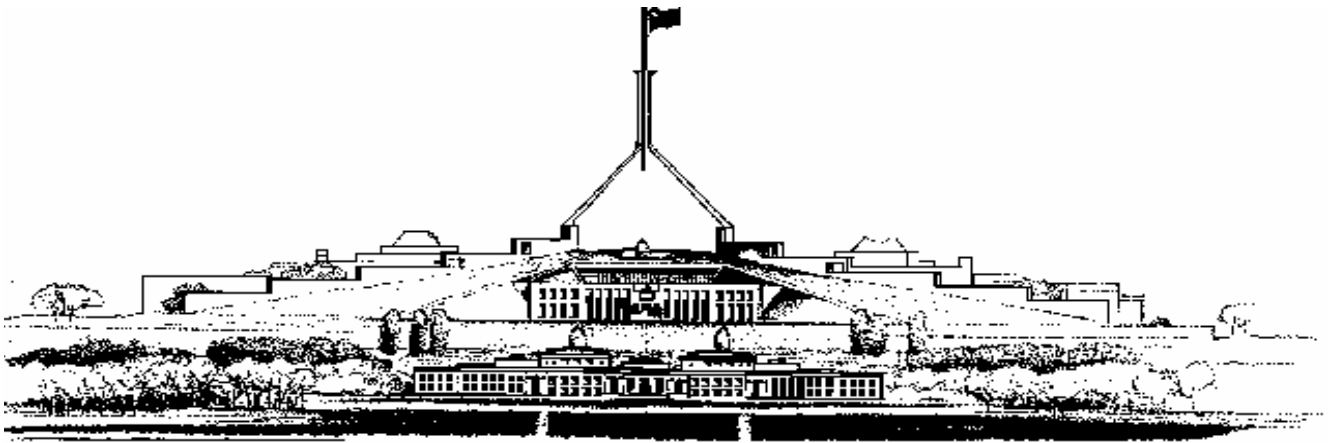




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



House of Representatives

Official Hansard

No. 5, 2010

Thursday, 25 November 2010

FORTY-THIRD PARLIAMENT
FIRST SESSION—FIRST PERIOD

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SITTING DAYS—2010

Month	Date
February	2, 3, 4, 8, 9, 10, 11, 22, 23, 24, 25
March	9, 10, 11, 15, 16, 17, 18
May	11, 12, 13, 24, 25, 26, 27, 31
June	1, 2, 3, 15, 16, 17, 21, 22, 23, 24
September	28, 29, 30
October	18, 19, 20, 21, 25, 26, 27, 28
November	15, 16, 17, 18, 22, 23, 24, 25

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**FORTY-THIRD PARLIAMENT
FIRST SESSION—FIRST PERIOD**

Governor-General

Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

House of Representatives Officeholders

Speaker—Mr Harry Alfred Jenkins MP

Deputy Speaker—Hon. Peter Neil Slipper MP

Second Deputy Speaker—Hon. Bruce Craig Scott MP

Members of the Speaker's Panel—Ms Anna Elizabeth Burke MP, Hon. Dick Godfrey Harry Adams MP, Ms Sharon Leah Bird MP, Mrs Yvette Maree D'Ath MP, Mr Steven Georganas MP, Kirsten Fiona Livermore MP, Mr John Paul Murphy MP, Mr Peter Sid Sidebottom MP, Mr Kelvin John Thomson MP, Ms Maria Vamvakinou MP

Leader of the House—Hon. Anthony Norman Albanese MP

Deputy Leader of the House—Hon. Stephen Francis Smith MP

Manager of Opposition Business—Hon. Christopher Maurice Pyne MP

Deputy Manager of Opposition Business—Mr Luke Hartsuyker MP

Party Leaders and Whips

Australian Labor Party

Leader—Hon. Julia Eileen Gillard MP

Deputy Leader—Hon. Wayne Maxwell Swan MP

Chief Government Whip—Hon. Joel Andrew Fitzgibbon MP

Government Whips—Ms Jill Griffiths Hall MP and Mr Christopher Patrick Hayes MP

Liberal Party of Australia

Leader—Hon. Anthony John Abbott MP

Deputy Leader—Hon. Julie Isabel Bishop MP

Chief Opposition Whip—Hon. Warren George Entsch MP

Opposition Whips—Mr Patrick Damien Secker MP and Ms Nola Bethwyn Marino MP

The Nationals

Leader—Hon. Warren Errol Truss MP

Chief Whip—Mr Mark Maclean Coulton MP

Whip—Mr Paul Christopher Neville MP

Printed by authority of the House of Representatives

Members of the House of Representatives

Members	Division	Party
Abbott, Hon. Anthony John	Warringah, NSW	LP
Adams, Hon. Dick Godfrey Harry	Lyons, TAS	ALP
Albanese, Hon. Anthony Norman	Grayndler, NSW	ALP
Alexander, John Gilbert	Bennelong, NSW	LP
Andrews, Hon. Kevin James	Menzies, VIC	LP
Andrews, Karen Lesley	McPherson, QLD	LP
Baldwin, Hon. Robert Charles	Paterson, NSW	LP
Bandt, Adam Paul	Melbourne, VIC	AG
Billson, Hon. Bruce Fredrick	Dunkley, VIC	LP
Bird, Sharon Leah	Cunningham, NSW	ALP
Bishop, Hon. Bronwyn Kathleen	Mackellar, NSW	LP
Bishop, Hon. Julie Isabel	Curtin, WA	LP
Bowen, Hon. Christopher Eyles	McMahon, NSW	ALP
Bradbury, Hon. David John	Lindsay, NSW	ALP
Briggs, Jamie Edward	Mayo, SA	LP
Broadbent, Russell Evan	McMillan, VIC	LP
Brodthmann, Gai Marie	Canberra, ACT	ALP
Buchholz, Scott Andrew	Wright, QLD	LP
Burke, Anna Elizabeth	Chisholm, VIC	ALP
Burke, Hon. Anthony Stephen	Watson, NSW	ALP
Butler, Hon. Mark Christopher	Port Adelaide, SA	ALP
Byrne, Hon. Anthony Michael	Holt, VIC	ALP
Champion, Nicholas David	Wakefield, SA	ALP
Cheeseman, Darren Leicester	Corangamite, VIC	ALP
Chester, Darren	Gippsland, VIC	Nats
Christensen, George Robert	Dawson, QLD	Nats
Ciobo, Steven Michele	Moncrieff, QLD	LP
Clare, Hon. Jason Dean	Blaxland, NSW	ALP
Cobb, Hon. John Kenneth	Calare, NSW	Nats
Collins, Hon. Julie Maree	Franklin, TAS	ALP
Combet, Hon. Greg Ivan, AM	Charlton, NSW	ALP
Coulton, Mark Maclean	Parkes, NSW	Nats
Crean, Hon. Simon Findlay	Hotham, VIC	ALP
Crook, Anthony John	O'Connor, WA	NWA
Danby, Michael David	Melbourne Ports, VIC	ALP
D'Ath, Yvette Maree	Petrie, QLD	ALP
Dreyfus, Hon. Mark Alfred, QC	Isaacs, VIC	ALP
Dutton, Hon. Peter Craig	Dickson, QLD	LP
Elliot, Hon. Maria Justine	Richmond, NSW	ALP
Ellis, Hon. Katherine Margaret	Adelaide, SA	ALP
Emerson, Hon. Craig Anthony	Rankin, QLD	ALP
Entsch, Warren George	Leichhardt, QLD	LP
Ferguson, Hon. Laurie Donald Thomas	Werriwa, NSW	ALP
Ferguson, Hon. Martin John, AM	Batman, VIC	ALP
Fitzgibbon, Hon. Joel Andrew	Hunter, NSW	ALP
Fletcher, Paul William	Bradfield, NSW	LP
Forrest, John Alexander	Mallee, VIC	Nats
Frydenberg, Joshua Anthony	Kooyong, VIC	LP

Members of the House of Representatives

Members	Division	Party
Gambaro, Hon. Teresa	Brisbane, QLD	LP
Garrett, Hon. Peter Robert, AM	Kingsford Smith, NSW	ALP
Gash, Joanna	Gilmore, NSW	LP
Georganas, Steve	Hindmarsh, SA	ALP
Gibbons, Stephen William	Bendigo, VIC	ALP
Gillard, Hon. Julia Eileen	Lalor, VIC	ALP
Gray, Hon. Gary, AO	Brand, WA	ALP
Grierson, Sharon Joy	Newcastle, NSW	ALP
Griffin, Hon. Alan Peter	Bruce, VIC	ALP
Griggs, Natasha Louise	Solomon, NT	CLP
Haase, Barry Wayne	Durack, WA	LP
Hall, Jill	Shortland, NSW	ALP
Hartsuyker, Luke	Cowper, NSW	Nats
Hawke, Alexander George	Mitchell, NSW	LP
Hayes, Christopher Patrick	Fowler, NSW	ALP
Hockey, Hon. Joseph Benedict	North Sydney, NSW	LP
Hunt, Hon. Gregory Andrew	Flinders, VIC	LP
Husic, Edham Nurredin	Chifley, NSW	ALP
Irons, Stephen James	Swan, WA	LP
Jenkins, Harry Alfred	Scullin, VIC	ALP
Jensen, Dennis Geoffrey	Tangney, WA	LP
Jones, Stephen Patrick	Throsby, NSW	ALP
Jones, Ewen Thomas	Herbert, QLD	LP
Katter, Hon. Robert Carl	Kennedy, QLD	Ind
Keenan, Michael Fayat	Stirling, WA	LP
Kelly, Hon. Michael Joseph, AM	Eden-Monaro, NSW	ALP
Kelly, Craig	Hughes, NSW	LP
King, Hon. Catherine Fiona	Ballarat, VIC	ALP
Laming, Andrew Charles	Bowman, QLD	LP
Leigh, Andrew Keith	Fraser, ACT	ALP
Ley, Hon. Sussan Penelope	Farrer, NSW	LP
Livermore, Kirsten Fiona	Capricornia, QLD	ALP
Lyons, Geoffrey Raymond	Bass, TAS	ALP
McClelland, Hon. Robert Bruce	Barton, NSW	ALP
Macfarlane, Hon. Ian Elgin	Groom, QLD	LP
Macklin, Hon. Jennifer Louise	Jagajaga, VIC	ALP
Marino, Nola Bethwyn	Forrest, WA	LP
Markus, Louise Elizabeth	Macquarie, NSW	LP
Marles, Hon. Richard Donald	Corio, VIC	ALP
Matheson, Russell Glenn	Macarthur, NSW	LP
McCormack, Michael	Riverina, NSW	Nats
Melham, Daryl	Banks, NSW	ALP
Mirabella, Sophie	Indi, VIC	LP
Mitchell, Robert George	McEwen, VIC	ALP
Morrison, Scott John	Cook, NSW	LP
Moylan, Hon. Judith Eleanor	Pearce, WA	LP
Murphy, Hon. John Paul	Reid, NSW	ALP
Neumann, Shayne Kenneth	Blair, QLD	ALP
Neville, Paul Christopher	Hinkler, QLD	Nats

Members of the House of Representatives

Members	Division	Party
Oakeshott, Robert James Murray	Lyne, NSW	Ind
O'Connor, Hon. Brendan Patrick	Gorton, VIC	ALP
O'Dowd, Kenneth Desmond	Flynn, QLD	Nats
O'Dwyer, Kelly Megan	Higgins, VIC	LP
O'Neill, Deborah Mary	Robertson, NSW	ALP
Owens, Julie Ann	Parramatta, NSW	ALP
Parke, Melissa	Fremantle, WA	ALP
Perrett, Graham Douglas	Moreton, QLD	ALP
Plibersek, Hon. Tanya Joan	Sydney, NSW	ALP
Prentice, Jane	Ryan, QLD	LP
Pyne, Hon. Christopher Maurice	Sturt, SA	LP
Ramsey, Rowan Eric	Grey, SA	LP
Randall, Don James	Canning, WA	LP
Ripoll, Bernard Fernand	Oxley, QLD	ALP
Rishworth, Amanda Louise	Kingston, SA	ALP
Robb, Hon. Andrew John, AO	Goldstein, VIC	LP
Robert, Stuart Rowland	Fadden, QLD	LP
Rowland, Michelle	Greenway, NSW	ALP
Roxon, Hon. Nicola Louise	Gellibrand, VIC	ALP
Roy, Wyatt Beau	Longman, QLD	LP
Rudd, Hon. Kevin Michael	Griffith, QLD	ALP
Ruddock, Hon. Philip Maxwell	Berowra, NSW	LP
Saffin, Janelle Anne	Page, NSW	ALP
Schultz, Albert John	Hume, NSW	LP
Scott, Hon. Bruce Craig	Maranoa, QLD	Nats
Secker, Patrick Damien	Barker, SA	LP
Shorten, Hon. William Richard	Maribyrnong, VIC	ALP
Sidebottom, Peter Sid	Braddon, TAS	ALP
Simpkins, Luke Xavier Linton	Cowan, WA	LP
Slipper, Hon. Peter Neil	Fisher, QLD	LP
Smith, Hon. Anthony David Hawthorn	Casey, VIC	LP
Smith, Hon. Stephen Francis	Perth, WA	ALP
Smyth, Laura Mary	La Trobe, VIC	ALP
Snowden, Hon. Warren Edward	Lingiari, NT	ALP
Somlyay, Hon. Alexander Michael	Fairfax, QLD	LP
Southcott, Andrew John	Boothby, SA	LP
Stone, Hon. Sharman Nancy	Murray, VIC	LP
Swan, Hon. Wayne Maxwell	Lilley, QLD	ALP
Symon, Michael Stuart	Deakin, VIC	ALP
Tehan, Daniel Thomas	Wannon, VIC	LP
Thomson, Craig Robert	Dobell, NSW	ALP
Thomson, Kelvin John	Wills, VIC	ALP
Truss, Hon. Warren Errol	Wide Bay, QLD	Nats
Tudge, Alan Edward	Aston, VIC	LP
Turnbull, Hon. Malcom Bligh	Wentworth, NSW	LP
Vamvakinou, Maria	Calwell, VIC	ALP
Van Manen, Albertus Johannes	Forde, QLD	LP
Vasta, Ross Xavier	Bonner, QLD	LP
Washer, Malcom James	Moore, WA	LP

