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SITTING DAYS—2011

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FORTY-THIRD PARLIAMENT
FIRST SESSION—FOURTH PERIOD

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

Senate Office holders
President—Senator Hon. John Joseph Hogg
Deputy President and Chair of Committees—Senator Stephen Shane Parry
Temporary Chairs of Committees—Senators Thomas Mark Bishop, Suzanne Kay Boyce, Patricia Margaret Crossin, Mary Jo Fisher, David Julian Fawcett, Helen Evelyn Kroger, Scott Ludlam, Gavin Mark Marshall, Claire Mary Moore and Louise Clare Pratt
Leader of the Government in the Senate—Senator Hon. Christopher Vaughan Evans
Deputy Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy
Leader of the Opposition in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Opposition in the Senate—Senator Hon. George Henry Brandis SC
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig
Manager of Opposition Business in the Senate—Senator Mitchell Peter Fifield

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

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

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<th>State or Territory</th>
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<td>Abetz, Hon. Eric</td>
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(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

(2) Chosen by the Parliament of New South Wales to fill a casual vacancy to be filled (vice H. Coonan, resigned 22.8.11), pursuant to section 15 of the Constitution.

**PARTY ABBREVIATIONS**
AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Liberal Party;
DLP—Democratic Labor Party; LP—Liberal Party of Australia; NATS—The Nationals;

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

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<tr>
<td>Prime Minister</td>
<td>Hon. Julia Gillard MP</td>
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<tr>
<td>Deputy Prime Minister, Treasurer</td>
<td>Hon. Wayne Swan MP</td>
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<tr>
<td>Minister for Regional Australia, Regional Development and Local Government</td>
<td>Hon. Simon Crean MP</td>
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<tr>
<td>Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate</td>
<td>Senator Hon. Chris Evans</td>
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<tr>
<td>Minister for School Education, Early Childhood and Youth</td>
<td>Hon. Peter Garrett AM, MP</td>
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<td>Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate</td>
<td>Senator Hon. Stephen Conroy</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Hon. Kevin Rudd MP</td>
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<tr>
<td>Minister for Trade</td>
<td>Hon. Dr Craig Emerson MP</td>
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<tr>
<td>Minister for Defence and Deputy Leader of the House</td>
<td>Hon. Stephen Smith MP</td>
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<tr>
<td>Minister for Immigration and Citizenship</td>
<td>Hon. Chris Bowen MP</td>
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<tr>
<td>Minister for Infrastructure and Transport and Leader of the House</td>
<td>Hon. Anthony Albanese MP</td>
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<tr>
<td>Minister for Health and Ageing</td>
<td>Hon. Nicola Roxon MP</td>
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<td>Hon. Jenny Macklin MP</td>
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<td>Minister for Sustainability, Environment, Water, Population and Communities</td>
<td>Hon. Tony Burke MP</td>
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<td>Minister for Finance and Deregulation</td>
<td>Senator Hon. Penny Wong</td>
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<tr>
<td>Minister for Innovation, Industry, Science and Research</td>
<td>Senator Hon. Kim Carr</td>
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<tr>
<td>Attorney-General and Vice President of the Executive Council</td>
<td>Hon. Robert McClelland MP</td>
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<tr>
<td>Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate</td>
<td>Senator Hon. Joe Ludwig</td>
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<tr>
<td>Minister for Resources and Energy and Minister for Tourism</td>
<td>Hon. Martin Ferguson AM, MP</td>
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<tr>
<td>Minister for Climate Change and Energy Efficiency</td>
<td>Hon. Greg Combet AM, MP</td>
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*The above ministers constitute the cabinet*
### GILLARD MINISTRY—continued

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<td>Hon. Tanya Plibersek MP</td>
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<tr>
<td>Minister for Privacy and Freedom of Information</td>
<td>Hon. Brendan O'Connor MP</td>
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<tr>
<td>Minister for Sport</td>
<td>Senator Hon. Mark Arbib</td>
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<tr>
<td>Special Minister of State for the Public Service and Integrity</td>
<td>Hon. Gary Gray AO, MP</td>
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<tr>
<td>Assistant Treasurer and Minister for Financial Services and Superannuation</td>
<td>Hon. Bill Shorten MP</td>
</tr>
<tr>
<td>Minister for Employment Participation and Childcare</td>
<td>Hon. Kate Ellis MP</td>
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<tr>
<td>Minister for Indigenous Employment and Economic Development</td>
<td>Senator Hon. Mark Arbib</td>
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<td>Hon. Jason Clare MP</td>
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<td>Cabinet Secretary</td>
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<td>Senator Hon. Stephen Conroy</td>
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<tr>
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<td>Hon. Richard Marles MP</td>
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<td>Senator Hon. David Feeney</td>
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<td>Parliamentary Secretary for Immigration and Multicultural Affairs</td>
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<td>Parliamentary Secretary for Disabilities and Carers</td>
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<td>Parliamentary Secretary for Community Services</td>
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<td>Parliamentary Secretary for Sustainability and Urban Water</td>
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<td>Minister Assisting the Attorney-General on Queensland Floods Recovery</td>
<td>Senator Hon. Joe Ludwig</td>
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<tr>
<td>Parliamentary Secretary for Climate Change and Energy Efficiency</td>
<td>Hon. Mark Dreyfus QC, MP</td>
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Leader of the Opposition
Hon. Tony Abbott MP

Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade
Hon. Julie Bishop MP

Leader of the Nationals and Shadow Minister for Infrastructure and Transport
Hon. Warren Truss MP

Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations
Senator Hon. Eric Abetz

Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts
Senator Hon. George Brandis SC

Shadow Treasurer
Hon. Joe Hockey MP

Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
Hon. Christopher Pyne MP

Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals
Senator Hon. Nigel Scullion

Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate
Senator Hon. Andrew Robb AO, MP

Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee
Hon. Ian Macfarlane MP

Shadow Minister for Defence
Senator Hon. David Johnston

Shadow Minister for Communications and Broadband
Hon. Malcolm Turnbull MP

Shadow Minister for Health and Ageing
Hon. Peter Dutton MP

Shadow Minister for Families, Housing and Human Services
Hon. Kevin Andrews MP

Shadow Minister for Climate Action, Environment and Heritage
Hon. Greg Hunt MP

Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship
Mr Scott Morrison MP

Shadow Minister for Innovation, Industry and Science
Mrs Sophie Mirabella MP

Shadow Minister for Agriculture and Food Security
Hon. John Cobb MP

Shadow Minister for Small Business, Competition Policy and Consumer Affairs
Hon. Bruce Billson MP

[The above constitute the shadow cabinet]
| Shadow Minister for Employment Participation | Hon. Sussan Ley MP |
| Shadow Minister for Justice, Customs and Border Protection | Mr Michael Keenan MP |
| Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation | Senator Mathias Cormann |
| Shadow Minister for Childcare and Early Childhood Learning | Hon. Sussan Ley MP |
| Shadow Minister for Universities and Research | Senator Hon. Brett Mason |
| Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House | Mr Luke Hartsuyker MP |
| Shadow Minister for Indigenous Development and Employment | Senator Marise Payne |
| Shadow Minister for Regional Development | Hon. Bob Baldwin MP |
| Shadow Special Minister of State | Hon. Bronwyn Bishop MP |
| Shadow Minister for COAG | Senator Marise Payne |
| Shadow Minister for Tourism | Hon. Bob Baldwin MP |
| Shadow Minister for Defence Science, Technology and Personnel | Mr Stuart Robert MP |
| Shadow Minister for Veterans’ Affairs and Shadow Minister Assisting the Leader of the Opposition on the Centenary of ANZAC | Senator Hon. Michael Ronaldson |
| Shadow Minister for Regional Communications | Mr Luke Hartsuyker MP |
| Shadow Minister for Ageing and Shadow Minister for Mental Health | Senator Concetta Fierravanti-Wells |
| Shadow Minister for Seniors | Hon. Bronwyn Bishop MP |
| Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate | Senator Mitch Fifield |
| Shadow Minister for Housing | Senator Marise Payne |
| Chairman, Scrutiny of Government Waste Committee | Mr Jamie Briggs MP |
| Shadow Cabinet Secretary | Hon. Philip Ruddock MP |
| Shadow Parliamentary Secretary Assisting the Leader of the Opposition | Senator Cory Bernardi |
| Shadow Parliamentary Secretary for International Development Assistance | Hon. Teresa Gambaro MP |
| Shadow Parliamentary Secretary for Roads and Regional Transport | Mr Darren Chester MP |
| Shadow Parliamentary Secretary to the Shadow Attorney-General | Senator Gary Humphries |
| Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee | Hon. Tony Smith MP |
| Shadow Parliamentary Secretary for Regional Education | Senator Fiona Nash |
| Shadow Parliamentary Secretary for Northern and Remote Australia | Senator Hon. Ian Macdonald |
| Shadow Parliamentary Secretary for Local Government | Mr Don Randall MP |
| Shadow Parliamentary Secretary for the Murray-Darling Basin | Senator Simon Birmingham |
| Shadow Parliamentary Secretary for Defence Materiel | Senator Gary Humphries |
| Shadow Parliamentary Secretary for the Defence Force and Defence Support | Senator Hon. Ian Macdonald |
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<td>Senator Michaelia Cash</td>
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<td>Shadow Parliamentary Secretary for Immigration</td>
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<td>Shadow Parliamentary Secretary for Innovation, Industry, and Science</td>
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The PRESIDENT (Senator the Hon. John Hogg) took the chair at 10:00, read prayers and made an acknowledgement of country.

PARLIAMENTARY REPRESENTATION

The PRESIDENT (10:01): I have received, through the Governor-General, from the Governor of New South Wales, the certificate of the choice by the two houses of the legislature of New South Wales of Arthur Sinodinos to fill the vacancy caused by the resignation of Senator Helen Coonan. I table the document.

Senators Sworn
Senator Arthur Sinodinos made and subscribed the oath of allegiance.

COMMITTEES

Economics References Committee
Meeting
Senator BUSHBY: by leave—I move:
That the Economics References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 1.30 pm.

Question agreed to.

BILLS

Steel Transformation Plan Bill 2011
First Reading
Bill received from the House of Representatives.

Senator LUDWIG: I move:
That this bill may proceed without formalities and be now read a first time.

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (10:07): Mr Deputy President, the opposition ask that you put the question separately on the procedural element of the motion, that this bill may proceed without formalities. I wish to speak to that procedural motion.

The DEPUTY PRESIDENT: There being no objection, we will separate the motion. The first question is that this bill may proceed without formalities.

Senator FIFIELD: It seems we have been in this place before. It was only a few weeks back that the government presented to this chamber, by way of transmission of a message from the House of Representatives, 18 bills. Although at first blush it seems a fairly unremarkable thing for the government of the day to move a motion that a bill or a package of bills may proceed without formalities and be read a first time, that package of 18 bills was no ordinary package of bills, and this 19th bill is in essence part of that same package. I think it is worth pausing for a moment to look at the basis of the motion that Senator Ludwig moved. It is to seek to avail the Senate chamber of standing order 113, which is headed 'Expedited proceedings on bills'. That standing order, at (2)(a), says that a motion may be moved containing the following provisions:

that the bill or bills may proceed without formalities (this shall have the effect of suspending any requirements for stages of the passage of the bill or bills to take place on different days, for notice of motions for such stages, and for the printing and certification of the bill or bills during passage) …

In the ordinary course of events in this place, where a government has gone to an election, presented a policy, been elected on the basis of that policy, prepared legislation and put it in this place, standing order 113 is taken advantage of. It is also taken advantage of in a situation where there is a pressing matter of public policy which the government of the day has to address, where legislation is prepared, it goes to cabinet and it comes into
the Australian parliament. That is what standing order 113 is about—having an expedited process for the convenience of the chamber so that there can be an appropriate debate but that the debate is not unnecessarily complex or involved and that the procedures of the Senate are not unnecessarily complex and involved. There is good reason to have standing order 113.

In the ordinary course of events, the opposition and all parties in this place happily see the Senate avail itself of standing order 113. But this is not the ordinary course of events. This is not a situation which has much precedent in Australian politics. The situation which is before the chamber, which is before the Australian parliament, is one where a government went to an election and made a solemn pledge to the Australian people that there would not be a carbon tax. We all remember, clear as a bell, Prime Minister Gillard saying before the last election, ‘There will be no carbon tax under a government I lead.’ That was a clear commitment. It was an unequivocal commitment. There were no qualifications to that commitment. That commitment was made freely. That commitment was not made under duress. That commitment was willingly given. The reason it was given, of course, was that the Australian people were starting to wonder whether the government, if re-elected, would introduce a carbon tax. The Prime Minister gave a political response to address that issue which was in the public mind. It was reasonable for us on this side of the chamber and for the Australian public to think that that commitment could be taken at face value. It is not every day that a Prime Minister solemnly declares not to do something. Usually in the course of an election campaign the focus is on those things that you will do. But this was a commitment to not do something, and the Australian public and we thought that that was a commitment that could be relied upon.

Shortly after the election—which the government did not win, but they were able to form government with the support of the Australian Greens and a number of Independents—the Prime Minister declared that there would be a carbon tax, in complete and flagrant breach of her solemn election commitment. That is the reason we find ourselves in this position today, where we are debating a procedural motion which in the ordinary course of events we would not seek to discuss. That is why we find ourselves today—as we found ourselves when the package of 18 bills was transmitted to this place—debating a procedural motion which in the ordinary course of events it would not occur to an opposition to do.

We do so for a very good reason, and that is that, if the opposition did not take each and every opportunity to shine a light on this breach of promise to the Australian people, we would in effect be complicit with the government in the facilitation of the breach of promise. We on this side not only have the duty of an opposition to critique, probe and question the policies and legislation of the government of the day; we also have a duty to hold the government to account for the commitments that they have made. That is what we are doing in seeking to debate this procedural motion. The Steel Transformation Plan Bill 2011 has been transmitted from the House of Representatives. For us to do other than to take this opportunity to delay the bill would see us as complicit in its passage, and that is something that this side of the chamber will not be. We will not be party, even in the smallest of procedural ways, to the breach of a commitment to the Australian people.

The title of the Steel Transformation Plan Bill 2011 makes the bill sound fairly
innocuous. The government says, 'If you the opposition care about the steel industry and about employment in that industry then you should support this package of good and positive measures for the steel industry.' But there is only one reason to have a steel industry support plan, and that is if there is something that is going to damage that industry. And what is going to damage that industry is the package of 18 bills that the government is seeking to have passed in this place. You do not need an assistance package for an industry—you do not need a compensation package—if there is no pain to be inflicted in the first place.

And there is no doubt that massive pain will be inflicted on the steel industry by the government's carbon tax, just as massive pain will be inflicted on small businesses through Australia, just as massive pain will be inflicted on households, just as massive pain will be inflicted on families and just as massive pain will be inflicted on people covered by my portfolio, disabilities. In each case, the government says, 'Trust us: we have a compensation package.' The government says: 'Trust us: we're going to increase the age pension. Trust us: we're going to increase the carers payment. Trust us: we're going to introduce tax cuts that will compensate households.'

This is all based on trust, apparently. We are meant to trust the government that breached its promise to never introduce a carbon tax. What the government is saying is: 'Yeah, we fibbed; we fibbed and we squibbed. We know we said we wouldn't introduce a carbon tax. We were lying then. But when it comes to compensation for the carbon tax, you can trust us now!' Apparently, it is nothing to fib to the Australian people; it is nothing to make a solemn declaration to the Australian people not to introduce a tax—that is nothing. They want us to turn a blind eye to that. Although they were not telling the truth then, they claim to really be telling the truth now when they say that everyone will be adequately compensated. No-one in the Australian public—or almost no-one in the Australian public, if you look at the polls—buys that for one second. And why should they?

I have cited this before, but in Biblical terms, what the government is asking the Australian people to do is to swallow the camel but to strain out the gnat. They are supposed to swallow the big lie easily. But the Australian people are very savvy. They are very tuned in. They have a very good understanding of what makes up the character of a government. They get a sense very quickly and very early as to whether a government can be trusted or not. And they have been fundamentally and mightily betrayed by this government, so the public are not going to believe for a second that they will be adequately compensated. Indeed, by the government's own work and by the government's own admission there are large numbers of Australian households that will be worse off under a carbon tax, even after the compensation.

What we are expected to believe is that the compensation will increase over time as the carbon tax price increases over time. I do not believe for a second that it will. Just as we should not believe that compensation will be adequate for households and just as we should not believe that that compensation will not be eroded over time, we should not believe that the compensation and support for industry—even for the steel industry—will be adequate when compared to the pain inflicted on them. The Australian public have been lied to before. The Australian public know that, when it comes to this compensation package, the government is not being straight.
Why are we debating the particular motion before us today? Yes, obviously we are trying to use this procedural mechanism to shine a light on the government's breach of promise. But we are also debating this procedural motion because we do not think that the passage of this bill should be expedited, just as we do not think that the passage of the other 18 bills should have been expedited. The opposition are very strongly of the view that the more involved, the more detailed, the more exhaustive— even though more complex—manner of considering legislation should take effect and that standing order 113 should not apply to this bill and should not have applied to the package of 18 bills that came to the Senate a few weeks back.

The reason that we have this view is that this government has moved a motion that the guillotine will come into effect at the end of two weeks. They have allocated one week for speeches on the second reading. They have allocated a second week for the committee stage. So there will be two weeks in total for the Australian Senate to consider the most economically significant package of bills to be introduced to this place in my memory. The parallel is often made with the GST legislation, the package known as A New Tax System. That was important and significant legislation. Its economic impact was miniscule compared to that of the carbon tax package. Its economic impact was positive; the impact of the carbon tax package will be negative. But let's just put that aside. Let's just look at this in terms of the magnitude of economic effects, the magnitude of the change to the quality of life of Australians, the magnitude of the change to business. If you just look at it in terms of the sheer economic magnitude, this legislation does deserve a little more than two weeks consideration by the Australian Senate. The GST legislation went to about five Senate committees, which considered that legislation at the same time. From the beginning of the process of legislation being introduced into the House of Representatives for the new tax system, to the conclusion of the legislative process in this place, it took five months. With this legislation, through all stages, in both chambers of this place, you are looking at barely six weeks, if that—for legislation of this magnitude.

**Senator Ian Macdonald:** What's the hurry?

**Senator FIFIELD:** There is no hurry, as Senator Macdonald interposed there. There is no hurry; the world is not going to end if the legislation is not passed this year. We know the latest reason which has been put forward as to why this legislation has to pass: so the government and the Greens can strut around the Durban conference and say, 'We're world leaders in Australia.' What they should say if this legislation goes through is, 'We are world leaders at screwing our own economy, we are world leaders at screwing business and we are world leaders at screwing households.' But they want to strut. Vanity and pride are the reasons that the government is forcing this legislation through the chamber in such a fashion. It is vanity and pride: they want to strut, they want to stride and they want to boast. Forget the effects on the Australian economy. Forget what the Australian people think. Who cares what they think? We know the government don't care: they lied to them before the election, so why would they care what the Australian people think of the effect of this? No, no—they are far more concerned about what all the nations represented at Durban think. That is far more important to this government than what the Australian people think or what the effect on the Australian people will be.
We are kind of old-fashioned on this side of the chamber. We actually care what the Australian public think. Firstly, we don't think they should be lied to. Secondly, we care what they think. Thirdly, we care about the real-world impact this legislation will have on them. The contrast between this government and their attitude to the Australian people and that of the opposition could not be greater. On this side of the chamber we believe that there is a fundamental bond of trust which should exist between the voters and a government—a fundamental bond of trust. This government have broken that fundamental bond. This government are at odds with the will of the Australian people. And whenever a government is at odds with the Australian people, Mr Deputy President, I will tell you something that I know you already know: the will of the people ultimately prevails. The will of the people cannot be denied. It can be thwarted. It can be frustrated for a day. It can be thwarted and frustrated for a week, for a month, even for years. But, under our system of democracy, it cannot be thwarted, it cannot be frustrated and it cannot be denied for more than three years. After three years, and an election, the will of the people ultimately will prevail.

That is the true folly of this package of legislation: that a government which fibbed to the Australian people is legislating a package that it said it would not. The government is insisting on putting that legislation through this place, even though it knows the people's will will be expressed at the next election, even though it knows that at the election the people will make it clear that they do not want this legislation—even though they know that an incoming coalition government would repeal that legislation. Even despite its knowledge of all those points, the government is determined to put this package through. The government is determined to wreak havoc on the Australian economy, determined to hurt business, determined to hurt families—and we will not facilitate that happening in any way, shape or form.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (10:27): This morning we see another display by the opposition of wasting valuable time dealing with a procedural motion rather than the clean energy package. These procedures were put in place before I entered the Senate, in fact, which was in 1999. They have been there, available to use—and I don't complain if people use them; they do serve a purpose. Since I have been in the chamber, more than 12 years now, I can only recall—the record may correct me—their being used at the most once or twice, usually for the purposes of a stunt. There was no other reason than that. Of course, sometimes they are good stunts and sometimes they fall flat. But, nonetheless, it is a usual procedure to expedite proceedings so that the Senate can get on with business. And that is exactly what we are here today to do: to use the available time to deal with the clean energy package.

I hoped a couple of weeks away from the chamber may have settled the opposition down from creating stunts on procedural motions, but it seems that it has not. It seems that they are full of vim and vigour to concentrate on procedural aspects of the chamber rather than the substantive matters that we do need to debate here today. Senators will recall that when we last sat, on Thursday, 13 October, the opposition excelled themselves in time-wasting. In the closing hours of the Senate Senator Abetz sought to defer consideration of the clean
energy bills, yet again. And Senator Macdonald moved dissent from the ruling of the chair—subsequently withdrawn, and I thank Senator Macdonald for that. But it did seem clear that the Senate did not support the attempts to distract the chamber from the substantive matters that were before it. I understand that some of those from the opposition find it amusing to manage the Senate in this way. I think that a bit of commonsense should prevail. We should get on with the substantive matters that are before the Senate today. Unfortunately, the opposition again moved this morning that the steel bill should be procedurally dealt with rather than allowed to be part of the package of bills that we need to manage in the chamber in a sensible way so that everyone can contribute. I do recognise that there is a long list of people who want to contribute to the clean energy package. There are more than 30-odd names already on the list. I have not counted them all, but it is a page-long list of people who want to speak in the Senate on the clean energy package and make a contribution.

All of the points that were made by the Manager of Opposition Business could be made by those in the opposition during their contribution on the clean energy package. No doubt, though, they will—it may be repetitive—and it is their entitlement to make the points again about the clean energy package. They have stated their position. However, the government has allowed plenty of time for people to make their contribution during the second reading debate on the clean energy package. The number of senators who have put their name on the list demonstrates that the opposition does want to contribute during the second reading debate on the clean energy package, and I encourage them to do that. No doubt they will use their time effectively to do that.

The steel bill, which is before us, has been passed by the House through the normal transmission of the bill. It should proceed through the chamber here. As many, many bills have done, it should simply be reported in a message and we can get on with the substantive matters that are currently before the Senate today rather than again make the procedural points that have been becoming quite frequent from the opposition. One would think that the opposition can only manage procedural motions rather than the substantive matters of the clean energy package before us today, but that is for others to judge. After spending more than a day in the last sitting week on procedural discussions, a full day could have been utilised for making these points during the substantive debate. Nonetheless, we will again spend some time on procedural motions as the opposition seems to have a want to do. However, can I encourage them to get on with the substantive matters—to get on with the clean energy debate—rather than utilise time on procedural motions.

I recommend that we deal with the procedural matter quickly. It seems that the points the opposition have again made today they made last time we sat. It seems a little repetitive. Their arguments have not changed substantially. All of those arguments they have made they have made before, time and time again. The Senate should cease indulging the opposition on these procedural motions and the introduction of this bill should proceed. We should get down to the business of debating the legislation. In standing, of course, I am closing the debate. Therefore, I do not need to put the question. If that is needed, I will, but I understand that by standing I do close the debate.

Question put:
That this bill may proceed without formalities.
The Senate divided. [10:38]
Monday, 31 October 2011

(The President—Senator Hogg)

Ayes......................36
Noes......................30
Majority..............6

AYES
Bilyk, CL
Brown, CL
Cameron, DN
Collins, JMA
Di Natale, R
Faulkner, J
Furner, ML
Hanson-Young, SC
Ludlam, S
Lundy, KA
McEwen, A (teller)
Milne, C
Polley, H
Rhiannon, L
Singh, LM
Sterle, G
Urquhart, AE
Wright, PL

Bishop, TM
Brown, RJ
Carr, KJ
Conroy, SM
Farrell, D
Feeney, D
Gallacher, AM
Hogg, JJ
Ludwig, JW
Marshall, GM
McLucas, J
Moore, CM
Pratt, LC
Rhiannon, R
Stephens, U
Thistlethwaite, M
Waters, LJ
Xenophon, N

The PRESIDENT: The question now is that the bill be read a first time.

Senator Bob Brown: Mr President, I raise a point of order. All members should consider a process of voting against any measure being brought into the Senate for debate. I put this forward for consideration.

The PRESIDENT: There is no point of order.

The Senate divided. [10:42]

The PRESIDENT—Senator Hogg)

Ayes .....................36
Noes .....................30
Majority ..........6

AYES
Bilyk, CL
Brown, CL
Cameron, DN
Collins, JMA
Di Natale, R
Faulkner, J
Furner, ML
Hanson-Young, SC
Ludlam, S
Lundy, KA
McEwen, A (teller)
Milne, C
Polley, H
Rhiannon, L
Singh, LM
Sterle, G
Urquhart, AE
Wright, PL

Bishop, TM
Brown, RJ
Carr, KJ
Conroy, SM
Farrell, D
Gallacher, AM
Hogg, JJ
Ludwig, JW
Marshall, GM
McLucas, J
Moore, CM
Pratt, LC
Rhiannon, R
Stephens, U
Thistlethwaite, M
Waters, LJ
Xenophon, N

NOES
Abetz, E
Bernardi, C
Boswell, RLD
Bushby, DC (teller)
Colbeck, R
Edwards, S
Fierravanti-Wells, C
Fisher, M
Humphries, G
Joyce, B
Macdonald, ID
Mason, B
Nash, F
Payne, MA
Scullion, NG

Back, CJ
Birmingham, SJ
Boyce, SK
Cash, MC
Fawcett, DJ
Fifield, MP
Heffernan, W
Johnston, D
Kroger, H
Madigan, JJ
McKenzie, B
Parry, S
Ronaldson, M
Sinodinos, A

NOES
Abetz, E
Bernardi, C
Boswell, RLD
Bushby, DC (teller)
Colbeck, R
Edwards, S
Fierravanti-Wells, C
Fisher, M
Humphries, G
Joyce, B
Macdonald, ID
Mason, B
Nash, F
Payne, MA

Back, CJ
Birmingham, SJ
Boyce, SK
Cash, MC
Fawcett, DJ
Fifield, MP
Heffernan, W
Johnston, D
Kroger, H
Madigan, JJ
McKenzie, B
Parry, S
Ronaldson, M

PAIRS
Arbib, MV
Crossin, P
Evans, C
Sherry, NJ
Wong, P

Brandis, GH
Williams, JR
Egglesston, A
Ryan, SM
Adams, J

Relevant information such as discussions or decisions made during the Senate session is included in the natural text.
Question agreed to.

Bill read a first time.

Second Reading

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (10:44): I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

STEEL TRANSFORMATION PLAN BILL 2011

The Government is committed to action on climate change and the need to reduce our carbon pollution.

This is because the Government accepts the science and understands both the damage that unmitigated climate change would cause to Australia and the opportunities for our economy if we take action.

Putting a price on carbon is the cheapest and fairest way to cut pollution and build a clean energy economy for the future. The Government also recognises that there are sectors in the economy which are particularly exposed to a carbon price and may not be able pass these costs on as a result of being trade-exposed. This is why the Government has carefully designed the Jobs and Competitiveness Program which provides these exposed industries with transitional assistance while still maintaining the incentives to reduce emissions.

Australian steel makers currently face considerable pressures from factors other than a carbon price, including international competition, increases in raw material costs and subdued growth in the Australian construction industry.

In response to these issues, this Bill will enable the Government to make a Steel Transformation Plan, which will be referred to as the Plan, to help the sector transform into an increasingly efficient and sustainable industry in a low carbon economy.

The Plan will provide assistance worth up to $300 million over six years from 2011-12 to encourage investment, innovation and competitiveness in the Australian steel manufacturing industry.

The Plan is designed to improve the environmental outcomes of steel manufacturing and promote the development of workforce skills.

Funding under the Plan will be in addition to assistance for steel makers under the Jobs and Competitiveness Program, which is part of the Clean Energy Future plan.

Importance of the steel industry

Australia is ranked 22nd in the world for steel production and consumes around 7 million tonnes of steel domestically each year.

The Australian steel manufacturing industry operates in a mature, open but relatively small domestic market, with ongoing import and export activity. Australia produces steel using two main production methods: integrated steel production using blast furnaces; and electric arc furnaces based on scrap steel.

The Australian steel industry provides inputs into the infrastructure, energy, defence, transport, automotive, communications, construction and consumer good industries.

The Bureau of Steel Manufacturers of Australia estimates that in 2006-07 all major Australian steel manufacturing activities employed a total of over 91,000 employees, and had revenues of $29 billion.

Australia typically exports around 2 million tonnes and imports 2 to 3 million tonnes of steel annually. In 2010, Australia exported $2.13
billion and imported $4.36 billion of iron and steel products.

Australia's export markets for iron and steel are diverse, with over 100 different countries regularly purchasing Australian products. The United States and New Zealand dominate Australia's steel export market with other products exported to Asia.

Australia's primary steel production is based at:

- Port Kembla, Sydney and Newcastle in New South Wales;
- Laverton and Westernport Bay in Victoria; and
- Whyalla in South Australia.

Economic factors affecting the steel industry

During the global financial crisis in 2008 and 2009, world steel production dropped 15 per cent. For the same period, Australian demand for steel products dropped by 29 per cent.

The collapse of demand during the global financial crisis caused world steel production capacity utilisation rates to drop below 60 per cent in early 2009 from pre-GFC rates of 85 per cent. In addition, average world composite steel prices collapsed by over 50 per cent, from a high of US$1,160 per tonne.

Following the global financial crisis, in 2010, total world crude steel production hit a record 1.41 billion tonnes. In 2010, the top ten steel producers - China, the EU, Japan, the US, Russia, India, Korea, Ukraine, Brazil and Turkey - collectively produced 81 per cent of all steel. In recent years, there has been a marked shift from Western Europe and the United States to North East and South Asia as the major steel producing countries.

According to the OECD, global steel demand was at a historically high level in the third quarter of 2010. However, advanced countries' steel demand is still below pre-GFC level, while emerging markets' demand is higher.

Steel manufacturers are also facing raw material input cost increases primarily due to strong demand for iron and coking coal. Raw material costs as a proportion of industry revenues have increased from approximately 35 per cent in 2003 to over 60 per cent in 2010.

Steel manufactures are also facing a high Australian dollar. The Australian dollar is currently trading above parity with the US dollar, driven by the terms of trade and is well above its long-run average against the US dollar.

There is also soft demand in steel producers' target market segments for value added products, notably residential and non residential building construction in Australia, which represent more than 50 per cent of domestic steel use.

Overview of the Bill

This is a framework Bill.

The Steel Transformation Plan will encourage investment, innovation and competitiveness in the Australian steel manufacturing industry in order to assist the industry to transform into an efficient and economically sustainable industry in a low carbon economy. This will be achieved in a way that improves environmental outcomes for the industry and the promotion of workforce skills.

The Steel Transformation Plan will contain two elements, the first is a $300 million entitlement scheme, that will operate over the five years from 2012-13. The second element will provide for competitiveness assistance advance payments, which will be referred to as Advances, up to the value of $164 million in 2011-12. Entitlements under the Plan would be reduced by the value of any advance payments made.

The Plan

The Bill provides the Government with the power to make the Plan and sets limits on how the Plan can be designed. The Plan itself will be contained in a legislative instrument, which will be made in consultation with industry and relevant trade unions.

Assistance will be limited to $300 million over the five years of the Plan, with a maximum of $75 million in each year. Guaranteeing this level of funding through a Standing Appropriation provides the steel manufacturing industry with certainty in respect of the amount of assistance it will be entitled to receive through the Plan.

The Bill sets out the matters to be contained in the legislative instrument, including: the
registration of participants; the making of payments under the Plan; the recovery of amounts by the Commonwealth; the payment of interest on overpaid amounts; the review of decisions; and other matters required or permitted to be included in the Plan.

The Bill also includes a strong monitoring regime. These provisions will support the delivery of the Plan through a self-assessment entitlement program, to facilitate effective monitoring and to ensure the integrity of the Plan. This is balanced with the inclusion of provisions that protect the rights of occupiers of premises.

**Advances**

The Advances will be to assist eligible corporations to undertake activities that will significantly enhance the competitiveness and economic sustainability of the Australian steel manufacturing industry in a low carbon economy.

Any assistance paid as Advances will be deducted from future entitlements that any eligible corporation can receive in later years under the Plan.

Conditions for the Advances would be at the discretion of the Minister.

Commencement of this Bill will be contingent on the passage of the Clean Energy Future Legislation. This Bill does not form part of the Clean Energy Legislation that was agreed by the Multi Party Climate Change Committee.

**Additional assistance measures**

In addition to the payments provided under this Bill, the Government has committed to task the Productivity Commission to undertake two separate reviews of the steel industry, if they are requested by industry participants. The Productivity Commission Act 1998 already provides the Government with sufficient legislative power to commission these reviews.

First, at any time prior to the lapsing of the Plan, eligible corporations may make a request to the Government that a review be undertaken by the Commission into the impact of carbon pricing on the competitiveness of the steel industry. The review would take into account the lapsing of the Plan, the industry's broader circumstances including a range of factors related and unrelated to the carbon pricing mechanism that are affecting the competitiveness of the industry. The review would make recommendations to the Government about whether it should adjust support to the industry and the appropriate mechanism for that assistance. This review would not reduce the assistance provided to the eligible corporations already committed to under the Plan as it is set out in this Bill.

Second, at any time during the period that steel manufacturers are entitled to assistance under the Jobs and Competitiveness Program one or more of the companies conducting these activities may notify the Government in writing:

- that there are reasonable grounds to believe that one or more suppliers of coal have passed through or are proposing to pass through, cost increases resulting from the application of the carbon pricing mechanism to the coal suppliers businesses; and
- that they request a review of this situation.

The Government commits that if it receives such notice, it will refer this matter to the Productivity Commission for review. The Productivity Commission would be asked to make a finding as to whether there are reasonable grounds to conclude that carbon costs are or will be passed through, and if such a conclusion is reached it will specify the amount of pass through it has identified. The Government will decide whether it should adjust support to the industry and the appropriate mechanism for that assistance, and will respond in a timely way. Any assistance provided by the Government to offset the carbon costs of coal suppliers will be taken into account.

The Government has also agreed that from 2016-17, the Government will provide an additional 10 per cent increase in the baseline for the two steel manufacturing activities that have been defined for the purposes of the Jobs and Competitiveness Program. Subject to passage of the Clean Energy Bill 2011, the Government will make regulations for the purposes of the Jobs and Competitiveness Program by March 2012, which will include this commitment.

This Bill will support existing direct Australian Government measures to support the steel industry, including the Steel Industry Innovation Council, the Steel Supplier Advocate,
the Industry Capability Network National Steel Manager, and collaborative relationships between the steel industry, the CSIRO and Cooperative Research Centres and other Commonwealth funded research agencies.

**Conclusion**

The steel manufacturing industry is important to Australia. The recent announcements by Bluescope Steel in relation to their Port Kembla Blast Furnace and Western Port Hot Strip Mill demonstrate the significance of the steel industry to specific regional communities.

The Government is committed to working with the steel industry and local communities to maintain a successful industry and support jobs.

Taking into account assistance to be provided under the Jobs and Competitiveness Program, the carbon price will not have a significant impact on the steel industry. The industry has confirmed this is the case. However, the range of factors unrelated to the carbon price currently affecting this industry requires a firm Government commitment to support this industry and the regional communities that rely on it.

Debate adjourned.

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**MOTIONS**

**Clean Energy Legislation**

**Senator ABETZ** (Tasmania—Leader of the Opposition in the Senate) (10:44): I seek leave to move a motion relating to the Clean Energy Bill 2011 and 17 related bills.

Leave not granted.

**Senator ABETZ:** Pursuant to contingent notice, I move:

That so much of the standing orders be suspended as would prevent me moving a motion to provide for the consideration of a matter, namely a motion to give precedence to a motion relating to the consideration of the Clean Energy Bill 2011 and related bills.

There has been no greater betrayal of the Australian people than the introduction of the Clean Energy Bill 2011 and its 1½ reams of associated bills and explanatory memoranda. Make no mistake that, of the people sitting opposite, half of them were elected on a solemn promise to their constituents that there would be no carbon tax. If the carbon tax was such a great idea, why did Ms Gillard, Mr Swan and the Labor Party say, only six days before the last election, there would be no carbon tax? If the carbon tax was such a great vote winner and if they had confidence in their own policies, they would have gone to the people promising a carbon tax and they would have romped in, one would have assumed. The fact is the Australian Labor Party knew full well that the Australian people opposed a carbon tax. And, as time has gone by, that opposition has increased manifold. Indeed, the latest poll indicates that those who strongly support a carbon tax are 17 per cent of the Australian population and those who strongly oppose a carbon tax represent 44 per cent of the Australian population. When you put just those who support or oppose it, is a 60-40 divide in favour of the coalition policy of opposing a carbon tax.

We in the coalition believe that the Australian people should be entitled to a say. We believe that there are precedents for a government changing its mind to go to the Australian people. The Australian Labor Party, as is their wont, inject into the carbon tax debate the suggestion that Mr Howard changed his mind on the GST. As is the wont with Labor, what they say is right but it is grossly misleading, because Mr Howard did change his mind but he had the decency and character to do this. The coalition said to the Australian people: 'We have changed our mind. Previously we said no GST; therefore if you re-elect us we will impose a GST but only if you give us the mandate.' The Australian people trusted the Howard government and gave us the mandate and, as they say, the rest is history.

Here we had a clear promise on the eve of an election to the Australian people where
the Prime Minister herself, staring down the camera lens into, she was hoping, every living room in the country, said that there would be no carbon tax under a government she led. And when we said, 'Don't believe Labor as they have form in this area,' they wheeled out the hapless Treasurer, the deputy leader, Mr Swan, to say that we were being hysterical. Well, the Australian people now know we were historical, not hysterical, and exactly what we claimed is now coming to pass.

The Australian people have a right to ask how, when every coalition member in the House of Representatives and the Senate and every Labor member in the House of Representatives and the Senate were elected on a no-carbon-tax policy, somehow it is going to get through the chambers of this parliament. The only reason is the gross act of betrayal perpetrated on the Australian people by the Australian Labor Party. That is why we as a coalition believe that these carbon tax bills—and let us dispense with this nonsense of 'clean energy bills'—represent a huge measure which, with the impact of a $9 billion tax take, will increase power bills by a minimum of 10 per cent, increase gas bills by nine per cent, lead to higher marginal tax rates with a higher impact especially on single-income families—part of Labor’s social engineering—and will impact over a quarter of a million self-funded retirees. All these people have a right to have a say. All these people have a right to cast judgment on a government that has so betrayed them. That is why we as a coalition are calling on all Labor senators, especially those who were elected at the last election on the promise of no carbon tax, to search their conscience and vote, as they promised the Australian electorate they would, against any measure for a carbon tax. They can redeem themselves by supporting this proposal so that the 44th Parliament gets to deal with the issue.

**Senator BIRMINGHAM** (South Australia) (10:51): I rise to support this suspension of standing orders motion by Senator Abetz and, in particular, the intent of this suspension of standing orders to facilitate this chamber deferring debate on the clean energy bills until after an election is conducted. This is a pretty simple proposition: that fundamental change of this nature to the way the Australian economy works should actually be put to the people and that the Australian people should have a say on a matter this significant that will see such sweeping changes to every aspect of the Australian economy. Yet we see those opposite seeking to deny the Australian people that choice. You must ask the question: what is it that they are afraid of? What is it that this government are afraid of when it comes to actually giving the Australian people a choice on the clean energy bills, on Labor's carbon tax, which they promised not to introduce? It would seem they are afraid that the Australian people will disagree with them. They are afraid that they will lose power. They are afraid that the Australian people will say this carbon tax is a dog of a package, that it does not achieve emissions reductions, that it does not achieve what the government claim it does and that all it does is impose dramatically higher costs across the Australian economy and in doing so weakens our economic standing into the future.

What a sad and sorry state of affairs it is when a democratically elected government in a country with such a proud democratic history as Australia's is afraid of the will of the people, when the government of the day is afraid of hearing what the Australian people think and of testing the judgment of the Australian people. Labor minister after Labor minister, Labor member after Labor...
member, Labor senator after Labor senator stand and proclaim that this is a transformational plan and that it is sweeping in its impact. If it is so transforming, if it is so sweeping, if it will have such enormous impact, why not put it to the people? Why not convince them of the merits of it? Of course they choose not to do so—and they choose not to do so purely out of fear. Why would the Australian people reject it? They would reject it because of concerns about the impact it will have on the Australian economy—not just those direct hip pocket concerns around cost of living, true and reasonable though those concerns may be, but also broader concerns about the impact on Australia's competitiveness and the fact that this will put Australian industry at a disadvantage and potentially, of course, ultimately threaten Australian jobs.

We need only look at what is a very topical matter at present to see why Australians would hold those concerns: the state of the aviation and tourism industries in this country. This legislation is quite discriminatory in its application; it discriminates against Australian industry. Nowhere is that more evident than when we look at the aviation sector. The legislative package proposed by the government will apply a tax and a cost to domestic aviation in Australia but it will not apply a tax or a cost to aviation outside Australia. Qantas, who of course have been somewhat in the headlines over the weekend, estimate that the carbon pricing scheme, the carbon tax, will cost about $110 million or $115 million to their bottom line in 2012-13. That one company, which is obviously under particular financial duress, faces a price impact of $115 million. They have said they will have to pass that cost through to consumers. But of course the aviation sector, the tourism transport sector, is an incredibly competitive sector and when they pass it through to consumers we know that business will shift. In this case where will it shift? Business will shift from travel within Australia to travel outside Australia because it will become even cheaper comparatively for people to choose to holiday in places like Bali and Vanuatu than to holiday in North Queensland or in my own state of South Australia.

This is a discriminatory tax. The government know that if they took it to the people it would fail. That is why they are running scared. They are running scared of full and thorough debate in this place and they are running scared of full and thorough debate in the Australian community. For those reasons they should stand condemned.

**Senator IAN MACDONALD** (Queensland) (10:56): The Leader of the Opposition in the Senate, Senator Abetz, has moved a motion that will allow the Labor senators in this chamber to retain, and redeem themselves with, some of the integrity they have lost with the passage of these bills through the parliament so far. Just before the last election, on several occasions the Leader of the Labor Party promised the Australian people there would be no carbon tax under a government she led, and her deputy, Mr Swan, repeated that promise. I appreciate that Ms Gillard, in her absolute determination to retain the trappings of office as Prime Minister, was prepared to make any deal with anybody simply to retain her residence at the Lodge and to retain the big white cars. She even went to that party that we all now know, and have known for a long time, is full of absolute hypocrisy—that is, the Greens political party. She did a deal with the greatest hypocritical party ever seen in this Senate to stay in office, and the deal was: we will roll over to the Greens political party and introduce a carbon tax, notwithstanding that we promised the Australian public solemnly that we would not do that.
I appreciate, as our leader has said, that sometimes you are required to change your mind. In Ms Gillard's case, it was simply to retain the trappings of power as Prime Minister. If she had any intestinal fortitude, if she had any integrity at all, she would have said, 'Okay, let's have a carbon tax but let's do what John Howard did: let's go back to the Australian people that we are now going to introduce a carbon tax and let the Australian people have a say.' As a Queensland senator, I am absolutely shattered and disgusted that several Labor members in my home state of Queensland were elected on the basis that they promised there would be no carbon tax. I refer particularly to Ms Kirsten Livermore, who is currently and for a little while longer the Labor Party member for Capricornia. Her electorate will have most to lose if the carbon tax is actually introduced. Ms Livermore said before the last election that she would not vote for a carbon tax, and a couple of weeks ago in the House of Representatives she did the exact opposite. I know from the time I spend in Rockhampton and Central Queensland that her constituents are absolutely livid with Livermore because she has breached their trust and betrayed them. Her electorate, more than any in Queensland, depends upon the coalmining industry. If you go to that electorate, Madam Acting President, you will see along the Yeppoon coast, around Emu Park, the literally thousands of new houses that have sprung up there. They are houses that have principally been acquired by families whose breadwinner works in the coalmines of Central Queensland. They are the people whose jobs will be at risk. The Labor Party and the Greens have threatened to shut down the coalmining industry, which will have a devastating effect on the Central Queensland economy and all of the workers in the Rockhampton area who work in that industry. This carbon tax will attack their jobs and, more importantly, the livelihoods and futures of their families. The mortgages on their houses could well be put at risk with the passage of this bill. If the carbon tax were going to do one iota of good for the environment then you might almost understand why Ms Gillard lied and changed her mind. We all know that this tax will not make one iota of difference to the world's climate. What it will do is destroy the jobs and livelihoods of many people like those people in the electorate of Capricornia.

Senator CASH (Western Australia) (11:01): I, too, stand here to support the motion put forward by the Leader of the Opposition in the Senate. The reality for Australians today is that if the Prime Minister of Australia, the Australian Labor Party, the Labor Party members in the other place and the Labor Party senators in this place actually stood by the very clear promise made by the Australian Labor Party the day before the election that there would be no carbon tax under a Labor government then we would not be standing here today debating this motion put forward by the Leader of the Opposition in the Senate—but we are. We are here for a very, very disappointing reason. Each of the Labor Party members who were elected at the last election and each of the Labor Party senators who were elected at the last election were elected on the basis of a blatant lie. That lie—the statement made by the now Prime Minister of Australia the day before the 2010 election—will haunt the Prime Minister to her political grave.

Recently, I was at a community fair in the electorate of Brand. Those in Western Australia who live in the seat of Brand will know that it is currently held by Mr Gray, the Special Minister of State. At the community fair, I had a petition. It was a 'no carbon tax' petition. Within one hour of
walking around the fair, I had collected in excess of 250 signatures. But what is worse for Mr Gray is that I did not have to go around asking for the signatures. I had people coming up to me, saying: 'Thank goodness we found you. Can we please put our name to your petition.' I would ask them why, and they would say: 'Because we don't like being lied to. That is exactly what the Australian Labor Party did to us the day before the election. They lied to us, and we don't like being treated as fools.' They also said: 'We will never be voting Labor again.' I had over 250 signatures in an hour. The majority of people who signed the petition found me; I did not have to go out and find them.

What was the lie? Let us just put it on the record again. The lie was the Prime Minister of Australia saying just before the election, 'There will be no carbon tax under a government I lead.'

Senator Abetz: Nothing could be clearer.

Senator CASH: That is exactly right, Senator Abetz, nothing could be clearer: 'There will be no carbon tax under a government I lead.' Yet, look at where we are today, on 31 October 2011. We are having to debate the suspension of standing orders to give every single member on the other side an opportunity to redeem themselves—an opportunity to say to the Australian people, 'What we said the day before the election we actually meant.' But do you think they will do that? Absolutely not. The Australian people would expect nothing less from those on the other side. Why is that? Because the Australian Labor Party will always take the cheap political option instead of doing what is right in relation to the national interest.

The policy that the Labor Party are asking the Senate to vote on today is all economic pain for no environmental gain. It is not senators on this side who are saying that. The Australian Labor Party's own documentation, which they have released, on the impact of the carbon tax clearly shows that, after this toxic tax is imposed on the people of Australia, jobs will go offshore while electricity prices will increase, and emissions in Australia will also increase. You really need to ask yourself why the Australian Labor Party are imposing such a toxic tax on the people of Australia when the Australian Labor Party's own modelling clearly shows that this tax has nothing to do with the environment; it is all about filling a big black hole.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (11:06): Those opposite are attempting to entertain us, but the issue that is currently before the chair is Senator Abetz's motion to suspend standing orders. The debate about the clean energy future bills will come on today, should we get there notwithstanding the stunts from those opposite. All of the issues that the opposition want to raise about those particular bills can be raised at that point. I have got no doubt that they will continue to outline their extreme position. They will continue to oppose the clean energy package, as they have signalled. They will continue to advocate for a position which does not recognise that we need to act. Carbon pricing and climate change policy have been widely debated in Australia for more than a decade, yet those opposite continue to say they need more time.
Just to demonstrate how silly this motion is, it effectively says that it wants to put off the debate until the next parliament. We all know that the current motion cannot bind a future parliament in any event. The only thing it signals is that they do not intend to actually repeal the legislation. What they intend to do, should they be successful, is to bring the clean energy bills back up again. If this motion were successful and they acted according to it, they would bring it back. That is the silliness of the motion. I am sure they do not actually mean that, but that is the form of words they have put forward. If we were fortunate enough to win the next election then we would clearly want the legislation to continue, so it would be entirely consistent with our position rather than theirs. In any event, I think that is a slight distraction. It is only a stunt. This demonstrates it is only a stunt. It was designed as a stunt. It is a procedural motion that we do not need. However, they do want to continue to press the point rather than get on with the substantive debate on the clean energy bills because they do not want to debate the substantive issue. They want to continue to raise silly procedural points, as I have clearly demonstrated. If you were to take them at face value on this procedural motion, they would effectively be signalling that they would agree to these bills coming back in any event and we would continue.

Let me at least outline, in the short space of time I have, that they had an opportunity to work through this. At one point in time, I am sure, those opposite believed in climate change and believed in the need for action. In fact Senator Birmingham is one who advocated strongly for it. Work was undertaken by the Howard government, most notably by Peter Shergold, who concluded that pricing carbon through a market based mechanism was the best approach to tackling climate change. They now want to adopt a completely different position. The Multi-Party Climate Change Committee met for nine months before completing its work in July this year while the government's clean energy future package was developed. Those opposite had an opportunity to be part of that. They chose not to be. They have continuously shown their hand. The federal coalition do not want to participate in a clean energy future, do not want to participate in pricing carbon and do not want to contribute to ensuring that we can sequester carbon. The government has consulted widely, including through the business and NGO roundtables as part of the Multi-Party Climate Change Committee. We do want to ensure that we have a bright future. We do want to ensure that we can continue to have this framework in place for our future generations. The government, to that end, released the framework for its carbon pricing policy and sought feedback. The draft legislation has been out for consultation since late July and there were over 1,300 submissions on it. (Time expired)

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (11:11): Senator Ludwig is absolutely wrong. He said that Senator Abetz's motion simply seeks to have this matter dealt with and supported after the next election. Quite to the contrary, what the motion seeks to do is to have all consideration of the package of bills not take place until after elections for the 44th Parliament. That means that the next election would be about what the last election should have been about—a carbon tax. We would debate the merits of a carbon tax: is it good; is it bad? Do the Australian people want it, yes or no? That is what the effect of this motion would be, and the 44th Parliament would then have the opportunity on the basis of that election result to give effect to the will of the Australian people. I am pretty confident that the voting public
would make it clear that they do not want this legislation and that this legislation, if it is still on the books of the Senate—

Senator Ludwig: It lapses.

Senator FIFIELD: It depends. Who knows? You might call a snap poll. There might not be a half Senate election, Senator Ludwig. That is what should happen. If the government will not discharge this legislation, at the very least they should take it to an election to see what the will of the voting public is, an opportunity that has been denied to the voting public. Senator Ludwig said that we on this side of the chamber do not want to debate the substantive issue, that we only want to debate procedural issues. The whole purpose of this motion is about the substantive issue—that is, the voting public have not had an opportunity to debate the merits of a carbon tax. That is the substantive issue that we are champing at the bit to get into, but we are champing at the bit to get into it in the form of an election.

Senator Cash mentioned that she had been out collecting anti-carbon-tax signatures on a petition. I have also been doing that. Over the last half-a-dozen or so mornings I have been out at the Berwick shops in the electorate of La Trobe, Ms Smyth's electorate, and I was basically bowled over in the rush of people saying: 'Let me put my signature on the petition. How do we get rid of this government? How do we stop that carbon tax?' I can tell you the electors of Latrobe feel that Ms Smyth has deceived them and they want her gone. I have also done the same thing at Mordialloc shops on a Saturday morning in the electorate of Mr Dreyfus, the seat of Isaacs. It was the same thing: I was bowled over in the rush of people saying, 'Where do I sign? How do we get rid of this government? How do we stop this carbon tax?'

The same thing happened at the Dingley Village shops in Mr Crean's electorate of Hotham. Again, I was bowled over in the rush by people asking: 'How do we stop this carbon tax? How do we get rid of this government? Just show me where to sign.' The same thing happened at the Cranbourne shops on a Saturday morning in Mr Byrne's electorate of Holt. I was bowled over in the rush by people saying: 'Where do I sign? How do we get rid of this government? How do we stop the carbon tax?' The voting public do not feel that they have had the opportunity to have their say—that is clear.

I should confess to the chamber that I did not make it to the reception for Her Majesty the Queen in the Great Hall the other Friday night, not because I did not want to be there but because I had a prior commitment to attend an anti-carbon-tax rally in Cheltenham in the seat of Isaacs. I was joined by Senator Cormann, who wanted to put the case against a carbon tax; Mr Robb, the member for Goldstein, who co-hosted the forum; and the Victorian Minister for Energy and Resources, Mr O'Brien, who was there to talk about the devastating effect of a carbon tax on the people of Victoria. So stunned was the member for Isaacs by that public forum that he submitted an opinion piece to Fairfax online. He referred to it as a 'circus of lies and misinformation'. Never let your opponents know you are getting to them, but thank you, Mr Dreyfus, for doing that. He said in his opinion piece that only 90 people turned up. I have to say that 90 people on a Friday night in Cheltenham is pretty significant. That is a pretty leading indicator of what the voting public think.

The evidence is in. We do not need polls. Those of us who talk to our communities have the field evidence. The public feel that they were fibbed to. This should be delayed until after an election.
Question put: That the motion (Senator Abetz’s) be agreed to.

The Senate divided. [11:21]
(The President—Senator Hogg)

Ayes..........................31
Noes............................35
Majority.......................4

AYES
Abetz, E
Bernardi, C
Boswell, RLD
Brandis, GH
Cash, MC
Cormann, M
Eggleston, A
Ferravanti-Wells, C
Fisher, M
Humphries, G
Joyce, B
Macdonald, ID
Mason, B
Payne, MA
Scullion, NG
Xenophon, N

NOES
Bilyk, CL
Brown, CL
Cameron, DN
Collins, JMA
Di Natale, R
Faulkner, J
Furner, ML
Hanson-Young, SC
Ludlam, S
Lundy, KA
McEwen, A
Milne, C
Polley, H (teller)
Rhiannon, L
Singh, LM
Sterle, G
Urquhart, AE
Wright, PL

PAIRS
Adams, J
Nash, F

PAIRS
Parry, S
Ryan, SM
Williams, JR

Question negatived.

BILLS
Clean Energy Bill 2011
Clean Energy (Consequential Amendments) Bill 2011
Clean Energy (Income Tax Rates Amendments) Bill 2011
Clean Energy (Household Assistance Amendments) Bill 2011
Clean Energy (Tax Laws Amendments) Bill 2011
Clean Energy (Fuel Tax Legislation Amendment) Bill 2011
Clean Energy (Customs Tariff Amendment) Bill 2011
Clean Energy (Excise Tariff Legislation Amendment) Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011
Clean Energy (Unit Shortfall Charge—General) Bill 2011
Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011
Clean Energy (Unit Issue Charge—Auctions) Bill 2011
Clean Energy (International Unit Surrender Charge) Bill 2011
Clean Energy (Charges—Customs) Bill 2011
Clean Energy (Charges—Excise) Bill 2011
Clean Energy Regulator Bill 2011
Climate Change Authority Bill 2011
Second Reading
Debate resumed on the motion:
That these bills be now read a second time.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (11:24): 'There will be no carbon tax under the government I lead.' So spoke the Labor Party, through its current leader, to the Australian people just days before the last election. At a time when the polls were perilously close—they were tight—Labor, its leader and its deputy leader solemnly promised the Australian people that there would be no carbon tax. Suggestions that there would be were dismissed by Labor as hysterical. Nothing could be clearer: Labor sought and obtained a mandate from the Australian people not to impose a carbon tax. The fact that we are debating these 1½ reams of legislation, 18 or 19 bills, to impose a carbon tax is the legislative proof of Labor's deceit and of Labor's contempt for the Australian people. The Clean Energy Bill 2011 and related bills, if they are turned into acts, if they pass this place, will be 19 separate acts of deceit, 19 separate acts of betrayal, 19 separate acts signifying the contempt in which Labor holds the Australian people.

Every single Labor member of the other place and every single Labor senator elected at the last election was elected on the clear promise of no carbon tax. In fairness, however, they were elected on a promise to see if a community consensus could be built around a carbon price. Here Labor have succeeded, and spectacularly so. A consensus, and a very strong one, has been developed—a consensus to which Labor and Ms Gillard should lay personal claim because, but for their advocacy, the consensus would not be as strong as it is today. But, alas for Labor, the clear, strong, overwhelming consensus on a carbon price is a consensus in opposition. The Australian people do not want a carbon tax. Despite spending millions of dollars of Australian taxpayers' money in a desperate advertising campaign, despite Labor funding their carbon tax cheer groups in the community, despite setting up their propaganda unit in Mr Combet's office, the consensus Labor have established in the Australian community is an overwhelming consensus against the carbon tax.

This overwhelming consensus against this destructive and corrosive tax is built on three factors: firstly, the blatant deceit of the electorate by Labor; secondly, the fact that it is bad policy; and, thirdly, that the carbon tax will do nothing for the environment. As the Senate embarks on the second reading debate of the Orwellianly named clean energy package, Australians know it is a package based on deceit, a package based on a dirty deal. Rather than debating the clean energy package, we should in fact be renaming it the 'dirty deal package' because it was struck with a dirty deal with the Australian Greens—a party, incidentally, led by a person who advocated for coal-fired power stations in his opposition to renewable, environmentally friendly hydrogeneration. It was in this month 30 years ago that Dr Brown was advocating coal-fired thermal power generation as 'the best centralised option we have' and 'manifestly better' than more dams for Tasmania. Oh, what a visionary thinker! But consistency, integrity and robustness of thought have never been that de facto prime minister's strong suit.

Why the ALP would listen to the Greens' policy prognosis and prescription after a three-decade record littered with policy failures is emblematic of how the Australian
Labor Party has lost its way. But, as the proverb so correctly tells us, if you do not believe in something you will fall for anything. The worst 21st century exemplar of that proverb is the hapless Australian Labor Party of today, an ALP whose light on the hill is no longer powered by reliable, baseload, traditional Labor thought but powered by faltering and flickering transitory trendy fads changing it from a once-strong, clear beam to a pale, intermittent, slowly dying ember. The ALP has not only lost its moral compass; it has lost its policy map as well. That is why it should be no surprise that Labor has served up this policy mish-mash, which will increase the cost of living, tighten the throttle around the throats of our farmers and small businesses even further and reduce our manufacturing sector's capacity to compete with imports, let alone in overseas markets—not to mention the destructive impact on our volunteer sector and the disability sector. The carbon tax will impact every endeavour of human life, from our power bills to our grocery bills to our rates. The costs of running schools, hospitals, aged care facilities and prisons will all rise. Volunteering will become more expensive.

As everyone is impacted, so everyone will pay. That is why, on sober reflection, countries that were previously preparing to go down this route have accepted the wisdom of what the former climate change minister, Senator Wong, said about a carbon tax: it is 'no magic bullet'. She was right then and she remains right today. She is especially right in the absence of unified global action. But she will be here in this chamber compounding her party's deceit on the electorate by trying to explain away what everybody knows to be true: the carbon tax is no solution.

As the Greens-Labor government foolishly and recklessly rush to create this toxic tax, they tell us that countries all around the world are moving just as quickly. I have to concede that they are right. Countries are moving just as quickly—but in the opposite direction. A quick perusal of international headlines just this month shows the unmistakable trend. Canada's foreign minister, at the Commonwealth Heads of Government Meeting just last week, when specifically asked whether Canada would be introducing a similar regime, gave a one-word, two-letter answer. Have a guess what that was. It was an absolute no.

If we needed a country to compare ourselves with population-wise—a federation, a resource based country—the country we would identify with most closely would be Canada. They have deliberately said no to a carbon tax. Japan has indefinitely postponed its carbon tax. The European scheme—which, might I add, is at only 10 per cent of the proposed Australian level—is facing collapse whilst Europe fully reconsiders its position. The United Kingdom is reducing its green energy subsidies. New Zealand is winding its scheme back. Russia is taking no further action. France is saying no. South Korea is delaying. The list is ever growing. The United States is not proceeding; President Obama has said so. Individual US states, such as New Hampshire, are repealing their carbon tax type laws, as are the provinces of Canada, such as Ontario. And of course the Chicago emissions trading scheme has collapsed. Even Spain, once heralded as 'the future', along with California, is slashing its wind power subsidies by 40 per cent.

So let's not have this deceptive nonsense that we must act now or be left behind. The world is moving in the opposite direction. If this tax is legislated we will be the only country in the world with an economy-wide carbon tax, with the highest rate. The indecent haste to get this legislation through...
is simply based on Labor's need to feed its insatiable vanity. If we recall the discredited and defunct Carbon Pollution Reduction Scheme, we might learn a few lessons. We were told that the scheme was urgently needed because climate change was 'the greatest moral challenge of our time' and that the world could not afford to be denied the huge environmental benefit that a five per cent reduction would make to our 1.5 per cent of global emissions. The hyperbole was flowing thick and fast.

Of course, the real reason for the urgency at that time was Labor's desire to be the performing clowns of Copenhagen, to wave their legislation around at an international forum and say, 'How clever are we?' Now, two years later, the torrent of hyperbole is, thankfully, absent, but the excuse has changed to 'business needs certainty'. The businesses I speak with tell me they prefer the uncertainty of life to the certainty death has to offer. Of course, the urgency has nothing to with Labor's new-found concern for business certainty. If they were concerned about business certainty they would not have broken their solemn promise that there would be no carbon tax. If that was their main concern they would not have broken their solemn promise that there would be no carbon tax. If that was their main concern, they would not be going down this route at all.

Once again we find that Labor wants to be the world's performing dunces at another international conference, this time at Durban. Our nation was saved from Labor's desire for international humiliation once. Let us hope we can be saved again. The feedback I receive is that the world community is looking on in disbelief as Australia prepares to inflict unilateral economic pain on itself for no environmental gain, in the hope that someone might stop to admire and notice. Let us be clear. Those that may stop to admire will be those with whom we compete internationally. The first ones, I am sure, will be Canada. The next ones, I am sure, will be the United States, New Zealand, Japan—and the list goes on.

If the government are genuinely concerned about the world environment, they have a few other options available to them, very easy options. They could decide to sell uranium to India. Just that one decision would make a bigger dent in carbon dioxide emissions than the carbon tax in Australia will. They could expand and encourage Australia's native forestry, thus slowing the rate of forest destruction in other parts of the world. They could accept native forest wood waste as biomass for renewable energy. And, of course, they could seek to do something about Australia's shrinking forest plantations. But instead the government have brought us pink batts and cash for clunkers, all in the name of the environment. Being rightly emboldened by the runaway success of pink batts and cash for clunkers, they now bring us this forest of legislation in the name of the environment.

This is the question Labor needs to respond to: what will this legislation do for the environment? By how much will world temperatures decrease and when? How much will sea levels be reduced by? How much lower will sea levels be and when? I suspect Australians would be willing to suffer some economic pain for environmental gain, but the reality is that, as our economy becomes less efficient under a carbon tax and prices itself out of world markets, those economies without a carbon tax, with even greater levels of pollution than Australia, will simply have their production substituted for ours, with the resultant effect of even greater carbon emissions into the world's atmosphere.
It is exactly this experience that is making Europe reconsider its stance on carbon pricing. I do not ask this rhetorically: where have all the European aluminium smelters gone? Not to wind power, not to solar panels. They have actually gone—gone offshore, to Africa and elsewhere. And how are the environmental standards there? Undoubtedly a lot better than they previously were in Europe! But that is the message that Labor is trying to sell us. So the world's environment suffers further, at the behest of those who put blind zealotry ahead of sound, evidence based public policy. It is reminiscent of a person who preferred coal power over hydro power some 30 years ago.

Let us ask the question: what would a five per cent reduction now do in relation to the world's environment? Professor Graham Farquhar of the Australian National University Climate Change Institute has said: The aim of the carbon tax is to reduce Australian emissions by five per cent. In turn, the aim of that reduction is to put political or economic pressure to encourage or shame other countries to reduce their emissions by five per cent. If we are successful and all the countries of the world reduce their emissions to five per cent below what they would have been, then the anthropogenic climate that we would otherwise have seen in 2031 will be postponed until—

when?—2032.

Twelve months later. That has to be part of the context of this debate.

Labor's whole carbon tax deceit is compounded by other deceits. The Treasury modelling is all based on other countries following suit. Well, the list of countries I have read out indicates that the world is moving in the opposite direction to Australia. So what they are doing is compounding their lie with erroneous modelling to suggest an outcome which is false. We then have the claim that we will have a lot of green jobs. All the world's studies have shown that, for every green job created, there is a huge taxpayer subsidy and about two or three mainstream jobs suffer and fall by the wayside. As a result, there is a net loss of jobs.

Let's go to some of the impacts of this legislation on everyday Australians. Among the great sufferers will in fact be the single-income families of Australia, part of Labor's social engineering. But the reason that the Labor Party deceived the electorate about this is that they knew this was a toxic tax, they knew it was bad policy and they knew they could not sell it to the Australian people. Why? Because it will be a $9 billion per annum tax. It will increase power bills by 10 per cent. It will increase gas bills by nine per cent. And that is on Labor's own assessments. There will be higher marginal tax rates. There will be a huge impact on single-income families and 280,000 self-funded retirees will be worse off.

As we analyse this legislation, we see it was built on a deceit and it is now being compounded by shonky and flawed modelling based on the suggestion that the rest of the world is following and the assumption that somehow this will do something beneficial to the world environment. As we have pointed out, this legislation will in fact make the world's environment worse, cost Australians their standard of living, destroy jobs and be of no benefit. So why, with Labor knowing this, are they doing what they are doing? I think the Prime Minister may have been right when she said, 'There will be no carbon tax under a government I lead,' because it is the Australian Greens, under Senator Bob Brown, that are actually leading this government.

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (11:44): I
rise today on what is an historic day in the Australian Senate. This is the day when the Senate will begin to consider the clean energy package and will start delivering real action on climate change in Australia as these bills pass. It is an historic day in Australia and globally because it is the day when the seven-billionth person is expected to join us on the planet. We live on a finite planet and the non-renewable resources of the earth are under huge pressure. Equally, the earth's atmosphere, oceans and rivers do not have an unlimited capacity to absorb waste. That is why we are suffering the consequences of global warming already. Global warming is accelerating. In 2011, at the end of the first decade of this century, it poses the greatest threat to human civilisation and to the ongoing health and wellbeing of the fellow species and ecosystems with whom we share this beautiful planet.

As I stand here today, the evidence is clear. There has been near record summer sea ice melt in the Arctic. There are indications of Arctic permafrost melt and seabed methane hydrate emissions going to the atmosphere. We are seeing destabilisation of the Western Antarctic icesheet and increased glacial decline right across the planet. Seas are rising at a greater rate than predicted and ocean acidification is worsening. We know from the research conducted at the Antarctic and Southern Ocean CRC that the tipping point for ocean acidification is 450 parts per million. With acidification of the oceans, miniscule creatures cannot form shells and the whole ocean food chain is compromised. Coral reefs, already beset by bleaching from higher sea temperatures, are weakened by acidification and vulnerable to breaking up in storm surges. The Great Barrier Reef—our reef of outstanding universal value, World Heritage listed—is a source of joy and pride to all Australians. But it is already deteriorating.

