not been disseminated to the network.

As a result of that investigation and the questioning of Peter Hilton he was issued with a warning letter dated 19 May 2009. It was headed, 'First and final warning'. That letter, signed by Michael Carter, who is head of wealth management, said in part:

I have considered your response and it is deemed that your behaviour and actions warrant formal warning. In general if you are to continue in this role, your performance/behaviour needs to improve along with your ability to achieve set goals and demonstrate leadership qualities.

It then listed three expectations. Following that, this line was included:

Please be aware that failure to improve and maintain adequate improvement in the above areas may result in immediate termination of employment.

So this was considered a serious enough breach to warrant threatened dismissal by IOOF, but they did not report this to ASIC. Unbelievably, Peter Hilton was later promoted within the company.
I also have in my possession documents which are compliance breaches by him, where it is alleged he had junior staff cheat on training and compliance exams on his behalf. This results in a final warning, issued on 1 May 2014, where he is told that another breach would result in his dismissal. So that is two warnings to Mr Peter Hilton.

There also allegations of insider trading. I refer to an email from Andrew Boyd, human resources manager, to Danielle Corcoran and Rob Urwin on 22 May, 2009 titled 'Edward Youds—trading ETC'. ETC is the name of the company. I quote:

Darren Sheen and myself have just met with Edward and delivered his first and final warning related to the inappropriate share trading matter. Edward has reviewed and signed the warning and I have placed the document on his personal file. Rob Urwin will facilitate Edward's retraining of the various codes and policies and Edward will ultimately donate the proceeds of profit from the sale of the ETC shares to a charity.

A year later Youds left IOOF. Three minutes later, in another email that Rob Urwin sent to Gary Riordan, he said that he had organised a meeting with Michael Carter to discuss Peter Hilton, and 'ideally I want to go the same way as this example', which I and most people would take to mean a donation to charity or a final warning.

IOOF said on 22 June that it stood by its compliance record. Today it has backtracked and has engaged PwC to commence an independent review of the IOOF group regulatory breach, reporting policy and procedures, and it will inform APRA and ASIC of the outcome. Talk about closing the gate after the horse has bolted! ASIC is now investigating whether there are breaches.

I can show you a document where the chairman, Roger Sexton, and two directors of IOOF were alerted in early February this year that there were breaches of common law, insider trading, front running, false representation of model performance figures, research processes which are not ASIC compliant and breaches of ASIC regulatory guidelines and legislation. There is a black cloud hanging over IOOF.

Here are my questions to those in control of IOOF. To the chairman and directors: why did you not act when you were written to by the whistleblower and provided with the evidence of the breaches? You have been aware of some of them. To CEO Chris Kelaher: you were also given evidence about cheating and faulty research reports, but you allowed Peter Hilton to remain in his position until the media started asking questions. Peter Hilton was allegedly involved in illegal activity dating back to 1995. Why was he allowed to remain in his position and not be reported to ASIC? To Rob Urwin, head of investigations: you allowed this to stay internal. Is there anything else you want to tell us? I would like more details on the investigation you were talking about, which is board related, when you met with the whistleblower over a beer on 12 December. You said the following:

When you talk to someone in the research team, you're a close tight team. You don't just talk to the person that you want to talk to, you talk to everyone else as well. And you try and get inconsistencies in their stories. By the time you get to who you really want to talk to you've got a lot of mud going like that. And that's what I'm doing with this other one, and believe me, it's big. If you're still around mate when this one comes out.

The whistleblower said, 'Okay, but this investigation isn't research related.' Rob Urwin then said, 'It's board related. Sorry, mate.'
Danielle Corcoran, company secretary and head of human resources, has treated the whistleblower badly. She gave Peter Hilton a first and final warning, yet sacked the whistleblower.

To Tim Gunning: you now run Ord Minnett, which is controlled by IOOF. You went there after running Commonwealth Financial Planning during the scandal. I want to talk to you about media reports last year that you used a loophole to reap fees that would otherwise have been against the law under FoFA rules banning conflicted remuneration.

Earlier today in this place a motion calling on the federal government to establish a royal commission into the financial planning industry was defeated. I understand the reasons why the government did not support the motion, but I did support it because I have been advocating for it for five years or more. What I have detailed tonight and what has been detailed in Fairfax media articles in recent days reinforces the fact that the financial advice industry has not learnt its lesson. While these firms continue to flout the law, I will stand up in this place and highlight their wrongdoings.

A warning to these companies: do not do the wrong thing, because you have good, decent people working for you, who will no doubt tip off the media or send documents to my office like the documents which I have received this week. People work hard to save their money. They rely on good financial advice to invest their money safely, not for it to be gambled with. I find it amazing that, when someone is carrying out insider trading and makes a profit, it is not reported to ASIC—let's donate it to a charity and then suggest the next person does the same. This is wrong and these people need to lift their game. No doubt in the near future the Economics References Committee, chaired by Senator Dastyari, will be talking to these people and we can get some questions answered.

Senator Jacinta Collins: And a fine job he does.

Senator WILLIAMS: Thank you, Senator Collins. There are a lot more questions. There are always two sides to a story and I will be very keen to hear the story from IOOF and others I have mentioned tonight. Every issue I have raised tonight is backed up by a document or clear evidence in writing—and I make no apology for doing such.