Members of the House of Representatives

Members	Division	Party
Wilkie, Andrew Damien	Denison, TAS	Ind
Windsor, Anthony Harold Curties	New England, NSW	Ind
Wyatt, Kenneth George	Hasluck, WA	LP
Zappia, Tony	Makin, SA	ALP

PARTY ABBREVIATIONS

ALP—Australian Labor Party; LP—Liberal Party of Australia; LNP—Liberal National Party;
CLP—Country Liberal Party; Nats—The Nationals; NWA—The Nationals WA; Ind—Independent;
AG—Australian Greens

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

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

[The above ministers constitute the cabinet]

GILLARD MINISTRY—*continued*

Minister for the Arts	Hon. Simon Crean MP
Minister for Social Inclusion	Hon. Tanya Plibersek MP
Minister for Privacy and Freedom of Information	Hon. Brendan O'Connor MP
Minister for Sport	Senator Hon. Mark Arbib
Special Minister of State for the Public Service and Integrity	Hon. Gary Gray AO, MP
Assistant Minister to the Treasurer and Minister for Financial Services and Superannuation	Hon. Bill Shorten MP
Minister for Employment Participation and Childcare	Hon. Kate Ellis MP
Minister for Indigenous Employment and Economic Development	Senator Hon. Mark Arbib
Minister for Veterans' Affairs and Minister for Defence Science and Personnel	Hon. Warren Snowdon MP
Minister for Defence Materiel	Hon. Jason Clare MP
Minister for Indigenous Health	Hon. Warren Snowdon MP
Minister for Mental Health and Ageing	Hon. Mark Butler MP
Minister for the Status of Women	Hon. Kate Ellis MP
Minister for Social Housing and Homelessness	Senator Hon. Mark Arbib
Special Minister of State	Hon. Gary Gray AO, MP
Minister for Small Business	Senator Hon. Nick Sherry
Minister for Home Affairs and Minister for Justice	Hon. Brendan O'Connor MP
Minister for Human Services	Hon. Tanya Plibersek MP
Cabinet Secretary	Hon. Mark Dreyfus QC, MP
Parliamentary Secretary to the Prime Minister	Senator Hon. Kate Lundy
Parliamentary Secretary to the Treasurer	Hon. David Bradbury MP
Parliamentary Secretary for School Education and Workplace Relations	Senator Hon. Jacinta Collins
Minister Assisting the Prime Minister on Digital Productivity	Senator Hon. Stephen Conroy
Parliamentary Secretary for Trade	Hon. Justine Elliot MP
Parliamentary Secretary for Pacific Island Affairs	Hon. Richard Marles MP
Parliamentary Secretary for Defence	Senator Hon. David Feeney
Parliamentary Secretary for Immigration and Citizenship	Senator Hon. Kate Lundy
Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing	Hon. Catherine King MP
Parliamentary Secretary for Disabilities and Carers	Senator Hon. Jan McLucas
Parliamentary Secretary for Community Services	Hon. Julie Collins MP
Parliamentary Secretary for Sustainability and Urban Water	Senator Hon. Don Farrell
Minister Assisting on Deregulation	Senator Hon. Nick Sherry
Parliamentary Secretary for Agriculture, Fisheries and Forestry	Hon. Dr Mike Kelly AM, MP
Minister Assisting the Minister for Tourism	Senator Hon. Nick Sherry
Parliamentary Secretary for Climate Change and Energy Efficiency	Hon. Mark Dreyfus QC, MP

SHADOW MINISTRY

Leader of the Opposition	Hon. Tony Abbott MP
Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade	Hon. Julie Bishop MP
Leader of the Nationals and Shadow Minister for Infrastructure and Transport	Hon. Warren Truss MP
Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations	Senator Hon. Eric Abetz
Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts	Senator Hon. George Brandis SC
Shadow Treasurer	Hon. Joe Hockey MP
Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House	Hon. Christopher Pyne MP
Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals	Senator Hon. Nigel Scullion
Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate	Senator Barnaby Joyce
Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee	Hon. Andrew Robb AO, MP
Shadow Minister for Energy and Resources	Hon. Ian Macfarlane MP
Shadow Minister for Defence	Senator Hon. David Johnston
Shadow Minister for Communications and Broadband	Hon. Malcolm Turnbull MP
Shadow Minister for Health and Ageing	Hon. Peter Dutton MP
Shadow Minister for Families, Housing and Human Services	Hon. Kevin Andrews MP
Shadow Minister for Climate Action, Environment and Heritage	Hon. Greg Hunt MP
Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship	Mr Scott Morrison MP
Shadow Minister for Innovation, Industry and Science	Mrs Sophie Mirabella MP
Shadow Minister for Agriculture and Food Security	Hon. John Cobb MP
Shadow Minister for Small Business, Competition Policy and Consumer Affairs	Hon. Bruce Billson MP

[The above constitute the shadow cabinet]

SHADOW MINISTRY—*continued*

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

SHADOW MINISTRY—*continued*

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

CONTENTS—*continued*

THURSDAY, 25 NOVEMBER

Chamber

National Broadband Network Companies Bill 2010—	
First Reading	3753
Second Reading.....	3753
Telecommunications Legislation Amendment (National Broadband Network Measures—Access Arrangements) Bill 2010—	
First Reading	3754
Tax Laws Amendment (2010 Measures No. 5) Bill 2010—	
First Reading	3756
Second Reading.....	3756
Human Services Legislation Amendment Bill 2010—	
First Reading	3758
Second Reading.....	3758
Parliamentary Zone—	
Approval of Proposal	3760
Committees—	
Publications Committee—Report	3760
Private Members' Business—	
Suspension of Standing and Sessional Orders	3761
Committees—	
Broadband Committee—Report from Main Committee.....	3769
Special Disability Trusts—	
Report from Main Committee	3771
Climate Change	3772
Mental Health—	
Report from Main Committee	3772
Business—	
Suspension of Standing and Sessional Orders	3773
Leave of Absence	3774
New Zealand: Mine Explosion.....	3774
Cambodia: Festival Disaster.....	3775
Leave of Absence	3776
Mental Health—	
Recommittal of Vote.....	3798
Business—	
Days and Hours of Meeting	3800
Leave of Absence	3800
Native Title Amendment Bill (No. 1) 2010—	
Second Reading.....	3806
Statements by Members—	
Workplace Relations	3809
Scottsdale Defence Science and Technology Facility	3809
Mr Azem Elmaz	3810
Ms Krystle Brown.....	3810
Wright Electorate: Girl and Woman of the Year Dance	3811
Newcastle.....	3811
Herbert Electorate: North Queensland Community Transport.....	3811
Canberra Electorate: Curtin Primary School Age Care Program	3812
Cook Electorate: Mr Joshua Gibson	3812
Robertson Electorate: Broadband	3813

CONTENTS—continued

Business.....	3813
Soccer World Cup.....	3813
Questions Without Notice—	
Broadband.....	3814
Broadband.....	3815
Distinguished Visitors	3816
Questions Without Notice—	
Broadband.....	3816
Economy	3817
Broadband.....	3819
Distinguished Visitors	3819
Questions Without Notice—	
Disability Services	3819
Economy	3820
Broadband.....	3822
Building the Education Revolution Program	3823
Australian Labor Party	3824
Climate Change.....	3825
Australian Labor Party	3827
Health Services	3828
Cost of Living	3829
Gillard Government	3830
Asylum Seekers	3831
Violence Against Women	3832
Questions to the Speaker—	
Member for Gippsland.....	3833
Parliament House: Water Features	3833
Broadband.....	3834
Member For Moore	3834
New Zealand: Mine Explosion.....	3834
Auditor-General’s Reports—	
Report No. 16 of 2010-11	3835
Committees—	
Selection Committee—Report No. 9	3835
Publications Committee—Report	3835
Reports: Government Responses	3836
Documents.....	3842
Committees—	
Climate Change, Environment and the Arts Committee—Membership.....	3842
Business.....	3842
National Party Whips: Staff.....	3843
Question Time	3843
Weather conditions	3844
Matters of Public Importance—	
Economy	3844
Committees—	
Corporations and Financial Services Committee—Reference	3860
National Security Legislation Amendment Bill 2010.....	3861
Parliamentary Joint Committee on Law Enforcement Bill 2010.....	3861
Higher Education Support Amendment (2010 Budget Measures) Bill 2010	3861
Social Security Legislation Amendment (Connecting People with Jobs) Bill 2010.....	3861
Corporations Amendment (No. 1) Bill 2010	3861

CONTENTS—*continued*

Higher Education Support Amendment (Fee-Help Loan Fee) Bill 2010	3861
International Financial Institutions Legislation Amendment Bill 2010.....	3861
Australian National Preventive Health Agency Bill 2010	3861
1998 Budget Measures Legislation Amendment (Social Security and Veterans' Entitlements) Bill 1998—	
Assent.....	3861
Native Title Amendment Bill (No. 1) 2010—	
Third Reading	3875
Financial Framework Legislation Amendment Bill 2010—	
Second Reading.....	3875
Consideration in Detail	3879
Third Reading	3879
Service and Execution of Process Amendment (Interstate Fine Enforcement) Bill 2010—	
Second Reading.....	3879
Third Reading	3883
Business.....	3884
Personal Explanations	3884
Committees—	
Selection Committee—Report	3885
Economics Committee—Membership.....	3885
Gillard Government—	
Suspension of Standing and Sessional Orders	3885
Radiocommunications Amendment Bill 2010.....	3892
Family Law Amendment (Validation of Certain Parenting Orders and Other Measures) Bill 2010	3892
Corporations Amendment (Sons of Gwalia) Bill 2010.....	3892
Health Insurance Amendment (Pathology Requests) Bill 2010	3892
Financial Framework Legislation Amendment Bill 2010	3892
Therapeutic Goods Amendment (2010 Measures No. 1) Bill 2010	3892
Territories Law Reform Bill 2010—	
Returned from the Senate.....	3892
Airports Amendment Bill 2010—	
Consideration of Senate Message	3892
Tax Laws Amendment (Confidentiality of Taxpayer Information) Bill 2010—	
Consideration of Senate Message	3896
Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2010—	
Consideration of Senate Message	3899
Adjournment.....	3917
Notices.....	3918
Main Committee	
Constituency Statements—	
Murray-Darling Basin	3920
Deakin University Pedestrian Bridge.....	3920
Petition: Mentelle Basin.....	3921
Adelaide Electorate: City of Prospect	3922
Armenian Community.....	3923
Earnshaw State College: Global Enterprise Challenge	3924
Petition: Pompe's Disease.....	3924
Emeritus Professor Frank Fenner.....	3926

CONTENTS—*continued*

Pompe's Disease	3927
Parramatta Electorate: Switch Digital Arts Centre.....	3928
Mr Bob Brooks	3929
Blood Donation.....	3929
Governor-General's Speech—	
Address-in-Reply	3929
Adjournment—	
Bennelong Electorate: Infrastructure	3938
Chifley Electorate: Plumpton High School.....	3939
Dunkley Electorate.....	3940
New Zealand: Mine Explosion.....	3942
Newcastle Electorate.....	3942
Petition: Step to the Future Program.....	3943
Emeritus Professor Frank Fenner.....	3945
Wild Rivers	3946
Rail Infrastructure	3948
Western Australia	3949
Iraq.....	3950
Petition: Menindee Lakes.....	3952
La Trobe Electorate: Education and Health	3953
Calare Electorate: White Ribbon Day.....	3954
Pensions and Benefits	3954
Flying Foxes.....	3954
PBS Homes ACT	3956
New Zealand: Mine Explosion.....	3956
Cambodia: Festival Disaster	3956
Bowel Cancer.....	3957
Pork Industry: Sow Stalls.....	3958
Disability Services	3960
New Zealand: Mine Explosion.....	3961
Riverina Electorate: Citrus Industry.....	3962
Election Material.....	3963
Questions In Writing	
Climate Change and Energy Efficiency: Staffing—(Question No. 5).....	3966
Climate Change and Energy Efficiency: Premises—(Question No. 6).....	3967
Prime Minister—(Question No. 7).....	3968
Friable Asbestos—(Question No. 42)	3969
Resources, Energy and Tourism: Tourism Division—(Question No. 52)	3969
Tourism Research Australia—(Question No. 53).....	3970
TQUAL Grants Program—(Question No. 56)	3971
Tourism Australia: Staffing—(Question No. 58)	3972

Thursday, 25 November 2010

The SPEAKER (Mr Harry Jenkins) took the chair at 9 am, made an acknowledgement of country and read prayers.

NATIONAL BROADBAND NETWORK COMPANIES BILL 2010

First Reading

Bill and explanatory memorandum presented by **Mr Albanese**.

Bill read a first time.

Second Reading

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (9.01 am)—I move:

That this bill be now read a second time.

The National Broadband Network Companies Bill 2010 and the other bill that I am introducing today, the Telecommunications Legislation Amendment (National Broadband Network Measures—Access Arrangements) Bill 2010, build upon the government's historic establishment of a company, NBN Co. Ltd, to build and operate a new superfast National Broadband Network.

These bills enshrine in legislation the policy commitments the government made in its NBN announcement and provide clarity and certainty to NBN Co. Ltd, industry and the wider community.

The NBN will connect up to 93 per cent of all Australian homes, schools and workplaces with fibre-based broadband services and will connect other premises in Australia with next generation wireless and satellite broadband services. The NBN will better position us in an increasingly digital world to prosper and compete and better enable Australian businesses to compete on a global scale.

In April 2009, the government indicated that it would legislate to establish:

- operating, ownership and governance arrangements for NBN Co. Ltd; and
- the regime to facilitate access to the NBN for access seekers.