As temperatures rise, the great carbon sinks of the oceans are slowing in their ability to absorb carbon. The world's remaining forests are being cut at an alarming rate and there is a risk that they could become carbon sources in the future as temperatures rise. Extreme weather events are causing death and disruption throughout the world, but especially in the developing world, where drought in Somalia, floods in Pakistan and mudslides in Brazil have cost thousands of lives this year alone. In Bangladesh millions live on the delta and now face being washed away or displaced to the cities as the tides sweep across the levies.

A recent report from Foresight in the UK, Migration and global environmental change, predicts that by 2050 millions will have been forced to migrate because of climate change. Professor John Beddington of the UK warned, 'We are facing what I believe will be unprecedented difficult times over the next 20 to 40 years.' He went on to talk about not only increasing migration but millions going into more environmentally vulnerable areas. The report says that by 2060 up to 179 million people will be trapped in low-lying coastal flood plains subject to extreme weather events such as floods, storm surges, landslides and rising sea levels, unable to migrate because they are too poor or ill-equipped or because they are restricted by political or geographic boundaries. Two-thirds of the world's cities with a population of more than five million are at least partially located in coastal zones, including rapidly growing urban centres in Asian and African mega-deltas.

We also know from our own Pacific neighbours, who have done virtually nothing to contribute to global warming, that they are already paying the price of the developed
world's failure to act to address global warming. From Tuvalu to Kiribati, leaders are pleading with the rest of the world to recognise that their nations are suffering from sea level rise and incursion of salt water into freshwater lenses, leading to loss of crops and livelihood and forcing internal migration. Those leaders are already asking who will take their people.

Here in Australia, where we have always experienced drought, floods, bushfires and cyclones, the intensity of these events—from the ACT and Victorian bushfires to the South Australian heatwave, to the Queensland floods and Cyclone Yasi and to the Murray-Darling drought—has increased with global warming, resulting in greater loss of life and property and ever-increasing economic and social disruption.

We are in a race against time. Globally, our greenhouse gas emissions need to peak and begin to come down within five years if we are to have any hope of avoiding catastrophic climate change. The question before us all is whether the nations of the world are capable of acting decisively in that time frame. This is the biggest challenge of governance facing each nation and the United Nations simultaneously and to date the system has been found wanting. While we have the United Nations Framework Convention on Climate Change and the Kyoto protocol, further progress towards a global treaty that might have a chance of delivering a safe climate has been too slow. The failure to make strong progress in Copenhagen, the incremental improvements in Cancun and the lack of optimism for Durban weigh heavily on those of us who understand the global emergency that we are facing. It is too late to stop global warming. The challenge now is to limit its extent.

Future generations will pay a high price in both economic and social terms for the lack of leadership from President George Bush and Prime Minister John Howard and their administrations. These leaders had the scientific information and the opportunity to act decisively and early to reduce the pain and disruption of global warming, but they proactively and cynically obstructed the action necessary domestically and globally. The next generation of US Republicans and Australian Liberal Party and National Party members of parliament share the same dubious legacy. All of those who will speak against these bills can count themselves in that category. Their children and grandchildren—the next generation—will look back and hold them accountable for their failure to act sooner and their failure to support what is needed now. What we are seeing in Australian politics, in a large part of the old fossil fuel business and in the coalition is cowardice and cynical populism, and they will be defeated. These bills will pass. They will come into law—and, what is more, they will not be repealed.

As it stands, leading into the 17th Conference of the Parties at the United Nations Framework Convention on Climate Change, the world has pledged to constrain global warming to less than two degrees above pre-industrial levels. But, not only is two degrees of warming no guarantee of a safe climate, the pledges on the table from individual nations will result in warming of closer to four degrees. And in such a four-degree world, as the Royal Society said this year, the limits for human adaptation are likely to be exceeded in many parts of the world, while limits for adaptation for natural systems would largely be exceed throughout the world. That is the emergency we now face.

So to the clean energy package we are debating today. It is based on a core scenario of 550 parts per million, which is in line with a three- or four-degree projection. That is
why one of the best parts of the package that we have negotiated is the fact that right across the package there is a capacity for upward ambition when the political will is there to deliver it. That is something critical that the Greens have delivered to this package and which makes it head and shoulders above the Carbon Pollution Reduction Scheme, which limited upward mobility in terms of levels of ambition. Our task as a community is now to get that political momentum underway.

In terms of the clean energy package of bills, the thanks have to go to the voters of Australia for having returned a minority government and a balance-of-power scenario in both houses—because it has been in balance of power, with a Multi-Party Climate Change Committee, supported by experts, that we have been able to deliver a set of bills which puts us on the path to a whole-of-government approach, an internally consistent approach, which addresses every aspect of climate change, with a few notable exceptions to which I will come in a moment.

But I want to put on the record at this point my thanks to my colleagues in the Multi-Party Climate Change Committee—to the experts: to Will Steffen, to Professor Garnaut, to Rod Sims and to Patricia Faulkner—who came into that committee and gave service to the people of Australia by trying to provide policy rigour to the outcomes. I want to thank the Independents, Rob Oakeshott and Tony Windsor, for their contribution to the Multi-Party Climate Change Committee and of course my colleagues Senator Bob Brown, the Leader of the Australian Greens, and Adam Bandt, the member for Melbourne, who sat around the table with the Prime Minister, with Minister Combet and with the Treasurer, supported by the bureaucracy, in particular the Department of Climate Change and Energy Efficiency. Everybody worked very hard to deliver this package.

In the case of the Greens it is very clear that we would not be having this legislation now were it not for a balance-of-power scenario and the agreement that the Greens reached with the Prime Minister to deliver a carbon price mechanism in this term of government. I want to also thank those in my office who have worked for the past six years to develop the policy rigour that has enabled us to get to this outcome. In particular I want to note the work of Oliver Woldring, Katrina Willis, Tim Hollo, Sophie Underwood, Imogen Birley, Jeff Donne, Sandy Bowden and Wendy McLeod, who over six years have worked in all manner of ways to get us to a point where we had the policy rigour to deliver. I also want to thank my other Greens Senate colleagues, and in particular Greens voters around Australia, who have stood by and have supported us at every turn in making sure that we have challenged the lack of climate policy in Australia.

The package we have developed has four pillars. One pillar is an emissions trading scheme, where we have achieved an 80 per cent target by 2050 and an independent Climate Change Authority, enabling us to have upward mobility. The second pillar we have achieved is the renewable energy package—the Australian Renewable Energy Agency and the Clean Energy Finance Corporation, which are going to be the largest boost to renewable energy this country has seen. And renewable energy is a major driver of jobs and climate action into the future. As the British minister Chris Huhne said in a speech to the RenewableUK conference this week, ‘Renewable energy technologies will deliver a third Industrial Revolution.’ And he did say he wanted to ‘take aim at the curmudgeons and fault-finders who hold forth on the impossibility
of renewables' and the 'unholy alliance of short-termists, armchair engineers, climate sceptics and vested interests who are selling the UK economy short'. He goes on to outline, in very substantial detail, the attractiveness of renewables for the UK and the number of jobs that renewables are already delivering in that country. He also talks about the Green Investment Bank in the UK, which has been capitalised with £3 billion to help unlock private sector investment at scale. For the first time ever the UK will join every other leading developed economy in having a public development bank focused on key economic goals. That is precisely what the Clean Energy Finance Corporation is designed to do, and that is why Mr Abbott will not repeal it.

The third part of the package is an energy efficiency package. That is also to provide incentives to see Australia finally start reducing demand. To that end, we also have a directive to the Australian electricity market operators to start planning for 100 renewables and at the same time an undertaking that the Commonwealth will lead the states in moving on national electricity market reform so that we incorporate demand-side reform and get that well and truly onto the agenda and not just focus always on new supply.

We also have a comprehensive land sector package for enhancing carbon in the landscape, because not only do we need to reduce emissions from the big polluters through the emissions trading scheme but we need to protect the carbon stores in the landscape, particularly our forests. They are critically important, and a key component of this package is to end the ability to make renewable energy certificates by using native forests. We must protect our forests and move to increase our targets as we protect those incredibly important stores that we have in the landscape.

These four pillars are underpinned by a compensation package, recognising that the big polluters will pass on some of the costs associated with their buying of permits to address their emissions—and that is why householders will be compensated. What is more, there has been a real focus on low-carbon community initiatives so we can enable the people who are most affected to reduce their energy uptake through efficiency measures. It is a well-designed package of initiatives that we have.

This package misses on the transport front. We need to work hard to bring into the future more investment in public transport and we need to get rid of our fossil fuel subsidies. That is a key component of where further action will be concentrated. This package represents the beginning of a new way of thinking in Australia. It lays the foundation for a low-carbon economy and enables the scale of action required as we build that political will to make sure we do not see a four-degree temperature increase globally result from inaction. The coalition cannot escape from the old ways of thinking.

As John Maynard Keynes said:
The difficulty lies, not in the new ideas, but in escaping from the old ones…

What we have seen in here is a refusal to escape from the old ones, even in the full knowledge that the old ones have failed civilisation, ecosystems and our global biodiversity. One of the things in this package which we are particularly pleased about is the Biodiversity Fund, because in enhancing carbon in the landscape and protecting carbon in the landscape we must also do everything we can to improve connectivity so that species have an ability to move through the landscape. We will see massive extinction as a result of climate
change—we are already seeing it—but by doing what we can to build resilience in the landscape we will give species their best chance. Professor Schellnhuber was here in Australia recently and he said:

If political reality is not grounded in physical reality, it is useless.

That is why the position taken by the coalition is useless—because it is not grounded in physical reality.

The Greens view of this package is that it recognises physical reality but it does not go far enough. We are proud of what we have done and what we have achieved. This parliament will be recognised in Durban later this year for the major step forward that Australia has taken in recognising that a nation so dependent on fossil fuels is prepared to move on climate action. What is exciting about what the Greens have been able to deliver through the Multi-Party Climate Change Committee and through the result of the 2010 election is that we have a genuine engagement with the crisis that is climate change. We have a potential for upward mobility, right across increased targets, to get to net carbon zero by 2050. We also have the potential to move to 100 per cent renewable energy as quickly as possible and to take up all the opportunities that responding to global warming can bring. What we do know is that this will mean new jobs, new industries, more sophistication in the Australian economy and greater investment in education and training. They are the things that are so badly necessary in Australia.

We heard recently that more than 50 per cent of our exports are coming from digging up, cutting down and shipping away those resources, particularly coal, at the fastest rate possible. It was described as an export market that is primitive. That is how the rest of the world sees our current export market.

This economy is disguising the fact that we have underinvested in education, we have hollowed out the manufacturing sector and we are losing some of our best brains and technologies overseas. What we will achieve with this legislation is the beginning of the transformation that is necessary. We need a wave of transformation—of social, technical, environmental and economic innovation that will touch every person, community, institution and nation on earth. The irony is that this transformation is still viewed as an economic cost when it is an enormous economic opportunity—an opportunity that we are now being increasingly forced to recognise as a people. In this parliament we are now recognising this opportunity and taking it up. I congratulate everyone who will support the passage of these bills, from the government through to the Independents and the Greens. This is something of which we can be very proud.

Senator THISTLETHWAITE (New South Wales) (12:04): Australians have a unique and meaningful relationship with the land on which we forge our lives. Our vast landscapes, from barren deserts to magnificent coastlines, are a part of us. This is despite the fact that many of us live in cities which dot our coastline. When a drought hits we empathise with our farmers, although they often live thousands of kilometres away. When a big swell hits our coastline we feel for our lifesavers who risk their necks to keep us safe. And when we hear of the ice caps melting we wonder what this might mean for our magnificent country and the world as we know it.

We are a unique nation, and our identity stems from our landscape. We have developed our character through our values. We believe in mateship, we believe in backing the underdog and, importantly, we believe in a fair go. I ask my colleagues in this place to consider: is it fair to let our
children inherit a nation with a diminished natural beauty and heritage? Is it fair to raise our children to always think of others, yet to permeate hypocrisy in this place? Is it fair to dump the burden of addressing our environmental challenges on the generations to come? With this in mind, I turn to the clean energy future package before this place and I ask my parliamentary colleagues one more question: is it fair to take no action on climate change?

Climate change has been a real cause for concern for our country and our planet for many years. Despite the small pocket of dissenters and the disagreement regarding the depth of the impact, the reality of climate change is irrefutable. In May of this year, the Climate Commission delivered the strongest evidence of this to date. It found that global temperatures are rising more quickly now than ever before, with the last decade being the hottest on record. In the last 50 years the number of hot days in Australia has more than doubled. Sea levels rose 20 centimetres since the 1800s and are projected to rise by another 20 centimetres by 2050. The Great Barrier Reef has suffered nine major bleaching incidents in the last 31 years. Prior to that it had experienced none. Clearly these incidents speak for themselves. Human induced climate change is not only happening; it is speeding up.

As a parent of two young children, I naturally worry about their future. I am concerned about the type of economy they will grow up in, about their education and about their job opportunities. But I am also concerned about the natural environment that they will inherit from us as this generation of decision makers. I believe that we need to take action to mitigate the human induced climate change effects for the sake of our children and of generations to come, and I am proud to be part of a government that is treating this generational challenge with the respect that it deserves.

As a nation we are responsible for about 1.5 per cent of global emissions and remain one of the world's top 20 emitters per capita. As individuals Australians produce more carbon pollution than the people of any country in the developed world. But we also have a reputation as a nation of doers, of people who are not afraid to step up when the going gets tough, and this is rightfully so. As such, the attitude of 'Why bother? We are too small to make any real difference,' is, to put it simply, not us. It is not who we are as a people. We are better than that, and this government is determined to remind every single one of us that we can make a difference. We will make a difference and, not only that, we will be better off for doing so.

Professor Ross Garnaut, along with many leading economists, has advised that carbon pricing is the cheapest and most effective way of dealing with carbon pollution. It is also the most effective way of developing our renewable energy sector, along with the associated new jobs, investment and business opportunities. Australia is uniquely placed to move our economy to a renewable energy future driven by solar, wind, wave and geothermal technologies, in addition to other clean energy projects like biofuels. At the moment around eight per cent of Australia's energy needs come from renewable sources. Compare this to a country like Spain, where 35 per cent of their energy needs are derived from renewable sources. These bills future-proof our nation, ensuring we have a strong, competitive economy with a healthy environment for our children and their children to live in.

From July next year this country's top 500 polluters will pay for every tonne of carbon pollution that they emit into our atmosphere.
This is not a tax on hardworking families. It is not a tax on pensioners. It is not a tax on small businesses and farmers. It is a system that will ensure that companies pay a cost for the privilege of emitting carbon pollution that affects us all. The starting price under this scheme will be $23 a tonne and it will rise by 2.5 per cent in real terms over the first three years. The fixed price period will end at the fourth year, when we will move to an emissions trading scheme and a market based mechanism. This will nudge this nation's big polluters to drive investment in renewable energy and catapult Australia into a clean energy future, with a healthier environment, new jobs and other new clean energy industries.

As we move this nation from an industrial age into a renewables age, we will maintain that ideal of fairness. That is why we will return every cent of revenue to assist households, support jobs and tackle climate change. The government has released the Treasury modelling on the impact of the carbon price and it shows that on everyday goods and services the cost impact will be about $9.90 a week, or around 0.7 per cent in terms of the consumer price index. This needs to be put in context. When the GST was introduced it increased the consumer price index by 2.5 per cent. We are talking about an impact on prices one-quarter of the impact of the goods and services tax.

We will be using more than half of the carbon price revenue to assist those who need it most—low to middle income earners. Nine out of 10 Australian households will receive some assistance under this package. The assistance works out on average to be around $10.10 a week, meaning almost six million Australian households will receive the assistance they need to cover the cost increases passed on by industry. Sole pensioners will receive an extra $338 a year, and pensioner couples will receive combined additional income of $510. Self-funded retirees holding a Commonwealth seniors health card will receive the same as pensioners and may also be eligible for tax cuts or the low income supplement. Job seekers will get an extra $218 a year and $390 a year for couples combined, while students will receive an extra $177 a year and single parents will receive an extra $289 a year. All people earning up to $80,000 a year will receive a tax cut, and most will receive a tax cut of at least $300 a year.

We have also made changes to the tax system, lifting the tax-free threshold from $6,000 to $18,200, meaning an additional one million Australians will not have to fill out a tax return after this financial year. When this is combined with the low-income tax offset, people will not have to pay any tax until after their income exceeds $20,542. This is a massive advantage for people on low to middle incomes. This assistance to households will be permanent under our scheme, so when the carbon price goes up so too does the assistance. The rest of the revenue coming from the carbon price scheme will be used to support jobs in high-polluting industries that are exposed to international competition, and also to support clean energy programs. The $9.2 billion in assistance that we are providing to trade-exposed industries has been welcomed by many businesses and unions, particularly those working in the steel and aluminium industries. We have reassured coalminers that their industry will continue to grow under a carbon price, and we are supporting those gassy coalmines that emit much more carbon pollution than other coalmining operations with a $1.3 billion support package. This will provide financial assistance to help these industries transition to cleaner energy production.

The government will also establish the new $10 billion Clean Energy Finance...
Corporation to drive investment in clean energy technologies and the $3.2 billion Australian Renewable Energy Agency to conduct research on and development of clean energy technologies and we will also call for tenders for the closing down of 2,000 megawatts of high-polluting electricity generation. There will be funding of $330 million under our Low Carbon Communities program for local councils and community organisations to access competitive tender grants to aid local communities to cut their carbon pollution and to reduce their energy costs.

Agricultural emissions have been excluded from the scheme, yet farmers and other landholders will be able to access commercial opportunities utilising their land through the Carbon Farming Initiative. A new and ongoing biodiversity scheme, worth almost a billion dollars over the first six years, will also be established for projects that protect the outcomes from carbon farming.

Australians have a deep seated connection with their land and its future health and prosperity. That is why the government has developed this plan. That is why the government is acting to protect our unique and deeply important national landscape while ushering in a more responsible and rewarding clean energy future for our country that will drive investment in new technology, new industries and jobs growth. The future of this country, its inhabitants and, most importantly, those who will inherit it from us is too important to ignore. Every member in this place has an opportunity to make a difference, an opportunity to stand up and say, 'I believe in this great nation and I believe in its future. Every member in this place has an opportunity to put on record whether they support a fair go for young Australians and generations to come. I urge all senators to support these bills.

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (12:17): I think it is important to start by saying that the climate change debate is an ongoing debate. One moment ago we had the argument about caution, and I accept that, but to say that everything is concluded is ridiculous. That should not be accepted, and to start off I would like to quote Professor Judith Curry, who put out a paper recently saying that, although carbon dioxide levels are rising—she does not refute that—the temperature is not following the same path and whatever is driving issues pertaining to temperature rise it is not, to her mind, as someone with immense experience in this field, being driven in the form of carbon dioxide, as others presume it is. Also, I would like to look at other issues such as those in the latest work by Donna Laframboise, who has clearly pointed out—and I think this is important—that a third of the so-called 'peer reviewed sources' from the IPCC have not actually been peer reviewed. These sorts of issues need to be put on the table because people are getting away with making categorical statements that are not actually correct.

It is also very important to put on the record that those with a strong interest in a financial and pecuniary gain from a carbon trading permit system have been the greatest advocates of it. Quite obviously, banks are going to love this. Big banks are about to get a big bonus, a massive bonus, because they have the capacity to collect commission from trading permits. This is a big bank bonus that people are going to have to pay. When those opposite say, 'Oh, it's only the major emitters who have to pay this,' there is an assumption that they absorb the costs. But they do not. They pass the costs down by the powerline to every house in Australia, so through the skirting boards of every house every person pays for this. They pay for it through every
fashion and through every mechanism of their life: when they heat their house during winter and when they cool their house during summer, when they cook their dinner, when they vacuum their carpet and when they watch television. No matter what they do this new broad based consumption tax will be collecting money from them.

This is a broad based consumption tax for which we have something that is completely new in this country—a mechanism to put up tax without it ever going through both houses of the parliament. That is something that I never thought we would be voting for. The Climate Change Authority will just say that in their war against the climate—and these people are always warring against people and things—they have to take more action, so they will make a recommendation which becomes a regulatory instrument—that means it does not have to be voted on—and they will just jack up the tax rate. And where do they want to take the tax rate to? It will be for an 80 per cent reduction in emissions. It takes you back to the levels we were at in 1910, so you would have come here on a horse! How are we going to have an economy then? That is $131 a tonne. We are starting at $23 a tonne and it goes up to $131 a tonne. What works? Where will we be? What we are doing to our nation with this is just so insane.

This is the most peculiar thing that I have ever seen. Why? Because you have got a choice. You can have cheap wages or cheap power if you want to be on the manufacturing side of production in a global economy where they move products around. So if you say, 'I'm going to have dear power,' are you going to have cheap wages or are you going to shut the show down? They talk about green jobs. Where are they? Where are these mythical green jobs that are going to come over the horizon? Where are these jobs? Where are they right now?

Are you relying on this? Are you going to take the person who is on a substantial income? There are only two types of jobs in this world. There are jobs that pay well and jobs that pay very, very badly, and where you are going to end up is with the jobs that pay very, very badly.

It is the most annoying thing. When I think about the images from the past weekend and now the first vision will be of flying down here on a Virgin airliner and seeing all the Qantas planes parked on the tarmac and becoming new homes for swallows because apparently we can cool the climate but we cannot actually manage to keep planes in the air. The second will be of us debating a mechanism in this chamber by which, apparently, single-handedly we can change the temperature of the globe from a room in this building. And the final vision will be one of Kevin Rudd dancing in Perth. This is the manic, mad world that we have now arrived in. This is it.

The Greens, to their credit, have taken over the show. They are driving the agenda. They have said, to quote Senator Milne, 'This is the beginning of a new wave of thinking,' and it is—their thinking. They are running the show. That is the new wave of thinking. It is completely naive, and in some instances the reality of what happens to our country and where the semblances of power will be moved to will be almost sinister.

I have just listened to them discussing a four-degree temperature increase. That is very similar to what Peter Garrett said when he was talking about six-metre sea level rises by the end of the century. Six metres! Even the IPCC says that at best it could be 60 centimetres. This is always their way. First of all, make you fear; make fear and loathing. Make you scared. Make you upset—impending doom. Then moralise: 'We mustn't have this. We must moralise.
You must be better than that. You must be righteous. You must be good.' Then there is the third part of it. The third in the troika of course is to create the mechanism behind it. To feel good, to be righteous, to stop all these terrible things happening, you must have a new tax. A new tax will absolve you of all your sins. A new tax in this Greens confessional will make you righteous, like them. A new tax will allow you once more to assuage your guilt, and you will now be an honourable person.

But whenever we take them to the prickly issue of how much this tax is going to cool the temperature of the globe, obviously the answer is nothing. Not one person, not the most ardent supporter of global warming, says that this tax will do anything. It does nothing to change the temperature of the globe. It is merely a gesture. And the inconvenient truth is this: they never admit that this does nothing to actually change the climate. It will most definitely make you poorer. It will most definitely put manufacturing out of production. It will most definitely change the whole scale of the social dynamic and where the power is situated. It will most definitely bring a new tax that does not need to go through the parliament. But it is not going to affect the temperature.

If we had a tax on malaria, as mad as that is, it would actually cure people of malaria. It would actually save someone's life. If we had a tax on polio we could actually do something. But we have a tax on something that was formerly free. A colourless, odourless gas that you are all breathing now and that was formerly free is now going to be something that is monitored, checked and charged for, and if you do not do the right thing they can send you to jail.

By 2050 how much this will affect the Australian economy is equivalent to the size of the Australian economy now. By their
own modelling, we will go back from our opportunity size by what the actual size of our economy is at the moment. So when you go out the door and look around and say, 'This is the size of the economy,' that is how much you are going to compromise for something that is not actually going to fix the temperature of the globe.

What does this affect? Let us just look at this building. It is going to affect steel. We will really struggle to compete and have a steel industry in our nation. People say, 'I believe in manufacturing.' If you believe in manufacturing, why would you bring in a tax against one of the most vital inputs? Underneath us is concrete. This will destroy the concrete industry; we will not have a concrete industry. Things were brought here on trucks. I know the TWU brought these seats here. I know that Senator Sterle brought these seats here. It is on transport. It is on the transport of things to here. You say, 'It's not on agriculture.' Yes, it is. It is on fertiliser. It is on power. It is on wire. It is on steel. It is on everything. And, ultimately, it can come in on agriculture. It said so in the document itself.

Why on earth are we doing this to ourselves? To be honest, I think this has been a great mechanism by the left wing, led by the Australian Greens, to bring in a sense of guilt and then behind that guilt place the new agenda of where they want things to go. There are contrarian views out there. There is a massive number of contrarian views out there by reputable people such as Professor Judith Curry and even by one of the lead scientists for the IPCC, Professor John Christy. He is an atmospheric scientist. He is a person who actually studies the atmosphere. He said, 'Yes, the world is warming but not nearly as much as we thought it was initially, and there is nothing you can do about it.' Certainly in Australia there is nothing we can do about it—but we just ignore that.

So what is the purpose of this tax? What is the purpose of this social re-engineering exercise? Let me go back to the issue of democratic right—the right of the Australian people. The Australian people said that they did not want this tax. Other people might have said that they wanted it; however, you must respect the right of the Australian people. If an election means anything, then one of the warrants that you give on your formative policy positions should be respected. You have to stand behind it, otherwise the whole purpose of politics and what people say to you behind a camera on election night is a farce. It means that you cannot believe anything. You might say, 'I believe in global warming'—so be it. But the issue is that if a person makes a promise, if they make a statement, you expect as a matter of honour that that office is respected and they keep their word, because if they do not keep their word then you cannot trust anything that is said here. It all becomes irrelevant. Why did we let our nation get to a point where we basically allowed somebody to say something and then completely and utterly abscond from their promise? Why was their absconding from that promise then endorsed by the Greens and by others? Why would we do that? It makes the whole position farcical.

Australia, by the way, is not actually going to reduce carbon emissions with this tax. We will just end up buying credits from overseas. The carbon credit market is one of the most volatile in the world. It is the worst investment situation you could ever put yourself in. What are we putting in there? We are putting our whole nation in there.

The government says that without this tax you will not have certainty. I will give you a classic example of certainty, and here are
two arguments for it. I am certain that under a coalition government the price of carbon permits in 10 years time will be zero, because they will not be there. The price will be zero. You can plan on that with absolute certainty under a coalition government. Pick any one of those who support this tax and ask: 'What will the price on carbon be in 10 years time? What will its price be in eight years time? Yet a certain group of people say that this is their argument for certainty. I think it is the most uncertain thing we could ever be involved with. How are we going to manage this? Who are the arbiters? The arbiters on how long you can be sent to jail if you get it wrong are all in here. And for what? We will be sending people to jail for something that was formerly free, that was just there, that was just part of it. No-one ever thought that breathing in and breathing out had an implicit cost. They have not decided at this point in time to charge for it, but they were thinking about charging for animals on farms. Do not think it is beyond them. They were thinking about that. They pushed away from it. They were going to start charging for cows and sheep. These are the same people who believe that cows, sheep and people are all sort of equivalent. So I suppose it makes sense in the long course of things that you would have to start charging people. Every time you breathe in, as Senator Williams will tell you, that is 386 parts per million of carbon dioxide, and every time you breathe out it is 40,000 parts per million. There must be an implicit cost there. You are not morally righteous: you are warming the globe as you breathe. This is absolutely and utterly absurd.

Of course, it is worse for regional Australia because the further you go the more for transport you pay: the greater the distance, the higher the cost. Electricity in the regions will also be at a higher cost. For what? So that we can assuage the moral righteousness of a certain group of people who, by making you feel guilty, have now managed to manufacture a tax and enmesh it in every corner of your life. Unfortunately, a lot of people have been gullible and have swallowed it.

I would say that always the first job of the fourth estate is to be sceptical. What is the crime of scepticism? The job of the fourth estate is to be sceptical. One of the philosophical virtues of the fourth estate is its scepticism. We do not need a fourth estate if people are not sceptical. If people just take whatever we say as the truth, scepticism is purposeless. I get terribly annoyed when it is said that a certain media house is not complying with an edict given to them by the Labor Party and the Greens—that the fourth estate dare be sceptical; dare to question. Of course they have to question. That is their job. But the more questions that are asked, the more answers we seem not to be provided with.

We are going down this absolutely manic path at a time of total and utter economic uncertainty and when really the only thing we should be focusing on is how we quarantine ourselves from the turmoil of Europe. We know that Europe is just another report away from another market fluctuation and a downturn. How do we quarantine ourselves from the loss of manufacturing jobs to South-East Asia? How do we quarantine ourselves from the exposures that we are currently creating? What are we doing that is prudent? What are we doing that is actually putting our nation in a strong place? Are we being conservative and provident, or are we on a frolic that is highly dangerous. Is it something that we can rewind from?

I might remind you that last week the government extended the debt by $200 million on Friday and then on Sunday they
just flicked in, under ‘Australian government securities outstanding’, another $1.7 billion. We are now at $215-plus billion in gross debt. Our ceiling is $250 billion. We have just extended our ceiling because we bashed through it, otherwise the whole place would have shut down when we got to the limit of our overdraft. Now we are only $35 billion from the next ceiling and we are borrowing about $2 billion a week. If they do not extend the ceiling, we have got big problems. In an environment like that I would not be going down the path of a carbon tax. I would be doing everything in my power to try and make the business as strong as possible. I would be doing everything in my power to make sure we have the money in the future to support hospitals, to support manufacturing jobs and to support agriculture. I would be doing everything to batten down the hatches. If we go down this path, we are doing everything in our power to make the future of our nation a very scary place.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (12:37): At times all of us, in our communities and our societies, are faced with enormous challenges, challenges which go beyond the ordinary in history and challenges which reach into the future and call for action that those in the future may not or will not be able to undertake if we do not take safeguarding action for them now. At such moments, history shows us that we see generated in the public discourse not only great effort to rise to those challenges but also great silliness and irresponsibility. If we have ever heard an example of such an irresponsible, silly and doctrinaire contribution, we have just heard one from the Leader of the Nationals in the Senate. I have been in this place for 15 years and I have never heard such an uninformed diatribe based on false information and calumny about the global scientific community—that is, the global think tank of humanity—from a politician, let alone a leader of a political party. The more the public gets to hear of what Senator Joyce has just said, the more they will understand how fraught the progress of this nation, the wealthiest nation per capita on the face of the planet, could be into the future.

In his earlier contribution Senator Abetz said that the environment of Australia was threatened by the Clean Energy Bill 2011 and the related package of legislation. He did not elaborate on that because his contribution in turn was simply to make statements but not come through with a factual basis, which we must provide if we are to serve this nation and its future dutifully, honourably and based on the information we have available to us. As Senator Milne said in her contribution, climate change is an enormous challenge facing humanity and it is up to us to address that challenge.

Given the constraints of an opposition that we have just heard two remarkable contributions from, this package is a testimony to the much greater intelligence and spirit there is in this nation. Today we have outside the parliament people from Environment Victoria, the Nature Conservation Council of New South Wales and Say Yes to a Cleaner Australia with their depictions of the globe and the optimism of youth that we collectively, as human beings using our intelligence, can rise to address the awesome problem of climate change. It is in response to the community that this parliament is acting.

It is in response not least to the scientific community that this parliament is acting. New Scientist, which has an enormous history of contributing to the thinking of humanity and of collecting from the wider scientific community of the world, has this
very week, as luck would have it, front-page coverage of the state of the science and of what we do and do not know about the onrush of climate change. Let me read out what we do know about climate change, which is accepted by the scientific community generally, as we address the problem through the legislative package now before the Senate. We know that greenhouse gases are warming the planet. I quote from *New Scientist*:

From melting glaciers and earlier springs to advancing treelines and changing animal ranges, many lines of evidence back up what the thermometers tell us—Earth is getting warmer. Over the 20th century, the average global temperature rose by 0.8°C.

There are two broad explanations: more heat is reaching Earth, or less is escaping. The first option can be ruled out.

... … … ...

Studies of the Earth's past climate tell us that whenever CO$_2$ levels have risen, the planet has warmed. Since the beginning of the industrial age in the 19th century, CO$_2$ levels in the atmosphere have increased from 280 parts per million to 380 ppm. Satellite measurements now show both that less infrared of the specific frequencies absorbed by CO$_2$ and other greenhouse gases is escaping the planet and that more infrared of the same frequencies is being reflected back to Earth's surface. While many factors affect our planet's climate, there is overwhelming evidence that CO$_2$ is the prime cause of its recent warming.

It goes on to say that we also know the planet is going to get a lot hotter:

Doubling atmospheric CO$_2$ on a planet with no water or life would warm it by about 1.2°C. Even without the complicating effects of aerosols, things aren't that simple on Earth.

Take water. Water vapour is a powerful greenhouse gas. When an atmosphere warms, it holds more of the stuff. As soon as more CO$_2$ enters a watery planet's atmosphere, its warming effect is rapidly amplified.

*New Scientist* goes on to talk about tipping points, and I will come to those in a moment.

First, here is another thing that we do know: the sea level is going to rise many metres. I was with my partner, Paul, walking by Southport Lagoon in far southern Tasmania just a week ago. The biggest impression I had—this is a lagoon that is fed by a wide canal to the ocean—was that a recent storm had massively eroded the sand dunes around the perimeter of that inland waterway, washing out middens built up by Aboriginal people over thousands of years. With trees which had been in place for decades, if not centuries, falling down there onto the beach and into the lagoon, I thought about the extraordinary meeting, on the southern perimeter of that lagoon in 1793, of the scientists of d'Entrecasteaux's French expedition and the Lyluequonny Aboriginal people. I wondered what those scientists would have thought to have seen that storm surge come through, or the Aboriginal people, who were facing their own denouement about which they could do nothing. But the scientists of the world tell us there is a lot we can do, and we are in a position with eyes wide open, unlike the unfortunate Lyluequonny people, about what is coming and that we have a means to address it.

Inside that lagoon is a very clear warning to all of us about the already evident impact of climate change on our planet and how it is going to affect us into the future. We may dismiss the fact that a city of 13 million is facing extraordinary flooding at the moment as being related not to climate change but to a recurrence of flooding that occurs from time to time. We may dismiss the fact that recent drought events have killed hundreds of thousands of people around the world, and that Somalia currently has millions of people facing extraordinary circumstances of being unable to feed themselves. We may dismiss
the fact that we are in what scientists call the sixth age of extinction, losing species at a greater rate than ever before in the whole of human history. But collectively it is not for us to put our heads in the sand, as the last speaker has done so extraordinarily, and just dismiss all of this to look after the economy, because in dismissing all of this we fail the economy as well.

I go back to the New Scientist article on the fact that sea levels may rise by many metres. It says:

When oceans warm, they expand. When ice on land melts or slides into the sea, that also pushes levels up. If all the ice in Greenland and Antarctica melted, sea level would rise more than 60 metres.

Today we are in a warm period between ice ages. In comparable interglacials in the past half million years, when temperatures were less than one degree warmer than they are now, sea level was around five metres higher. I remind the Senate that, yes, we are less than one degree cooler than that now, but we have risen nearly one degree, and at the rate we are going—and it is accelerating—it will not take long before we reach this one degree warmer on current trajectories. Around three million years ago, when temperatures were just one to two degrees centigrade higher than the average of the past couple of millennia, before humans began warming the climate, sea level was at least 25 metres higher than at present. Studies of sea level and temperature over the past million years suggest that each one degree rise in global mean temperature eventually leads to a 20-metre rise in sea level. That makes the effects of a rise of at least two degrees centigrade rather alarming; how alarming depends on how quickly the great ice sheets melt in response to warming, and that is an unknown.

However, we in the Greens have a very clear philosophical difference to the previous speaker, Senator Joyce. We believe that where you do not know the magnitude of the catastrophe that may overtake the planet, including humanity, you act on it. We believe in insurance policies. As a person takes an insurance policy on her or his house not knowing what the future may be in terms of some catastrophe overtaking that house, we believe we should take an insurance policy on the planet when we do know that the catastrophe is unwinding but we do not know the degree of it. It is pure common sense.

After the last election, when the people of Australia voted for a minority government and gave the Greens the balance of power in the Senate, it was incumbent on us to approach both alternative governments to seek out an arrangement. In that arrangement we wanted to tackle climate change, despite the fact that both leaders had said that in this period they would not. I want to pay tribute to Prime Minister Julia Gillard. She stepped up to the plate when the Leader of the Opposition, Mr Abbott, did not. She has been hectored, vilified and, as we have heard today, calumniated by people who should know better. It was a change of political circumstances unprecedented in Australian history, and she had the gumption to take that vote and, at cost to herself, take on the proposal from Senator Milne that we have a committee to resolve how we might be progressing tackling climate change in this great parliament. This package is the result. Whatever else may happen, this package is going to be a tribute to two very formidable women in Australian politics; Senator Milne and Prime Minister Gillard. I congratulate Prime Minister Gillard, her environment minister, Mr Combet, and her team, who have gone through a long, rigorous but very sensible process to come up with this remarkable piece of legislation.
I also want to congratulate Senator Milne, whose work has so largely configured the outcome to the benefit of this nation. It is a remarkable tribute to application, which goes back decades now, to foreseeing the future and acting sensibly and with probity to try to address problems which we might otherwise cursorily hand over to those who come after us. Senator Milne has decided that irresponsibility should be replaced by a carefully balanced and considered responsibility—that is, we do what we can within the democratic system, based on the fact that 1.7 million Australians voted for us to take action on this matter at the last election. Senator Milne has also asked me—and I want to endorse this—to pay a special tribute to Ben Oquist, our chief of staff, who has unfailingly been there throughout this process and whose brains, intelligence and integrity have been important to us as we have worked to have this outcome, and of course to the member for Melbourne, Adam Bandt, who is newly elected to this parliament but whose role in getting this outcome has been so positive and important.

This package speaks for itself. It will stimulate the future economy. It helps move us across to a renewable energy future at a time when the conservatives in this parliament might not understand it. We get a better view of a more responsible conservative view when we look to the message from the Prime Minister of the United Kingdom, Mr David Cameron, to Prime Minister Gillard in July this year, on news of this package—and how different this is from what we have heard from Senator Abetz and Senator Joyce. Prime Minister Cameron said:

I was delighted to hear of the ambitious package of climate change policy measures you announced on 10 July and wanted to congratulate you on taking this bold step …

He said it 'will add momentum to those, in both the developed and developing world, who are serious about dealing with this urgent threat'.

Hear, hear to Prime Minister Cameron, who himself, on this issue, has put in place targets—that is, a 50 per cent reduction in greenhouse gas emissions by 2025—that are well beyond what this package of itself aims at. Nevertheless, as Senator Milne outlined in her speech to the Senate a short while ago, in this package, unlike the previous CPRS package, is the ability for advancement, the ability for a cogent improvement on the targets that are involved and on the stimulus to the new economy coming down the line and the new productivity that will come from that new economy so sensibly built into this vital piece of legislation. This legislation is arguably—along with advances in native title—the most important piece of legislation in my 15 years in this Senate.

The Australian people will no doubt have fears about the legislation. Those are coming from an opposition and sections of the media who simply dwell on the dollar rather than the quality of life. But I have a very simple question to put: what is the better prescription? Is it that we cost the polluters for the damage that they are doing to our present and the future of Australians and give that money to compensate households, as this package does, for any increase in prices for energy that will come out of the legislation? And it does more than that; it actually gives extra money, particularly to low-income earners. Or is it the prescription of Mr Abbott, which would take billions out of the pockets of householders through the tax system and Treasury, reward the polluters and say to them, 'Here, take this money and see if you can't reduce your pollution?'
Common sense is totally with this package from Labor and the Greens. As I began by saying, the silliness and irresponsibility is in the opposition package. I predict that we will see growing support for this package as Australians see that the predictions of Senator Joyce, which we just heard, simply are not carried through, any more than his earlier prediction that this legislation would see farmers having their land taken from them. It is an extraordinary form of political behaviour which may have short-term traction but in the long term demeans the whole process of a polity based on intelligence, being informed and taking responsible action. I congratulate the government, my Greens colleagues and the Independents, Mr Windsor and Mr Oakeshott, for delivering this package to this parliament, through which it will pass, to the benefit of this great nation for decades to come.

Senator BILYK (Tasmania) (12:57): Climate change is real. It is not conjecture. It is not a socialist fringe theory. It is not a global conspiracy dreamed up by academics so that they can get more dollars in research grants. It is the accepted scientific wisdom of the overwhelming majority of the scientific community. Earlier this year the Climate Commission published an overview of the current and most up-to-date understanding of climate science and the implications of this knowledge for societal responses. In its report The critical decade, the Climate Commission concluded that there is a broad consensus amongst climate scientists that the earth is warming rapidly as a result of human emissions of greenhouse gases. In other words, climate change is real.

Faced with this challenge, there are two things that a major political party can do. They can bury their heads in the sand and pretend that nothing is happening—they can allow the polluters to go on polluting and putting our environment and our economy at risk—or they can take action. That is why the Gillard government is acting: it is the right thing to do. The only action the federal opposition took on climate change was to knife Malcolm Turnbull in the back when he reached agreement with the government to pass the Carbon Pollution Reduction Scheme. In other words, Tony Abbott came to the leadership on a platform of not acting on climate change. As always, he put his narrow political interest ahead of the national interest. The Gillard Labor government—

Senator Ian Macdonald: Mr Acting Deputy President, I raise a point of order. This speaker is clearly reading every word, even the attacks on Mr Abbott. I ask you to draw her attention to the standing order which requires that speeches shall not be read.

The ACTING DEPUTY PRESIDENT (Senator Cameron): As you are aware, a very flexible approach has generally been taken to this issue in the Senate. It is not a point of order I intend to uphold.

Senator BILYK: The Gillard Labor government has chosen to put a price on carbon because the best advice we have is that it will cut pollution and drive investment in clean energy. Pricing carbon is not only the most cost-effective way to cut pollution; it is the best scheme to have if you want to link in with the global trade in carbon credits.

Our preference is to have an emissions trading scheme and we have worked constructively with the current parliament to implement one. We established the Multi-Party Climate Change Committee to negotiate a scheme which would be supported by the parliament. The Liberal-National coalition were invited to join that committee, but they refused. Unlike others in the parliament who chose to engage
constructively with the process, they chose not to be involved but to be wreckers again. What hypocrisy—they refuse to be engaged in the process but they then complain about the outcome. The federal opposition remind me of the kid on the cricket ground—when he gets out, he does not just walk off; he takes his bat and ball and wants to close the whole game down.

Mr Abbott is intent on tearing up the clean energy future plan. He will not just abolish the price on carbon; he will render worthless carbon permits purchased by businesses in good faith—trashing their investments. He may have to spend billions of dollars of investment in jobs, industry and renewable energy. This action will damage Australia's economy and destroy jobs while the rest of the world moves to a clean energy future. Even worse, he will betray the most vulnerable Australians—families, pensioners and self-funded retirees—by ripping hundreds of dollars out of their pockets. And that is before he slugs each household $1,300 to fund his own flawed direct action scheme, a scheme which will line the pockets of the big polluters. It is interesting that the Liberal Party, a party whose traditions lie in free market ideology, are now advocates for government intervention in preference to a market based mechanism. Their position on climate change is so neo-Marxist that it really makes you wonder whether the modern Liberal Party stands for anything.

Our carbon price is not one which has to be paid for by ordinary Australians; it will be paid by 500 of Australia's biggest polluters. From the money raised, we will fund assistance for emissions-intensive, trade-exposed industries, we will invest in clean energy and we will provide generous compensation for households. We have developed this household assistance package in recognition of the fact that, while households will not pay for a carbon price directly, the big polluters may choose to pass some of their costs on to consumers. Other polluters will invest in cleaner ways of doing business—minimising their carbon price liability and making them more competitive in the long term. The compensation will be targeted at those who need it the most, with the most generous assistance to pensioners and other low-income earners. Recent modelling by the National Centre for Social and Economic Modelling found that 68 percent of households would be better off after both the cost impacts of a carbon price and the benefits of household assistance were taken into account. That means that there is now evidence from both Treasury and NATSEM showing that about two-thirds of Australians will actually have more money in their pockets after the implementation of this policy.

Earlier I heard Senator Joyce ask, 'Where are the clean energy jobs?' Currently, there are about 400 altogether. There is total capital investment of $424 million, Senator Joyce might be interested to know, and we are avoiding around 423,000 tonnes of carbon pollution. This is equivalent to 60,000 homes being powered through clean energy. In the future, more jobs will be created, the total capital investment will rise by $385 million and we will be able to power around 138,000 homes. The reality is that Labor's clean energy future plan goes beyond cutting carbon pollution and supporting manufacturing industries. We are commencing a transition which will generate new clean technology investments and strengthen our economy by supporting Australian jobs.

Senator Joyce and others on that side have also previously asked, 'Given that Australia's emissions are only 1½ per cent of global emissions, by how much will this legislation
reduce global emissions?' That question is fairly disingenuous. It is like an ordinary taxpayer asking: 'How are my taxes going to upgrade the Pacific Highway? How is my small contribution to the nation's total tax take going to make a difference? No-one would notice if I didn't pay my tax, so why should I have to?' I think a more relevant question is the one China and India might ask when they look across at Australia: 'They are wealthy and industrialised and have had the benefits of cheap power in developing their industry and wealth for over a century—we want that kind of wealth for our citizens too, so why should we take action to reduce our emissions when they won't?'

Another more relevant question is the one our neighbours in New Zealand might ask when they look across the Tasman: 'We have an emissions trading scheme in place, but Australia isn't taking any action to reduce their emissions—why should we bear the burden?' There are 30 European countries which might ask the same question. Those countries are looking to Australia, a country which usually shows leadership on the world stage, to catch up with the rest of the world. They are looking to Australia to join the developed world in accounting for pollution and they are looking to Australia to make up for 12 years of inaction under the Howard government and to finally put a price on carbon. While we will make the big polluters pay for every tonne of carbon pollution they produce and put the money towards assistance for households, jobs and clean energy, a Tony Abbott led coalition government would slug households $1,300 each and give the money to big polluters. Under our package, most Australians will be better off, meaning they will actually have more money in their pockets once the cost of a carbon price and the household assistance package are taken into account. Unlike our package, there is no compensation under the coalition's plan for their carbon tax. There are only two ways to pay for Tony Abbott's carbon tax—increased taxes or reduced services.

In Mr Abbott we have a Leader of the Opposition who constantly flip-flops on whether he believes in climate change; a Leader of the Opposition who professes support for a carbon tax and then pretends that he is vehemently against pricing carbon; a Leader of the Opposition who commits to the same emissions reduction target as the government and then questions why the target is necessary; and a Leader of the Opposition who thinks that the best way to reduce Australia's carbon emissions is to slug hardworking Australians $1,300 per household and hand it to big polluters.

The fact is that Mr Abbott and his colleagues will move whichever way the political wind is blowing. The only thing that they really stand for is winning the next election at any cost. At least Australians know what we on this side of the chamber stand for. We stand for moving to a clean energy future. I commend the bills to the Senate.

Senator IAN MACDONALD (Queensland) (13:09): It is interesting to note that Labor Party speakers cannot even use their 20 minutes to try to justify this tax based on a lie. This clean energy package of bills is all about bad policy based on a lie. Never will the Labor Party forget that, before the last election, their leader, Ms Gillard, promised Australians hand on heart: There will be no carbon tax under the government I lead.

Her deputy leader confirmed that solemn promise to the Australian public but here we are in the Senate, just a little over a year later, debating the very tax that Ms Julia Gillard and her team—all of the speakers who have spoken so far this morning—
promised would not be implemented. I might ask Senator Bilyk, while she is here, why she campaigned at the last election on a policy of no carbon tax, yet here she is today speaking in favour and voting in favour of the very tax she, along with her leader, promised not to introduce. I challenge every one of those senators sitting opposite me, in the Labor Party, to honour the solemn pledge each of them made to their constituency when promising never to introduce this tax.

This is a bad tax. It is a tax based on a lie. It will be opposed by the coalition and in government we will repeal it. The next election will be a referendum on the carbon tax and it seems likely that Labor Party candidates will be annihilated. Can Labor Party senators tell me here and now, today, whether the Labor Party in the Senate, or those few senators who will be left, will vote against the clearly expressed will of the Australian people? I challenge any of them to tell me, hand on heart, that they will oppose the will of the Australian people. But can you believe anything any member of the Australian Labor Party ever tells us, after the promise a year ago that there would be no carbon tax?

I am a senator for Queensland and this is a states house. The carbon tax is a toxic tax for Queenslanders. Queenslanders understand the impact this tax will have on jobs in Queensland and on the state government—which is already struggling because of its financial ineptitude, and it will be even worse off when this tax comes in and makes investment in mining industries, particularly coalmining, less attractive.

There are many arguments against this carbon tax. Senator Bilyk was telling us that climate change is real. Well hello, Senator Bilyk! I do not know who she is arguing with. Very few Australians do not acknowledge that the climate is changing.

Indeed, the climate has been changing for millions of years and it will continue to change as it has done for millions of years. But has mankind impacted upon climate change? Quite frankly, I do not know. There are scientists who say it has but there are equally credible scientists who say it has not. I have referred on many occasions to a graph published by CSIRO which shows that 140,000 years ago our tidal levels were about where they are now. This graph shows that over 120,000 years the tides fell quite dramatically, until about 20,000 years ago when they were 140 metres below the current sea level. In the last 20,000 years, the sea level has increased back up to where it is today—and, I might say, where it was 140,000 years ago.

What caused that rapid increase from 20,000 years ago to today? Was it man's industrialisation of the world? Of course not. Time and time again, I have asked the climate change minister, and anyone who can proffer an opinion, to explain to me why that has happened. But of course no-one has an answer. Professor Flannery, the Labor Party's hand-picked head of the Climate Commission, is so worried about tidal increases that he has bought a property on the banks of the Hawkesbury River! I was warned at estimates the other day that I should not attack Professor Flannery because he is a significant Australian and he does not deserve to be attacked. Sorry, Professor Flannery, when you inject yourself into a partisan political debate under the guise of some sort of climate expertise then you are the same as the rest of us, and you subject yourself to the rigours of parliamentary debate. If Professor Flannery is so concerned about tidal increases, I would like to know why he chose to buy a property on the banks of the Hawkesbury River.

We have heard all the arguments from the Labor Party and the Greens about how this
tax is necessary. Of course with Australia emitting less than 1.4 per cent of world emissions, anything we do, particularly cutting our emissions by five per cent, is not going to make one iota of difference to the world. But the Greens and the Labor Party think that, because we go to Durban and say to the rest of the world, 'Look at us, we've introduced the world's first economy-wide tax at a price that nobody else is charging,' that is going to make a difference, and that China, America, Canada and Japan are going to say, 'If Senator Brown is leading a delegation and he says that this is what Australia has done then we are going to follow suit.' How ridiculous and how arrogant of the Greens and the Labor Party to believe that that might be the case. As we know, Senator Brown wants to lead Ms Gillard around by the hand at Durban and indicate just what a great fellow he is and how he is running the country—how he is destroying the economy of our country.

We all know that Australia's emissions will actually go up from 578 million tonnes to 620 million tonnes between now and 2020, even with this great new tax on everything. Far from Australia leading the world, we know that the Canadian Prime Minister was here the other day and his foreign minister, very diplomatically but no less succinctly, said, 'In Canada and the United States there will never be an emissions trading scheme or this sort of carbon tax.' All that the Greens and the Labor Party are doing to Australia is making our industries uncompetitive. It is shipping jobs offshore, as we have already seen happening in the steel industry and in the cement industry. You can name any industry that involves manufacturing and power and you will see the jobs going offshore. Is that a worry to Senator Brown and the Greens? Of course not. They have made it their goal to destroy Australian industries and you can see that with Australia's forestry industry, one of the best managed forestry industries in the world—a sustainable industry creating jobs, employment and wealth for Tasmania and for Australia that the Greens have single-handedly destroyed. They have made us rely on wood imported from countries which do not have the environmental regulations that Australia has.

In this debate, Senator Brown quoted all sorts of very clever scientists, but what he did not say and what he chooses to ignore is that the Australian people have innate common sense. They understand that you cannot keep taxing Australian industry and expect the country to continue to prosper. When nothing we do will have any impact on the emissions of other countries, why are we doing this? You can only infer that the Greens are on their goal to destroy Australian industry and make this a welfare nation that can be easily controlled, because the government controls every aspect of welfare payments and therefore every aspect of community life. Senator Brown tells us that people are very concerned about this, yet he chooses to ignore opinion polls. We do not always agree with opinion polls, but we do understand the trends and the trends are that over the last 12 months even fewer Australians have any confidence that a carbon tax will make any difference to the changing climate of the world.

The Australian people are quickly waking up to all of the scaremongering from the Greens and their climate-change hooray gang in the background. I want to mention some of the myths that the Greens continue to put out and rely upon. They tell us that putting a price on carbon will result in lower carbon dioxide emissions. They conveniently forget that Norway, for example, has had an effective tax on carbon dioxide since the early 1990s and the result has been a 15 per cent increase in emissions. So if we put a tax
on Australia's emissions, is that going to reduce emissions? If we follow the Norwegian example then it will mean that they will continue to increase. The Greens tell us that we have to catch up with the rest of the world who are already taxing carbon dioxide emissions. As we all know, they are not. Sure different countries put in some small proposals and support renewable energy, as we do in Australia and indeed as the Howard government did. We know that neither the United States nor Canada, for sure, or China or India are ever going to have a nationwide tax on carbon emissions which will exceed $23 a tonne, which is where the Australian tax starts. People should not miss the fact that the $23 a tonne is only the start. It will go up and up until Australia becomes an economic wasteland.

I have already mentioned the Greens mantra that Australia should show leadership by setting the example for other countries to follow. Self-delusion does not come any stronger than that. We had all of these arguments before Copenhagen, you might recall, when the former failed climate change minister kept telling us, along with Senator Bob Brown and Senator Milne, that Copenhagen would be the be-all and end-all, that Australia would be leading the push. Those of us who follow these things with even a cursory interest predicted that Copenhagen would go nowhere, and it went nowhere. It put the lie to the proposition that the Greens and their mates in the Labor Party continue to put that, because Australia does something, everyone else will follow suit.

I am not convinced that man's actions have increased emissions that destroy our climate. I never argue that. I remain to be convinced. What I do say is that Australia should not be doing this in advance of the rest of the world. If India, China, the United States, Canada or the Europeans genuinely had done something in this way, then sure Australia should follow along, but to lead the charge is just economically illiterate and dangerous, and shows self-delusion coming through from some members of the Labor Party.

I know most members of the Labor Party and I say without any fear of genuine contradiction that most members of the Labor Party have this same view but they are locked into Ms Gillard wanting to retain the trappings of prime ministership. To do that she had to sup with the devil, she had to come with whatever deal she could get to retain the office of Prime Minister. One of those things was to break, without so much as a thought it seemed, her solemn promise to the Australian public that she would never introduce a carbon tax.

We have the Greens and the Labor Party saying, 'But John Howard changed his mind.' Sure he did on the GST, but he went to an election. He said to the people of Australia: 'I now believe that the GST will be a good thing. Here's what we're going to do. Here's our detailed proposal in black and white. We're going to an election. We think it's good for the country. If you agree with us, vote us back into government. If you don't agree with us, vote us out.' And of course history shows that the Australian public were convinced that that was a good idea.

If this carbon tax is as good as Senator Bob Brown says it is and if it is as good as Mr Combet says it is, let us go to an election. If so many people support it, as Senator Brown says they do, what fear does he have about going to an election? Let the people of Australia decide. Heavens: this is still a democracy, although we do not know how long it might continue that way if the Greens and the Labor Party continue to be in charge of the Treasury benches. Can anyone tell me why the Labor Party and the Greens do not take this to an election to let the people
decide? I know why they will not—because they can read the polls. Any of them who bother talking to their constituency know what the people of Australia think—because people in their constituency offices, people at the markets, people wherever they go are telling Labor Party members of parliament—and I have heard it happen—that this is a toxic tax which will do nothing for climate change but will do everything about exporting Australian jobs and wealth overseas.

I want to talk about the impact of this carbon tax on tourism, an industry which is very important to my state of Queensland. The cost to the tourism industry is just astronomical. It will be cheaper to fly from Melbourne to Fiji than to fly from Melbourne to Cairns. Why? Because Australia will have a carbon tax on fuel used within Australia, but if you fly overseas there will not be a carbon tax. There are many examples, which time does not permit me to deal with.

I will continue repeating, until the people of Australia have a chance to give their approval or otherwise to this package, that this is bad policy which is based on a lie. Australians will never forgive Ms Gillard and the Labor Party for deliberately lying to the Australian public and then breaking that solemn promise the minute her future and her tenure at the Lodge came into question. This package of bills must be opposed.

Senator SIEWERT (Western Australia—Australian Greens Whip) (13:29): When I was in grade 5, I had a very forward-thinking teacher who taught us about what was known then as the ‘greenhouse effect’. A number of years later—I am not prepared to say how many years—it gives me great pleasure to be standing in this chamber talking about a package of bills which will do something about climate change, as we now know it. I am also very proud that the Greens have been at the forefront, driving policy initiatives and policy change in this country that will have long-reaching, positive impacts not only on how we address climate change but also on the economy of this country. Far from the position that Senator Macdonald just put about the Greens destroying industries, this is about generating new, clean, green industries that will take us well and truly into this century and into the century beyond. What the dinosaurs of the past think about where we are going in the future in fact reflects a misunderstanding of not only the science and impacts of climate change and how we need to adapt and change our economy so that it meets the needs of our community into the future but also a planet with a low-carbon economy. The way that we do that is by changing things now so that we have those clean, green jobs or green collar jobs, as some people like to put it, in the future. Those industries that Senator Macdonald was talking about are industries of the past. They are not what is going to deliver us an economy into the future. That economy will also not be the thing that determines how we live, but how we live will determine our economy.

I would like to go to some of the issues of climate change. As I said, I have been aware of the issues around the greenhouse effect or, as we now call it, climate change for a very long time. You cannot help when you live in Western Australia but to know that the impact of climate change is real and is happening now. I was at a hearing not long ago of the grain inquiry that the Rural Affairs and Transport References Committee is conducting. We asked an infrastructure provider—in fact, it was CBH in my home state of Western Australia—whether they had been noticing the impacts of climate change and were planning to deal with it.
They said, 'Not only are we planning to deal with it, we are dealing with it right now.' They are changing their infrastructure and investment in infrastructure and moving it because of the impacts of climate change on agriculture in Western Australia right now. This is not something that has happened over eons. It has been a shorter time frame in which humans have had an impact on our climate. This has happened over a generation. I come from an agricultural background. I studied agricultural science at university. I know what was happening to our agriculture then and I know what is happening now. This impact has happened over a generation in Western Australia.

I have raised some of the impacts of climate change innumerable times in this chamber. But just to remind people, we are seeing a rapid decline in rainfall in the south-west of Western Australia. We are in our third step-down in decline in rainfall in Western Australia. Fortunately, in the mid-1990s the Water Authority of Western Australia, as it was then called, and the government at the time recognised that something serious was happening to our rainfall and started planning for that. However, we are constantly having to play catch-up because we just do not have the resources to continue to manage the decline in rainfall properly. This has resulted in some catchments having a decrease in run-off by up to 60 per cent. We have seen average temperatures in Western Australia increasing significantly over the last 40 years. We have seen rainfall decrease and our run-off to dams decrease. We have seen the average sea temperature in Western Australia in the south-west region increase substantially over the last 30 or 40 years.

There is absolutely no doubt for those of us who live in Western Australia and pay attention to these things that our climate is changing. This has profound effects for everybody in Western Australia. It has profound effects for our forest ecologies, our ecosystems, our agricultural systems—and I will come back to that in a minute—our rainfall events, the way that we manage our rainfall in the north, the agricultural systems that we will develop in the north and health in the north, with the recognition that diseases are going to move further south. For example, encephalitis is going to move further south. We are stupid if we do not recognise, accommodate and plan for it now. It makes no sense not to.

While we are looking at our agricultural systems in Western Australia, it is acknowledged that Western Australian farmers are some of the most adaptable on the planet. They have had to be because they have had to cope with low fertility in their soils and the types of rainfall events that we get, with virtually all winter rainfall in the south-west. It is generally acknowledged that they are very adaptable, but it is also now acknowledged that they have passed the point of being able to adapt to the impacts of climate change without significant change to, for example, research to develop more crops and different ways of farming to adapt to the fact that they are suddenly getting frosts in some areas and their crops cannot cope with that and that in other areas they are not getting frosts and the stone fruits, for example, cannot cope with that. This is real and it is happening now. Those who do not acknowledge it have their heads in the sand. This is about moving into the future and giving our farmers and our communities a future. I am extremely concerned.

While I am focusing here largely on Western Australia, I was at the opening of CHOGM last week and it brought home again to me the impacts that our Indian Ocean island neighbours and Pacific island neighbours are facing. They are facing the real impacts of climate change now. On
several occasions—and I will probably hear it again today, tomorrow or the next day—Senator Boswell has come in here and said that he has not seen the sea level rise. Maybe he should take a trip to Kiribati or Tuvalu and have a look at how their agricultural systems are failing because of salt water egress and to see the sea level rise and people’s homes being washed away. I can recommend a very good documentary where he can see islanders having to move their homes off islands to other areas of Papua New Guinea. It is only about 12 minutes long. It should be a very informative time for Senator Boswell and his colleagues, who think that climate change is not real and that rising sea levels are not having an impact. Climate change needs to be addressed now. These bills will establish the framework to get that going.

In my portfolio areas I have been particularly concerned about the impact of climate change on families and households, in particular on low-income households, and how they will be able to adapt to the impacts of climate change, including the inevitable increases in the price of electricity, which has risen substantially in Western Australia—before people start carrying on about how these measures will increase the price of electricity and the cost of transport, because low-income households are very often on the fringes of metropolitan areas, many of which are served poorly by public transport. Excellent work on mapping some of those lower socioeconomic communities and their ability to access transport has come out of the University of Queensland. We need to address these issues. Access to food security is also a very important issue. Food is the most vulnerable area and it will be affected first by climate change. That is why I am very pleased that, in this package of bills, there is a package to assist families, and in particular low-income households. I am particularly pleased that low-income households will be eligible for assistance that at least offsets the expected average cost impact.

The package also includes support for individuals with a concession card or who have a medical condition resulting in a higher electricity costs. They will be eligible for extra financial resources. We know that half of the revenue from the sale of permits will be distributed to households. There are also the Community Energy Efficiency Program, the Low Income Energy Efficiency Program and the Household Energy and Financial Sustainability Scheme, which will help low-income households find more sustainable ways to manage their energy consumption, and the Remote Indigenous Energy Program. There are a number of these packages available to help low-income families address the energy efficiency issues that we absolutely need to be addressing.

We know that energy use is a high proportion of everyday expenses for low-income households. This package has enabled us to take a much closer look at the energy use of low-income households. We have a better understanding now about it—for example, people used to think that age pensioners used less electricity, but little thought was given to the fact that they are actually at home all day, so they are using power all day. We know that single parents with teenage kids use a large amount of electricity, because like any other household with teenagers they use TVs and computers. They need a different form of support to enable them to use energy more efficiently. We also know that it has been hard for low-income households to be able make changes such as using more energy efficient products, generating more electricity power on their own and taking advantage of the schemes that have been in place in the past. This new
scheme will enable those low-income households to be able to do that.

What does concern me, however, and we have been very upfront about saying it, is that while this package does assist low-income households, and I am very pleased that it does, there is an issue around fairness. While the package does provide assistance to people on low incomes who will be exposed to price increases, it is not fair to unemployed people, sole parents and students. That is because of the inequitable way that income support payments are made now. There are issues around different payments to particular groups on income support, and we believe they absolutely need to be addressed. As part of this discussion process for these bills, it was raised with the government that the difference in payments needs to be addressed, because people will get different benefits out of this package. For example, the buffer for unemployed households without children is $101 per year for singles and $108 for couples, which is much less than it is for age pensioners, for whom it will be $134 and $226, respectively. That is a concern for us, because we know that the impact on those unemployed households will be just the same as for other households. We asked for that to be addressed in this package. It has been argued that the right place to discuss that was at the tax summit. We took it up at the tax summit. We have raised the issue on many occasions and will continue to. We are deeply concerned that those on Newstart, single parents and students will be disproportionately impacted because of the disproportionate approach to income support for those groups. That approach needs to be addressed. We have put on record our support for the call by the Australian Council of Social Services and other groups for the government to address that. I understand the argument that this particular package is not the right place in which to address an entrenched problem with our income support system, but I cannot understand why that issue is not being addressed as a matter of urgency elsewhere, because it is a systemic approach in our income support system at this stage. We support ACOSS's call to address this. We support its call for a $50-per-week increase in the allowance. That was recommended by the Henry review. It is an issue that has been raised repeatedly, because this differential in payments for those on income support in this country is becoming increasingly unfair. These families are going to have cost increases, and we believe these need to be recognised fully by addressing this differential between payments. We will continue to advocate that this issue be addressed.

Having said that, I am very pleased that this package includes support for low-income households. The cost to households across Australia will be more than adequately compensated for; in fact, there is a buffer in there. Not only is that issue addressed but, when you look at the big picture, this is about creating a better world for all Australians. It is about providing a solid, sustainable base for our economy into the future, and that will benefit all families—all Australians. So we are benefiting on both counts. We have families, individuals and households getting support through this package, and we also have a future in which we will be more confident that we can address the impacts of climate change and have a clean, green economy that is at the forefront globally.

Rather than just being behind this issue globally, we are at the forefront of this. We are positioning ourselves to be at the forefront of driving the new technology, of capturing the benefits of the new technology in a clean, green economy. We are at the forefront of that. If we continue to position
ourselves well, we will gain maximum benefit for this country and for future generations in that new economy, rather than following behind and picking up the dregs after others have taken advantage of this particular time in history. This is a time that future generations will look back on and say: 'They actually made the change when they needed to make the change. They recognised that climate change is real, they recognised the need for change and they made that change at that time.' I commend these bills to the chamber.

Senator PRATT (Western Australia) (13:47): In making a contribution to the debate on the Clean Energy Bill 2011 and related bills, I will be making most of my remarks about the great state of Western Australia, our economy and the impact of climate change. We know that WA is a very strong and prosperous state, but it is also one that is very vulnerable to the impacts of climate change. However, the very good news is that our own Treasury's modelling shows that the WA economy will continue to grow, even after a carbon price is introduced, and that Western Australia will outperform other Australian states. Contrary to Tony Abbott's dire predictions, the Australian economy as a whole will also continue to grow after a price is put on carbon. While our economy continues to grow at a rate that is the envy of the rest of the world, we will also be doing something to protect the environment that supports life—all of our lives.

It would be irresponsible for Western Australians like me to put our sandgroper heads in the sand on this issue because we do not want to confront the fact that we have a highly successful but very carbon intensive economy. We must remove this link between our economic growth and emissions growth. After all, in my opinion, pricing carbon is not about putting WA's carbon intensive industries out of business—not at all. It is about giving them the very best possible opportunity to adapt into the future. It is about providing an incentive to make change and become more efficient and less polluting. Businesses are always keen to cut their input costs, so putting a price on pollution has been proven to be the best way of providing an incentive to create less of it. It is about getting Australian business ready for the future—a prosperous clean energy future. It is the same for Western Australia's households. Many ordinary WA households have already installed energy efficient light bulbs and hot water systems, and some have already installed electricity-generating solar panels.