International Development Assistance

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (19:30): I rise today to highlight one of the cruel cuts being delivered by the Abbott government, and that is the savage cut to Australia's foreign aid. So far, the government has cut Australia's aid program in the 2013 midyear update, in the 2014 budget and again in the 2014 midyear update. The latest cut, of $3.7 billion, announced in the 2014 midyear update and confirmed in the 2015 budget, represents one-fifth of the overall cuts in this year's budget. This brings the total cuts to foreign aid to $11.3 billion. It is as if this government is using the aid budget as its own personal ATM, withdrawing money at the expense of the world's poorest people. Australia's Minister for Foreign Affairs, Ms Bishop, now presides over the weakest aid program in Australia's history. It is a great shame that the government would cut from an aid program that has been so successful. Last year alone, Australian aid helped provide access to safe drinking water for 2.9 million more people, enabled 1.4 million more children to enrol in school and enabled the presence of a skilled birth attendant at nearly 900,000 additional births.
There are two very good reasons why Australia should have a strong foreign aid program. The first reason is that it is in Australia's national interest. Aid funding underpins Australia's national security by providing stability in our region. Poverty displaces people from their homes, leading them to seek refuge in other countries, it facilitates the spread of deadly diseases and sometimes it causes armed conflict and terrorism. All of these problems, while not originating in Australia, may present security threats, or at least significant policy challenges, to us all. The second reason for providing foreign aid is that it is the right thing to do. Just as you would help out a friend or a neighbour, not for any personal gain but out of the goodness of your heart, the same principle applies to other countries. It is a tenet of fundamental human decency that we help out others in need, people who are suffering and doing it tough. That is why Australians dig deep every time there is a natural disaster like a typhoon in the Philippines or an earthquake in Nepal.

It is easy to get overwhelmed by the scale of global extreme poverty and think that the problem is too big to tackle, but this is not true, and to know it is not true we need only look at the progress that is already being made towards solving the problem. Thanks to global efforts to eradicate poverty, the number of people in the world living in extreme poverty has literally halved since 1990. The result of this is that, each and every day, 18,000 fewer children under the age of five are dying than in 1990. That is the equivalent of 34 Boeing 747s full of infant children every day, or the entire population of Sydney over the course of a year, being saved because of the global effort to combat extreme poverty. That fact alone easily shows that the relatively small contribution we make is worth it. But we know that more needs to be done, and Australia should be strengthening its aid program, not taking a backward step. One in eight of the world's people suffers from under-nutrition; 2.5 billion people lack access to safe sanitation; in spite of an increase in school enrolments, 57 million primary school aged children are still not in school; and, each year, 6.3 million children die before the age of five. Across our own region, the Asia-Pacific, 740 million people live in extreme poverty. This represents 60 per cent of the world's hungry and undernourished people.

Labor in government committed to a target of reaching 0.5 per cent of our gross national income dedicated to our aid program. That is 50c in every $100, and we would have reached this target in 2017-18—and it was a bipartisan target, but under this government that bipartisan approach has been abandoned. This cut will bring our aid funding to just 22c in every $100 by as early as next year, the lowest level in the history of Australia's foreign aid program. As if that is not bad enough, aid funding will fall to 17c in every $100 within the next decade.

By contrast, the UN Millennium Project estimated that 70c in every $100 needs to be committed to start on a pathway to achieving the Millennium Development Goals and end extreme poverty. Australia is not even a third of the way towards this target and it is cutting, rather than increasing, its commitment. As a result of this government's cruel cuts, aid agencies have already been forced to cut the following programs: child protection projects in India and Senegal; gender based violence, clean water, health and education programs in Timor-Leste; an HIV project in India; a vocational education project in Cambodia; a community resilience project in North Gaza; an education project in South Sudan; and a youth project in Uganda. World Vision estimates that, because of the Abbott government's cuts, 1.3 million people will miss out on essential services. The latest cut reduces Australia's aid
contribution to Africa by a whopping 70 per cent, including a $93 million cut to programs in sub-Saharan Africa. One of the programs that is ending because of this cut would have delivered water, sanitation and vaccines to 750,000 people. Three quarters of a million people will not receive clean water, basic sanitation and vaccines because of just one of the projects this government has cut.

In a desperate attempt to cover up the government's cuts, the Minister for Foreign Affairs is trying to pad out the budget. Ms Bishop is the first foreign minister in more than 20 years who has refused to release a foreign aid blue book as part of the budget. The blue book is a ministerial statement that sets out comprehensive financial information about the foreign aid budget, including country and regional allocations, information about priorities and reports on progress and results.

Instead of the blue book Ms Bishop has modelled her ministerial statement on the United States’ 'green book'. The green book broadens the forms of assistance given to other countries by including military and police deployments to humanitarian disasters and UN peacekeeping operations. This is the first time Australia has included these sorts of costs in its foreign aid budget. That is because their inclusion does not meet the OECD's standards for reporting on foreign-aid expenditure.

Instead of being up-front with Australians about aid spending, Ms Bishop has given them a catalogue of spin. Ms Bishop's spin—and her eye rolling in the parliament—demonstrates she is clearly embarrassed about her government's record on foreign aid, and well she should be. No amount of spin will hide the fact that the Abbott government has delivered the most savage cuts in history to Australia's aid program.

The government has claimed that Australia's foreign-aid spending is unsustainable. I remind those opposite that Australia came through the global financial crisis much better off than most developed countries. There are donor countries with much worse budget deficits than Australia that are still on track to meet the UN Millennium Project's target of 0.7 per cent of gross national income in foreign aid.

If the United Kingdom with its government net debt of 80 per cent of GDP is able to meet the target, now, then what excuse does Australia have—with net debt at around 15 per cent of GDP—for falling so far short? Surely, as one of the world's wealthiest and most prosperous countries, Australia has the means to pay its fair share of foreign aid. In responding to the suggestion that the UK should be looking to its own economic problems before the rest of the world's, Prime Minister David Cameron responded:

We accept the moral case for keeping our promises to the world's poorest—even when we face challenges at home. When people are dying, we don't believe in finding excuses. We believe in trying to do something about it.

In my contributions to this place since the election of the Abbott government, I have pointed out time and again that they continually target the most vulnerable and disadvantaged people in the community. The cuts to foreign aid are no exception. They are cruel and unnecessary and will impact on some of the world's poorest people. They impact on literally millions of people who lack access to nutrition, vaccination, schooling, sanitation and clean drinking water. I am not exaggerating when I point out that people will die as a result of these cuts.
When Labor was in government it committed to a strong target for foreign-aid spending, a target that was once bipartisan. For the sake of humanity, decency and compassion I urge the government to start increasing—not cutting—foreign aid.