The government has consulted extensively on the legislative arrangements for NBN Co. Ltd, releasing exposure drafts of the bills in February 2010 and also consulting through the implementation study on the NBN. The bills that I am introducing today have been amended in light of those processes.

The first bill in the package, the NBN companies bill, obligates NBN Co. Ltd to limit its operations to, and focus them on, wholesale-only telecommunications. It also sets out arrangements for the eventual sale of the Commonwealth's stake in the company once the NBN rollout is complete, including provisions for independent and parliamentary reviews prior to any privatisation, and for the parliament to have the final say on the sale. The bill also creates a power for the Governor-General to make regulations concerning future private ownership and control of NBN Co. Ltd, and establishes other relevant reporting, governance and enforcement mechanisms.

As such, the bill deals with arrangements for both today and into the future. In particular, it makes sure that NBN Co. Ltd will be tightly bound to respect its wholesale-only mandate, thereby promoting competition and better services for all Australians.

The bill covers NBN Co. Ltd, NBN Tasmania and any company NBN Co. Ltd controls. The bill specifies that NBN Co. Ltd must supply services only to carriers or service providers or specified utilities and transport authorities. Supply to utilities and transport authorities will support the rollout of, for example, smart infrastructure management technologies. The exposure draft of the bill enabled the minister to allow NBN Co. Ltd to supply services to specified end

users. This power has been removed from the bill.

The bill creates a power for the communications minister and the finance minister to order internal separation of NBN Co. Ltd's business units, including powers to order it to transfer or divest its assets. These powers provide additional safeguards that can be brought into play, if necessary, to ensure NBN Co. Ltd operates in a manner that is transparent and supports effective competition.

Taking into account the recommendations of the implementation study on the NBN, the Commonwealth will retain full ownership of NBN Co. Ltd until the rollout of the NBN is complete. This will ensure that during the rollout NBN Co. Ltd remains focused on achieving the government's policy aims, and not on the different risks and rewards that private sector equity investors would require.

After the communications minister has declared that the rollout is complete, the productivity minister may direct the Productivity Commission to undertake a 12-month inquiry into a number of matters. These may include the regulatory framework for the NBN, and the impacts of a sale of NBN Co. Ltd on the Commonwealth budget, consumer outcomes and competition. Within 15 sitting days of the Productivity Commission inquiry report being tabled, a parliamentary joint committee on the ownership of NBN Co. Ltd is to be established, according to the practice of parliament, to examine the report of the Productivity Commission inquiry. This joint committee will report to both houses of parliament within 180 days of its appointment. After it reports, the finance minister may, by disallowable instrument, advise that conditions are suitable for an NBN Co. Ltd sale scheme.

There is no longer a requirement that NBN Co. Ltd must be sold within five years

of it being declared built and fully operational. Rather the time frame for any sale is left to the judgment of the government and parliament of the day, enabling due regard to the role the NBN is playing, market conditions and any other relevant factors.

The bill also confirms that NBN Co. Ltd should be subject to the same range of obligations as other government business enterprises. For example, NBN Co. Ltd is not a public authority. NBN Co. Ltd is not subject to the Public Works Committee Act 1969 as were earlier government owned carriers like Telstra, OTC and Aussat, and currently Australia Post.

Together with the NBN access bill, the NBN Companies Bill delivers on the government's commitment that NBN Co. Ltd will operate on a wholesale only, open and equivalent access basis, delivering long-term benefits for competition and consumers. I commend the bill to the House.

Debate (on motion by **Mr Secker**) adjourned.

**TELECOMMUNICATIONS
LEGISLATION AMENDMENT
(NATIONAL BROADBAND NETWORK
MEASURES—ACCESS
ARRANGEMENTS) BILL 2010**

First Reading

Bill and explanatory memorandum presented by **Mr Albanese**.

Bill read a first time.

Second Reading

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (9.10 am)—I move:

That this bill be now read a second time.

The Telecommunications Legislation Amendment (National Broadband Network Measures—Access Arrangements) Bill 2010, the NBN access bill, accompanies the National Broadband Network Companies Bill which just had its second reading. Together,

the two bills form a package to promote competition and better telecommunications services for all Australians.

The NBN access bill will establish clear open access, equivalence and transparency requirements for NBN Co. Ltd. It will also extend supply and open access obligations to owners of other superfast networks that are rolled out or upgraded after the introduction of this bill to parliament.

The bill establishes rules for the supply of services by NBN Co. Ltd. All of NBN Co. Ltd's services will be declared services under the Trade Practices Act 1974, and subject to enforcement under that act. The bill also establishes a new category of standard access obligations for NBN Co. Ltd. These obligations are designed to guarantee three things:

- the supply of declared services to access seekers;
- interconnection of facilities to the NBN; and
- access to conditional access customer equipment, as needed, to providers of retail telecommunications services.

The bill provides as a general rule that NBN Co. Ltd must not discriminate between access seekers. However, consistent with commercial and efficiency considerations, NBN Co. Ltd will be permitted to negotiate with individual access seekers to vary standard terms and conditions, but only under clearly specified criteria and subject to ACCC oversight. Different terms will be permitted in relation to the creditworthiness of an access seeker, consistent with current trade practice law. Different terms will also be permitted on grounds or circumstances as specified by the ACCC. Finally, NBN Co. Ltd may offer different terms to access seekers where this aids efficiency, and allows access seekers in like circumstances to have

an equal opportunity to benefit from any variations.

The concept of differentiation that aids efficiency already exists under part IIIA of the Trade Practices Act. It recognises that a blanket requirement to offer equal treatment to all access seekers can lead to inefficient outcomes. For example, some service providers may want to make changes to standard services to reflect their existing products and processes, and being required to re-engineer these could be both costly and disruptive.

Submissions on the draft bill called for clearer definition of conduct that aids efficiency. The bill therefore requires the ACCC to publish guidance material on allowable discrimination, to provide greater certainty for industry.

If NBN Co. Ltd can offer different terms from those set out in published offers, it follows that access seekers need to know what variations to standard terms are available, to judge whether they are in like circumstances and able to receive those varied terms. To address this, NBN Co. Ltd must supply the ACCC with clear information on the deal within seven days of entering into an agreement that contains different terms. This information must be provided in writing in a form approved by the ACCC. The ACCC must publish this information, redacting commercial-in-confidence information as necessary, and maintain a register of NBN access agreement statements on its website.

Submissions on the draft bill expressed concern that NBN Co. Ltd could offer volume discounts that would favour the largest carriers and service providers. The bill does not prohibit volume discounts that aid efficiency, but restricts NBN Co. Ltd from offering a volume discount unless it is in accordance with the terms and conditions it has set out in a special access undertaking which has been approved by the ACCC. This will en-

sure that available volume discounts are in the long-term interests of end users.

Finally, the bill makes specific arrangements for carriers who build or upgrade certain fixed-line superfast access networks after the introduction of this bill to parliament. Carriers must offer a layer 2 bitstream service over such infrastructure and will be subject to access, non-discrimination and transparency obligations in relation to that service, based on those applying to NBN Co. Ltd. These requirements will commence on proclamation or otherwise 12 months from royal assent, giving industry time to adjust. These arrangements do not apply to point-to-point services to government and corporate users.

Provision is also made to simplify the making of industry codes and standards for fibre infrastructure and services. Once in place, these codes and standards will ensure new fibre networks are built consistent with the technical specifications for the National Broadband Network.

These amendments have been included to ensure that end users have access to the same high-quality superfast broadband services, regardless of the network provider, and to promote a level regulatory playing field for the telecommunications industry.

The NBN access bill, together with the NBN companies bill which it supports, demonstrates this government's commitment to structural reform of the telecommunications market, and to ensuring that the NBN meets the government's key objectives that NBN Co. Ltd operate on a wholesale-only basis and offer open and equivalent access. By doing so, the NBN will provide a platform for vibrant retail-level competition that will bring better services for all Australians.

I commend the bill to the House.

Debate (on motion by **Mr Laming**) adjourned.

TAX LAWS AMENDMENT (2010 MEASURES No. 5) BILL 2010

First Reading

Bill and explanatory memorandum presented by **Mr Shorten**.

Bill read a first time.

Second Reading

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (9.17 am)—I move:

That this bill be now read a second time.

This bill amends various taxation laws to implement a range of improvements to Australia's tax laws.

Schedule 1 amends the eligibility criteria for accessing the film tax offsets by expanding access to film tax offsets in two ways.

Firstly, the amendments reduce the minimum qualifying expenditure threshold for the post, digital and visual effects offset from \$5 million to \$500,000.

Secondly, the amendments remove the requirement for films with qualifying expenditure of between \$15 million and \$50 million to have at least 70 per cent of the film's total production expenditure as qualifying Australian production expenditure in order to qualify for the location offset.

These changes, which will apply from 1 July 2010, are estimated to increase expenditure on the film tax offsets by \$6.9 million over the forward estimates period.

These changes are aimed at attracting offshore productions to Australia and expanding opportunities for Australian post, digital and visual effects providers to bid for international work.

The amendments are also expected to increase employment opportunities and to assist in building capacity and expertise in the local film industry, which will in turn provide benefits for domestic productions.

The change to the location offset in particular will also reduce compliance costs for affected taxpayers.

Schedule 2 amends division 247 of the Income Tax Assessment Act 1997 to adjust the benchmark interest rate used in the taxation of capital protected borrowings provisions to the Reserve Bank of Australia's indicator lending rate for standard variable housing loans plus 100 basis points for capital protected borrowings entered into, amended or extended after 7.30 pm (AEST) on 13 May 2008. These changes to the benchmark interest rate were first announced on 13 May 2008 and revised on 11 May 2010.

This schedule also amends division 247 of the Income Tax (Transitional Provisions) Act 1997 to provide for transitional arrangements for capital protected borrowings entered into or before 7.30 pm (AEST) 13 May 2008, to 30 June 2013. This allows capital protected borrowings entered into on or before 13 May 2008 to apply the existing benchmark interest rate until 30 June 2013 or the life of the product, whichever is earlier.

These amendments advance the government's commitment to ensuring the tax system is as fair and efficient as possible. The new benchmark interest rate provides a more appropriate basis for apportioning the expense in capital protected borrowings between interest on a borrowing without capital protection and the cost of capital protection, while taking into account industry concerns over the credit risk borne by lenders for the cost of capital protection that is paid on a deferred basis.

The amendments are expected to produce \$170 million in net savings over the forward estimates period. These changes are another demonstration of the government's commitment to finding savings in the budget to help tackle inflationary pressures.

Schedule 3 extends the main residence CGT exemption to cover a CGT event that is a compulsory acquisition or other involuntary realisation of part of a main residence. The extended exemption will apply where part of a main residence, the part being some or all of the dwelling's adjacent land or structure, is compulsorily acquired without the dwelling itself also being compulsorily acquired. This will mean that taxpayers will not be worse off where part of their adjacent land or structure is compulsorily acquired than if the compulsory acquisition had not occurred.

Schedule 4 allows complying superannuation funds and retirement savings account providers to deduct the cost of providing terminal medical condition benefits to superannuation fund members and retirement savings account holders.

Currently, complying superannuation funds and retirement savings account providers are able to claim deductions for insurance policies or some of the cost of providing benefits relating to the death, permanent incapacity and temporary incapacity conditions of release, but not those relating to the terminal medical condition's condition of release. This condition of release was introduced on 16 February 2008, when this measure will commence.

This amendment will address an anomaly in the law and provide certainty to industry. It will ensure consistent tax deductibility for superannuation funds and retirement savings account providers for the cost of providing benefits to members in the event that a member or retirement savings account holder retires due to ill health or death benefits are provided.

Finally, schedule 4 also amends certain sections of the Income Tax Assessment Act 1997 to reflect the drafting convention that

the term 'individual' should be used when referring to a human being.

Schedule 5 amends the 1999 GST Act to allow non-profit subentities to access the GST concessions available to their parent entity.

These changes clarify the GST law to be consistent with the approach the Commissioner of Taxation has taken in interpreting the law to allow non-profit subentities to access these concessions.

As part of this amendment non-profit subentities will be allowed to access the higher registration turnover threshold of \$150,000 for non-profit bodies.

This measure will apply from the start of the first tax period after royal assent.

Schedule 6 amends the Taxation Administration Act 1953 to provide that it will not be mandatory for the Commissioner of Taxation to apply a payment, credit or running balance account surplus against a tax debt that is a business activity statement amount, unless the amount is due and payable. This amendment applies on and from 1 July 2011.

The amendment reduces compliance costs and unnecessary complexity for taxpayers.

Schedule 7 provides for an expansion of the education tax refund so that school uniforms are included as eligible expenses. Extending the education tax refund will provide valuable assistance to Australian families and help ease their cost-of-living pressures.

The refund allows eligible families to claim 50 per cent of their eligible education expenses up to the maximum claimable amounts, which are indexed each year.

The refund will be available for school uniform expenses incurred from 1 July 2011, with the first refunds paid in the 2012-13 financial year.

Full details of the measures in this bill are contained in the explanatory memorandum.

Debate (on motion by **Mr Laming**) adjourned.

HUMAN SERVICES LEGISLATION AMENDMENT BILL 2010

First Reading

Bill and explanatory memorandum presented by **Ms Collins**.

Bill read a first time.

Second Reading

Ms COLLINS (Franklin—Parliamentary Secretary for Community Services) (9.24 am)—I move:

That this bill be now read a second time.

I have great pleasure in introducing the Human Services Legislation Amendment Bill 2010, which integrates Medicare Australia and Centrelink into the Department of Human Services.

This bill supports the government's service delivery reform agenda, which was announced by the former Minister for Human Services, the Hon. Chris Bowen MP, in December 2009.

The bill continues a broader program of reform that commenced in 2004 when the previous government created the Department of Human Services to place greater emphasis on the way government delivers services to Australians.

In 2007, the department's role was expanded to reflect responsibility for the development, delivery and coordination of government services and the development of service delivery policy.

The continued reform of service delivery through this bill will create a better experience for people and contribute to improved policy outcomes for government, particularly in areas such as economic and social participation, education, child care and health. These outcomes are in line with greater inte-

gration and cross-agency service provision initiatives within government.