There have been numerous hysterical claims that pricing carbon will have an unbearable impact on our cost of living, that industry and jobs will be destroyed. I have even had people writing to me and saying it will destroy the Australian way of life. This is simply not true—and shame on those opposite for contributing to this scaremongering. Overall, the price on carbon will see prices rise by less than one per cent. That is less than a cent for every dollar spent. In fact, for most items it is a lot less than that. The price of food will go up, on average, less than $1 a week and clothing by less than 10c; some prices will go up a bit more.

The carbon price is not a tax on Australians. It will be paid by around 500 of the largest polluters in the country. But, because some industries will pass on price impacts to their customers, we are giving people tax cuts and payments. In fact, nine out of 10 households will get a combination of tax cuts and increased payments. This assistance will mean that households that manage to cut their energy costs will be able to pocket the difference. That is more than I can say for the actions of WA's Premier,
Colin Barnett, who has increased household electricity costs by more than 50 per cent over the past three years, with no support for even our most vulnerable pensioners, let alone families. So shame on you, Mr Barnett.

We know that much of the world is already taking action on climate change and that 90 countries, including all major emitters, have pledged action on climate change, including our top trading partners: China, Japan, the US, the Republic of Korea and India. Another six of our top 20—New Zealand, the UK, Germany, Italy, France and the Netherlands—are all implementing or piloting carbon trading schemes. Ten states in the US have emissions trading schemes and an 11th, California—which is, I think, the world's eighth largest economy—is about to follow. In Canada, many provinces are also taking action. So I am sick and tired of hearing those opposite say on the one hand that they believe human induced climate change is real but on the other hand that what Australia does to reduce emissions does not matter anyway. It does matter.

If you accept the science, as I do and the government does, then we know we need to act on climate change and we need to start acting now. What Australia does matters very much. It matters because if a rich nation like Australia does nothing, having built its wealth from cheap, non-renewable energy, then the rest of the world can point to us as an excuse to also do nothing and certainly not more than they are already doing. It matters because we are among the first countries to suffer the very real impacts of climate change, with scientists telling us to expect longer droughts, continued acidification of our oceans, more severe cyclones, more natural disasters and the destruction of species and ecosystems. I cannot think of anything that could be a greater threat to the Australian way of life.

There is perhaps one greater threat, and that is Mr Tony Abbott's sham policy of direct action, which is nothing more than a plan to tax WA families about $1,300 by the year 2020, money he simply wants to hand over to the big polluters. It is a nonsense policy and it is not a policy that will work. Mr Abbott has been unable to find a single economist that supports his climate change policy, so frankly I am stunned that coalition members, who supposedly support a free market, would think that such a plan has any merit. Personally I am proud to be part of a political party that is taking action to ensure Australia has a clean energy future.

The Gillard government is acting on climate change. We are acting because it is the right thing to do. It is the right thing to do for our environment, our economy and our society. It is sensible policy and it is in the national interest. That is why we are acting. We have listened to the scientific evidence that says climate change is real and that carbon pollution is contributing to it. We have listened to economists who tell us that putting a price on carbon is the cheapest and most efficient way to cut pollution. As I said earlier, we must remove the link between our economic growth and emissions growth. This change will not happen overnight. We need to give our economy and our community the opportunity to adjust to this change. That is what our clean energy future plan is designed to do. It will be cheaper in the long run if we start now.

For a state like Western Australia, with its high emissions profile, it is important that we price pollution now. Western Australia will still be mining, refining and exporting long into the future, and companies will now have a great incentive to do it more efficiently. The problem is that, if we do not act to price pollution, we run a very high risk of our local economy being dependent on out-of-date and highly polluting ways of doing
things. This approach would be a complete dead-end for Western Australia, WA jobs and WA industries. It would be a terrible outcome for Western Australia, but it is not the worst case scenario.

Imagine a world where we do not act on climate change, where we do not price pollution, where we and the rest of the world do not do enough to help protect our fragile environment from climate change, where other countries point the finger at a rich nation like Australia—with a high standard of living and high per capita emissions—and say, 'If Australia won't act then why should we?' This would be a complete disaster for Western Australia. I despair to think what this would mean for our West Aussie lifestyle and jobs, not to mention farming and all of the plants and critters that form part of our wonderfully diverse environment.

Thankfully, I believe we can do this. We can price carbon. We can look after our environment and we can ensure Western Australians can look forward to a prosperous future. Western Australia needs climate change action. Despite our intensive economy, our fragile environment means we need a clean-cut energy future as much or even more than the rest of the country does. Climate change is a serious and imminent threat to many more of WA's unique natural assets, located through the breadth and length of our wonderful state, and a threat to our unique way of life, tourism, agriculture and many economic opportunities.

I believe scientists when they tell us that Western Australia is one of the most vulnerable regions to climate change impacts in the developed world. Even after what has seemed a relatively wet winter, our thirsty land has soaked up most of the rain that has fallen. There has been very little run-off for Western Australia's dams. Our climate is getting hotter and the south-west of our state is getting drier. We have had a shocking decline in rainfall over the past 30 years.

Science tells us that climate change will lead to the loss of many native animals and plants. Larger changes could sound the death knell for WA's World Heritage listed Ningaloo Reef. We have already warmed the planet by a degree over the last century. There is nothing in the environmental record in terms of ice cores, tree rings or sediments that you will find that reflects the scientific record of today. You have to go back 15 million years before you can find a record of CO₂ in the atmosphere that is as high as it is today. We will already have to live with the impacts of climate change. The window for action to prevent these impacts has sadly already closed.

Debate interrupted.

CONDOLENCES

Duffy, Captain Bryce

Birt, Corporal Ashley

Gavin, Lance Corporal Luke

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:00): by leave—I move:

(1) That the Senate records its deep sorrow at the death, on 29 October 2011, of Captain Bryce Duffy, while on combat operations in Afghanistan, places on record its appreciation of his service to our country, and tenders its profound sympathy to his family and friends in their bereavement.

(2) That the Senate records its deep sorrow at the death, on 29 October 2011, of Corporal Ashley Birt, while on combat operations in Afghanistan, places on record its appreciation of his service to our country, and tenders its profound sympathy to his family and friends in their bereavement.
That the Senate records its deep sorrow at
the death, on 29 October 2011, of Lance Corporal
Luke Gavin, while on combat operations in
Afghanistan, places on record its appreciation of
his service to our country, and tenders its
profound sympathy to his family and friends in
their bereavement.

Question agreed to, honourable senators
standing in their places.

DISTINGUISHED VISITORS

The PRESIDENT (14:01): I draw to the
attention of honourable senators the presence
in the chamber of a parliamentary delegation
from the national People's Congress of the
People's Republic of China, led by Mr Liu
Dong Dong, Vice Chair of the Foreign
Affairs Committee. On behalf of all senators,
I wish you a warm welcome to Australia and,
in particular, to the Senate.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

Qantas

Senator ABETZ (Tasmania—Leader of
the Opposition in the Senate) (14:02): My
question is to the Minister for Tertiary
Education, Skills, Jobs and Workplace
Relations and the Minister representing the
Prime Minister, Senator Evans. Does the
government accept any responsibility at all
for the huge inconvenience to the travelling
public and the damage to our economy and
international reputation due to the grounding
of the Qantas fleet? Does it bear any
responsibility?

Senator CHRIS EVANS (Western
Australia—Minister for Tertiary Education,
Skills, Jobs and Workplace Relations and
Leader of the Government in the Senate)
(14:02): As Senator Abetz and the Senate
would be well aware, our industrial relations
system under the Fair Work Act—as it was
under Work Choices—places primary
responsibility for the conduct of industrial
relations and enterprise bargaining with the
parties. They are responsible for the process;
they are responsible for their actions.

We have been concerned for some time
that the dispute between three unions and
Qantas was getting worse and that relations
between the unions and Qantas were
deteriorating. Minister Albanese and I were
both engaged with all the parties, trying to
encourage them to reach a negotiated
settlement. All those parties—Qantas and the
unions—indicated that that was their
preferred option as well. They continued to
believe that a negotiated settlement was
possible in terms of the disputes that they
were dealing with. They wanted to continue
the negotiation process. They were appearing
before Fair Work Australia regarding at least
two of those matters, utilising the good
offices of Fair Work Australia in those
processes.

As people are aware, on Saturday Qantas
took the decision to lock out its employees
from eight o'clock on Monday evening and
as a result of that decision indicated that it
would close its operations from 5 pm on
Saturday. That obviously caused enormous
disruption in the Australian aviation
industry. The government then acted swiftly
to intervene in the dispute by seeking to get
Fair Work Australia to issue orders to
terminate the action of both Qantas and the
unions. I am pleased to say that Fair Work
Australia did do that. It did award the orders
that the government sought. As a result, all
action has been terminated.

Senator ABETZ (Tasmania—Leader of
the Opposition in the Senate) (14:04): Mr
President, I ask a supplementary question. It
appears that the government takes no
responsibility. Why did the minister and the
government fail to heed the multiple
warnings from the tourism industry, cabinet
minister Martin Ferguson, Webjet, the New
South Wales and Victorian premiers and
Qantas and not intervene earlier, particularly when certain union officials were saying, 'This is going to be a big fight to the death,' and, 'We will bake them slowly'?

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:05): I did not take the advice of Peter Reith about not interfering in the dispute, but clearly his contribution to the debate was interesting. We intervened and sought orders from Fair Work Australia when the dispute between Qantas and the three unions significantly escalated, escalated to a point at which the airline was effectively shut down. We received no warning of that decision by Qantas until the afternoon that they took that action. They rang us to advise us that that was what they were doing. That obviously completely changed the circumstances of the industrial dispute. We immediately had a telephone meeting of ministers. I was authorised to seek Fair Work Australia orders to cease the industrial action. Fair Work Australia met immediately that evening to begin that process. The result is the appropriate one in the circumstances. (Time expired)

**Senator ABETZ** (Tasmania—Leader of the Opposition in the Senate) (14:06): Mr President, I ask a further supplementary question. Given that Qantas did warn the minister and the government of its intention to ground its fleet, how could the government then claim that it was not warned—indeed, that it was ambushed? Was Mr Sheldon of the Transport Workers Union correct when he said, 'I have no confidence in Chris Evans's capacity to deal with the fundamental industrial relations issues of this country'?

**Senator ABETZ** (14:06): Can I make clear that at no time prior to Saturday afternoon—although it was late Saturday Perth time when I received the call from Mr Joyce—had Qantas canvassed the issue of a lockout of their employees. They had never advised us that that was an option they were considering, let alone one they were going to exercise. They advised me, as they did Minister Albanese, that they had taken that decision, had had it authorised by the board and were going to move immediately to close their airline. That was the first that we knew of it.

**Qantas**

**Senator BOB BROWN** (Tasmania—Leader of the Australian Greens) (14:08): My question is also about Qantas and goes to the Minister representing the Prime Minister, Senator Evans. I ask the minister: is it true that under the Fair Work Act a 72-hour warning period is required by workers for industrial action but was not required of Qantas for its lockout? Will the government be looking at rectifying this imbalance so that employers are required to give a 72-hour warning, at least on such lockouts, so that we do not see tens of thousands of Australians and other people stranded as they were by this sudden announcement of the lockout and the close-down by Qantas?

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate)
Qantas advised the government on Saturday afternoon that they would be locking out all employees covered by the three enterprise agreements and represented by the three unions involved. They indicated that they would be doing that at 8 pm on Monday evening—that is, they were giving notice of the lockout and therefore meeting the conditions for protected industrial action that apply to employers under the act. So, in terms of the decision to take industrial action against their employees, and lock them out and prevent them from attending work, they gave notification of that.

But, in a secondary move, Qantas took the decision that they would not allow their planes to fly during the period between the notification of the lockout and the lockout coming into effect. They took the decision on grounds which they argued were related to safety and the potential actions of their employees—which, I must confess, I am not that clear about. But they argued that, as a result of their concerns in that regard, they were forced to take action immediately and therefore they would be closing down their operations at 5 pm on the Saturday. So in fact the lockout had not occurred when Qantas took the decision to close down the airline and start cancelling flights and grounding aircraft. So, Senator Brown, the answer probably hinges on some of these technical questions, but they were not able to lock out the employees until 8 pm, and they provided that notification. But they then took the decision to close the airline immediately and cause the sort of disruption that we saw.

(Time expired)

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (14:11): Mr President, I ask a supplementary question. I notice that Minister Albanese in fact said just today that the government would not countenance any breach of the act. Can the minister explain how that prohibition on Qantas conducting scheduled international air transport passenger services other than under the name ‘Qantas’ and Qantas’s announcement that it will invest in a premium airline based in Asia with a different name?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:12): Senator Brown's question I think can be answered by saying that the Qantas Sale Act is the law of the land and Qantas are bound by that act. The government's advice is that, at this stage, there is nothing to indicate Qantas's proposed plans breach the Qantas Sale Act—but clearly that would be something we would keep under review when more details emerge as to how they might proceed in the general direction they have indicated. The Senate would be aware that Qantas have a number of subsidiaries that operate both locally and internationally, such as Jetstar, and they have diversified into those subsidiaries over the years. But our view is that the Qantas Sale Act is currently being complied with. Clearly, as the law of the land, it would have to be complied with, but we will obviously monitor any developments to ensure that Qantas continue to comply with the act.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (14:13): Mr President, I ask a further supplementary question. I notice that Minister Albanese in fact said just today that the government would not countenance any breach of the act. Can the minister explain how that prohibition on Qantas conducting scheduled international air transport services under a registered name that does not include the expression ‘Qantas’ meets with Qantas’s announcement of Jetstar Japan, to begin by the end of 2012, with international services starting within a year?
Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:14): I do not mean to try and avoid the question but I am not competent to provide the sort of advice that Senator Brown asks for. I am happy to take that on notice, but it goes to an act outside of my portfolio. I am not briefed as to the specifics he raises, other than to say that, as I said, the act is law and Qantas will have to comply with that. I also note that his question goes to an announcement of an intention by Qantas, so action not yet taken. As I indicated in response to the earlier question, we will continue to monitor Qantas's activities, if you like, as they move down this path, to ensure that whatever action they take is compliant with the Qantas Sale Act. But I am happy to take on notice the specifics of the question asked and ask whether Mr Albanese, as the relevant minister, can provide any more information.

Broadband

Senator BILYK (Tasmania) (14:15): Mr President, my question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Can the minister provide an update to the Senate on the progress of the National Broadband Network across Australia?

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy, Deputy Leader of the Government in the Senate and Minister Assisting the Prime Minister on Digital Productivity) (14:15): I thank Senator Bilyk for her ongoing and genuine interest in the National Broadband Network. On 18 October the Prime Minister announced the next 12-month rollout schedule for the NBN at the University of Wollongong while visiting the Illawarra. This was an historic day for Australia's next generation of broadband, which will see the fibre network delivered to 49 sites around Australia in the next 12 months, including 28 new locations. This announcement will see NBN Co. begin construction over the next 12 months to an additional 485,000 premises across Australia. This is in addition to the 81,700 premises which either have already been connected or where construction is currently underway.

The Gillard government remains committed to providing all Australians with the benefits that will be available with a world-class national broadband network, such as better educational outcomes, improved health service delivery and increased economic activity. The construction that will be undertaken during the next year will see the NBN rollout go to all parts of Australia—north, south, east and west—with a mixture of fibre and interim satellite solutions. The Gillard government remains committed to transforming Australia into a leading broadband nation. The release of the NBN 12-month construction timetable proves that this is a reality, and it is well underway. Let me list some of the towns that we have announced: Dapto, Gosford, Long Jetty, Wollongong, Darwin, Toowoomba, Townsville, Aldinga Beach, Port Augusta, Port Elliot, Yankalilla, central Ballarat—(Time expired)

Senator BILYK (Tasmania) (14:17): Mr President, I ask a supplementary question. Can the minister please inform the Senate of any recent statements of support for the 12-month rollout schedule?

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy, Deputy Leader of the Government in the Senate and Minister Assisting the Prime Minister on Digital Productivity) (14:17): Just two weeks ago,
the *Express Advocate* in Gosford, reporting on the announcement that the NBN would be coming to Gosford, said it was:

... a significant leap in the communications capabilities in the region.

Peter Wilson, Gosford City Council's General Manager said:

The rollout of the NBN will assist in the redevelopment of the Gosford CBD in attracting organisations to relocate to what will be an ideal environment to do business.

Gosford chamber of commerce president, Rod Dever, said:

The jobs that this project creates in addition to the benefit and efficiencies to business will be greatly received in the local area.

Meanwhile, Mr Dave Abrahams, who has not only worked for the past 10 years on the Central Coast, but is also a member of the Central Coast broadband steering group said:

This local infrastructure means better services, jobs for young people and, most striking, it will turn the tide on our commuting habits.

**Senator BILYK** (Tasmania) (14:18): Mr President, I ask a further supplementary question. Can the minister further advise the Senate on additional views on the NBN rollout across Australia?

**Senator CONROY** (Victoria—Minister for Broadband, Communications and the Digital Economy, Deputy Leader of the Government in the Senate and Minister Assisting the Prime Minister on Digital Productivity) (14:19): It is clear that those opposite are intent on saying anything, regardless of the truth of their statements. Despite the 12-month rollout being an overwhelmingly good news story, we once again saw the opposition go on the attack with the pathetic attempt by the member for Bradfield, Mr Fletcher, to smear the government with a claim of pork-barrelling. What proof did Mr Fletcher provide? In his press release of 18 October he claimed:

Every Tasmanian site—new or existing—is in a Labor or Independent electorate.

Shocking! Although, Mr President, as you might understand, there is not one single Liberal electorate in Tasmania. It is not possible to roll out the NBN in a Liberal electorate in Tasmania—there are none; not one. *(Time expired)*

**Qantas**

**Senator JOYCE** (Queensland—Leader of The Nationals in the Senate) (14:20): My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and the Minister representing the Prime Minister, Senator Evans. I refer the minister to the statement on 18 October 2011 by Alan Joyce, CEO of Qantas, where he said:

If this overtime ban continues, we will be grounding even more aircraft.

Does the minister concede that the action taken by Qantas on the weekend was threatened, impending, probable or, at the very least, possible, and that such action would cause significant damage to the Australian economy or an important part of it?

**Government senators interjecting—**

**The PRESIDENT:** Order! Senator Joyce, you are entitled to be heard in silence.

**Senator JOYCE:** If so, why didn't the government take action under section 431 of the Fair Work Act or at least prepare for action under section 431 of the Fair Work Act, as the Prime Minister had written the act?

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:21): Senator Joyce is right to refer to the fact that there had been overtime bans in Qantas applied by the engineers union which
had been taking a toll on Qantas's capacity to maintain its fleet. As a result of that overtime ban their maintenance had fallen behind and they took the decision to ground a number of aircraft and reduce the number of flights they were conducting each week. But Senator Joyce would also be aware that Qantas continued to say both publicly and privately that they sought to negotiate a settlement with the union and that they did not request government intervention and they did not encourage government intervention. They wanted to be able to negotiate settlements with the unions. They made that public and that was also their position in private. At no time did they ask the government to intervene, nor did the trade unions. Both parties maintained publicly that they could settle the dispute.

So it came as a surprise to all of us, I think, when Qantas took the decision to lock out their employees effective from Monday. They took the decision not only to lock out the engineers but to lock out the pilots and to lock out the TWU baggage handlers. This is despite the fact that the TWU had had a total of about six hours industrial action in stop work meetings and the pilots' industrial activity consisted of wearing red ties and making announcements as to the need to maintain Australian pilots.

*Honourable senators interjecting—*

**The PRESIDENT:** Order! Senator Evans is entitled to be heard in silence and Senator Joyce is entitled to hear the answer. When certain people have quietened down, you will have the chance to complete.

**Senator CHRIS EVANS:** Despite the impact of the engineers' overtime ban on Qantas, they continually reinforced the fact that they did not want to— (Time expired)

**Senator JOYCE** (Queensland—Leader of The Nationals in the Senate) (14:24): Mr President, I ask a supplementary question. I refer to the Prime Minister's statement this morning that the government did not invoke section 431 of the Fair Work Act because its effect was legally uncertain and this would have led to delays and uncertainty for the travelling public—even though she wrote the act. Did the Prime Minister, or indeed any member of the government, seek legal advice on the use of section 431? If so, what legal advice was sought and when?

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:25): The government was in receipt of advice from my department about both section 424 and section 431 and the other sections of the Fair Work Act as to the options open to the government in terms of intervening in the Qantas dispute with the three unions. We acted on the advice provided to us following the decision by Qantas on Saturday to lock out their employees and shut down the airline. That advice recommended action under section 424 to seek Fair Work Australia's intervention and to seek orders from them to terminate the industrial action. That advice was followed and it was successful. It worked; the advice we followed worked. It ended the dispute. It terminated the industrial action and has allowed passengers to again fly with Qantas.

**Senator JOYCE** (Queensland—Leader of The Nationals in the Senate) (14:26): Mr President, I ask a further supplementary question. Was that advice all gathered together in the last three hours? You stated in your own words that you were ambushed on the weekend. Is this yet another example of the government not so much being ambushed but being caught flat-footed for events that were obviously impending, as we have been seeing the senior members of Qantas around here for quite some time? Is it to be
anticipated that this will be another stuff-up just like the live cattle trade ban was?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:26): The government has been actively engaged in trying to find a resolution to the various Qantas disputes and in supporting the parties in their enterprise bargaining for some time. Both Minister Albanese and I have been meeting with Qantas and the unions over recent months. There have been a number of meetings where we have discussed options, put propositions and done whatever we could to see if we could assist in that regard. We have also been taking advice from my department for some time now as to what our options might be in the event of certain circumstances developing inside Qantas. It is the case that the decision by Qantas to lock out its employees—an unprecedented action by an airline—did come as a surprise to us. But we had already been in the position of working with the department to make sure we had the best advice available and were able to act quickly, and we did. (Time expired)

Asylum Seekers

Senator HANSON-YOUNG (South Australia) (14:27): My question is to the Minister representing the Minister for Home Affairs and Minister for Justice, Minister Joe Ludwig. Can the government confirm that the Indonesian consulate is currently investigating 40 cases of alleged minors being held in relation to people smuggling in Australian adult jails: 16 cases in Western Australia, two cases in Victoria, 14 in New South Wales, one in the Northern Territory and seven in Queensland? In connection with this, can the government inform the Senate exactly how many minors are being held in Australian adult jails?

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queenslands Floods Recovery) (14:28): I thank Senator Hanson-Young for that question. Australia has strong people-smuggling offences that apply to crew of people-smuggling vessels. Arrangements for people-smuggling prosecutions are no different from those for other types of Commonwealth offences. Under our constitutional arrangements, almost all federal offences are tried in state and territory courts and those convicted are sent to prisons in the state or territory in which they are prosecuted. The number of people charged with people-smuggling offences in Australia is a very small proportion of the total number of federal offenders dealt with in state and territory systems and of the people being tried in state and territory courts generally and held in state and territory prisons. Overall, if you look at the comparison, people serving sentences for maritime people smuggling comprise approximately 0.9 per cent—

Senator Hanson-Young: On a point of order, Mr President: the question was clearly whether the government could confirm whether the Indonesian consulate are investigating 40 cases where we are detaining, jailing, children and minors in Australian adult jails. That is the question to the minister.

The PRESIDENT: There is no point of order. The minister has 57 seconds remaining in which to answer the question.

Senator LUDWIG: In dealing with this, it is, of course, always difficult around age determination, but can I then add that law enforcement authorities investigate all persons suspected of being involved in people smuggling, including minors, and
where there is doubt about whether a person arriving in Australia as an irregular maritime arrival is aged over or under 18 years of age and where that person is suspected of committing a Commonwealth offence the Australian Federal Police conducts an age determination process in accordance with the Crimes Act. This is done with the consent of the persons involved. For dealing with minors the government has announced improved processes to provide more certainty in determining the age of individuals detained in Australia suspected of people smuggling. But it is important to keep in mind that the Commonwealth works with the various state and territory governments in ensuring, where the people who are detained and who are convicted of offences are sent to prisons in those states and territories and they are prosecuted—

**(Time expired)**

**Senator Hanson-Youn** (South Australia) (14:31): Mr President, I ask a supplementary question. Is the government aware that jailing Indonesian children and minors is a breach of Australia's international treaty obligations? I ask the minister again: is the Indonesian consulate currently investigating 40 cases where Australia is jailing, in adult jails, 40 children from Indonesia? Yes or no, minister?

**Senator Ludwig** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:31): Can I add, as I think we should at least ensure that the record is clear, in terms of prosecution policy in relation to minors, minors are only prosecuted for people-smuggling offences in exceptional circumstances on the basis of their significant involvement in a people-smuggling venture or in multiple ventures. Where the age determination process determines the person, as I indicated earlier, is a minor and there are no exceptional circumstances, that person is returned to their country of origin. If there are exceptional circumstances and the minor is convicted, mandatory minimum penalties do not apply to that person. To date the Commonwealth has not proceeded with prosecutions where the court has determined a defendant is a minor.

**Senator Bob Brown:** Mr President, on a point of order: at least three times Senator Hanson-Youn has asked whether 40 or so minors are subject to an inquiry from Indonesian authorities and said, 'Would he answer that question?' He has only 14 seconds in which to say whether that is the case or not.

**The President:** There is no point of order. I am listening closely to the minister's answer. I believe the minister is answering the question. The minister does have 14 seconds remaining in which to answer the question.

**Senator Ludwig:** Dealing with broadly the first question and the second question, I will take those on notice and I will ask whether the home affairs minister will provide any additional information given the range of questions that have been asked. **(Time expired)**

**Senator Hanson-Youn** (South Australia) (14:33): Mr President, I ask a second supplementary question. It relates to the case of Ardi, who is a young 16-year-old boy who spent over a year and a half in custody in an adult jail. He was found to be a minor—and it was not until his lawyer approached the government to have him moved. Has the government engaged in official discussions with the Indonesian government in relation to Ardi's case?

**Senator Ludwig** (Queensland—Minister for Agriculture, Fisheries and
Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:33): In terms of Mr Ardi, on 22 August 2011 the CDPP withdrew all charges against Mr Ardi. Can I indicate, though, as to whether there is any additional information that the minister can provide, that I will ask the home affairs minister to add it if he is able to. It always is difficult, when we are dealing with matters that have been before courts or are before courts, to provide sufficient information to satisfy the questioner. It is an area where the Commonwealth Director of Public Prosecutions does take into account how the age determination process is dealt with through the AFP. But all of those matters are subject to careful examination by the CDPP and the Australian Federal Police. They take all care to ensure that appropriate outcomes are provided for. (Time expired)

Executive Remuneration

Senator MOORE (Queensland) (14:35): My question is to the Minister representing the Assistant Treasurer, Senator Sherry. Is the minister aware of the headlines surrounding executive remuneration in these recent weeks with the reporting season coming to a close? Could the minister please outline to the Senate what the government has done to make executives more accountable to shareholders and their remuneration even more transparent?

Senator SHERRY (Tasmania—Minister Assisting on Deregulation and Public Sector Superannuation, Minister for Small Business and Minister Assisting the Minister for Tourism) (14:35): Thank you to Senator Moore for her question, one that is obviously very relevant. There has been a good deal of media coverage in the last few weeks. It is what is known as the AGM season, so we have seen a number of instances of the issue of executive pay and concerns around executive pay being raised at AGMs. I would emphasise there is absolutely no problem with, in successful businesses, effective executives receiving increased remuneration. Notwithstanding that, faith does need to be kept between executives and their shareholders. We must have strong rules of accountability. Further, keeping faith between businesses, particularly large businesses, and the general public is also important in the context of this debate. Earlier this year, the government introduced significant reforms in relation to—

Honourable senators interjecting—

Senator Moore: On a point of order, Mr President: I cannot hear any of this answer.

The PRESIDENT: I remind senators that conversation across the chamber is disorderly. I was about to pull them up but they ceased. Senator Sherry is entitled to be heard in silence. Senator Sherry, continue your answer.

Senator SHERRY: Earlier this year the government introduced significant reforms in relation to executive remuneration that we argue and believe reflect this need for balance. The reforms were first and foremost about giving more power to shareholders. We should not forget that it is shareholders who ultimately pay the wages of executives. Shareholders take on the risks of investing capital in the company, so it is only appropriate that executives are accountable to those shareholders. We should not forget that other employees have to go through transparent and to some degree regulated processes when they seek pay rises, and executives should be no different.

There are some key elements of the reforms. There is a two-strikes process. Under the new two-strikes rule, if a company remuneration report has received a 'no' vote of 25 per cent or more in two consecutive
annual general meetings, shareholders will have the opportunity to vote on a motion to spill the board. Where a spill motion has been supported by a majority of shareholders— *(Time expired)*

Senator MOORE (Queensland) (14:37): Mr President, I ask a supplementary question. Can the minister explain in what practical ways the government's reforms on executive remuneration are working?

Senator SHERRY (Tasmania—Minister Assisting on Deregulation and Public Sector Superannuation, Minister for Small Business and Minister Assisting the Minister for Tourism) (14:38): Yes. Just to conclude the key elements of reform, where a spill motion is being supported by a majority of shareholder votes, directors will face fresh elections at a subsequent spill meeting. Before the government's reforms there was no legislation governing how businesses use remuneration consultants. Now a remuneration consultant must be approved by the board in order to be engaged and must demonstrate their independence. Also, directors are prohibited from participating in votes on remuneration of key management personnel.

This has been an effective package, as has been well illustrated over the last couple of weeks. It is clear proof that the government's reforms are already working. We have seen a number of instances this year of shareholders rejecting proposed remuneration. We have seen instances of companies that have recorded high 'no' votes, particularly in the last few weeks, and making much more effort to justify the pay— *(Time expired)*

Qantas

Senator HUMPHRIES (Australian Capital Territory) (14:40): My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Evans. Following the media conference today of the Minister Evans, the Prime Minister and Minister Albanese where it was confirmed that the government had at least three hours notice of the impending employer industrial action in the Qantas dispute, can the minister confirm to the Senate that the government had both the time and the means under section 431 of the Fair
Work Act to prevent the grounding of Qantas's fleet before it actually occurred?

Honourable senators interjecting—

The PRESIDENT: Order! If you wish to debate it the time to do so is after question time.

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:41): I thank Senator Humphries for his question. As I have indicated previously, the government was in receipt of advice about the provisions of the Fair Work Act that would be available to it in the Qantas dispute. Clearly, the decision of Qantas to lock out its employees and ground the airline was one that was not anticipated as being a likely course of action at that time. It had not been flagged. It had not been raised by the government, and we continued to believe that Qantas was focused on negotiated settlements, as it had said publicly and privately.

We had advice, and we confirmed advice, in relation to how we might best respond. We had a conference of ministers, and the decision was taken for me to make the application on behalf of the government under section 424 to seek to have the matter heard before Fair Work Australia and have orders made to cease all industrial action. That was the recommendation to the government and it was one we took. We accepted that advice. We took the action as urgently as we could. Fair Work Australia, to their credit, responded and began hearing the matter at nine o'clock that evening. That advice, and the actions we took, worked. We did get the orders from Fair Work Australia to settle the dispute and to order that all industrial actions cease, so we acted on that advice.

Section 431 is a section in the act similar to sections that have been in earlier pieces of industrial relations legislation. That power has never been used by a government, despite a number of very serious disputes. It is seen as a reserve power, one that would be used as a measure of last resort. Our advice was to use section 424 to make an application, and we did so. (Time expired)

Senator HUMPHRIES (Australian Capital Territory) (14:43): Mr President, I ask a supplementary question. Does the minister confirm to the Senate that among the possibilities that his advice adverted to was the possibility that Qantas would take up their right under the Fair Work Act to lock out their staff? If they were aware of that possibility and if they were aware of Qantas taking the step of locking out staff before this came into being, why did the minister not activate a contingency plan to use section 431 to prevent the dispute occurring and so prevent disruption to thousands of Qantas travellers, domestic— (Time expired)

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:44): There are a couple of aspects to that. Most certainly if you ask me whether technically I was aware that an employer had the power to lock out its employees, yes. That is part of the act. Did I think there was any chance of Qantas moving to do that on the Saturday? No, I did not. I spoke to Mr Joyce when he rang to advise me that he was placing a courtesy call to me and Minister Albanese to advise us that they had taken the decision to lock out their employees, that they had taken the decision to cease their operations at 5 pm and that if information relating to those matters leaked they might have to close the airline earlier. So, clearly, they were set upon that course. When I asked Mr Joyce to explain the reasons for his
decision, he stuck to the general lines that he has been providing to the media. There was no trigger that I could understand— (Time expired)

**Senator HUMPHRIES** (Australian Capital Territory) (14:45): Mr President, I ask a further supplementary question. Did the government not anticipate the potential for Qantas grounding its fleet in this way? Did the government advert to the possibility of millions of dollars being lost as well as the inconvenience to travellers? Again, why did the government not take the step under section 431 of preventing the grounding of Qantas's fleet before it actually occurred?

*Honourable senators interjecting—*

**The PRESIDENT:** Order! Time for debating the issue is after three o'clock.

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:46): I made it clear publicly and in the parliament that I did not anticipate that Qantas would seek to lock out its employees. This is the most extreme industrial option available to an employer. It is the most extreme action possible.

*Senator Abetz interjecting—*

**Senator CHRIS EVANS:** An all-out strike, Senator, is the equivalent. You are quite right. An all-out strike by those three unions shutting down Qantas would be the equivalent of what Qantas did—that is, a lockout of all its employees, closing down the airline without notice to government or to its passengers. It is the most extreme industrial action available to Qantas. So when I am asked, 'Did I anticipate them taking that action?'—no. Their last advice to me was that they continued to seek a negotiated settlement. When they did take that action, the government moved immediately to act on the advice it was given, which was to seek orders from Fair Work Australia. We did so, we got the orders and we had the industrial action terminated. It worked, and I am very pleased it did. (Time expired)

**National Food Plan**

**Senator FURNER** (Queensland) (14:47): My question is to the Minister for Agriculture, Fisheries and Forestry, Senator Ludwig. Can the minister please inform the Senate about food security in Australia and abroad? Can the minister also update the Senate about the Gillard government's National Food Plan?

**Senator LUDWIG** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:47): I thank Senator Furner for his continuing interest in food security and the National Food Plan. The government understands that for farmers, producers, food producing regions and consumers the question of food security and the future of our food industry is a critical one. In Australia, food production supports jobs, underpins regional development and provides the entire community with high-quality food and fibre. Australia's food industry significantly contributes to the economy and trade and all parts of the food chain. This industry contributes over $200 billion to the Australian economy. Food and related employment right along the supply chain is estimated to be nearly one million people, or to put it another way: roughly one in 22 Australians work in the food chain. At home, it is fair to say that Australians have an enviable food security status and we will, as a government, continue to defend and ensure that this status continues and that it plays an important role in the provision of global food security.
However, the world is changing rapidly and Australia needs to be ready to meet the risks and opportunities as they occur, including a changing global food market, global population growth and climate change. It is for these reasons that last year the Gillard government made a commitment to look into the future and to develop the nation's first ever National Food Plan. The government has a clear vision for Australia's food supply chains. We want to foster a sustainable, global, competitive, resilient food supply and we want to ensure that food supply supports every Australian's access to nutritious and affordable food. I am able to inform the Senate that the finalised objectives of the National Food Plan include identifying and mitigating risks to our food security, reducing the barriers—(Time expired)

Senator FURNER (Queensland) (14:49): Mr President, I ask a supplementary question. Would the minister please update the Senate on the future steps of the National Food Plan?

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:49): I thank Senator Furner for his first supplementary question. The National Food Plan will provide us with a strategic road map to deliver for the food supply chain throughout Australia. I can inform the Senate that the Gillard government has announced that it will now develop Australia's first National Food Plan through a green paper-white paper process, creating a National Food Plan white paper. This sends a clear message to industry and to the community of the importance and seriousness of food related issues in the economy and our society. A white paper demonstrates that the Gillard government has a genuine commitment to this critical area of future policy development. Overall, the green paper-white paper process will ensure that our first National Flood Plan continues to have whole-of-government support and the attention that the issue requires. It will provide a significant strategic policy statement that acts as a platform for better outcomes for our food sector and Australian consumers now and into the future. (Time expired)

Senator FURNER (Queensland) (14:51): Mr President, I ask a further supplementary question. Would the minister please outline details of the continual consultations and development of the National Food Plan to the Senate? What support can be given to the development of the National Food Plan for the benefit of the community?

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:51): I thank Senator Furner for his second supplementary question. The Senate would be interested to know, notwithstanding those opposite, that this National Food Plan is the first of its type in this nation. The Gillard government is actively engaging and seriously developing a strategic road map to achieve a clear vision in food and food supply in this country. This is for the benefit of farmers, consumers, industry and the wider region. I would encourage those opposite to have a good look at the road map and to develop, support and encourage it into the future for the development of a National Food Plan. Those opposite have a penchant for saying no to everything, but in this instance I would encourage them to come on board with farmers, consumers and the wider Australian public and to join in the process of developing the first National Food Plan. I
know the DNA of the Liberals and the Nationals is to oppose—(Time expired)

**Forestry**

**Senator COLBECK** (Tasmania) (14:52): Mr President, my question is to the Minister for Agriculture, Fisheries and Forestry, Senator Ludwig. Can the minister confirm that the panel established under the Tasmanian Forests Intergovernmental Agreement to review scheduling requirements in the 430,000 hectares of claimed high conservation value has found that at least 25 coupes will be required to meet timber supply contracts before the end of December? Why is the government trying to keep the report secret? Can the minister also advise whether the government will be complying with clauses 26 and 27 of the IGA and paying compensation to sawmills instead of honouring the supply clauses in the sawmills' contracts?

**Senator LUDWIG** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:53): The intergovernmental agreement does provide significant benefits for Tasmania. It goes on to create assistance for workers and assistance for industry. If you look more broadly at the issues that surround Tasmania and Tasmanian forestry, it is important to consider the substantive issues. In line with the retirement of Gunns’s native forest contracts, the Australian government has also agreed to provide up to $45 million in assistance for voluntary exits from public native forest operations affected by harvest, haulage and silviculture contracts.

In addition to that, the Gillard government supports—unlike, it seems, those opposite—long-term sustainable investment in rural and regional Australia, including productive native forests in the plantation sector. This diversity and balance is important to the Australian forest industry. Over the last four years the government has delivered on its commitments to the Australian forest industry, which those opposite sometimes miss out on.

**Senator Colbeck:** Mr President, a point of order on relevance: this is clearly not relevant to the question. We all know the details of the process that the government is going through. I am after some specific information about the verification group and the number of coupes that will be required to be logged before the end of December and whether or not the government is going to continue to supply sawmills with logs or compensate them as is drafted in the IGA. It is a very specific question; it is not broad information, as the minister is giving the chamber.

**Senator Conroy:** Mr President, on the point of order: I do not think Senator Ludwig could more clearly be discussing the question that was asked. He has 48 seconds to complete his answer, yet those opposite again attempt to play the game: here is our question and here is the answer we demand you make him give. Senator Ludwig is absolutely discussing the issue. He has 48 seconds to complete his answer and I ask you, Mr President, to dismiss this point of order.

**The PRESIDENT:** Senator Ludwig, I believe you need to come to the question. There are 48 seconds remaining.

**Senator LUDWIG:** An independent verification group was convened by Professor Jonathan West. It is to assess the conservation values of the nominated 572,000 hectares and assess reserve areas compatible with wood supply guarantees to determine the areas of high conservation value forest. This is an important process to
go through. It seems those opposite do not want to engage in this process other than to stand on the sideline and say no. That group have started their work and the government looks forward to them working successfully through what is a quite complex process. Where harvesting work has already begun in coupes within the nominated 430,000 hectares, rescheduling will occur as soon as practicable and a list of coupes that will be harvested will be agreed to by the government. *(Time expired)*

**Senator COLBECK** (Tasmania) (14:56): Mr President, I ask a supplementary question. Can the minister confirm that the so-called independent verification group, chaired by former Wilderness Society director Jonathan West and stacked with four out of six members closely linked to the Wilderness Society, will not complete its work until at least February, perhaps March, requiring even more coupes from within the 430,000 hectares to be accessed before the assessment process is complete?

**Senator LUDWIG** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:57): I reject the underlying assumption that these people are not eminent people. Professor Jonathan West has been engaged in a consultation process with the Tasmanian statement of principles signatories on appropriately qualified persons to be part of the independent verification group appointed by Tasmania and the Australian government to verify areas of high conservation value and make recommendations about rescheduling and wood supply. So at the outset I reject the point that is being made by those opposite. They are ill-informed. These people are eminently qualified to undertake this work. Their work is essential and critical to ensuring that rescheduling, which, as I indicated, would occur in the 430,000 hectares during the independent verification process, will be reviewed in the available time as soon as the parties—*(Time expired)*

**Senator COLBECK** (Tasmania) (14:58): Mr President, I ask a second supplementary question. Doesn't the minister's complete lack of understanding or knowledge of what is happening within the process demonstrate that the whole IGA process is in chaos, with the state government, the Australian government and environmental groups just ignoring the agreement and the process and doing what they please?

**Senator LUDWIG** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (14:58): I thank Senator Colbeck for his ill-informed question. The intergovernmental agreement is a very important agreement. That is why we have Professor Jonathan West going through the verification process. That is why the signatories came together by themselves to look at how they can ensure forestry in Tasmania will continue. We will continue to have plantations. We will continue to have conservation in high-value forests. We will continue to have native forests in public hands that will be protected. All of this is well in front of where the opposition have ever landed in relation to ensuring that this process can be maintained and continued.

**Senator Colbeck:** Mr President, a point of order again on relevance. The minister has shown no capacity to understand or willingness to address any of the questions that I have asked him this afternoon. He has shown absolutely no willingness to address the question. It is about time he got out of the city and spent some time in the bush to
understand exactly what is going on in regional Australia and his portfolio.

The PRESIDENT: That is not a point of order.

Senator LUDWIG: The Liberals are critical of the intergovernmental agreement with Tasmania because they do not care about workers. They do not care about the industry. They do not care about the public in Tasmania. All they want to do is make cheap political points. Senator Colbeck ought to get out of Tasmania and have a look around as well. (Time expired)

Housing Affordability

Senator STEPHENS (New South Wales) (15:00): Mr President, my question is to the Minister for Social Housing and Homelessness, Senator Arbib. Can the minister update the Senate as to what the government is doing to help Australian families to access affordable housing and, in terms of new construction, how many new homes is the government investing in to help Australians and their families?

Senator ARBIB (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (15:00): I thank Senator Stephens for the question and for the opportunity to inform the house on the latest data of the Social Housing Initiative and housing affordability programs.

I am extremely proud of the work that the Gillard government is doing in relation to affordable housing. Since 2009 this government has made the biggest ever investment in social and affordable housing—almost $20 billion. The Social Housing Initiative, which many of the Liberal Party and National Party senators on the other side of the chamber voted against, is on track to deliver 19,600 social housing dwellings, with 16,500 dwellings now complete. Under the National Partnership Agreement on Social Housing, which is also on track, we will deliver another 1,900 social housing dwellings. That is 21,500 dwellings to help Australian families access affordable accommodation. This record investment means that 34,000 Australians and their families will have an affordable roof over their heads when these initiatives are completed.

I can also inform the Senate that, according to the tenant data collected, as at the end of August 8,000 people who were homeless have been accommodated, 2,000 Indigenous Australians have been accommodated, almost 6,000 people with a disability have found a home, and approximately 850 people escaping family violence have found a place to call home. This was all achieved under programs that this federal Labor government has been delivering to support Australian families.

I also point to a program that Minister Burke has recently rolled out and updated, the National Rental Affordability Scheme, or NRAS. When complete, this scheme will provide 50,000 rental dwellings. These are the programs that Labor is delivering. (Time expired)

Senator STEPHENS (New South Wales) (15:03): Mr President, I ask a supplementary question. Can the minister also advise what other services are available to help families who find themselves at risk of homelessness?

Senator ARBIB (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (15:03): All up, the government is providing almost 80,000 homes for families. Of course, in this country we do have a challenge with homelessness, and it is important that people and families...
who are homeless have access not only to housing but also to services. Under the government's agreements with the states and territories we are investing $1.1 billion in over 180 new or expanded initiatives to help reduce homelessness through the national partnership agreement. Of these new or expanded initiatives, 26 will address homelessness amongst families and children.

The Rent Connect program provides information, advice and referrals to assist families to secure a property in the private rental market. Already it has provided more than 70,000 instances of support to Australian families.

Senator STEPHENS (New South Wales) (15:04): Mr President, I thank the minister and I ask a further supplementary question. Are there dwellings to be rolled out that will further enhance affordable housing accessibility for Australian families? Are there any risks to these new homes being delivered? What can be done to avert those risks?

Senator ARBIB (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (15:04): I have raised the 80,000 figure that the government is providing, and we still have 3,500 social housing dwellings under construction. These are providing jobs to workers and will be providing roofs over the heads of many Australians who are in need.

The question is related to the risks to these programs. We have the $70 billion black hole in the budget of those on the opposite side of the chamber because of the voodoo economics of people like Mr Hockey and Mr Robb. They have already confirmed that it will be $70 billion, and we know where they are going to do. They are going to cut services, just as they did last time. They have a lot of form on housing, because the last time they were in government they cut $3.1 billion from housing programs. That $3.1 billion was taken away from Australian housing. When you look at the housing waiting lists in the states and territories at the moment, you can blame those Liberal Party senators—(Time expired)

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Vocational Education and Training

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (15:05): On 11 October, Senator Rhiannon asked me a question about vocational education and training. I seek leave to incorporate the answer in Hansard.

Leave granted.

The answer read as follows—

SENATOR RHIANNON—11 October 2011

VOCATIONAL EDUCATION AND TRAINING

Senator Rhiannon (New South Wales) (14:53): Mr President, I ask a further supplementary question. Minister, can you inform the Senate if the VET competitive tendering process applies competitive neutrality adjustments to TAFE which effectively penalise TAFE for having access to state owned infrastructure? Has this happened in tendering in New South Wales and in other states?

Response:

The Minister for Tertiary Employment, Skills, Jobs and Workplace Relations has provided the following information.

There has been no indication in recent discussions at COAG and amongst officials that States and Territories (the states) are considering or have implemented competitive neutrality

CHAMBER
adjustments to Technical and Further Education (TAFE) so as penalise them for their access to state owned infrastructure, as part of their Vocational Education and Training (VET) reform agenda. Victoria is the only state that has implemented more competitive demand driven reforms into their VET sector, at this point in time, and a recent audit by the Victorian Auditor-General did not find any discounting of capital in its examination of the financial accounts of any of the 14 Victorian TAFE Institutes.

NSW has announced its intention to consider reforms to its VET sector, including the introduction of a more competitive environment between private and public providers for Governments’ funding dollars. NSW has recently released a discussion paper on possible reform directions and is currently undertaking stakeholder consultations as part of their deliberations.

All states have indicated that they are considering moving to a more flexible and demand-driven training systems, and looking at greater contestability of funding for public training and greater competition between providers.

However, the Council of Australian Governments’ (COAG) recent consideration of VET reform also indicated quite clearly through its publicly available communiqué the value that all governments place on TAFE institutes within any competitive market. COAG recognised and supports TAFE’s role providing high-cost technical training (so as not to lose the public value of that capital investment), encouraging participation of disadvantaged students and offering services in regional and remote areas.

**Australian Defence Force: Fuel and Carbon Costs**

Senator **CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (15:05): On 13 October, Senator Johnston asked me a question about fuel and carbon costs for the Australian Defence Force. I seek leave to incorporate the answer in *Hansard*.

Leave granted.

*The answer read as follows—*

**SENATOR JOHNSTON**—13 October 2011

**AUSTRALIAN DEFENCE FORCE: FUEL AND CARBON COSTS**

Senator Johnston asked three questions during Senate Question Time in relation to the Department of Defence’s costs of fuel, carbon emissions and whether Defence will be exempt from carbon pricing.

**Responses:**

In response to the question on the costs incurred by the Australian Defence Force (ADF) for fuel in the financial year 2009-10 for the propulsion aircraft, ships and large pieces of ADF equipment, Defence consumed $264.341 million for fuel in 2009-10, which included $171.8 million on aviation fuels and $69.2 million on marine diesel.

In response to the question on how many tonnes of carbon were emitted by the ADF in 2009-10, I can advise that carbon emissions have been estimated at 1.8 million tonnes by the Department of Climate Change and Energy Efficiency. Defence reports its electricity, gas and liquid fuels usage annually to the Government Greenhouse and Energy Report.

In relation to whether Defence will be liable for carbon pricing on its emissions, all Commonwealth agencies are subject to carbon pricing. The Department of Defence will act in accordance with the legislation and relevant regulations.

**Dementia**

Senator **LUDWIG** (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (15:06): On 13 October, Senator Siewert asked me a question about dementia support. I seek leave to incorporate the answer in *Hansard*.

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**CHAMBER**
Leave granted.

The answer read as follows—

SENATOR SIEWERT—13 October 2011

DEMENTIA

Senator SIEWERT asked the Minister representing the Minister for Health and Ageing in the Senate on, Thursday 13 October 2011:

Will the Government guarantee that the funding available will remain at at least the same level as under the [dementia] initiative?

Senator Ludwig—The Minister for Health and Ageing has provided the following answer to the honourable Senator's question:

The Australian Government is committed to funding the delivery of a range of dementia support activities.

Support includes provision of $8.3B for the care of people in aged care homes, of whom around 52 per cent have a diagnosis of dementia. The Government also funds Extended Aged Care at Home Dementia packages and respite care to support people in the community.

In addition, the Government provides support of around $30M for service improvement including information provision, counselling, service referral, education and training.

Through the establishment of flexible Funds announced as part of the 2011-12 Budget, funding to support people with dementia is provided through a range of flexible Funds, including the Aged Care Service Improvement and Healthy Ageing Grants Fund.

The Government has not taken any savings as a result of the establishment of flexible Funds. In that way, the commitment to continue support for older people, including people with dementia and their carers, is undiminished.

The establishment of the Aged Care Service Improvement and Healthy Ageing Grants Fund will enable the Australian Government to better support activities that promote healthy and active ageing, better respond to existing and emerging challenges including dementia care and better support those services targeting Aboriginal and Torres Strait Islander people and people from culturally and linguistically diverse backgrounds.

The first round of grants allocated through the Fund will commence from 2012-13.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Qantas

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (15:06): Happy birthday, Mr Deputy President. On behalf of the opposition, I move:

That the Senate take note of the answers given by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans) to questions without notice asked by Opposition senators today relating to the Qantas dispute.

I never thought I would be in a position to stand shoulder to shoulder with the National Secretary of the Transport Workers Union, but his description of the Minister for Tertiary Education, Skills, Jobs and Workplace Relations was absolutely right when he said:

We've got a minister who I would describe as the character out of Weekend at Bernie's. He's the dead guy that stands in the middle. He is not able to act— he is not able to perform his duties.

The consequences we witnessed over the weekend show how prophetic those words of Mr Sheldon were, because the minister and the government failed to act in circumstances when they knew they could and should have acted. Indeed, the inconvenience to the Australian public is huge. People were denied being able to attend important family occasions such as weddings or going to assist the sick in their difficult times. Indeed, it has sent shock waves through the tourism sector, not to mention the impact on our international reputation, with 17 CHOGM leaders having to take alternative methods of transport back to their countries.

This is a government that could have taken action and should have taken action under section 431 of the Fair Work Act. Its
failure to do so was described by the Prime Minister as a result of uncertainty in relation to that clause, a clause written by the Prime Minister herself when she was the Minister for Workplace Relations. What a great testament that is to her own work! What a great endorsement of her own work! And she says that because of that uncertainty, because that provision had never been tried before, the government decided to opt for section 424. That is a great line but for the fact that section 424 had never been tested before Fair Work Australia either. Which is it, Prime Minister? Which is it, Minister? Is it because the legislation had not been tested or because they were not willing to stand up to some of the union activities, especially by the now reputed next President of the Australian Labor Party, Mr Sheldon?

We in this country are entitled to have air services that are reliable. Everybody knew where this dispute was headed. Indeed, the Minister for Tourism, Martin Ferguson, warned 14 days ago where it was going. Webjet was warning. The Premier of New South Wales warned. The Premier of Victoria warned. Indeed, so did I, on Meet the Press the week before—and so the list goes on. But the minister says: 'We got caught flat-footed. We were ambushed.' Well, where were they? I think he was as Mr Sheldon also described the minister. He said: I have no confidence in Chris Evans's capacity to deal with the fundamental industrial relations issues in this country …

When the trade union movement are saying that about their own minister, one understands why the Australian public was so grossly inconvenienced over the weekend by the government's inaction.

The government now acknowledge that they were not in fact ambushed. That was just another bit of a distortion, such as why they did not use section 431. They now accept that they had three hours notice. Why didn't they say to Qantas at the time, 'We will intervene; don't ground your fleet'? Do you honestly think Qantas would have still grounded their fleet? The government could have promised action—quick action, decisive action. But of course this is a Prime Minister who can ring up a boy in a Bali prison and who can give gratuitous advice to the Commonwealth heads of government and to the European Union but who cannot run her own country and her own industrial relations system. This has been an abject failure by the government and their minister, and the government need to wear the blame for this dispute. (Time expired)

Senator MARK BISHOP (Western Australia) (15:11): If I have time at the end, I will return to the speech just made by Senator Abetz, because the speech made by Senator Abetz is the greatest nonspeech that he has made in this place for a long, long time. In the last three months, we have not seen one press release, one speech or one comment on this issue from Senator Abetz. Now, when there is a lockout caused by outside agents, he has plenty to say, but what he says is not about what occurs in the dispute and it is not about the facts; it is a nonspeech. Let us put the facts on the record, and I will make sure that I have a minute or two at the end just to respond to those points.

What do we know has occurred in this in the last few months? Senator Evans outlined the facts of what has been occurring. The government has been in constant contact with both sides in this dispute. It has been actively engaged in assisting parties to try and get a resolution on issues of wages, on issues of outsourcing, on issues of conditions and on issues of new enterprises to be set up in Asia. It has been going along to meeting after meeting, offering alternatives, offering ideas, suggesting compromises and offering suggestions. Never at any time in the last three or four months has Qantas, through its
agents, or any of the trade unions requested the government to become involved at any other level than that of observing and giving advice. In fact, when pressed, as Senator Evans says, they have said: 'Not your role. We don't want you involved. We can settle our own negotiations.' So the government has simply done the proper thing when it has an act and a set of regulations: it has observed and offered assistance when requested.

What then did we have through that process? Depending on where you live, sometime on late Saturday morning or early Saturday afternoon we had a phone call from the Chief Executive Officer of Qantas, Mr Joyce, to both Senator Evans and Mr Albanese, advising the government that with no notice, forthwith, all aeroplanes anywhere in Australia and all around the world would be grounded—and, if the information given to government should leak, Qantas intended to bring forward the lockout time. So it was clearly the intent of the company to bring operations to a halt, to cease operations in Australia and all around the world. Why? To exert pressure. And it did so in the most callous, brutal fashion. It said to people in Los Angeles, London, Russia, Asia, Melbourne and Perth: 'You can get nicked. You can stay there or you can find your own way home. If it takes 24 hours or 48 hours, so be it.' There was no notice. They just said: 'Make your own way. Get your own bus to the aeroplane. If you happen to be in a place like Perth, with tens of thousands of delegates and not a hotel room to be had for love nor money, bad luck—sleep in the parklands.' The message from the CEO of Qantas to Minister Evans and Minister Albanese was: 'Mind your own business. We don't want you involved. We're going to take unilateral action. If you're a passenger about to get on a plane who has spent something like $5,000 to $10,000 to get a trip overseas, then bad luck. Get back in the terminal and get home—or, if you happen to be in Perth or Melbourne, where hotel rooms are not available, then just suck it up, and in due course something will happen.'

As soon as that happened, the government became actively involved. A subcommittee of the cabinet was convened. The relevant minister was given authority to apply to Fair Work Australia for orders ceasing the industrial action. That was initiated within three or four hours. The discussions continued for something like 24 hours at Fair Work Australia, and this morning, I am advised, orders were issued. And what was the effect of those orders? Qantas went back to work. Employees were rehired. People could get back on planes. Planes are back in the air—which should have been the case all the way through. As Senator Evans said quite clearly, a blatant, callous, harm-intending lockout is the worst form of industrial action a company can take—equivalent to deliberate attacks on companies by unions in days gone by. We did not tolerate it then and we do not tolerate it now. The behaviour of Qantas in locking out its own employees for its immediate gain is something that should be condemned by everyone. So the government did the right thing. (Time expired)

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (15:17): Happy birthday, Mr Deputy President. The issue of unilateral action is precisely this: the government knew it was possible because they wrote the act. The Prime Minister of Australia, Julia Gillard, wrote the act. So who is responsible for this? The Prime Minister of Australia, Julia Gillard. Here we go. It is just like Fantasia, this whole comic apparatus that is now our nation's government. I flew down here today—flying on Virgin, of course. Everybody got here. That is something that both the unions and
management should realise: in the end, everybody actually arrived here. People can make their own arrangements if they have to, and they can make them despite both parties.

So we fly down here on Virgin, and there are all the Qantas planes parked up there, becoming new aviaries for swallows. You turn on the television and there is Kevin Rudd. I do not know precisely what he is doing, but he looks like he is having a jolly good time at a certain event in Western Australia. And we come in here and debate climate change. It is all just falling down around our ears. The whole thing is manifestly a metaphor for what this government is. They say, 'We didn't have warning; we didn't know what was going on.'

I was fascinated to read on Crikey—and that is one group of people who do not say very nice things about me—back on 20 October:

In an interview on ABC News 24 this morning the transport minister Anthony Albanese, agreed that the government could use its powers under the Fair Work Act to intervene and force a resolution of the differences between the parties if the national interest was affected.

So it is all there. Ten days ago they were talking about it. Then we see Mr Albanese on television like a rabbit in the spotlight. It is fascinating. He was 'ambushed'; he 'didn't know anything about it'. And then we hear from Qantas CEO Alan Joyce that they gave them three hours notice—three hours notice of a train wreck—but they forgot to tell the driver or the passengers. They just let it happen. Why? Because they are at CHOGM, dancing. There is a barbecue on. And the nation is coming to a grinding halt.

They say it is 'extreme action' to lock out pilots and to shut the show down. It may be, but isn't that the same extreme action you took when you shut down the live cattle trade? We woke up one day and, overnight, you had just shut the show down. Isn't this an action that you have participated in yourself—in fact, been the instigators of? So everything you say is confounded and wrong and confused and misled. Every piece of evidence points to the fact that you just did not have your fingers on the pulse.

This nation cannot go on like this. We just cannot keep going from one fiasco to the next while at the same time planning to change the temperature of the globe. Australia cannot go on like this, borrowing tens of billions of dollars. We are now $215 billion in gross debt. It is a possibility that we could go completely off the rails. What happens to the share price is really dangerous. We are not even on autopilot in this nation; we are in complete free fall. Who is in control over there? Who is running the show? Who is the minister? Who is competent? Which person is actually going to take responsibility for this? What do you think Alan Joyce has been doing down here? Do you think he likes the coffee over at Aussie's? He has been there every second day. For a while there I thought maybe he was related to me, because I keep bumping into him everywhere I go. Maybe he is just coming around here because he likes the smell of the carpet. Maybe he has nothing to do in his own office. He just likes coming down to Canberra to talk to people.

What more warning were you looking for? Maybe they wanted a telegram from the Queen, who was here the other day. Were you waiting for the archangel Gabriel to descend from heaven and say: 'I think we might have a problem here. The CEO of a major company has been saying, in his own words, that he might close the show down, that people may be put off from their jobs'? Then, when it happens, there is surprise and wonder—and, as always, complete and utter catastrophe by reason of your management.

(Time expired)
The DEPUTY PRESIDENT: I remind senators to address their remarks through the chair.

Senator MOORE (Queensland) (15:22): I would like to wish you a happy birthday, Mr Deputy President!

The Qantas dispute has been widely known and public. There has rarely been a more public industrial dispute in Australia's history. The media has been covering it with intense interest over the last several months. It has been clearly known that the arbiter in this area will be Fair Work Australia. There has been no disagreement about that. The responsibility for industrial relations, for enterprise bargaining and disputes, must belong with the parties involved, in this case the Qantas management and the three unions that have gone public with a range of claims, all of which have been debated, discussed and reported in the media of Australia over the last couple of months.

As recently as last Friday, the Qantas AGM was covered in the media. You would have thought it was the most important issue of the day to have a look at what was happening with the Qantas board, the Qantas management and the public meeting. Through all that process, we had commentary and we heard from a range of people who were linked with various groups attending that annual general meeting, all talking about the future, all talking about change and many talking about the current industrial action. At no stage in all that coverage was there any discussion about imminent close-down action. At no stage was there any discussion about the need for an immediate referral to the Fair Work Australia arbiter.

What happened on Saturday has been covered in minute detail. I wonder exactly how this degree of detail has become so public. I am particularly engaged with the eight-minute process from the beginning of the call and all the actions that were taken. What occurred was that the CEO made what he has referred to as a courtesy call—and I like the use of that particular term, when we are looking at an industry that is so important for our nation and to people both here in Australia and overseas. He made a courtesy call to people with whom he had been in discussion many times over the last few months, to say that he and his board had made the decision to shut down all Qantas activity and not only to shut it down but to ensure that there was going to be no action. The announcement was made and apparently—I find this particularly interesting, and I call upon the media to ask some questions about this—there were safety issues about what could occur if this notification were made. There was an implication that Qantas staff members would then take some action which would make their airline, their employer and the people of Australia unsafe. I am really keen to find out more about that allegation, because I think there is a lot to be heard there.

The government is now using the Fair Work Act, legislation that I remember we took hours of debate to agree to in this place. The government of Australia, in its role as protector of Australia's economy, took an immediate decision to do that when it heard that the management of Qantas had decided in their role as employer to close down this monumental industry, regardless of the impact it would have on people in this country. We have heard heart-rending stories about the impact this decision has had. It was a decision not by the government or by the unions but by Qantas management.

The government, through the minister responsible for industrial relations, then took the matter to a hearing of Fair Work Australia to look at the issues and to find the best way forward. After an extraordinarily
long session of Fair Work Australia—because the issues are complex; this is not a straightforward, simple dispute—orders have been handed down and the process now is back with the key parties: the employers and the unions. They have a set period of time to negotiate, which they should have been doing and have been doing. We have heard amazing details today in the media about what negotiations have gone on. We need to have the people involved in this serious dispute come together to come up with a suitable reaction. That is what is expected in industrial relations in this country, with the support and the intervention of Fair Work Australia. That should come as no surprise.

Senator RONALDSON (Victoria) (15:27): Prime Minister Gillard fiddles and the tourism industry burns. There are 500,000 people directly employed in this sector and one million people employed in the tourism and hospitality sector, which makes $24 billion in export earnings. Where was the Prime Minister of this country when she was required? It seems clear to me that the one person who could have resolved this issue is the Minister for Foreign Affairs, because, if the foreign minister had got involved two weeks ago, you can rest assured that the Prime Minister would have got involved, because it is only when the foreign minister acts that the Prime Minister acts. So I wish he had been there a little earlier, and those tens of thousands people stranded in airports wish he had been there a little earlier, so that the Prime Minister would have acted. Her nemesis would have driven her to do something. But no. Isn’t it fascinating? The Prime Minister cannot pick up the phone to speak to Alan Joyce, but she can pick up the phone to ring someone in Bali. She cannot pick up the phone to speak to the President of Nauru, but she can pick up the phone to speak to someone in Bali, only on the back of the foreign minister having made a call beforehand. This is a Prime Minister who has completely and utterly lost control of this government and indeed has completely and utterly lost control of this country.

It is fascinating to read some of the newspaper articles today. I will quote from the Daily Telegraph. This was posted at 12.18 pm:

The high-profile Qantas executive Olivia Wirth has confirmed she called Julia Gillard’s chief of staff Ben Hubbard hours before Alan Joyce grounded Qantas and said the CEO was available to speak to the Prime Minister. Indeed, the same newspaper article says that he waited until five minutes before the decision for the Prime Minister to ring. And that same newspaper article says:

Mr Joyce had intended to give Ms Gillard advance warning of his intention to announce that he was grounding the airline’s entire fleet and leaving almost 70,000 passengers a day stranded. The article also says:

Mr Joyce would have abandoned his decision to ground the airline had PM Julia Gillard returned his call and promised to directly intervene.

But no: the Prime Minister was too busy with CHOGM to worry about the affairs of this nation and too busy trying to convince people from elsewhere about the bona fides of a carbon tax that we now find that the Canadians do not support either. She was too busy doing everything else other than what she should have been doing as Prime Minister.

The result of this has been quite catastrophic. Anyone who knows anything
about the tourism sector knows that they are in diabolic strife. The last thing that the tourism sector needed was a Prime Minister failing to act in the interest of the nation and in the interest of the tourism sector. I will read some comments from people involved in the sector. Ten days before the grounding, this was in an article in the *Australian*:

Flight Centre managing director Graham Turner said the government should step in to force a solution to the dispute.

'If they can't do that, it makes you wonder why we elected a government,' Mr Turner said. 'This is exactly the sort of situation where they should be actively searching or forcing a solution.'

John Lee from the Transport and Tourism Forum said:

... we are already seeing a drop-off in forward bookings which will now only get worse … The 500,000 people directly employed in Australia's $94 billion tourism industry do not deserve to have their livelihoods threatened by this, which could be the straw that breaks the camel's back.

Des Crowe, the national CEO of the AHA, said:

The grounding of the Qantas fleet will have an immediate and devastating impact on the tourism industry during what is traditionally one of the busiest times of the year for many hotels.

This Prime Minister should have acted; this Prime Minister failed to act again.

Question agreed to.

## COMMITTEES

### Legal and Constitutional Affairs References Committee

**Membership**

The **DEPUTY PRESIDENT**: I present correspondence from the Leader of the Australian Greens, Senator Bob Brown, relating to the position of Chair of the Legal and Constitutional Affairs References Committee.

## NOTICES

### Presentation

Senator **SCULLION**: to move:

That the Senate—

(a) acknowledges 19 February 1942 as the day Darwin was bombed and marks the first time Australia was militarily attacked by enemy forces;

(b) reflects on the significant loss of life of Australian defence personnel and civilians during the attacks and casualties of the bombings;

(c) recognises that the attack remained a secret for many years and that, even today, many Australians are unaware of the bombing of Darwin and the significant damage and loss of life which resulted; and

(d) calls for 19 February each year to be gazetted as 'Bombing of Darwin Day' and be named a day of national significance by the Governor-General.

Senator **CORMANN**: To move:

That there be laid on the table by noon on Wednesday, 2 November 2011, a copy of all correspondence between the Minister for Health and Ageing (Ms Roxon) and the Future Fund.

Senator **CORMANN**: To move:

That there be laid on the table by 5 pm on Thursday, 3 November 2011:

(a) for each of the following measures linked to the MRRT [Mineral Resource Rent Tax], the estimated budget expenditure and/or revenue foregone for each of the financial years from 2011-12 to 2014-15 inclusive:

(i) superannuation guarantee increase (from 9 to 12 per cent),

(ii) superannuation tax rebate for low income earners,

(iii) 50 per cent discount on interest income,

(iv) increasing concessional contribution caps for over 50s,
(v) phasing down interest withholding on financial institutions,
(vi) early company tax cut for small business,
(vii) small business instant asset write-off,
(viii) standard deduction for work related expenses,
(ix) lowering company tax rate, and
(x) regional infrastructure fund;
(b) for each of the measures listed above the methodology used for projecting these costs in 2013-14, 2014-15 and over the medium- to long-term, including (but not limited to) actual uplift/up rate factors for wages, prices and any other relevant factors;
(c) the methodology used to project the cost of the proposed superannuation guarantee increase at $3.6 billion in 2019-20, as cited in the 2010-11 Budget, Budget paper no. 2, p. 42; and
(d) Treasury's assessment of the impact on estimated MRRT revenue for the period 2012-13 to 2014-15, and if available beyond, of state and territory government decisions taken since the release of the 2011-12 Budget to change royalty arrangements in relation to iron ore and coal.