Climate Change

Senator MILNE (Tasmania) (19:40): On this day of national shame—and that is the only way you can describe it when the government and the Labor Party have completely lost their moral compass—to retrospectively legalise the illegal, under the law as it stands, to send babies into offshore detention indefinitely, I rise here to say how proud I am that the Greens are a strong and rising political force here and around the world, a force for hope, resilience and change in an otherwise bleak political environment. That force for hope, resilience and change was on show here last night as well, as we stood up for addressing global warming, for renewable energy, for the conversion to the low-carbon economy and, instead, watched what I can only describe as the 'hollow men'. I will come back to that a bit later.

The Greens are a force for standing up to the only two things that are really in the world: people and nature. We know that economics is simply a tool that governs that relationship. The problem we have at the moment is that we have to change the economic and political philosophical view that is in place. We have to change that as a radical rethink, and we do not have any time. We need a reconnection with people. We need a reconnection with country. There is no time: 'If not now, when? If not us, who? It is a famous quote. Senate President Kennedy said it. People said it before him. It is true. Political expediency is stopping us getting the change we need in the time frame we need it in.

So it is that I celebrate the fact that on a cold winter's day less than two weeks ago I was in New Zealand for the ratification of the Asia-Pacific Greens Federation conference and its charter. It was fantastic to be there to see all of the representatives from around the region. We had people there from South Korea, Japan, Taiwan, India, Nepal, Pakistan, Mongolia, Iraq, the Philippines, the Solomons, PNG, Indonesia, Australia and New Zealand. They were all making another milestone in green politics for the region and for the world.

That means that the Asia-Pacific Greens Federation joins the federation from Africa, and the federation of the Americas and the European Union, strengthening the global Greens network. We are the only political party in the 21st century that is global in its view, global in its reach and consistent in that philosophical view with a ratified charter, which was ratified here in Canberra in 2001. It is no mean feat when you think about the cultural and language difference around the world that we have managed to come together with an agreed philosophical view that we are representing in parliaments from one end of the planet to the other.

That is really important, because the overwhelming issues of our time are global and that is why it is important that as a political party we are global. Those issues start with things like the very basics. We live on a finite planet. We live on a planet going to nine billion people by 2050 and it is because of the pressures of that economic system that I talked about, the pressures of multinational corporations, in particular, that we are now seeing accelerated global warming, the scramble for what is left of the earth's resource. We are seeing increasing conflict and displacement of people.
That came up in every session of the Asia-Pacific Greens conference because the same problems exist there—that is, it is Australian mining companies in Mongolia displacing people, destroying people's quality of life. It is logging companies in Indonesia. There is bribery and corruption throughout all of those countries in the region. Once, we would have said that that would not be the case in Australia, but we heard only two weeks ago that here we have an Australian government prepared to bribe people smugglers—pay cash to people smugglers—contrary to international law and contrary to the OECD Convention Against Corruption. It is everywhere. We need to fight corruption everywhere we find it.

It is great to hear that, when we get to those meetings, we have the Australian Greens being able to stand up and say to the Taiwanese, to the South Koreans and to the Japanese, 'Yes, we oppose uranium mining in Australia because we recognise it is the wrong way to go,' and they get hope from the fact that they are campaigning against the rollout of nuclear in response to global warming. They want renewable energy; they do not want Australian uranium. It is fantastic to be able to work with them in that capacity. We also work with the Global Greens in the Framework Convention on Climate Change. At those global meetings you have Green MPs from all over the world in various government delegations working together to try to secure a better outcome. It was a moment of great pride to me that the European Greens took on the case of Peter Greste when he was in jail in Egypt and they moved a comprehensive motion and got it through the European Parliament to great effect. That is the kind of thing we can do together. It was wonderful to see the Young Greens supporting the British Greens in the recent election and particularly campaigning for Caroline Lucas in Brighton. Who would have thought that you could have had a global movement working together and sharing and identifying with those outcomes even a few years ago?

We might be a fledgling political organisation in terms of the level of development in various countries and the level of connection, but we are there as a philosophical view, we are there responding to the greatest challenges of this century and we are doing it in a consistent and collaborative way, and that makes it a really exciting place to be. The campaigns we are running for democracy are really important in that context. We have to fight for one vote, one value; free and fair elections; and proportional representation. We need to take on bribery and get rid of the influence of political donations. We have to respond to the need for freedom of speech and gender equality, and end discrimination on the basis of anything, whether it is race, religion or sexuality, and we have to respond to the rule of law. We have to reinforce the rule of law. That is slipping in this country. I did not think we would get to a point in Australia where we would see the rule of law disappearing in the way that we have. We need to stand up for those things.

People have said to me, 'You've been around politics for a long time;' and I have, but I want to say how proud I am about that, because I was there through the formation of the world's first Green party out of Tasmania. How proud am I of that! I would hope that, Mr President, as a Tasmanian, you would recognise that this is globally significant: the United Tasmania Group. Then there was the formation of the Tasmanian Greens, the Australian Greens and the Global Greens, and now there is the ratification of the Asia-Pacific Greens. Marg Blakers is in the gallery. I want to acknowledge the work that she has done over the years to get us to the point of being a global organisation. Looking back, people have said, 'How have you stood some of it? How have you stood the sexism and how have you stood the ignorance that you
'What's going to guide you from here?' Tennyson's *Ulysses* has been a poem that has guided me for a good deal of my life and it does now.

Essentially, to Richard and this wonderful team that I am leaving behind in the Greens, let me say that I am leaving you the sceptre and the isle and I have every confidence that they are in good hands. Like *Ulysses* and the elders of the party that have gone before me: 'There lies the port; the vessel puffs her sail.' It is a case of striving to seek to find and not to yield, or, as Peter Cundall in Tasmania would say, 'We will never, ever give up,' and that is essentially where the Greens come from and it is where I come from. I am an activist. I am not leaving politics. I am not leaving the Greens. I am leaving political representation. But for the Greens activism is everything in and out of the parliament, and I will be there as an activist, with purple stockings, and more dangerous than ever.