Service delivery reform will significantly improve the way services are delivered by the Human Services portfolio. The progressive rollout of co-located offices will extend the portfolio's reach by providing one-stop shops in more places. Increased self-service options will allow people to manage their own affairs, including through expanded online services. People facing significant disadvantage or multiple complex challenges will be offered more intensive support through coordinated assistance with a case coordinator.

Effective and accessible service delivery is also an important element of the government's efforts to build a more inclusive society. Service delivery reform will simplify people's dealings with the government and provide better support to those most in need.

A key element of the reform is the integration of the portfolio into a single department of state. Bringing together back office functions will drive efficiency, reduce the cost of service delivery for government and free up staff for more front-line customer service delivery.

Schedule 1 of the bill amends the Medicare Australia Act 1973. The primary purpose of the amendments is to integrate Medicare Australia into the Department of Human Services. The statutory office of the Chief Executive Officer of Medicare Australia will be replaced by a new statutory position, Chief Executive Medicare. The Chief Executive Medicare will be a Senior Executive Service officer in the Department of Human Services who will have broad service delivery functions and will maintain statutory powers.

These administrative changes do not alter the government's commitment to Medicare. Medicare has provided Australians with af-

fordable, accessible and high-quality health care since 1984. The integration of agencies will further extend the reach of the widely recognised and successful Medicare brand in the community. For example, through the collocation of services the number of shopfronts where Medicare services are available will double from 240 today to around 500.

The bill also amends the investigative powers of the Chief Executive Officer of Medicare Australia, in Part IID of the Medicare Australia Act. The investigative powers will not be extended in scope. The amendments will bring the provisions into line with the Crimes Act 1914 and reduce unnecessary notifications to patients whose medical records are seized but not examined in an investigation.

Schedule 2 of the bill amends the Commonwealth Services Delivery Agency Act 1997. Schedule 2 replicates, for Centrelink, the governance changes made by Schedule 1 for Medicare Australia. Schedule 2 integrates Centrelink into the Department of Human Services and replaces the statutory office of Chief Executive Officer of Centrelink with a new statutory position, Chief Executive Centrelink. Like the Chief Executive Medicare, the Chief Executive Centrelink will be a Senior Executive Service officer in the Department of Human Services who will have broad service delivery functions and will maintain statutory powers.

Centrelink and Medicare Australia employees will become employees of the Department of Human Services under the machinery of government provisions in the Public Service Act 1999. Departmental employees will be able to assist both chief executives to perform their functions, enabling consolidation of back office functions and greater focus on front-line service delivery.

Schedule 3 amends the Child Support (Registration and Collection) Act 1988. The

amendments align the provisions for the appointment of the Child Support Registrar with the provisions for the appointment of the two chief executives.

The bill also contains transitional provisions to facilitate the transition from the current governance arrangements to the new integrated Department of Human Services, with no interruption to service delivery.

Finally, Schedule 4 makes consequential amendments to a range of legislation to reflect the new governance arrangements. References in legislation to Medicare Australia, Centrelink or the chief executive officers are amended to refer to the Department of Human Services and the new chief executives.

The secrecy provisions will continue to operate in essentially the same way under the new governance arrangements for the portfolio. To bring this about, the consequential amendments include changes to various provisions in program legislation, for example the Health Insurance Act 1973 and the Social Security (Administration) Act 1999.

The government is conscious of the need to protect customer data, therefore only existing customer data sharing arrangements supported by legislation will continue. Importantly, any new sharing of customer data within the integrated Department of Human Services will occur only with customer consent. The government is particularly aware of the trust Australians place in Medicare Australia's management of their clinical health information and the need for this information to be held separately and securely. For this reason clinical health information will be excluded from any data sharing under service delivery reform.

The changes I have outlined today are an essential component of the government's service delivery reform agenda. Service delivery reform will transform the delivery of services by the Human Services portfolio

and will provide better outcomes for generations of Australians. It will put people first in the design and delivery of services and will ensure services are delivered more effectively and efficiently, especially to people who need more intensive support and to those with complex needs. The Human Services Legislation Amendment Bill 2010 is a significant step towards achieving this vision.

I commend the bill to the House.

Debate (on motion by **Mr Laming**) adjourned.

PARLIAMENTARY ZONE

Approval of Proposal

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (9.31 am)—I move:

That, in accordance with section 5 of the Parliament Act 1974, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 22 November 2010, namely: External expansion to the Abacus Childcare Centre at the Treasury Building.

The National Capital Authority has received a works approval application from the Department of the Treasury for an external expansion to the Abacus Childcare Centre at the Treasury Building. The proposed extension involves extending the existing southern playground, reconfiguring the access arrangements to the playground, and associated landscape works. Approval of both houses is sought under section 5(1) of the Parliament Act 1974 for the proposed works in the Parliamentary Zone. I commend this motion to the House.

Question agreed to.

COMMITTEES

Publications Committee

Report

Mr HAYES (Fowler) (9.32 am)—I present the report from the Publications Com-

mittee sitting in conference with the Publications Committee of the Senate. Copies of the report are being placed on the Table.

Report—by leave—agreed to

PRIVATE MEMBERS' BUSINESS

Suspension of Standing and Sessional Orders

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (9.33 am)—by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent the following items of private members' business being reported from the Main Committee, or called on, and considered immediately in the following order:

Motion relating to a Joint Select Committee on Broadband—report from the Main Committee;

Motion relating to Special Disability Trusts—report from the Main Committee;

Order of the day No. 8—motion relating to climate change; and

Motion relating to mental health—report from the Main Committee.

For the benefit of the House, I also table a letter from the federal member for Maranoa, along the lines of the following:

Dear Minister—

addressed to me as Leader of the House—

Regarding the planned vote tomorrow on my Private Member's Motion of 18 October 2010, I believe that the substance of the Motion has been addressed by the Health Minister's request for the House Standing Committee on Health and Ageing to conduct an inquiry into Registration Processes and Support for Overseas Trained Doctors. As such I do not believe a vote in the House is necessary.

I table the letter from Mr Scott, the member for Maranoa, for the information of the House as to why that vote is not proceeding today.

Mr PYNE (Sturt—Manager of Opposition Business) (9.35 am)—I move, as an amendment to the motion of the Leader of the House:

That the following words be added to the motion:

“And (2) that the private Members' business item No. 3, national curriculum motion standing in the name of the member for Sturt on the Notice Paper be returned from the Main Committee and considered immediately.”

The reason I move this amendment to the motion put by Leader of the House is that the issue of the national curriculum is a matter that is quite time specific. The motion, as some members may recall, seeks to delay the start date for the national curriculum from January 2011 to January 2012. I will go into the reasons for that a little bit later, although I do not intend to keep the House at great length. But I do believe that some of the reasons why the national curriculum needs to be delayed for 12 months need to be explained to the House. In moving this amendment, can I explain, particularly to the crossbenchers, the reasons why this motion is necessary. This amendment is necessary because the Selection Committee has gone through its process of asking the government to list motions and bills for voting. The Leader of the House has indicated today that there are four items that will be voted upon this morning. One is the joint select committee on broadband as proposed by the member for Wentworth, the special disability trusts as proposed by the member for Pearce, the member for Reid's motion on climate change, and the member for Dickson's motion on mental health.

There are a number of other motions and bills that the opposition would like to have had voted upon and the government has indicated that votes will not be scheduled in government business today. There are reasons that the government has made that deci-

sion and the opposition has some issues with that, but I will not reprise all of those as we went through them last week. But I would particularly point the crossbenches to the *Hansard* from last Thursday's sitting, where the Leader of the House, in asking members not to support a motion from the opposition to list matters for voting last Thursday, said to the House:

This morning I spoke to the Manager of Opposition Business and we agreed that this amendment he is moving was not necessary and that these votes would occur next Wednesday—

which was yesterday; they were the votes on mental health and the National Broadband Network committee—

I agreed with him this morning that we would split the votes so that the two items he wanted this morning would be voted on next Wednesday and the other items would be voted on next Thursday.

The other items that were discussed and are in the *Hansard* record of that day were: the flying foxes bill of the member for Cowper; the PPL or pay clerk bill of the member for Dunkley; the national curriculum motion that I have moved; the asylum seekers and Inverbrackie motion, which the member for Mayo has moved; and the insulation data motion, which the member for Flinders moved. So in that debate last Thursday it was very clear that the other items that the opposition wanted to have voted upon today were a motion on insulation data, a motion on the national curriculum, a motion on Inverbrackie and the new detention facility there, the flying foxes bill of the member for Cowper and the bill to do with the pay clerk system, as proposed by the member for Dunkley. That is quite clear in black and white in *Hansard* and, I repeat, the Leader of the House said:

I agreed with him this morning that we would split the votes so that the two items he wanted this morning would be voted on next Wednesday and the other items would be voted on next Thursday.

So he has said that those two items, mental health and the National Broadband Network, would be voted on yesterday—it did not happen—and that the other five items that the opposition wanted to be voted upon would be voted upon today, and that has not happened. Instead, the government has pushed the votes from yesterday into today and is saying that the votes that were to be held today will be held next February.

The government has the power to list items on the agenda in government business time and, obviously, when the Leader of the House makes a statement in black and white in *Hansard*, the opposition is entitled to believe that that is a commitment that he will keep. It has not been kept on this occasion, because those five items we discussed last Thursday are not listed for voting this morning. I accept that the government has the numbers to decide what the agenda will be, but I do on this occasion ask the crossbenches to consider this very important point: if the national curriculum motion is not voted upon today—it is supposed to have effect in January 2011, so voting on it in February 2011 will be something of a pointless exercise—it will be something of a dead letter. And I see that the Leader of the House laughs and smiles and thinks it is terribly funny.

The point is that there are very good reasons why the government should not be let off the hook on the national curriculum. And do not take just my word for it. People should listen perhaps to this extraordinary group of people: 13 representatives of educationalists around Australia who would not normally line up together, groups like the Australian Association for Research in Education, the Australian College of Educators, the Australian Council for Educational Leaders, the Australian Curriculum Studies Association and the Australian Education Union—Angelo Gavrielatos and the Australian

Education Union have lined up with the Association of Heads of Independent Schools of Australia.

Mr Albanese interjecting—

Mr PYNE—The point I am making, Leader of the House, is that this group of 13 are so concerned about the curriculum starting in January that they have banded together. The Independent Schools Association has banded together with the Australian Education Union, the Australian Primary Principals Association, the Australian Professional Teachers Association, the Australian Secondary Principals Association and the Independent Education Union of Australia. So the AEU's competition, the Independent Education Union, has signed a letter with the AEU. You cannot get them together in a room and yet they have signed this letter about the national curriculum. The National Education Forum and the Association of Principals of Catholic Secondary Schools have lined up with the AEU and the chief executive officer of Principals Australia to sign a letter saying:

We believe the timeline for the project must be extended to ensure that the Australian curriculum is as good as it can be. The timelines for all stages of the project at present are unreasonably short and in the end this will be self defeating. The consultation timelines do not allow enough time to provide considered detailed feedback and do not allow the voices of teachers and other stakeholders to be heard. The speed of the development process is contrary to what is known about the conditions for effective professional development practices and educational change. It was noted that schools require time for both evaluation of the curriculum documents after they are provided and planning for their effective implementation. This will also require an extension of time.

So this group of 13, who would normally never join together, have asked the parliament to delay the national curriculum for 12 months. I appeal to the Greens in particular, who get a lot of support from the Australian

Education Union, to recognise that, if we do not vote on this curriculum motion today, by February next year it will be a dead letter. And I remind the members for New England and Lyne that the New South Wales Board of Studies—not the government of New South Wales, which is pretty rancid—has indicated that there is no way the national curriculum can begin in January 2011. The New South Wales government is not going to sign on to it—from his own state of New South Wales. There are schools in the electorates of the members for Lyne and New England that are asking for this curriculum to be delayed so that it can be gotten right rather than be gotten in.

The Western Australia government has indicated it will not start the national curriculum. The Tasmanian government has indicated it will not start the national curriculum. The Victorian government has indicated the same thing. The only state that has indicated it will begin the national curriculum in January 2011 is South Australia—

Mr Briggs interjecting—

Mr Secker interjecting—

Mr PYNE—our shocking government in South Australia, Member for Mayo and Member for Barker. The South Australian Labor government is the only government in Australia that has indicated it will start the national curriculum. So what the opposition are saying, and asking the crossbenchers to support, is: let the government off the hook, let the minister for schools off the hook, and pass this motion.

But we cannot vote on this motion unless we first vote on my amendment to the motion by the Leader of the House to suspend standing orders. I am asking the crossbenchers to walk across the aisle with the opposition and vote in favour of this amendment so that, once the amendment is passed, we can vote on the national curricu-

lum. I know that there are members on the cross benches who want to vote for the national curriculum motion and I know there are members who do not want to vote for the national curriculum motion, but there is nothing to stop the crossbenchers from voting to allow the vote to occur. It is part of the democratic process.

I am sorry that the government has not listed this for voting and I am sorry that in the Selection Committee process—which in some respects is still finding its trainer wheels in a hung parliament, as the Speaker himself has indicated in this place; that is the same for all of us in this new hung parliament—it was not clear that we wanted this vote to occur on this day. But I am asking the crossbenchers on this particular occasion, because this motion is time specific, to walk across the aisle—member for New England—with the opposition and allow this vote to occur. I know you want to, member for New England, and it is a very easy thing to do. It is just two metres across the aisle.

I will not hold up the business of the House for any longer. I know there is a great deal that needs to be done. I have moved the amendment that the national curriculum be added to the list of votes that will occur this morning and I would ask the parliament to seriously consider it and then allow the vote on the national curriculum.

The SPEAKER—Is the amendment seconded?

Mr Laming—I second the amendment and reserve my right to speak.