Senator BILYK: to move:
That the Joint Select Committee on Cyber Safety be authorised to meet during the sitting of the Senate on Wednesday, 2 November 2011, from 4 pm to 6 pm, for a private briefing.

Senator HEFFERNAN: to move:
That the time for the presentation of the report of the Rural Affairs and Transport References Committee on the operational issues in export grain networks be extended to the last sitting day in March 2012.

Senator BOB BROWN: to move:
That the following bill be introduced: A Bill for an Act to amend the Public Accounts and Audit Committee Act 1951, and for related purposes—Public Accounts and Audit Committee Amendment (Ombudsman) Bill 2011.

Senator DI NATALE: to move:
That the Senate—
(a) notes that:
(i) in the week beginning 16 October 2011 the West Papuan people held their third Papuan National Congress in Jayapura,
(ii) the congress was a peaceful gathering of thousands of delegates from all over West Papua, and
(iii) the congress elected leaders to speak for the Papuan people;
(b) condemns the violent crackdown that left seven Papuans dead and many more injured;
(c) calls for an immediate end to violence in the area;
(d) recognises the rights of the people of West Papua to freely travel, assemble and discuss their own future; and
(e) calls for the humane treatment and timely release of those arrested.

Senator WATERS: to move:

Senator FURNER: to move:
That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold public meetings during the sitting of the Senate as follows:
(a) on Wednesday, 2 November 2011, from 11 am to noon; and
(b) on Tuesday, 22 November 2011, from 1 pm to 2 pm.

Senator ARBIB: to move:
That, on Thursday, 3 November 2011, the consideration of general business orders of the day for the consideration of private senators' bills
shall not be proceeded with and the routine of business be government business only.

**Senator ARBIB:** to move:
That the days of meeting of the Senate for 2012 be as follows:

**Autumn sittings:**
- Tuesday, 7 February to Thursday, 9 February
- Monday, 27 February to Thursday, 1 March
- Tuesday, 13 March to Thursday, 15 March
- Monday, 19 March to Thursday, 22 March

**Budget sittings:**
- Tuesday, 8 May to Thursday, 10 May

**Winter sittings:**
- Monday, 18 June to Thursday, 21 June
- Monday, 25 June to Thursday, 28 June

**Spring sittings:**
- Tuesday, 14 August to Thursday, 16 August
- Monday, 20 August to Thursday, 23 August
- Monday, 10 September to Thursday, 13 September
- Monday, 17 September to Thursday, 20 September
- Tuesday, 9 October to Thursday, 11 October
- Monday, 29 October to Thursday, 1 November
- Monday, 19 November to Thursday, 22 November
- Monday, 26 November to Thursday, 29 November.

**Senator ARBIB:** to move:
That, pursuant to standing order 25(9), the Senate determines:

(a) that the chair of the Legal and Constitutional Affairs References Committee shall be elected by that committee from members nominated by minor parties or independent senators; and

(b) that this order remain in effect until the President is duly notified of an agreement that meets the terms of standing order 25(9)(c).

**Senator BOB BROWN:** to move:
That the Senate—

(a) notes the estimation by the United Nations (UN) that the global population, which was some two billion people in 1927, and some three billion in 1959, has now surpassed seven billion people, and may, later this century, build to nine or 10 billion people; and

(b) accepts responsibility for debating this historic and challenging issue and the need for Australia, also estimated by the UN to be the world’s wealthiest nation in terms of natural resources per capita, to take a lead role in devising how the planet may accommodate a greater population, using less resources per capita, off the finite planet Earth.

**Withdrawal**

**Senator McEWEN:** Happy birthday, Mr Deputy President. I withdraw general business notice of motion No. 494 standing in the name of Senator Singh relating to a committee matter.

**COMMITTEES**

Foreign Affairs, Defence and Trade Joint Committee

**Meeting**

**Senator McEWEN:** At the request of Senator Furner, I move:
That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 1 November 2011, from 11.30 am till 12.30 pm.

Question agreed to.

**BUSINESS**

**Leave of Absence**

**Senator KROGER:** by leave—I move:
That leave of absence be granted to the following senators:

(a) Senator Adams for 31 October 2011, for personal reasons; and

(b) Senator Ryan from 31 October to 3 November 2011, for personal reasons.

Question agreed to.

The DEPUTY PRESIDENT: It is appropriate to congratulate Senator Ryan on the birth of his son.

COMMITTEES

Economics References Committee

Reporting Date

Senator KROGER: At the request of Senator Bushby, I move:

That the time for the presentation of the report of the Economics References Committee on a capital market for social economy organisations be extended to 22 November 2011.

Question agreed to.

Public Accounts and Audit Committee

Meeting

Senator McEWEN: At the request of Senator Mark Bishop I move:

That the Joint Committee of Public Accounts and Audit be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 2 November 2011, from noon to 1 pm.

Question agreed to.

Senator McEWEN: At the request of Senator Mark Bishop, I move:

That the Joint Committee of Public Accounts and Audit be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate on Wednesday, 2 November 2011 followed by a private briefing, and Wednesday, 23 November 2011, from 11 am to noon, and 11 am to 1 pm, respectively.

Question agreed to.

MOTIONS

Nuclear Weapons

Senator LUDLAM (Western Australia) (15:37): I move:

That the Senate—

(a) notes that:

(i) 23 300 nuclear weapons are in existence posing direct and constant threat to international peace and security with thousands on hair trigger alert ready to be launched within minutes of an order to fire,

(ii) nine countries possess nuclear weapons and under 'nuclear sharing' arrangements five others have nuclear weapons on their soil, and

(iii) at the height of the cold war, nuclear weapon stockpiles were approximately 70 000 warheads and more than 40 000 have been dismantled;

(b) welcomes efforts taken by the Government to advance nuclear disarmament diplomacy, including the establishment of the International Commission on Nuclear Non-proliferation and Disarmament and the request for the Joint Standing Committee on Treaties to undertake an inquiry into the nuclear non-proliferation and disarmament treaties involving Australia; and

(c) calls on the Government to support the United Nations General Assembly resolution on the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons.

The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator LUDWIG: I indicate that the government does not support this motion. The government does acknowledge the importance of public debate on foreign policy issues such as this, but it does not support dealing with complex foreign policy matters through the use of simple Senate resolutions. The government is committed to progress on non-proliferation and disarmament, as evidenced by its support for the International Commission on Nuclear Non-Proliferation and Disarmament and its establishment with Japan of the Nuclear Non-Proliferation and Disarmament Initiative to advance the recommendations of the 2010 Nuclear Non-Proliferation Treaty Review Conference. The government's non-proliferation and disarmament priorities are negotiation of a fissile material cut-off treaty and entry into force of the comprehensive nuclear-test-ban treaty. Together these measures would build the conditions for reaching our ultimate goal of a nuclear weapon free world. The government does not support the link made by the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons with an immediate obligation to conclude a nuclear weapons convention. I thank the Senate.

Question put:
That the motion (Senator Ludlam's) be agreed to.

The Senate divided. [15:43]

(The Deputy President—Senator Parry)

Ayes....................9
Noes.....................40
Majority..............31

AYES
Siewert, R (teller)  Waters, LJ
Wright, PL

NOES
Arbib, MV  Bernardi, C
Boswell, RLD  Boyce, SK
Cameron, DN  Carr, KJ
Cash, MC  Colbeck, R
Collins, JMA  Cormann, M
Edwards, S  Evans, C
Farrell, D  Faulkner, J
Fawcett, DJ  Feeney, D
Fifield, MP  Fisher, M
Furner, ML  Gallacher, AM
Johnston, D  Kroger, H
Ludwig, JW  Lundy, KA
Madigan, JJ  Marshall, GM
McEwen, A (teller)  McKenzie, B
McLucas, J  Moore, CM
Nash, F  Parry, S
Polley, H  Pratt, LC
Sherry, NJ  Singh, LM
Stephens, U  Steele, G
Thistlethwaite, M  Williams, JR

Question negatived.

Education Funding

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (15:46): I move:
That the Senate—
(a) acknowledges the proven success and cost-effectiveness of the national programs PrimaryConnections and Science By Doing, run by the Australian Academy of Science and funded by the Government, that support the professional development of teachers and actively engage primary and secondary school students in science education;
(b) expresses disappointment that funding for the two programs has been discontinued, particularly given that:
(i) the programs will only account for $3.5 million over the next 3 years, and
(ii) the Government has already invested $13.4 million in the development of the programs
with Science By Doing having great success despite only running for the past 2 years and PrimaryConnections being only 2 years away from becoming self-sustaining; and

(c) calls on the Government to immediately restore funding for the programs.

Question put.

The Senate divided. [15:47]

(The Deputy President—Senator Parry)

Ayes....................9
Noes......................39
Majority................30

AYES

Brown, RJ
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Wright, PL

Di Natale, R
Ludlam, S
Rhiannon, L
Waters, LJ

NOES

Bernardi, C
Boswell, RLD
Cameron, DN
Cash, MC
Collins, JMA
Edwards, S
Farrell, D
Fawcett, DJ
Fifield, MP
Furner, ML
Johnston, D
Ludwig, JW
Madigan, JJ
McEwen, A
McLucas, J
Nash, F
Polley, H
Sherry, NJ
Stephens, U
Thistlethwaite, M

Bilyk, CL
Boyce, SK
Carr, KJ
Colbeck, R
Cormann, M
Evans, C
Faulkner, J
Feeney, D
Fisher, M
Gallacher, AM
Kroger, H (teller)
Lundy, KA
Marshall, GM
McKenzie, B
Moore, CM
Parry, S
Pratt, LC
Singh, LM
Sterle, G

That the Senate—

(a) notes that:

(i) a number of submissions to and participants at the recent tax forum called for the global introduction of a financial transaction tax, and

(ii) the European Parliament has voted to support introducing a financial transaction tax and that the European Commission has proposed it be levied at a very low rate of 0.1 per cent on transactions in shares and bonds and 0.01 per cent on derivatives trading; and

(b) urges the Government to support further discussion of a global financial transaction tax at the next G20 meeting.

Question put.

The Senate divided. [15:53]

(The Deputy President—Senator Parry)

Ayes.................9
Noes....................39
Majority..............30

AYES

Brown, RJ
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Wright, PL

Di Natale, R
Ludlam, S
Rhiannon, L
Waters, LJ

NOES

Bernardi, C
Boswell, RLD
Cameron, DN
Cash, MC
Collins, JMA
Edwards, S
Farrell, D
Fawcett, DJ
Fifield, MP
Furner, ML
Johnston, D
Ludwig, JW
Madigan, JJ
McEwen, A
McLucas, J
Nash, F
Polley, H
Sherry, NJ
Stephens, U
Thistlethwaite, M

Bilyk, CL
Boyce, SK
Carr, KJ
Colbeck, R
Cormann, M
Evans, C
Faulkner, J
Feeney, D
Fisher, M
Gallacher, AM
Kroger, H (teller)
Lundy, KA
Marshall, GM
McKenzie, B
Moore, CM
Parry, S
Pratt, LC
Singh, LM
Sterle, G

Question negatived.

Taxation

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (15:51): I move:
Senator HANSON-YOUNG (South Australia) (15:55): I seek leave to amend general business notice of motion No. 487 standing in my name for today relating to human rights in Tibet. I have circulated the amendment.

Leave granted.

Senator HANSON-YOUNG: It is with great sadness that I had to circulate an amendment because since this motion was first lodged another Tibetan nun has taken their own life. That is the reason that the numbers had to be changed.

The DEPUTY PRESIDENT: Senator Hanson-Young, you have been given leave to move the amendment.

Senator HANSON-YOUNG: I move the motion as amended:

The Senate—

(a) notes:

(i) the tragic deaths by self-immolation of four monks from the Kirti Monastery and one nun from the Dechen Chokorling nunnery, in Ngaba county eastern Tibet, Sichuan province, between 16 March and 17 October 2011, and

(ii) that since March 2011, ten Tibetan people have set themselves on fire in order to highlight the continued human rights abuse and oppression of the Tibetan people;

(b) recognises:

(i) the people of Tibet continue to be subject to appalling human rights abuses, and

(ii) the Chinese authorities have continued to take repressive measures against monks and nuns, particularly of the Kirti Monastery, since the self-immolation of a monk in March this year, and

(c) calls on the Government to urge the Chinese Government to cease repressive measures against the Tibetan people and respect human rights in Tibet.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (15:56): Mr Deputy President, I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator LUDWIG: I indicate that the government does not support this motion. The government does acknowledge the importance of public debate on foreign policy issues such as this but the government does not support dealing with complex foreign policy issues through the use of the Senate resolution process, which ultimately ends up a blunt instrument. However, we do share the Greens' concerns in relation to the human rights situation in Tibet and in relation to ethnic Tibetans. During the last Australia-China human rights dialogue the government urged China to address the underlying causes of ethnic tension in Tibet, noting that economic development must be complemented by protection of the unique linguistic, cultural and religious identities of China's minorities. The government continues to monitor closely the situation in the Tibetan autonomous region and the Tibetan regions in China and raise our concerns with China as appropriate.

The Australian government is, of course, deeply concerned by reports of self-immolations by monks and nuns in that province. While we do not condone this tragic and extreme form of protest, we have again called on China to address the underlying causes of tension in Tibet and other Tibetan regions in China. Australian officials last week made renewed representations in Canberra and in Beijing to
Chinese counterparts about the reports. Our embassy in Beijing has also raised our concerns at reports of the continuing crackdown around the monastery in the province and of increased security measures throughout the Tibetan areas.

Question put:
That the motion (Senator Hanson-Young's) be agreed to.

The Senate divided. [15:59]

(The Deputy President—Senator Parry)

Ayes....................9
Noes.....................40
Majority................31

AYES
Brown, RJ       Di Natale, R
Hanson-Young, SC Ludlam, S
Mlcne, C        Rhiannon, L
Siewert, R (teller) Waters, LJ
Wright, PL

NOES
Bernardi, C      Bilyk, CL
Birmingham, SJ   Boswell, RLD
Boyce, SK        Brown, CL
Cameron, DN      Cash, MC
Colbeck, R       Collins, JMA
Cormann, M       Edwards, S
Farrell, D       Faulkner, J
Fawcett, DJ      Feeney, D
Fifield, MP      Fisher, M
Furner, ML       Gallacher, AM
Heffernan, W     Johnston, D
Kroger, H        Ludwig, JW
Madigan, JJ      Marshall, GM
McEwen, A (teller) McKenzie, B
McLucas, J       Moore, CM
Nash, F          Parry, S
Polley, H        Pratt, LC
Singh, LM        Stephens, U
Sterle, G        Thistletwaite, M
Urquhart, AE     Williams, JR

Question negatived.

Nuclear Nonproliferation

Senator LUDLAM (Western Australia) (15:01): I move:
That the Senate—
(a) congratulates the Government for maintaining Australia's longstanding policy of predicing bilateral nuclear cooperation agreements on the condition of membership to the Treaty on the Non-Proliferation of Nuclear Weapons; and
(b) calls on the Government to identify the countries to which it will not permit the sale of uranium.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (15:01): I seek leave to make a very short statement.

The DEPUTY PRESIDENT: Leave is granted for a short statement. Two minutes is granted.

Senator LUDWIG: The government does not support this motion. The government's policy is not to export uranium to countries that are not party to the nuclear nonproliferation treaty. The government cannot identify countries to which it will not permit the sale of uranium solely on this basis because Australia's uranium export policy is based on a range of criteria which are applied on a case-by-case basis.

Senator LUDLAM (Western Australia) (15:01): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator LUDLAM: I would have sought leave for a longer statement but I will keep it brief, as Senator Ludwig has. It is a bit unusual that I would put a motion congratulating the government on its uranium policy but I have done so this
afternoon. It is hugely ironic that government senators will in due course be voting against it but that is up to them. The following is so that those of you who have not read the motion, the one that you are about to vote down, are aware. I have proposed:

That the Senate—

(a) congratulates the Government for maintaining Australia's longstanding policy of predicating bilateral nuclear cooperation agreements on the condition of membership to the Treaty on the Non-Proliferation of Nuclear Weapons …

It is not a perfect treaty for disarmament and nonproliferation but it is all that the global community has and the Gillard government—and the Rudd government before it—to its credit has held to 30 or 40 years of international precedent and chosen, on that basis, not to sell uranium to India as one of the very few countries—there are three that I am aware of—that have stayed out of the nonproliferation treaty framework and never joined it. It is part (b) that has got the government a bit upset. It says:

(b) calls on the Government to identify the countries to which it will not permit the sale of uranium.

Will the government actually tell us? Would it sell it to Iran? They are a member of the nonproliferation treaty group. Would it sell it to North Korea? They were a longstanding member of the nonproliferation treaty group before they unilaterally withdrew. Are there any other countries to which the government will not sell uranium? That is a very simple proposition. We are just calling on the government to table a list. I am perplexed as to why the opposition would not support part (b). I think it is extremely curious that the opposition is not even interested in what the government's actual policy on this issue is. However, it looks like the Greens will be lining up by ourselves on this side of the chamber to congratulate the government on maintaining its stand on not selling bomb fuel to countries that remain outside the only treaty framework that we have.

Question put:

That the motion (Senator Ludlam's) be agreed to.

The Senate divided. [16:06]

(The Deputy President—Senator Parry)

Ayes ---------------------- 9
Noes --------------------- 40
Majority -------------- 31

AYES
Brown, RJ
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Wright, PL

NOES
Bernardi, C
Birmingham, SJ
Boyce, SK
Cameron, DN
Colbeck, R
Cormann, M
Farrell, D
Fawcett, DJ
Fifield, MP
Furner, ML
Heffernan, W
Kroger, H (teller)
Madigan, JJ
McEwen, A
McLucas, J
Nash, F
Polley, H
Singh, LM
Sterle, G
Urquhart, AE

Question negatived.

James Price Point

Senator BOSWELL (Queensland) (16:09): I, and on behalf of Senators Scullion, Cash, Cormann, Eggleston, Back, Adams and Johnston, move:
That the Senate—

(a) calls on the Australian Greens and green groups, including the World Wildlife Foundation, the Australian Conservation Foundation, the Conservation Council of Western Australia and the Wilderness Society, to honour the promise they made in 2007 with the traditional land owners of the Kimberley, to respect the decision of the Indigenous community in its response to Woodside Gas’s proposal to process gas at James Price Point in the Kimberley;

(b) recognises the right of the traditional land owners of the Kimberley to use that land to create economic prosperity and employment opportunities for the Indigenous people of that region for generations to come; and

(c) expresses concern that Indigenous people who have exercised this self determination and accepted a single hub at James Price Point have been victimised, unfairly pressured by some green and conservation groups and subjected to racial vilification through being referred to as ‘toxic coconuts’ in publicly distributed material.

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:09): I seek leave to move an amendment to the motion.

Leave granted.

Senator SIEWERT: I move:

Omit all words after “That the Senate”, substitute:

(a) recognises the right of all traditional land owners of the Kimberley to free, prior and informed consent, on any project affecting their lands and to use that land to create economic prosperity and employment opportunities for the Aboriginal people of that region for generations to come; and

(b) expresses concern about the divisive nature of the debate in the Kimberley and the pressure on Kimberley families, subsequent to Western Australian Premier the Honourable Colin Barnett’s threat to compulsorily acquire land at James Price Point.

Question put:

That the amendment (Senator Siewert’s) be agreed to.

The Senate divided. [16:11]

(The Deputy President—Senator Parry)

Ayes ......................... 9
Noes ......................... 44
Majority ..................... 35

AYES

Brown, RJ
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Wright, PL

NOES

Bernardi, C
Bernardi, C
Bilyk, CL
Birmingham, SJ
Boyce, SK
Brown, CL
Cash, MC
Collins, JMA
Edwards, S
Faulkner, J
Feeley, D
Fisher, M
Gallacher, AM
Johnston, D
Kroger, H
Lundy, KA
Marshall, GM
McKenzie, B
Moore, CM
Parry, S
Pratt, LC
Singh, LM
Sterle, G
Urquhart, AE

Boswell, RLD
Brandis, GH
Cameron, DN
Colbeck, R
Cormann, M
Farrell, D
Fawcett, DJ
Fifield, MP
Furner, ML
Heffernan, W
Joyce, B
Ludwig, JW
Madigan, JJ
McEwen, A (teller)
McLucas, J
Nash, F
Polley, H
Scullion, NG
Stephens, U
Thistlethwaite, M
Williams, JR

Question negatived.

Original question put:

That the motion (Senator Boswell’s) be agreed to.

The Senate divided. [16:18]

(The President—Senator Hogg)

Ayes ......................... 30
Noes ......................... 35
Majority ..................... 5
AYES
Abetz, E  Bernardi, C
Birmingham, SJ Boswell, RLD
Boyce, SK Brandis, GH
Bushby, DC Cash, MC
Colbeck, R Cormann, M
Edwards, S Eggleston, A
Fawcett, DJ Fifield, MP
Fisher, M Heffernan, W
Humphries, G Johnston, D
Joyce, B Kroger, H (teller)
Macdonald, ID Madigan, JJ
Mason, B McKenzie, B
Nash, F Parry, S
Payne, MA Scullion, NG
Sinodinos, A Williams, JR

NOES
Arbib, MV Bilyk, CL
Bishop, TM Brown, CL
Brown, RJ Cameron, DN
Collins, JMA Di Natale, R
Farrell, D Faulkner, J
Feeney, D Furner, ML
Gallacher, AM Hanson-Young, SC
Hogg, JJ Ludlam, S
Ludwig, JW Lundy, KA
Marshall, GM McEwen, A (teller)
McLucas, J Milne, C
Moore, CM Pulley, H
Pratt, LC Rhiannon, L
Sherry, NJ Siewert, R
Singh, LM Stephens, U
Sterle, G Thistlethwaite, M
Urquhart, AE Waters, LJ
Wright, PL

PAIRS
Adams, J Wong, P
Back, CJ Crossin, P
Ferravanti-Wells, C Conroy, SM
Ronaldson, M Evans, C
Ryan, SM Carr, KJ

Question negatived.

Senator LUDWIG (Queensland— Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (16:21): Mr President, I seek leave to make a short statement in relation to the last motion. While amendments were going on, I failed to attract the eye of the Deputy President to seek leave to make a short statement.

The PRESIDENT: Leave is granted for two minutes.

Senator LUDWIG: Native title holders are entitled to share in the prosperity that a major development on their land brings—jobs, economic development opportunities and income streams. Properly invested, it can all flow from mining and other developments. That is why we welcomed the recent native title agreement between the traditional owners, the Western Australian government and the developers of the proposed Browse Basin natural gas development. The government absolutely condemns racism in all its forms. It is important that everyone respects the right of traditional owners to reach agreements to share in the benefits of major developments on their land. For this reason, the government did not support this motion or the proposed amendment by Senator Siewert.

Senator SIEWERT (Western Australia— Australian Greens Whip) (16:22): Mr Deputy President, I too seek leave to make a short statement.

Leave not granted.

Senator BOSWELL (Queensland) (16:22): Mr Deputy President, I seek leave to make a short statement.

Leave not granted.

MATTERS OF URGENCY

Afghanistan

The DEPUTY PRESIDENT (16:23): I inform the Senate that, at 8.30 am today, two senators each submitted letters in accordance with standing order 75. Senator Siewert proposed a matter of urgency and Senator
Fifield proposed a matter of public importance for discussion. The question of which proposal would be submitted to the Senate was determined by lot. As a result, I inform the Senate that the following letter has been received from Senator Siewert:

Dear Mr President,

Pursuant to standing order 75, I give notice that today I propose to move:

That, in the opinion of the Senate, the following is a matter of urgency:

The pressing need for Australia to confirm a date for the safe return of Australian troops from Afghanistan.

Is the proposal supported?

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

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

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (16:24): I move:

That, in the opinion of the Senate, the following is a matter of urgency:

The pressing need for Australia to confirm a date for the safe return of Australian troops from Afghanistan.

This is an important motion, which comes after the most recent news of the terrible further loss of three good and true Australians in the service of their nation in Afghanistan. We have had the condolence motion for Captain Bryce Duffy, Corporal Ashley Birt and Lance Corporal Luke Gavin today. I want to add the condolences of the Australian Greens to the loved ones, the families, the friends, the associates, the Defence Force personnel who knew these brave Australians, and their communities. It is a horrendous loss under extraordinary circumstances which cannot be described as anything other than murder. These losses come on top of the deaths of 29 other Australians and a mounting injury toll, which for this year alone stands at 44. The total physical injury toll is in excess of 200 Australian personnel since the nation became involved in October 2001.

The point of this motion is to give the community of Australia, particularly the community of service personnel in Afghanistan, some security about the intentions of government. We read in the media an Australian declaration that, while there is a general intention of withdrawing troops by 2014, based on America’s declared timetable, we will be heavily involved in Afghanistan long after that. That includes the involvement of special services troops and training personnel. By dint of logic, those training personnel will be continuing in quite dangerous circumstances beyond 2014.

The Greens have brought forward this motion on the commitment of Australian troops to the longest war in which we have been engaged in the history of the Commonwealth in a parliament that has held the least debate of our involvement in a war in that history of more than a century. In deploying Australians to positions of great danger in the service of the nation overseas, it is incumbent upon us as parliamentarians to track the safety, security and progress of those service personnel all the way. I think this parliament has failed to do that. As a result of a commitment made by the Prime Minister in forming office last year, which was part of the arrangement with the Greens, we did have a parliamentary debate for the first time in a decade of involvement in Afghanistan. The Prime Minister has committed to that becoming an annual feature. We Greens believe that debate ought not be just annual but should be ongoing.
What we see in Afghanistan is an escalating loss of Australian lives. It is important that we reiterate through parliamentary debate what it is that motivates our nation to continue to put our service personnel in growing danger in Afghanistan and what it is that we intend to achieve by continuing to put them in that grave danger overseas. I cannot put it better than Hugh White, commentator on defence matters, Professor of Strategic Studies at ANU and a visiting fellow of the Lowy Institute, who in an article in the Age on 12 July this year said:

June 2010 was an especially bad month, so let's exclude the six deaths that month from the calculation as an aberration. That leaves 12 soldiers lost in 12 months. One a month. How many more months? The Australian government is coy about this, but Barack Obama isn't. He has said US forces will be out of the fighting by the end of 2014, and we can be pretty sure that ours will leave with them. That's about 42 months. So on these trends, if nothing changes, we should expect that an additional 42 young Australians will be dead by the time we pull out of Oruzgan. If we could change our operational pattern and return to the casualty rates of 2006-09, 30 of them would still be alive.

He went on to say:

This debate has to start with a sober assessment of what we could possibly achieve in Afghanistan from now on. Even if we concede (which I doubt) that what happens there matters much to Australia, what are the chances of making a difference in Afghanistan from here on?

Nothing our forces do in Oruzgan will make any difference unless the wider coalition effort can achieve big improvements in the country. But that is not going to happen. It is clear the coalition operations are winding down.

Here is the question for every member of this parliament to address: are we willing to see a loss of lives, conservatively estimated at 40-plus—on current trends it will be higher than that—of good and true young Australian Defence Force personnel when there is no articulated goal to achieve by 2014 that would dramatically alter the circumstances of Afghans that is effectively not being achieved now? One thing we may argue is the ability of the Afghan National Army to be able in some way to control the country better than it can do now. The events of the past few days show what a hazardous proposal that is to enjoin with any degree of certainty.

This is a grave and real matter for our parliament to consider. It is my opinion that this parliament is remiss in not having debated this all the way down the line. There is no good moment in which to debate this, but this debate was brought on by the Australian Greens with real and heartfelt concern, which I know is shared by members of parliament right across the spectrum. We need to put some of the duty back onto our shoulders, to have a parliamentary debate on whether or not we should effectively be asking scores more Australians to sacrifice their lives and their families and loved ones to accept that loss. If we are going to ask for that sacrifice to be given, we need to be able to state exactly what goal that sacrifice is to achieve. My belief and the belief of the Greens is that, in putting forward this motion which Senator Siewert has brought forward, this parliament cannot cogently argue that this sacrifice should be made. Therefore, our troops should be withdrawn safely to these Australian shores.

Senator FAULKNER (New South Wales) (16:33): Just 48 hours ago three more Australian soldiers were killed in Afghanistan, and seven more Australian soldiers have been wounded. It is always difficult to find words at a time like this. While at home we go about our business, our defence personnel in Afghanistan are at risk. As we speak today about the war in Afghanistan, and Australia's role in that war,
we face the harsh reality that there may be more casualties as the weeks and months unfold. No-one in a war zone is safe; nowhere in Afghanistan is out of harm’s way.

These three young men, all in their 20s, were Australians who died in a foreign land because Australia sent them to war. Nothing will diminish the pain so many will feel at their deaths. Each death strikes hard a family, a neighbourhood and a network of friends. Their loss is forever. Each death strikes hard the Australian Defence Force. This debate this afternoon about the need for Australia to confirm a date for the safe return of Australian troops from Afghanistan cannot take place without the events of Saturday uppermost in our minds. At times like these it is inevitable that our involvement in Afghanistan is questioned. It is also inevitable to question whether our national interest demands we be there.

I have argued before, and I still argue, that in our best traditions as an international citizen, Australia should play its part in Afghanistan. Our role there is critical for our national security. I have often said that in the modern world Australia’s national security interests extend beyond our borders and beyond our region, that we cannot become safe through isolation and that we cannot ignore either the threats or the responsibilities that come with the modern interdependent international community.

We operate in Afghanistan under a United Nations mandate, a mandate that is renewed annually. We operate as one of 48 partners in an International Security Assistance Force. We are in Afghanistan at the request of that country and we are playing our part to ensure that Afghanistan is no longer a training ground and operating base for terrorists. I do not accept that there is no goal. Australia has a clearly defined operational objective in Afghanistan: to train the 4th Brigade of the Afghan National Army to enable the ANA to take full responsibility for security in Oruzgan province.

I well recall saying, when defence minister, that I did not want to see the men and women of the Australian Defence Force stay in Afghanistan one day longer than necessary. My view has not changed. We should complete our mission, fulfil our objective and leave as soon as the job is done. I believe that less security in Afghanistan will mean less security for Australia and Australians. If terrorist operations are allowed to take place in Afghanistan, Australian lives will be at risk.

Again today we are feeling the tragic consequences of the dangers and risks of our involvement in Afghanistan. I believe that we as members of the Australian parliament have an obligation to assist those grieving families to make sense of why they have lost so much. I believe that we have an obligation to ensure that no Australian soldier has died in vain. I believe we should finish the job and go.

Senator JOHNSTON (Western Australia) (16:40): I am the only speaker on behalf of opposition senators this afternoon on this motion, and I will be very brief. On behalf of opposition senators, I want to record our condolences to the families and friends of our three soldiers lost in action on Saturday in Afghanistan. I also, on behalf of opposition senators, express our extreme disappointment that the Greens would persist with such a motion on such a sad day as this in the Senate. May I say that, notwithstanding these disastrous and tragic events on Saturday, our resolve remains undiminished to see this mission in Afghanistan through. Today is not the day to be debating our presence in Afghanistan. Today is a day to mourn in quiet respect and
admiration for the supreme sacrifice made by these three soldiers.

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (16:41): I rise today to express my condolences for those Australian soldiers who have died in Afghanistan. There have been 32 killed since 2001 and most recently three over the course of the weekend, with seven others wounded and an Afghan interpreter also killed. When I was looking at what Captain Bryce Duffy, Corporal Ashley Birt and Lance Corporal Luke Gavin had been involved in in Afghanistan and indeed in their lives in the Australian Defence Force, I looked at their dates of birth. Two of them were born in 1984. That is the year when my eldest son was born, so I feel very strongly a sense of connection to those families and those mothers. I look to my own son and I think: two young Australians in the prime of their lives who were born in 1984 have died. One had a wife and three children. There was another young Australian, Corporal Birt, who was only 22.

It is precisely when you look at those figures and you feel for those families and you know the enormity of what they are suffering that you ask the question again: why are we there? Indeed, there is a letter to the papers today from Major-General Alan Stretton, retired. He says:

THE main objective of our intervention in Afghanistan was to kill or capture Osama bin Laden and destroy al-Qaeda. With the death of bin Laden this has now been achieved. The US president has already announced a date for the withdrawal of American forces. With three more Australian deaths over the weekend and another seven wounded, how long will it be before both our political parties realise they are sacrificing the lives of young Australians for no purpose?

The spectacle of politicians from both parties agreeing to send our finest Australians to their deaths and then appearing on television offering their condolences to grieving widows and relatives is sickening.

The policy that we can train the Afghan army to take over security in Afghanistan is laughable. The Afghan government is corrupt, and its army has been penetrated by Taliban forces whose main activity is killing allied forces operating in their country.

Elements of the Australian Defence Force have now been in Afghanistan for over 10 years—surely this is long enough.

That is the tenor of comment being made by people who have spent a lifetime in the defence forces.

I have twice now heard in this debate—once from Senator Faulkner and once from Senator Johnston—that we are in Afghanistan to 'stay the course' and to 'see this mission through'. The question has to be asked: what course and what mission? We as parliamentarians have to be able to answer those questions for the troops still in Afghanistan and for the families who have lost treasured family members—we have responsibility for our troops being in Afghanistan. This question ought to have been debated in our parliament many times. It has not been but it must be now. Why are we in Afghanistan?

Is it true that fighting in Afghanistan will protect Australia from terrorism? The answer is no. Afghanistan was the source of past terrorist threats to Australia, but we know that al-Qaeda no longer needs Afghanistan. It has found other bases in Yemen, in Somalia and in Pakistan. It makes no sense to keep insisting that fighting in Afghanistan will protect Australia from terrorism.

What about the second reason: 'staying the course'? We have heard this afternoon that training the Afghan army in Oruzgan province will help build a stable, pro-Western defence force in Afghanistan. But the question is: who will that army, which
we are working so hard to train and build, take its orders from? What guarantee do we have that that army will support a government in Kabul? As Hugh White has said:

An iron law of politics is that no army is ever better than the government it serves. It is an illusion to think that we can build a strong army in Afghanistan and then trust it to support the legitimate government. Even if we succeed in building an effective force in Oruzgan—and that is itself a long shot—we will still be as far as ever from the kind of government we would like to see in Afghanistan.

So the question is: why are we there? Why are we still in Afghanistan?

What about the argument that we have a global responsibility? Yes, we do—we have global responsibilities, but they can be fulfilled in other ways than armed intervention. Historically, as has been clearly noted, the more military pressure is put on a fragmented society such as Afghanistan the more a coalition against the invader becomes the likely outcome. That is what happened in the 1980s with the Soviet occupation and that is what happened with the British in the 19th century.

What about the international effort? Everybody else has withdrawal dates. In June 2011, President Obama announced:

Starting next month, we will be able to remove 10,000 of our troops from Afghanistan by the end of this year, and we will bring home a total of 33,000 troops by next summer … our troops will continue coming home at a steady pace … By 2014, this process of transition will be complete …

Canada has withdrawn its 2,800 combat troops over the course of 2011, although it has committed up to 950 personnel to take part in the NATO training mission with the Afghan National Army. The Netherlands ended its combat mission in Afghanistan in August 2010, withdrawing 2,000 combat troops. The Prime Minister of the United Kingdom has said that UK forces will withdraw from combat roles by the end of 2014 and that about 400 troops would be withdrawn in the year to February 2012. On 24 June 2011, France announced plans for a phased withdrawal of its 4,000 soldiers serving in Afghanistan. Spain's Prime Minister has said that his country would start withdrawing some of its 1,500 troops from Afghanistan in 2012 and that it would complete the pullout in 2014. Belgium is due to commence its drawdown at the end of 2011. Poland is due to commence its drawdown of 2,560 troops in 2012. Every other country has set out a timetable for the withdrawal of its troops.

If you are serious about, as you say, 'staying the course' and 'fulfilling the mission', it is about time you explained how you are going to stay the course or fulfil the mission as troops are being withdrawn right through Afghanistan. You either, as has been put very strongly by the military personnel, provide the resources you need to complete the job or you withdraw. Do not pretend that you can stay the course and achieve the objective of the mission without the necessary resources.

I think it is pretty hard to ignore the fact that we are, as Hugh White has suggested, in Afghanistan simply because we are fulfilling an obligation of the US alliance. I think it is time that this parliament sat down and asked itself the question: is our engagement in Afghanistan now likely to achieve the objective which has been stated by various people from time to time—or is it just a commitment to the US alliance? My view and the Greens view is that we need a date—as all of those other countries have for their forces—for the withdrawal of our troops. We need to have that debate and set that date as quickly as possible if we are to achieve what we all agree on—that is, that we want to save
young Australian lives and that we do not want to lose any more Australian troops in Afghanistan.

I conclude by again expressing to the families of those who have lost their loved ones that this parliament is genuine in its condolence to those families—that we do feel the pain of those losses. But I would urge everyone in this Senate to recognise that every other country has set a date for the withdrawal of its troops, that we are not going to achieve the objectives which were set for our armed intervention in Afghanistan and that the longer we stay the more lives are going to be lost.

Senator FURNER (Queensland) (16:51): Particularly as a Queensland senator and as Chair of the Defence Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I extend my deepest condolences to the families of Captain Bryce Duffy, Corporal Ashley Birt and Lance Corporal Luke Gavin, who were killed in operations last Saturday. I also express to the seven other soldiers injured in this terrible incident, involving open fire with an automatic weapon, my best wishes for a speedy recovery.

In May of this year I was proud to be part of a delegation as Chair of the Defence Subcommittee that visited Afghanistan and see the good work our troops are doing in that country. What you see at first glance and through the briefings is an appreciation of what our troops are doing—how competent, how proud and how committed they are to seeing that country change. That is the task in Afghanistan that is making a difference. Quite regularly when doing my Building the Education Revolution openings I explain the importance of education. Ten years ago under the Taliban rule there were one million students attending school in Afghanistan—and none of them were girls. The education of girls was prohibited in that country. However, 10 years on, after our involvement and the involvement of the coalition forces in Afghanistan, we have seen that figure turn. We now see six million students attending school and two million of that six million are girls. I never cease to be surprised by the number of parents who come up after I mention that at these education revolution openings and express their appreciation for that information. When the media report on these unfortunate deaths they fail to contribute this sort of information.

That is not the only statistic that is recognised as a result of our involvement in Afghanistan. There are health sector issues such as the lack of basic health cover. Under the Taliban, less than 10 per cent of the population had access to basic health services. Today that figure has increased to about 85 per cent. Furthermore, 39,000 community based infrastructure projects have been identified, including wells, clinics and roads. Almost 10,000 kilometres of roads have been constructed. These projects not only provide the Afghanistan public and communities with new infrastructure but also are sources of employment. We were advised of opportunities where Afghans are being provided with basic building capabilities so they can assist with the construction of these infrastructure facilities or can assist in the construction of simple buildings. Also, 10 million people can now access telecommunications—500 times more than the 20,000 in 2001.

We recognise in this chamber these three deaths, bringing the total now to 32 of our brave defence personnel who have given their lives in Afghanistan. We appreciate what they have so proudly done in Afghanistan but we must also put on record our appreciation for their families. The grieving they must go through when these announcements are made is beyond...
comprehension. We owe it those who have fallen and have been injured to continue this mission in Afghanistan. We must finish what we set out to do. We must do that so that their sacrifices are not in vain. Quite often as I visit military bases around our country men and women approach me and the committee and explain their commitment to ensuring that their losses are not in vain. In fact, many defence personnel approach me eagerly wishing to travel to Afghanistan to contribute alongside their mates to make sure that we bring an end to this safe haven for the training of terrorists. To those who are currently serving in Afghanistan, thank you—you are making a huge difference to the lives of those who are not yet able to help themselves. Your contribution will ensure that innocent men and women and children are able to enjoy democratic rights as we do and ensure that Afghanistan can stand on its own two feet. Please know that you have the confidence of the Australian people behind you when we raise these matters in the Australian parliament.

Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (16:57): I welcome this opportunity to speak about our commitment to Afghanistan. This debate is taking place at a time when all Australians are feeling the shock and distress at the news yesterday that we had sustained three more fatalities. I begin my remarks by adding my condolences for the families and comrades of these three fine Australians, Captain Bryce Duffy, Corporal Ashley Birt and Lance Corporal Luke Gavin. I feel their loss deeply, as I know all other senators do.

Nevertheless, I cannot accept the proposition that we should immediately withdraw our forces from Afghanistan. The fact that our mission has cost the lives of 32 Australians does not lead me to the view that we should get out. Instead, it strengthens my resolve that we should stay until we have completed our mission. Losing the lives of Australian soldiers is a terrible thing. To lose them while failing to achieve the objectives for which they fought would be an even worse thing. It would be a betrayal of their commitment, their idealism and their enthusiasm for the mission. Australian volunteers join our defence forces out of high ideals, not because they want a safe or an easy life. When they are willing to put their lives at risk we must support them in achieving their mission and not undermine them.

Let me remind the Senate what our mission in Afghanistan is. It is twofold. Firstly, it is to protect our own national security by ensuring that Afghanistan is never again used as a base for the training and the controlling of terrorists, as it was previously under the Taliban regime. When we remember the deaths of Australia's soldiers in Afghanistan, let us also remember the Australians who were killed in 9-11 by terrorists under the command of Osama bin Laden, based in Afghanistan and operating with the protection of the Taliban regime. Let us also remember the Bali bombing—again a dreadful event for Australia and again an event perpetrated by terrorists trained and organised, at least in part, in Afghanistan. Secondly, it is to ensure that Afghanistan is never again used in this way, and that means we must permanently free the Afghanistan people from the grip of al-Qaeda and the Taliban. That not only requires militarily defeating the insurgency; it requires helping the Afghan people build a state, an army and a civil society capable of defending itself against such forces in the future. No-one ever promised that these would be easy things to do. We have known from the start that this would be a long, difficult and dangerous mission. Both the previous government and this government have always been clear and steely-eyed.
about that. We knew that there would be casualties, defeats and setbacks such as the terrible incident we learned of yesterday. Because this mission is difficult and because it is long are not reasons to abandon it. We have a duty to the Australian people, we have a duty to the 29 million Afghan people and we have a duty to the 32 Australians who have given their lives to see this mission through.

Let me remind the Senate that our presence in Afghanistan has a firm base in international law. The International Security Assistance Force, of which our forces are a part, was established by a resolution of the UN Security Council. We are in Afghanistan because the international community has authorised us to be there and because the Afghan people want us to be there. I completely reject the assertion that we are making no progress in Afghanistan or that our mission cannot be brought to a successful conclusion. The security situation in Afghanistan is still precarious, but it is vastly better than it was just a few short years ago. Not many people realise that the insurgency is now largely confined to about a dozen southern provinces and that most of northern and eastern Afghanistan is at peace. That is why five million Afghan refugees have been able to return to their homes. Even in its southern heartland, the insurgency is now on the defensive and that is why we have seen in recent times the insurgents resorting to terrorist tactics such as bombings and high-profile assassinations. But we should be clear: these are the tactics of weakness and desperation rather than the tactics of strength and self-confidence.

Politically, a constitutional government has been established in Afghanistan and an elected President and parliament brought into being. Like all senators, I have been disappointed by the evidence of corruption and election rigging that has surrounded the government and the parliament in recent years. But I have no doubt that even this very imperfect form of democracy is vastly preferable to the barbaric regimes which preceded it. Afghanistan was never going to become another Switzerland nor an example of fine Jeffersonian democracy in the short term. But at least now it is a country in which people are not arbitrarily executed or denied the most basic of political, social and religious freedoms.

On the social and economic fronts, Afghanistan has made enormous gains over the past decade—a fact, sadly, seldom reported on in our media. Economic growth has been dramatic. In 2009-10, according to the World Bank, it was an astonishing 22 per cent. Six million Afghan children, including two million girls, are now enrolled in schools, colleges and universities—the highest rate in the country's history. For the first time Afghan women hold public office. For the first time Afghanistan has a free press. Access to health care, particularly for women and children, has been dramatically improved. In short, this has been the longest period of sustained social and economic progress in all of Afghanistan's long and sorry modern history. Australia has made a significant contribution to that achievement and that is something every Australian should be very proud of.

The men and women of the ADF know why they are in Afghanistan. They believe in their mission and they know they have achieved a great deal. Now they are keen to complete the task that the government has given them. Despite the pain we all feel at moments like this, we should support them in that aspiration. We all want to get our service men and women out of harm's way as soon as possible. Of course it would be impossible for us to feel anything else. But to abandon our mission now would dishonour
the sacrifices they have made and thus dishonour us all.

Senator LUDLAM (Western Australia) (17:04): I rise to add my condolences to those of my colleagues on all sides of the chamber concerning the horror that occurred on the weekend and to pay my respects to the three fallen Australians whose sacrifice is appreciated by all of us. Also to the Afghan interpreter, who was killed, and the many who were terribly injured, our thoughts are with them and their families. It is worth noting in passing, with a sense of sadness, that we do not speak to the names of each of Australia's fallen troops now because there are so many. We stand in silence in acknowledgement of their sacrifice but simply do not have time as a parliament to speak to them all as we used to—32 in a decade and a third of them fallen in only the last 12 months. If there has been such progress, if things look as wonderful on the ground as Senator Feeney has been describing, it appears that the violence that our troops have been exposed to is only getting worse.

More than 2,700 coalition dead has been the cost in lives of this war, and an uncounted number of Afghan civilian deaths. If this parliament stood in silence momentarily and acknowledged the civilian loss of life in Afghanistan, we would not have time to conduct any business at all. The estimate over the last four years is that nearly 9,000 Afghan civilians have been killed in the conflict, with civilian deaths increasing each year. It is these profoundly disturbing numbers of civilian deaths that I think give the lie to the picture that is being painted that we are in this struggle for the long haul, that all we need to do is stay the course and eventually there will be some kind of happy ending, and that we will be able to depart the country with some form of democracy in place.

Tell the truth. Tell the Australian people the truth. Why is it so difficult to even have these issues debated in the Australian parliament? We would not have even had a mature debate in this parliament if Senator Brown had not got that into the agreement with the Gillard government last August. Tell the truth as to why after a decade in this quagmire there is now the strongest opposition to this war by the Australian people. A recent Essential Media poll showed that 64 per cent of Australians think that troops should withdraw—that is up from 56 per cent this March and just under half about this time last year. This is now a profoundly unpopular war.

It is justified, as we heard to some degree from some of the previous speakers, that this has been a great cause for the emancipation of women. A June 2011 Trust Law report by the Thomas Reuters Foundation found that violence, dismal health care and brutal poverty make Afghanistan the world's most dangerous country for women. After a 10-year occupation, Afghanistan has emerged as the most dangerous country for women overall and the worst in three of the six risk categories—health, non-sexual violence and lack of access to economic resources. So tell us the truth, government spokespeople and opposition spokespeople, who stand up in here and tell us that things will be fine if we simply toe the line. What if that is not true? German General Kujat told the German Daily in July 2011:

The mission fulfilled the political aim of showing solidarity with United States, but if you measure progress against the goal of stabilising a country and a region, then the mission has failed.

There has been no such honesty from Australian policymakers. We catch a glimpse, of course, of how this war is really seen in the higher levels of the United States government—again thanks to the huge release of US State Department diplomatic
cables by the audacious organisation WikiLeaks. Ambassador Karl Eikenberry, who served in Afghanistan as a three-star general, at the end of a 9 October cable marked 'confidential' said:

One of our major challenges in Afghanistan is how to fight corruption and connect people to the government, and their key government officials are themselves corrupt.

In another cable, quoted in Bob Woodward's book on the war behind the scenes, *O'Bama's War*, Eikenberry said:

Right now we're dealing with an extraordinarily corrupt government. These are our partners. That underscores the tragedy of the events we saw over the weekend. Senator Faulkner says that we are there at the invitation of the Afghan government; we are there at the invitation of the government of the United States. Let us be absolutely clear about why we are there. This is the only time in its history that the ANZUS Treaty has been invoked. Prime Minister Howard, without recourse to parliament, put us into that conflict. That, I think, tells us more than anything else.

The debate in Australia is bland, uninformative and superficial compared with the depth of the debate which has occurred in the many other countries Senator Milne outlined whose troops have been withdrawn. The debate has been had, the facts were put on the table, a deadline was set and then the troops were drawn down. There has been no such debate here in parliament. There has been this strange, shallow, bipartisan willingness to tug the forelock and carry on. And not a single parliamentarian in this place, unless you happen to have a seat in cabinet, has the ability to do anything about it because this parliament has never granted itself the so-called 'war power', the ability to sign off on troop deployments and then to call them home. These are not military decisions; these are deeply diplomatic and political decisions which, as parliamentarians, the people who come into this chamber to discuss the matter have absolutely no power to do anything about. Senator Faulkner, as a former serving defence minister, attended funerals and told this very chamber of the tragic and gruesome updates of the conflict he had tried to manage.

This matter has been reserved for the executive. There is still this stale, bipartisan consensus, unlike our partner countries and most other countries which we consider to be our peers, where that power has been devolved from the executive to at least give some say to the parliament—including Westminster and the United States congress, but no such luck here in Australia. So parliamentarians will file in here and express ongoing confidence and support for the war knowing full well that, even if they disagree, there would be absolutely nothing they could do about it.

We can come in here and conduct a debate, trying to put the facts on the table, but in fact it is the Prime Minister's call. We saw that most tragically—even more tragically than the incident we are debating now—in the war in Iraq, where the executive, premised on a lie and against the will of the vast majority of Australian people and arguably against international legal opinion, took us to war in Iraq, which resulted in enormous civilian, military and resource costs.

So when will the debate finally come to parliament? We can sit down now, having had a say, perhaps feeling a little better that we have got a few things off our chests and expressed our support for the people we have put in harm's way, but what can we actually do about it in this parliament? It is time the debate in Australia got some maturity about
it. Let us hear from the people who have served on the front line, but let us also hear from the Afghan people. People in here claim that we are wanted there, that we are there at the invitation of the Afghan government. Afghanistan is being run somewhere on the spectrum between a barely functioning new democracy and an organised crime syndicate. These are the people we have signed up to as our partners in Afghanistan. We owe it to the people we have put in harm's way not to wait for a quiet patch when the attention has gone away, with full respect to the people who have paid the ultimate sacrifice, and to ask the questions: why are we there, do we need to be there, how long are we planning on being there, what are the conditions we would call a success and at what point will we say that our work there is done?

In the piece quoted by Senator Milne, it is understood that perhaps within months of a withdrawal—this is from one of the people Professor Hugh White quotes—it may well be that the corrupt government which is being propped up at the moment would not last a matter of months. At what point do we think it would last? When will it be on its feet? Do we need to be there for another decade? These questions need to be asked and they are simply not being asked because of the stale, bipartisan consensus that we will soldier on until the United States government tells us we can go. Surely we can do better than that.

Question put:
That the motion (Senator Bob Brown's) be agreed to.

The Senate divided. [17:18]

(AActing Deputy President—Senator Back)
Ayes.....................9
Noes.....................35
Majority................26

AYES
Brown, RJ
Hanson-Young, SC
Milne, C
Stewart, R (teller)
Wright, PL

NOES
Back, CJ
Birmingham, SJ
Brown, CL (teller)
Cameron, DN
Cormann, M
Farrell, D
Fawcett, DJ
Fifield, MP
Furner, ML
Johnston, D
Lundy, KA
Madigan, JJ
McEwen, A
Moore, CM
Pratt, LC
Singh, LM
Sterle, G
Urquhart, AE

Bernardi, C
Bishop, TM
Bushby, DC
Colbeck, R
Edwards, S
Faulkner, J
Feeney, D
Fisher, M
Gallacher, AM
Kroger, H
Macdonald, ID
Marshall, GM
McLucas, J
Parry, S
Ronaldson, M
Stephens, U
Thistlethwaite, M

Question negatived.

MINISTERIAL STATEMENTS

Afghanistan

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (17:22): On behalf of the Minister for Defence, Mr Smith, I table a statement on Afghanistan.

DOCUMENTS

Tabling

The ACTING DEPUTY PRESIDENT (Senator Back): Pursuant to standing orders 38 and 166, I present documents as listed below which were presented to the President, the Deputy President and Temporary Chairmen of Committees since the Senate last sat. In accordance with the terms of the standing orders, the publication of the documents was authorised.
The list read as follows—

(a) Committee reports

1. Community Affairs References Committee—Funding and administration of mental health services—
   Interim report *(received 20 October 2011)*
   Second interim report *(received on 28 October 2011)*

2. Community Affairs References Committee—Report, together with the Hansard record of proceedings and documents presented to the committee—Review of the Professional Services Review (PSR) Scheme *(received 25 October 2011)*

(b) Government documents

1. Australian Federal Police (AFP)—Report for 2010-11 *(received 14 October 2011)*


4. Migration Agents Registration Authority (MARA)—Report for 2010-11 *(received 14 October 2011)*

5. Department of Immigration and Citizenship—Report for 2010-11 *(received 14 October 2011)*


7. Department of Families, Housing, Community Services and Indigenous Affairs—Report for 2010-11 *(received 14 October 2011)*


9. Attorney-General’s Department—Report for 2010-11 *(received 14 October 2011)*

10. Australian Government Solicitor—Report for 2010-11 *(received 14 October 2011)*

11. Federal Court of Australia—Report for 2010-11 *(received 14 October 2011)*

12. Family Court of Australia—Report for 2010-11 *(received 14 October 2011)*


15. Australian Hearing Services (Australian Hearing)—Report for 2010-11 *(received 14 October 2011)*


17. Migration Review Tribunal and Refugee Review Tribunal—Report for 2010-11 *(received 14 October 2011)*

18. Australian Rail Track Corporation Limited (ARTC)—Report for 2010-11 *(received 17 October 2011)*

19. Department of Finance and Deregulation—Report for 2010-11 *(received 17 October 2011)*

20. Federal Magistrates Court of Australia—Report for 2010-11 *(received 17 October 2011)*


22. Safety, Rehabilitation and Compensation Commission and Comcare—Reports for 2010-11 *(received 18 October 2011)*

23. Seafarers Safety, Rehabilitation and Compensation Authority (Seacare)—Report for 2010-11 *(received 18 October 2011)*

24. Wet Tropics Management Authority—Report for 2010-11, including State of the Wet Tropics report for 2010-11 *(received 18 October 2011)*

25. National Native Title Tribunal—Report for 2010-11 *(received 18 October 2011)*


28. Insolvency and Trustee Service Australia—Report for 2010-11 *(received 18 October 2011)*
29. Department of Human Services—Report for 2010-11 (received 19 October 2011)
30. Centrelink—Report for 2010-11 (received 19 October 2011)
31. Medicare Australia—Report for 2010-11 (received 19 October 2011)
32. Professional Services Review—Report for 2010-11 (received 19 October 2011)
33. Wine Australia Corporation—Report for 2010-11 (received 19 October 2011)
34. National Competition Council—Report for 2010-11 (received 19 October 2011)
35. Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2010-11 (received 19 October 2011)
36. Crimes Act 1914—Controlled operations—Report for 2010-11 (received 20 October 2011)
37. Bundanon Trust Limited—Report for 2010-11 (received 20 October 2011)
38. Australian Film Television and Radio School (AFTRS)—Report for 2010-11 (received 20 October 2011)
39. Screen Australia—Report for 2010-11 (received 20 October 2011)
40. Australian Solar Institute Limited (ASI)—Report for 2010-11 (received 21 October 2011)
41. Fair Work Ombudsman—Report for 2010-11 (received 21 October 2011)
42. Australian Customs and Border Protection Service—Report for 2010-11 (received 21 October 2011)
43. Commissioner for Superannuation (ComSuper)—Report for 2010-11 (received 21 October 2011)
44. Department of Resources, Energy and Tourism—Report for 2010-11, including Geoscience Australia report for 2010-11 (received 21 October 2011)
45. National Gallery of Australia—Report for 2010-11 (received 21 October 2011)
46. Department of Foreign Affairs and Trade—Report for 2010-11 (received 25 October 2011)
47. Health Workforce Australia—Report for 2010-11 (received 25 October 2011)
48. Office of the Official Secretary to the Governor-General—Report for 2010-11 (received 25 October 2011)
50. Aged Care Standards and Accreditation Agency Limited—Report for 2010-11 (received 26 October 2011)
51. Australian Agency for International Development (AusAID)—Report for 2010-11 (received 26 October 2011)
52. Healthcare Identifiers Act 2010—Australian Information Commissioner—Report for 2010-11 (received 26 October 2011)
54. Australia Council—Report for 2010-11 (received 26 October 2011)
55. Australian Institute of Marine Science—Report for 2010-11 (received 26 October 2011)
56. Australian Pesticides and Veterinary Medicines Authority—Report for 2010-11 (received 26 October 2011)
58. Director of National Parks—Report for 2010-11 (received 26 October 2011)
60. Australian Reinsurance Pool Corporation (ARPC)—Report for 2010-11 (received 26 October 2011)
61. Financial Reporting Panel—Report for 2010-11 (received 26 October 2011)
62. Inspector-General of Taxation—Report for 2010-11 (received 26 October 2011)
63. Department of Innovation, Industry, Science and Research—Report for 2010-11, including IP Australia report for 2010-11 (received 27 October 2011)
64. Australian Building and Construction Commissioner—Report for 2010-11 (received 27 October 2011)
65. Australian Centre for International Agricultural Research (ACIAR)—Report for 2010-11 (received 27 October 2011)

66. Australian Securities and Investments Commission—Report for 2010-11 (received 27 October 2011)

67. Superannuation Complaints Tribunal—Report for 2010-11 (received 27 October 2011)

68. Financial Reporting Council—Report for 2010-11 (received 27 October 2011)

69. Takeovers Panel—Report for 2010-11 (received 27 October 2011)

70. National Health and Medical Research Council—Report for 2010-11 (received 27 October 2011)

71. National Blood Authority—Report for 2010-11 (received 27 October 2011)

72. Department of Veterans’ Affairs—Data-matching program—Report on progress 2010-11 (received 27 October 2011)

73. Bureau of Meteorology—Report for 2010-11 (received 27 October 2011)

74. Fair Work Australia—Report for 2010-11 (received 27 October 2011)

75. National Breast and Ovarian Cancer Centre—Report for 2010-11 (received 28 October 2011)

76. Export and Finance Insurance Corporation—Report for 2010-11 (received 28 October 2011)

77. Australian Sports Commission—Report for 2010-11 (received 28 October 2011)

78. Australian National Maritime Museum—Report for 2010-11 (received 28 October 2011)

79. Auditing and Assurance Standards Board—Report for 2010-11 (received 28 October 2011)

80. Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2010-11 (received 28 October 2011)

81. Australian Nuclear Science and Technology Organisation—Report for 2010-11 (received 28 October 2011)

82. Australian Institute for Teaching and School Leadership Limited—Report for 2010-11 (received 28 October 2011)

83. Skills Australia—Report for 2010-11 (received 28 October 2011)

84. Low Carbon Australia—Report for 2010-11 (received 28 October 2011)

85. Old Parliament House—Report for 2010-11 (received 28 October 2011)

86. Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2010-11 (received 28 October 2011)

87. Repatriation Commission, Military Rehabilitation and Compensation Commission and the Department of Veterans’ Affairs—Report for 2010-11, including operation of the Defence Service Homes Insurance Scheme and the Office of Australian War Graves (received 28 October 2011)

88. Public Lending Right Committee—Report for 2010-11 (received 28 October 2011)

89. Productivity Commission—Report for 2010-11 (received 28 October 2011)

90. Cancer Australia—Report for 2010-11 (received 28 October 2011)


92. National Industrial Chemicals Notification and Assessment Scheme (NICNAS)—Report for 2010-11 (received 28 October 2011)


94. Department of Climate Change and Energy Efficiency—Report for 2010-11 (received 28 October 2011)

95. Department of the Treasury—Report for 2010-11 (received 28 October 2011)

96. Australian Accounting Standards Board—Report for 2010-11 (received 28 October 2011)

(c) Report of the Auditor-General

Report no. 9 of 2011-12—Performance audit—Indigenous secondary student
accommodation initiatives (received 21 October 2011)

(d) Returns to order

1. New Zealand—Export of apples to Australia (motion of Senator Colbeck of 20 September 2011)—Documents (received 17 October 2011)

2. Medicare Chronic Disease Dental Scheme—Audits (motion of Senator Fierravanti-Wells of 19 September 2011—Documents (received 19 October 2011)

(e) Letters of advice relating to Senate orders

1. Letters of advice relating to lists of departmental and agency appointments and vacancies:
   - Regional Australia, Regional Development and Local Government portfolio—Replacement list (received 14 October 2011)
   - Education, Employment and Workplace Relations portfolio (received 14 October 2011)
   - Foreign Affairs and Trade portfolio (received 21 October 2011)

2. Letters of advice relating to lists of departmental and agency grants:
   - Health and Ageing portfolio (received 19 October 2011)
   - Foreign Affairs and Trade portfolio (received 21 October 2011)

Ordered that the Community Affairs References Committee report on the Professional Services Review Scheme be printed.

Ordered that each of the Community Affairs References Committee reports be listed on the Notice Paper as orders of the day.

COMMITTEES

Community Affairs References Committee

Reporting Date

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:22): by leave—I move:

That the final report of the Community Affairs References Committee on the funding and administration of mental health services be presented by 1 November 2011.

Question agreed to.

DELEGATION REPORTS

Parliamentary Delegation to Denmark, Sweden and Greece

The ACTING DEPUTY PRESIDENT (Senator Back): I present the report of the Australian parliamentary delegation to Denmark, Sweden and Greece, which took place from 2 to 16 April 2011.

DOCUMENTS

Responses to Senate Resolutions

Tabling

The ACTING DEPUTY PRESIDENT (Senator Back): I present the following responses to resolutions of the Senate:

(a) Response from the Office of the Commissioner of Police of New South Wales to a resolution of the Senate of 22 September 2011 concerning National Police Remembrance Day; and

(b) Response from the New Zealand High Commissioner (Major General (Rtd) Martyn Dunne, CNZM) in response to a resolution of the Senate of 13 October 2011 concerning the container carrier ship Rena.

BILLS

Crimes Legislation Amendment Bill (No. 2) 2011

Explanatory Memorandum

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (17:24): I table an addendum to the explanatory memorandum relating to the Crimes Legislation Amendment Bill (No. 2) 2011.
COMMITTEES
Public Works Committee

Report

DOCUMENTS

Tabling
The Clerk: Documents are tabled in accordance with the list circulated to senators.

Details of the documents appear at the end of today’s Hansard.

BILLS

Work Health and Safety Bill 2011
Work Health and Safety (Transitional and Consequential Provisions) Bill 2011

First Reading
Bills received from the House of Representatives.

Senator McLUCAS: I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (17:26): I present the explanatory memoranda and 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—

WORK HEALTH AND SAFETY BILL 2011
SECOND READING SPEECH

I am pleased to introduce the Work Health and Safety Bill 2011.

This Bill forms a crucial part of the Commonwealth’s commitment to nationally harmonised work health and safety laws. These are landmark reforms which have been long in the making. Nationally harmonised work health and safety laws were first raised by the Whitlam Government in 1974. In the intervening years, the harmonisation of work health and safety has experienced many false starts despite having strong support from both unions and business.

Indeed the Coalition had 11 long years to deliver on this important reform and failed to do so.

While its genesis is decades old, the arguments in favour of harmonisation to this date remain compelling.

Having different OHS systems creates a regulatory burden on businesses, increase red tape and means that workers are at risk of poorer safety standards than their counterparts in other states.

In 21st century Australia, workers and businesses deserve better.

In July 2008, the Commonwealth, states and territories came together to sign an historic Council of Australian Governments agreement to put harmonised work health and safety laws in place by 1 January 2012.

This Intergovernmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety set in place a framework for working cooperatively toward the common goal of harmonised laws. In so doing, Governments set aside politics in favour of a national framework which reduces red tape and ensures that all workers have the same protections, regardless of where they live and work.

Over the past three years, the Government has worked in partnership with the states and
This new framework will replace nine separate OHS Acts and over 400 pieces of OHS regulation which currently causes unnecessary confusion and complexity and higher costs for many businesses.

This duplication and fragmentation of work health and safety legislation has also stood in the way of better safety outcomes. Clearly, the health and safety of workers is a matter of national significance.

Around 290 Australians are killed at work each year. Many more die as a result of work related disease and each year around 135,000 Australians are seriously injured at work.

The cost of work related injury and illness to our economy has been estimated at nearly 6 percent of our gross domestic product. The cost to those injured and to their families, workmates and friends is inestimable.

Not only are workers' lives and health at stake because of the current state of Australia's OHS laws, so too is the efficiency of our economy.

The Work Health and Safety Bill before you today reflects the provisions of the Model Work Health and Safety Act agreed by the Workplace Relations Ministers' Council in December 2009. This model Act has been subject to an extensive consultation process involving considerable stakeholder input and scrutiny.

In April 2008, the Commonwealth established an independent panel to conduct the National Review into Model Occupational Health and Safety Laws. This Review Panel examined work health and safety laws in each state and territory and the Commonwealth and conducted extensive consultation in each jurisdiction.

The Review Panel participated in over 80 meetings, consulting with more than 260 individuals representing over 100 organisations, including regulators, unions, employer organisations, industry representatives, legal professionals, academics and health and safety professionals. The Review Panel received 243 written submissions providing a rich source of ideas and information to form the basis for reform proposals.

The National Review was completed in January 2009, resulting in two comprehensive reports being submitted to the Workplace Relations Ministers' Council. These reports made recommendations on the optimal structure and content for the model Act. Workplace Relations Ministers responded to the Review Panel's 232 recommendations in May 2009. Decisions made by the Workplace Relations Ministers' Council formed the basis for the model Act which was then drafted by Safe Work Australia.

An exposure draft of the model Act was released for public comment for six weeks in September 2009. The 480 submissions received during this time informed many of the amendments to this draft. The model Act as endorsed by the Workplace Relations Ministers' Council in December 2009 reflected the outcome of this extensive consultation process.

In endorsing the model Act, Ministers acknowledged that each jurisdiction will face changes in current OHS arrangements in order to achieve the goal of uniform OHS laws. At the same time, Ministers agreed that the model laws comprise a balanced and inter-related package of measures that will lead to enhanced safety protections for all Australian workers and greater certainty and protections for all workplace parties.

The harmonisation of work health and safety laws is also one of COAG's top ten priority reforms under the 2008 National Partnership Agreement to Deliver a Seamless National Economy. Each party under the National Partnership acknowledged a mutual interest towards achieving a coordinated national approach to work health and safety laws.

The implementation of harmonised work health and safety laws is assessed annually by the COAG Reform Council. Under the National Partnership the Commonwealth will provide reward payments to States and Territories following the COAG Reform Council's advice on the achievement of key milestones set out in the Implementation Plan.

The positive outcome expected from the National Partnership will be a reduction in the costs of regulation, contributing to enhanced
productivity and workforce mobility across the country.

The work towards a nationally harmonised system of legislation, regulations and codes of practice will ensure that the 40,000 businesses operating across jurisdictions will face less regulatory duplication associated with compliance through multiple systems across jurisdictions.

A national system will harmonise work health and safety laws so that they are consistently enforced by regulators facilitating a stronger partnership with business to minimise the risks of workplace injuries and deaths.

Under the Intergovernmental Agreement governing the work health and safety harmonisation process, jurisdictions expressly agreed to develop a national compliance and enforcement policy to ensure a consistent regulatory approach across all jurisdictions.

The Work Health and Safety Bill I am introducing today will apply to businesses and undertakings conducted by the Commonwealth, public authorities and non-Commonwealth licensees.

An exposure draft of the Commonwealth Work Health Safety Bill was released for comment from interested stakeholders on the Commonwealth specific provisions, from 26 May to 17 June 2011. Feedback was received from a range of stakeholders including Commonwealth Agencies, public authorities, non-Commonwealth licensees, unions, employer groups and legal professionals.