Valedictory: Senator Christine Milne

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (19:50): I know that Senator Milne's speech was not officially a valedictory, but it was a farewell speech. I might make a few remarks on behalf of the government. Senator Milne is a colleague with whom I disagreed on almost every issue that I can immediately think of. There would be a few on which we have agreed, but there are not many. Of course, that is the beauty of this place: people come from all parts of our country and from all variety of points of view. Through the process of this place, usually not a chamber which the government controls, we produce an outcome which is tested on the anvil of democracy—indeed, this chamber is the anvil of Australian democracy. I have always found it possible to respect people whose points of view I profoundly disagree with, and I would put you in that category. What I respect is the fact that you have brought a passion and a commitment to the prosecution of your beliefs and you have been very successful, if I may say so. You became a senator shortly after I did. When I first came into this place, there was one Greens senator, former senator, Bob Brown. There are now 10. For a substantial period of time you led the Greens. I think, on the occasion of someone's farewell, it is appropriate to put to one side differences of political opinion—perhaps even bitter differences of political opinion—and to acknowledge their service.

You are one of the relatively few Australians who decided to give your life to public affairs and into the causes about which you felt passionate. For that you should be respected, thanked and admired. You spent more than a decade, as I understand, in the Tasmanian parliament and well over a decade in the Senate. So it has been a long and conspicuous period of public service. You have been an idealist; you have been an effective spokesman for your beliefs. On
this occasion of your farewell, I am sure I speak on behalf of all government senators in thanking you for that service and wishing you well.

Valedictory: Senator Christine Milne

Senator WONG (South Australia—Leader of the Opposition in the Senate) (19:53): I suspect Senator Milne probably wanted to give a farewell speech and then leave and go and have some time with friends. But this is an institution which enjoys its courtesies, notwithstanding your desire for a less formal farewell. I just want to make a few remarks. Obviously—particularly when I was climate change minister—Senator Milne and I have had our differences, but I have never doubted the sincerity of her beliefs. Senator Milne, I never doubted the sincerity of your beliefs nor the passion with which you felt them, and I respect that.

At times we have been combatants. I hope in more recent times, particularly leader to leader, that we did come to a place where we could speak to each other openly. I certainly trusted you to be open with you. That, in this place, is also something that needs to be respected. You have been a fighter for your causes. I know, knowing you, that that was reflected again in your contribution tonight. Your activism and your struggle for the causes in which you believe will certainly not diminish with your departure from this place.

I also note there are not many women who get the opportunity to lead a political party. I salute you for being a woman who has led your party in this place. In that respect, women everywhere, I think, should look to women such as yourself, or any woman who holds high political office regardless of their political party, as a role model and a trailblazer. I know that, because you have spoken about it publicly, you have a desire for perhaps a sweeter time with family. On behalf of opposition senators, we acknowledge your service. We thank you for your contribution to public life, even if we have disagreed at times. We wish you very well in this next phase of your life.

Valedictory: Senator Christine Milne

Senator CANAVAN (Queensland) (19:56): I too want to associate myself with remarks of the Deputy Leader of Government in the Senate and the Leader of the Opposition in the Senate. I have just come from a function tonight launching a book about the 'Joh for PM' saga. Ian Sinclair was there to talk about the book. Ian regaled the story about how, when he was first made a minister, Robert Menzies said to him, 'I've only got one piece of advice for you: I might disagree with me, you might disagree with me, but your job is to always tell me what your views are. Be up-front with those views.' We should never be afraid of debate and of different views in this place.

I, too, want to say to Senator Milne that she has put her positions to this chamber in a passionate and forceful way over a long period. What would this place be without people like Senator Milne to have that debate and that contest of ideas, which is what Australian politics should be about? As a relatively new senator of nearly one year, I pay tribute. To think that Senator Milne has had 10 years in this place, almost to the day, and before that about 15-odd years in the state parliament in Tasmania, so a sum total of about a quarter of the century serving public life. I can only take my hat off to you, Senator Milne. I fear for my own sanity and youthfulness about facing the prospect of another 24 years in public life. I am sure my wife hopes that is not the case.
I, too, would like to wish you all the best for your future. I know that you will have more time to spend in your much beloved Tasmania among nature and with your family as well. I was particularly drawn to your quoting from Tennyson. There is a long poem that Tennyson wrote—*In Memoriam*. I am not going to read all of it, but there is a nice little verse that says:

But they must go, the time draws on,
And those white-favour'd horses wait;
They rise, but linger; it is late;
Farewell, we kiss, and they are gone.

It is a beautiful poem. I hope that you can read much more poetry in your retirement. I certainly do not get an opportunity to do that in this job.

Tonight, I was going to speak about the very important issue of single-income families. I was sitting here thinking that the Leader of the Opposition in the Senate has turned up to hear my speech, the Deputy Leader of the Government in the Senate has turned up to hear my speech; I must be saying something very important. And then it dawned on me that they were not here for me. But perhaps I will have to hold over my remarks to another night, except to say in the minute remaining tonight that I think this a very important issue. The tax treatment of single-income families in Australia is becoming an increasingly important issue. We have always had a system which is relatively discriminatory against single-income families. It is relatively discriminatory in comparison with other countries in the world. Even when you compare it here in this country it is a difficult situation for those families that rely on one income. It has gotten worse in the last few years with an increase in the tax-free threshold and also the means testing of Family Tax Benefit Part B. I think it is time that, at some point, we look to tackle that anomaly. I made a submission to the tax white paper with some practical suggestions to do that—some affordable ones, I think. Perhaps in another adjournment speech night, I will expand further on those.

**The PRESIDENT:** Thank you, Senator Canavan. You have been caught up in an occasion. We thank you for your understanding.

Senate adjourned at 20:00

**DOCUMENTS**

**Tabling**

The following documents were tabled by the Clerk pursuant to statute:

[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.]

- *Air Services Act 1995*—Statement of Expectations for the Board of Airservices Australia for the Period 1 July 2015 to 30 June 2017 [F2015L00861].

Defence Act 1903—Section 58H—


Salaries—Officers—Amendment—Defence Force Remuneration Tribunal Determination No. 4 of 2015.


Health Insurance Act 1973—

Health Insurance (Accredited Pathology Laboratories—Approval) Amendment Principles 2015 (No. 1) [F2015L00857].

Health Insurance (Diagnostic Imaging Services Table) Regulation 2015—Select Legislative Instrument 2015 No. 83 [F2015L00850].