Mr ALBANESE (Grayndler—Leader of the House) (9.47 am)—I rise to speak against the amendment moved by the Manager of Opposition Business. It is important to outline to the parliament what this amendment is and what it is not. What it is not is a vote on the substance of the private member's motion moved by the member for Sturt. That

is what it is not, in spite of the fact that he spoke passionately about his views on that subject. What it is about is a vote on upholding the processes that we have established in this House to ensure the orderly running of the House of Representatives, particularly given the reforms that we have put in place to allow for voting on private members' motions and private members' bills.

The member for Sturt outlined—selectively—what I said on Thursday, 18 November 2010. He indicated correctly that last week there was a debate when he moved an amendment to the motion for the suspension of standing orders in this chamber. He outlined correctly the fact that I certainly considered I had an agreement with him, reached at 10 minutes to nine last week, that we would have, of the five motions that were to be voted upon today, two of them on Wednesday and three of them on Thursday. That was the offer that I made to him; that was the agreement that he made. He then walked in here and broke that agreement and moved that it be brought on immediately. That is what occurred last Thursday—he broke the understanding that was there, given at 10 minutes to nine.

During that debate I made it very clear, and the House of Representatives *Hansard* of Thursday, 18 November 2010, on page 5, records me saying this:

... the minutes of the meeting of the Selection Committee, signed by the chair, Harry Jenkins, and dated 17 November 2010, say in writing:

The committee recommended that the following items of private member's business orders of the day be voted on:

- Mental Health (resumption of debate from 25 October 2010 on motion of Mr Dutton);
- Joint Select Committee on Broadband (resumption of debate from 25 October 2010 on motion of Mr Turnbull);

- Overseas Trained Doctors (resumption of debate from 18 October 2010 on motion of Mr Scott);
- Special Disability Trusts (resumption of debate from 18 October 2010 on motion of Ms Moylan); and
- Climate change notice of motion given by Mr Murphy on 15 November 2010.

This is what I said last Thursday:

What does that tell you? It tells you that there are five items of business to be voted upon next week and that four of those five are from the opposition, none are from the crossbenchers and only one is from the government.

That is what I told the parliament last week would happen this week. So there was proper notice in accordance with the recommendation of the Selection Committee.

What we have determined and agreed upon is that the Selection Committee will meet. The Selection Committee met on Tuesday, 23 November, and determined the following items would be voted on: the Environment Protection and Biodiversity Conservation (Public Health and Safety) Amendment Bill 2010, moved by the member for Cowper; a motion on the detention facility at Inverbrackie, moved by the member for Mayo; a motion on the national curriculum, moved by the member for Sturt; and a motion on the home insulation program, moved by the member for Flinders.

Two days ago, on Tuesday, we determined there will be four votes when the parliament comes back, in the first sitting week, all of them from the coalition—100 per cent. Today, we had five items listed—one of them was withdrawn by the member for Maranoa—four of them from the coalition. The majority of the private members' bills and motions overwhelmingly have been items from the coalition. We are scheduling the votes in an orderly way. I just moved two bills on the National Broadband Network. I moved them today, they get placed here, we

have a second reading, then debate commences a week later—when we come back on the Tuesday after the caucuses meet.

This resolution by the member for Sturt attempts to not give private members' business equal status but greater status than government bills, even though, when this motion is debated, voted upon and carried, it will not have an effect on government policy. It is simply a motion indicating a view of the House of Representatives. That is all it is. If the member for Sturt's motion is carried, and if we have these debates every Thursday and we divide on these motions, we will be saying as a House of Representatives that these private members' motions are of more significance than the national legislation coming before this parliament, such as the NBN bills I moved this morning. We have to have proper processes and that is why we have motions and bills introduced at one time, determined they will be voted upon and then a time set out for them. Every one of those four items will be voted upon on Thursday, 10 February 2011. We know that will occur. The reason that has to happen is that, if we are going to take private members' motions and bills seriously, we have to treat them with some respect. We have to be able to examine them, to have discussions about them, to consult with our constituents and with our political organisations about them.

Particularly for those who sit on the crossbenches, it will simply be untenable if members are able to come in here and move suspensions to bring forward debates at any time. It may well be that they have already settled on a view on the motion moved by the member for Sturt. That is not the point. The point is that you cannot have an orderly running of this House in this way. It is not the government's fault, nor is it the fault of the crossbench members of the Selection Committee if the coalition members who sit on the Selection Committee did not attend

the Selection Committee prior to Tuesday 23 November—two days ago—to ask that votes be held on these items. That is not the government's responsibility. That is why the member for Sturt apologised and said he was sorry about his own political organisation's handling of this item.

It is significant that the member for Sturt has moved only one of these items—his own. There is no amendment about the member for Mayo's motion, no amendment about the member for Flinder's motion and no amendment about the member for Coper's private member's bill because the member for Sturt knows that this is a trial. He knows that, if the vote was to be held this week, the appropriate time would have been last week's Selection Committee meeting, not that of two days ago. I think we should get on with the votes being held today that were foreshadowed very clearly last week. The five items were outline there. Unless we do that, we will not be able to have appropriate processes before this House.

Mr SECKER (Barker) (9.56 am)—As always, the Leader of the House comes across quite persuasively but I point out the fallacy in his argument about the proper order of government business. When the government has the second reading debate, the vote is immediate; whereas this government has brought in this fallacious idea that when private members' business is debated there must be at least a week between the vote. Why is private members' business any different from government business? It is not. The opposition have agreed to the suggestion that the debate be delayed to the next Thursday sitting of the parliament, so that we can have ordered votes on the Thursday. But this government is trying to say, 'You have to wait another week after the debate is completed.' This is a fallacious argument. If we have had the debate and the debate is fin-

ished, we could argue whether or not to put it to a vote.

All we are saying is that we should be able to vote on these motions when the debate has been completed in this parliament. In fact, on this occasion it has been completed for over a week. We would hope that the crossbenchers would support us in a very time-sensitive motion to have this voted on. As those on the Select Committee would know, we asked for the vote this Thursday and, just as the Prime Minister said during the week, the Selection Committee does not have the power to set a vote. However, this chamber does have the power to choose when we vote on a debate which has already been completed. I would implore those on the crossbenches to make sure that the parliament can vote on something that is so time sensitive that it would be worthless to defer it until next year.

Mr BANDT (Melbourne) (9.59 am)—On the substantive motion referred to by the member for Sturt on the national curriculum, if and when it comes before the House, it is something that I would be inclined to support, so I would have an interest in its coming forward. I find strange things happen when I say I agree that the member for Sturt puts forward some good reasons. I know that the Australian Education Union has raised concerns about the national curriculum, and they are real concerns that do need to be explored. But I cannot support the amendment he has moved today. There is a sense of *deja vu* here: I recall making a similar speech to the House last week. I accept that there will be on occasions some matters that are so critically time sensitive that we will need to consider amendments such as this, but this motion has been around for some time and there has been ample opportunity to request that it be voted on. I do not know that I can speak on behalf of all of the people on the crossbench, but speaking for myself we do

have an interest in there being an orderly process to ensure that private members' bills and motions come on and are voted on in an orderly fashion. To the extent that that system works, that is a system that I would seek to support. On that basis, I indicate that I will be supporting that motion, but I cannot support the amendment.

Mr OAKESHOTT (Lyne) (10.01 am)—As a procedure wonk and someone who has a fair bit of skin in the game with the reforms that have happened over the last couple of months, I do want to put on the record the short history of what we have been able to achieve as a House of Representatives collective. In the majority we have done some good work in getting up and running in a relatively short period of time a better parliament than we had before. I thank all members for that, as it is the last sitting day, and take the opportunity to encourage that to continue. In that context, the Standing Committee on Procedure is looking at the changes right now. I would strongly encourage those who might not be getting their way this week to make a submission to the Procedure Committee, because six weeks ago this was the exact reason why the argument that I was putting to the government—for private members to have control over the vote in regard to private members' time—should have been a principle that was upheld.

If you go back to the record, what I was trying to achieve on behalf of all of us was to have a set period of time—I think the time allocated was a Monday afternoon—for what I called 'cats and dogs' votes, for votes to actually take place back to back in private members' time and that the executive did not control the agenda; the parliament controlled the voting agenda. Unfortunately, though, there was not support from the opposition at that time. The position that the opposition did take was to support the government and say that, no, the executive should have con-

trol of when the votes happen. In my view, the continued and prevailing view that hopefully we are culturally changing, and somewhat slowly, is the belief of the opposition six weeks ago that you would not be able to run a government if the parliament had control of when the votes happen. I lost that vote six weeks ago.

We have established a process now, which is that the Selection Committee recommends to the Leader of the House, whoever that may be, that a certain bill or motion is ready to be voted upon. Then, at their discretion but as soon as possible, the Leader of the House and the executive make time for that vote to happen in government business time, as we are seeing this morning. If anyone goes back to when the standing orders were changed, they will see we made sure that the Leader of the House in his speech did verbalise that, and so we at least do have that on the record. To the credit of the Leader of the House, he has not broken that agreement to date, but we are watching closely. We now have a process established where, through the Selection Committee, we refer to the Leader of the House and as soon as possible, depending on the legislative agenda, we then have a vote. That is historic—we are getting votes on private members' business. That is to everyone's credit.

As it is the last week of sitting now, I think it would be in breach of the process we have established that we start a process of individual members seeking leave to achieve their own agenda. That would not make for a working parliament during 2011-12 in what are tight numbers. We have established that process; we should commit to that. If there is any reflection about the original suggestion of six weeks ago that we have a set time on a Monday or a Thursday for the 'cats and dogs' votes, I would be more than willing to support a submission that suggests that. I only wish that six weeks ago the coalition

was supporting that, in which case we would not be having this debate today.

Question put:

That the words proposed to be added (**Mr Pyne's**) be so added.

The House divided. [10.10 am]

(The Speaker—Mr Harry Jenkins)

Ayes.....	73
Noes.....	<u>74</u>
Majority.....	<u>1</u>

AYES

Abbott, A.J.	Alexander, J.
Andrews, K.	Andrews, K.J.
Baldwin, R.C.	Billson, B.F.
Bishop, B.K.	Bishop, J.I.
Briggs, J.E.	Broadbent, R.
Buchholz, S.	Chester, D.
Christensen, G.	Ciobo, S.M.
Cobb, J.K.	Coulton, M. *
Crook, T.	Dutton, P.C.
Entsch, W.	Fletcher, P.
Forrest, J.A.	Frydenberg, J.
Gambaro, T.	Gash, J.
Griggs, N.	Haase, B.W.
Hartsuyker, L.	Hawke, A.
Hockey, J.B.	Hunt, G.A.
Jensen, D.	Jones, E.
Keenan, M.	Kelly, C.
Laming, A.	Ley, S.P.
Macfarlane, I.E.	Marino, N.B.
Markus, L.E.	Matheson, R.
McCormack, M.	Mirabella, S.
Morrison, S.J.	Moylan, J.E.
Neville, P.C.	O'Dowd, K.
O'Dwyer, K.	Prentice, J.
Pyne, C.	Ramsey, R.
Randall, D.J.	Robb, A.
Robert, S.R.	Roy, Wyatt
Ruddock, P.M.	Schultz, A.
Scott, B.C.	Secker, P.D. *
Simpkins, L.	Slipper, P.N.
Smith, A.D.H.	Somlyay, A.M.
Southcott, A.J.	Stone, S.N.
Tehan, D.	Truss, W.E.
Tudge, A.	Turnbull, M.
Van Manen, B.	Vasta, R.
Washer, M.J.	Wilkie, A.
Wyatt, K.	

NOES

Adams, D.G.H.	Albanese, A.N.
Bandt, A.	Bird, S.
Bowen, C.	Bradbury, D.J.
Brodtmann, G.	Burke, A.E.
Burke, A.S.	Butler, M.C.
Byrne, A.M.	Champion, N.
Cheeseman, D.L.	Clare, J.D.
Collins, J.M.	Combet, G.
Crean, S.F.	D'Ath, Y.M.
Danby, M.	Dreyfus, M.A.
Elliot, J.	Ellis, K.
Emerson, C.A.	Ferguson, L.D.T.
Ferguson, M.J.	Fitzgibbon, J.A.
Garrett, P.	Georganas, S.
Gibbons, S.W.	Gillard, J.E.
Gray, G.	Grierson, S.J.
Griffin, A.P.	Hall, J.G.*
Hayes, C.P.*	Husic, E.
Jones, S.	Katter, R.C.
Kelly, M.J.	King, C.F.
Leigh, A.	Livermore, K.F.
Lyons, G.	Macklin, J.L.
Marles, R.D.	McClelland, R.B.
Melham, D.	Mitchell, R.
Murphy, J.	Neumann, S.K.
O'Connor, B.P.	O'Neill, D.
Oakeshott, R.J.M.	Owens, J.
Parke, M.	Perrett, G.D.
Ripoll, B.F.	Rishworth, A.L.
Rowland, M.	Roxon, N.L.
Rudd, K.M.	Saffin, J.A.
Shorten, W.R.	Sidebottom, S.
Smith, S.F.	Smyth, L.
Snowdon, W.E.	Swan, W.M.
Symon, M.	Thomson, C.
Thomson, K.J.	Vamvakinou, M.
Windsor, A.H.C.	Zappia, A.

PAIRS

Irons, S.J.	Plibersek, T.
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* denotes teller

Question negatived.

Original question agreed to.

COMMITTEES**Broadband Committee****Report from Main Committee**

Order of the day reported from Main Committee; certified copy of the report presented.

Ordered that the order of the day be considered immediately.

The SPEAKER—The question is that the motion be agreed to.

Mr TURNBULL (Wentworth) (10.15 am)—This motion is to establish a joint select committee which will monitor and report on the construction, deployment and operation of the National Broadband Network throughout its life. This is the largest infrastructure project in our country's history. It is being built without the benefit of a cost-benefit analysis, notwithstanding the government's repeated claims that such analyses are absolutely vital for the proper construction and management of major infrastructure projects. Indeed, the government went so far as to establish Infrastructure Australia, a specialist body, precisely for the purpose of identifying and prioritising projects of this kind and providing cost-benefit analyses for them.