Despite some differences in detail, OHS laws in all Australian jurisdictions are based on the internationally recognised Robens model of a broad principles-based approach to OHS regulation which creates general duties applicable to all workplaces.

The principles which underpin the Work Health Safety Bill reflect the Robens model, and so echo the basis of the current Commonwealth Occupational Health and Safety Act 1991. Like the current Commonwealth Act, the Bill provides that workers and others are to be given the highest level of protection from hazards and risks as is reasonably practicable.

The Bill seeks to secure the health and safety of workers and workplaces through the elimination or minimisation of risks, fair and effective representation, consultation, cooperation and issue resolution, provision of advice information, education and training, and effective and appropriate compliance and enforcement measures, among other matters.

Of course, some changes have had to be made by all jurisdictions — including the Commonwealth — to their current work health and safety Acts to come to an agreed model Act.

I will now outline some of the more significant features of the Bill which will be new to the Commonwealth jurisdiction.

In line with the model Act, the Bill does not rely on 'employer' duties but assigns the primary duty of care on the 'Person Conducting a Business or Undertaking', qualified by what is reasonably practicable.

The Work Health and Safety Bill will also provide for a modernised and wider coverage of contemporary work relationships that are broader than the traditional employer/employee relationship.

There is the expanded definition of worker – contractors, employees of contractors, subcontractors, labour hire workers, apprentices, volunteers as well as employees all come under this definition.

The Work Health and Safety Bill places a positive duty on officers to exercise due diligence to ensure compliance by the organisation.

This Bill also places a duty on designers of plant, substances and structure consistent with the principle that duties of care should be imposed on those that who are materially involved in or materially affect the performance of work.

Similar to current provisions in the Commonwealth Occupational Health and Safety Act, the Work Health Safety Bill provides for the election of Health and Safety Representatives who will represent workers in work groups on work health and safety matters.

Health and Safety Representatives will also continue to have powers to issue provisional improvement notices and direct that work cease where there is an immediate threat to the health or
safety of a member of a work group. To simplify arrangements, the Bill provides that in bigger organisations, work groups are now allowed multiple Health and Safety Representatives.

Under the model Bill, workers will now have the statutory right to cease unsafe work in certain circumstances. This is a new statutory right for the Commonwealth and provides that workers are entitled to cease work if they have reasonable concerns that to carry out the work would expose them to serious risk to their health and safety, emanating from an immediate or imminent exposure to a hazard.

The Bill also contains new and tougher provisions outlining significant penalties for those who fail to meet their obligations for work health and safety.

There are three categories of penalties based on the degree of culpability, risk and harm.

Category 1 offences involving proven recklessness attract a maximum fine of $3 million for bodies corporate and for individuals the maximum fine of $600,000 or a maximum of five years' imprisonment or both.

Category 2 offences involve breaches of health and safety duties which expose another person to a risk of death or serious injury or illness, and attract a maximum fine of $1.5 million for bodies corporate or $300,000 for individuals.

Category 3 offences apply for any breach of a health and safety duty with a maximum fine of $500,000 for bodies corporate and $100,000 for individuals.

To ensure greater accountability and responsibility for safety outcomes, the Commonwealth will no longer be immune from criminal liability for offences under this legislation. This is an improvement on the current Act which limits Commonwealth liability to civil remedies only.

The range of enforcement mechanisms will also be wider under the new laws. New options include infringement notices, remedial orders, adverse publicity orders, training orders and orders for restoration.

Other significant changes brought about by this Bill include enhanced protections from discrimination, victimisation and coercion over work health and safety matters which go beyond what is currently available through anti-discrimination and other laws. Importantly there will be protection against discrimination for people in the workplace who exercise or perform powers, functions or rights under the Bill.

There will be an entry permit scheme that allows authorised permit holders to inquire into suspected contraventions of work health and safety laws and to consult and advise workers about work health and safety matters.

In addition to changes in Commonwealth work health safety laws to align them with the model Bill, there are also provisions in the Work Health Safety Bill specific to our unique jurisdiction.

I would stress that in keeping with the Government’s commitments under the COAG intergovernmental agreement, the Commonwealth specific provisions are expressly permitted under the jurisdictional notes provided in the model Act.

The Bill will apply to businesses or undertakings conducted by the Commonwealth, a public authority and, for a transitional period, a non-Commonwealth licensee.

Importantly, the Bill seeks to ensure the same coverage of Commonwealth workers as are currently covered under the Commonwealth OHS Act. This means that in the Commonwealth jurisdiction the definition of worker will be extended to include persons who are currently deemed to be employees of the Commonwealth such as:

Members of the Australian Defence Force; and
A holder of a Commonwealth Statutory office.

The Bill also establishes Comcare as the single regulator for work health and safety in the Commonwealth jurisdiction. Comcare will operate under the oversight of the Safety, Rehabilitation and Compensation Commission. This is a change from the current situation where OHS regulation is the joint responsibility of Comcare and the Commission.

The Commission will continue to have an important role in overseeing the activities of Comcare which will have responsibility for day to day regulatory functions. It will also continue to have advisory and consultative functions, including advising the Minister on the
administration of the Act and making recommendations to the Minister on the most effective means of giving effect to the objects of the Act.

The Commission will also be a forum for consultation between Comcare and persons conducting a business or undertaking, workers and the bodies that represent them.

In terms of commencement of this legislation, all jurisdictions have committed to implement the model Bill by 1 January 2012.

These laws will be supported by model regulations and codes of practice that are expected to be finalised at the national level later this year. The process to develop national regulations is again a collaborative one being achieved in partnership with the jurisdictions and employee and employer bodies.

The provisions in the Work Health and Safety Bill complement legislation being enacted across other Australian States and Territories and will lead to enhanced work health and safety protections for Australian workers and greater certainty for businesses.

This legislation will contribute to long term sustainable employment opportunities for all Australians underpinned by strong uniform work health and safety laws.

I do not need to tell you that the Work Health and Safety Bill 2011 is a win-win for both workers and employers in the Commonwealth.

More broadly, the benefits from new harmonised work health and safety laws will increase profitability and productivity for businesses and at the same time protecting the lives and health of Australians.

It is estimated that harmonising work health and safety laws will save multi-state businesses $179 million per annum. Support for this legislation is support for a balanced and nationally harmonised framework to secure health and safety for all Australian workers and Australian businesses into the future.

I am pleased to introduce the Work Health and Safety (Transitional and Consequential provisions) Bill 2011. This bill contains transitional and consequential provisions in relation to the Work Health and Safety Bill which will form part of a system of nationally harmonised work health and safety laws.

This Bill will repeal the Occupational Health and Safety Act 1991 which will be replaced with the Work Health and Safety Bill. It also makes provision for the transition to the new laws. It will deal with matters where action of some kind may have commenced under the OHS Act before it was repealed and where contraventions have occurred prior to the commencement of the new laws. In addition the Bill makes consequential amendments to the Safety, Rehabilitation and Compensation Act 1988 and the Social Security Act 1991 that arise from the Work Health and Safety Bill.

Debate adjourned.

Tax Laws Amendment (2011 Measures No. 7) Bill 2011
First Reading

Bill received from the House of Representatives.

Senator McLUCAS: I move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator McLucas (Queensland—Parliamentary Secretary for Disabilities and Carers) (17:27): I move:

That this bill be now read a second time.

Question agreed to.

Bill read a first time.

Second Reading

Senator McLucas (Queensland—Parliamentary Secretary for Disabilities and Carers) (17:27): I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

Tax Laws Amendment (2011 Measures No. 7) Bill 2011
This Bill amends various taxation laws to implement a range of improvements to Australia's tax laws.

Schedule 1 removes income tax barriers that impede families from making financial contributions to a special disability trust. These changes include extending the CGT main residence exemption to special disability trusts. By removing these barriers, special disability trusts will become more attractive for families looking to provide for the long-term care of a family member with severe disability.

Schedule 2 reduces the lowest marginal tax rate that applies to non-resident workers employed under the Government's Pacific Seasonal Worker Pilot Scheme from 29 per cent to 15 per cent. The change will apply for the 2011-12 year of income and was announced in the 2011-12 Budget.

The Pacific Seasonal Worker Scheme is an important element of the Government's Pacific Engagement Strategy, a whole of government strategy designed to advance our engagement in the Pacific. This measure will help support the Government's Strategy by improving remittance outcomes for workers and by addressing equity concerns raised by the relatively high effective tax rates currently applying to workers in the Scheme.

The changes introduced in this Bill will not impact Australian workers or non-residents who are not Pacific Seasonal Workers.

Schedule 3 amends the pay-as-you-go instalments provisions to ensure that the concept of 'instalment income' interacts appropriately with the concepts of 'gain' and 'loss' in the taxation of financial arrangements, or TOFA, Stages 3 and 4 provisions.

The amendments ensure that the interaction does not impose significant administrative or compliance costs while achieving the objectives of the pay as you go instalments provisions.

Schedule 4 gives the Commissioner of Taxation a limited discretion to extend the time for a taxpayer to notify the Commissioner of making the transitional election to apply TOFA Stages 3 and 4 provisions to its existing financial arrangements.

The TOFA transitional election gives taxpayers the choice of not having to comply with two sets of income tax rules for financial arrangements.

The proposed discretion would provide some administrative flexibility so that taxpayers, who did not notify the Commissioner of a transitional election on time, may be able to obtain the compliance benefits of the transitional election under certain circumstances.

Schedule 5 amends the tax law and the Banking Act 1959 to make four changes to the farm management deposits, or FMDs, scheme.

First, the changes allow an FMD owner affected by an applicable natural disaster to access their farm management deposits within 12 months of making a deposit while retaining concessional tax treatment.

This Schedule also allows FMD owners to hold FMDs simultaneously with more than one FMD provider.

In addition, FMD providers will be required to report certain information about FMDs to the Agriculture Secretary more frequently.

The amendments will afford the owner of an FMD additional protection under the unclaimed moneys provision which is not available to ordinary depositors.

These amendments allow FMD owners to access their own funds without foregoing concessional tax treatment, enabling them to recover and rebuild their primary production businesses more quickly or providing an income in times of severe hardship. The minor administrative amendments are intended to benefit FMD owners and allow a better understanding of the effectiveness of the scheme.

Schedule 6 extends the end date of the temporary loss relief for merging superannuation funds by three months, that is, from 30 June 2011 until 30 September 2011. This will provide additional time for mergers to take place before the loss relief expires. The requirement that affected mergers are completed in a single income year is relaxed to permit funds to benefit from the extension.

Schedule 7 preserves the integrity of the taxation laws compliance framework by ensuring
that certain director penalty notices remain valid. Director penalty notices are issued by the Commissioner of Taxation to the directors of companies which have failed to remit pay as you go withholding amounts to the Commissioner. These notices advise directors that if they do not cause their company to take certain actions with respect to the debt, they will become personally liable for the debt.

Between December 2007 and June 2010 the Commissioner issued around 17,000 director penalty notices in reliance on a precedential 2007 New South Wales Court of Appeal decision. This decision was overturned by a later decision of the same Court in 2011, which in turn raised doubts about the continuing validity of the director penalty notices issued during that period.

These amendments will simply restore the precedential understanding of the law at the time these notices were issued, yet they will not impact the individual director in the latter Court of Appeal decision. These amendments are retrospective in nature, however, this is essential for ensuring these notices remain valid, and the penalties attaching to these notices remain recoverable.

Schedule 8 fulfils the Government’s 2010 Budget commitment to provide a regulatory framework to improve the integrity of public ancillary funds, similar to that which has applied to private ancillary funds since 1 October 2009. This framework will provide the trustees of such funds with greater certainty as to their philanthropic obligations.

Following consultation, the commencement date for the measure was deferred from 1 July 2011 to 1 January 2012, which makes it vital that this Bill receive Royal Assent by 31 December 2011.

Schedule 9 amends the tax law to make several changes to the film tax offsets. The changes specifically affect the producer offset and the location and post, digital and visual effects offsets.

These changes, which will apply from 1 July 2011, are estimated to increase expenditure on the film tax offsets by $8 million over the forward estimates period.

These amendments to the film tax offsets are aimed at reforming and strengthening the Australian screen production industry at a time when it is striving to meet the challenges of a changing global environment. The amendments to the producer offset will refine delivery of government support to screen producers, reduce the financial and administrative burden on applicants, and improve operational efficiency. The amendments to the location and post, digital and visual effects offsets are aimed at enhancing those offsets to attract offshore productions to Australia.

Full details of the measures in this Bill are contained in the explanatory memorandum. Ordered that further consideration of the second reading of this bill be adjourned to the first sitting day of the next period of sittings, in accordance with standing order 111.

Superannuation Legislation Amendment (Early Release of Superannuation) Bill 2011
National Health Reform Amendment (National Health Performance Authority) Bill 2011
Offshore Petroleum (Royalty) Amendment Bill 2011
Offshore Petroleum and Greenhouse Gas Storage (Registration Fees) Amendment Bill 2011
Offshore Petroleum and Greenhouse Gas Storage Amendment (National Regulator) Bill 2011
Offshore Resources Legislation Amendment (Personal Property Securities) Bill 2011
Horse Disease Response Levy Bill 2011
Horse Disease Response Levy Collection Bill 2011
Horse Disease Response Levy (Consequential Amendments) Bill 2011
Inspector-General of Intelligence and Security Amendment Bill 2011
Australian Energy Market Amendment (National Energy Retail Law) Bill 2011
Family Assistance Legislation Amendment (Child Care Financial Viability) Bill 2011
Migration Amendment (Complementary Protection) Bill 2011
(Schools Assistance Amendment Bill 2011
Customs Amendment (Anti-dumping Improvements) Bill 2011
Customs Amendment (Anti-dumping Measures) Bill 2011
Banking Amendment (Covered Bonds) Bill 2011
Assent
Messages from the Governor-General reported informing the Senate of assent to the bills.

COMMITTEES
Legal and Constitutional Affairs References Committee
Report
Senator HUMPHRIES (Australian Capital Territory) (17:29): I present the report of the Legal and Constitutional Affairs References Committee entitled International parental child abduction to and from Australia, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator HUMPHRIES: by leave—I move:

That the Senate take note of the report.

This inquiry was referred to the Senate Legal and Constitutional Affairs References Committee on the basis of concern expressed in the Australian community about a significant number of parental child abductions each year. These are abductions carried out by a parent—or occasionally a step-parent—who has responsibility for a child. The parent takes the child outside the Australian jurisdiction either without the knowledge or permission of the other parent—the left-behind parent or person exercising custodial responsibility—or, occasionally, with such knowledge or consent, and then retains the child outside of the jurisdiction against the wishes of the left-behind parent.

There are a number of such cases in Australia each year. Indeed, between 2003 and 2008 there was a 74 per cent increase in the number of applications for the return of children to Australia under the terms of the Hague convention, which regulates the return of abducted children. There is a concern in the community about these cases. Indeed, there was a fairly high profile case of an Australian father who spent a long period of time travelling around the world before finally locating his child in Holland and coming to arrangements to have the child returned.

Whether these cases are large or small in number is immaterial. The fact that they occur is, quite legitimately, a matter of concern within the community. The Senate committee's brief was to discover what was being done to prevent such abductions, to increase as much as possible the extent of
assistance available to left-behind parents, to
easure that the system operated particularly
effectively with respect to countries that had
been signatories to the Hague convention
and to explore what could be done to ensure
that countries that were not signatories to the
Hague convention could still have in place
arrangements that would allow the return of
children abducted from Australia. There was
also some focus on the abduction of children
to Australia, although that was a relatively
minor part of this inquiry.

The intention of the committee was to
discover whether more could be done to
prevent and to remedy international child
abduction. In particular, the committee
focused on the question of whether there
ought to be a specific stand-alone criminal
offence of international parental child
abduction—not to be confused with the
abduction of a child not known to the
abductor, which is a very different set of
circumstances.

After some deliberation, the view of the
committee was that although these practices
should be discouraged as much as possible
and, where appropriate, those who perpetrate
them should face the effect of the law, it is
not helpful at this point in time to have a
separate, stand-alone criminal offence of
international parental child abduction. The
committee noted that there are in fact already
offences under sections 65Y and 65Z of the
Family Law Act 1975 which provide that it
is a criminal offence for a child to be taken
outside the Australian jurisdiction contrary to
an order of the Family Court or while the
child is subject to proceedings in the Family
Court.

The government announced, while this
inquiry was underway, that there is to be an
extension of the circumstances in which
sections 65Y and 65Z would operate in
future. That will particularly provide for a
child taken lawfully outside Australia but
retained outside Australia against the wishes
of the left-behind parent to also be subject to
the provisions of sections 65Y and 65Z. The
committee is reassured by that extension of
the law but urges the government to maintain
a watching brief on the extent to which such
extensions of the law actually discourage the
incidence of international parental child
abduction.

The committee accepts that there are some
downsides to the introduction of a separate
offence. Most particularly, the committee
accepts that to criminalise an abducting
parent too readily runs the risk that it will be
more difficult for abducted children to be
returned to Australia. The committee
believes that there is a good case for sending
an unmistakable signal that such behaviour,
in the ordinary course of events, is
unacceptable. However, it also wishes to
ensure that if a child is abducted the highest
possible chance of that child being returned
to Australia is furnished according to the
law.

Concerns were expressed to the
committee that by not having a separate,
stand-alone offence of international parental
child abduction the cooperation of the
Australian Federal Police in preventing
abduction would be minimised—that the
police would be reluctant to be involved in
preventing a child being removed from a
jurisdiction or taking steps to locate a child
who had been removed from the jurisdiction.
Some advocates before the committee felt
that there needed to be such an offence in
order to galvanise the police response to
international child abduction.

The committee is reassured that under the
present state of the law there are
opportunities for the Australian Federal
Police—and, to some extent, state police
forces as well—to be involved in the
prevention of the removal of a child from a jurisdiction, in particular in connection with sections 65Y and 65Z of the Family Law Act. The committee acknowledges that where a child is in the process of being abducted it is extremely important for a parent to have cooperation from the Australian Federal Police. The committee believes that in general terms that cooperation is available, although the circumstances in which it might be available are probably not well understood by many parents in that circumstance. It is possible for the Family Court to order at very short notice that a child not be removed from a jurisdiction, and indeed the committee heard that there have even been examples of where planes have been required to land in Darwin to prevent a child being removed in that circumstance. But it remains true that there are still very many cases where such abductions occur, and the circumstances in which they occur need to be considered carefully in order to focus on ways of preventing such cases from arising in the future.

There is a recommendation from the committee that there be better cooperation between state agencies charged with the welfare of children and the Attorney-General's Department to ensure that the handling of cases for the return of children to Australia, particularly under the Hague convention, is done on a more streamlined basis. There is also a recommendation from the committee that specific and comprehensive online information be available about international child abduction so as to assist parents who find themselves dealing with such a situation.

I note that the government is also proposing to amend the law to ensure that it is possible for the Family Court to make an order, in the appropriate circumstances, that child support via the Child Support Agency not be paid to a parent who has taken a child out of Australia. At the moment, preventing the payment of child support where a child has been abducted is actually quite difficult. The government proposes to make that easier—not inevitable but easier—by virtue of an order of the Family Court.

I commend this report to the Senate. It is not as ambitious as at one stage I think the committee considered it ought to be, but it does clearly flag concerns about the ongoing profile of the law with respect to preventing child abduction. I am confident that, if the measures announced by the government and suggested in the committee's report are followed through, we will be able to reduce the number of such cases and remedy them when appropriate.

The ACTING DEPUTY PRESIDENT (Senator Fawcett): Order! Senator Humphries, your time has expired.

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

Leave granted; debate adjourned.

BILLS
Clean Energy Bill 2011
Clean Energy (Consequential Amendments) Bill 2011
Clean Energy (Income Tax Rates Amendments) Bill 2011
Clean Energy (Household Assistance Amendments) Bill 2011
Clean Energy (Tax Laws Amendments) Bill 2011
Clean Energy (Fuel Tax Legislation Amendment) Bill 2011
Clean Energy (Customs Tariff Amendment) Bill 2011
Clean Energy (Excise Tariff Legislation Amendment) Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011
Clean Energy (Unit Shortfall Charge—General) Bill 2011
Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011
Clean Energy (Unit Issue Charge—Auctions) Bill 2011
Clean Energy (International Unit Surrender Charge) Bill 2011
Clean Energy (Charges—Customs) Bill 2011
Clean Energy (Charges—Excise) Bill 2011
Clean Energy Regulator Bill 2011
Climate Change Authority Bill 2011

Second Reading
Debate resumed on the motion:
That these bills be now read a second time.

Senator PRATT (Western Australia) (17:40): Before my speech on the Clean Energy Bill 2011 and the related bills was interrupted by question time, I was noting the fact that we will have to live with the inevitable impacts of climate change in this country and indeed globally. The window for action that would have prevented these impacts has, sadly, closed. But we must act now to prevent catastrophe. I say to those opposite: if you accept that climate change is real and that human activity is causing it, then we must act now. If we do not act now, the consequences for our environment, our economy and our way of life will be very severe. The reality is that everyone bar climate change deniers in this chamber and indeed in this parliament know that passing this legislation is the right thing to do. As Mr Malcolm Turnbull has said:

You won’t find an economist anywhere that will tell you anything other than that the most efficient and effective way to cut emissions is by putting a price on carbon.

Coalition member after coalition member is on record supporting a price on carbon. If you accept the science, which is that our carbon emissions contribute to climate change and that the most efficient way of cutting emissions is by pricing carbon, then you should support this legislation. To not do so condemns you to being on the wrong side of this debate.

In this chamber we have witnessed, day after day, the attempts by those opposite to find grounds on which to oppose this legislation. It has been a struggle for those opposite and a struggle for us to watch. At the end of the day, it comes down to the political capital that those opposite have sought from scaremongering rather than from doing the right thing by the planet, by the economy and by all Australians. There is still time for those opposite to do the right thing and vote for this legislation. I commend the bills to the Senate.

Senator JOHNSTON (Western Australia) (17:42): I note that the previous speaker on behalf of the government still had four minutes to go in extolling the virtues of the Clean Energy Bill 2011 and the related bills.

Much has been made in this chamber about the infamous broken promise: 'There will be no carbon tax under a government I lead.' I recently met a 20-year-old woman who quite obviously knew very little of politics. She lived at home with her mother and father and she worked in a nine-to-five job. I began talking to her and asked what she knew about our Prime Minister. She said,
'Well, not a lot, but I know she broke a promise.' I said, 'What do you mean, a promise?' She said, 'She said that there would be no carbon tax, and she is introducing one.' This is a common theme out there in the public amongst people who are not as immersed in politics as you or I might be, Mr Acting Deputy President.

The Prime Minister has absolutely trashed the prime ministerial imprimatur. Let's look at what she actually said: 'There will be no carbon tax under a government I lead.' That is: 'I'm leading, and it is my choice to have no carbon tax. My good name—my integrity, my reputation—is in the line that I have just given you, and that is: if I am the leader, there will be no carbon tax.' Why did she say it in those terms, putting her own integrity on the line? The answer is very simply found in the words of her finance minister, Senator Wong. In 2009, Senator Wong said:

The introduction of a carbon price ahead of effective international action can lead to perverse incentives for such industries to relocate or source production offshore … There is no point in imposing a carbon price domestically which results in emissions and production transferring internationally for no environmental gain.

There it is: the cat is out of the bag through their own words. Why would they say before a federal poll, 'We don't want a carbon tax'? Why would the Prime Minister put her integrity on the line by saying that no government that she led would ever have a carbon tax? Because they well know that this is a poison pill for our economy. They well know that $9 billion will be ripped out of our economy every year. Every day—rain, hail or shine—pensioners, new home buyers and students will have a 10 per cent hike in their two-monthly electricity bill. Why did she say it? Because everyone knows that there will be a nine per cent hike in everybody's gas bills. Billions of dollars will go offshore in these crazy carbon credit schemes that really only have the approval of bankers and spivs. This is from a senator who had a formative period in Kalgoorlie, where an ounce of gold was something of value and it got that way over generations and centuries.

The people in this government, as incompetent as they have proved to be to day in, day out, seek to put a price of $23 onto a tonne of carbon. This is the craziest, nuttiest thing that any government has undertaken and there is no-one else in the world doing it. In fact, the truth is that every one of our major credible trading partners is reversing out of this at a thousand miles an hour. But it is a lot worse than just the Prime Minister trashing her own imprimatur and integrity. Every single government senator adopted her stance before the last election. And yet listen to them now. You would think that this carbon tax was some sort of magic, a device that is going to protect the future of humanity. This is just a crass revenue-raising device that achieves absolutely nothing for the environment. Indeed, Senator Wong has belled the cat: all that it is going to do is send jobs, revenue and resources offshore. That is what we have come to with this crazy scheme.

At the end of the day, the only real explanation as to why the Prime Minister and her finance minister would identify the problems with a carbon tax and yet suddenly embrace it is this outrageous and immoral deal with the Greens that they made in seeking their support for putting Labor in power—this faustian deal to hang on to the keys to the Lodge. It fits perfectly with the longstanding perception of the psyche of the Labor Party. A famous former Labor senator expressed this very well. He said, 'Whatever it takes is what they'd do.' This is whatever it takes.

Here we have over a thousand pages of legislation with just one week allowed for
the public to make submissions on them. This is all about power and no responsibility, perfectly in line with what we have seen before. There was a drunken sailor approach to school halls. Then there was the pink batts scheme. It is costing us more than $1 billion to repair the damage of a scheme that was outrageously administered. Then we saw the live animal exports issue. Senator Ludwig and this crazy government extinguished the livelihoods of many Australians at the stroke of a pen without understanding anything about it. This highly complex legislation has over 1,000 pages. It is legislation that carries with it severe criminal penalties.

The government senators in their new found wisdom on climate change—having gone to the people saying, 'No, we're not touching a carbon tax; we're not doing that'—are suddenly all jumping up and advocating it. They keep saying that it is like the GST. This is nothing like the GST. John Howard had the courage of his convictions and went to the people and said, 'If you like it and believe in tax reform, believe in me; if you don't, vote for the other side.' That is what he said. He had the courage of his convictions. This government lacks all courage and all integrity. They—all of them, all of these senators—said: 'We're not having a carbon tax. Vote for us. That is not a political issue.' Now look at them. They are pushing 1,000 pages of the most complex legislation, legislation that will seek to wring the lifeblood out of our economy. And to what end?

I have heard the Greens say today that there will no more cyclones, that it will cure encephalitis, that it will stop floods and that there will be no more drought. Give me a break. This is absolutely the craziest and stupidest thing that the Labor Party has ever got sucked into in all of its life and I for one will not let them forget it. 'There will be no carbon tax under a government I lead,' is what she said and she will be hoist on that petard between now and the day that she makes that huge concessional speech after the next election, because it is going to be a beaut.

John Howard took his GST legislation to the people. He took the time to explain it and advocate for it, because he had the courage of his convictions, as did his ministers, backbench members and senators. He won a mandate. He then had committees spend five months considering the legislation and there were submissions made over those five months by the public. How long have we had with this legislation? One week. And we have had one week in the face of the famous promise: 'We're not going to have it.' Then we get a week to look at it. This is just an absolute con job on the Australian public, with criminal sanctions to boot—they sound like absolute offences. This is the most outrageous conduct of a democratically elected government in our history.

And all the while the Labor senators on the other side, having told us they would not touch this with a barge pole prior to the election, tell us this is now in the national interest. They wouldn't know the national interest if it sat on their lap and started to wiggle! This is an absolute assault, particularly on my home state of Western Australia. This is just absolutely outrageous.

There we have a state that is 1.8 million square kilometres. We depend on airlines and heavy-haulage trucks. Kalgoorlie gets its fuel by trucks and train. Meekatharra, Leonora, Laverton, Newman, Tom Price and Broome all get their fuel and groceries by trucks that are heavier than 4.5 tonnes—and after 2015 you will be paying a carbon tax if you are driving a truck heavier than 4.5 tonnes. This carbon tax is a classic assault on Western Australia, and I for one am not going to lie down and let it roll through like the government expects us to.
The carbon tax also plunders the livelihoods of small business. These people who are living in regional Australia, who are producing the export wealth of the country, have to pay this carbon price because it will be pushed onto the price like sales tax was. This is going to be an absolute nightmare for people trying to do business in regional and remote Australia, particularly Western Australia. But what does the government say about that? Absolutely nothing, because it is hanging on by its toenails to three seats out of our 15 in Western Australia. It does not give a fig about the politics of Western Australia. In fact, the ALP secretary has a big file on WA and it is entitled, 'Why Bother? We're going to get slaughtered no matter what happens.' And the two obvious reasons for that slaughter are that they are introducing a carbon tax that absolutely chops Western Australians fair in the neck, and on top of that they are attacking our mining industry with the craziest, most inept and undeveloped mining tax anybody in Canberra, in Treasury, could dream up. And I tell you what: it is going to blow up fairly in their faces. You can say goodbye to Stephen Smith—the seat of Perth will waltz out the window to the tune of Waltzing Matilda. You can say goodbye to Gary Gray. And I tell you what: Glenn Sterle, if he is sitting at the bottom of the Senate ticket, in the No. 2 spot, will be very nervous.

The last poll had the government with a primary vote of 31 per cent. With this promise—'no carbon tax under a government I lead'—they are plumming the depths of about 21 or 22 per cent. These guys stand to be beaten by the Greens, particularly in the seat of Fremantle. That is how well the Labor Party is tracking in Western Australia. They are an absolute class political force. They are so classy that the state Labor opposition is actually attacking them. A more incompetent bunch you could not wish to meet—but they are actually taking the high moral ground with this crazy, incompetent bunch of ne'er-do-wells here in Canberra. It is something to behold.

So in Western Australia, the cash cow of the nation, where unemployment is down below four per cent, we are working our guts out to pay for this huge bureaucratic nirvana here in Canberra—and what does this Prime Minister do? She introduces two taxes that are going to rip the rug out and chop us off at the knees—absolutely disgraceful. Two out of every three Western Australians vote other than for the Labor Party. I tell you what: it will very shortly be five out of six voting other than for the Labor Party. These guys do not have a clue about a tonne of value.

This is the joke that is permeating anybody who has a modicum of scientific or commercial understanding. In terms of the imposition of a value on a tonne of carbon, there is no better example than what happened in Europe. It went up to €30 a tonne, and all the mums and dads got involved, and there was an emissions trading scheme—and guess where the price went? Down to less than €1. This is the sort of thing that this Labor Party produces, with its crazy NBN, done off the balance sheet with no cost-benefit analysis, the pink batts, the live exports and the Qantas saga we had last weekend. Every turn of every corner has an aroma of extreme incompetence: ministers who cannot answer questions in the Senate, who do not have a clue about their portfolios. They are too busy playing political games, knifing someone here, promoting someone there. The rock star Rudd has to be promoted. This is the sort of thing that leads us to looking for money and then tacking on an excuse for it, like a carbon tax—'Let's call it a carbon tax: it has a good environmental feel to it, we can sell it to the plebs, it is
money rolling in and then we can fritter that money away and no-one will be any wiser.'

The mining tax is very similar: 'Let's go to the next budget with these two taxes passed before Christmas so that we can say there'll be a high revenue yield. We won't get a high revenue yield, but at least we can put it in the budget as if there is going to be one, so that our 'surplus' budget has a modicum of credibility. We've been in power for four years as the Labor Party, we haven't come within a bull's roar of a surplus and we're not going to—but we'll get the figures, project them forward and pretend we're going to have a surplus. We'll do the biggest con job and fraud on the Australian electorate in our history, and they'll get suckered by it, just like they did when the Prime Minister said, "There will be no carbon tax under a government that I lead"—oh no, it's me. I'm the Prime Minister. You can trust us because, if I lead the government, there will be no carbon tax.' Absolutely pathetic.

I should say, Mr Acting Deputy President, no-one is factoring in that in Western Australia, and probably Victoria and New South Wales, the biggest on-grid users of electricity are the water corporations, the water utilities. Gigalitres of water are moved around cities and moved around regional areas using electrical pumps. Sewage is being pumped out and moved to sewage plants. All of this is chowing up electricity. Are the states going to wear increased carbon tax prices added into the cost structure of these utilities? Not on your nelly! They are going to pass these costs on. Your electricity bill is going to go through the roof—up 10 per cent per annum, year in and year out. The Labor Party say, 'You're going to get tax cuts,' as though that were some sort of Christmas present.

They advocate how good Spain is doing on renewable energy. Well, have a look at Spain: it is on its knees, broke and begging for mercy from the central European banks because it is paying more cents per kilowatt hour that anybody else with renewable energy. And those opposite are advocating the same path. That is where they want to take us. That is where they want us to go. They want us to be sucked into this high-cost renewable energy when we have cheaper energy coming out of the Gippsland in Victoria than do any of our trading partners. The manufacturing industries of Victoria depend upon the low cents per kilowatt hour of Gippsland. These guys have got it completely wrong. This carbon tax is the biggest con job that Australia has ever seen. It is a rip-off. States like Queensland and Western Australia are paying through the nose for this, with their remote distances and mining operations.

Magnetite requires energy to take the 30 per cent iron ore grade up to 70 per cent before export. That is all about energy. So the carbon tax and the mining tax kill what is potentially another coal industry for us. Magnetite is throughout Western Australia, Queensland and South Australia, but it is only viable if you can then beneficiate it at a reasonable cost. These two taxes go a long way toward extinguishing what is potentially a fabulous industry for all of us. But, no, these guys have got it absolutely wrong. They have as much commercial understanding as the ministers that sit opposite me in this Senate have—zero. They are union hacks and former members of staff of members of parliament. They have never, ever understood a net present value calculation, and they come in here saying, 'This is going to save the planet.' The best thing that could happen for all of us is that someone wakes up and says: 'Let's save the Australian people. Let's give them a vote.' Thank you.
Senator RHIANNON (New South Wales) (18:02): I rise to support the Clean Energy Future package. I am deeply convinced that Australia needs to play a strong role in taking global action on climate change. Our country faces many threats to our coastal cities and towns. Much of our agricultural and water resources are already vulnerable. There are unprecedented levels of species extinction. Our responsibility to reduce greenhouse gas emissions is clear. In New South Wales there are tremendous opportunities to become economic leaders in the low-carbon economy and to be manufacturers of solutions to climate change such as with renewable energy technologies and public transport. We owe it to our children to act responsibly, to be world leaders in climate action and to invest now in the move to 100 per cent renewable energy, to give them a safer, cleaner future.

The biggest failure of successive coalition and Labor governments over the past year, when the need for urgent action on climate change has been so apparent, has been their lack of willingness to place the public interest ahead of the greed of the coal industry and rein in the runaway expansion of new coalmines and extensions to existing coalmines across the state's major coal regions. The current New South Wales government, like its predecessor, has a blind determination to continue to rely on coal-fired power at the expense of the sunrise renewable energy alternatives. The Labor and coalition parties pay lip-service to protecting the environment and reducing the state's carbon emissions and then, in the next breath, they announced an expansion to the Newcastle coal loader to feed the burgeoning export market for coal. Other failures in New South Wales, which highlight the need for extensive government action to reduce greenhouse gas emissions, include the years of underinvestment in public transport, while billions were pumped into building motorways. Regional rail services have been bled dry and rural rail branch lines, which are the real heart and should be the heart of so much of the movement of freight and grain across New South Wales, have been allowed to fall into disrepair.

I am very mindful that although climate change is now firmly on the national agenda, the phenomenon of peak oil and the threat of future oil scarcity is still unfortunately a side issue in this parliament. Measures in these bills will make a very practical difference to people's lives. Assistance that will be provided to households provides a fairer distribution of wealth and will assist people to manage the increases in costs that will flow from some of these changes. From the many meetings I have had on these bills across New South Wales, I can tell you that many people will welcome these changes. Nine out of 10 households in New South Wales will receive some level of compensation, with the most generous support going to the most disadvantaged. The $250 million Low Carbon Communities fund is a huge achievement. I do congratulate Uniting Care, the Brotherhood of St Lawrence and the other groups that made this proposal so low income households would be able to handle rising energy costs through energy efficiency upgrades. The change in personal income tax with a tripling of the tax-free threshold, which allows working people to retain at least the first $18,000 they earn each year, is a most significant development that I do applaud.

As I mentioned, I have spoken about the clean energy package at a number of events across New South Wales. One issue that I often get a questioned about—not just in country areas—is the carbon farming initiative and what we are doing around biodiversity. The Carbon Farming Initiative
certainly has got a lot of interest in farming areas and people are very keen to know how the projects will work. It will provide a way for farmers to create offset credits which they can sell to polluters. That will be through a range of projects and it will be very useful when this fund is actually working. I am looking forward to gaining more information about it so I can more thoroughly answer the questions of the farming communities that we work with on the Liverpool Plains, in the upper Hunter, in Gloucester and in other areas. The biodiversity fund is a real credit to those who worked on bringing the bills forward. Already there are so many people working on some very significant projects that bring stewardship to our land, and the fact that they can be rewarded for that work in our wetlands and restoring waterways and riparian areas will be very significant.

In New South Wales, government energy and economic policy has been heavily influenced by the powerful coal industry lobby. The New South Wales Minerals Council and some of the multinational corporate mining giants like BHP Billiton, Rio Tinto, Gujarat, China Shenhua and Peabody have worked so hard to maintain the New South Wales government's tunnel vision for coal. This has been to the great detriment of a sustainable future for New South Wales, our planet's climate and the health of local communities. In the next decade Australia faces a tripling of coal exports nationally from around 300 million tonnes last year to over a billion tonnes. I find that figure deeply troubling. New mines across Australia account for 800 million tonnes of coal. About one-third of the mines are in New South Wales. In our state there are currently over 50 new coalmines or expansions of existing coalmines currently on the books, either proposed or underway. This equates to around 240 million tonnes of coal every year, which in turn will result in the emission of over 550 million tonnes of carbon dioxide equivalent each year. I emphasise that that is New South Wales alone. There is another 150 million tonnes of new coal handling capacity coming online at Newcastle Harbour to ship much of this coal overseas. Many of these new mines have a life of 30 years. These are wrong decisions about our energy future and they will remain a burden for the next generation.

Since taking office as a senator in July I have been contacted by many community and environment groups who have grave concerns about these mining projects. There are community groups in Gunnedah, Narrabri and the Hunter and Illawarra regions who are opposing the rapid expansion of coalmines. When it comes to coal seam gas, the opposition is going up exponentially. Just yesterday I was at a 100-strong public meeting in the electorate of the New South Wales Premier, Barry O'Farrell, Ku-ring-gai. People were deeply troubled by the idea of coal seam gas spreading across this country. The presentations were very clear about how coal seam gas can affect local communities with such a quick move from the exploration stage to full mining, to the point where they really cannot be separated, because the infrastructure that is used in the so-called exploration is the exact same infrastructure that allows coal seam gas operators to go into full operation.

One coalmine that stands out is a massive open cut coalmine proposed for the Leard Forest near Boggabri, the Maules Creek coalmine owned by Aston Resources. The scale of the mine is extreme. The mine pit will be so deep it will be below sea level. The damage it will cause the local environment will be irreversible, clearing one of the remaining quality stands of an endangered ecosystem—all to send 13 million tonnes of coal per year to Newcastle
Harbour for export. The Hunter Community Network has formed to tackle their ongoing health problems from coal dust, focusing on uncovered coal wagons moving through their towns.

When it comes to the coal industry the New South Wales state government have a massive conflict of interest. They have an enormous financial stake in these projects going ahead and earn hundreds of millions in royalties from mining, yet they also need to take action to reduce the state's emissions, protect threatened wetlands, safeguard communities from the ill effects of mining pollution and secure prime agricultural land and water resources from the encroachment of new mines. To date they have not come close to getting the balance right.

But there is another way. The New South Wales Greens took a policy on solar thermal energy to the last state election, to show what needs to be done to kick-start the transition to renewable energy in New South Wales. The proposal is to build three baseload solar thermal power stations with heat storage in Central Western New South Wales, financed by green infrastructure bonds that raise revenue from the sale of the electricity, renewable energy certificates and other green energy products. These publicly owned clean power plants would harness the energy of the sun to power steam turbines, providing reliable zero-emission baseload electricity 24 hours a day. It is achievable, and how fantastic that would be. Future modelling shows that coal prices in the next decade are expected to double. Building solar thermal power plants will protect people and businesses from electricity increases and create new jobs. The model proposed by the Greens would create about 4,500 jobs at its peak, with the potential for further manufacturing jobs if components for solar thermal are created in Australia. One power plant would cost approximately $2.1 billion to build, or around $525 million for each of the four years of construction. The second and third plants would cost significantly less as the technology matures and state experience is accumulated. The operation of these plants would create another 1,900 ongoing jobs.

A 2009 report by the Centre of Full Employment and Equity, based at the University of Newcastle, clearly dispelled the myth that transiting to renewable energy would lead to job losses. The CofE report found that if New South Wales were to shift to renewable energy, including some local manufacturing of generators, up to 73,800 jobs would be generated. For the Hunter and Central Coast alone, the report predicts that shifting to renewable energy would create up to 14,300 new jobs. The Greens have a deep commitment to ensuring local communities benefit in this transition period and when it comes to job creation that is where the benefits kick in, and they will be benefits that will last for many years.

This is an exciting vision for New South Wales that could start today. It needs to be replicated across the country. The challenge lies before us. Government investment in renewable energy and energy efficiency will be critical to take Australian down the path to clean energy and a jobs-rich economy. In New South Wales the government should build those solar-thermal power plants so we can phase out our oldest and most polluting coal-fired power stations, such as Lake Munmorah, on the New South Wales Central Coast, and Liddell, near Muswellbrook.

The time for a new way of thinking has arrived. These bills are a most significant step towards a safer climate. I do warmly congratulate the members of the Multi-Party Climate Change Committee for what they have achieved. It is historic and far-reaching. I give particular thanks and credit to Senators
Christine Milne and Bob Brown, Adam Bandt, the Greens member for the seat of Melbourne, and their staff. Their insight and leadership have been critical to the achievement that these bills represent.

Senator CAROL BROWN (Tasmania—Deputy Government Whip in the Senate) (18:16): Passing this package of reforms that is before us today is our opportunity to secure a clean energy future for our children and for generations of Australians yet to come. We in this place are required to make decisions today that ensure a better tomorrow. And that is exactly what the package of clean energy bills we are debating today will do. We cannot ignore the overwhelming and compelling scientific evidence that human induced climate change is happening. The CSIRO, the Bureau of Meteorology, the Australian Academy of Science and science academies around the world have all concluded that human activity is almost certainly causing climate change. The evidence also shows that the only way to curb the impact of human induced climate change into the future is to reduce global greenhouse gas emissions and cut carbon pollution.

As well as the scientific imperative, we also have an economic imperative to pursue these reforms. We know that 34 countries and 27 cities, states or provinces around the world have an emissions trading scheme operating or under development. Nine countries have implemented a carbon tax and that over one million extra Australians will no longer need to lodge a tax return. Broadly, this package means that everyone earning up to $80,000 per annum gets a tax cut. That means most people will benefit from tax cuts of up to $300. The tax-free threshold will effectively triple and no-one will pay tax on the first $20,000 that they earn. Almost six million households will be assisted to meet their average price impact. And over four million households will be assisted to at least 20 per cent of their average price impact. Moreover, these tax cuts and payments will increase over time.

The fact that those opposite continue to argue against these historic reforms on the basis that families will be worse off is just
absurd. In fact, families in Australia would be $1,300 worse off under the policy of those opposite. All the revenue generated from Mr Abbott's $1,300 tax also goes straight to big polluters from households. It really is time to stop the talking and proceed with the clean energy future plan before us. The carbon price mechanism will cut carbon pollution and drive investment in clean energy technologies including solar, gas and wind. The package before us contains a Jobs and Competitiveness Program that will support jobs in those high-polluting industries with competitors in countries where those industries are not yet subject to comparable carbon constraints. We have outlined an $800 million clean technology investment program that will provide grants to manufacturers to support investments in energy-efficient capital equipment and low-pollution technologies, processes and products. Provision has been made to ensure that households, tradies, farmers and small businesses do not experience an increase in fuel costs under the carbon price. Small business will not have to count or monitor the carbon pollution or electricity they use and will not be burdened by any bureaucratic red tape. Moreover, we have excluded agricultural and land sectors from the carbon price whilst ensuring that these sectors still have opportunities to secure economic rewards under the Carbon Farming Initiative. In effect the package of 18 bills before us today will ensure that, by the end of the decade, Australia will have cut 160 million tonnes of pollution from the atmosphere each year, which is the equivalent of taking 45 million cars off the road. By 2050, we will have taken over 17 billion tonnes of carbon pollution from the atmosphere and will be saving nine out of every 10 tonnes of pollution that would otherwise be emitted if this plan were not introduced.

As of July next year, the biggest polluters in Australia will pay for every tonne of carbon pollution they put into the atmosphere. As we have said time and time again, all the money raised out of the carbon pricing mechanism will flow directly to jobs, clean energy and households. The Treasury modelling clearly indicates that by 2050, with a carbon price, we will have $100 billion invested in renewable energy and that over 40 per cent of Australia's electricity generation will come from renewable sources. The estimates also project that Australia's renewables sector will have grown by up to 17 times.

Australia already has some of the best renewable energy sources in the world, including hydro, wind, solar, bioenergy, geothermal, wave and tide. In my home state of Tasmania we already generate around 86 per cent of our energy from renewable sources. We also have significant renewable energy research, industry and government knowledge and capabilities. The honourable Peter Rae AO, Chairman of the International Renewable Energy Alliance and Chairman of the Renewable Energy Development Board in Tasmania, has articulated the opportunities for Tasmania and for Australia to realise these renewable energy targets as we work towards a clean energy future. Mr Rae has suggested that Tasmania's wind resource could provide half of Australia's present demand for electricity and he has identified major growth opportunities for Tasmania to transfer renewable energy into the national grid. It is clear that this legislation gives us the opportunity in Tasmania, and across Australia, to better utilise the renewable sources we already have, to make use of cleaner technologies and to secure a more sustainable future.

Looking at the big picture, introducing a carbon pricing mechanism ensures not only that Australians will benefit from a clean
energy future but also that we will meet our international obligations on addressing climate change under the climate change convention and the Kyoto protocol. Introducing a carbon price in Australia will ensure that we support and participate in the development of an effective global response to climate change.

We need to take action at home and internationally. It is in Australia's national interest to play our role to ensure that the average global temperatures increase by not more than two degrees Celsius above pre-industrial levels.

Achieving these measures is exactly what this package is designed to do. Unfortunately, those opposite have taken every opportunity to try to thwart this essential move to securing a clean energy future for Australia. They have launched a massive and deceptive scare campaign. Their own policy seems to be one of direct inaction and overt obstruction of any measure to secure a clean energy future rather than any credible alternative to the package before us today.

The debate about pricing carbon and climate change policy is not new. In fact, these policies have been widely debated in Australia for more than a decade, including through no less than 35 parliamentary committee inquiries. The first review of emissions trading by an Australian government was in 1999, some 12 years ago. This was an extensive policy work undertaken by the former Howard government, most notably by Mr Peter Shergold, which concluded that pricing carbon was the best approach to securing a clean energy future. We have had extensive and major reviews on Australia's best policy options for tackling climate change by Professor Ross Garnaut, which have shown that a carbon price mechanism is the best way forward.

It is frustrating to hear those opposite continue to claim that this is a policy that has been rushed or that needs further consideration and consultation. The reality is that the government's clean energy future package was developed through a parliamentary committee process, and the committee met for nine months before completing its work in July this year. Whilst the rest of us are determined to push forward with fundamental reforms for a sustainable future, those opposite seem determined to just sit back and wait. We must seize the opportunity before us to transition to a low-carbon future and prepare Australia for the economic and environmental challenges ahead. The only way forward is to embrace the clean energy package before us today. I commend the bills to the Senate.

Senator CASH (Western Australia) (18:27): The debate we are having today in this chamber has its foundation in two unequivocal promises made by the now Prime Minister of Australia to the Australian people. On 16 August 2010, just five days before the federal election, Ms Gillard made the following promise, and a very solemn promise it was, to the Australian people. She said, 'There will be no carbon tax under a government I lead.' This promise was clear. It was unequivocal and it was unambiguous. More than that, it was intended to influence the voting intentions of the Australian people and designed to encourage them to believe that if they voted for the Australian Labor Party they would be voting for a party whose platform would be that there would be no carbon tax in the event they were elected.

But it did not stop there. Ms Gillard followed up this unequivocal promise again. Just one day before the 2010 federal election Ms Gillard confirmed to the media and to
Australian voters that her promise that 'there will be no carbon tax under a government I lead' was clearly the Australian Labor Party's policy position going into the 2010 federal election. Nothing could have been more clear in the minds of the Australian people who were about to cast their votes to determine who would be leading Australia the following day. The Australian Labor Party said that 'there will be no carbon tax' under their government.

**Sitting suspended from 18:30 to 19:32**

**Senator CASH:** Just like Prime Minister Gillard, the Treasurer of Australia, Mr Swan, also sought to influence the voters of Australia prior to the 2010 election by again telling them that the Labor Party's platform was that there would be no carbon tax in the event that they were elected. What did Mr Swan say just days before the 2010 federal election? He said, and it is very explicit:

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

He ruled out a carbon tax. The explicit promise was made not once, not twice but on several occasions by the Prime Minister of Australia, Julia Gillard, and also by the Treasurer of Australia, Wayne Swan, and of course by every Labor member and senator across Australia who went to the 2010 election. They went to that election on the explicit platform that, if elected, they would not impose a carbon tax on the Australian people. It is a great shame that the Senate is here today debating the carbon tax legislation—debating legislation that the Labor Party of Australia said to the Australian people they would never introduce. This legislation is a complete, total and utter betrayal of the Australian people.

This is a government that, when it comes to the issue of trust and particularly the carbon tax, is devoid of any moral compass.

As Australians are now learning in so many policy areas, there is a litany of broken promises, and they expect nothing less from the Gillard Labor government. Why? The answer is very simple. The Gillard Labor government will always take the cheap, easy political option instead of taking decisions that are in the national interest and, on top of that, consistent with the promises that they made to the people of Australia in the lead-up to the 2010 federal election. Without a doubt, the next election will be a referendum on the carbon tax. Why? Because every Labor member and senator went to the last election on the basis of what we now know was a blatant lie. They betrayed the Australian people. This betrayal occurred despite what the Australian Labor Party unequivocally said to the Australian people. We should not be standing in this place today debating this legislation.

So what do we have? We have Labor MPs and Labor senators who went to an election on the promise of no carbon tax, who have now voted in the other place and who will possibly vote in this place to impose on the mums and dads of Australia the most toxic tax that they have ever seen. The price of the Australian Labor Party's betrayal is going to be felt by every mum and dad in Australia every time they pay their electricity bill and every time they go to the shops. Everything they touch will have a price increase on it because of Labor's toxic tax. If you look at the modelling, you will see that it is estimated that a carbon tax will add at least $300 a year to a family's power bill. Families in Australia are already struggling under the rising cost of living. Every time a mum or dad in Australia turns on the lights they will be paying for the Australian Labor Party's carbon tax. Despite these facts, on *Q&A* on Monday, 14 March, when Prime Minister Gillard was challenged about her betrayal of the Australian people, she admitted that she
had walked away from her commitment to Australians that 'there will be no carbon tax under a government I lead'. Her explanation was merely 'I did not intend to mislead the voters.' What a weak, pathetic and contrived response. How can the Prime Minister stand before the Australian people and argue that she did not intend to mislead them when by her very actions, her calculated actions, that is exactly what she set out to do? The Prime Minister of Australia not only misled the voters but has now deceived them as well by introducing the carbon tax legislation. If the Australian Labor Party led by Ms Julia Gillard had any moral compass at all, they would have supported the Leader of the Opposition's motion to take this legislation to a plebiscite and give Australians a say. Let the Australian people have a say on whether or not they want to see a carbon tax introduced.

Senator Nash: Why not?

Senator CASH: Senator Nash is correct to ask the question: why not? Senator Nash, we all know the answer. If the Prime Minister of Australia and the Australian Labor Party actually took this legislation to the people and said, 'Do you want a carbon tax?' the Australian people would resoundingly vote no. The Australian Labor Party know that. They have fooled Australians once and the Australian people have made it very clear they will not be fooled again by the members and senators of the Australian Labor Party. They know that the imposition of a carbon tax in Australia is nothing more and nothing less than a political choice because the Labor Party have gone into an unholy alliance with the Greens; it is not an environmental necessity.

When Australians are promised something as fundamental as 'there will be no carbon tax under a government I lead' hours before they go to cast their vote in relation to who will ultimately lead them and they vote on the basis of that promise, and then the Australian Labor Party led by Ms Gillard is unable to go through with that promise, there is only one thing that the government can do—that is, exactly what Mr Howard did in relation to the GST: take the major policy change to an election. You were elected on the basis of a mandate and that mandate was that you would not introduce a carbon tax. You do not have a mandate to stand here in this place today and debate this legislation. Do what Mr Howard did and take it to the Australian people. If you are so sure that this is the right thing for Australians, take it to an election and show us on this side of the chamber that we are wrong. You will not, because each one of you, in particular those in marginal seats in the other place, knows that as each day goes by and we creep towards the next federal election it is one day less that you are going to be in this place because you betrayed your constituents. You betrayed the people of Australia. If there is one thing that Australians do not like, it is being called stupid. That is exactly what the Labor Party has said to the people of Australia.

The coalition, on the other hand, has made it very clear what its position is in relation to the carbon tax. We will continue until the final vote is taken in this place to oppose this toxic tax whilst in opposition. If we are not successful in opposing it, when we are elected the very first order of business for a coalition government will be to rescind this toxic legislation. We have also made it very clear to the people of Australia that, if we are elected, we will have a mandate to repeal this toxic legislation. If the Australian Labor Party do not want to listen to that mandate, we will have the guts to go to a double dissolution. That is how sure the coalition is of its position in relation to the carbon tax. Why? Because Labor's toxic tax means this
for Australians: a $9 billion hit a year. For the mums and dads of Australia it means a 10 per cent hike in their electricity bills. For the mums and dads of Australia it means a nine per cent hike in their gas bills. This is in the first year alone. After the first year, all of those prices just keep going up. It means a higher marginal tax rate for many low- and middle-income earners. It also means a $4.3 billion hit for the Australian budget bottom line. Translate that into the cost per year for mums and dads and you are looking at potentially in excess of $515 per year, and that is just for starters.

These are the mums and dads of Australia who do not have a lot. They work hard to pay their taxes because they are proud. They work hard to put their children through school because they believe in giving them a good education. Occasionally they might have a little bit of discretionary income left over at the end of the week, which they might able to take their kids out to dinner with. Once this toxic carbon tax goes through, it is all over. There will be no discretionary income left for the mums and dads of Australia because any income that they may have had left over at the end of the week will be going to pay for Labor's toxic carbon tax. The carbon tax will be a trillion-dollar cost to the Australian economy over the coming decades. But when you talk about trillions under the current government it really does not mean a lot. It was millions and then it was billions, and now, when we look at the Australian Labor Party's economic incompetence, we are now talking about trillions of dollars. Who would ever have thought we would be standing in this place and talking about hits to the economy in terms of trillions? These trillions of dollars can be put down solely to economic mismanagement by the Australian Labor Party.

What is worse is that not only will the mums and dads of Australia be paying more under this toxic carbon tax but the only people who are going to be getting rich are foreign carbon traders. How is that for hypocrisy? In order to convince itself that this policy actually does mean something—that it is not all economic pain for no environmental gain—what will the Australian Labor Party do? It will spend in excess of $3.5 billion each year on purchasing foreign carbon credits. Good grief! By 2050, that will rise to $57 billion. In economic terms that is the equivalent of 1.5 per cent of GDP—not that those types of figures mean anything to anybody on the other side. So while the mums and dads of Australia are losing their jobs, their ability to pay their bills and their ability to take the kids out to dinner, foreign carbon traders will be making billions of dollars under a toxic scheme put forward by the Australian Labor Party. If that is not policy that is not in the national interest, I do not know what is.

Unlike those on this side of the chamber, Labor senators and, more so, members in the other place, are going to have to answer to their electorates when we face the next election. They are going to have to go to their constituents and say: 'We are deliberately inflicting this pain on you. We told you one thing before the 2010 election, you voted on the basis of a lie and, now that we are in government, we have taken the deliberate decision to inflict pain on you. We are deliberately introducing a policy which we know will increase your electricity bills, which we know will increase your gas bills, which we know will increase your cost of living and which we also know will have no effect on emissions reductions at all.' In fact, the government's own modelling, which it has released, actually confirms that as of 1 July next year when it introduces the carbon tax—which is allegedly going to solve all of
the environmental problems in the world—the domestic emissions in Australia will actually increase. That is right—the Labor Party's own modelling shows that domestic emissions will in fact increase in the period 2012-20 from 578 million tonnes to—lo and behold!—621 million tonnes.

So not only were the people of Australia told the day before the 2010 election that if the Australian Labor Party were elected it would not impose this tax; they are now having a tax imposed on them, allegedly for environmental gain, while the government's own modelling shows domestic emissions in Australia will actually rise. Do you know how we offset that, Mr Acting Deputy President? It is a very devious form of policy making. If the government purchases with billions of dollars those carbon credits from foreign traders, somehow that as suages all of our guilt and suddenly we are doing the right thing. Mums and dads of Australia, guess what? You pay while the foreign carbon traders earn billions of dollars off the Australian Labor Party.

Hypocrisy, duplicity, disloyalty and betrayal—these are the words that the people of Australia are now using to describe the Australian Labor Party. Given the Labor government's betrayal of the people of Australia, it is patently true that Labor's continual claims that it alone is the party that looks after the workers is just more Labor rhetoric. Labor members know that the new Labor has turned its back on Australians and it has turned its back on traditional Labor values, and they are waiting to punish new Labor at the next election. (Time expired)

Senator WRIGHT (South Australia) (19:50): I am extremely proud to be standing here today in the Australian parliament to speak about this clean energy package. These 18 related bills combine to establish a framework to finally start to tackle the serious challenge of climate change in a comprehensive and coordinated way. This legislation has been a very long time coming.

This is not a new issue. Two hundred years of increasingly intensive industrialisation, fuelled by the burning of fossil fuels and coupled with an exponential increase in the earth's population, has led us to the situation that we now face. Australian politicians have been talking about the dangers posed by climate change since at least 1989. At that time the science was already suggesting that we were facing serious consequences from increasing greenhouse gases in the atmosphere, especially carbon dioxide and methane. Both the ALP government at the time and the coalition opposition were discussing strategies to reduce greenhouse gases for the 1990 election. Already, back in 1989, there were predictions of extreme weather in the 21st century, events like uncontrollable wildfires, unprecedented storms, increasing desertification and melting glaciers. At that time we were glimpsing the frightening face of 'the future'. Since then, through cowardice, inaction and a false debate about the science—fuelled by those who have a vested interest in things not changing—we have lost 20 years. We are now in the future. There is no more time to be lost. In its report The critical decade, the Climate Commission sets out how this is the critical decade. Having squandered two decades, the decisions we make between now and 2020 will determine the severity of the climate change that our children and our grandchildren will experience.

So I am particularly proud to be standing here as a representative of the Australian Greens, the party which went to the last election with a clear commitment to introduce a price on carbon and the party whose leadership and innovation encouraged
the establishment of the Multi-Party Climate Change Committee. At this stage I pay particular tribute to my colleague Senator Christine Milne and her committed staff. Senator Milne has long understood the implications of climate change. She has championed creative solutions to the crisis and had the courage and tenacity to see them through.

It was Senator Milne who proposed the Multi-Party Climate Change Committee. What a constructive idea, at a time of increasing polarisation and petty negativity in Australian political life: a committee composed of representatives from various sides of politics who were willing to allow themselves to be informed by the most up-to-date and credible scientific knowledge in order to make decisions in the best interests of our nation. It was this constructive process, combining information, strong negotiation and good faith, which enabled the government, Independent members of parliament and the Greens to be leaders in bringing about this legislative reform, which is so long overdue.

Let me now turn my eyes to home. As a senator from South Australia, I am acutely aware that climate change will pose some wicked challenges for my state. It is, after all, the driest state in the driest continent on the earth. This legislation is critical for South Australia. In its South Australian chapter, the report *The critical decade* details some major impacts for my state, including the effect of rising temperatures on population health.

In South Australia we already have our share of hot weather. The average yearly temperature in South Australia has risen by almost one degree Celsius over the past century, and the last decade was the warmest on record. Due to climate change we can expect that temperatures will continue to rise. Adelaide currently experiences an average of 17 days in a year where the temperature is above 35 degrees. By 2030 the number of extremely hot days is predicted to rise to about 23; and by 2070 to further increase to as many as 36 days, or one-twelfth of the year. More record hot days and associated heatwaves will increase the risk of heat related illness and death, particularly in the elderly.

In January to February 2009, south-eastern Australia experienced record-breaking prolonged temperatures, and Adelaide reached its third highest temperature ever at 45.7 degrees. During that heatwave, direct heat related hospital admissions increased fourteenfold, and there was a 16 per cent increase in ambulance call-outs. There were an additional 32.4 deaths. In just a decade, without effective adaptation, heat related deaths are projected to double. This will have implications for hospitals, ambulance services and morgues.

Another major consequence of climate change in South Australia will be due to the combination of changing rainfall patterns and higher temperatures. Since 1970 we have seen a clear decline in rainfall in southern South Australia, and there is evidence that this is linked to climate change and will continue. Increasingly severe droughts will occur, together with drying soils, and these will have significant impacts on South Australia's agricultural areas and the availability of drinking water in Adelaide and other parts of South Australia. While much uncertainty remains about specific details of rainfall changes in the future, we can say with considerable certainty that rainfall patterns will change as a result of climate change and often in unpredictable ways, creating large risks for water availability.

The impact of climate change on agriculture will not only take its toll on the
ability of South Australian farmers to grow food but also place increasing stresses on their mental health. A report from the Climate Institute earlier this year acknowledged that mental health has been a concern for rural people for the past few decades, but it predicted that climate change will only add more stress to the lives of rural people. The suicide rate in rural Australia is already alarming, with some reports as high as one suicide per week. Mental health is a complex problem for farmers, even without the added factor of climate change.

An ongoing study by the CSIRO, which surveyed 50 wine growers from southern Australia in March and April this year, found that grape growers are already experiencing the emotional impacts of climate variability and the perceived risks associated with future climate change. Some are anxious about the future or about specific weather events such as drought. Some are depressed about the viability of the industry in the future and some are confused about the facts of climate science and sceptical that we can make a difference. The stress that many farmers are under can turn into more serious mental illnesses or thoughts of suicide, requiring treatment, if the problems are not addressed and the situation continues over a long time. The likely environmental effects of climate change identified by the Climate Commission will clearly exacerbate the risk factors which already exist. A lack of water will not be a problem when it comes to seawater and rising sea levels associated with climate change. Unfortunately, and perhaps surprisingly, South Australia's coastal towns and infrastructure are particularly vulnerable. The report The critical decade indicates that sea levels in South Australia have been rising at a rate of approximately 4.6 millimetres per year since the early 1990s. This is higher than the global average of 3.2 millimetres, and with much variability from year to year.

Globally, sea levels have risen by about 20 centimetres since the late 1800s. Another 20-centimetre increase in sea levels by 2050, which is feasible at current projections, would more than double the risk of coastal flooding in Adelaide. A rise of 50 centimetres, which is likely later this century, will lead to very large increases in the frequency of coastal flooding. This is flooding which is currently considered a one-in-100-year event; it would occur every year. The report also states that between 25,200 and 43,000 residential buildings in the state of South Australia, with a value of between $4.4 billion and $7.4 billion, may be at risk of flooding towards the end of this century. We are even more vulnerable than other parts of the country. South Australia has the second highest value of total assets at risk, with over $45 billion worth of houses, buildings and roads at risk of flooding.

We ignore these stark warnings at our peril. The choices we—those who live in towns and those who live in the bush—make this decade, right now, will shape the long-term climate future of our children and our grandchildren. But we have a greater ethical imperative than mere self-interest. When it comes to climate change, we Australians—all of us—are, per head, the highest carbon polluters on the planet. It is somewhat ironic and hypocritical that those who often call for a focus on responsibilities over rights—some political commentators and business leaders come to mind—are the same people who urge that we shirk our fair share, plead impotence because of our small population and dig our heels in until we are forced to act.

This is especially shameful when our Pacific neighbours, like Kiribati and Tuvalu, face their own and far more serious forms of
inundation. We have a moral duty to take responsibility for our role in their predicament. It is incumbent on us here in this parliament, as elected leaders and decision makers, to ensure that we take the necessary action to protect our community in this critical decade. This is our trust. The time for action is now, not tomorrow.

Thanks to the collaboration of the government, the Independents and the Greens, we now have a clean energy strategy for Australia, including a price on carbon. This is a historic moment. Through these bills we will provide a vital signal to the market that the costs of carbon pollution can no longer be ignored. Together with a range of initiatives to encourage low-carbon renewable energy, energy efficiency and the protection of biodiversity, this package will prove transformative for the Australian community and economy as well as for the climate.

I am immensely proud of the role the Australian Greens have played in ensuring that climate change has been squarely on the agenda in this term of parliament, led by the science. This is a commitment we clearly made before the election. Through strong negotiation and good faith, it is one that we have honoured. We are now in that future which was predicted so accurately over two decades ago.

Senator URQUHART (Tasmania) (20:03): The best scientific evidence shows that human-created carbon pollution is affecting the environment in ways that will damage our way of life. In fact, at a hearing of the Joint Select Committee on Australia's Clean Energy Future Legislation I asked the Chief Scientist of Australia, Professor Ian Chubb: 'What is your view of the scientific basis for the claims made by the self-proclaimed climate scientist Lord Monckton, when he recently visited Australia on a national tour entitled "A carbon tax would bankrupt Australia: the science does not justify it"? Of course, only a simple answer was required. Professor Chubb said, 'There is none.' There is no scientific basis for the preposterous views espoused by the favourite sceptic of those opposite.

While the committee heard that the scientific evidence is well founded and points to humans as the cause of speeded up global warming, it noted that many unfounded and unwarranted attacks have been made on scientists in the course of this debate—a debate that has stretched decades, a debate in which the science is settled. NASA, the CSIRO, the Bureau of Meteorology, the Australian Academy of Science and 97 per cent of climate scientists agree that human-created pollution is changing our climate in harmful ways. Given the potential for disaster, we are not willing to ignore that advice. We are not willing to bet that they are all wrong and a few radio station shock jocks are right.

Reducing carbon pollution is good for our environment and important for our future. With this package we will reduce pollution and create new jobs while supporting households. It is time to act, and to act decisively. It is not time to continue to question the science with one hand, as those opposite do, and propose extremely costly abatement measures with the other. Those opposite say that this package of legislation will cost Australians. They yell and scream all sorts of misinformation about the cost. They pretend that they care for the long-term good of this great nation, and they forget one simple fact: the sooner we act, the cheaper it will be.

Acting now will cost money; no-one is arguing that it will not. We are seeking to make the 500 biggest polluters pay and assist households and industry through the
transition. They are seeking to make every Australian pay by using general government revenue to give subsidies to polluters. This legislative package—our plan—sets out a strategy to cut Australia's emissions by 80 per cent on 2000 levels by 2050. Simple examination of the opposition's plan reveals a massive problem. They have a costly plan to cut emissions by the bipartisan target of five per cent of 2000 levels by 2020. But they do not think it is necessary to have a policy to cut emissions beyond that level and that date, as though miraculously in 2020—after having repealed our efficient, effective abatement scheme and having wasted taxpayers' dollars on picking winners that are currently unproven—the problem of climate change will be solved. Somehow they dream that Australia's obligations will be met, that Australia's economy will have transitioned and that they will be able to move on to the things they enjoy best, like stripping workers' entitlements and giving tax cuts to those who need them least.