Health Insurance (General Medical Services Table) Regulation 2015—Select Legislative Instrument 2015 No. 84 [F2015L00853].

Health Insurance (Pathology Services Table) Regulation 2015—Select Legislative Instrument 2015 No. 85 [F2015L00851].


Lands Acquisition Act 1989—Statement describing property acquired by agreement for specified purposes.


Tabling

The following documents were tabled pursuant to standing order 61(1) (b):

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 January to 31 March 2015.
Education—Resourcing for disability education—Letter to the President of the Senate from the Minister for Education and Training (Mr Pyne), dated 22 June 2015, responding to the resolution of the Senate of 24 March 2015.

Government response to the schedule of government responses outstanding to parliamentary committee reports tabled by the President of the Senate on 4 December 2014, dated 24 June 2015.

The document read as follows—

GOVERNMENT RESPONSE TO PARLIAMENTARY COMMITTEE REPORTS
RESPONSE TO THE SCHEDULE TABLED BY THE PRESIDENT OF THE SENATE
ON 4 DECEMBER 2014

Circulated by the Acting Leader of the Government in the Senate
Senator the Hon George Brandis QC
24 June 2015

A Certain Maritime Incident (Senate Select)

Report on a Certain Maritime Incident
The Government response is being considered.

Abbott Government's Commission of Audit (Senate Select)

Interim report
The Government response is being considered and will be tabled in due course.

Second interim report
The Government response is being considered and will be tabled in due course.

Final report
The Government response is being considered and will be tabled in due course.

Australian Commission for Law Enforcement Integrity (Joint Statutory)

Integrity of overseas Commonwealth law enforcement operations
The Government response is being considered.

BROADCASTING LEGISLATION (Joint Select)

Three broadcasting reform proposals
The Government response is being considered and will be tabled in due course.

Community Affairs Legislation

Health Insurance Amendment (Extended Medicare Safety Net) Bill 2014 [Provisions]
The Government response is being considered.

Community Affairs References

The effectiveness of special arrangements for the supply of Pharmaceutical Benefits Scheme (PBS) medicines to remote area Aboriginal Health Services
The Government response is being considered.

The factors affecting the supply of health services and medical professionals in rural areas
The Government response is being considered.

Palliative care in Australia
The Government response is being considered.
Australia's domestic response to the World Health Organization's (WHO) Commission on Social Determinants of Health report "Closing the gap within a generation"
The Government response is being considered.

**Involuntary or coerced sterilisation of people with disabilities in Australia**
The Government response was tabled on 17 June 2015.

**Impacts on health of air quality in Australia**
The Government response was presented out of sitting on 21 May 2015 and tabled on 15 June 2015.

**Involuntary or coerced sterilisation of intersex people in Australia**
The Government response was tabled on 17 June 2015.

**Care and management of younger and older Australians living with dementia and behavioural and psychiatric symptoms of dementia (BPSD)**
The Government response is being considered and will be tabled in due course.

**Out-of-pocket costs in Australian healthcare**
The Government response is being considered.

**Prevalence of different types of speech, language and communication disorders and speech pathology services in Australia**
The Government response is being considered.

**Grandparents who take primary responsibility for raising their grandchildren**
The Government response is being considered.

**Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples (Joint Select) Progress report**
The Government response is being considered.

**Corporations and Financial Services (Joint Statutory) Inquiry into the Personal Liability for Corporate Fault Reform Bill 2012**
The Government response is being considered.

**Report on the 2012-13 Annual Reports of bodies established under the ASIC Act**
The Government response is being considered.

**Statutory oversight of the Australian Securities and Investments Commission, the Takeovers Panel and the corporations legislation—Report no. 1 of the 44th Parliament**
The Government response is being considered and will be tabled in due course.

**Economics Legislation**

*Food Standards Amendment (Truth in Labelling Laws) Bill 2009*
The Government response is being considered.

*Annual reports (No. 2 of 2010)*
The Government response is being considered.

*Tax Laws Amendment (Research and Development) Bill 2013 [Provisions]*
The Government response was given during the debate on the bill.

*Automotive Transformation Scheme Amendment Bill 2014 [Provisions]*
The bill is no longer before the Parliament.

**Economics References**
Future of Australia's naval shipbuilding industry: Tender process for the navy's new supply ships (Part 1)
The Government response was presented out of sitting on 7 May 2015 and tabled on 11 May 2015.

Future of Australia's naval shipbuilding industry: Future submarines (Part 2)
The Government response is being considered and will be tabled in due course.

Education and Employment Legislation

Social Security Legislation Amendment (Green Army Programme) Bill 2014 [Provisions]
The Government's response was given during the debate on the bill.

Higher Education and Research Reform Amendment Bill 2014 [Provisions]
The Government's response was given during the debate on the bill.

Education and Employment REFERENCES

Technical and further education in Australia
The Government response is being considered and will be tabled in due course.

Education, Employment and Workplace Relations Legislation

Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012 [Provisions]
The Government response is being considered and will be tabled in due course.

Education, Employment and Workplace Relations References

The shortage of engineering and related employment skills
The Government response is being considered and will be tabled in due course.

Electoral Matters (Joint Standing)

Interim report on the inquiry into the conduct of the 2013 Federal Election: Senate voting practices
The Government response is being considered and will be tabled in due course.

Second interim report on the inquiry into the conduct of the 2013 federal election: An assessment of electronic voting options
The Government response is being considered and will be tabled in due course.

ENVIRONMENT AND COMMUNICATIONS Legislation

Performance, importance and role of Australia Post in Australian communities and its operations in relation to licensed post offices
The Government response is being considered.

ENVIRONMENT AND COMMUNICATIONS REFERENCES

The koala—saving our national icon
The Government response was presented out of sitting on 17 December 2014 and tabled on 9 February 2015.

The Australian Broadcasting Corporation's commitment to reflecting and representing regional diversity
The Government response is being considered and will be tabled in due course.

Effectiveness of current regulatory arrangements in dealing with radio simulcasts
The Government response is being considered and will be tabled in due course.