This joint standing committee is particularly vital given the government's determination to prevent the NBN being even considered by the Public Works Committee. It is not interested in having any scrutiny of the NBN. It is not prepared to have it referred to the Productivity Commission for a cost-benefit analysis, and when after pressure from the Independents the Prime Minister backed down and produced a document yesterday described as a summary of the business case for the NBN, it did not contain any financial statements at all—no profit and loss figures, no cash flow statement, no balance sheet. There were 36 pages of warm words and a few numbers given out of context—

numbers which I might say both the Prime Minister and the Minister for Broadband, Communications and the Digital Economy, Senator Conroy, seemed to completely misunderstand. We know that internet access prices have been coming down substantially year after year for the last decade but this document excludes from the promise of lower prices the basic service—which we understand to be a 12 megabit per second service—and that will inevitably be the service that the majority of households take up. The document that the Prime Minister was so proud of yesterday contradicts what she has said and what the minister has said about the NBN providing lower prices.

This committee should be supported by the crossbenches and also by the government, because the government in its deal with Senator Xenophon yesterday said it would support the establishment of a joint select committee to monitor the NBN. If it was fair dinkum about that commitment, if it really believed in ongoing scrutiny and oversight of the NBN by the parliament, it would support this motion. This motion does exactly, apparently, what the government has said to Senator Xenophon the government would do. I believe the government, having promised Senator Xenophon a joint select committee, is going to vote in this House today against this joint committee that we are seeking to establish.

The parliament is, so we read in the press, about to pass the NBN legislation in the Senate. It is going to do that without having seen a full business case, without the Prime Minister as of yesterday at least having read that business case, without the Treasurer, charged with the nation's finances, having read the business case and without the parliament and the government having the benefit of any cost-benefit analysis. At no stage has the government asked the question: what is the most cost-effective method of delivering

universal and affordable broadband? Every member of this parliament, and I believe all Australians, agree that we should have universal and affordable broadband. The question is, what is the most cost-effective way of delivering it? There can be no question, however, that the NBN is the most expensive way of delivering it—absolutely no question at all. Yet the government—having proceeded without any due diligence, without any scrutiny and without any reflection on the need to look after taxpayers' money and bear in mind the many other claims on taxpayers' money and the many other types of infrastructure that require support—has opted for the most expensive route and in doing so has trashed its own commitment to economic responsibility in terms of subjecting infrastructure projects to a rigorous cost-benefit analysis.

This committee cannot undertake a cost-benefit analysis but it can at least provide ongoing scrutiny. I commend the motion to the House and I commend it in particular to our friends on the crossbenches. If the government were serious, if the government were genuine, in its commitment to Senator Xenophon to establish a joint select committee on the NBN, it too would vote for this motion.

Question put:

That the motion (**Mr Turnbull's**) be agreed to.

The House divided. [10.26 am]

(The Speaker—Mr Harry Jenkins)

Ayes.....	72
Noes.....	<u>75</u>
Majority.....	<u>3</u>

AYES

Abbott, A.J.	Alexander, J.
Andrews, K.	Andrews, K.J.
Baldwin, R.C.	Billson, B.F.
Bishop, B.K.	Bishop, J.I.
Briggs, J.E.	Broadbent, R.

Buchholz, S.	Chester, D.
Christensen, G.	Ciobo, S.M.
Cobb, J.K.	Coulton, M.*
Crook, T.	Dutton, P.C.
Entsch, W.	Fletcher, P.
Forrest, J.A.	Frydenberg, J.
Gambaro, T.	Gash, J.
Griggs, N.	Haase, B.W.
Hartsuyker, L.	Hawke, A.
Hockey, J.B.	Hunt, G.A.
Irons, S.J.	Jensen, D.
Jones, E.	Keenan, M.
Kelly, C.	Laming, A.
Ley, S.P.	Macfarlane, I.E.
Marino, N.B.	Markus, L.E.
Matheson, R.	McCormack, M.
Mirabella, S.	Morrison, S.J.
Moylan, J.E.	Neville, P.C.
O'Dowd, K.	O'Dwyer, K.
Prentice, J.	Pyne, C.
Ramsey, R.	Randall, D.J.
Robb, A.	Robert, S.R.
Roy, Wyatt	Ruddock, P.M.
Schultz, A.	Scott, B.C.
Secker, P.D.*	Simpkins, L.
Slipper, P.N.	Smith, A.D.H.
Somlyay, A.M.	Southcott, A.J.
Stone, S.N.	Tehan, D.
Truss, W.E.	Tudge, A.
Turnbull, M.	Van Manen, B.
Vasta, R.	Washer, M.J.

NOES

Adams, D.G.H.	Albanese, A.N.
Bandt, A.	Bird, S.
Bowen, C.	Bradbury, D.J.
Brodthmann, G.	Burke, A.E.
Burke, A.S.	Butler, M.C.
Byrne, A.M.	Champion, N.
Cheeseman, D.L.	Clare, J.D.
Collins, J.M.	Combet, G.
Crean, S.F.	D'Ath, Y.M.
Danby, M.	Dreyfus, M.A.
Elliot, J.	Ellis, K.
Emerson, C.A.	Ferguson, L.D.T.
Ferguson, M.J.	Fitzgibbon, J.A.
Garrett, P.	Georganas, S.
Gibbons, S.W.	Gillard, J.E.
Gray, G.	Grierson, S.J.
Griffin, A.P.	Hall, J.G.*
Hayes, C.P.*	Husic, E.
Jones, S.	Katter, R.C.

Kelly, M.J.	King, C.F.
Leigh, A.	Livermore, K.F.
Lyons, G.	Macklin, J.L.
Marles, R.D.	McClelland, R.B.
Melham, D.	Mitchell, R.
Murphy, J.	Neumann, S.K.
O'Connor, B.P.	O'Neill, D.
Oakeshott, R.J.M.	Owens, J.
Parke, M.	Perrett, G.D.
Ripoll, B.F.	Rishworth, A.L.
Rowland, M.	Roxon, N.L.
Rudd, K.M.	Saffin, J.A.
Shorten, W.R.	Sidebottom, S.
Smith, S.F.	Smyth, L.
Snowdon, W.E.	Swan, W.M.
Symon, M.	Thomson, C.
Thomson, K.J.	Vamvakinou, M.
Wilkie, A.	Windsor, A.H.C.
Zappia, A.	

PAIRS

Wyatt, K. Plibersek, T.
* denotes teller

Question negatived.

SPECIAL DISABILITY TRUSTS**Report from Main Committee**

Order of the day reported from Main Committee; certified copy of the report presented.

Ordered that the order of the day be considered immediately.

The SPEAKER—The question is that the motion be agreed to.

Mrs MOYLAN (Pearce) (10.31 am)—by leave—I move:

That this House:

- (1) acknowledges the work of carers, and in particular ageing parents caring for profoundly disabled dependents;
- (2) recognises that ageing parent carers remain deeply concerned about the diminishing capacity to care for their dependent children;
- (3) appreciates the special challenges faced by families, and in particular ageing parents, who wish to make provision for the needs of their disabled dependents;

(4) notes that:

- (a) disability trusts were established in September 2006 by the Coalition Government to assist families make provision for the future housing and care needs of dependents with severe disabilities;
- (b) despite the Department of Families, Housing, Community Services and Indigenous Affairs estimating that over four years, 5000 people with severe disability would benefit from Special Disability Trusts, as at 31 March 2010, 423 people have been assessed as eligible, and only 91 trusts have been established; and
- (c) since establishing Special Disability Trusts, it has become apparent that the conditions governing eligibility and management, as well as direct and wider taxation implications, have limited the workability and uptake of the trusts;

(5) acknowledges that conditions diminishing the attractiveness of the trusts include the:

- (a) complex application of taxation rules;
- (b) inability for beneficiaries, through Special Disability Trusts, to claim the first home owners grant and other home saving initiatives;
- (c) high initial eligibility threshold requiring a beneficiary to be eligible for at least a Carer Allowance, the regulations of which state, inter alia, that care for a 'significant period' must be given, defined as at least 20 hours a week of care;
- (d) attribution of Capital Gains Tax to transferors where, in particular, houses are placed into Special Disability Trusts;

(6) calls upon the Government to consider implementing specific eligibility criteria for mental impairment disabilities if the measures introduced in the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010 do not increase uptake within 12 months; and

(7) notes the Government's good faith negotiations in relation to the recommendations of

the October 2008 Senate Standing Committee on Community Affairs Report entitled: Building Trust, Supporting Families through Disability Trusts, acknowledges the commitment to further investigate outstanding issues to meet the future needs of people with profound disabilities and their carers

The SPEAKER—Is the motion seconded?

Mr Keenan—I second the motion.

Question agreed to.

Original question, as amended, agreed to.

CLIMATE CHANGE

Debate resumed from 22 November, on motion by **Mr Murphy**:

That the House take note of the document.

Question agreed to.

MENTAL HEALTH

Report from Main Committee

Order of the day reported from Main Committee; certified copy of the report presented.

Ordered that the order of the day be considered immediately.

The SPEAKER—The question is that the motion be agreed to.

Mr BANDT (Melbourne) (10.33 am)—I move:

That paragraph 2 be omitted with a view to substituting the following words:

“(2) requires the Government to:

- (a) expand ongoing primary health care programmes to target those in need, the vulnerable and long-term clientele working with the community and NGO sector;
- (b) provide alternatives to emergency department treatment such as multidisciplinary community-based sub-acute services that supports ‘stepped’ (two-staged) prevention and recovery care;
- (c) establish a national network of one-stop shop community mental health centres;
- (d) provide additional training for GPs and nurses to triage mental health;
- (e) expand the number of headspace centres to a minimum of 90 nationally;
- (f) establish a national network of 20 EPPIC centres;
- (g) provide an additional 800 beds for mental health, associated with the EPPIC centres;
- (h) appropriate funds necessary to provide these critical steps to expanding mental health treatment facilities; and
- (i) immediately provide additional funds for existing headspace centres, respite treatment and primary health care programmes; and”

The Greens are strong supporters of mental health reform and increased funding to the sector. So we welcome the increased attention that has recently been given to the issue. Patrick McGorry works in my electorate a few minutes walk from my house and it was my pleasure to meet with him during the election campaign. I want to acknowledge the significant work that he and others have done to help put this issue on the national agenda.

Not only are the Greens big supporters of the headspace program, but we also want to see increased funding in a number of other important areas, including for primary healthcare programs to target those in need, the vulnerable and long-term clientele working with the community and NGO sector; providing alternatives to emergency department treatment such as multidisciplinary community-based subacute services that support ‘stepped’ prevention and recovery care; establishing a national network of one-stop shop community mental health centres; providing additional training for GPs and nurses to triage mental health; and respite treatment and primary healthcare programs.

To this end, we are seeking to amend the motion to add reference to these important

areas, without deleting any words from the motion. Many people in my electorate have contacted my office and asked me to work for changes to this motion so it can receive wide support including from the Greens. These amendments have, I understand, the support of Professor McGorry and many others in the mental health sector. But, unfortunately, despite our approaches to the coalition, they have been unwilling to agree to these changes. We would have liked a more collaborative approach on this issue. This is an important issue that should stand above political partisanship and point-scoring.

The Greens have suggested increasing the level of investment in early intervention as well as putting investment into primary health care, which we know is absolutely essential, and into emergency services, which we also know is absolutely essential. We have suggested a special commission for mental health because we believe this issue is so significant that it needs it. We took to the election the suggestion of putting in place a minister responsible for mental health, and we are glad that the government has picked that up. We think that is a very good step in the right direction. What we need to do now is see the government's commitment to mental health, and we need to see their investment. We agree with the opposition that we need to significantly increase investment in mental health, and there is absolutely no disagreement there.

So my plea to the government is: please invest in the level of resources that we need. We went to the election saying we needed an increase of at least \$350 million a year. We agree with the opposition that ideally it would be more, so we have agreed with the proposition of increasing it and to call for \$450 million a year—but not just on early intervention. We think ultimately you can have your cake and eat it too, which is why I

ask the opposition one more time to please consider supporting our amendments.

What I am really worried about is that if we just say 'early intervention', the government will have a ticket to go: 'Yes, we've invested in mental health; we've funded a few extra headspace and EPI centres. That's it; we've done mental health.' But they will not have fixed mental health. So, please, let us take a coordinated, comprehensive approach to funding mental health and invest in the services that are desperately needed, crucially including early intervention. Whilst we would have liked a more collaborative approach on this important issue, the Greens will pursue, if these amendments are not passed, a more comprehensive motion in the Senate and I hope that will gain the support of other parties and members when it is debated so that, instead of political point-scoring and a refusal to have real discussion between the parties on mental health, we can move towards a real united push towards better funding for a comprehensive plan for mental health.

The SPEAKER—Is the amendment seconded?

Mr Wilkie—I second the amendment and reserve my right to speak.

Question negatived.

Original question agreed to.

BUSINESS

Suspension of Standing and Sessional Orders

Mr ALBANESE (Grayndler—Leader of the House) (10.38 am)—I move:

That standing order 31 (automatic adjournment of the House) and standing order 33 (limit on business after normal time of adjournment) be suspended for this sitting.

Question agreed to.

LEAVE OF ABSENCE

Mr ALBANESE (Grayndler—Leader of the House) (10.38 am)—I move:

That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Debate (on motion by **Dr Southcott**) adjourned.

NEW ZEALAND: MINE EXPLOSION

Ms GILLARD (Lalor—Prime Minister) (10.40 am)—Mr Speaker, on indulgence: the House expresses its deepest sympathy to the victims and families of the New Zealand mining disaster and to all New Zealanders. Today the Leader of the Opposition and I will together visit the New Zealand High Commission and sign their condolence book, formally recording this nation's sympathy to the people of New Zealand. I have had the opportunity to personally convey our sympathy to the Prime Minister of New Zealand, John Key. Many members of the House would have seen him speak at the press conference yesterday to confirm to the New Zealand people the tragic news that there was no hope for those underground.