I want to be on the right side of history. I am proud to stand here today as we debate Labor’s plan to cut carbon pollution and drive investment in clean energy technologies and infrastructure. It is a plan that will help build the clean energy that future generations deserve. In my first speech to this place, I spoke of my desire to achieve positive outcomes for future generations while I serve as a senator. This legislative package will achieve positive outcomes for my grandchildren and all of our grandchildren.

I was fortunate enough to be a member of the committee that looked at these bills, the Joint Select Committee on Australia’s Clean Energy Future Legislation, which concluded that the bills should pass. At the hearings of this committee, members were able to hear from and question a variety of witnesses from government, industry, non-government organisations and academia. Many of these witnesses acknowledged the benefits that would flow from the range of reforms encompassed by this package, including the recently passed Carbon Farming Initiative, the Jobs and Competitiveness Program and the Household Assistance Package.

At the hearings, it was evident that there still exists a strong level of uncertainty, which is somewhat understandable given the misconceptions about the reforms that have been propagated by opponents to a price on carbon. I asked Mr Blair Comley, Secretary of the federal Department of Climate Change and Energy Efficiency, if the claims made by the Australian Trade and Industry Alliance that Australians will pay a higher carbon price than that paid in the European Union were accurate. Mr Comley provided a detailed explanation as to how the ATIA did not compare like with like in their analysis and that, on a like-for-like basis, the EU scheme is more than five times the size of the Australian scheme. When I raised this answer with Mr Greg Evans, chief economist of the Australian Chamber of Commerce and Industry, who badged themselves as the ATIA for this campaign, and asked why the false ads were not promptly pulled after their error was discovered by the media, Mr Evans provided not much of an explanation. It appears that one of Australia’s leading industry representatives is quite happy to spread falsities for political gain.

In fact, this was a general theme of the hearings, where there was a lack of detail in a lot of the reasoning by those opposed to a price on carbon. I contrast this to the enthusiasm and clear, rational contributions from witnesses who were in favour of a price on carbon. A highlight of the hearings was the enthusiasm from a number of witnesses about the government’s Carbon Farming Initiative, which will give those in Australia’s vast rural sector an opportunity to secure
economic rewards from their continued strong management of their land. Credits
generated under the Carbon Farming Initiative and recognised for Australia's
international obligations under the Kyoto protocol on climate change will be able to be
sold to companies with liabilities under the carbon pricing mechanism. This includes
credits earned from activities such as reforestation, savanna fire management and
reductions in pollution from livestock and fertiliser.

Putting a price on carbon is not an extreme or radical idea. To continue to say
that we are acting ahead of the world is bewildering given the access to information
in the year 2011. A simple online search can enlighten those opposite about the multitude
of emissions trading schemes that are in development or in action across the world,
emissions trading schemes that will one day link in with Australia's to provide for the
lowest cost abatement.

At a hearing of the select committee, in response to a question from one of the
opposition senators on the limits of international linkages, Mr Martijn Wilder,
the head of global environmental markets at the law firm Baker and McKenzie, said:
One has to be a realist here. If we continue to wait forever for a global agreement that is
comprehensive and to which everyone agrees we will never see emissions reduced.

… … ...
We need to be working on all fronts to achieve reductions. We do not have time to wait around to
see which one is going to be best.

That is exactly what the government, like many governments the world over,
acknowledge and are moving to rectify.

The facts are that several states of America, many provinces of China and the
entire European Union already have a price on pollution. Just last week, the California
Air Resources Board, the regulator of the eighth largest economy in the world,
unanimously adopted a set of cap-and-trade regulations. This landmark set of air
pollution controls will address climate change and help the state achieve its
ambitious goals to reduce carbon pollution to 1990 levels by 2020. The system will begin
in 2013 and put a price on heat-trapping pollution by allowing California's dirtiest
industries to trade carbon credits. It has been years in the making, overcoming legal
challenges and an aggressive oil industry sponsored ballot initiative. A second phase
of compliance begins in 2015 and is expected to include 85 per cent of California's emissions sources.

It is great to note that the former Governor of California, Arnold Schwarzenegger, a
Republican, is a strong supporter of this system and of clean energy. Governor
Schwarzenegger said last week:

… adoption of a cap-and-trade program is a major
milestone for California's continued leadership on
reducing the world's greenhouse gases. As I said
both when we signed the legislation in 2006, and
when we fought to protect it last year when Texan
oil companies attempted to overturn it with
Proposition 23, the most critical phase in the fight
against climate change is diligently, aggressively,
and correctly implementing this law.

It is a great tragedy that Australia's own self-
proclaimed action man cannot bring himself
to support a price on carbon like fellow
conservative and action man Governor
Schwarzenegger. It is a great shame that
those opposite cannot put short-term political
interests to one side and get on with the
tough reforms needed for our nation's future,
reforms that many on that side actually
support. All we hear from those opposite is
the politics of fear, from pledges in blood to
threatening businesses to not hedge and buy
permits because a coalition government
would not refund them, to promising to
abolish the household compensation. I am proud to stand here on the government side and say that we are pushing an agenda of hope. Day after day in this place, we push a positive agenda for Australia's future that will cut pollution, support households, support jobs and grow renewable energy use in this great country.

Senator EGGLESTON (Western Australia) (20:15): This legislation is based on a lie and is fraudulent in that rather than reducing carbon emissions published Treasury modelling shows that such emissions will actually increase if this scheme is introduced. Julia Gillard solemnly promised before the last election that there would never be a carbon tax under a government she led. There is no doubt that Ms Gillard was elected on the basis of that statement because it allayed public concern about the proposed tax and emissions trading scheme—which the Labor Party then proposed—and the amount that these measures would add to the cost of living for average people. However, as we all know, once elected Ms Gillard broke her solemn promise to the Australian people to never introduce a carbon tax, the promise on which she was elected, and introduced a carbon tax in what must be the biggest deception in Australian political history. John Howard, as I am sure everybody will recall, changed his mind about the goods and services tax. But he took the proposition that we should have a goods and services tax to the people to gain their endorsement before introducing that tax. That was the right thing to do and Ms Gillard should have done the same thing with the carbon tax.

As I said, not only is this legislation tainted by being the outcome of a lie but it is fraudulent. It is fraudulent because according to Treasury modelling this legislation will not result in a reduction of carbon emissions in Australia at all. In fact, on Treasury's published figures emissions are predicted to rise from 2015. Under this emissions trading scheme, rather than reducing emissions polluters will be able to trade them off with carbon credits from a rainforest in Indonesia or some such place. This is just nonsense and a further insult to the people of Australia. The losers from this legislation will be the Australian people and the only winners will be the merchant bankers who will make millions from trading carbon credits. Carbon emissions, by the Treasury's own figures, will increase from 578 megatonnes per annum in 2012 to 621 megatonnes per annum.

The last time that we debated this issue was in the CPRS debate in 2008. In 2009, the Minerals Council of Australia said that Rudd's failed CPRS would have cost thousands of jobs and billions of dollars of investment in regional and remote Australia while failing to materially reduce global greenhouse gas levels. In September of this year, the Minerals Council of Australia published an article outlining the extensive damage to jobs that would be caused by a Gillard government carbon tax. It stated that in Australia just 93,610 employees out of a total manufacturing force of over a million are employed in sectors designated to receive assistance under the Jobs and Competitiveness Program, which is the government's primary initiative to safeguard trade exposed industries. This represents just 8.95 per cent of manufacturing employment.

Further research undertaken by the Minerals Council of Australia compares the carbon tax of the Gillard government with the European Union's emissions trading scheme and illustrates the widespread negative outcomes that it would have for our economy. Under the European Union scheme, 48 per cent of manufacturing value-added is covered by industry assistance provisions. In Australia, only 22 per cent of
manufacturing value-added will be eligible for assistance. Under the EU scheme, 78 per cent of manufactured exports will be eligible for safeguards to ensure that they remain competitive under carbon pricing. In Australia, only 41 per cent will be covered. The EU assistance provisions cover 52 per cent of employees in the mining sector. The coverage in Australia, where we have a huge mining industry, by contrast is minute.

Importantly, seven per cent of employees in the European Union work in industries that will receive assistance to prevent loss of competitiveness and resultant carbon leakage. In Australia, just one per cent of Australian jobs are covered by competitiveness safeguards. Families and households need to be a priority when considering this carbon tax. However, if the Gillard government continues to ignore the plight of industry, it has the option of moving overseas to places like China, the gulf or Indonesia, where—ironically—electricity generation is much dirtier. On the other hand, families and households will end up paying a carbon tax. They will pay, indeed, with a higher cost of living and potentially pay with their jobs. Under the government's own figures, three million Australian households will be worse off under the carbon tax. Analysis by the WA Treasury shows that over half of WA households will be worse off under a carbon tax, as the government's supposed assistance will not fully compensate households for increases in their costs of living. Australia's forgotten families are already struggling with soaring costs of living, and the carbon tax will make a bad situation much worse. Australians will pay $9 billion in carbon tax each year and see their electricity prices go up and up. If this legislation passes, with the support of the Greens, it will mean a 10 per cent increase in electricity bills in the first year alone and a nine per cent increase in gas bills in the first year alone. It will mean higher marginal tax rates for low- and middle-income earners and a $4.3 billion hit on the Australian budget bottom line.

Interestingly, a number of economists argue that carbon pricing is not likely to be as effective in reducing emissions as other methods, such as direct investment to accelerate the development of competitive renewable or non-carbon sources. It is argued that, while a carbon tax may initially influence some industries to increase energy efficiency, in the longer term it may not be enough to instigate investment in lower carbon technologies and processes. So, arguably, the institution of a carbon tax will discourage research into lower carbon technologies.

Western Australia and Queensland, as Australia's largest states, stand to lose more than most if this carbon tax is introduced. These states' decentralised economies and large geographical areas mean the impact of higher energy prices and transportation costs will be felt extra hard. This will mean a profound effect on Australia's international competitiveness. The Western Australian Chamber of Commerce and Industry echoed this concern, noting that the proposed carbon tax is not part of a global solution. As the WACCI noted, none of Australia's trading competitors have an economy-wide carbon tax or a price on carbon. The last speaker talked about the fact that there are some emissions trading schemes around the world, but our major trading partners are China, India, the United States, South Korea and Japan. In 2008 I went to a renewable energy forum in Beijing. At the end of the last session I asked the Chinese, Japanese and Korean delegates to tell the forum whether or not their countries planned to have a carbon tax or an emissions trading scheme. The answer I got was no.
Only last week, during the Commonwealth Business Forum of the CHOGM conference in Perth, I went to the session with India and I asked the same question. I said we would be debating a carbon tax this week in the Senate and asked them whether they were going to introduce a carbon tax or an emissions trading scheme in India. The response I was given was that this was not seen as a significant problem in India and no, they would not be having a carbon tax, much less an emissions trading scheme. The WA Chamber of Commerce and Industry, adding to the report I mentioned above, said that a carbon tax will add to the cost of doing business and has the potential to discourage new investment. So I ask: how then can the government claim that a carbon tax will be good for Australia? The proposition simply defies logic.

A vote for the carbon tax, in my view, is a vote to decimate Australia's standard of living, to rip the heart from our competitive trade landscape and to ravage jobs, all for no gain whatsoever to the environment. It cannot correctly be called economic reform when incomes, productivity and our gross domestic product will ultimately fall. Far from reform, it is a national disaster, in my view.

As the Australian Industry Group noted, the introduction of a carbon tax coincides with a period of intense global uncertainty and uneven economic performance across the world. The manufacturing industry has already seen a 10 per cent reduction in its workforce over the past three years and stands to be particularly affected by the imposition of a carbon tax. According to the Business Council of Australia and the Minerals Council of Australia, uncertainty is something business fears and they want certainty. There is no doubt, however, that this tax will do nothing but bring uncertainty and realise the worst fears of both the Business Council of Australia and the Minerals Council of Australia as business attempts to cope with ever-increasing but unpredictable costs and the loss of core markets.

Trade exposed industries will bear the burden of a high cost on their business, a cost which their competitors will not share. According to the Business Council of Australia the government's carbon tax legislation does not include adequate clauses or safeguards which would secure industry arrangements in the Jobs and Competitiveness package, address the risk of adverse economic impacts of the policy, manage the impact of external economics especially during the fixed price period, or address the risk of Australia being economically disadvantaged as a result of the limited progress in international negotiations to put demonstrable prices on greenhouse gas emissions. Finally, the legislation does not provide arrangements for trade exposed industries which mean they could maintain their competitiveness in the absence of international competitors having a price on their greenhouse gas emissions. However, I am pleased to say there is another way, a better way and a more effective way, and that is the coalition's direct action plan. It is a strong and effective policy that will reduce carbon emissions by five per cent by 2020 and will achieve that reduction without imposing a great big tax on everything in this country and making our industries uncompetitive. Our direct action plan is costed, capped and fully funded from savings to the budget. Direct action means no cost to households, no new taxes and no increase in electricity prices as a result of a misguided policy. There is an alternative to this carbon tax. Most importantly, there is no need for Australia, a country producing just over one per cent of world emissions, to risk introducing an emissions trading scheme,
which will cripple the effectiveness of our industries, increase the cost of consumer goods and put Australia out on a limb with no-one to trade with once these expensive carbon credits are introduced—if in fact they are—in 2015.

In conclusion, I believe this is easily the most corrupt piece of legislation to have ever been brought before this parliament. I am sure the Gillard government will discover the public's feelings about this legislation when the next election is held and the people have an opportunity to have their voices heard on this matter.

Senator WATERS (Queensland) (20:32):
It is with great pride that I rise today to speak on the nation's first climate laws. This is truly a historic day for our nation. Today we reject the short-term, greedy and selfish thinking that has seen us deplete the world's non-renewable resources and pollute our atmosphere to the extent that it threatens our very survival. Today we think of the future of this unique planet, and we act for the good of our grandchildren's grandchildren and all the other creatures that we share this place with. Today we can hold our heads high.

I am a proud Queenslander and 10 months ago we suffered the state's worst flooding in my lifetime. While we came through that devastation stronger and more unified as a community, our spirit and our environment do have their limits. Scientists predict that there will be more wild weather, more intense cyclones, more crippling droughts and more terrible floods as the climate changes. It is on our watch now. My state is home to the internationally significant Great Barrier Reef and Wet Tropics rainforest. Both of these beautiful biodiversity icons and great tourist attractions are under threat from climate change. We have come a long way since John Howard said that a six-degree rise in global temperature would make it uncomfortable for some. Now we have reef scientists like Professor Ove Hoegh-Guldberg saying that even a one-degree rise would lead to massive coral bleaching—and we are already at a 0.7-degree rise. We must do all that we can to protect this underwater paradise, the $6 billion annual boon that it delivers us and the 67,000 people who rely on it for their livelihood.

It gives me great joy that today we take these first crucial steps toward mitigating runaway climate change. I am most excited about the $10 billion renewable energy funding package and the almost $1 billion biodiversity funding package. It is thanks to the Greens that we have the Multi-Party Climate Change Committee, which led to the carbon price. It is because of the Greens that those complementary measures are included in the package. I want to thank Senator Christine Milne, Senator Bob Brown and the member for Melbourne, Adam Bandt, for their tireless work, their vision and their selfless dedication to the future of this world.

In Queensland, the sunshine state, we have such potential to become a renewable energy powerhouse. Our economy, with the carbon price, is projected to continue its strong growth in all sectors in the decades to come. With the $10 billion Clean Energy Finance Corporation for renewable energy, negotiated by the Greens, we have exciting new prospects. Queensland has promising geothermal deposits. We have wave and tidal potential and, to a lesser extent, wind potential. But we have unparalleled solar resources. Rather than doubling our coal exports in the next 15 years to help the world's fossil fuel addiction and then shipping it out through our Great Barrier Reef, I would like to see Queensland build solar thermal power plants generating clean, baseload renewable energy for domestic use and exporting clean technologies to the
...world. I would like to see Queensland leading Australia's charge in the new low-carbon economy.

Recently, experts from the University of Melbourne in conjunction with Beyond Zero Emissions have found that we have the technological capacity to power our nation with 100 per cent renewables within a decade. Through the carbon price package, we have tasked the Australian energy market operator with preparing plans for the grid to do just that—to operate with 100 per cent renewables. That is good news not just for the planet but for job creation. Numerous reports have found that renewable energy generation is far more job intensive than fossil fuel energy generation. It is no longer, nor was it ever, a question of jobs versus the environment. We can do both. Green jobs will be created in manufacturing, ecotourism, renewable energy, energy efficiency, public transport and the list goes on. They will be that the boom industries of the future, and Australia can now be part of that. Thanks to the carbon price package and the $10 billion Renewable Energy Fund that the Greens negotiated, Australia now has the opportunity to be a world leader in green industries. With Australian innovation and technological investment we can create a clean, green boom which respects and protects our fragile environment. The economic benefits of a low-carbon future are clear, but the beauty of this package is that it helps people along the way to that new future. There is almost $1 billion in grants for energy efficiency programs for the manufacturing sector, small business, foundries and community groups. Similarly, and at the behest of the Greens, there is a $200 million Low Carbon Communities fund to help low-income households and community groups manage rising energy costs through energy efficiency upgrades, which is the best way of helping people out of energy poverty and at the same time allowing them to do their bit to reduce their emissions. And of course more than half the revenue raised from the carbon price will be given back to households through tax cuts, higher family payments and increases in pensions and allowances. This does not negate the benefits of the carbon price—quite the contrary. The carbon price will be paid by polluters, sending the market signal that it will cost to keep polluting. If they pass that cost on, rather than innovating and investing in renewable energy or energy efficiency, households will be compensated for that price rise. But shoppers will see on the shelves the comparatively lower prices for products made with less pollution, and they will be able to reinforce that market signal to polluters with their purchasing power. And they will, because Australians care about our future.

The lifting of our target of cutting our emissions by 80 per cent by 2050 will bring a smile to the faces and probably a tear to the eye of many parents. My support for these bills is for my daughter's future. And while the package is not as ambitious at the outset as the Greens would have it, it is designed to be strengthened and to keep pace with our understanding of climate science. That is a crucial point. The Greens will always support science based policy. We must act because there is simply too much at stake. Renowned climate scientist Professor Will Steffen said in his 2009 report on the impacts of climate change on biodiversity that, globally, mass extinctions are likely without urgent action to reduce greenhouse gas emissions. Cloud forests and other highland rainforest types are predicted to contract and fragment across the wet tropics of Queensland, and with a two-degree rise projected native tropical rainforest vertebrates such as the beautiful ringtail...
possums, tree kangaroos and many fantastic insects will be sent to extinction.

CSIRO says our underwater biodiversity is already affected by sea level rise, increased ocean storm intensity, ocean acidification and increasing sea surface temperatures, and that these effects will cascade throughout our marine food chains with flow-on effects that cannot be fully anticipated. Great Barrier Reef waters are predicted to become more acidic with greater carbon dioxide concentration, decreasing the capacity of corals to form the skeletons which are the backbone of the reef and the habitat for so much of its rich biodiversity. CSIRO also notes that climate change will exacerbate existing threats to biodiversity, such as fire, invasive species and the availability of water.

Acting on climate change, of which this carbon price package is the first step, will help maintain the 67,000 jobs dependent on a healthy Great Barrier Reef and the thousands more dependent on Queensland's rainforests and wonderful biodiversity. The $948 million ongoing biodiversity fund the Greens negotiated into the carbon price package will help protect biodiversity and create jobs in rural and Indigenous communities by funding biodiversity projects that establish, restore, protect or manage biodiverse carbon stores. For example, landholders will be supported to maintain existing vegetation, restore habitat or plant new vegetation where it would create wildlife corridors, and they can also receive funding to control weeds, pests and feral animals. That is a great outcome for our climate, our biodiversity and our land managers.

Our land managers will also benefit from action on climate change, because climate change threatens to undermine Australia's food security. Agricultural productivity is projected to decline by 2030 over much of eastern Australia due to increased drought, reduced water resources and higher temperatures. That is a huge threat to our rural communities and to Queensland's economy which we must address. Already we are going to need to draw on the best knowledge and experience of the ag sector to help us adapt and to ensure food security in the years ahead. Frankly, that is all the more reason not to deplete the precious underground water resources of the Great Artesian Basin on which much of our farming relies with coal seam gas mining, but that is a story for another day.

I said in my first speech in this place that I could not think of a greater honour than to be part of the parliament that passes climate laws. One day our great-grandchildren will talk about this day, and they will thank all of us in this chamber for having the foresight and the good sense to finally start to take action on this most pressing of global issues. So it is with unshakeable hope for our future that I commend this bill to the house.

Senator STEPHENS (New South Wales) (20:42): I am very proud to be part of a government that is making history through the package of clean energy bills now before us in the Senate. We are making history as a nation alive to the immediate danger that is the global energy challenge. At such times we are called upon to be bold, to do what needs to be done, to recognise that we have to shake off a national complacency and play our part in the changes that are occurring all over the world.

Our focus in this package is an achievable, affordable and transformative agenda. It represents a challenge to all Australians in every walk of life. We know that. But it is we who have to bring the political leadership to the table, and part of this challenge is to bring the nation with us. At a time when the global economic situation is shaky and
energy costs are rising, institutions everywhere are under pressure, and that is the pressure we are all feeling. It is reflected in the many small decisions we make about the issues that we feel we can control. But as politicians this is the time when we also have to be of strong heart and steady resolve.

Many speakers today have already spoken about the evidence of climate change—its devastating impact on Australian landscapes, whether that be the loss of native species, bleaching of the Great Barrier Reef, unprecedented bushfires, higher temperatures, frightening lightning strikes, the distinctive rainfall pattern changes in Western Australia or melting polar icecaps and melting glaciers. Globally the evidence is of desertification across the African continent, floods, storms and rising sea levels in the Pacific region. These issues were discussed at CHOGM, as they continue to be discussed at other forums and conferences around the world.

The environmental pressures and impacts are one perspective of this important debate. There are other perspectives as well: the economic impact of climate change, the peak oil challenge, the global energy crisis, the implications of the Fukushima disaster and the decision by several countries to move away from nuclear energy to renewables. We have evidence of the national security implications of the climate crisis too, including the possibility of millions of climate refugees needing to be accommodated around the world. The international debate includes concerns about the 'energy tsunami' that would be triggered by a loss of access to foreign oil. And it is beyond challenge that the pathway to sustainable development for growing economies is through the development of a green economy and the eradication of poverty.

I have recently returned from the international Inter-Parliamentary Union Assembly in Switzerland where I was able to articulate Australia's efforts and commitment to dealing with climate change and a clean energy future. And nations are observing our efforts and following our example, taking from Australia's lead to seek to put a price on carbon and end our reliance on carbon based fuels. Across the globe investment in renewables is bringing down the cost of those technologies and, with that, growing the green economy. In Germany, the decision to decommission that country's nuclear power plants by 2023 has seen a determination to invest in wind, solar, geothermal, hydro and biomass technologies, and the challenge for the German government is to meet the commitment for its baseload power within our generation.

In the fast-growing Indian economy, the investment of research and development in thorium based technology as a viable alternative to any nuclear option is exciting and something that we, here in Australia, should also be considering, as are Norway, America and several European Union members. I am very pleased to see that there will be a thorium symposium held at the end of the month in Canberra to stimulate that conversation. I encourage every member and senator to respond to the invitation from Thorium Australia to be involved.

Next year, 20 years after the Rio Earth Summit, there is another summit scheduled for Rio in a world very different and very changed in two decades. We are an increasingly educated population, alive to the need to conserve our consumption, to improve our energy efficiency, to reduce waste and to improve our energy usage, and as the demand for renewable energy grows we know the costs will continue to fall. The energy economy focuses on the costs of oil and coal and on the perspective of depleting
global energy sources needed to feed a rapidly growing demand all around the world as we sustain a seven billion population on this planet. It focuses on the green economy—green industries and innovation, green jobs and green investment. We all know that many in the opposition recognise and acknowledge those challenges—including a former Prime Minister, Mr Howard—privately acknowledging that Mr Abbott's 'direct action' plan lacks ambition. There are others, the nay-sayers—including Mr Abbott—who are the voices defending the status quo, the ones with a vested interest in perpetuating the current system no matter how high a price the rest of Australia will have to pay.

Of those who say the government is being too ambitious in its targets, I ask that they consider the evidence: what the world's scientists are telling us about the risks we face if we do not act. Another response from the IPU delegates was a sense of disbelief that there are still people in Australia denying that climate change is real. The leading experts predict that we have less than a decade to make dramatic changes in our global warming pollution or we may lose our ability to ever recover from this environmental crisis. When the use of oil and coal goes up, pollution goes up. When the use of solar, wind and geothermal increases, pollution comes down. It is very straightforward. Around the world, as witnessed at the IPU, there is a strong appetite for change. It is a case of enlightened self-interest for some but it is now a mainstream debate in every forum—a shift from environmental economics to the main debates of the assembly as well as incidental conversations and bilateral discussions. There was a clearly articulated argument about the important need to deliver material wealth without the expense of growing environmental risks, ecological scarcities and social disparities.

So we, as a government, recognise the importance of transitioning to a green economy. There are sound economic and social justifications. But there is also a strong case for a redoubling of efforts by both governments and the private sector to engage in such economic transformation. That is what this package of legislation is seeking to deliver through the development of a carbon price mechanism and through outlining the entities and emissions that are covered by the mechanism, how emission units will be issued, how carbon units will be defined and allocated, how costs will be contained through price floors and ceilings and the fixed charge period, and how the mechanism will link to other emission trading schemes. We have recognised that there are emissions-intensive trade-exposed activities and coal-fired electricity generators that need support and assistance. We have framed the establishment of the Clean Energy Regulator to administer the mechanism and enforce the law as well as administer the National Greenhouse and Energy Reporting system, the renewable energy target and the Carbon Farming Initiative, as well as the independent body, the Climate Change Authority, to advise government on key aspects of the mechanism, and the Land Sector Carbon and Biodiversity Board, which will advise on key initiatives in the land sector.

But we need to do more than that. We need to increase the value, integrity and efficiency of our national grid. So the Tamberlin report, released today by the O'Farrell government in New South Wales, has important implications for the integrity of our national energy supply. As a nation, we need to improve our commitment to efficiency and conservation, so public education is also a critical factor in this clean
energy package. Of course, we could and should speed up this transition by insisting that the price of carbon based energy include the costs of the environmental damage it causes. That is why we should tax what we burn, not what we earn, and the package includes a reduction in personal taxation limits and a price on the carbon emissions of heavy industry. This is the single most important policy change we are making: those who pollute our environment need to be encouraged to recognise that there is a cost.

We know that Australia has to join the global community and lead efforts to secure an international treaty that includes a cap on CO₂ emissions and a global partnership that recognises the necessity of addressing the threats of extreme poverty and disease as part of the world's agenda for solving the climate crisis. We cannot do this alone, nor can we put up a barrier around our borders and pretend that we are not part of the global problem through our mining efforts and therefore do not need to be part of the global solution.

New ideas are by their very nature disruptive but far less disruptive than a world running low on drinking water and productive land, set against the backdrop of climate change, extreme weather events and rising natural resource scarcities. What is important for all Australians to understand is that a green economy does not favour one political perspective over another. It is relevant to all economies. It is a way of realising development at the national, regional and global levels and in ways that resonate with and amplify the implementation of Agenda 21. We are already making this transition in Australia to the green economy. We need to maintain the momentum, to foster the innovation that is characteristic of a transformative policy agenda. So we acknowledge that as a nation we have been subsidising fossil fuels for decades. We have to enable an environment for change, we have to foster new market based instruments, we have to target public investment to green key sectors and we need to focus on greening public procurement and improving environmental rules and regulations and their enforcement mechanisms. And we need to add to market infrastructure in our international trade and our aid flows and foster greater international cooperation. This is the strength and these are the features of the package before us today. I commend them to the Senate.

Senator BACK (Western Australia) (20:53): I rise this evening to contribute to this debate and to make the obvious point that, as we all know, history will judge this 43rd Parliament very harshly, but the worst and strongest criticism will be reserved for these so-called clean energy bills. I can see already the epitaph, which will be along the lines by the historians, 'Never through the decision of any Australian parliament have so many lost so much for so little.' Regrettably, what we see here is ideology replacing policy, and it was pretty poor policy to start with.

This is legislation based on a lie from a government which itself is here as the result of a lie. I quote the words of the Prime Minister, Ms Gillard, in the days leading up to the 2010 election, which will resonate around this country for many years to come: 'There will be no carbon tax under a government that I lead.' Given the fact that the new tax is not to be introduced until 1 July 2013 she was probably right, because with any luck there will have been an election and, therefore, a change of government by that time, or certainly her own side will have cast her aside as she and the other lot cast aside previous Prime Minister Rudd. It was bad enough that the Prime Minister came out with this lie in the
days before the election last year, but let me quote the Deputy Prime Minister and Treasurer, Mr Swan, when he said: 'We certainly wish to reject the hysterical allegation of the Liberal Party in their advertising that we are leaning towards a carbon tax. We certainly want to reject that.'

Just in case truth might get in the way of the stories that we are hearing this evening, let me tell a few stories about carbon dioxide, because it is important for the wider community to know what we are vilifying. In the air what percentage or proportion is carbon dioxide? It is less than 0.04 of one per cent. It is one twenty-seventh of one per cent. What do the humans in the world produce? The easiest way for me to describe it to you is that all of mankind on this planet contributes one molecule of carbon dioxide for every 90,000 molecules in the air. But it gets even more interesting. In Australia, where we produce only one to 1½ per cent, the best way to describe it to the wider community is that Australians contribute one molecule of carbon dioxide for every nine million molecules of air. That is the effect we are speaking about. Carbon dioxide is being vilified as a pollutant. What have we always known? For the growth of plants carbon dioxide is essential. Carbon is essential for our own beings. We inspire and we expire carbon dioxide. When we want to stimulate plant growth we do it by using carbon dioxide.

Then there is the greatest myth of all. The fact is that with Australia's contribution of less than 1½ per cent of greenhouse gases in the world this legislation, if and when passed, will contribute absolutely nothing to the improvement of the environment. In fact, through what is called carbon leakage, probably it will have a negative effect. The best and easiest example of that is zinc. In this country, because of our efficiency, we transfer a tonne of zinc for three tonnes of carbon produced. When our zinc production in this country disappears as a result of this legislation, if passed, the best that the Chinese can do is a tonne of zinc for 10 tonnes of carbon—350 per cent less efficiency than Australia. That is the type of scenario we are speaking about.

I refer, as others have done, to the impact on business in this country should this legislation be passed. The normal trader in the street will be facing job losses. They will be facing competition and they will be facing added costs for no benefit. If per chance they should be producing a product for which there is competition from overseas, they will immediately be disadvantaged simply because their international competitor will not be saddled with this carbon tax in the country where it is produced.

But then we go a stage further, to our own exporters. Only last week was I speaking to a grain producer who adds value to grains in Australia—that is, rolled oats, barley, peas and others—and he exports around the world. He said to me: 'I can compete, Chris, with those in Asian countries who are paying $1 per hour for labour, and I'll tell you why: because I have invested richly in infrastructure, in high-efficiency equipment and in automation.' That is what has allowed that company in rural Australia to remain competitive. As he said to me, the very technology in which he has invested to remain competitive will now be the subject of heavy taxation because it is all energy intensive. Jobs will go, that company will close and Australia will be the poorer for the example.

We see it all around the nation. Last week I was in Kalgoorlie talking to miners and others about the potential of that area. We talked about the potential of magnetite, which I heard my colleague Senator Johnston speak about this evening, and the
absolute enormity that is required for energy consumption in magnetite processing and the value-adding of magnetite. The figure of 400 million tonnes of freight moved on Western Australian roads resonates when you look at the fact that we will be looking at a 10 to 15 per cent increase in fuel costs. Many of the operations are still using diesel-powered generators. They are using 5,000, 6,000, 100,000 and even up to one million litres a month to run their diesel-powered generators. They will simply not be able to survive this circumstance. We have been told by the government that there will be no impact on agriculture. Hello! The big inputs to agriculture—fertilisers, chemicals, fuels and other forms of transport—are all to be taxed as a result of this new taxation on the Australian consumer. All of it, of course, will be for no gain to the environment and a simple loss to Australian industry. We know that there will be significant increases in the cost of domestic air travel, and this in a country that relies, as we have come to see in the last 48 hours, so much on its domestic air travel.

I turn now to the impact on the community itself. The government has admitted a modest increase of up to 10 per cent in energy costs and nine per cent in fuel costs. I just say: where in the world do they think this is a modest impost? This increase is before—and I will come soon to the famous 500 polluters—we see the actual impact that will be borne by industry as a result of this tax. What has happened to democracy in this country? The surveys are telling us that 80 per cent of the community are opposed to this tax. Australian manufacturers have come out and said to the government, 'Not now.' because of the uncertainty in Europe. The union movement has come out and said, 'Not now.' The Australian Industry Group, no friends of our side, have come out and said, 'Not now.' But all we see is a government hell-bent on introducing legislation that will assist nothing when it comes to the environment.

What is interesting in the whole debate is the fact that compensation will be paid to low-income people, pensioners and other members of the community. Therefore, where is the incentive for these people to change their behaviours if they are going to be compensated? But we know the real truth. We know that the actual increases will far exceed the compensation to be offered. We also know, as is inevitably the case, that eventually this form of compensation will be wound back or wound out altogether. What then happens to people in the low socioeconomic sectors when they have been so richly cheated like this?

Why is it that we are saving more at the moment than we have since the 1960s? The reason is that people do not trust this government as an economic manager and they certainly do not trust this government to implement this legislation. We have heard this Labor government go on about the Howard government and the GST. I remind the chamber yet again of what Mr Howard did when he made the decision that a GST was appropriate for this country. He went to the people in an election and said, 'If I get a mandate I will introduce this.' This is what we call on the Gillard-Brown government to do. Go to the people and seek a mandate, particularly since she told us there would be 'no carbon tax under a government that I lead'.

I often reflect and ask others: why and how do people think it is that a country with such a large landmass as ours, the size of the United States, and with a very, very small population of 23 million people is such a wealthy country? Is it because of gold? No. Is it because of agriculture? No. Is it because of mining royalties and mining income? No,
it is not. Mr Acting Deputy President Cameron, you know from your own industry that the reason Australia is in such a tremendous position in terms of per capita wealth is two words, and those words are 'cheap energy'. This country has been built on cheap energy. I am at an absolute loss to know why we are throwing this advantage away, why we are so hell-bent on getting rid of our coal and other products at ridiculously cheap prices, as seen by India, America and other countries—China included—so that they can enjoy the value and benefit that we have had in the past. I just do not understand where this comes from. This is an advantage which this country has been built on. This government is hell-bent on losing it.

Only recently the chairman of BHP Billiton, Mr Nasser, made this observation in public when in Melbourne: 'I have three strong principles for my company. The first is to maintain a strong balance sheet, the second is to invest in income-building assets and the third is to return a reasonable dividend to shareholders.' He then turned to the audience and said, 'It's not a bad principle for a government either.' If you have a look at the performance of the Rudd government followed by the Gillard-Brown government, you see that they fall very, very far short of those three principles.

Down at the household level, we all know that if a household is to survive over time it must always have its income exceeding its expenditure, otherwise that family goes into deficit. If it borrows and goes into debt, which indeed we all do, it ought to be for asset-building purposes and not for the wastage of liabilities. One need only look back over the history of this government, Rudd followed by the Gillard government since 2007, to see the squandering. There was a surplus provided to it by the last coalition government and now there is debt upon debt upon debt as a result of wastage through liabilities.

I ask the question: who are these so-called 500 big polluters who will be required to buy carbon permits issued by the government? Why the secrecy? Why can we not find out who these 500 companies are? Why are they being vilified? In any other country of the world they would and are being welcomed with open arms. Why be so secretive? Might these in fact be the companies that are the biggest employers in the nation? Might there be represented amongst them companies who are investing the most in exploration for the future asset building of this country, in line with Mr Nasser's comments? Might they be the companies that are creating new wealth for Australia—those who are participating in international trade or who have offshore operations and have every capacity to expand the Australian operations? I simply cannot for the life of me understand why this government is vilifying the very companies we should be praising and helping. The obvious question is: to what extent will they be passing on these costs to the consumer?

I come now to part of the discussion that has been shared by others in this chamber this evening—that is, the activities of other countries. I will quote to you the thoughts of the foreign minister of Canada when asked, in the joyous outburst of praise and happiness over CHOGM, what his country's attitude was going to be. He said that neither Canada nor the United States would ever introduce an emissions trading scheme. Perhaps they did not look after him well enough in Perth. He went on to say that the ability to trade greenhouse gas emissions or carbon credits is something that is not going to happen in his economy. He said there is only one member of the parliament in Canada as a result of the last election who still supports this particular move and that is a Green member. He then went on to
comment that, whilst President Obama of the United States had massive majorities in the House and the Senate, he could not get an emissions trading scheme through. His comments, as I report them, are not good for Australia because 'if the US and Canada do not go down a market road for cutting greenhouse gas emissions, it is impossible that anything remotely resembling a global market could emerge'. Asked if Canada would participate in a carbon trading scheme, he replied:

There's nothing to participate in. Where is it going on today?
That is the opinion of the Canadians.

In response to the comments made some minutes ago by a previous speaker with regard to the renewable energy scheme, I refer to evidence given to the United States House Select Committee on Energy Independence and Global Warming in September 2009, when we were debating the CPRS in this very place, by a Professor Alvarez, who is a professor of applied economics at the environment science faculty of the King Juan Carlos University in Spain. This was his summary of Spain's attempt to lead the world in green and clean energy transformation. For every one green job financed by Spanish taxpayers, 2.2 jobs were lost. Only one out of 10 green job contracts were in maintenance and operations of already installed plants. The others were only sustainable in an expansive environment related to high subsidies. He said that since 2000 Spain had committed €571,000 for each green job and that this had resulted in the destruction of 110,500 jobs. He went on to talk about the bursting of the bubble:

In Spain, we are witnessing the logical conclusion of an unsustainable policy of government subsidies and mandates of uneconomic forms of Energy.

He then went on to quote former British Prime Minister Lady Thatcher:

… "the problem with socialism is that eventually you run out of other people's money." That is what is happening in Spain's renewable energy business today.

In 2011 where is Spain in the overall European economic circumstance? It is facing the possibility of bankruptcy. If I can give you any advice at all for the Melbourne Cup tomorrow from another field, it relates to investment and picking winners. It is simply this: the good ones do not need it and the bad ones do not deserve it. We have seen in the United States in the past year or so the failure of solar energy companies backed by the Obama government. Governments of all persuasions cannot pick winners. If they are good enough to survive in the commercial world, they do not need a subsidy. If they need a subsidy, it is because they cannot survive. Examples can be given of companies that have failed to the tune of $400 million and $500 million simply because they had the wrong economic model. Who on the Labor government side is going to pick these winners? Who is going to spend the taxpayers' money to try to pick winners which industry, business and commerce nationally and internationally cannot?

Is it the case that the Rudd government was the worst in Australia's history? Was it even worse than the Whitlam government, with its failed promises, its pink batts, its school halls and its CPRS legislation, which we fortunately voted down in this chamber so as not to make a fool of Australia in Copenhagen? It is obvious that the Labor government thought it was as bad or worse because they got rid of him. Now we are faced with the prospect of the Labor government removing the current Prime Minister and either reinstating the last Prime Minister or finding another one. We exist in
a democracy. If there is any doubt, particularly doubt based on the lie that 'there will be no carbon tax under a government I lead', then this Prime Minister has got no option but to do what her predecessors have done—that is, to go to the people and let the people decide at the polls whether or not they want the form of legislation that we are being asked to look at and to debate at the rate of one minute per senator per bill. It must be voted down.

Senator DI NATALE (Victoria) (21:13): It is a great privilege to rise today to speak to the Clean Energy Bill 2011 and related bills. Every bill debated in this chamber is important, but I suspect there will be few more important bills that I stand to talk on in my time in the Senate. These bills address a problem that is so daunting in its magnitude that former Prime Minister Kevin Rudd called it the greatest moral, economic and environmental challenge of our generation. He has been pilloried for that statement, but on this issue he was absolutely right.

The fact is our planet's climate is changing and we humans are making a major contribution to that change. We are an integral part of the planet that we live on. Nature is not something out there in faraway jungles or confined to reserves. It is a part of the world that we live in. Our transport, our industries and our individual actions are all changing the global climate in fundamental ways. These changes will affect all life on this fragile planet, not just our own. In the very acrimonious national debate that we have had on this issue, a debate that is often confined to the issues of taxation, compensation and industry restructuring, it is easy to lose sight of that very important fact. It is tremendously disappointing that it has taken us so long to get to this point. When you consider what is at stake and that we are really talking about the threat to all life on this planet, you would think it would be easy to get consensus on taking strong action. You would think that even erring on the side of caution would suggest that we take bold action without delay. Yet at almost every step of the way taking positive action on climate change has been a momentous struggle. Even now, on the eve of the passage of some of this nation's most important legislation, the country remains divided.

For me this is a straightforward issue; it is a debate about the very nature of science. I could stand here and talk, particularly to those opposite, about the irony of criticising reform in this area and the description of carbon dioxide as a colourless, odourless and weightless gas, when their own policy is one that is designed to remove tons of carbon dioxide from the atmosphere. I could stand here and give a defence of the science, but I will not do that because the simple fact is that there is a very clear consensus on climate change and its causes among those most qualified to speak on this issue. The scientific community agree that climate change is happening, that it is caused primarily by humans, that the most important emission as part of the process of climate change is carbon dioxide and that an increase in the amount of carbon dioxide in the atmosphere will have profound impacts on the planet. That is scientific fact. The consensus that has emerged is a result of the scientific process. It is the result of the publication of thousands of peer reviewed scientific papers. The simple fact is that not one credible, peer reviewed paper has been produced that challenges this fundamental proposition.

There might be some debate, it is true, around the pace of change and the intensity and scale of the impacts of climate change, but these are debates at the margin. On the fundamentals of anthropogenic climate change, the science is abundantly clear. Of
course this does not mean we should not debate how best to respond to the scientific conclusions about how our planet is changing, but to call the science itself into question is dishonest, illogical and self-serving.

There is an important principle to reflect on more broadly than in the climate change debate. In this place we should never allow ideology to triumph over science or allow vested interests to determine the nature of our public policy response. If we do this, we diminish our ability to prosecute important reforms across a range of issues and to respond to crises. It is time to reflect on this very important principle as we continue to tackle climate change and the many other challenges that our nation faces.

As somebody who has worked for a long time in the field of medicine, as both a general practitioner and public health specialist, I have a particular interest in the issue of health care and how it relates to climate change. Climate change is not going to leave any aspect of our life untouched, and it will have a profound impact on the health of our community. In May 2009, the Lancet described climate change as the biggest threat to health of the 21st century. The Lancet is one of the world's most respected medical journals, hardly a bastion of leftist activism. It is a publication that is respected within the medical community, and in fact most people in this place, even those decrying the science of climate change, will most likely have benefitted from some of the scientific work of the Lancet. The science of climate change is clear and it has widespread support.

The fact is that the warming climate will impact the health of Australians in many different ways. Some of the impacts will be direct, as we are forced to respond to extremes in our climate, but some will be indirect, as we struggle to cope with those impacts. Some examples: we know that extreme weather events are going to be a much more regular part of our post-warming world; we know that heatwaves will be longer, more frequent and more severe; we know that doctors and emergency departments are going to have to prepare for an influx of patients suffering from heat related conditions such as heat stress and dehydration; and we know that we can expect to see a significant increase in the number of deaths from these conditions. Sadly, as is often the case with issues like this, it will be the elderly, the very young and the very vulnerable who will bear the brunt of climate related illness.

Australia is already well acquainted with the horrors of extreme weather events. We have recently experienced the severe floods in Queensland and the bushfires in my home state of Victoria. Apart from the immediate threat to life and limb posed by rushing floodwaters, there are other, flow-on effects such as the contamination of drinking water and the risk of waterborne disease. All of these pose a huge challenge to our health services in times of flood. In my home state we know that after the events of Black Saturday, as well as those people who died from the direct impact of the fires, countless more were affected by airborne pollutants and by pollutants in water supplies. As well as these physical threats from extreme weather events, we also face an increase in a range of different diseases. Infectious and vector-borne diseases are going to increase. For example, we know that we are going to see an increase in the rate of gastroenteritis. We are going to see an increase in the rate of dengue and Ross River virus. We are going to see the range of those diseases spread across a larger area of Australia's landmass. Climate change, sadly, is going to have an impact on the nation's mental health.
Livelihoods are going to be destroyed and communities devastated as people struggle to cope with lengthy droughts and other climatic shifts.

All of these effects will disproportionately affect not only vulnerable communities—low-income communities, the elderly and children—but also those who live in rural and regional communities, our farmers and our Indigenous communities. No-one will be immune from the impacts of climate change.

In my state of Victoria, we had a heatwave in 2009 that had devastating repercussions. During the hottest days of that heatwave, our ambulance service struggled with a 40 per cent increase in its workload. There was a thirty-four-fold increase in direct heat related conditions. We saw cardiac arrest cases increase by a factor of three. We saw hospital emergency rooms operate under a huge drain, including an eightfold increase in heat stress cases, and three times the usual number of patients were dead on arrival at hospital. There were in total 374 excess deaths. That is 374 deaths from one heatwave, in one state, over a very, very short period of time.

Worldwide, the effects of a small increase in temperature are alarming. The World Health Organisation estimates that warming since the 1970s has been responsible for more than 140,000 extra deaths up to 2004, and as many as 300,000 deaths by 2009. The impact of a further two degrees or more is certainly a cause for great concern.

The good news is that action on climate change is also a direct investment in the nation’s health budget. In Europe, we estimate that a 30 per cent internal target for emissions cuts generated health benefits in the order of €30 billion saved—so in the ballpark of A$50 billion for a 30 per cent reduction in their internal emissions targets. The reality is that shifting to clean sources of energy is a health initiative as well as a climate one.

Economists talk about externalities in the use of our fossil fuels. It is one of the principles of modern economics. The whole rationale for pricing carbon is to internalise an externality imposing a cost on the broader community. One of the most insignificant but often most overlooked externalities is the effect of climate change on the health of a population. We know that the burning of coal and other fossil fuels has a number of impacts on human health. We know that locally it causes respiratory illness, cardiac disease, cancers, developmental disorders and a range of other conditions. It is very, very hard to overstate the importance of clean air to our health.

Of course, here in Australia we take pride in our clean environment, but even here the health costs of our dependence on fossil fuels are estimated in the billions annually. The health impacts of coal-fired power, combined with the health costs from transport powered by fossil fuels, have been estimated to be in the order of $6 billion. If coal were to truly pay its way—that is, as we said, if the costs were internalised—we would be levying a cost per megawatt hour that paid not just for the environmental impacts of burning that coal but also for the medical care and for the loss of life caused by coal pollution. That is why boosting investment in renewable energies, as these bills will do, is a health initiative as much as it is an environmental one.

This is particularly important in my home state, Victoria. It is crucial for serious action on climate change that the dirtiest of coal-fired power stations be closed. We know that one of the most significant parts of this package is that it will allow power generators such as Hazelwood in Victoria to tender for a buyout and closure. The closure of
Hazelwood would significantly improve Victoria's environment, but it will also benefit the health of Victorians.

Of course, we should not stop there. We know that there have been exploration licences now granted for brown coal with a view to exporting coal to other countries. Unless we take action now to stop that emerging industry, not only do we put the health of people in our local communities—such as those people of Bacchus Marsh—at risk; we also stand to export the health risks of burning coal, and brown coal at that, to some of our poorest neighbours.

So I stand here very proudly offering my support for these bills. They are important for Australia's environment. They are very important for Australia's economy. But they are also very, very important for our nation's health. I am very proud of the role that our colleagues have played in this landmark legislation that is before the Senate today. I am proud of the role that Senator Bob Brown and Senator Christine Milne, who is here this evening, and Adam Bandt played in bringing this much-needed change to the Australian community. I also acknowledge the role that the current government have played in ensuring that we get a positive outcome.

The national debate on this issue has been a long one. It has been acrimonious. Politics and science do sometimes make uncomfortable bedfellows. But I have to say that, at this moment, I am very proud of the action that the Greens have taken and that the Australian parliament will shortly take: some very strong, bold and decisive steps when it comes to tackling the critical issue of climate change.

Senator FAULKNER (New South Wales) (21:29): The Clean Energy Bill 2011 and associated bills will establish a carbon price in Australia. This has been a long and often bitter process, but this is a significant reform—vital for the health of our environment and essential for the future of our economy. The fact is our climate is warming. Globally, last decade was the warmest on record. Last year's global temperature was as high as records set in 1998 and 2005. In Australia, 2010 was one of the warmest years in our history. The fact that our climate is warming should not be a point of contention or debate. In the words of the IPCC, evidence for the warming of the climate system is unequivocal.

Despite the scepticism of some, the reason temperatures are rising is not an issue of serious debate either. The overwhelming majority of scientists agree that human activity is the principal reason for climate change. This is a position supported by all of the world's leading scientific academies. The Australian Academy of Science, along with the Bureau of Meteorology and the CSIRO, consider human activity as the most likely explanation for rising temperatures. A report by the CSIRO describes the scientific evidence that human activities are contributing to climate change as compelling. The evidence that humans are responsible for climate change is compelling, unequivocal and growing. Those wishing to argue otherwise are entitled to their view, but they should not expect to be taken seriously.

Whilst it is correct that the earth's climate has changed in the past, the current rate of temperature rise is unprecedented in human history. Global warming in the 50 years between 1956 and 2005 occurred at nearly twice the rate for the century beginning in 1906. Since 1910, Australia's average annual temperature has increased by 0.9 degrees centigrade. The principal reason for this rise is greenhouse gases. The most significant of these is carbon dioxide, a by-product of industrialisation and our dependence on fossil fuels. There is now more carbon dioxide in the air than at any point in the last
800,000 years. The consequences of a warming planet are already observable. At present, our sea levels are rising, the Arctic icesheet is receding, glaciers are melting and established patterns in our ecosystems are changing. If this continues, it poses significant challenges for this and future generations.

The impacts of climate change in Australia are particularly acute. The impacts of rising sea temperatures and sea levels are profound in a country where 85 per cent of us live on or near the coast. Rising sea levels threaten our coastal communities, placing them at an increased risk of flooding during cyclones and storms. Global sea levels are currently rising at around 3.2 millimetres a year, which is near the upper end of the IPCC's projections. This has already significantly increased the frequency of coastal flooding. Should the status quo continue, it is predicted to get worse. A mid-range sea level rise of 0.5 of a metre means that flooding events that now happen every 10 years will, by the year 2100, occur about every 10 days.

Rising sea temperatures threaten one of our great national icons, the Great Barrier Reef. Mass bleaching events, previously unheard of, have occurred on eight separate occasions since 1979. Research suggests that a one-degree centigrade rise in sea temperature could leave 65 per cent of the reef open to bleaching, threatening a tourism industry worth $5 billion to this nation annually.

Australia is the driest inhabited continent on earth. The impacts on water availability pose significant risks to food security and thus to our future prosperity. Because of climate change, water availability in southern and eastern Australia is likely to decrease, with significant reductions in the already troubled Murray-Darling Basin. Water availability, under a projected median temperature rise, would see a nine per cent reduction in the basin's north and a 13 per cent decline in its south by 2030, endangering the nation's food bowl. More broadly, Australia's agricultural sector is, in the words of a recent CSIRO report, particularly vulnerable to climate change, with potential negative impacts on the amount of produce, the quality of produce and the reliability of production. In a land of drought and flooding rains, climate change will exacerbate our existing weather extremes. New research detected a shift towards extremes of heat and rainfall consistent with higher concentrations of greenhouse gases. Climate change is also related to a drop in the frequency of cyclones but a rise in their intensity.

The impacts of climate change in Australia are acute, but the reasons for acting are economic as well as environmental. Successive reviews, by Professor Stern in the United Kingdom and by Professor Garnaut, show that climate change poses significant risks not only to our environment but also to our economy. Without action, Sir Nicholas Stern estimates that the costs of climate change will eventually be at least five per cent of global GDP per year. Both Stern and Garnaut argue that those economies that act quickly will be those best positioned for the future. In the words of Professor Stern, 'The benefits of strong, early action on climate change outweigh the costs.' The environmental and economic benefits of timely and decisive action are clear.

We must reduce the amount of carbon in the atmosphere by reducing our reliance on fossil fuels. The question of course is: how? Recent work by the Productivity Commission suggests that a broad based market response like a carbon price is the most efficient and effective mechanism for reducing carbon emissions. This is not news
to me. I first proposed a modest carbon levy when I was Minister for Environment, Sport and Territories in the Keating government. A lot has happened since then, but this legislation, for the first time in our history, puts a broad based market response in place.

The Clean Energy Bill will create an emissions trading scheme designed to cut our carbon emissions by at least 159 million tonnes by 2020, with a five per cent reduction in carbon emissions by 2020 and an 80 per cent reduction of 2000 levels by the year 2050. This will encourage investment in low-carbon technologies where possible and abatement measures where necessary. Initially the plan is for this to be achieved by making the country’s 500 biggest polluters pay for their carbon emissions and by using this revenue to compensate nine out of 10 Australians for the price impacts. After 1 July 2015, the market will determine the carbon price under a cap-and-trade ETS. For most Australians, the price impacts will be negligible. Many people in fact will be better off, as a result of the compensation which is offered in this package.

I think it is also important for us in this debate to acknowledge that our country is by no means alone in taking action on climate change. We often hear the deniers suggest that Australia is going it alone. That is not true. I recall a recent speech by the former Leader of the Opposition Mr Malcolm Turnbull, who many argue might well have lost his position as a result of the stand he took on the issue of dealing with global warming. In this speech—I think it was to the London School of Economics—Mr Turnbull reminded us that in China, the world’s largest emitter, billions are being invested in wind, in solar and in electric vehicles. The European Union, Norway, Switzerland and New Zealand, I believe, have all introduced cap-and-trade ETSs, and three of our major trading partners—Japan, South Korea and China—plan to introduce similar initiatives. While we are at it, let’s not forget what is happening in North America. In North America, seven US states and four Canadian provinces are set to put in place an ETS by 2015 as part of the Western Climate Initiative.

But do not think for one moment that it is only certain members of the Australian Senate who happen to believe that taking action on climate change is critical to our nation’s future and in fact the future of the globe, because it was Mr Rupert Murdoch who said—

Senator Milne: Who?

Senator Faulkner: Senator Milne laughs. Senator Milne, I do not always quote Mr Rupert Murdoch in the Senate.

Senator Milne: That is why I was amused.

Senator Faulkner: Oh, so that is why. You would appreciate that I do not often quote Mr Rupert Murdoch in the Senate, but—and it is important to remember this—he said that ‘climate change poses clear, catastrophic threats’ to our society. That is what Mr Murdoch said. And guess what? He was dead right about that.

I also know that this is an issue that brings into question, and has for a long time in this debate—certainly since I was Australia’s environment minister many years ago—the relationship between expert advice and good governance and the relationship, if you like, between science and government policy. Sometimes politicians are criticised for depending on the views of experts and of scientists. Well, there are not a great number of climatologists, as far as I am aware, in the Australian Senate—in fact, I do not think that any of us in this chamber are climatologists. I for one listen carefully to the views of experts in the field, respect the
views of experts in the field and am not ashamed to say so in a debate like this. I say that, faced with the overwhelming evidence for climate change, we must act.

Climate change is a generational challenge that requires a once in a generation response. It requires us to look beyond the near horizon of our immediate interests to the next generation and their future and to the future of generations after them. In politics, I have often argued that our goal should always be—using the words of Ben Chifley—to bring something better to the people. And that is what this legislation does. This legislation ensures that our environmental health and economic prosperity will be better for the people of Australia now and better for future generations. That is why I so strongly support this package of legislation before the Senate tonight.

Debate interrupted.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Ludlam): Order! I propose the question:

That the Senate do now adjourn.

International Brain Tumour Awareness Week

Genetic Haemochromatosis

Senator BILYK (Tasmania) (21:49): To begin with tonight I would like to recognise that this week is International Brain Tumour Awareness Week. There are a number of senators, members and staffers wearing grey ribbons to signal their support for International Brain Tumour Awareness Week, which is running from 30 October to 5 November. Each year in Australia about 1,400 new malignant cases of brain tumour and about 2,000 brain tumours are diagnosed. Around 100 of those a year are in children and that is very sad for all of us.

I also wish to speak tonight about the most common genetic condition in Australia. It is a condition that is estimated to have a serious impact on the lives of between 20,000 and 50,000 Australians. It is potentially fatal and yet little is known about it. It is often overlooked but it is not difficult to diagnose. It is a condition which causes great cost to our health services but which is easily and cheaply treated. This is a serious problem, but it is a problem with a solution. And most people have never heard of it.

Most people know that if we have too little iron in our bodies we can become tired and unwell. This is known as anaemia. But one in 200 Australians of European origin have a genetic condition that puts them at risk of having too much iron. This condition is known as genetic haemochromatosis or inherited iron overload disorder. The gradual accumulation of too much iron over the first four or five decades of life causes damage to many organs, particularly the liver and the heart, and the joints. Early symptoms include chronic fatigue, joint pain and abdominal pain. Higher levels of iron overload may cause fibrosis and cirrhosis of the liver, leading to a much increased risk of liver cancer. It may also cause arthritis, diabetes, cardiac problems, impotence and hormonal changes. The incidence of both bowel and breast cancer is doubled with this condition. A recent Swedish study showed that haemochromatosis triples the incidence of hip replacement while the rate of knee replacement is doubled and ankle replacement is increased by a factor of 10.

There is both good news and bad news about our understanding of haemochromatosis. The bad news is that it is grossly under-diagnosed in Australia. Very often people are treated for the symptoms without the underlying cause being identified. Others are diagnosed far too late when serious and unrecoverable organ
damage has occurred. It is important to realise that because no two people are alike symptoms will vary from person to person. In some cases people will not even display symptoms. Men most often display symptoms between the age of 40 and 60. Women may not develop symptoms until later in life because of the blood loss that takes place during child-bearing years; however, some women are diagnosed at a younger age.

The diagnosis of haemochromatosis is made by a blood test. Iron studies look at the levels of transferrin saturation and serum ferritin. The normal level for transferrin saturation is 10 to 50 per cent while serum ferritin is between 20 to 300 micrograms per litre of blood for males and 10 to 200 micrograms per litre for females. If these levels are elevated in two separate tests, a diagnosis of haemochromatosis can be made and treatment can begin.

The good news is that the effects of haemochromatosis are entirely preventable. Pioneering work by Australian scientists over the last 25 years has contributed to a simple genetic test. This test can be conducted if there is a family history of the disease. We now know the pattern of inheritance and general practitioners are able to order the test to identify people with the genetic mutation. Tests are not normally done prior to a person turning 18 unless they display very unusual symptoms.

When it comes to treatment, the good news gets even better. The universally accepted treatment for haemochromatosis is venesection—or, to put it in lay terms, for the patient to give blood. This simple treatment removes the excess iron and, if started early enough, completely prevents any problem developing from the condition. The treatment is usually undertaken at regular intervals and it can take up to 18 months with the weekly or sometimes twice-weekly taking of blood, depending on the original iron status of the patient. Once normal levels of iron are re-established, the taking of blood is done less frequently to maintain those levels throughout the patient's lifetime. Patients may have three or four treatments annually. What is more, that blood, if given at a donor centre, can be used in the same way as any other donated blood.

At this time we do not know the full cost to the nation of this entirely preventable condition, but it is undoubtedly very high. It includes the high cost of medical treatments and surgical intervention. I have mentioned joint replacement, but in some cases liver transplants are the only way to save lives. In addition, there is the great cost to the nation of early retirement, as people with haemochromatosis suffer chronic fatigue, joint pain and arthritis and so wish to get out of the workforce. People who would otherwise have been contributing their skills and their labour leave the workforce prematurely. And to these costs we must add the personal suffering and discomfort of people with the condition.

As I have said, this problem is entirely preventable. We need to raise awareness of the condition in the medical profession and in the community. People who have the condition must be encouraged to tell their family members so that they can be tested. If the test shows they are carrying the gene, they can then take the appropriate action.

Haemochromatosis Society Australia Inc., otherwise known as Haemochromatosis Australia, was founded in 1991. It is a not-for-profit organisation that is funded by the subscription fees of its 1,400 members. Fortunately, we have a small band of very dedicated volunteers who operate Haemochromatosis Australia. Tasmanian Ben Marris OAM became the group's
national president in 2010 and is joined on the committee by Margaret Rankin AM and others. Margaret was the founding president and served in that role for over 20 years until she stepped down in 2010 and is now the patron. Haemochromatosis Australia provides a 1300 information telephone line and works hard to spread the word about this serious illness. In a 12-month period the organisation held nine information sessions in various parts of the country and attracted about 300 people. In 2012 Haemochromatosis Australia plans to hold an awareness week to further raise the profile of the disease. And it is pleasing to see that the National Health and Medical Research Council has just granted $824,258 to Professor Martin Delatycki of the Murdoch Children's Research Institute to continue the pioneering work into this condition, upholding Australia's world-class standing in this area.

On 3 October this year I was pleased to be able to accompany Ben to meet with the Hon. Nicola Roxon MP, Minister for Health and Ageing, along with the Deputy Secretary of the Department of Health and Ageing, Rosemary Huxtable. This meeting took place at the community cabinet held in Kingston, Tasmania. We discussed the need to raise awareness of haemochromatosis and achieve much higher levels of early diagnosis. We also discussed the proposal for a 'Haemochromatosis Week', which I look forward to being involved in in the future.

In closing, I would like to reiterate that haemochromatosis is the most common genetic condition in Australia. It is estimated to have a serious impact on the lives of between 20,000 and 50,000 Australians. It is potentially fatal and yet little known. It is often overlooked but is not difficult to diagnose. It is a condition that causes much pain and great cost to our health services, and obviously to those who suffer from it, but it is easily and cheaply treated. This is a serious problem, but it is a problem with a solution. We need to raise awareness and people need to be diagnosed early before any lasting damage is done. To find out more about haemochromatosis, I encourage interested members of the public to visit the website of Haemochromatosis Australia or phone the information line on 1300019028. I look forward to the day when all people with this condition are diagnosed early and so avoid any of its problems.

Dementia

Senator BACK (Western Australia) (21:59): On 13 October, the Thursday of the last parliamentary sitting week, 300 people marched on Parliament House to raise awareness of dementia, an increasing problem afflicting Australians. The number 300 is significant because there are now estimated to be some 300,000 people in Australia who have been diagnosed with dementia. That figure will rise to 600,000 by 2030 and is estimated to be at one million by 2050. There are 1,500 new cases diagnosed every week in Australia, and that will rise to 7½ thousand cases per week by the year 2050. This is an issue that needs the attention of the parliament, and I direct it to the Senate.

What is interesting is that, of those 300,000 people, some 16,000 are under the age of 65 years. What is also very interesting, and a matter which needs to be addressed with some degree of urgency by the policymakers, is the amount of research money that is being put into dementia in Australia. That figure, nationally, in the last financial year was a paltry $19 million. That is $19 million of funds, according to the NHMRC, allocated to dementia research. Let me put that into some perspective by referring to funding for research into other diseases of concern to the public in this
country. For cancer, the figure invested was $144 million, for heart condition research it was $100 million and for diabetes it was $63 million. All of these are, of course, critically important areas of medical and related research, but they highlight that funding for dementia, at $19 million, is totally inadequate.

With an ageing population it is interesting to note that a person's risk of getting dementia doubles every five-year period after the age of 80. We are now enjoying increased longevity in this country. I read recently that one girl in four who is born this year will reach the age of 100 years. So we know we are an ageing population.

I wish to speak of one carer—he is one of the 1.2 million carers of people with dementia in this country—a gentleman who I met recently in my office in Perth, a Mr Tony Ramshaw. His wife got dementia at the age of 54 years. Whilst I do not know his age or hers, I would judge him to be in his early 70s. He told me that to spend more time with his wife and enable her to remain at home longer he gave up his employment. He said to me that not only had this been a very enriching experience for him but, we agreed, it had probably prolonged both her life and her enjoyment of life through to the stage where he could care for her no more.

I do want to come back to the question of carers in a few moments. There are 300,000 people diagnosed with dementia now. The other interesting statistic in relation to this is that, of the 200,000 people in nursing homes in Australia, slightly over 100,000 have dementia. In other words, a third of all people diagnosed with dementia in this country are in nursing homes, and they constitute half of that group. My mother, who turns 96 years of age tomorrow, is in a nursing home. I regret that at 96, after a very full life and after becoming a stroke victim, she is getting to the stage where, unfortunately, she has been diagnosed in the same way. I have plenty of opportunity, on the occasions when I am at home, to visit her and also to observe people declining who I have known in that nursing home for some period of time.

The cost to the community is extraordinary given the fact that half of all the beds in our nursing homes are occupied by dementia sufferers. What do we do about it? Well, the issue goes even further. Having mentioned the 1.3 million carers, it was interesting to view some statistics recently that some 350,000 of those carers are under the age of 25 years, and they represent five per cent of all people under the age of 25 years. In other words, five per cent of all people under the age of 25 years in this country are nominated as carers. Very often they are carers for parents, or perhaps for children, family members or friends. What a great contribution they make. I saw an article and a program recently about a nine-year-old girl who was the primary carer for her mother.

The other interesting statistic—particularly given my interest in rural Australia—is from recent surveys that were publicised in the press in only the last few days. These surveys indicate, as you would expect, that people in rural and regional areas find it far more difficult as carers than those in metropolitan areas, simply because of their lack of access to medical services, and particularly specialist services. So whilst we consider the future challenges we have to look at with regard to dementia—of which Alzheimer's disease is only one type—we must not forget the young carers and we must not forget the challenges associated with people in non-metropolitan areas.

What is available for carers? Whilst the list is impressive, the funding in itself is not.
There is direct financial support for carers. There is support for those who are unable to care at home full-time for their family member with dementia. There are aged-care packages within the community. There is even an Extended Aged Care at Home program. Then there is the question of residential respite, which is a process whereby the people with dementia can be placed in a residence for a period of time so that the carers themselves are able to recover. If we do not deal with this issue sufficiently we will find ourselves in a circumstance where the carers themselves are in need of care. I have recently seen estimates that, if one were to apply some economic value to carers in the community, it would be found that they are saving the community, saving the government and saving the taxpayer some $5½ billion as a result of their efforts. One would think in that circumstance that they should in some way be rewarded and recognised. So at a time when budgets are tight, at a time when there is competition for the ever-decreasing dollar, the question is: what are we going to do for dementia in two areas—that of the carers and that of research? The figures support very strongly that for every 12 months we can delay the onset of dementia and for every 12 months we can delay the person needing to go into care the savings to the community are enormous and the social savings to that individual and to their family are enormous.

I want to conclude with some disturbing figures you hear when you start to talk to the wider community about dementia. Unfortunately we find ourselves in the circumstance where, through ignorance—I am sure it is through ignorance—dementia is a disease which is shunned and not spoken about to any great extent. Researchers report that 56 per cent of carers say that people with dementia are in fact discriminated against in our community. It is the third leading cause of death in Australia and yet most people do not recognise it as a terminal illness. The surveys suggest that two-thirds of Australians are scared of developing dementia, a fear which is second only to developing cancer. A third of respondents in a recent survey found people with dementia irritating and 11 per cent said that they would avoid spending time with people who had dementia. In fact, worst of all was that 60 per cent anticipated that if they were diagnosed with dementia they would experience feelings of shame. We are an ageing population. There would not be a family in this country not touched in some way by the dementia of a relative or not linked to a carer. So in speaking this evening I want to congratulate those 300 who marched on 13 October and commend this as an issue of concern to the Senate.