Recent trends in and preparedness for extreme weather events
The Government response is being considered and will be tabled in due course.
Direct Action: Paying polluters to halt global warming?
The Government response is being considered and will be tabled in due course.

Environmental offsets
The Government response was tabled on 10 February 2015.

Management of the Great Barrier Reef
The Government response is being considered and will be tabled in due course.

ENVIRONMENT, COMMUNICATIONS AND THE ARTS REFERENCES

The impacts of mining in the Murray-Darling Basin
The Government response is being considered and will be tabled in due course.

Finance and Public Administration Legislation

Plebiscite for an Australian Republic Bill 2008
The Government response is being considered.

The Government's response was given during the debate on the bill.

Finance and Public Administration References

Staff employed under Members of Parliament (Staff) Act 1984
The Government response is being considered.

Implementation of the National Health Reform Agreement
The Government response is being considered.

Progress in the implementation of the recommendations of the 1999 Joint Expert Technical
Advisory Committee on Antibiotic Resistance
The Government response is being considered.

Commonwealth procurement procedures
The Government response was presented out of sitting on 30 April 2015 and tabled on 11 May 2015.

FOREIGN AFFAIRS, DEFENCE AND TRADE (Joint Standing)

Australia's trade and investment relationship with Japan and the Republic of Korea
The Government response was tabled in the House of Representatives and in the Senate on 17 March 2015.

Review of the Defence annual report 2012-13
The Government response was tabled in the House of Representatives and in the Senate on 16 June 2015.

FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION

Implementation of the Defence Trade Controls Act 2012—Progress report no. 2
The Government response is being considered and will be tabled in due course.

FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES

Korea-Australia Free Trade Agreement
The Government response was presented out of sitting on 23 February 2015 and tabled on 2 March 2015.

Australia's future activities and responsibilities in the Southern Ocean and Antarctic waters
The Government response is being considered and will be tabled in due course.
Processes to support victims of abuse in Defence
The Government response was tabled on 16 June 2015.

HEALTH (Senate Select)
First interim report
The Government response is being considered.

Intelligence and Security (Joint Statutory)
Report of the inquiry into potential reforms of Australia’s national security legislation
The Government response is being considered.

Review of administration and expenditure no. 11 and no. 12—Australian intelligence agencies
The Government response is being considered.

Review of the listing of Boko Haram; review of the re-listing of the Islamic State
The Government response was tabled in the House of Representatives and in the Senate on 12 May 2015.

National Security Legislation Amendment Bill (No. 1) 2014—Advisory report
Government Response issued on 19 September 2014.

Advisory report on the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014
Government Response issued on 22 October 2014.

Advisory report on the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014

Legal and Constitutional Affairs Legislation

Migration Amendment (Health Care for Asylum Seekers) Bill 2012
The Government response is being considered and will be tabled in due course.

Public Interest Disclosure Bill 2013 [Provisions]
The Government response is being considered.

Migration Amendment (Regaining Control Over Australia’s Protection Obligations) Bill 2013 [Provisions]
The Government response is being considered and will be tabled in due course.

Migration Legislation Amendment Bill (No. 1) 2014
The Government response is being considered and will be tabled in due course.

Australian Citizenship Amendment (Intercountry Adoption) Bill 2014 [Provisions]
The Government response is being considered and will be tabled in due course.

Classification (Publications, Films and Computer Games) Amendment (Classification Tools and Other Measures) Bill 2014
The Government response is being considered.

Migration Amendment (Protection and Other Measures) Bill 2014 [Provisions]
The Government response is being considered and will be tabled in due course.

Customs Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014 [Provisions] and a related bill
The Government response is being considered and will be tabled in due course.

Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014
The Committee did not report on the Bill.

**Medical Services (Dying with Dignity) Exposure Draft Bill 2014**
The Government response is being considered.

**Migration Amendment (Character and General Visa Cancellation) Bill 2014 [Provisions]**
The Government response is being considered and will be tabled in due course.

**Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014 [Provisions]**
The Government response is being considered and will be tabled in due course.

**Freedom of Information Amendment (New Arrangements) Bill 2014 [Provisions]**
The Government response is being considered.

**Australian Citizenship and Other Legislation Amendment Bill 2014 [Provisions]**
The Government response is being considered and will be tabled in due course.

**Legal and Constitutional Affairs References**

**The road to a republic**
The Government response is being considered.

**Impact of federal court fee increases since 2010 on access to justice in Australia**
The Government response is being considered.

**Value of a justice reinvestment approach to criminal justice in Australia**
The Government response is being considered.

**A claim of public interest immunity raised over documents**
The Government response is being considered.

**Current investigative processes and powers of the Australian Federal Police in relation to non-criminal matters**
The Government response was tabled on 10 February 2015.

**Migration (Joint Standing)**

**Immigration detention in Australia—A new beginning—Criteria for release from detention—First report of the inquiry into immigration detention**
The Government response is being considered and will be tabled in due course.

**Immigration detention in Australia—Community-based alternatives to detention—Second report of the inquiry into immigration detention**
The Government response is being considered and will be tabled in due course.

**Immigration detention in Australia—Facilities, services and transparency—Third report of the inquiry into immigration detention**
The Government response is being considered and will be tabled in due course.

**Inquiry into migration and multiculturalism in Australia**
The Government response is being considered and will be tabled in due course.

**National Capital and External Territories (Joint Standing)**

**Etched in stone? Inquiry into the administration of the National Memorials Ordinance 1928**
The Government response is being considered and will be tabled in due course.

**Report on the visit to Norfolk Island—29-30 April 2013**
The Government response is being considered and will be tabled in due course.

**Visit to the Indian Ocean Territories 21 to 25 October 2012**
The Government response was tabled in the House of Representatives and in the Senate on 10 February 2015.

**Same country: different world—The future of Norfolk Island**
The Government response was tabled in the House of Representatives and in the Senate on 19 March 2015.

**National Disability Insurance Scheme (Joint Standing)**

**Progress report on the implementation and administration of the National Disability Insurance Scheme**
The Government response was tabled in the House of Representatives and in the Senate on 3 March 2015.