Australia and New Zealand have shared this tragedy, as we have shared tragedies before in our history. This morning I am sure all members of this place want New Zealanders to know we are thinking about them. We are thinking, too, about the families of the two Australians, William Joynson and Joshua Ufer, who lost their lives in this tragic event. This is an awful event, pressing on a small place, Greymouth. After Beaconsfield and then Chile this year, I suppose in some part of our minds we were always hoping that there was going to be a happy ending. Unfortunately and tragically, there was not.

Greymouth's men will not be the last who are lost to a mine. Mining is a dangerous occupation. Australia is a mining country and

we know what these men knew—that mining is a hard business. Every year Australia loses workers in mining accidents and that is something for all of us to reflect upon. So today we honour and mourn the loss of these men, men of hard work, men of respect. Their country, their community and their families are without them. I am sure that I speak for all in this parliament, and all in our country today, when I say to those who are grieving, both in this country and in New Zealand, that we are so very sorry for your loss.

Mr ABBOTT (Warringah—Leader of the Opposition) (10.42 am)—Mr Speaker, on indulgence: I rise to support the Prime Minister. Obviously, every Australian is grieving over this terrible tragedy—29 brave and hardworking men are gone. Our hearts go out to their families. It is part of the Anzac solidarity that we feel for our brothers and sisters across the Tasman. Our thoughts and prayers are particularly with the families of the two Australian miners, William Joynson of the Fraser coast and Joshua Ufer of Townsville. Every Australian feels for them at this dreadful and difficult time.

The opposition commends the people who worked so hard to attempt a rescue. It is tragic for them that it was impossible to mount anything. I also commend the government for its assistance to the New Zealand government and would support any further assistance that the government thinks necessary at this most stressful and difficult time.

Mr TRUSS (Wide Bay—Leader of the Nationals) (10.43 am)—I join with the Prime Minister and the Leader of the Opposition in extending condolences to the families of the 29 miners who have lost their lives in New Zealand. Coalmining is an important Australian industry and we have made huge advances in recent times in safety in this indus-

try. But it is still dangerous and, sadly, from time to time we have experienced in Australia also significant loss of life, particularly in underground coalmining accidents. We therefore grieve for our colleagues across the Tasman. This is a major disaster for them, and the families and the people of Grey-mouth have obviously been very seriously affected.

We think deeply of them and also, especially, of the two Australians. Can I make a special mention of Willy Joynson, who lived in the same suburb of Maryborough as I do. I did not know him and his family well, and for the last 12 months he has been engaged in a contract at the mine in New Zealand. Willy is a lifetime miner. He has spent his life and his family have been involved in the mines in the Maryborough Basin over the years. When the Burgowan Mine closed in the Maryborough Basin he worked in mines in Central Queensland like Blackwater and Moranbah. He was a lifetime miner who knew the risks. He was always admired by his colleagues as somebody who was a good bloke and who people thought very highly of. He always had a smile. His family and children were well known and loved at the Parke State School just outside of Tinana. Certainly the people of Maryborough and district grieve at the loss of one of their fine citizens.

I extend my particular condolences to Kim and Jonathan and Benjamin on the loss of their husband and father. He was a man who had given his life to the coalmining industry and now, sadly, his last resting place may well be in the workplace—which he enjoyed—and in which he made such a contribution over the years.

The SPEAKER—Order! I invite members to show their support by rising in their places.

Honourable members having stood in their places—

The SPEAKER—I thank the House.

CAMBODIA: FESTIVAL DISASTER

Ms GILLARD (Lalor—Prime Minister) (10.47 am)—As members of the parliament know, it has been a tough few days in our region, so at this opportunity I wish to extend the House's condolences to the government and people of Cambodia for the recent terrible loss of life during the Water Festival in Phnom Penh.

I am sure Australians have watched the news of this tragedy with a really deep sense of loss. The Water Festival, of course, is an annual event and should be a time of very great happiness and celebration for the people of Cambodia. But, instead of being a time of happiness and celebration, we now believe that as a result of a stampede 380 people have died. This number may grow in coming days. That is a huge loss of life and I think it really is hard for us to imagine that rush of human beings and the pushing and shoving and terror that could result in a loss of life on that scale, but that is what has occurred.

The Minister for Foreign Affairs has written to his Cambodian counterpart to convey our condolences given this terrible event. Australia is, of course, ready to help and the Cambodian authorities know that we will do whatever we can to assist. Local authorities have told the Australian Embassy in Phnom Penh that no Australians have been injured or killed in the stampede and we are, of course, thankful for that. The Australian embassy continues to check this information to confirm it, and I am sure that we are all hoping that it definitely proves to be the case. On behalf of the government and the people of Australia I do extend our formal condolences to the government and people of Cambodia as they go about absorbing this news and mourning their losses.

Mr ABBOTT (Warringah—Leader of the Opposition) (10.49 am)—This is an almost incomprehensible tragedy for a country that has seen too much suffering. I join with the Prime Minister in expressing condolences, and on behalf of the opposition echo her words of condolence to the government and people of Cambodia. I should say that it is characteristic of Australians that some of us who were on the spot have pitched in to help. There were, I understand, a number of Australian firefighters in Cambodia for a conference who joined in the relief effort and assisted in setting up a triage and medical help for casualties. And good on them for doing what they could to help. Obviously the opposition would fully support the government in providing any assistance that it thinks would be of value at this time.

The SPEAKER—Order! I invite members to rise in their places to show their support.

Honourable members having stood in their places—

The SPEAKER—I thank the House.

LEAVE OF ABSENCE

Debate resumed.

Ms GILLARD (Lalor—Prime Minister) (10.51 am)—We are here on the last parliamentary day so it is appropriate to take this opportunity to offer some remarks as we move towards the summer and Christmas season. I know it always seems a little bit strange for us to be making Christmas remarks when Australians are still very hard at work. For those listening to the broadcast I want to assure them that when the House rises at the end of today we too will all continue to be hard at work. The government will be hard at work governing and every member of the parliament will be hard at work in their constituencies. We know this is a very busy time of year with end-of-year functions, most particularly those very spe-

cial end-of-year events that members of parliament attend and rejoice in. But it is our last parliamentary day, so it is the right time to reflect on what has happened in 2010 and to record some hopes for the year ahead. And we should note that as the parliament ends the Ashes series starts, so the summer season is upon us.

At the end of what has been a tough election year it is easy to dwell on the differences between us, and of course those differences are very real. But at this time I do want to say to the parliament: we are all Australians, we are all people of this place and as a people, as a nation, we have got so much to be grateful for. Even as Australians go about what can be the day-to-day struggle of their lives, there is much to be proud of and much to be grateful for. I want to genuinely wish everyone well in this building and beyond, and across the political divide, as the year comes to an end.

There have been some very happy days during this year. It was a good year for the fans of Sydney FC, it was a good year for the fans of St George and—whilst it really, really pains me to say it!—it was a good year for Collingwood fans as well. A drought has come to an end in the eastern states of Australia, and that is good news. Our Jessica Watson sailed her way into the history books and into many Australians' hearts with her brave venture of sailing solo around the world. Our Mary MacKillop has been recognised by the world and, on a different note, the victims of Dr Patel in Bundaberg found some justice. It has been a year of a tough election but it has also been a year of parliamentary reform, including an independent Speaker, improvements to question time and an acknowledgement of country on sitting days. These are good things.

It was a year with sad days as well. We lost some great Australians this year: Peter

Porter and Joan Sutherland, Jim Kennan and Ken Wriedt, Peter Bowers, Bobbi Sykes and Frank Fenner. And we lost some great young Australians too: from the 2nd Combat Engineer Regiment, Sapper Jacob Moerland and Sapper Darren Smith; from the 2nd Commando Regiment, Private Timothy Aplin, Private Scott Palmer and Private Benjamin Chuck; from the 6 RAR, Private Nathan Bewes, Private Tomas Dale, Private Grant Kirby and Lance Corporal Jared MacKinney; and from the Special Air Service Regiment, Trooper Jason Brown. We remember them. We are proud that our country has produced such Australians in the past and I am very confident that our country will continue to produce Australians of their quality in the future.

I know I speak for all in this House and all in this country when I say we are especially thinking at this time, and will over the Christmas season, of our troops, the mates of the men that I have just named, who are serving overseas. We are so proud of them. We trust that they get some relief and some respite over the Christmas season and that they have the opportunity, even from afar, to speak to and touch base with their families back home. We wish for all of them a safe return.

At this time of the year we of course celebrate the values of peace and goodwill that bring us all together as Australians. Christmas is a time of great significance for those of religious faith, but it is a time of great significance for all of us. It is a time when, whatever your background, you can come together and acknowledge the role and meaning of Christmas in our nation's heritage of belief. As a season of giving, it is also a time when we redouble our efforts for those less fortunate in our society and strive to include them much more in our circle of generosity. Our congratulations go to so many Australians who, each and every year,

make the Christmas season their time of good works and extend a helping hand to those less fortunate in our society. Of course, while many in the nation take a holiday, there are always those people who keep everything that we need running. Our doctors, our nurses, our police, our firefighters and our transport workers will all work through this Christmas season so we are kept safe and sound and secure and have the services we need.

There are many people to acknowledge and thank. I will briefly list those who deserve our thanks. My brevity does not reflect the depth of emotion in our thanks; the depth of emotion is very strong indeed. First, to the Leader of the Opposition and his wife and family: I trust he takes a long, long holiday—12 months would be perfect! But, whatever he takes, I trust he enjoys it and enjoys time with family and friends. Mr Speaker, we know that you cannot take a long, long holiday, because parliament will be back, but I suspect during your days of holiday you are not going to miss us very much. To those who assist you in the Speaker's chair, also, I send our goodwill—and I suspect they are not going to miss us very much. To the Parliamentary Liaison Office, our thanks for the work that you do. To the Clerk and Deputy Clerk, who always have the good grace to pretend that they miss us even if they do not, thank you for the work that you do to keep the parliament functioning. We wish you the best at this time of year. To the Serjeant-at-Arms and to the attendants who look after us so well—particularly me during question time; I am a ferocious consumer of water—thank you very much for your assistance. To the Parliamentary Library, which we rely on so much for advice and assistance, thanks for all of your efforts on behalf of members of parliament. To the Hansard staff, for making us sound better than we did in real life, thank

you. To the staff of the Table Office and to the Parliamentary Relations Office, thank you for your work.

Of course, this parliament has within it people who do a lot of work but whose occupations are not necessarily recognised all that often. There are the gardeners, the cooks, the switchboard operators, the computer experts, security and people who do myriad other jobs. We see the cleaners who assist us in our offices day to day and thank them when we see them, but their work is often not done within our line of sight, so we do not get the opportunity to say thanks to them. I take that opportunity now. Thanks to Aussies for the great coffee, which is so required. Thanks to those who are providing child care in this parliament, finally. Thanks to the travel agents, who assist us as we move around the country, and to the broadcasting staff, who make sure people in Australia know what is happening in this place. Thanks to the Comcar drivers, who are not just a source of transport but a source of good cheer and good humour as we come in early in the morning and go back very late at night. Thanks to the press gallery. We do not have them in grand attendance right now, and it is not every day that we think they deserve our thanks—but they do, and I am sure that is a spirit shared across the parliament. I see the shadow Treasurer nodding to that. They do an important job broadcasting our words and taking the events of this place to the nation.

To my Labor team, my great thanks to the Deputy Prime Minister and Treasurer. It has been a tough period and he has been a remarkable source of strength and support. To my cabinet, ministerial and parliamentary secretary colleagues, my thanks go to each of them for their hard work and diligence and personal support for me. To the Leader of the House, Anthony Albanese, who has literally, in our view, worked a miracle in this parlia-

ment, my very sincere thanks. To our Senate team, we now share a bit more understanding of what it is like to be in a chamber where the executive does not necessarily have the numbers—

Mr Stephen Smith interjecting—

Ms GILLARD—I know this bonding with the Senate can go only so far, and the Minister for Defence is reminding me not to take it too far. But I do think we understand more about their world than we used to. My thanks go to our Senate leadership team, Senator Evans and Senator Conroy. To the Chief Government Whip and his team, thank you very much for the work you do.

Mr Fitzgibbon interjecting—

Ms GILLARD—He is out of place. You never know where he is going to bob up next as he goes about his duty. To all members of the Labor team, thank you very much. To the crossbenchers, in a remarkable parliament in a remarkable year, thank you for your good humour and good spirit. Thank you for the support you have provided us whilst noting the fierce independence—which means we cannot take that support for granted. I hope each and every one of you gets a break. It is well deserved.

To each member of the opposition, sometimes we are not so charitable towards you—I know that; but, at this time of year, I hope everyone on the opposition benches gets a good break, and my best goes to them as they spend some time with family and friends over the Christmas season.

To all of the staff who support us, I want to say thanks. To the staff who particularly support me, I would like to say thanks. I convey my thanks to my chief-of-staff, Amanda Lampe and, through her, I convey my thanks to all of my personal staff in this building. I would also like to convey my thanks to my electorate office staff who continue to make me look good in the electorate

of Lalor. Whilst I cannot be there as much as I would like, they very much go about their work of supporting me and making sure our people of Lalor get to talk to them and work problems through—so my thanks do go to them.

To the great Australian Public Service and particularly to my department, the Department of the Prime Minister and Cabinet, my thanks go to each of them and to the secretary of my department, Terry Moran.

I also say thanks to the Australian Federal Police, who are now an ever-present part of my life but do a great deal to make sure that we are all kept safe and secure.

To the Australian Labor Party membership overall—to those who work so hard in our national organisation, to Karl Bitar through to every volunteer who handed out a Labor how-to-vote card—my very sincere thanks. Every how-to-vote card mattered this year. To the supporters of the wider labour movement, my thanks and my wishes to them for a happy Christmas.

Also at this time, my thanks go to my own family for their support during what has been a pretty tough year. My thanks to Tim, my mother and father, my sister and niece and nephew. I look forward to spending time with them over the Christmas season.

As we move from this year into the next, I think we can reflect on what a fortunate nation we are, but we can also renew our determination to make sure that we always live in a land of a fair go and that we always work together to build our nation. Thank you.