Organ and Tissue Donation

Senator URQUHART (Tasmania) (22:09): I rise to speak on a very important health topic in this country: organ and tissue donation. Despite widespread public support for the concept of organ and tissue donation and Australia being recognised as a world leader in transplantation medicine, Australia has very low donation rates by world standards. It is vital that everyone knows the wishes of their family. Even if someone is registered as a donor, the family must still provide consent. This is more likely when the family is aware of and understands the wishes of their family. Even if someone is registered as a donor, the family must still provide consent. This is more likely when the family is aware of and understands the wishes of their loved one. All Australians need to discuss their organ donation preferences with their family. My family have discussed this on a number of occasions and have ensured that we are all fully aware of each of our wishes.

Death is not an easy subject but, as organ and tissue donation has the potential to save many lives, it is a very important discussion.
It may have been a bit easier for my family as a close relative works as a nurse in an accident and emergency section of a busy hospital. She sees families lose loved ones through sickness or an accident, an extremely traumatic time. My relative has recounted to the family how difficult it is for the hospital staff to approach the family and ask questions about organ donation, and this difficulty only increases if the deceased was not registered or the family had not considered it before. It is remarkable how much easier it is when the family knows their loved one's wishes. Although it is still difficult, if the deceased has declared their wishes and discussed them with their family, that burden on the family at such a grief stricken time is far less.

Last year, the average Australian donor rate was 13.8 per million people, and the top state was my home state of Tasmania with 19.7 donors per million people. While this is a great honour for Tasmania to hold, that actually equates to 10 organ donors from Tasmania in 2010, which some may laugh off as an inconsequential number. However, it is interesting and important to understand that one person can donate multiple organs, so the 10 Tasmanians potentially benefited more than 40 or 50 people across the country. It is a great effort compared to Tasmania's previous donation rates and I congratulate the Tasmanian DonateLife team, all medical staff involved and the families of donors for their work increasing this rate.

Organ donation involves the transplantation of organs from one person to another when a person is facing the possibility of organ failure, leading to debility or death. Whole organs such as the heart, lungs, liver, pancreas and kidneys can be donated, as well as sections of tissue such as heart valves, corneas, tendons and skin. Organs and tissue are usually removed from people who have recently died. However, kidneys and parts of the liver and pancreas may also be removed from living donors. It is important to note that organ donation from a deceased person can only be carried out under quite specific circumstances, with organ donation possible in less than two per cent of deaths. Typically, a potential donor is pronounced as brain dead while in the intensive care unit of a hospital and put on a ventilator that keeps their organs functioning artificially for a limited time. The ventilator keeps blood and oxygen pumping around the body artificially to keep the organs functioning. The skin continues to be pink and warm even though the person is dead.

Before organ donation after death can begin, two senior doctors must separately test the person for brain death. Brain death occurs when the brain is so badly damaged that it stops functioning permanently. When the brain dies, circulation ceases and all other organs stop functioning. Clinical tests indicate brain death has occurred when there is no brain function, no blood flow to the brain and no possibility that the brain will recover and function again. Brain death is not the same as a coma, where the brain still functions. Most people die a cardiac death, where they stop breathing and have no heartbeat. On death, the blood stops carrying oxygen through the body. The person feels cold to the touch and changes colour as the organs, including the brain, are starved of blood and oxygen. Organs can be removed following cardiac death in very specific circumstances.

Australia had a record year for organ donation in 2010, with 309 multi-organ donors saving or improving the lives of 931 people. There were also many thousands of tissue transplants over this period. The latest performance report from the Australian Organ and Tissue Donation and Transplantation Authority for September...
2011 shows that we are on course to break that figure again. The forecast is for about 330 organ donors in 2011, over 100 more than in 2008.

Unfortunately, over 1,500 people across Australia are waiting on the list for organ donation. Some wait only a few months; others may wait for years. Tragically, many people die while waiting. For many others, the wait means long weeks or months in hospital or several trips to hospital every week for treatment such as dialysis. It is my hope that, through continuing to air the positives of organ donation, more Australians will see that only good can come from being an organ and tissue donor, only good can come from discussing organ donation with your family and only good can come from your loved ones being organ and tissue donors.

While the majority of organ donation is only possible if the donor is deceased, there are a number of cases where organs, mostly kidneys, are donated by a living donor. One of my close relatives has the disease lupus, which is attacking his kidneys. He has been preparing to undertake dialysis at home, with a stent inserted in his stomach in preparation for dialysis in case of renal failure. However, continued infections have required the removal of this stent. The last option, other than dialysis through regular hospitalisation, is kidney transplantation. When he learnt that his kidneys were failing and he would eventually need some drastic intervention, there were offers from wide and far.

We often hear of this happening when people in the public spotlight have a similar illness, but we do not stop and think about the large number of very generous people who offer part of their body to their relative or their mate. Those who volunteer to be a donor undertake a very long process, involving dozens of tests, to gauge whether their kidneys are healthy and suitable for donation as well as whether they are compatible. There are many discussions with counsellors to build the emotional strength to deal with this huge decision and to ensure that both the donor and the recipient are aware of the consequences of their decision and of the physical stress the donor will be under for a period after donation.

While going through all of these steps, donors and recipients are advised of another process called pairing, where a search is undertaken to find better matches for donor-recipient pairs. This search process is done through the Australian Paired Kidney Exchange program, which seeks to increase the number of live kidney donor transplants. This program seeks to achieve the best outcome for all involved, as pairing significantly increases the chances of the kidney surviving the transplantation. The paired kidney exchange occurs at two different transplant centres at the same time. Each donor-recipient pair remains at their own transplant centre. In this way, each donor is sure that the other has gone through with the surgery. Each kidney is then transported to the corresponding transplant centre and the patient receives their new kidney on the same day their friend or relative has donated.

Most organ donors do not get the opportunity to undertake these procedures, as their organs are donated at a time when death has occurred. But, to the recipient and their family, there is no greater gift than that of an organ to provide their loved one with a better quality of life or indeed life itself. That is why we need to lift our current consent rate of 60 per cent, which is lagging at that level because many families do not feel they can confidently make a decision about the wishes of the deceased. Many people have not discussed their donation decision with family members in the past 12 months. Many
cannot remember, particularly at a time when they are grief-stricken. Australians need to ask themselves and their families the simple but challenging questions. You can get engaged with the facts by downloading the family discussion kit at www.donatelife.gov.au and asking yourself—and discussing with your family—the following questions: do you want to be an organ donor; have you registered; have you discussed your decision with your family; and do you know if your relatives are willing to be organ donors? That last one is, perhaps, the more important question.

Regional Development Australia Fund

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (22:19): It is a long way from Queensland to Geelong and Geelong is where I was on the weekend. Whilst I was travelling down from St George, I went past Thallon, which is a town that at times has up to 300,000 tonnes of grain stacked beside it. Unfortunately, the railway lines at Thallon only have the capacity to move rolling stock at 40 kilometres an hour. It is a town that really should have a flour mill—and which, in any other nation, would have flour mill—but does not have a flour mill. What it does have is a whole heap of trucks which cart grain into the Thallon silo. Then, when they need to move it, they cart it out of the Thallon silo—the legacy of that being potholes in the road.

As I travelled down, I also passed Moree, one of the richest agricultural shires not only in Australia but, at its peak, in the world. We went past Coonamble, one of the big prime wheat-growing areas; Dubbo, a massive stock-selling area; and Deniliquin, a town which has the capacity to feed up to 20 million people. When you think about it, that is quite an honourable thing for our nation to do, especially when you consider how this is a time of privation in the world and how people are going without. They produce rice at Deniliquin and rice is a staple. As a staple, it flows from the very top to the very bottom. If we did not produce that rice, someone, whether in the Southern Sudan or on the Thai-Burma border, would starve to death. I think that is one of the greatest things our nation can do—to produce food that feeds people.

You continue on and you go past Shepparton and Mildura, towns with a great horticultural capacity, and you finally end up at Geelong. Geelong is a very admirable town with a great manufacturing base—the pride of our nation and an essential element of our nation if we ever end up under attack and have to have a quantitative expansion of our metal-producing and fabrication industries to support our armed forces. It would be places such as Geelong which would do that. But what is sad is that, of all those towns I mentioned, only one got anything from the $150 million first round of the Regional Development Australia Fund, or RDAF, grants—and that was Geelong. Geelong got $10 million in one grant for their football stadium. The Cats are a great football team, but they got $10 million. All the other towns got nothing. I think they also got $10 million for the library and heritage centre—so $20 million in all, while nobody else got anything.

That is sad—sad for the people of Thallon when you think that some of that money could have gone towards a flour mill, which could have added so much to our nation's economy. It is sad for the people who could have had a stock transit centre in Broken Hill—$550,000 to aid proper animal husbandry and the humane treatment of animals. It is sad for people in other towns, in Ballarat and Bendigo. In one of those towns they needed to refurbish a kindergarten because it had asbestos in it.
They put an application in but they got nothing. It is sad for the people on the Lind Highway up near Hughenden, who need to seal the road to try to stop cars bouncing off it and improve road safety in the area. It is sad for Mayor Jo Shepherd out at Cunnamulla, and it is sad for the mayor of Roma. They required funding but did not get anything.

It is disappointing that two thirds of the funding went to one third of the seats, and those seats were held by Labor Party members and Independents. Simon Crean said when he started this process:

'Ve've got to get away from pork-barrelling ... this sense that you only hand out stuff around election time. We've got to get away from this notion of just football grounds or sports stadiums or local halls to investing in communities, investing in our skills and our youth, our education."

I agree totally with Simon Crean—the problem is, he did not follow his own guidelines. He just started handing out things to mates: $8 million went to Tony Windsor for one building in Armidale, Freeman House; $6.2 million went to the member for Denison. But the Labor Party regional seats in Tasmania got nothing at all. I think $7 million went to an art gallery in Newcastle. As I said, there was $10 million for a sports stadium. This is extremely inappropriate expenditure of our funds. This fund is not a big fund but it is a fund that means so much. At the end of all this, I think only 6.3 per cent of the applicants got money. We were accused of pork-barrelling, but when we were running our program 72 per cent of the applicants got funding. Now it has become quite ridiculous.

I think when the Labor Party are handing out money like this they are preparing for an election. Janelle Saffin got herself $3.2 million for a hall. What do you say to all those other people who put so much effort into filling out these applications to be part of this process because they thought the process was genuine? It obviously was not. We have to be fair dinkum—'regional' has to mean authentically regional. The largest amount of funding with a nominal 'regional' in front of it has gone to a road around Perth airport—$480 million. Unless that road goes all the way to Kalgoorlie, I cannot see how you can call it regional. For me, regional is personified by dark starry nights and furry animals on the road; long drives and CDs—basically, remoteness. It is not just that some of these places got money—good luck to them; it is the amount that they got. Massive amounts of money have been delivered to places like Perth. The centre in Hobart that looks after Antarctic expeditions got money. Good luck to them, but under this scheme Hobart is now a regional town and Perth is now a regional town. This is absurd.

The myregion website is a classic example of Labor Party management. For a long while all this website had was a photo competition for regional Australia. At first it had three photos, and they were a photo of the Sydney Harbour Bridge—there is an interesting part of regional Australia—a photo of the Gold Coast and I think a photo of a paddock. On inquiring into this, we found out that the website has currently got seven people looking after it and so far it has cost the Australian taxpayer in excess of $400,000 to run. This is why we start running out of money.

Last week I thought the government had a good week because they only borrowed $200 million. But I saw on Sunday that they have extended their debt again, by another $1.7 billion. They have in excess of $215 billion in gross debt. They talk about a surplus and say that in a couple of years time they might get a $1 billion surplus or a $2 billion surplus, but they borrowed more than that in the last fortnight. We are going to have to pay this money back. It all has to be paid
That sort of amount—$1,700 million—equates to around 3,500 average-priced houses. This is happening day after day, week on week, under the auspices of the treasurer of the millennium, Wayne Swan. I know those opposite might be thinking about changing their leader. I know there are few concerns there, and I hear that the Treasurer, Mr Wayne Swan, was talking very intently to a person called Mr Smith over at CHOGM. They were locked away in a corner, having a long, deep and meaningful discussion about the future of the Labor Party. What I can say to Mr Smith, if he is about to get the mantle—I also watched the foreign minister, Kevin Rudd, give a little expose on stage—is this: if you are going to change the sheets, change both of them.

Senate adjourned at 22:29

DOCUMENTS
Tabling

The following documents were tabled by the Clerk:

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

A New Tax System (Family Assistance) (Administration) Act—A New Tax System (Family Assistance) (Administration) (Exemption from Eligibility Rules – Child Care Services of Specified Classes) Determination 2011 (No. 1) [F2011L02075].

Acts Interpretation Act—Statements pursuant to subsection 34C(6) relating to the extension of specified period for presentation of reports—
Royal Australian Navy Central Canteens Board (RANCCB)—Report for 2010-11.

Australian Bureau of Statistics Act—Proposals Nos—
17 of 2011—Personal Safety Survey.
18 of 2011—Collection of Household Energy Consumption Information.
Banking Act—
Banking Exemption No. 4 of 2011 [F2011L02078].
Banking (Foreign Exchange) Regulations—
Direction relating to foreign currency transactions and to Libya; variation of exemptions – amendment to the annexes, dated 13 October 2011 [F2011L02083].
Direction relating to foreign currency transactions and to Syria; variation of exemptions – amendment to the annexes, dated 13 October 2011 [F2011L02084].
Broadcasting Services Act—
Civil Aviation Act—
Civil Aviation Regulations—Civil Aviation Order 100.27 Amendment Instrument 2011 (No. 1) [F2011L02076].
Civil Aviation Safety Regulations—
Manual of Standards Part 90 Amendment Instrument 2011 (No. 1) [F2011L02077].
Revocation of Airworthiness Directives—Instrument No. CASA ADCX 022/11 [F2011L02090].
Commissioner of Taxation—Public Rulings—
Fuel Tax Rulings—Addenda—FTR 2006/1
and FTR 2009/1.
Product Grant and Benefit Ruling—
Addendum—PGBR 2005/2.
Product Rulings—
Notices of Withdrawal—PR 2008/73W and
PR 2009/50W.
PR 2011/17.
Taxation Determination—Addendum—TD
93/95.
Taxation Rulings (old series)—Notices of
Withdrawal—IT 2190 and IT 2355.
Taxation Rulings TR 2011/4 and TR 2011/5.
Commonwealth Authorities and Companies
Act—Commonwealth Authorities (Annual
Reporting) Orders 2011 [F2011L02064].
Commonwealth Electoral Act—Certificate of
the Electoral Commissioner as to the number of
the people of the Commonwealth and of the
several States and Territories and the number of
members of the House of Representatives to be
chosen in the several States and Territories, dated
29 September 2011.
Commonwealth Electoral Act and Referendum
(Machinery Provisions) Act—Select Legislative
Instrument 2011 No. 190—Electoral and
Referendum Amendment Regulations 2011 (No.
1) [F2011L02086].
Corporations Act—
Accounting Standard AASB 11—Joint
Arrangements [F2011L02086].
ASIC Market Integrity Rules (ASX 24
Market) 2010—ASIC Class Rule Waiver [CW
11/734] [F2011L02070].
Corporations Act, Australian Securities and
Investments Commission Act, Life Insurance Act
and Superannuation Industry (Supervision) Act—
Select Legislative Instrument 2011 No. 193—
Corporations Legislation Amendment Regulations 2011 (No. 1) [F2011L02103].
Customs Act—
Defence and Strategic Goods List Amendment
2011 (No. 1) [F2011L02061].
Select Legislative Instrument 2011 No. 189—
Customs Amendment Regulations 2011 (No. 2)
[F2011L02111].
Tariff Concession Orders—
1104619 [F2011L02099].
1104805 [F2011L02097].
1104965 [F2011L02098].
1105005 [F2011L02095].
1105087 [F2011L02096].
1105088 [F2011L02100].
1107686 [F2011L02081].
1109276 [F2011L02094].
1111666 [F2011L02080].
1119542 [F2011L02085].
Defence Act—Determinations under section
58B—
Defence Determination 2011/46—Post indexes
amendment.
Defence (Employer Support Payments)
Amendment Determination 2011 (No. 1).
Education Services for Overseas Students
Act—Select Legislative Instrument 2011 No.
192—Education Services for Overseas Students
Amendment Regulations 2011 (No. 1)
[F2011L02109].
Energy Grants (Cleaner Fuels) Scheme Act—
Select Legislative Instrument 2011 No. 194—
Energy Grants (Cleaner Fuels) Scheme
Amendment Regulations 2011 (No. 1)
[F2011L02116].
Environment Protection and Biodiversity
Conservation Act—
Amendments of lists of exempt native
specimens—
EPBC303DC/SFS/2011/34 [F2011L02118].
Select Legislative Instrument 2011 No. 191—
Environment Protection and Biodiversity
Conservation Amendment Regulations 2011 (No.
1) [F2011L02102].
Excise Act—Select Legislative Instrument
2011 No. 195—Excise Amendment Regulations
2011 (No. 1) [F2011L02114].


Fisheries Management Act—

Southern and Eastern Scalefish and Shark Fishery (Closures) Direction Variation No. 1 2011 [F2011L02125].

Food Standards Australia New Zealand Act—
Food Standards (Application A1026 – Minimum Alcohol Content for Wine) Variation [F2011L02066].

Food Standards (Application A1042 – Food derived from Herbicide-tolerant Corn Line DAS-40278-9) Variation [F2011L02065].


Health Insurance Act—
Health Insurance (Allied Health Services) Amendment Determination 2011 (No. 2) [F2011L02134].

Health Insurance (Bone Densitometry) Determination 2011 [F2011L02082].

Select Legislative Instruments 2011 Nos—
183—Health Insurance Amendment Regulations 2011 (No. 3) [F2011L02113].
184—Health Insurance Amendment Regulations 2011 (No. 4) [F2011L02119].
185—Health Insurance (Diagnostic Imaging Services Table) Regulations 2011 [F2011L02123].
186—Health Insurance (General Medical Services Table) Amendment Regulations 2011 (No. 2) [F2011L02117].

187—Health Insurance (General Medical Services Table) Regulations 2011 [F2011L02108].
188—Health Insurance (Pathology Services Table) Regulations 2011 [F2011L02126].

Lands Acquisition Act—Statement describing property acquired by agreement for specified public purposes under section 125.

Migration Act—Direction under section 499—Direction No. 52—Priority processing for standard business sponsors with accredited status.


National Environment Protection Council Act—
Minor Variation to the National Environment Protection (Air Toxics) Measure 2011 [F2011L02074].


75 of 2011—National Health (Price and Special Patient Contribution) Amendment Determination 2011 (No. 7) [F2011L02131].
76 of 2011—National Health (Highly specialised drugs program for hospitals) Special Arrangement Amendment Instrument 2011 (No. 10) [F2011L02130].
77 of 2011—National Health (Listed drugs on F1 or F2) Amendment Determination 2011 (No. 11) [F2011L02133].

National Transmission Network Sale Act—Exemption from Restrictions on Transfer of Assets (No. 1 of 2011) [F2011L02079].

Legislation Amendment Regulations 2011 (No. 1) [F2011L02112].

Private Health Insurance Act—Private Health Insurance (Complying Product) Amendment Rules 2011 (No. 6) [F2011L02091].

Remuneration Tribunal Act—


Retirement Savings Accounts Act—Select Legislative Instrument 2011 No. 197—Retirement Savings Accounts Amendment Regulations 2011 (No. 3) [F2011L02101].

Superannuation Industry (Supervision) Act—


Therapeutic Goods Act—

Therapeutic Goods (Exempting monographs of pharmacopoeias) Determination No. 1 of 2011 [F2011L02124].

Therapeutic Goods (Listing) Notice 2011 (No. 2) [F2011L02069].

Therapeutic Goods Orders Nos—

89—Standard for water for injections for parenteral medicines [F2011L02128].

90—Standard for human albumin [F2011L02127].


Governor-General’s Proclamations—

Commencement of provisions of Acts

CHAMBER
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Foreign Affairs: Social Media**

(Question No. 544)

Senator Johnston asked the Minister representing the Minister for Foreign Affairs, upon notice, on 25 March 2011:

1. Has the department undertaken any studies into the effectiveness of new social media in its public diplomacy campaigns; if so: (a) when were they undertaken; and (b) what were the results.

2. How many Australian embassies have: (a) Facebook; (b) Twitter; and (c) YouTube accounts, and where are these embassies located.

Senator Conroy: The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

1. DFAT is currently trialling the use of social media to promote two major bilateral public diplomacy programs in North Asia: the Imagine Australia Year of Australian Culture in China 2010-11; and the Australia-Korea Year of Friendship 2011. (a) Imagine Australia Year of Australian Culture in China

   The Australian Embassy in Beijing has established a presence, in broadcast mode only, on three Chinese-language social media sites, similar to Facebook, Twitter and YouTube. They include:
   - Sina Microblog: a Twitter-style microblog account, for message posts of up to 140 characters, photos and video http://blog.sina.com.cn/imagineaustralia
   - Youku account (China's equivalent of YouTube) for uploading of video material: http://u.youku.com/user_show/id_UMzI4MzYzODk2.html.

   The three accounts aim to promote the official program of events among Chinese audiences and to reinforce other forms of outreach. The accounts were launched in January 2011 and are accessible through the official Imagine Australia website managed by DFAT https://imagineaustralia.net/en/.

   The embassy has reported positively on the trial to date, concluding that social media will potentially become the premier platform for marketing the program. Regional outreach has been significantly stronger than anticipated, with subscriber interest coming from most provinces and regions across China. More detailed analysis of the effectiveness of these tools will be undertaken as the year progresses and the outcome of this trial will help inform future use of social media for public diplomacy campaigns. (b) Australia-Korea Year of Friendship 2011

   The bilateral Year of Friendship program marks the 50th anniversary of the establishment of diplomatic relations between Australia and the Republic of Korea. The Australian Embassy in Seoul is trialling the use of YouTube and a Korean-language i-Phone application to promote events on the official program to audiences in the Republic of Korea.

   They include:
   - YouTube: videos of Australian cultural performances and official events held in Korea: http://www.youtube.com/user/yearoffriendship
The i-Phone calendar application and YouTube account were launched in January 2011 and are accessible through the official Australia-Korea Year of Friendship website http://australiakorea50.com/ managed by DFAT. The effectiveness of these social media tools to promote the achievements of the past 50 years, and to raise public awareness of Australia in Korea and of the importance of the bilateral relationship to both countries, will be progressively assessed over the coming year and will be reported on in full at the conclusion of the program.

(c) Other uses

DFAT established a generic DFAT Twitter account on 7 April 2011. It seeks to complement the department's traditional communication channels, such as media releases and websites, in order to reach a wider and increasingly mobile audience, including people with limited internet access and travellers who may rely on Twitter for information. In times of consular crises, tweets will provide updates on fast-changing situations and will refer followers to the Department's websites, which remain the authoritative source of information. Twitter is an additional way of sharing information with the public about Australia's foreign and trade policies, latest travel advisories, media releases and breaking news, speeches, recruitment and the release of new publications.

The launch of Twitter followed a number of limited, event-specific social media trials for consular purposes, including during the soccer world cup in South Africa, the Commonwealth games in India and the canonisation of Mary MacKillop in Rome. These trials highlighted the potential benefits of social media platforms as public communication tools but also reinforced the need to address a range of technical, resource and administrative issues, as well as associated risks.

(2) (a) Facebook

No Australian overseas mission currently has an active Facebook account.

Two Australian overseas missions established Facebook accounts for specific time-limited consular purposes in 2010. They were the Australian High Commission in Pretoria for the soccer world cup and the Australian High Commission in New Delhi for the Commonwealth games. Both accounts are now closed.

(b) Twitter

One Australian overseas mission has an active Twitter-style account. The Australian Embassy in Beijing established Sina Microblog, a Chinese Twitter-style microblog account for message posts of up to 140 characters, photos and video, to promote the 2010-11 Imagine Australia Year of Australian Culture in China (see Question 1).

Four Australian overseas missions previously established Twitter accounts for specific time-limited consular events. They were: the Australian High Commission in Pretoria for the 2010 soccer world cup; the Australian High Commission in New Delhi for the 2010 Commonwealth games; the Australian Embassy to the Holy See for the canonisation of St Mary MacKillop in October 2010 and the Australian Embassy in Chile in response to the earthquake in February 2010. These accounts are now closed.

DFAT launched an official generic Twitter account (@dfat) on 7 April 2011. Its primary purpose is to complement the Department's traditional forms of communication and to accompany information published on its websites in order to reach a wider and increasingly mobile audience.

(c) YouTube

Two Australian overseas missions have active YouTube, or local equivalent, accounts.

The Australian Embassy in Seoul established a YouTube account to promote official events associated with the Australia-Korea Year of Friendship 2011 and the Australian Embassy in Beijing established a Youku account (China's equivalent of YouTube) to promote official events associated with the 2010-11 Imagine Australia Year of Australian Culture in China. Both accounts were established in January 2011 (see Question 1).

In addition, four dedicated YouTube channels have been established since December 2010. These include a DFAT channel and channels for Mr Rudd, Dr Emerson and Mr Marles.
AusAID

(Question No. 552)

Senator Johnston asked the Minister representing the Minister for Foreign Affairs, upon notice, on 25 March 2011:

(1) Of the 487 Australian adviser positions in Papua New Guinea that were considered by the AusAID review, how many are currently filled by former AusAID staff.

(2) How many Canberra-based AusAID officials have travelled to Papua New Guinea since the 2010 election, including: (a) the cost of their travel; (b) the location of their stay; (c) the names of the hotels in which they stayed; (d) the total cost of their accommodation; and (e) if any additional security measures were required for their travel, the cost.

(3) How many AusAID officials have visited the Southern Highlands region of Papua New Guinea since the 2010 election.

Senator Conroy: The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

(1) Six of the 487 adviser positions considered by the Joint Adviser Review in Papua New Guinea are currently filled by former AusAID employees. Of these six, four individuals are Papua New Guinea nationals.

(2) 89 AusAID Canberra-based officials have travelled to Papua New Guinea between 21 August 2010 and 30 June 2011.

(a) The total cost of this travel, including accommodation, meals and incidental costs, was $495,031.

(b) (c) and (e) Consistent with the practice of successive governments, AusAID does not comment on the nature of specific security measures, personnel movements or locations where this information may put staff at risk. AusAID has put in place some new measures to protect our staff in Port Moresby and we are providing our staff with a higher level of security than before. AusAID closely monitors the security environment in Papua New Guinea and ensures all necessary protective security measures are in place to mitigate the risk to AusAID officials when travelling to PNG.

(d) The total cost of their accommodation was $115,162.

(3) Four AusAID officials have visited the Southern Highlands region of Papua New Guinea since the 2010 Australian election.

Uranium Mining

(Question No. 578)

Senator Ludlam asked the Minister representing the Minister for Trade, upon notice, on 4 April 2011:

With reference to uranium mining in Africa by Australian mining companies:

(1) Did any departmental officers attend the Indaba mining conference held in Cape Town in February 2011; if so, who attended and with what purpose and outcome.

(2) What further discussions or correspondence has the department had with representatives of the Australia-Africa Mining Industry Group or mining industry representatives in relation to possible partnerships between Australian mining companies operating in Africa and AusAID.

(3) What companies, bodies and officers have been involved in this discourse and with what outcomes.

QUESTIONS ON NOTICE
(4) Can an outline be provided of the process for the sale of the Australian mining company Mantra Resources Limited to the Russian nuclear company ARMZ Uranium Holding Co.

(5) What role does the department play in any assessment or approval of such a sale.

(6) Has the department provided any advice to any party or agency, for example, the Foreign Investment Review Board, on this sale.

(7) (a) What government assessment, due diligence or approval is required in such a case; and (b) what are the mechanisms for realising this.

(8) Does the department expect or require Australian mining companies operating in Africa to abide by standards comparable to those that apply in Australia and to observe responsible international practice; if so, how is this expectation or requirement given effect.

(9) What is the department's position on the current situation of the Bannerman Resources Etango Project in Namibia, particularly in relation to the public comment period on the project being completed prior to the public release of the environmental and social impact assessment and the environmental and social management plan (both key environmental assessment documents).

Senator Conroy: The Minister for Trade has provided the following answer to the honourable senator's question:

(1) Yes. The Mining Indaba conference was attended by Assistant Secretary, Africa Branch, and Director, Western Australia State Office, Department of Foreign Affairs and Trade, as well as the Heads of Mission of Australia's diplomatic missions in sub-Saharan Africa: High Commissioner, Abuja; High Commissioner, Accra; Ambassador, Harare; High Commissioner, Nairobi; High Commissioner, Port Louis; and High Commissioner, Pretoria. Also in attendance were Second Secretary, Australian High Commission, Accra; and Australian High Commission, Pretoria.

DFAT officers participated in a number of events at the Indaba conference designed to promote the Australian mining sector and to facilitate its contacts with African governments and companies.

The DFAT presence at Indaba helped to facilitate access to African government decision-makers for Australian businesses, demonstrate support for Australian commercial interests in Africa and enhance existing Government-to-Government linkages.

All the DFAT staff listed above also participated in a consultative meeting between Australian Government agencies and the Australia Africa Mining Industry Group (AAMIG).

(2) As noted in response to question 1, DFAT chaired a consultative meeting between Australian Government agencies and the AAMIG, held in the margins of the Mining Indaba conference in Cape Town on 9 February 2011. The question of potential cooperation between Australian mining companies and AusAID in the area of corporate social responsibility in Africa, as well as in capacity building for African governments, was discussed at the meeting. This was the second such consultative meeting between AAMIG and Government agencies. The first meeting was held in the margins of the Africa DownUnder mining conference in Perth on 2 September 2009.

(3) Representatives of the following companies on the interim committee of AAMIG participated in the industry-government consultative meeting in Cape Town on 9 February: Adamus Resources, Anvil Mining, Chalice Gold, Middle Island Resources, Paydirt Media, Platinum Australia, Resolute Mining, Sundance Resources. Representatives of Curtin University and Unity Mining also attended the meeting. In addition to DFAT, government agencies participating in the Cape Town meeting were AusAID, Austrade, the Export Finance Insurance Corporation and the Department of Immigration and Citizenship. The DFAT officers participating were those listed in the answer to question 1 above.

At the 9 February meeting, Government representatives advised that that co-funding of social responsibility programs of mining companies in Africa will not be a focus of the Government's mining-related development assistance to Africa. AAMIG was invited to provide input to government on the
direction of future capacity building assistance to strengthen the governance of the resources sector, which is the focus of Australia's aid program in relation to extractive industries in Africa.

AusAID is seeking to promote further consultation on how Australian stakeholders (Commonwealth and State government agencies, the mining industry, academia, non-government organisations) can work together to contribute towards improved mining governance; improved social responsibility in mining; and improved research and teaching capacity in selected countries.

(4) This question should be referred to the Foreign Investment Review Board (FIRB) which is responsible for examining proposals by foreign persons to invest in Australia and makes recommendations to the Treasurer on those subject to the Foreign Acquisitions and Takeovers ACT 1975 and Australia's foreign investment policy.

(5) The Treasury, as the Secretariat for FIRB, consults relevant agencies, including DFAT, to seek comment or information on the investment proposal in order to prepare advice for the Treasurer.

(6) DFAT provided advice to FIRB on 28 January 2011.

(7) This question should be referred to the FIRB.

(8) The Government expects Australian mining companies operating in Africa to abide by local laws and standards and to conduct themselves in accordance with internationally recognised standards for corporate social responsibility, including the OECD Guidelines for Multinational Enterprises, the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones and the UN Global Compact.

This expectation is conveyed through regular industry outreach in Australia (including seminars targeted at the mining industry) on "trading with integrity", to highlight Australian laws applying to Australian companies trading internationally (including laws prohibiting bribery of foreign public officials). The outreach activities also encourage companies to adopt best practice principles, including the OECD Guidelines. Offshore outreach activities on the expectations and obligations of Australian companies also occur.

When providing assistance to Australian companies overseas, the Department reminds companies of their obligations to comply with local laws and Australian laws with extraterritorial effect. It also encourages Australian companies to seek legal advice in the jurisdiction in which it operates to help ensure companies properly observe the local laws.

(9) The Australian Government expects all Australian mining companies to comply with the relevant laws of foreign jurisdictions.

Sustainability, Environment, Water, Population and Communities

(Question No. 705)

Senator Siewert asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 22 June 2011:

Given that in 2002 the Commonwealth contributed $75 million to Water for Rivers to fund water savings for River Murray Increased Flows (RMIFs) and, under its Snowy Water License,

Snowy Hydro Ltd (SHL) stores the accumulating RMIFs as Above Target Water over which Snowy Hydro has complete discretion and has only ever made one release of RMIFs in 2005-06, and that now the New South Wales Office of Water is proposing further changes to the Snowy Water License which will place severe restrictions on releases of RMIFs limiting them to years when SHL Above Target Water account is over 800GL and permitting release only of a volume to reduce the Above Target Water to no less than 800GL.
(1) Does the Minister support these proposed variations to the conditions of the taxpayer-funded RMIFs that will effectively eliminate any RMIF releases in drought years, the very time that the River Murray would have most need of increased volumes of environmental water.

(2) Why is the Government proceeding with the Snowy Water Licence revision process at this time when there is still no Snowy Scientific Committee to comment on the potential environmental impacts on the River Murray of the proposed changes as required under the Snowy Hydro Corporatisation Act 1997.

(3) Why has the RMIF's account not been put under the control of the Commonwealth Environmental Water Holder to guarantee the accumulating account is released annually as required by the River Murray and according to the advice of the Snowy Scientific Committee for the river's best environmental outcome.

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

(1) The Minister supports the proposed variations.

(2) The status of the Snowy Scientific Committee is not relevant to these variations. Under its governing legislation, (Snowy Hydro Corporatisation Act 1997, NSW), it is not a function of the Snowy Scientific Committee to comment on any proposed variation to the Snowy Water Licence.

(3) Transferring control of the RMIF account to the Commonwealth Environmental Water Holder would not in itself change the regulatory regime which governs the release of Above Target Water held in Snowy Scheme storages.

**Pontville Detention Centre**

(Question No. 707)

Senator Abetz asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 23 June 2011:

In regard to the Pontville Detention Centre:

(1) What is the cost of the security for the facility per day.

(2) What has been the total cost for the facility to date.

(3) How long is the facility expected to operate for; and specifically:
   (a) on what date and will the facility open for business as a detention centre; and
   (b) on what date will the facility close as a detention centre.

(4) What is the estimated cost of the security for the facility over the term of operation as a detention centre.

(5) What is the cost of running large flood lights and hut lights at the facility which are left on all night

Senator Carr: The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

(1) Until the site is fully operational, the Department's detention service provider has engaged a local contractor to provide site security services. The cost of this service is $2,334.82 (inclusive of GST) per day.

(2) As at 3 July 2011 the security cost for the Pontville Immigration Detention Centre is $196,124.74 GST inclusive.

(3) The Pontville Immigration Detention Centre is a temporary facility and will be used for 6 months.
(a) The Pontville Immigration Detention Centre opened on 1 September 2011.
(b) The Pontville Immigration Detention Centre will operate for 6 months.
(4) Final cost is not available as the Pontville Immigration Detention Centre has only been operational for a short period.
(5) The Department has not yet received an invoice for energy usage at the Pontville Immigration Detention Centre.


defence

(Question No. 712)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 23 June 2011:

In regard to the DLA Piper Review of Allegations of Sexual and Other Abuse (and related matters) in Defence:

(1) How many people lodged a complaint before 17 June 2011.
(2) What immediate feedback/reply was provided to each of these complainants.
(3) Did the feedback/reply include an immediate verbal response to these complainants, many of whom could be described as being highly traumatised in having the courage to bring to the attention of authorities their ordeals; if not, why not.
(4) To date, how many people have lodged a complaint since the 17 June 2011 deadline.
(5) How many staff have been assigned to look through these complaints both at DLA Piper and within the department.
(6) Who in the department is overseeing this review, and what is their role.
(7) What is the expected cost of this review.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

Several of the following questions required detailed information regarding the operation of the external legal review being conducted by DLA Piper. Responses to those questions are based on information provided by DLA Piper.

(1) By 17 June 2011, the DLA Piper Review had received communications, either directly or referred by the Minister for Defence’s Office, from approximately 1,100 people. Not all of the communications received by the Review contain 'complaints'. For example, some of the communications include general statements about the actions which the Minister is taking in relation to sexual and other abuse in Defence. DLA Piper has advised that some of the complaints received are not within the scope of the Review because they do not relate to sexual or other abuse in Defence.

(2) DLA Piper has provided the following advice in relation to this question:

The immediate feedback/reply which was sent to a person who contacted the Review depended on whether the person sent an email to one of the email mailboxes set up for the Review or called the Review's 1800 number.

The Review mailboxes received incoming messages 24 hours a day 7 days a week. From 10 May 2011 until Wednesday 15 June 2011 people who sent an email to a Review mailbox received an immediate automated response which said:

You have reached the email address for the Review of Allegations of Sexual and other Abuse in Defence.

If this is your first contact with Review please read the attached Information Sheet which:
• Introduces the Review of allegations of sexual and other abuse in Defence
• Explains what the Review can do to protect your identity and the confidentiality of your information
  Once you have read the information sheet please fill in the attached forms and return them to us
• to tell the Review if you want your identity or information to remain confidential;
• to let us know if you would prefer to deal with a team member who is the same sex as you;
• to let us know the best way for us to get back to you to set a time to take your information.

You can call the Review on 1 800 424 991 2.00 pm – 9.00 pm Monday to Friday.

Attached to the email were the information sheet and the two forms referred to in the email with instructions on how to return the completed forms to the Review.

On Wednesday 15 June 2011 the automated response was changed to say:

You have reached the email address for the Review of Allegations of Sexual and other Abuse in Defence.

If this is your first contact with Review further details as to how to provide information to the Review will be forwarded to you shortly.

That message remained as the automatic email message until the close of the period for making allegations to the Review at 9.00 pm on the evening of Friday 17 June 2011.

The 1 800 number was staffed with lawyers from 2.00 pm to 9.00 pm Eastern Standard Time Monday to Friday from Tuesday 10 May 2011 to Friday 17 June 2011.

The lawyers staffing the 1 800 number were instructed on the background to the Review and on the sensitivities involved in taking statements from people who have been abused. These lawyers were provided with a script for taking calls on the 1 800 number. The lawyers who took calls on the 1 800 number adapted their feedback/reply to the caller according to the circumstances of the call.

The 1 800 number was set up so that if a call came in outside of the hours of 2.00 pm to 9.00pm Monday to Friday, or if all the rostered lawyers were engaged taking calls, then the caller was diverted to a detailed message which invited the caller to nominate an address and time and number for call back and - if they wished to speak to someone of their own sex - to say so in the message.

The Review Team discovered that the recorded message malfunctioned on some occasions and did not allow the caller to leave a message. This malfunction was repaired promptly on each occasion that this was discovered.

The recorded message facility had been tested satisfactorily Tuesday 10 May 2011 the day on which the DEFGRAM was issued inviting Defence personnel to contact the Review.

At 9.15 pm on Friday 13 May 2011 one of the Review team discovered that the voicemail looped the recorded message and did not allow the caller to leave a message. The DLA Piper IT team investigated over the weekend and identified a software problem. The problem was resolved on the evening of Sunday 15 May 2011. The telephone log indicates that there were no attempted calls to the 1800 number between the evening of Friday 13 - Sunday 15 May.

In these early days of the operation of the 1 800 number very few calls were coming to the 1 800 number.

No-one who spoke to one of the Review’s phone roster staff in this early period of operation of the 1 800 made any mention of difficulties with the recorded message.

Around 2.40pm on Monday 30 May it was discovered that a phone which had been used for a 1 800 roster on the evening of Friday 27 May had not been taken off 1800 operation and was ringing without a rostered lawyer to take a call. This was remedied within the hour. From then until 17 June 2011, a
staff member called the 1 800 each business day and left a test message. No problems were detected with the working of the recorded message facility.

Until the last week of the operation of the 1 800 call roster, almost all of calls to the 1 800 number during the 2.00pm to 9.00 pm Monday to Friday hours were taken as they came in.

Each caller who left a voicemail message with a return telephone number was called back at least once. Generally, a call back was made within two business days of a message having been left.

However, on Monday 13 June 2011, which was the start of the last week of operation of the 1 800 number, there was a program about abuse in Defence on ABC television's Four Corners program. That program included reference to the 17 June close of the period for people to provide allegations to the Review.

The next day, and for the remainder of that week, there was a surge in the number of calls to the 1 800 number. In response to this surge in calls, the Review rostered extra staff to take calls on the 1 800 number during the 2.00 pm to 9.00 pm periods and to return calls to people who had left messages. Review team lawyers returned calls to all persons who had left a message during the week 13-17 June by the end of that week. The last return calls by Review team lawyers were made around 10.00 pm on the evening of Friday the 17th after the 1 800 number roster had ceased at 9.00 pm.

As at 10pm on 17 June 2011, the Review was unable to make contact with only three people. Of those, one person did not leave a return telephone number, another did not have a voicemail service on which to leave a message and the other person did not leave a message.

The Review Team does not leave messages because of the subject matter of the calls.

The Review has now made contact (whether by telephone, email or post) with everyone who contacted the 1800 number before and since 17 June 2011.

(3) The immediate reply/feedback to people who called the 1 800 number during the hours of 2.00 pm to 9.00 pm Monday to Friday for most of the weeks of operation of the number included a verbal response with a lawyer taking calls or a verbal response by call-back to callers who left a message.

The immediate feedback-reply response to people who sent emails to a Review mailbox was the automatic email with the attachments as explained in the answer to Question 2.

The reasons why the Review did not arrange for people sending an email to a Review mailbox to get an immediate verbal reply included: it was not practical to have staff available to read and assess all of the emails coming in to the Review mailboxes 24 hours a day, 7 days a week and to provide an immediate and informed verbal reply as soon as the emails came in; the emails coming into the mailboxes were reviewed each business day to identify any that appeared to need urgent action such as notification to the Australian Defence Force Investigative Service (ADFIS); at the same time as the Review was receiving calls and receiving emails, the Review was also considering what level of follow up and information-gathering would be appropriate and achievable in time for report by the end of July (which was the delivery date contemplated at the start of the Review).

The Review did take into account that some of the people contacting the Review would be traumatised.

However, the Review considered and formed the view that it was neither feasible nor appropriate to make telephone calls – immediate or otherwise - to all people who sent an email to the Review regardless of the circumstances. The Review decided that it should only make calls where it was appropriate to do so. In deciding whether it was appropriate to do so the Review took into account a number of considerations including: whether the person who sent the email is the (alleged) victim or is closely connected with the victim or is someone who claims to be a witness to abuse or to have heard second or third hand reports of abuse; whether the person has already provided enough information for the Review to be able to report on the allegation; whether the matter raised in the email is out of scope for the Review; how serious is the abuse alleged in the email; whether there is any indication that the
person who sent the email is or may be distressed; whether detailed information about an allegation could be gathered most accurately, effectively and most conveniently for the informant by sending them a statement form with guidance on how to complete the form.

The concern that some of the people would be traumatised was also taken into account in the guidance given to lawyers involved in taking and returning calls to the 1 800 number. The background material provided to lawyers involved in calls and the script used in these calls were developed in consultation with Dr Susan Harris Rimmer who is an expert in communicating with victims of sexual assault. This script was also submitted to the Office of the Defence Force Ombudsman for comment.

The script for making return calls included contact numbers for counselling services organised by Defence. If a caller appeared to be distressed, the Review team lawyers provided those numbers to the caller.

The Review was concerned that if it took information from people before they had considered and decided whether they wanted to put restrictions on disclosure of their information, then it might not be possible to maintain confidentiality for their information.

The automatic email response and the documents attached to the automatic response were designed to provide a basis for people contacting the Review to make informed decisions about these matters. The process and the information sheet and the attached forms were developed in consultation with Dr Susan Harris-Rimmer. The attachments were submitted to the Office of the Defence Force Ombudsman for comment.

(4) As at 1 September, approximately 138 late new complainants have contacted DLA Piper since 9.00 pm on Friday 17 June 2011.

(5) DLA Piper has assigned 21 senior lawyers and approximately 46 junior lawyers and paralegals to the Review. The firm has also engaged one full time barrister to advise the Review and another barrister on a part-time basis to advise the Review. No Department personnel are involved in the Review’s analysis of complaints.

(6) Dr David Lloyd, Defence General Counsel has day to day responsibility as Defence’s primary point of contact for the Review.

(7) As at 1 September 2011, the DLA Piper Review is anticipated to cost in excess of $6 million.

Export Finance and Insurance Corporation

(Question No. 722)

Senator Ludlam asked the Minister representing the Minister for Foreign Affairs, upon notice, on 29 June 2011:

With reference to finance provided by the Export Finance and Insurance Corporation (EFIC) to the Papua New Guinea Liquefied Natural Gas (PNG LNG) project and to two reports commissioned by EFIC relating to investor risk and security needs assessment, the answer to part D of question no. 23 taken on notice during the 2010-11 additional estimates hearings of the Foreign Affairs, Defence and Trade Legislation Committee suggests that EFIC may not have seen the security assessment:

(1) Was Control Risk Asia Pacific commissioned by EFIC to undertake a security and investor assessment of the PNG LNG project.

(2) Did Control Risk Asia Pacific accompany EFIC representatives to PNG to meet with project joint venture companies.

(3) Did EFIC provide Cabinet with the full Control Risk Asia Pacific assessments; if not, why not considering the vast proportion of finance came from the National Interest Account not the EFIC Commercial Account.
(4) Did EFIC provide the department with the Control Risk Asia Pacific PNG LNG assessments; if so, did the department provide any comments and to whom.

(5) Did EFIC provide AusAID with the Control Risk Asia Pacific PNG LNG assessments; if so, did AusAID provide any comments and to whom.

(6) Given that three out of the six Export Credit Agency financiers of the PNG LNG project (Australia, Japan and China) provide overseas development aid (ODA) to the PNG Government, to what degree will the nature and priorities of Australia's ODA to PNG change during the construction and production stages of PNG LNG.

(7) Are there any provisions in the project finance contract or associated contracts between the project joint venturers and EFIC/Australian Government relating to landowner benefit sharing; if so, can a general description be provided, while respecting commercial in confidence aspects of the contract.

(8) As a project financier is EFIC or the Australia Government concerned about the current level of conflict and landowner dissatisfaction arising from the distribution of business grants and contracts in the project areas.

(9) Has EFIC or the Australian Government communicated anything to the project joint venture companies or the PNG Government about this issue.

(10) Did the Australian Government directly or indirectly have representation at the Kokopo Umbrella Benefits Sharing Agreement development forum held in April and May 2009.

(11) Can a list be provided of all the meetings attended by the Australian High Commissioner in PNG in relation to the PNG LNG project.

(12) What does the Minister believe is the biggest security and investment risk to the PNG LNG project going ahead.

(13) What control does the Australian Government have over this risk.

**Senator Conroy:** The Minister for Trade and the Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

(1) No. EFIC did not commission any reports from the Control Risk Asia Pacific Group. However, the Control Risk Asia Pacific Group was separately engaged by Esso Australia to prepare two reports. The first report was for the lenders to the PNG LNG project with respect to security issues relating to the PNG LNG project. EFIC received the final version of this report in December 2009. The second was a report for the sponsors on security matters. EFIC has not received or reviewed the sponsors' report.

(2) No, Control Risk Pacific Asia staff have not accompanied EFIC representatives to any meetings in PNG.

(3) It is not appropriate to comment on Cabinet processes.

(4) EFIC has not provided DFAT with the lenders' report from Control Risk Asia Pacific Group. The lenders' report formed one part of EFIC's comprehensive due diligence process in which EFIC received independent advice on, or verification of, a number of key risk factors. The lenders' report, amongst other due diligence material, enabled EFIC to provide a detailed credit assessment to DFAT in respect of the proposed NIA transaction.

(5) No.

(6) The following answer has been provided by the Minister for Foreign Affairs:

The construction and production phases of the PNG LNG Project will not affect the nature and priorities of Australia's ODA to PNG. In accordance with jointly agreed priorities, the aid program to PNG will focus assistance on education and health, including HIV/AIDS, and maintain support for law
and justice and transport. Australia is providing advice to the PNG Government on how it may manage the governance impacts of the LNG project and to establish mechanisms to manage anticipated revenues for the benefit of the people. This support is being managed separately from the aid program.

(7) PNG law governs which landowners, local and provincial governments are entitled to benefit from the PNG LNG project.

- The distribution of these benefits is documented under Benefits Sharing Agreements (BSA) which have been agreed between the affected landowners and the various levels of government in Papua New Guinea.
- These BSAs are not under the control of the project joint venturers. Accordingly, the scope of provisions in the project finance documentation relating to these matters is limited. These provisions do not give the lenders the right to intervene in such matters.

(8) Negotiations with local landowners are principally a matter for the PNG Government, landowner associations and LNG project partners.

(9) Negotiations with local landowners are principally a matter for the PNG Government, landowner associations and LNG project partners. Neither EFIC nor the Australian Government has had any communication with the PNG Government on those negotiations.

(10) No. The Kokopo Umbrella Benefits Sharing Agreement development forum participants comprised mainly PNG government representatives (at national, provincial and local levels) and PNG landowners. There were no Australian Government representatives at the forum.

(11) It would not be feasible to provide a list of meetings attended by the High Commissioner in relation to the PNG LNG Project because of the large number of meetings in which it was discussed. Given the significance of the project to PNG, the project is discussed regularly by the Australian High Commission.

(12) It is not appropriate for an opinion on security and investment risk to be provided.

(13) The Australian government cannot exert control over security risks in third countries.

- The Australian Government does provide advice on security in its travel advisories. The DFAT travel advice for PNG includes advice on areas in which the PNG LNG project is located.

**Defence**

(Question No. 789)

**Senator Johnston** asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

As at 30 June 2011:

1. From which areas of expenditure will the enhanced force protection measures be made.

2. What specific programs will be cut or deferred to meet this cost.

3. Why did the Government cease disclosing deferrals in expenditure in the 2008-09 Budget which has continued through to the 2010-11 Budget.

4. (a) What are the specific deferrals in expenditure since 2008-09; and (b) why have these deferrals been made.

5. What percentage increase, if any, will be made to enable future capital equipment initiatives over the forward estimates period.

6. As it is not clear in the 2011-12 Budget, what specific projects are planned for approval in 2011-12.
(7) (a) What programs in 2011-12 will now have to be resourced through absorbed costs; and (b) what programs have been cancelled or deferred to enable these costs to be absorbed.

(8) Of the $20.6 billion worth of savings under the Strategic Reform Program (SRP) it would appear that $4.6 billion of this involves the re-allocation of funds and is not a savings item at all – how can this claim of savings be made when it is in fact a reallocation of funds.

(9) Under the SRP: (a) why has the number of civilian employees to be cut been reduced from the forecast 3,125; and (b) what is the new figure.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) In the 2010-11 Budget, the Government agreed to invest a total of $1.6 billion in Enhanced Force Protection Capabilities in Afghanistan. Of this:
- $485m was included in Operation Slipper funding;
- $912m was funded from within the extant Defence Budget; and
- an additional $224m was provided by the Government.

The Defence component of $912 million has been funded by:
- reprogramming and reprioritisation of the Defence Capability Program and the Major Capital Facilities Program (primarily Single Leap 2) ($436m),
- reprogramming and reprioritisation of existing capability projects ($402m); and
- other minor reductions elsewhere in the Defence budget ($74m).

(2) Defence has either delayed or revised the expenditure spread for a total of 11 Defence Capability Plan Projects to fund the Force Protection Review.

(3) Defence has not ceased disclosing information. As a consequence of the 2009 Defence White Paper, a new funding model was applied to the Defence budget and therefore there was no appropriation reprogramming in the 2009-10 budget.

Appropriation reprogramming was again undertaken in the 2010-11 budget as shown in the Portfolio Budget Statements 2010-11 (Pg 22, Table 10: Budget Measures and Other Budget Adjustments).

(4) (a) and (b). As per Attachment A (available from the Senate Table Office).

(5) The total Major Capital Investment Program is $5,128.6m in 2011-12 and $16,015.6m over the 12-13 to 14-15 forward estimates period (refer Table 14 of the Portfolio Budget Statements 2011-12). The amounts in each year of the Major Capital Investment Program is not managed on a percentage increase basis but rather reflects the cash flow required to support the delivery of particular projects. This may or may not be a linear relationship.

(6) Significant Defence Capability Plan (DCP) projects in development for consideration by Government are provided on pages 90 and 91, tables 44 and 45 of the Portfolio Budget Statements 2011-12. The DCP was also publicly released in 2011. This publication and its associated regular updates are available through the Defence website (refer http://www.defence.gov.au/dmo/id/dcp/dcp.cfm)

(7) (a) and (b) As shown on page 28, table 11 of the Portfolio Budget Statements 2011-12, the following programs have been absorbed within Defence's existing operating budgets in 2011-12:
- National Security - Baghdad embassy. Defence will absorb costs associated with the final transition to civilian security arrangements.
- Coastal surveillance.
- RAAF base Williamtown - Improving aircraft noise management.
The total amount to be absorbed by the Department of Defence for Operations and Enhanced Force Protection Capabilities in 2011-12 is $367.9m as shown on page 32, Table 13 of the Portfolio Budget Statements 2011-12. The absorbed funding for Enhanced Force Protection Capabilities will predominantly be funded from Defence's existing capital investment program.

(8) The Strategic Reform Program is a comprehensive program that features many aspects of reform that are not directly focused on efficiency. The reallocation of funds in the "Other Cost Reductions" component reflects an increase in the efficiency with which Defence allocated resources. It also reflects improved Defence planning and understanding of the Defence Budget. These are all key outcomes of the Strategic Reform Program.

(9) As recommended by the Defence Budget Audit (DBA), Defence undertook a detailed diagnostic to validate the DBA findings to ensure reform is sustainable and achievable. This meant that Defence's approach to specific reform initiatives diverged from the initial analysis provided in the DBA. While workforce implications have changed following the diagnostics, the overall cost reduction target of $20 billion by 2018-19 will still be achieved.

Members of Parliament and other interested parties have combined workforce reductions from efficiency savings and the 0.7% productivity to give DBA workforce reduction totals of 3125 civilians and 1713 military compared to SRP reductions of 1708 civilians and 859 military.

The difference is attributed to adjustments to DMO and DSTO workforce savings, removal of operational and capability related workforce from the baseline and savings, inclusion of Efficiency and Effectiveness savings for DMO and DSTO, and inclusion of Logistics workforce savings.

Within SRP, there is growth within civilian positions under the Workforce and Shared Services Reform (WSSR) and Non Equipment Procurement Streams. The total workforce growth is 1,416 (Civilianisation 535 and Contractor Conversions 881) across the decade realizing approximately $1b in savings due to the reduced cost of employing civilians into these support roles.

Total APS efficiency improvements comprise APS WSSR efficiency savings of 1374 FTE, 5 FTE associated with ADF Gap Year reductions and 0.7% Productivity savings of 729 FTE. The net workforce impact by 2018-19 after taking into account FTE workforce growth associated with Contractor Conversions and Civilianisation is a saving of 1573 FTE.

Further savings of up to 124 FTE associated with Logistics Stream reform are yet to be finalised.

The ADF efficiency improvements comprise 400 AFS Efficiency savings, civilianisation of 535 positions, 239 AFS associated with ADF Gap Year reductions and 455 AFS for 0.7% Productivity savings. Further savings of up to 38 AFS associated with Logistics Stream reform are yet to be finalised.

**Defence**

*Question No. 844*

*Senator Ludlam* asked the Minister representing the Minister for Defence, upon notice, on 25 July 2011:

Can the department:

1. Confirm its statement that a total of 182 Australian soldiers deployed to Afghanistan have been wounded.
2. Confirm that the Department of Veterans' Affairs has accepted 2200 claims from wounded and injured soldiers, compensating 920 of them.
3. Confirm whether or not it was aware of the number of injured and wounded soldiers who have received compensation from the Department of Veterans' Affairs, prior to them being published in an article which appeared in the *West Australian* newspaper on 16 July 2011.
(4) Explain the discrepancy in numbers of wounded Australian soldiers publicly stated, compared with the number of:
   (a) wounded soldiers compensated by the Department of Veterans' Affairs; and
   (b) injured soldiers compensated by the Department of Veterans' Affairs.

(5) Disclose the number of soldiers who were wounded or injured in Afghanistan who are currently still serving in the Defence system.

(6) Disclose the number of wounded and injured soldiers whose claims for assistance have been made through Centrelink.

(7) Provide a detailed breakdown of the types of wounds and injuries sustained by soldiers in Afghanistan who have received compensation through the Department Veterans' Affairs.

(8) Provide a detailed listing of the types of treatment and support offered to wounded soldiers returning from Afghanistan.

(9) Explain why it does not yet centrally collect and analyse injuries suffered by soldiers on deployments (including injuries lodged with the Department of Veterans' Affairs,) despite having said it would move to do this back in 2004.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

I am advised as follows:

(1) Defence can confirm that 182 Australian Defence Force (ADF) personnel have been wounded as at 4 August 2011 as a result of combat action. As at 12 October 11, the number is 201.

(2) As at 30 June 2011, the Department of Veterans' Affairs (DVA) has accepted approximately 2200 claims for injuries and diseases which have been wholly or partially attributed to Afghanistan service under the Veterans' Entitlements Act 1986 (VEA); the Safety, Rehabilitation and Compensation Act 1988 (SRCA); and the Military Rehabilitation and Compensation Act 2004(MRCA). These claims relate to around 920 individuals who have had one or more claims accepted.

(3) No, this information was not centrally collated by Defence. The Minister for Veterans' Affairs and Defence Science and Personnel has asked the Department of Defence to collate all compensation claims in the future, and report them to him on a quarterly basis. He has also asked the Department of Veterans' Affairs to amend their processes to ensure that the current status (that is, active or retired) of ADF members is asked with all compensation claims.

(4) There are no discrepancies, but a range of reasons for the difference in the figures held by Defence and DVA which relate to wounded and injured personnel.

The terminology "wounded" has specific meaning which is to sustain an injury directly related to combat. DVA does not classify conditions as "wounds" and the term is not used in the DVA claims process. Therefore, all claims for compensation are for injuries or diseases which may or may not be directly related to combat, and for "wounds" which do directly relate.

The Defence figure relates to individuals wounded and does not specify those ADF members with multiple wounds. The DVA figures relate to claims for injuries and diseases not to individual claimants. Some claimants have lodged multiple claims under the VEA, MRCA or SCRA or have claims lodged across all three Acts.

Not all ADF personnel who are wounded/injured seek compensation from DVA at the time of injury. They may in fact seek compensation many years after the initial injury or illness, or after they have left the Australian Defence Force.
Currently serving personnel have comprehensive health care services provided by Joint Health Command irrespective of how the injury was sustained. This may mean that compensation claims are made later in an individual's career or prior to discharging from full time service.

There will be individuals who lodge claims that are not accepted in whole or in part.

A number of conditions (such as mental health conditions) may present in the days, weeks, months, years or decades following a deployment, creating a time lag between when the condition occurred, when it was diagnosed and the submission of a compensation claim.

(5) DVA does not centrally record whether a claimant is a current or former member of the ADF. At the time that DVA receives a claim, the claimant will disclose their employment status as this issue may impact on the types of benefits an individual can access. Compensation claim acceptance notification is included within an individual's health record and is not centrally collated. Individuals receiving compensation are not required to inform Defence that they are in receipt of a compensation payment. The Minister for Veterans’ Affairs and Defence Science and Personnel has asked the Department of Defence to collate all compensation claims in the future, and report them to him on a quarterly basis. He has also asked the Department of Veterans’ Affairs to amend their processes to ensure that the current status (that is, active or retired) of ADF members is asked with all compensation claims.

(6) While it is possible that some serving members may have applied to Centrelink for benefits, neither DVA nor Defence have access to Centrelink data.

(7) As at 30 June 2011, approximately 3400 disability claims have been submitted to DVA which are partially or wholly attributable to service in Afghanistan under the Veterans’ Entitlements Act 1986; the Safety, Rehabilitation and Compensation Act 1988; and the Military Rehabilitation and Compensation Act 2004. Of these, 2200 claims have been accepted. The list of conditions for which claims have been accepted include, but are not limited to, hearing, conditions affecting sight, whole body musculo-skeletal conditions including amputations and fractures, mental health conditions, skin conditions and a number of non-specified health conditions. A schedule of these is attached.

(8) Defence, through Joint Health Command, provide a comprehensive suite of health care services to all ADF personnel throughout their service careers irrespective of whether they are on deployment or serving within Australia. The provision of health care to ADF personnel is based on the individual's clinical condition to ensure that the most appropriate services and treatment options are accessed as they are required. These services include access to primary health care providers, specialist medical and hospital services, ancillary health care services such as occupational therapists, dieticians, physiotherapists, access to pharmaceutical support, rehabilitation services and mental health services and programs.

DVA provides a comprehensive range of medical, pharmaceutical, hospital and other treatments for eligible individuals, determined by specific clinical needs. This includes case co-ordinators which were introduced in early 2010 to assist clients, identified as with complex needs, to navigate DVA's services and benefits in order to minimise the risk of self-harm and maximise quality of life.

To ensure that the support provided to wounded, injured or ill members continues to meet the needs of the individual, and their families, and to ensure ease of access, Defence and Veterans' Affairs has jointly initiated the Support for Wounded, Injured or Ill Program (SWIIP) that will develop a whole-of-life framework for the care of injured or ill ADF members during their service and after transition from the ADF. As part of this program, DVA will be providing an On-Base Advisory Service to provide information and support to help ADF members and their family's access DVA services and benefits.

(9) Defence does collect data on all injuries/illnesses when they are reported using the Department's OH&S reporting system. This includes injuries that have been sustained by personnel serving in Afghanistan. This data is used to develop injury prevention strategies for the ADF. Reporting through

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the OH&S system identifies injuries sustained and reported while on deployment and also identifies injuries which may result in future health concerns.

**Tertiary Education, Skills, Jobs and Workplace Relations, and School Education, Early Childhood and Youth**

(Question Nos 900 and 901)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Minister representing the Minister for School Education, Early Childhood and Youth, upon notice, on 1 August 2011:

In regard to the department and all agencies within the Minister's portfolio:

1. Can a breakdown be provided of the number of staff and their location that administer each program.

2. How many regulations are associated with each program and for each program can the names of each regulation be provided.

3. Can a list be provided of all cross-portfolio programs within the portfolio and the departments and agencies involved.

4. Can a list be provided of all boards within the portfolio including for each board:
   - the length of the term of appointment;
   - the tenure of the appointment; and
   - the names of the members on the board.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

1. Resourcing for the management of programs, including ASL, administered on behalf of the Australian Government is not allocated, or recorded within financial management and human resource systems, on an administered program basis.

2. A full listing of all regulations that have been made under each Education, Employment and Workplace Relations (EEWR) portfolio Act, and as published in the current Administrative Arrangement Orders (of 14 October 2010) is provided at Attachment A (available from the Senate Table Office). Each Act, and related regulations have been recorded against the most appropriate EEWR outcome as published in the 2011-12 Portfolio Budget Statements.

3. There are currently no cross-portfolio programs managed by the Education, Employment and Workplace Relations portfolio.

   There are programs that are appropriated either jointly with, or directly to, the Treasury portfolio. This is a result of the Federal Financial Relations appropriation framework that requires centralised Commonwealth arrangements for financial support paid to States and Territories. The relevant Specific Purpose Payments and National Partnership are detailed in the 2011-12 Budget Paper No. 3 – Part 2: Payments for Specific Purposes at:
   
   Payments related to Education are detailed at page 49, and those related to Skills and Workforce Development are at page 59, of that publication.

4. Please see Attachment B (available from the Senate Table Office).

**Families, Housing, Community Services and Indigenous Affairs**

(Question No. 913)

Senator Boyce asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 16 August 2011:
In regard to the following answers to questions taken on notice during the 2011-12 Budget estimates hearings of the Community Affairs Committee:

(1) Given that in the answer to question no. 348, the department said that no staffing numbers had been reduced as a result of the efficiency dividend, what has been cut as a result of the efficiency dividend.

(2) Given that in the answer to question no. 352, the hospitality spend was $707,848 but according to the department, providing a breakdown of that hospitality spend would use a considerable amount of its resources, therefore can a breakdown be provided of alcohol, food and beverages information for the two most expensive hospitality functions held from 1 July 2010 to 31 May 2011.

(3) Given that in the answer to question no. 382, the department paid interest of $425.25 on an overdue account, how much and what was this account for, and why was it paid late so as to incur the interest charge.

(4) Given that in the answer to question no. 403, that as a result of savings achieved through efficiencies in Commonwealth property management, the department has requested its departmental appropriation be reduced by $10,497, can details be provided of how these savings have been achieved.

(5) Given that in the answer to question no. 361, for the financial year to date to 13 June 2011, the department had undertaken or is undertaking 183 consultancy contracts with a combined total value of $24.6 million (GST inclusive):

(a) for each of the following financial years, 2008-09 and 2009-10, can an outline be provided of how many consultancy contracts were undertaken and for each contract its value; and

(b) for each of the following financial years, 2008-09, 2009-10 and 2010-11, how many staff were employed by the department.

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

(1) The Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) manages the efficiency dividend through early allocation of internal budgets to Groups and States and linking business planning to available resources. Some examples of specific strategies to reduce costs include promoting video conferencing and reducing air travel where practicable, the introduction of Voice over IP telephony services, turning off IT equipment to produce power savings and consolidating property holdings.

(2) The two most expensive hospitality functions were the SES Recall Day ($19,021.50)—catering costs including morning and afternoon tea, lunch and dinner—$17,525 and refreshments including alcohol—$1,496.50; and the Expert Panel on Constitutional Recognition of Indigenous Australians ($3,510), catering costs—$2,520 and refreshments—$990. There was no alcohol provided.

(3) The interest charge of $425.25 was for Chartered Air Services and relates to the late payment of two invoices, one for $8,100 and the second for $6,075. These invoices were paid late as a result of being misplaced between FaHCSIA and the Department of Finance and Deregulation.

(4) The savings of $10,497 were achieved through a rationalisation of FaHCSIA's property portfolio which is continually monitored to identify savings and efficiencies.

(5)(a) For the financial year 2008-09, FaHCSIA undertook 291 new consultancy contracts with a combined total value of $37.3 million (GST inclusive). For the financial year 2009-10, FaHCSIA undertook 271 new consultancy contracts with a combined total value of $33.4 million (GST inclusive).
A listing of FaHCSIA's contracts (including consultancies), valued at $10,000 or more, is publicly available on the AusTender website and it includes the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement and the method of procurement.

(b) Staffing numbers for the previous three financial years were as follows:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>2008-09</th>
<th>2009-10</th>
<th>2010-11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staffing Numbers</td>
<td>3340</td>
<td>3572</td>
<td>3392</td>
</tr>
</tbody>
</table>

Families, Housing, Community Services and Indigenous Affairs

(Question No. 914)

Senator Boyce asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 16 August 2011:

With reference to the Department of Families, Housing, Community Services and Indigenous Affairs:

1. Can details be provided of the total hospitality spend for the 2010-11 financial year for each Minister and Parliamentary Secretary office that falls under that department, including for each event: (a) the date; (b) the location; (c) the purpose of the event; (d) its cost; and (e) in relation to any catering costs, an itemised list including the cost of food, beverages and alcohol.

2. In regard to the Minister for Families, Housing, Community Services and Indigenous Affairs, and the Minister for Employment Participation and Childcare and the Minister for the Status of Women: (a) what was the cost of each Minister's travel and expenses for the Community Cabinet meetings during the 2010-11 financial year; (b) how many ministerial staff accompanied the Ministers and what was the total cost of their travel; (c) how many department officers accompanied the Ministers and what was the total cost of their travel; and (d) can the total cost of travel and expenses also be itemised as per the cost to that department and the cost to the Ministers' offices.

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

1. (a) to (e) Hospitality for Ministers and Parliamentary Secretaries offices is paid for by the Department of Finance and Deregulation.