**Northern Australia (Joint Select)**

**Pivot north: Inquiry into the development of northern Australia**
The Government response was tabled in the House of Representatives on 4 December 2014 and in the Senate in 10 February 2015.

**Public Accounts and Audit (Joint Statutory)**

**Report 417: Review of Auditor-General's reports tabled between February 2009 and September 2009**
The recommendations were responded to by Executive Minute.

The Government response is being considered.

The Government responded by Executive Minute to the recommendations.

The Government response is being considered.

The Government response is being considered.

**Report 446—Review of the operations of the Parliamentary Budget Office**
The Government response was tabled in the House of Representatives and in the Senate on 23 June 2015.

**PUBLIC WORKS (Joint Standing)**

The Government response is being considered.

The Government response is being considered.
Regional and Remote Indigenous Communities (Senate Select)
Final report 2010
The Government response is being considered.

Rural and Regional Affairs and Transport References
The possible impacts and consequences for public health, trade and agriculture of the Government's decision to relax import restrictions on beef—First report
The Government response is being considered.

The possible impacts and consequences for public health, trade and agriculture of the Government's decision to relax import restrictions on beef—Final report
The Government response is being considered.

Management of the Murray Darling Basin—The impact of mining coal seam gas on the management of the Murray-Darling Basin—Interim report
The Government response is being considered and will be tabled in due course.

Operational issues in export grain networks
The Government response was presented out of sitting on 8 May 2015 and tabled on 11 May 2015.

The management of the Murray-Darling Basin—Final report
The Government response is being considered and will be tabled in due course.

Auditor-General's reports on Tasmanian Forestry Grants Programs
The Government response was presented out of sitting on 22 April 2015 and tabled on 11 May 2015.

Foreign investment and the national interest
The Government response is being considered.

First report—Beef imports
The Government response is being considered.

Practice of sports science in Australia
The Government response is being considered.

Qantas' future as a strong national carrier supporting jobs in Australia
The Government response is being considered and will be tabled in due course.

Effect on Australian pineapple growers of importing fresh pineapple from Malaysia; Effect on Australian ginger growers of importing fresh ginger from Fiji; Proposed importation of potatoes from New Zealand
The Government response is being considered and will be tabled in due course.

Future of the beekeeping and pollination service industries in Australia
The Government response was tabled on 3 April 2015.

Implications of the restriction on the use of fenthion on Australia's horticultural industry
The Government response is being considered and will be tabled in due course.

Industry structures and systems governing levies on grass-fed cattle
The Government response is being considered and will be tabled in due course.

President's report to the Senate on government responses outstanding to parliamentary committee reports as at 22 June 2015
The document read as follows—
PRESIDENT'S REPORT TO THE SENATE ON GOVERNMENT RESPONSES OUTSTANDING TO PARLIAMENTARY COMMITTEE REPORTS AS AT 22 JUNE 2015

PREFACE

This document continues the practice of presenting to the Senate twice each year a list of government responses to Senate and joint committee reports as well as responses which remain outstanding.

The practice of presenting this list to the Senate is in accordance with the resolution of the Senate of 14 March 1973 and the undertaking by successive governments to respond to parliamentary committee reports in timely fashion. On 26 May 1978 the Minister for Administrative Services (Senator Withers) informed the Senate that within six months of the tabling of a committee report, the responsible minister would make a statement in the Parliament outlining the action the government proposed to take in relation to the report. The period for responses was reduced from six months to three months in 1983 by the incoming government. The Leader of the Government in the Senate announced this change on 24 August 1983. The method of response continued to be by way of statement. Subsequently, on 16 October 1991 [tabled 5 Nov 1991] the government advised that responses to committee reports would be made by letter to a committee chair, with the letter being tabled in the Senate at the earliest opportunity. The government affirmed this commitment in June 1996 to respond to relevant parliamentary committee reports within three months of presentation.

On 29 September 2010, the House agreed to a resolution which places a six month response time on House and joint committee reports tabled in the House1. The Senate has not agreed to a similar resolution. Therefore, this list is prepared on the basis of retaining the three month reporting undertaking for Senate and joint committee reports tabled in the Senate.

This list does not usually include reports of the Parliamentary Standing Committee on Public Works, the Parliamentary Joint Committee on Human Rights or the following Senate Standing Committees: Appropriations and Staffing, Privileges, Procedure, Publications, Regulations and Ordinances, Scrutiny of Bills, Selection of Bills and Senators' Interests. However, such reports will be included if they require a response. Government responses to reports of the Public Works Committee are normally reflected in motions in the House of Representatives for the approval of works after the relevant report has been presented and considered.

Reports of the Joint Committee of Public Accounts and Audit (JCPAA) primarily make administrative recommendations but may make policy recommendations. A government response is required in respect of such policy recommendations made by the committee. However, responses to administrative recommendations are made in the form of an executive minute provided to, and subsequently tabled by, the committee. Agencies responding to administrative recommendations are required to provide an executive minute within six months of the tabling of a report. The committee monitors the provision of such responses.

An entry on this list for a report of the JCPAA containing only administrative recommendations is annotated to indicate that the response is to be provided in the form of an executive minute. Consequently, any other government response is not required. However, any reports containing policy recommendations are included in this report as requiring a government response.

Senate committees report on bills and the provisions of bills. Only those reports in this category that make recommendations which cannot readily be addressed during the consideration of the bill, and therefore require a response, are listed. The list also does not include reports by committees on estimates or scrutiny of annual reports, unless recommendations are made that require a response.

A guide to the legend used in the 'Date response presented/made to the Senate' column
See document tabled in the Senate on 22 June 2015, entitled Government Response to Parliamentary Committee Reports—Response to the schedule tabled by the President of the Senate on 4 December 2014 for Government interim/final response.

Report contains administrative recommendations—any response to those recommendations is to be provided to the JCPAA committee in the form of an executive minute.

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<td>Report on a Certain Maritime Incident</td>
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| **Abbott Government's Budget Cuts (Senate Select)** | | | |
| First interim report | 9.2.15 (presented 4.2.15) | - | No |

| **Abbott Government's Commission of Audit (Senate Select)** | | | |
| Interim report | 3.3.14 (presented 19.2.14) | *(interim) | No |
| Second interim report | 13.5.14 (presented 24.4.14) | *(interim) | No |
| Final report | 16.6.14 | *(interim) | No |

| **Australian Commission for Law Enforcement Integrity (Joint Statutory)** | | | |
| Integrity of overseas Commonwealth law enforcement operations | 27.6.13 (tabled HoR 24.6.13) | *(interim) | No |
| Examination of the annual report of the Integrity Commissioner 2013-14 | 16.6.15 (tabled HoR 1.6.15) | No response required | - |

| **Broadcasting Legislation (Joint Select)** | | | |
| Three broadcasting reform proposals | 24.6.13 (tabled HoR 24.6.13) | *(interim) | No |

| **Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs (Senate Select)** | | | |
| Report | 11.5.15 (presented) | Time not | |

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<td>Social Services Legislation Amendment (Fair and Sustainable Pensions) Bill 2015 [Provisions]</td>
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<tr>
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<tr>
<td>The effectiveness of special arrangements for the supply of Pharmaceutical Benefits Scheme (PBS) medicines to remote area Aboriginal Health Services</td>
<td>11.10.11</td>
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<tr>
<td>The factors affecting the supply of health services and medical professionals in rural areas</td>
<td>22.8.12</td>
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<td>Palliative care in Australia</td>
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<td>Australia’s domestic response to the World Health Organization’s (WHO) Commission on Social Determinants of Health report “Closing the gap within a generation”</td>
<td>20.3.13</td>
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<tr>
<td>Involuntary or coerced sterilisation of people with disabilities in Australia (presented 17.7.13)</td>
<td>12.11.13</td>
<td>17.6.15</td>
<td>No</td>
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<tr>
<td>Impacts on health of air quality in Australia (presented 21.5.15)</td>
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<tr>
<td>Involuntary or coerced sterilisation of intersex people in Australia (presented 16.8.13)</td>
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<tr>
<td>Care and management of younger and older Australians living with dementia and behavioural and psychiatric symptoms of dementia (BPSD) (presented 25.10.13)</td>
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<td>Out-of-pocket costs in Australian healthcare (presented 22.8.14)</td>
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<td>Prevalence of different types of speech, language and communication disorders and speech pathology services in Australia</td>
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<td>Grandparents who take primary</td>
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<tr>
<td>responsibility for raising their grandchildren</td>
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<td>Bridging our growing divide: inequality in Australia; The extent of income inequality in Australia</td>
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<td>15.6.15 (presented 21.5.15)</td>
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<tr>
<td>Impact on service quality, efficiency and sustainability of recent Commonwealth community service tendering processes by the Department of Social Services: Interim report</td>
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<tr>
<td>Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples (Joint Select) Progress report</td>
<td>28.10.14 (tabled HoR 27.10.14)</td>
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<tr>
<td>Corporations and Financial Services (Joint Statutory) Inquiry into the Personal Liability for Corporate Fault Reform Bill 2012</td>
<td>29.10.12 (tabled HoR 29.10.12)</td>
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<td>Report on the 2012-13 annual reports of bodies established under the ASIC Act</td>
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<td>Statutory oversight of the Australian Securities and Investments Commission, the Takeovers Panel and the corporations legislation—Report no. 1 of the 44th Parliament</td>
<td>26.11.14 (tabled HoR 1.12.14)</td>
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<tr>
<td>Inquiry into proposals to lift the professional, ethical and education standards in the financial services industry</td>
<td>9.2.15 (presented 19.12.14; tabled HoR 9.2.15)</td>
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<tr>
<td>Propositions to lift the professional, ethical and education standards in the financial services industry</td>
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<td>Examination of the 2013-14 annual reports of bodies established under the ASIC Act</td>
<td>11.5.15 (presented 30.4.15; tabled HoR 12.5.15)</td>
<td>No response required</td>
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<td>Economics Legislation Food Standards Amendment (Truth in</td>
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<td>Labelling Laws) Bill 2009</td>
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<tr>
<td>Annual reports (No. 2 of 2010)</td>
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<td>Tax Laws Amendment (Research and Development) Bill 2013 [Provisions]</td>
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<tr>
<td>Reserve Bank Amendment (Australian Reconstruction and Development Board) Bill 2013</td>
<td>11.5.15 (presented 31.3.15)</td>
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<tr>
<td>Competition and Consumer Act 2010—Competition and Consumer (Industry Codes—Food and Grocery) Regulation 2015</td>
<td>14.5.15</td>
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<td>Private Health Insurance (Prudential Supervision) Bill 2015 [Provisions] and related bills</td>
<td>17.6.15</td>
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**Economics References**

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<td>Future of Australia's naval shipbuilding industry: Tender process for the navy's new supply ships (Part 1)</td>
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<td>Future of Australia's naval shipbuilding industry: Future submarines (Part 2)</td>
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<td>Need for a national approach to retail leasing arrangements</td>
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<td>Privatisation of state and territory assets and new infrastructure</td>
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<td>Out of reach? The Australian housing affordability challenge</td>
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**Education and Employment Legislation**

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<td>Interim report on the inquiry into the conduct of the 2013 Federal Election: Senate voting practices</td>
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Environment and Communications References
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Current requirements for labelling of seafood and seafood products | 9.2.15 (presented 18.12.14) | - | -

**Treaties**

- Report 146: Treaty tabled on 30 September 2014
  - Date tabled: 11.2.15 (tabled HoR 10.2.15)
  - No response required

  - Date tabled: 26.3.15 (tabled HoR 26.3.15)
  - No response required

- Report 148: Treaties tabled on 10 February 2015
  - Date tabled: 13.5.15 (tabled HoR 12.5.15)
  - No response required

- Report 149: Treaty tabled on 10 February 2015
  - Date tabled: 17.6.15 (tabled HoR 16.6.15)
  - No response required

  - Date tabled: 17.6.15 (tabled HoR 16.6.15)
  - Time not expired

**Wind Turbines (Select Committee)**

- Interim report
  - Date: 18.6.15
  - Time not expired

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1 See House of Representatives Votes and Proceedings, 29 September 2010, p44