   The Department of Finance and Deregulation has advised that they did not fund any hospitality related expenses for any Ministers or Parliamentary Secretaries falling under the Families, Housing, Community Services and Indigenous Affairs Portfolio in the 2010-11 financial year.

2. (a) Travel expenses for Ministers, Parliamentary Secretaries and Ministerial staff are paid for by the Department of Finance and Deregulation.

   The Department of Finance and Deregulation has advised that the cost of Community Cabinet travel and expenses for the Minister for Families, Housing Community Services and Indigenous Affairs in the 2010-11 financial year was $5,192.90.

   The Department of Finance and Deregulation has advised that the cost of Community Cabinet travel and expenses for the Minister for Employment Participation and Childcare and Minister for the Status of Women in the 2010-11 financial year was $304.59.

   (b) The Department of Finance and Deregulation has advised that two Ministerial staff accompanied the Minister to the Redcliffe Peninsula Community Cabinet meeting on 2 December 2010 at a cost of $1,684.36.

   The Department of Finance and Deregulation has advised that two Ministerial staff accompanied the Minister to the Fremantle Community Cabinet meeting on 30 March 2011 at a cost of $3,491.67.
The Department of Finance and Deregulation has advised that three Ministerial staff accompanied the Minister to the Modbury Heights Community Cabinet meeting on 19 May 2011 at a cost of $2,728.90.

The Department of Finance and Deregulation has advised that three Ministerial staff accompanied the Minister to the Palmerston Community Cabinet meeting on 29 June 2011 at a cost of $3,360.36.

(c) Two departmental staff accompanied the Minister to the Redcliffe Peninsula Community Cabinet meeting on 2 December 2011 at a cost of $1,338.01.

Three departmental staff accompanied the Minister to the Fremantle Community Cabinet meeting on 30 March 2011 at a cost of $6,050.04.

Two departmental staff accompanied the Minister to the Modbury Heights Community Cabinet meeting on 19 May 2011 at no cost.

Four departmental staff accompanied the Minister to the Palmerston Community Cabinet meeting on 29 June 2011 at a cost of $2,985.18.

(d) The total cost of travel and expenses to the Department was $10,373.23. The total cost of travel and expenses to the Ministers' offices was $16,762.78.

Note 1: The information above relies on an assumption that all travel to and from relevant locations immediately before and after the relevant Cabinet meetings was for the purposes of attending the Cabinet meetings.

Note 2: The above figures include airfares and travelling allowance (including motor vehicle allowance) claims. They do not include travel by taxis (due to the difficulties determining exact destinations using the electronic information as provided by Cabcharge), COMCAR (which is charged directly to portfolio agencies) or travel on Special Purpose Aircraft (which is administered by the Department of Defence).

Note 3: Costs are GST Exclusive.

Sustainability, Environment, Water, Population and Communities

(Question No. 915)

Senator Johnston asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 17 August 2011:

(1) What was the total government contribution toward the purchase of Henbury Station in the Northern Territory by RM Williams Agricultural Holdings.

(2) Who holds the title to this property after the sale.

(3) Will the Government receive any financial return derived from future activities or enterprises operated on Henbury Station.

(4) What taxpayer benefits does the Government expect to deliver through this investment.

(5) Given that official statements by the Government refer to Henbury Station as a former pastoral property, has the land tenure changed from a perpetual pastoral lease; if not, is it the intention to change the land tenure.

(6) If the land use and therefore land tenure is changed what are the Native Title implications.

(7) Will this type of government assistance/investment be made available to other pastoral enterprises, particularly smaller private operators in the Northern Territory, considering that it has indicated that Henbury Station is a pilot project that could lead to other farms also being included in the program.
(8) Can a detailed assessment be provided of the environmental benefits to be gained from removing cattle from the property, given that the department already states that 70 per cent of the property largely remains in its natural condition at present.

(9) Can a copy be provided of the modelling which demonstrates how the project will achieve the company plan to sequestrate up to 1.5 million tonnes of carbon dioxide emissions per year for the next 10 to 15 years.

(10) Does the Government intend funding further baseline audits to allow other organisations to develop similar proposals for their businesses.

(11) Will the value of non Kyoto compliant carbon credits be subsidised by the Government as they currently have little to no value, and what will this cost be in future years.

(12) (a) what social and economic impact assessment did the Government undertake to establish the likely impacts on profitability of the remainder of the beef industry in that region and the impact of taking a significant food production property out of production and can that research be provided; and (b) what impacts will this have on the provision of services and infrastructure (given a very significant part of the industry no longer exists) leaving those still operating to bear a proportionately higher cost of service industry overheads and can any research be provided.

(13) Did the Government conduct any research into what impacts this contraction of local industry may have on the capital value of the other properties in the Alice Springs region, given that profitability will reduce and that reduced social strength will make the region less attractive to investment by traditional food producers; if so, can that research be provided.

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

(1) The Australian Government provided $9,195,667 (GST exclusive) from the Natural Heritage Trust Special Account (Caring for our Country) to R.M. Williams Agricultural Co. Landscape Management Pty Ltd to support the purchase of Henbury Station.

(2) R.M. Williams Agricultural Co. Landscape Management Pty Ltd.

(3) The Australian Government will not receive any financial return derived from future activities or enterprises operated on Henbury Station.

(4) The tax payer benefit to be delivered by this investment is the restoration of more than 500,000 hectares of land in central Australia and the in-perpetuity protection and ongoing conservation management of the environmental and cultural values of Henbury as part of the Australia's National Reserve System.

The Henbury Conservation Project will also act as a large demonstration project testing the potential to store carbon in Australia's rangelands while improving biodiversity and creating an alternative income stream for land holders from the carbon credits generated. The results of the project will be made available to others as part of the "learning by doing" approach for this project.

(5) Henbury Station is currently a perpetual pastoral lease. RM Williams Agricultural Co. Landscape Management Pty Ltd has committed to seeking a change of land tenure from the Northern Territory Government consistent with the in-perpetuity management of Henbury for conservation.

(6) A change of land use or tenure where Native Title exists may have implications under the Native Title Act. R.M. Williams Agricultural Co. Landscape Management Pty Ltd will need to consider any Native Title implications arising from the project and would, if required, need to enter into an Indigenous Land Use Agreement for the property.

(7) Any proposals seeking funding support for similar projects through the National Reserve System program would need to involve land in a priority area for building the National Reserve System and

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meet the relevant National Reserve System criteria including commitments to the in-perpetuity protection and conservation management of the land.

(8) Detailed assessment of the environmental, social and economic benefits will be a key component of this pilot project. These assessments, as well as other relevant information, will be made publicly available over the life of the project so that other land holders may consider a similar approach to developing an alternate income stream.

(9) The Henbury Conservation Project aims to demonstrate that significant carbon can be sequestered through managing land for nature conservation. An important feature of this project is that information on the project methodologies will be made publicly available over the life of the project so that other land holders may consider a similar approach to developing an alternate income stream.

(10) The cost of baseline audits for the Henbury Conservation Project are being funded by R.M. Williams Agricultural Co. Landscape Management Pty Ltd.

(11) The Henbury Conservation Project recognises that the non-Kyoto compliant carbon credits have an existing value and may be traded under mechanisms such as the international voluntary carbon market.

(12) Henbury was on the open market for nearly two years before its purchase by R M Williams Agricultural Co Landscape Management Pty Ltd for conservation and carbon sequestration and to explore new economic and social opportunities in Central Australia. The ongoing management of the Henbury Conservation Project will offer opportunities for local service providers to supply and support the project, as well as potentially providing direct employment opportunities for local people including local Indigenous people.

(13) The property was purchased on the open market by a company specifically focused on exploring new economic opportunities from emerging markets. The ongoing management of the Henbury Conservation Project will offer opportunities for local service providers to supply and support the project, as well as potentially providing direct employment opportunities for local people including local Indigenous people.

Special Minister of State
(Question No. 1026)

Senator Ryan asked the Minister representing the Special Minister of State, upon notice, on 25 August 2011:

With reference to the answer to question on notice no. F118 taken on notice during the 2011-12 Budget estimates hearing of the Finance and Public Administration Legislation Committee:

(1) Given that the Australian Electoral Commission (AEC) outlined that in 2009-10, it had incurred external legal costs of $205,266 in relation to industrial elections and that four matters involved the Federal Court of Australia (two involving the Health Services Union (No. 1 Branch), one involving the Australian Salaries Medical Officers’ Association and one involving the Australian Licensed Aircraft Engineers Association):

(a) what external legal costs were incurred by the AEC for each of these actions; and

(b) what were the total costs, including in-kind and internal costs for which no payment was made, by the AEC for each of these actions.

(2) Given that the AEC outlined that, up until 15 June 2011, it had incurred external legal costs of $565,949.99 in 2010-11 in relation to industrial elections and that three matters involved the Federal Court of Australia (Purvinas and the Australian Licensed Aircraft Engineers’ Association; Nimmo and the Australian Education Union; and Kelly and the New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch of the Australian Municipal, Administrative, Clerical and Services Union (No. 2)).
(a) what external legal costs were incurred by the AEC for each of these actions; and
(b) what were the total costs, including in-kind and internal costs for which no payment was made, by the AEC for each of these actions.

(3) Has the AEC incurred any other legal expenses, for example, through either seeking legal advice or with respect to any legal action or administrative activities, relating to registered industrial organisations in each of the following financial years: 2007-08, 2008-09, 2009-10 and 2010-11; if so, can the AEC provide:

(a) an amount for the expense incurred by the AEC with respect to each individual registered industrial organisation; and
(b) an amount for the total expense incurred by the AEC for each financial year listed.

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

(1) (a) Health Services Union (No.1 Branch)—$11 226.60; Health Services Union (No.1 Branch)—$4 250; Australian Salaried Medical Officers' Association—$113 138.27; Australian Licensed Aircraft Engineers Association—$797.50; and

(b) as the AEC does not maintain an internal billing system, this figure is not possible to calculate.

(2) (a) Purvinas and the Australian Licensed Aircraft Engineers' Association—$46 526.50; Nimmo and the Australian Education Union—$35 784.78; and Kelly and the New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch of the Australian Municipal, Administrative, Clerical and Services Union (No. 2)—$94 910.60; and

(b) as the AEC does not maintain an internal billing system, this figure is not possible to calculate.

(3) Yes.

(a) The AEC incurred the following external legal expenses for the specified years and organisations. 2007-08: Australian Retailers Association; $1 247.40; AMWU Food and Confectionary Division; $2 032.80; CEPU; $9 669.00; AMWU; $4 943.40. 2008-09: National Union of Workers; $7 909.44. 2009-10: AMWU; $2 416.70; and

(b) the AEC incurred the following total external legal expenses in relation to all matters for the specified years. 2007-08: $1 092 304; 2008-09: $589 367; 2009-10: $205 266. 2010-11: $497 823.

Fair Work Australia
(Question No. 1030)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 29 August 2011:

In regard to Fair Work Australia, has it contracted any organisation to conduct business intelligence consulting services; if so: (a) what was the result of those services; (b) what intelligence was gathered; and (c) what was the brief for the consultancy.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

Fair Work Australia has not contracted any organisation to conduct business intelligence consulting services.

Defence: Code of Conduct Investigations
(Question Nos 1050, 1076, 1077 and 1084)

Senator Abetz asked the Minister representing the Minister for Defence, upon notice, on 29 August 2011:
(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years: (a) 2010-11; and (b) 2011-to date. (2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct. (3) In each case, what provisions of the Code of Conduct were thought to have been breached. (4) What penalties were applied where the Code of Conduct was broken. (5) How many investigations are ongoing.

**Senator Chris Evans:** The Minister for Defence has provided the following answer to the honourable senator's question:

(1) There have been:

(a) 90 completed investigations made in respect of individuals who were suspected of breaching the Code of Conduct within the Minister's portfolio for the financial year 2010-11.

(b) 18 completed investigations made in respect of individuals who were suspected of breaching the Code of Conduct within the Minister's portfolio to date in the financial year 2011-12.

(2) Of the completed investigations:

(a) Of the 90 completed cases in the 2010-2011 financial year:

(i) 58 employees were found to have breached the Code of Conduct.

(ii) In 32 instances, a breach of the Code of Conduct was not established.

(b) Of the 18 completed cases to date in the 2011-2012 financial year:

(iii) 9 employees were found to have breached the Code of Conduct.

(iv) In 9 instances, a breach of the Code of Conduct was not established.

(3) The table below overleaf information about those provisions of the Code of Conduct that were thought to have been breached in each investigation. Note that, in most instances of suspected misconduct, an individual will be suspected of breaching several provisions of the Code of Conduct.

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<thead>
<tr>
<th>Elements of Code of Conduct</th>
<th>Finalised Investigations</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. How many employees were investigated for suspected breach(es) of this element?</td>
<td>ii. Of the employees in i., how many were found to have breached this element?</td>
</tr>
<tr>
<td>a. Behave honestly and with integrity in the course of APS employment (s. 13(1))</td>
<td>54</td>
</tr>
<tr>
<td>b. Act with care and diligence in the course of APS employment (s. 13(2))</td>
<td>62</td>
</tr>
<tr>
<td>c. When acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment (s. 13(3))</td>
<td>50</td>
</tr>
<tr>
<td>d. When acting in the course of APS employment, comply with all applicable Australian laws (s. 13(4))</td>
<td>14</td>
</tr>
<tr>
<td>e. Comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction (s. 13(5))</td>
<td>42</td>
</tr>
<tr>
<td>f. Maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff (s. 13(6))</td>
<td>0</td>
</tr>
<tr>
<td>g. Disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS</td>
<td>1</td>
</tr>
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Elements of Code of Conduct

<table>
<thead>
<tr>
<th>Employment (s. 13(7))</th>
<th>Finalised Investigations</th>
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</thead>
<tbody>
<tr>
<td>h. Use Commonwealth resources in a proper manner (s. 13(8))</td>
<td>38</td>
</tr>
<tr>
<td>i. Not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment (s. 13(9))</td>
<td>10</td>
</tr>
<tr>
<td>j. Not make improper use of: inside information, or the employee's duties, status, power or authority, in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person (s. 13(10))</td>
<td>28</td>
</tr>
<tr>
<td>k. At all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS (s. 13(11))</td>
<td>79</td>
</tr>
<tr>
<td>l. While on duty overseas, at all times behave in a way that upholds the good reputation of Australia (s. 13(12))</td>
<td>0</td>
</tr>
<tr>
<td>m. Comply with any other conduct requirement that is prescribed by the regulations (s. 13(13))</td>
<td>0</td>
</tr>
</tbody>
</table>

(4) Of the 67 employees who were found to have breached the Code of Conduct, the table below provides information on the penalties applied. Note that, in many instances of misconduct, more than one sanction may be applied.

<table>
<thead>
<tr>
<th>Type of Outcome</th>
<th>Termination of employment</th>
<th>Reduction in classification</th>
<th>Re-assignment of duties</th>
<th>Reduction in salary</th>
<th>Deductions from salary by way of a fine</th>
<th>Reprimand</th>
</tr>
</thead>
</table>

(5) As at 7 September 2011, there are 77 ongoing investigations.

Immigration and Citizenship: Code of Conduct Investigations

(Question No. 1051)

Senator Abetz asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 29 August 2011:

1. How many Code of Conduct investigations have there been within the Minister's portfolio for the financial year years (a) 2010-11; and (b) 2011 to date;
2. How many investigations established; (a) a breach; or (b) no breach, of the Code of Conduct;
3. In each case, what provisions of the Code of Conduct were thought to have been breached;
4. What penalties were applied where the Code of Conduct was broken;
5. How many investigations are ongoing.

Senator Carr: The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

1. (a) A total of 193 Code of Conduct investigations were completed in the financial year 2010-11. (b) There have been 45 completed Code of Conduct investigations from 1 July up to and including 29 August 2011.
(2) (a) 55 completed investigations established that a breach of the Code of Conduct occurred.
(b) 183 completed investigations established that no breach occurred.

(3) The following table provides a breakdown of the main provision of the Code of Conduct breached in respect to the 55 completed investigations which established a breach of the Code of Conduct:

<table>
<thead>
<tr>
<th>Provision Description</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>s13.1) Behave honestly &amp; with integrity</td>
<td>1</td>
</tr>
<tr>
<td>s13.2) Act with care &amp; diligence</td>
<td>3</td>
</tr>
<tr>
<td>s13.3) Treat everyone with respect, courtesy &amp; without harassment</td>
<td>10</td>
</tr>
<tr>
<td>s13.4) Comply with all applicable Australian laws</td>
<td>1</td>
</tr>
<tr>
<td>s13.5) Comply with any lawful &amp; reasonable direction</td>
<td>3</td>
</tr>
<tr>
<td>s13.6) Maintain appropriate confidentiality</td>
<td>0</td>
</tr>
<tr>
<td>s13.7) Disclose, avoid any conflict of interest (real or apparent)</td>
<td>7</td>
</tr>
<tr>
<td>s13.8) Use Commonwealth resources in a proper manner</td>
<td>16</td>
</tr>
<tr>
<td>s13.9) Not provide false or misleading information</td>
<td>2</td>
</tr>
<tr>
<td>s13.10) Not make improper use, to gain, or seek to gain, a benefit or advantage</td>
<td>9</td>
</tr>
<tr>
<td>s13.11) At all times behave in a way that upholds the APS values</td>
<td>3</td>
</tr>
<tr>
<td>s13.12) While on duty overseas, behave in a way that upholds good reputation</td>
<td>0</td>
</tr>
<tr>
<td>s13.13) Comply with any other conduct requirement</td>
<td>0</td>
</tr>
</tbody>
</table>

Note: In some cases more than one provision of the Code of Conduct may be found to have been breached. However, it is not possible to easily extract this information from the department's recording system.

(4) The following table provides a breakdown of the penalties applied to the 55 completed investigations which established a breach of the Code of Conduct:

<table>
<thead>
<tr>
<th>Penalty Description</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Termination of Employment</td>
<td>7</td>
</tr>
<tr>
<td>Reduction in Classification</td>
<td>1</td>
</tr>
<tr>
<td>Re-assignment of duties</td>
<td>0</td>
</tr>
<tr>
<td>Reduction in Salary</td>
<td>2</td>
</tr>
<tr>
<td>Deductions from salary, by way of fine</td>
<td>4</td>
</tr>
<tr>
<td>Reprimand</td>
<td>13</td>
</tr>
<tr>
<td>Counsellled</td>
<td>13</td>
</tr>
<tr>
<td>Referred to Line Management for action after investigation</td>
<td>9</td>
</tr>
<tr>
<td>No further action</td>
<td>8</td>
</tr>
<tr>
<td>Resigned prior to sanction being applied</td>
<td>1</td>
</tr>
<tr>
<td>Referred for external consideration</td>
<td>1</td>
</tr>
</tbody>
</table>

Note: The total number of sanctions exceeds the number of completed investigations by four, because in four cases two penalties were applied while in every other case one penalty was applied.

(5) There were 46 ongoing Code of Conduct investigations within the Minister's portfolio as at 29 August 2011.

**Families, Housing, Community Services and Indigenous Affairs**
*(Question Nos 1054, 1071 and 1074)*

**Senator Abetz** asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years: (a) 2010-11; and (b) 2011-to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

QUESTIONS ON NOTICE
(5) How many investigations are ongoing.

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

(1)(a) As at 29 August 2011, the total number of APS Code of Conduct investigations completed within the Minister's portfolio for the financial year 2010-11 was ten.

(b) As at 29 August 2011, there had been no APS Code of Conduct investigation completed within the Minister's portfolio for the financial year 2011-12.

(2)(a) As at 29 August 2011, of the ten investigations completed in the 2010-11 financial year there were five investigations that established a breach of the APS Code of Conduct by employees of the Minister's portfolio.

(b) As at 29 August 2011, of the ten investigations completed in the 2010-11 financial year there were five investigations that established no breach of the APS Code of Conduct by employees within the Minister's portfolio.

(3) As at 29 August 2011, the provisions of the APS Code of Conduct that were alleged to have been breached by employees within the Minister's portfolio in the ten investigations completed during the 2010-11 financial year are listed below. Note that some of these elements of the Code were relevant to more than one of the ten investigations:

The Code of Conduct requires that an employee must when acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment.

The Code of Conduct requires that an employee must at all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS.

The Code of Conduct requires that an employee must behave honestly and with integrity in the course of APS employment.

The Code of Conduct requires that an employee must act with care and diligence in the course of APS employment.

The Code of Conduct requires that an employee must comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give that direction.

As at 29 August 2011, there had been no APS Code of Conduct investigations completed within the Minister's portfolio for the 2011-12 financial year.

(4) As at 29 August 2011, the penalties that were applied to employees within the Minister's portfolio who were found to have breached the APS Code of Conduct in the 2010-11 financial year were two terminations, two fines and one sanction of a reprimand. As at 29 August 2011, no penalties had been imposed on employees within the Minister's portfolio for breaches of the APS Code of Conduct in the 2011-12 financial year.

(5) As at 29 August 2011, one investigation from the 2010-11 financial year is ongoing within the Minister's portfolio. As at 29 August 2011, one investigation from the 2011-12 financial year is ongoing within the Minister's portfolio.

Families, Housing, Community Services and Indigenous Affairs

(Question No. 1087)

Senator Scullion asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 1 September 2011:

(1) Are there any agreements, funding or other, between the Federal Government, the Northern Territory Government and/or Northern Territory local government councils or shires relating to swimming pools in Aboriginal communities; if so: (a) do these agreements specify who is responsible
for the capital expense for the construction of swimming pools and who is responsible for the recurrent operational expenses; and (b) can copies of these agreements be provided.

(2) How many schools report on the 'no school no pool rule'.
(3) How many children are refused access to pools due to the 'no school no pool rule'.
(4) For all swimming pools funded through the Federal government, does the Government maintain records of when the pool was opened and when or if it was closed.

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

(1) There is one current Standard Funding Agreement between the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) and the MacDonnell Shire Council for urgent repairs and upgrades to the Kintore, Areyonga and Santa Teresa swimming pools. (a) No. (b) Yes. A copy of the Funding Agreement and relevant variations is at Attachment A (available from the Senate Table Office).

(2) It is not the role of FaHCSIA to collect information from schools on the 'no school, no pool' rule. Nor does the Department impose conditions on the operation of swimming pools. Communities determine these arrangements at the local level.

(3) It is not the role of FaHCSIA to collect information on how many children are refused access to pools due to the 'no school no pool' rule. Nor does the Department impose conditions on the operation of swimming pools. Communities determine and enforce these arrangements at the local level.

(4) No. These are local arrangements worked out at the community level.

**Pontville Detention Centre**
*(Question No. 1088)*

**Senator Abetz** asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 6 September 2011:

In regards to the Pontville Immigration Detention Centre:

(1) How many mattresses have been supplied to the centre?
(2) From where were the mattresses sourced and how much did they cost?
(3) Did the mattresses fit the beds that had already been delivered; if not:
   (a) Were extra mattresses bought; if so, what cost and from whom; and
   (b) What happened with the mattresses that did not fit and was any money refunded; if so, can details be provided?

**Senator Carr:** The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

(1) Stage one required 140 mattresses to be supplied.
(2) The Department's contracted service provider – Serco—sourced the mattresses from a local Hobart supplier for a rental fee of $2.00 each/day.

(3) Yes.

**Pontville Detention Centre**
*(Question No. 1090)*

**Senator Abetz** asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 6 September 2011:

With reference to the answer to question on notice no. 894 relating to the Pontville Detention Centre:
(1) What percentage of the new accommodation required will be by way of:
   (a) rental agreements; and
   (b) procurement.

(2) With which company, or companies, are the rental agreements and what are the value and lengths of those agreements.

(3) What is the value of the procurement agreements and with which companies are those agreements.

(4) Can a list be provided identifying which buildings will be placed on the department's asset registers.

(5) Paragraph (2) of the answer to question on notice no. 894 states that 'Rental agreements are in place or are currently being finalised for the hire of a number of other structures': can a list be provided advising which buildings have rental agreements in place and which buildings are still having rental agreements finalised.

(6) Who will bear the cost and responsibility of insurance for the:
   (a) procured facilities; and
   (b) rented facilities.

(7) Is it accepted that the so called 6 month period for the centre's life is to commence on 1 September 2011.

(8) What is the commencement date of each rental agreement and how much rental has been paid on all these buildings up to and including 31 August 2011.

(9) Has a community liaison group been established at Pontville; if so:
   (a) when was it established;
   (b) who are its members;
   (c) how were members of the liaison group chosen; and
   (d) by whom were members of the liaison group chosen.

**Senator Carr:** The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

(1) As at 5 September 2011, the percentage of new accommodation by the way of:
   (a) rental agreements is 81%, and
   (b) procurement is 19%.

(2) The department has rental agreements with the following companies:

<table>
<thead>
<tr>
<th>Company</th>
<th>Value</th>
<th>Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park Homes</td>
<td>$1 118 525.00 per month</td>
<td>6 month lease</td>
</tr>
<tr>
<td>Fairbrother</td>
<td>$133 760.00 per month</td>
<td>6 month lease</td>
</tr>
<tr>
<td>Tasbulk</td>
<td>$118 108.10 per month</td>
<td>6 month lease</td>
</tr>
</tbody>
</table>

(3) The value of the procurement is:

<table>
<thead>
<tr>
<th>Company</th>
<th>Value of procurement agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park Homes</td>
<td>$700 000.00</td>
</tr>
<tr>
<td>Fairbrother</td>
<td>$600 000.00</td>
</tr>
<tr>
<td>Tasbulk</td>
<td>nil</td>
</tr>
</tbody>
</table>

(4) The following list details the buildings currently held on the Department's asset register.

Department Asset Register
Serco security admin

QUESTIONS ON NOTICE
Facilities Manager office  
Conference room  
Staff room  
IHMS Administration building  
Interpreter's lounge  
DIAC Administration offices  
DIAC Operations room  
Reception, Induction sallyport  
Visitor centre  
2 x gate Control rooms  
5 x Gazebo

(5) Below is a list of rental agreements currently in place and those that are still being finalised.

<table>
<thead>
<tr>
<th>Rental agreements in place</th>
<th>Rental agreements still being finalised</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 x Dining rooms</td>
<td>1 x Dining room</td>
</tr>
<tr>
<td>11 x Ablution blocks</td>
<td>2 x Recreation rooms</td>
</tr>
<tr>
<td>3 x Serco zone offices</td>
<td>Gymnasium</td>
</tr>
<tr>
<td>Storage shed / garage</td>
<td>Client internet facilities</td>
</tr>
<tr>
<td>Serco server room</td>
<td></td>
</tr>
<tr>
<td>Stores 1 &amp; 2</td>
<td></td>
</tr>
<tr>
<td>DIAC server room</td>
<td></td>
</tr>
<tr>
<td>Kitchen</td>
<td></td>
</tr>
<tr>
<td>12 x Interview rooms</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td></td>
</tr>
<tr>
<td>Mental Health centre</td>
<td></td>
</tr>
<tr>
<td>2 x classrooms</td>
<td></td>
</tr>
<tr>
<td>1 x Recreation room</td>
<td></td>
</tr>
<tr>
<td>2 x Special care rooms</td>
<td></td>
</tr>
<tr>
<td>Disabled access dorm</td>
<td></td>
</tr>
<tr>
<td>13 x Dormitories</td>
<td></td>
</tr>
<tr>
<td>4 x Laundry</td>
<td></td>
</tr>
<tr>
<td>2 x Cleaner / Shed</td>
<td></td>
</tr>
<tr>
<td>2 x Linen store / clean &amp; dirty</td>
<td></td>
</tr>
<tr>
<td>Kitchenette servery</td>
<td></td>
</tr>
<tr>
<td>Lounge</td>
<td></td>
</tr>
</tbody>
</table>

(6) (a) Comcover will bear the insurance cost and responsibility for the procured facilities.

   (b) Comcover and Serco will bear the insurance costs and responsibility for the rented facilities.

(7) Yes.

(8)

<table>
<thead>
<tr>
<th>Company</th>
<th>Commencement date</th>
<th>Rent paid up to and including 31 August 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park Homes</td>
<td>21 July 2011</td>
<td>$3 355 575.00</td>
</tr>
<tr>
<td>Tasbulk</td>
<td>12 August 2011</td>
<td>$118 108.10</td>
</tr>
<tr>
<td>Fairbrother</td>
<td>Still being finalised</td>
<td>n/a</td>
</tr>
</tbody>
</table>

(9) (a) The first formal meeting of the Community Consultation Group (CCG) was held on 7 September 2011.

   (b) The CCG comprises of key stakeholders and drawn from Tasmanian State Government agencies, organisations and groups that have approached Serco or DIAC with the offer of voluntary services, local government representatives, and others as guided by the Detention Services Manual, Chapter 4.
(c) The members were chosen for their local knowledge and ability to contribute to the successful and positive operation of the centre.

(d) The Community Consultation Group (CCG) is chaired by a member of the Council for Immigration Services and Status Resolution (CISSR). Members of the group were drawn from consultations held with State Government agencies, Local Government, Non-government Organisations and community members throughout 2011. The composition of the group was determined by the Chair of the CCG, Air Marshal Ray Funnell AC (Retd) and the DIAC Regional Manager of Pontville IDC.

**Innovation, Industry, Science and Research**

*(Question No. 1093)*

**Senator Colbeck** asked the Minister for Innovation, Industry, Science and Research, upon notice, on 6 September 2011:

(1) For each program administered by the department and each agency in the Minister's portfolio:
   (a) what are the staffing numbers, by location;
   (b) how many regulations are associated with each program and can a list of those regulations by title be provided; and
   (c) what is the cost: (i) administered and (ii) departmental.

(2) What are the staffing numbers for each of the Minister's cross-portfolio programs, according to department and agency.

(3) In respect of premises owned and/or occupied by the department and each agency in the Minister's portfolio:
   (a) what is the location of each;
   (b) how many are: (i) leased, (ii) owned, and (iii) rented;
   (c) what is the size of each;
   (d) what is the annual cost per square metre of each that is: (i) rented, and (ii) leased; and
   (e) what is the: (i) value, and (ii) 2010-11 depreciation, of each building owned and/or occupied.

(4) For each board within the Minister's portfolio:
   (a) what is its title;
   (b) what are the: (i) terms, and (ii) tenure, of its appointment; and
   (c) who are the members.

(5) What was the 2010-11 expenditure for the Minister's portfolio, in total, and according to each program, for:
   (a) advertising;
   (b) travel, including: (i) business, (ii) economy, (iii) first class, (iv) international, and (v) domestic;
   (c) hospitality and entertainment;
   (d) information and communications technology;
   (e) consultants;
   (f) education and training of staff;
   (g) external: (i) accounting, (ii) auditing, and (iii) legal services; and
   (h) memberships or grants paid to affiliate organisations.

**Senator Carr:** The answer to the honourable senator's question is as follows:
(1) (a) The Department does not record staffing numbers on an individual program basis, overall staffing figures are provided below are as at 21 September 2011.

<table>
<thead>
<tr>
<th>Department/Agency</th>
<th>Staffing numbers</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Innovation, Industry, Science and Research (DIISR)</td>
<td>499</td>
<td>NSW</td>
</tr>
<tr>
<td></td>
<td>212</td>
<td>VIC</td>
</tr>
<tr>
<td></td>
<td>71</td>
<td>QLD</td>
</tr>
<tr>
<td></td>
<td>36</td>
<td>SA</td>
</tr>
<tr>
<td></td>
<td>69</td>
<td>WA</td>
</tr>
<tr>
<td></td>
<td>24</td>
<td>TAS</td>
</tr>
<tr>
<td></td>
<td>9</td>
<td>NT</td>
</tr>
<tr>
<td></td>
<td>1563</td>
<td>Canberra</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Brussels</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Washington D.C</td>
</tr>
<tr>
<td>Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)</td>
<td>112</td>
<td>Canberra</td>
</tr>
<tr>
<td>Australian Institute of Marine Science (AIMS)</td>
<td>183</td>
<td>QLD</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>SA</td>
</tr>
<tr>
<td></td>
<td>29</td>
<td>WA</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>NT</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Canberra</td>
</tr>
<tr>
<td>Australian Nuclear Science and Technology Organisation (ANSTO)</td>
<td>1125</td>
<td>NSW</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Canberra</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Vienna</td>
</tr>
<tr>
<td>Australian Research Council (ARC)</td>
<td>3</td>
<td>QLD</td>
</tr>
<tr>
<td></td>
<td>125</td>
<td>Canberra</td>
</tr>
<tr>
<td>Commonwealth Scientific and Industrial Research Organisation (CSIRO)</td>
<td>1321</td>
<td>NSW</td>
</tr>
<tr>
<td></td>
<td>1785</td>
<td>VIC</td>
</tr>
<tr>
<td></td>
<td>853</td>
<td>QLD</td>
</tr>
<tr>
<td></td>
<td>381</td>
<td>SA</td>
</tr>
<tr>
<td></td>
<td>305</td>
<td>WA</td>
</tr>
<tr>
<td></td>
<td>380</td>
<td>TAS</td>
</tr>
<tr>
<td></td>
<td>1389</td>
<td>Canberra</td>
</tr>
<tr>
<td></td>
<td>35</td>
<td>NT</td>
</tr>
<tr>
<td>IP Australia (IPA)</td>
<td>1</td>
<td>NSW</td>
</tr>
<tr>
<td></td>
<td>40</td>
<td>VIC</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>QLD</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>WA</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>SA</td>
</tr>
<tr>
<td></td>
<td>1071</td>
<td>Canberra</td>
</tr>
</tbody>
</table>

(1) (b) Please find listed below, Legislative Instruments administered by the Department of Innovation, Industry, Science and Research as at 6 September 2011.

**ACIS Administration Act 1999**
- ACIS Administration (Commonwealth Financial Assistance) Determination 2000 F2005B01508
- ACIS Administration (Commonwealth Financial Assistance) Determination 2005 F2005L01015
- ACIS Administration (Commonwealth Financial Assistance) Determination 2009 F2009L00246
• ACIS Administration (Commonwealth Financial Assistance) Determination 2009 (No. 2) F2009L00684
• ACIS Administration (Determination of Eligible Investment) Guidelines 2001 F2005B02095
• ACIS Administration (Determination of Entitlement to Modulation Credit between Participants) Rules 2004 F2006B00113
• ACIS Administration (Modulation) Guidelines 2000 F2005B02093
• ACIS Administration (Registration for the Purpose of the Act) Guidelines 2001 F2006B00094
• ACIS Administration Act 1999—Permission to apply for registration in the national interest (27/07/2004) F2006B00114
• ACIS Administration Act 1999—Revocation of permission to make an application for registration as a motor vehicle producer (16/05/2008) F2008L02042
• ACIS Administration Regulations 2000 F2000B00253
• ACIS Stage 2 Motor Vehicle Producer Research and Development Scheme 2004 F2005B02096

Anglo-Australian Telescope Agreement Act 1970

Australian Institute of Marine Science Act 1972

Australian Nuclear Science and Technology Organisation Act 1987

Australian Research Council Act 2001—Australian Laureate Fellowships—Funding Rules for funding commencing in 2009 F2008L04272

Australian Research Council Act 2001—Discovery Projects—Funding Rules for funding commencing in 2008 F2006L03744

Australian Research Council Act 2001—ARC Centres of Excellence—Funding Rules for funding commencing in 2003 F2008B00446

Australian Research Council Act 2001—ARC Centres of Excellence—Funding Rules for funding commencing in 2005 F2008B00426

Australian Research Council Act 2001—ARC Centres of Excellence—Funding Rules for funding commencing in 2011 F2010L00120

Australian Research Council Act 2001—Australian Laureate Fellowships—Funding Rules for funding commencing in 2010 F2010L00019

Australian Research Council Act 2001—Australian Laureate Fellowships—Funding Rules for funding commencing in 2011 F2010L03271

Australian Research Council Act 2001—Discovery Early Career Researcher Award—Funding Rules for funding commencing in 2012 F2011L00403


- Australian Research Council Act 2001—Discovery Indigenous Researchers Development—Funding Rules for funding commencing in 2009 F2008L00581
- Australian Research Council Act 2001—Discovery Indigenous Researchers Development—Funding Rules for funding commencing in 2010 F2009L00733
- Australian Research Council Act 2001—Discovery Indigenous Researchers Development—Funding Rules for funding commencing in 2011 F2010L01970
- Australian Research Council Act commencing in 2004 F2008B00448
- Australian Research Council Act commencing in 2005 F2008B00424
- Australian Research Council Act commencing in 2006 F2008B00429
- Australian Research Council Act commencing in 2007 F2006L02375
- Australian Research Council Act commencing in 2008 F2006L03744
- Australian Research Council Act commencing in 2009 F2008L00010
- Australian Research Council Act commencing in 2010 F2008L04697
- Australian Research Council Act commencing in 2011 F2010L00119
- Australian Research Council Act commencing in 2012 F2011L00304
- Australian Research Council Act 2001—Federation Fellowships—Funding Rules for funding commencing in 2004 F2008B00451
- Australian Research Council Act 2001—Federation Fellowships—Funding Rules for funding commencing in 2005 F2008B00425
- Australian Research Council Act 2001—Federation Fellowships—Funding Rules for funding commencing in 2006 F2006L02377
- Australian Research Council Act 2001—Federation Fellowships—Funding Rules for funding commencing in 2007 F2006L02674

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• Australian Research Council Act 2001—Federation Fellowships—Guidelines for funding commencing in 2002 F2008B00437
• Australian Research Council Act 2001—Federation Fellowships—Guidelines for funding commencing in 2003 F2008B00439
• Australian Research Council Act 2001—Future Fellowships—Funding Rules for funding commencing in 2009 F2008L04274
• Australian Research Council Act 2001—Future Fellowships—Funding Rules for funding commencing in 2011 F2011L00404
• Australian Research Council Act 2001—Linkage—Australian Postdoctoral Fellowship (CSIRO)—Funding Rules for funding commencing in 2003 F2008B00447
• Australian Research Council Act 2001—Linkage—Infrastructure—Funding Rules for applicant for funding commencing in 2004 F2008B00440
• Australian Research Council Act 2001—Linkage—Infrastructure Equipment and Facilities—Guidelines for funding in 2003 F2008B00445
• Australian Research Council Act 2001—Linkage—International—Guidelines for funding commencing in 2003 F2008B00444
• Australian Research Council Act 2001—Linkage—Learned Academies Special Projects—Funding Rules for funding commencing in 2004 F2008B00454
• Australian Research Council Act 2001—Linkage—Learned Academies Special Projects—Guidelines for funding commencing in 2003 F2008B00443
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• Australian Research Council Act 2001—Linkage Infrastructure Equipment and Facilities—Funding Rules for Funding Commencing in 2005 F2008B00422
• Australian Research Council Act 2001—Linkage Infrastructure Equipment and Facilities—Funding Rules for funding commencing in 2006 F2006L02379
• Australian Research Council Act 2001—Linkage Infrastructure Equipment and Facilities—Funding Rules for funding commencing in 2007 F2006L02373
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• Australian Research Council Act 2001—Linkage Infrastructure, Equipment and Facilities—Funding Rules for funding commencing in 2009 F2008L00655
• Australian Research Council Act 2001—Linkage Infrastructure, Equipment and Facilities—Funding Rules for funding commencing in 2010 F2009L01455
• Australian Research Council Act 2001—Linkage Infrastructure, Equipment and Facilities—Funding Rules for funding commencing in 2011 F2011L00301
• Australian Research Council Act 2001—Linkage Infrastructure Equipment and Facilities for funding commencing in 2012 F2011L00852
• Australian Research Council Act 2001—Linkage International—Funding Rules for funding commencing in 2008 F2007L00221
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• Australian Research Council Act 2001—Linkage International—Funding Rules for Proposals for Submission in 2006 F2006L02380
• Australian Research Council Act 2001—Linkage Learned Academies Special Projects (LASP)—Funding Rules for funding commencing in 2009 F2008L03076
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• Australian Research Council Act 2001—Linkage Learned Academies Special Projects—Funding Rules for funding commencing in 2007 F2006L02655
• Australian Research Council Act 2001—Linkage Learned Academies Special Projects—Funding Rules for funding commencing in 2008 F2007L01869
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• Australian Research Council Act 2001—Variation to the Linkage Projects Funding Rules for funding commencing in 2009 (02/04/2008) F2008L01034
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- Australian Research Council Act 2001—Linkage Projects—Funding Rules for funding commencing in 2012 F2011L00461
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- Australian Research Council Act 2001—Research Networks—Funding Rules for funding commencing in 2004 F2008B00449
- Australian Research Council Act 2001—Special Research Initiatives—Funding Rules for funding commencing in 2004 F2008B00453
- Australian Research Council Act 2001—Special Research Initiatives—Funding Rules for funding Commencing in 2005 F2008B00427
- Australian Research Council Act 2001—Special Research Initiatives—Funding Rules for funding commencing in 2006 F2006L02371
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- Australian Research Council Act 2001—Special Research Initiatives—Funding Rules for funding commencing in 2008-2009 or 2009-2010 Variation (No. 2) F2009L02303
- Australian Research Council Act 2001—Special Research Initiatives—Funding Rules for funding commencing in 2008-2009 or 2009-2010 Variation (No. 2) (Bionic Science and Technology Initiative) F2009L02869
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- Australian Research Council Act 2001—Super Science Fellowships—Funding Rules for funding commencing in 2010 and 2011 F2010L00097
- Discovery Indigenous Funding Rules for funding commencing in 2012 F2011L00850

Automotive Transformation Scheme Act 2009
- Automotive Transformation Scheme Order 2010 F2010L01551
- Automotive Transformation Scheme Regulations 2010 F2010L01201

Designs Act 2003
- Designs Regulations 2004 F2004B00136

Higher Education Support Act 2003
- All legislative instruments made under this Act are administered by Education, Employment and Workplace Relations except for the following legislative instruments for which Minister Carr has responsibility under ss 41-5 and 46-20:
Higher Education Support Act 2003—Declaration of List of Other Grants (Research) under Division 41 for 2011 F2010L03056
Higher Education Support Act 2003—List of Grants under Division 41 (Research) (15/12/2008) F2009L04336
Higher Education Support Act 2003—Other Grants Guidelines (Research) 2010 (DIISR) F2010L03010

Independent Contractors Act 2006
Independent Contractors Act 2006 – Proclamation F2007L00412
Independent Contractors Regulations 2007 F2007L00413

Industry Research and Development Act 1986
Commercial Ready Program Directions No 1 of 2004 F2009B00033
Commercial Ready Program Directions No. 1 of 2007 F2007L03544
Commercialisation Australia Program Direction No. 1 of 2009 F2009L04728
Commercialising Emerging Technologies (COMET) Program Directions No. 1 of 2006 F2007L00421
Directions in Respect of Competitive Grants for Research and Development F2008B00397
Directions in Respect of Competitive Grants for Research and Development (Variation No. 1 of 1996)—F2008B00398
Green Car Innovation Fund Directions No. 1 of 2009 F2009L01628
Guidelines for Research and Development Plans 2001 F2006B01647
Industry Cooperative Innovation Program Ministerial Directions No. 1 of 2007 F2007L01532
Industry Research and Development (ACIS Stage 2 Motor Vehicle Producer Research and Development Scheme) Directions 2004 F2006B00150
Industry Research and Development Act 1986—Biotechnology Innovation Fund Directions No. 1 of 2002 F2009B00223
Industry Research and Development Act 1986—Biotechnology Innovation Fund Direction No. 1 of 2003 F2009B00260
Industry Research and Development Act 1986—Directions in respect of Additional Functions of the IR&D Board F2009B00152
Industry Research and Development Act 1986—Directions in respect of Concessional Loans for the Commercialisation of Technological Innovation F2009B00153
Industry Research and Development Act 1986—Re-tooling for Climate Change Program Ministerial Directions No. 1 of 2008 F2008L03440
Industry Research and Development Act 1986—Re-tooling for Climate Change Program Ministerial Directions No. 1 of 2009 F2009L03525
Industry Research and Development Act 1986—Section 19—Additional Functions of Innovation Australia F2009L04260
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- Industry Research and Development Board Guideline – Adequate Australian Content F2008B00719
- Industry Research and Development Board Guideline – Inclusion on the Register of Commercial Government Bodies F2009B00144
- Industry Research and Development Board Guideline – Registered Research Agencies F2008B00720
- Innovation Investment Follow-on Fund Program Direction No. 1 of 2009 F2009L022
- Innovation Investment Fund program (Additional Function of the IR&D Board) Direction No. 1 of 1998 F2008B00716
- Innovation Investment Fund Program Round Three Direction No. 1 of 2006 F2006L03854
- Innovation Investment Fund Program Round Three Direction No. 1 of 2007 F2007L04107
- Innovation Investment Fund Program Round Two (Additional Function of the IR&D Board) Direction No. 1 of 1999 F2008B00717
- Pharmaceuticals Partnerships Program Directions No. 1 of 2003 F2009B00263
- Pharmaceuticals Partnerships Program Directions No. 1 of 2006 F2006L02853
- Policies and Practices of the IR & D Board in relation to the Pre-Seed Fund (PSF) Program Direction No. 1 of 2003 F2009B00261
- Policies and Practices of the IR & D Board in relation to the Pre-Seed Fund (PSF) Program Direction No. 1 of 2001 F2009B00251
- R&D Start Program (additional function of the IR&D Board) Direction No. 1 of 1996 F2008B00431
- R&D Start Program (Payments) Direction 1997 F2008B00435
- R&D Start Program (policies and practices of the IR&D Board) Direction No. 1 of 1996 F2008B00433
- R&D Start Program Directions No. 1 of 1998 F2008B00270
- R&D Start Program Directions No. 1 of 2000 F2008B00383
- R&D Start Program Directions No. 1 of 2002 F2008B00394
- R&D Start Program Directions No. 2 of 2002 F2008B00395
- R&D Start Program Directions No. 3 of 2002 F2009B00008
- Renewable Energy Development Initiative (REDI) Program Directions No. 1 of 2005 F2005L03359
- Renewable Energy Equity Fund Program (Additional Function of the IR&D Board) Direction No. 1 of 1999 F2008B00730
- Climate Ready Program Directions No. 1 of 2008 F2008L03036
Mutual Recognition Act 1992, except to the extent administered by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations


National Measurement Act 1960

- National Measurement Act 1960—Determination by the National Standards Commission—Recognised-value standard of measurement of position F2009B00151
- National Measurement Act 1960—para 8(1)(a) and (b)—Determination by the National Standards Commission—Recognized-Value Standard of Measurement of Acceleration Due to Gravity F2009B00169
- National Measurement Regulations 1999 F1999B00110
- National Trade Measurement Regulations 2009 F2009L0347
- Determination by the National Standards Commission—Accuracy of reference standards of measurement—14 June 2002 F2008B00669

Patents Act 1990

- Patents Regulations F1996B02697

Plant Breeder’s Rights Act 1994

- Plant Breeder's Rights Regulations F1996B02512

Pooled Development Funds Act 1992

- Pooled Development Funds Regulations F1996B02407
Science and Industry Research Act 1949
- Science and Industry Research (Advisory Council and State Committees) Regulations (Repeal) C2004L0613I
- Science and Industry Research (Consultative Council) Regulations F1997B01803

Space Activities Act 1998
- Space Activities (Approved Scientific or Educational Organisations) Guidelines 2004 F2005B02099
- Space Activities Regulations 2001 F2001B00267

Textile, Clothing and Footwear Investment and Innovation Programs Act 1999
- Clothing and Household Textile (Building Innovative Capability) scheme 2010 F2010L01383
- Textile, Clothing and Footwear Post-2005 Strategic Investment Program Scheme 2005 F2005L00963
- Textile, Clothing and Footwear Small Business Program Determination 2005 F2005L04234
- Textile, Clothing and Footwear Strategic Investment Program Regulations 2005 F2005L00244
- Textile, Clothing and Footwear Strategic Investment Program Scheme 1999 F2000B00003

Trade Marks Act 1995
- Trade Marks Regulations F1996B00084

Tradex Scheme Act 1999
- Tradex Scheme Regulations 2000 F2000B00133
- Tradex Scheme Regulations 2008 F2008L03469

Trans-Tasman Mutual Recognition Act 1997, in relation to the provisions that relate to goods
- Trans-Tasman Mutual Recognition Regulations 1999 F1999B00061 SR 1999 No. 60
- Trans-Tasman Mutual Recognition (Modification of Act) Regulations 2010 (No. 1) F2010L00858

(1) (c) For program costs, please refer to the 2011-12 Portfolio Budget Statements and response provided to Budget Estimates question BI-69.

(2) The portfolio does not administer cross-portfolio programs.

(3) (a) to (e)

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<th>Department/ Agency</th>
<th>Location</th>
<th>Owned</th>
<th>Rented</th>
<th>Leased</th>
<th>Size</th>
<th>Annual Cost per square metre</th>
<th>What is the value of each building owned and/or occupied</th>
<th>Deprecation of each building owned and/or occupied</th>
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<td>Deprecation of each building owned and/or occupied</td>
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<td>What is the value of each building owned and/or occupied</td>
<td>Deprecation of each building owned and/or occupied</td>
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<td>The Department has provided an office to AIMS. No rent is paid.</td>
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<td>Land: 37.38 Ha; Buildings: 77,234m²</td>
<td>Land: 0.02 Ha</td>
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<td>Land: 4.10 Ha; Buildings: 7,598m²</td>
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**ANSTO**

**ARC**

**Brisbane, QLD**

**IPA**

**Melbourne, VIC**

**CSIRO 3**

**Canberra**

**Armidale**
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<thead>
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<th>Department/Agency</th>
<th>Location</th>
<th>Owned</th>
<th>Rented</th>
<th>Leased</th>
<th>Size</th>
<th>Annual Cost</th>
<th>Deprecation of each building owned and/or occupied</th>
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<tbody>
<tr>
<td>(Chiswick) NSW</td>
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<td>1,512.06Ha; Buildings: 10,104m²</td>
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<td>$4,866,409.35</td>
<td>$128,148.85</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkes, NSW</td>
<td>Land and Buildings</td>
<td>Land: 16.95Ha; Buildings: 4,955m²</td>
<td>N/A</td>
<td>$4,866,409.35</td>
<td>$128,148.85</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Griffith, NSW</td>
<td>Buildings</td>
<td>Land: N/A; Buildings: 3,519m²</td>
<td>N/A</td>
<td>$3,193,800.00</td>
<td>$214,650.45</td>
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<tr>
<td>Lucas Heights, NSW</td>
<td>Buildings</td>
<td>Land: N/A; Buildings: 8,473m²</td>
<td>Buildings: $110/m²</td>
<td>$4,291,249.05</td>
<td>$168,552.89</td>
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<tr>
<td>North Ryde, NSW</td>
<td>Land and Buildings</td>
<td>Land: 6.54Ha; Buildings: 54,828m²</td>
<td>Building: $280/m²</td>
<td>$6,092,642.00</td>
<td>$271,829.20</td>
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<tr>
<td>Myall Vale, NSW</td>
<td>Land</td>
<td>Land: 16.20Ha; Buildings: 2,860m²</td>
<td>N/A</td>
<td>$2,055,716.41</td>
<td>$73,134.79</td>
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<tr>
<td>Mopea, NSW</td>
<td>Land and Buildings</td>
<td>Land: 1.47Ha; Buildings: 159m²</td>
<td>N/A</td>
<td>$267,324.69</td>
<td>$16,007.95</td>
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<tr>
<td>Macquarie Uni, NSW</td>
<td>Buildings</td>
<td>Land: N/A; Buildings: 2,705m²</td>
<td>N/A</td>
<td>$5,000,000.00</td>
<td>$106,544.41</td>
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<tr>
<td>Newcastle, NSW</td>
<td>Land and Buildings</td>
<td>Land: 5.30Ha; Building: 9,700m²</td>
<td>N/A</td>
<td>$40,655,335.18</td>
<td>$1,440,210.17</td>
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<tr>
<td>North Ryde, NSW</td>
<td>Land and Buildings</td>
<td>Land: 0.72Ha; Buildings: 3,138m²</td>
<td>N/A</td>
<td>$5,750,000.00</td>
<td>$0.00</td>
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<td></td>
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<tr>
<td>North Ryde, NSW</td>
<td>Land and Buildings</td>
<td>Land: N/A; Building: data store</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alice Springs, NT</td>
<td>Land and Buildings</td>
<td>Land: 0.08Ha; Buildings: 853m²</td>
<td>N/A</td>
<td>$3,541,765.00</td>
<td>$124,849.37</td>
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<tr>
<td>Alice Springs, NT</td>
<td>Land and Buildings</td>
<td>Land: 0.26Ha; Buildings: 853m²</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
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<tr>
<td>Darwin, NT</td>
<td>Land and Buildings</td>
<td>Land: 21.63Ha; Buildings: 22,471m²</td>
<td>N/A</td>
<td>$11,192,926.37</td>
<td>$355,295.90</td>
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<tr>
<td>Karana, NT</td>
<td>Land</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department/Agency</td>
<td>Location</td>
<td>Owned</td>
<td>Rented</td>
<td>Leased</td>
<td>Size</td>
<td>Annual Cost per square metre</td>
<td>What is the value of each building owned and/or occupied</td>
</tr>
<tr>
<td>-------------------</td>
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<tr>
<td>Atherton, QLD</td>
<td>Atherton, QLD</td>
<td>Land and Buildings</td>
<td>Land: 36.40Ha; Buildings: 1,938m²</td>
<td>N/A</td>
<td>$3,492,135.62</td>
<td><strong>$201,534.34</strong></td>
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<tr>
<td>Cleveland, QLD</td>
<td>Cleveland, QLD</td>
<td>Land and Buildings</td>
<td>Land: 1.98Ha; Buildings: 4,622m²</td>
<td>N/A</td>
<td>$4,800,000.00</td>
<td>$0.00</td>
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</tr>
<tr>
<td>Pullenvale, QLD</td>
<td>Pullenvale, QLD</td>
<td>Land and Buildings</td>
<td>Land: 24.5Ha; Buildings: 19,799m²</td>
<td>N/A</td>
<td>$75,814,117.76</td>
<td><strong>$2,821,964.67</strong></td>
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<tr>
<td>Rockhampton (Belmont) QLD</td>
<td>Rockhampton (Belmont) QLD</td>
<td>Land and Buildings</td>
<td>Land: 3,811.62Ha; Buildings: 3,127m²</td>
<td>N/A</td>
<td>$4,750,000.00</td>
<td>$0.00</td>
<td></td>
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<tr>
<td>Rockhampton (Rendel) QLD</td>
<td>Rockhampton (Rendel) QLD</td>
<td>Land and Buildings</td>
<td>Land: 32.4Ha; Buildings: 9,501m²</td>
<td>N/A</td>
<td>$2,606,525.75</td>
<td><strong>$22,253.82</strong></td>
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<tr>
<td>St Lucia, QLD</td>
<td>St Lucia, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Buildings: 26,310m²</td>
<td>N/A</td>
<td>$67,942,946.52</td>
<td><strong>$2,488,812.39</strong></td>
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<tr>
<td>Gatton, QLD</td>
<td>Gatton, QLD</td>
<td>Land</td>
<td>Land: 18.61Ha; Buildings: 1,132m²</td>
<td>N/A</td>
<td>$1,295,225.91</td>
<td><strong>$14,483.59</strong></td>
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<tr>
<td>Woodstock, QLD</td>
<td>Woodstock, QLD</td>
<td>Land and Buildings</td>
<td>Land: 650.00Ha; Buildings: 2,313m²</td>
<td>N/A</td>
<td>$19,589.00</td>
<td><strong>$2,176.61</strong></td>
<td></td>
</tr>
<tr>
<td>Weipa, QLD</td>
<td>Weipa, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Buildings: 2,303m²</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
<td></td>
</tr>
<tr>
<td>Toowoomba, QLD</td>
<td>Toowoomba, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Building: varies</td>
<td>N/A</td>
<td>$69,366,152.61</td>
<td><strong>$1,914,284.11</strong></td>
<td></td>
</tr>
<tr>
<td>Dutton Park, QLD</td>
<td>Dutton Park, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Buildings: 13,117m²</td>
<td>N/A</td>
<td>$69,366,152.61</td>
<td><strong>$1,914,284.11</strong></td>
<td></td>
</tr>
<tr>
<td>Cairns, QLD</td>
<td>Cairns, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Building: 811m²</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
<td></td>
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<tr>
<td>Coopers Plains, QLD</td>
<td>Coopers Plains, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Buildings: 2,363m²</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
<td></td>
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<tr>
<td>Herston, QLD</td>
<td>Herston, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Building: 540m²</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
<td></td>
</tr>
<tr>
<td>Cleveland, QLD</td>
<td>Cleveland, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Building: 200m²</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
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<tr>
<td>Ayr, QLD</td>
<td>Ayr, QLD</td>
<td>Buildings</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
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<tr>
<td>Brisbane (Uni of Tech), QLD</td>
<td>Brisbane (Uni of Tech), QLD</td>
<td>Buildings</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
<td></td>
</tr>
<tr>
<td>Townsville, QLD</td>
<td>Townsville, QLD</td>
<td>Buildings</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
<td></td>
</tr>
<tr>
<td>Gympie, QLD</td>
<td>Gympie, QLD</td>
<td>Buildings</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$22,361,044.00</td>
<td><strong>$767,683.17</strong></td>
<td></td>
</tr>
<tr>
<td>Department/ Agency</td>
<td>Location</td>
<td>Owned</td>
<td>Rented</td>
<td>Leased</td>
<td>Size</td>
<td>Annual Cost per square metre</td>
<td>What is the value of each building owned and/or occupied</td>
</tr>
<tr>
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</tr>
<tr>
<td>Ayr, QLD</td>
<td>Building</td>
<td>Land: N/A; Building: 12m²</td>
<td>Building: $524/m²</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Dalby, QLD</td>
<td>Building</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkhurst, QLD</td>
<td>Building</td>
<td>Land: N/A; Building: 61m²</td>
<td>Building: $206/m²</td>
<td>$0.00</td>
<td>$0.00</td>
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<td></td>
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<tr>
<td>Townsville, QLD</td>
<td>Buildings</td>
<td>Land: N/A; Buildings: 2,136m²</td>
<td>N/A</td>
<td>$10,178,626.13</td>
<td>$403,640.21</td>
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<tr>
<td>Bribie Island, QLD</td>
<td>Buildings</td>
<td>Land and Buildings</td>
<td>Under negotiation</td>
<td>N/A</td>
<td>$0.00</td>
<td></td>
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</tr>
<tr>
<td>Waite Campus, SA</td>
<td>Land</td>
<td>Land: 2.67Ha; Buildings: 17,385m²</td>
<td>Ld: $nil</td>
<td>$26,749,511.98</td>
<td>$1,854,063.53</td>
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<tr>
<td>Woongera, SA</td>
<td>Building</td>
<td>Building: N/A</td>
<td>Building: $nil</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adelaide, SA</td>
<td>Building</td>
<td>Land: N/A; Building: 177m²</td>
<td>Building: $220/m²</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Adelaide, SA</td>
<td>Building</td>
<td>Land: N/A; Building: 4,774m²</td>
<td>Building: $0.01/m²</td>
<td>$10,035,551.08</td>
<td>$655,176.95</td>
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<tr>
<td>Hindmarsh, SA</td>
<td>Building</td>
<td>Land: N/A; Building: 88m²</td>
<td>Building: $320/m²</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Mawson Lakes, SA</td>
<td>Building</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Hobart, TAS</td>
<td>Land and Buildings</td>
<td>Land: 2.91Ha; Buildings: 20,198m²</td>
<td>N/A</td>
<td>$55,672,276.06</td>
<td>$741,640.72</td>
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<tr>
<td>Sandy Bay, TAS</td>
<td>Land and Buildings</td>
<td>Land: 1.12Ha; Buildings: 3,226m²</td>
<td>N/A</td>
<td>$3,599,147.65</td>
<td>$384,913.34</td>
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<tr>
<td>Hobart, TAS</td>
<td>Building</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
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</tr>
<tr>
<td>Hobart, TAS</td>
<td>Building</td>
<td>Land: N/A; Buildings: 480m²</td>
<td>Building: $1,145/m²</td>
<td>$0.00</td>
<td>$0.00</td>
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</tr>
<tr>
<td>Droughty Point, TAS</td>
<td>Building</td>
<td>Land: 0.20Ha; Building: N/A</td>
<td>Land: $0.01/Ha</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Geelong, VIC</td>
<td>Land and Buildings</td>
<td>Land: 35.09Ha; Buildings: 74,107m²</td>
<td>N/A</td>
<td>$386,321,373.56</td>
<td>$14,933,585.40</td>
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<tr>
<td>Aspendale, VIC</td>
<td>Land and Buildings</td>
<td>Ld: 1.86Ha; Buildings: 7,588m²</td>
<td>N/A</td>
<td>$10,756,865.63</td>
<td>$819,507.53</td>
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<tr>
<td>Clayton, VIC</td>
<td>Land and Buildings</td>
<td>Ld: 15.38Ha; Buildings: 59,828m²</td>
<td>N/A</td>
<td>$159,021,521.32</td>
<td>$5,088,895.87</td>
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<tr>
<td>Department/ Agency</td>
<td>Location</td>
<td>Owned or Occupied</td>
<td>Size</td>
<td>Annual Cost per square metre</td>
<td>What is the value of each building owned and/or occupied</td>
<td>Deprecation of each building owned and/or occupied</td>
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<tr>
<td>Geelong, VIC</td>
<td>Land and Buildings</td>
<td>Land: 6.37Ha; Buildings: 22,777m²</td>
<td>N/A</td>
<td>$7,800,000.00</td>
<td>$562,690.98</td>
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<tr>
<td>Highett, VIC</td>
<td>Land and Buildings</td>
<td>Land: 9.28Ha; Buildings: 5,505m²</td>
<td>N/A</td>
<td>$29,000,000.00</td>
<td>$817,381.50</td>
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<tr>
<td>Merbein, VIC</td>
<td>Land and Buildings</td>
<td>Land: 35.42Ha; Buildings: 29,688m²</td>
<td>N/A</td>
<td>$135,429.28</td>
<td>$18,537.93</td>
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<tr>
<td>Irymple, VIC</td>
<td>Land and Buildings</td>
<td>Land: 15.79Ha; Buildings: 394m²</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Clayton North, VIC</td>
<td>Land and Buildings</td>
<td>Land: 3.71Ha; Buildings: 12,878m²</td>
<td>N/A</td>
<td>$10,844,249.76</td>
<td>$615,998.34</td>
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<tr>
<td>CSIRO (Cont.)</td>
<td>Werribee, VIC</td>
<td>Land and Buildings</td>
<td>Land: 8.13Ha; Buildings: 3,619m²</td>
<td>N/A</td>
<td>$5,286,901.36</td>
<td>$350,104.28</td>
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<tr>
<td>Werribee, VIC</td>
<td>Buildings</td>
<td>Land: 3.63 Ha; Buildings: 12,189m²</td>
<td>N/A</td>
<td>$5,873,650.00</td>
<td>$341,371.98</td>
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<tr>
<td>Collingwood, VIC</td>
<td>Buildings</td>
<td>Land: N/A; Building: 2,064m²</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
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<td></td>
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<tr>
<td>Wodonga, VIC</td>
<td>Buildings</td>
<td>Land: N/A; Building: 1,850m²</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Clayton, VIC</td>
<td>Buildings</td>
<td>Land: N/A; Bldg 1: 1,520m²</td>
<td>N/A</td>
<td>$0.00</td>
<td>N/A</td>
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<td></td>
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<tr>
<td>Docklands, VIC</td>
<td>Buildings</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Clayton, VIC</td>
<td>Buildings</td>
<td>Land: N/A; Building: 642m²</td>
<td>N/A</td>
<td>$0.00</td>
<td>N/A</td>
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<tr>
<td>Flinders, VIC</td>
<td>Land</td>
<td>Land: 0.03Ha; Building: N/A</td>
<td>N/A</td>
<td>$0.00</td>
<td>N/A</td>
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<td></td>
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<tr>
<td>Clayton, VIC</td>
<td>Buildings</td>
<td>Land: N/A; Building: 217m²</td>
<td>N/A</td>
<td>$0.00</td>
<td>N/A</td>
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<tr>
<td>Floreat, WA</td>
<td>Land and Buildings Land</td>
<td>Land: 10.93Ha; Buildings: 22,477m²</td>
<td>N/A</td>
<td>$63,398,277.51</td>
<td>$2,359,056.91</td>
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<tr>
<td>Bakers Hill, WA</td>
<td>Land</td>
<td>Land: 192,000m²</td>
<td>N/A</td>
<td>$740,000.00</td>
<td>$0.00</td>
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<tr>
<td>Kensington, WA</td>
<td>Land and Buildings</td>
<td>Land: 6.99Ha; Buildings: 19,422m²</td>
<td>N/A</td>
<td>$83,116,642.45</td>
<td>$1,933,638.80</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waterford, WA</td>
<td>Buildings</td>
<td>Land: 4.30Ha; Buildings: 11,395m²</td>
<td>N/A</td>
<td>$21,751,336.32</td>
<td>$1,050,763.27</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department/ Agency</td>
<td>Location</td>
<td>Owned</td>
<td>Rented</td>
<td>Leased</td>
<td>Size</td>
<td>Annual Cost per square metre</td>
<td>What is the value of each building owned and/or occupied</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------</td>
<td>-------</td>
<td>--------</td>
<td>--------</td>
<td>------</td>
<td>-----------------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Geraldton, WA</td>
<td>Land</td>
<td></td>
<td></td>
<td>Land: 0.25Ha; Building: N/A</td>
<td>Land: $0.01/Ha</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>West Perth, WA</td>
<td>Building</td>
<td>Hosted Occupancy</td>
<td>N/A</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mingenew, WA</td>
<td>Land</td>
<td></td>
<td></td>
<td>Land: 1Ha; Building: N/A</td>
<td>Land: 13,200/Ha</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Murchison, WA</td>
<td>Buildings</td>
<td>Land: 346,748Ha; Buildings: 345m²</td>
<td>Land: $0.04/Ha</td>
<td>$5,452,968.80</td>
<td>$13,088.55</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murchison, WA</td>
<td>Land</td>
<td></td>
<td></td>
<td>Land: 0.01/Ha; Building: 40 m²</td>
<td>Land: $0.01/Ha</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Geraldton, WA</td>
<td>Building</td>
<td>Land: N/A; Building: 172m²</td>
<td>Building: $278 m²</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bentley (Curtin Uni), WA</td>
<td>Building</td>
<td>Land: N/A; Building: 144m²</td>
<td>Building: $475 m²</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Montpellier, France</td>
<td>Land and Building</td>
<td>Land: 25.00Ha; Building: 1,674m²</td>
<td>N/A</td>
<td>$1,575,000.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1. In responding to this question the Department has defined 'leased' properties as those where a formal lease agreement is in place and 'rented' properties as those where an informal non-binding agreement is in place.
2. Depreciation expenses are the responsibility of the building owner.
3. Costs in relation to these properties are incurred under a Memorandum of Understanding with the Department of Foreign Affairs and Trade which includes travel administration and property costs.
4. These premises are not leased or rented. AIMS pays rates to the Department of Natural Resources.
5. Given that CSIRO has over 1,200 buildings in its property portfolio, CSIRO property values are provided per site/location (not building by building) and the value provided is of land and buildings, values are as at 30 June 2011 and depreciation figures are for 2010-11 based on values as at 30 June 2008 or the completion of subsequent capital expenditure prior to 30 June 2011.

(4) (a) to (c)
Please refer to Budget Estimates response BI-49. The full list of members is provided on the DIISR website, under the Information Publication Scheme, at the following link

(5) (a) to (h)
A breakdown of this type of expenditure against individual programs is not available, however detail on available figures has been provided previously. Please refer to the following Budget Estimates responses: BI-46, BI-47, BI-48, BI-53, BI-57, BI-63, BI-64 and BI-65.