Mr ABBOTT (Warringah—Leader of the Opposition) (11.04 am)—I rise to, at least in part, support the sentiments of the Prime Minister. Could I, in particular, support her remarks about our military personnel in Afghanistan. I should note that, as well as the tragic loss of 10 service personnel this year,

we lost a service dog, Sapper Herbie. Also, we had 60 soldiers who were wounded in Afghanistan this year.

I should acknowledge that the Prime Minister has been a ferocious competitor this year, and I should congratulate her on her success. She may not have won the election handsomely but she certainly won the negotiation, and that takes a considerable skill. As a party politician, it is my job to hold the light up to, or to let the sunlight in on, the faults and flaws of the Prime Minister and the government. But as an Australian I want the best possible government for our country and as an Australian I am always willing the government to succeed and to flourish, even as I doubt its capacity to do so, because it is important for our people and their prosperity that we have the best possible government in our country.

Mr Speaker, I should support and adopt the compendious thank-yous that were provided by the Prime Minister to you and your team. It is a difficult job to maintain order and decorum in this parliament. I think you maintain your own dignity well, and I think you help us to maintain some shreds of dignity ourselves. So thank you for that. To Bernard Wright and his team, the true custodians of the traditions of this House, thank you. And to all of the people here in the parliament—the Parliamentary Research Office, the Parliamentary Library, the serjeants, the attendants and the Comcar drivers—I thank you.

To do our jobs, we all depend on so many people. As senior politicians we are in the spotlight. Our egos are well and truly massaged by the applause we get. Many others make it possible. They do not get the applause that they deserve and it is appropriate that we should thank them at this time of the year because, if we do much, it is because many people are sustaining us in that task.

I should particularly thank my deputy, the member for Curtin. I could not ask for a better deputy. I also thank the Leader of the National Party; I could not ask for a better coalition colleague. I thank my staff, led by Peta Credlin. What a tremendous office they have been. I thank the whips, the Manager of Opposition Business—thank you for everything you have done.

For a few minutes I would like to dwell on some of my colleagues who are no longer with us. There was not the chance, pre-election, to talk about retiring colleagues and I would like to briefly mention them. Fran Bailey, the former member for McEwen—I doubt that the House has heard a more eloquent speech than her heartfelt address to us in the wake of the Black Saturday bushfires. Pat Farmer, my friend and the former member for Macarthur, was the fittest member of this House. I may lay claim to that in his absence, although I think I have some rivals in the member for Blair, perhaps the member for Flinders and perhaps some of my younger colleagues on this side. Pat is one of those people who are always looking for a new challenge and I am sure all of his former colleagues wish him well in his attempt to organise and complete a pole-to-pole run, an almost incomprehensible feat of physical endurance. If anyone can do it, it is Pat. I hope the attempt is blessed with success. David Hawker, the former member for Wannon, was an exemplary Speaker and a model of decency. Chris Pearce, the former member for Aston, is one of the quiet achievers of our country, first in local government and then in the parliament and in business. Petro Georgiou, the former member for Kooyong, was, in many respects, the conscience of the Liberal Party. I am not suggesting that the rest of us lack conscience but, certainly, Petro was always eloquent in defence of what he saw as the best instincts of liberalism, and he will be missed. Danna Vale, the former member

for Hughes, turned a safe Labor seat into what was for much of the term of the Howard government a pretty safe coalition seat, because of her decency and hard work. Peter Lindsay, the former member for Herbert—I commend every retiring member to observe the conduct of Peter Lindsay in organising a succession plan and working with his successor. Margaret May, the former member for McPherson, is, I think, as responsible as any member of this House for the pension increase that pensioners have enjoyed in the last three years. It was her urging that persuaded Brendan Nelson, the former Leader of the Opposition, to adopt this cause. I think that his adoption of the cause did have some impact on the government, and I congratulate the government on the actions it ultimately took. Finally, I should mention Michael Johnson, the former member, who may have lost his way at the end, but certainly he took a seat off the ALP and helped to boost Australia's links with Asians and to make Asian Australians feel at home in the coalition parties.

I should also mention two of my former colleagues who were defeated at the recent election—first, that remarkable political character, the former member for O'Connor, Wilson Tuckey. Wilson was always colourful, sometimes irascible—

Government members interjecting—

Mr ABBOTT—I make it very clear that I said irascible—and I have to say he was far more thoughtful than he was often given credit for. Wilson was a veritable catherine-wheel of ideas and many of Wilson's ideas have considerable merit and will, I think, be vindicated in the years ahead.

I also mention Jason Wood, the former member for La Trobe. I first met Jason campaigning during the 2004 election. I thought he had a remarkable common touch, perhaps helped by his years in the police force. He

was an extremely diligent local member. He was in the end defeated by a difficult redistribution, but nevertheless will be much missed by his electorate and by his friends and colleagues here in the parliament.

As the Prime Minister has said, this is a time for families. Over this Christmas season I believe we all should give them more of the attention they deserve. They are the conscripts in public life. They feel our pain without necessarily enjoying our rewards and our exhilarations. I particularly thank my own long-suffering, darling angel wife, Margaret, and my own children. And I of course wish Tim all the best in the Christmas period.

The Prime Minister rightly pointed out the great strengths of our country and it is appropriate that we should count our blessings, particularly at this Christmas period. But while we count our blessings we should always be striving to be even better. We are a great people in part because we are never satisfied that we have done enough, and we certainly should do more in 2011 than we have in 2010.

Finally, may God bless us all in this Christmas season. May God help us in the year ahead. I suspect that in 2011, as in every other year, we will certainly need His help.

Mr SWAN (Lilley—Treasurer) (11.14 pm)—By any measure this has been quite a remarkable year. The past year has delivered very significant change: an election, a hung parliament, a new parliament, a new Prime Minister. So change has been constant over the past year, but one thing that has not changed has been the strength of our economy. A year ago we were proud of the fact that we had not experienced a recession, but back then we dared not dream that we would create, as a nation, something like 375,000 jobs in the years that followed. Australian businesses have kept employing people, they have kept investing, they have kept training

and they have kept hiring. As a consequence of that, Australia has avoided the high and mass unemployment that has been experienced by so many other developed economies. I would particularly like to pay tribute today to small business in our economy for the role that they have played in training and keeping our workforce in place.

As we go towards Christmas we also celebrate the fact that in the new year Australia will see its first Paid Parental Leave scheme, a very, very important achievement for the future of the country. I think all Australians can be immensely proud of what we have achieved together. We have rolled up our sleeves, we have pulled together and we have gotten on with the job.

Of course, in the past year the parliament have gone through its challenges. Who could forget those 17 days—and, I think, 17 minutes—where we did not quite know what the outcome was going to be. I think we should all be proud of what has transpired since then. We have achieved a lot together. The Australian people gave us a very clear message. They wanted our politics to work in a new way; they wanted us to work together; they wanted us to work in a better way, better than we had in the past; and they wanted us to put the national interest first. I think what has transpired since then has been a credit to the parliament. We get a lot of scrappy reporting of it but what has actually been occurring in here has been constructive, and I think it has made our nation a better place. The government have been able to get on with the business of government. Legislation is passing through the House and through the Senate and the government are providing the certainty that the country requires.

I pay credit to those who sit on the crossbenches. It is hard for many here to imagine the enormous pressure that has been placed

on them. It has been an enormous responsibility and they have responded, and I believe they are stronger for the experience just as the parliament is stronger for the experience. They did not come to an arrangement because they were acting just in the interests of any particular electorate or area, like Port Macquarie, Tamworth, Hobart or Mount Isa; what they did was for Australia, particularly for regional Australia, and that is important to acknowledge. So too is it important to acknowledge the hard fought parliamentary reforms. I think all parliamentarians can be proud of those. While there will be disagreements from time to time about how they are implemented, we have kept the wheels of government going. We have enhanced accountability and we have set up a parliament where members matter. I would certainly like to acknowledge the role of the Speaker and of course the clerks of the parliament, and all of their staff—because this has put them under immense strain and pressure as well, and they have performed admirably in that endeavour. I would also like to acknowledge particularly my old friend the member for Kennedy. We do not agree on every issue but he is a proud Queenslander at heart and he has played a particularly constructive role.

I would also like to acknowledge the role of the opposition in this place. At the end of the day politics is a battle of ideas and we must debate those ideas in this House. I believe we have done that. There are matters on which we have profound disagreements, and we will continue to have profound disagreements, but we have debated those ideas. That has been good for the country. I acknowledge the shadow Treasurer. He has been a worthy opponent, always coming up with the odd new idea out of the blue. I congratulate him for that and I look forward to the contest in the year ahead.

I pay tribute to the Prime Minister. The Prime Minister is an extraordinary person, the toughest, most focused and most capable person that I have ever worked with. It is an honour and a privilege to work with her and it is an honour and a privilege to count her as a mate. In addition to honouring the Prime Minister today I want to honour her predecessor. Whatever happened this year, nobody doubts Kevin's commitment to the country or his contribution to the cabinet. It is important to acknowledge that today.

I acknowledge all of my cabinet colleagues, who have worked very hard over the past year, particularly our Treasury team of Chris Bowen, Craig Emerson and Nick Sherry, prior to the election, and our new Treasury colleagues Bill Shorten and David Bradbury. All I can offer them is more hard work and challenges ahead. I also acknowledge the new Minister for Finance and Deregulation, Penny Wong. She is a great fighter and a great worker, and I look forward to working with her in the years to come. I would also like to acknowledge the very significant contribution of the former finance minister, Lindsay Tanner, who did a terrific job during one of the toughest periods in Australian politics and in the Australian economy.

I acknowledge the contribution from the Leader of the House, Anthony Albanese. His performance here has been simply magnificent. In a difficult situation one of the highlights has been the clashes, if you like, between Anthony Albanese and Christopher Pyne. I think they have given us all great delight and great enjoyment.

I would like to pay tribute to all my caucus colleagues and say to them that the privilege of serving in the parliament and working for the great ideas that we stand for in this parliament has always been one of the

greatest experience of my life and it will be for them in the years ahead.

Could I also acknowledge all of the staff of the parliament, from the security guards through to the cleaners and all the people who do those very special jobs. Today I give a very special mention to the gardeners. I have seen them for many years out there gardening and blowing the leaves in the early hours of the day. I am not sure why it has taken Joe 15 years to work out that they were early starters; nevertheless I am sure that the campaign he has been mounting will pay dividends.

I also would like to acknowledge my staff in the ministerial office in Canberra. They work hard, they certainly do not get a lot of sleep and they buy a lot of coffee from Aussies. They do a magnificent job. At the moment, a number of them are vigorous fundraisers for Movember. If you have seen a few men wandering around the parliament with vigorous moustaches—some are not so vigorous—they may be that trusty team from my office who, at this stage, have raised \$16,000. I urge all donors who have not yet made their commitment to Movember to kick in to the team from the Treasury. There is still a week or so to go and I think they could do a lot better. I pay tribute to my former chief of staff, Chris Barrett, who has served the Labor Party in a variety of ways over many years. Now the father of a young son, he has moved on to greener pastures. He made a very significant contribution to the public policy debate in this parliament. He has been replaced by Jim Chalmers, another hard worker who has a terrific mo and much more to contribute to the fundraising effort.

My Brisbane based staff should not go unmentioned. They have done a remarkable job in what has been a very difficult year and they have all worked very hard. I would also like to pay tribute to the Treasury. They have

had another massive year, working long hours, not just preparing the budget but doing the MYEFOs and *Intergenerational reports* and all the detailed documents which require so much hard work. I would particularly like to extend my special thanks to Secretary to the Treasury, Ken Henry, who epitomises the sacrifices made by so many dedicated public servants. He has worked very hard for this country over a long period. I pay particular tribute to him for the hard work he has done for our country, particularly during the last couple of years.

Lastly, I would like to thank my family. We are all very privileged to serve in this place but we cannot do it without their permission. They are always the greatest supporters and they make very big sacrifices to allow us the opportunity to work long hours in these jobs. I acknowledge the support of my wife Kim, my children Erinn, Libby and Matt. The amount of support I get is remarkable and far more than I deserve.

Mr TRUSS (Wide Bay—Leader of the Nationals) (11.24 am)—I am pleased to join others in extending good wishes and appreciation to those who work in this place and to extend good wishes to the people of Australia as we approach another Christmas season. As others have mentioned, it has been an eventful year. We have a new Prime Minister, a new paradigm and, if you look back over the past 12 months, we have a new Leader of the Opposition and a new clerk. All of these people have made a contribution to the year. It has also been a year when the seasonal cycles seem to have changed. The dams are full and the Murray-Darling Basin is almost full. That has demonstrated to us once again that nature is able to achieve what government policies, Basin Plans and Copenhagen conferences can never achieve. It certainly has lifted the spirits of all Australians to know that perhaps we are entering a better run of seasonal conditions. We should

not forget that in Western Australia the season has been unfavourable. Indeed, there is evidence of growing drought in that state and isolated pockets in other parts of Australia as well have not enjoyed the more abundant season.

During the year, the Afghanistan war has become more intense. The Prime Minister and the Leader of the Opposition both mentioned the loss of life. Let us acknowledge on this occasion the service and sacrifice of our soldiers in peacekeeping operations around the world and in places like Afghanistan. The task is dangerous but they undertake their work with bravery and commitment to our country.

This has obviously been a tumultuous year in politics. Our parliament is different from the way it was. It will undoubtedly take some time for us all to get used to it. We have had a close election, delivering a government which now has the responsibility of ensuring our country is able to progress in an efficient and competent way. The role of the parliament is critical to the proper functioning of our democracy. I take this opportunity to thank once again the staff who serve the democratic processes of our country so well through the way in which they assist members of parliament and the parliamentary process to achieve its objectives. On a day-to-day basis we perhaps do not say thank you to them as often as we should. We appreciate the glass of water, the opening of the door, the little things that happen. With the flurry of day-to-day activity, perhaps with other things on our minds, we do not always recognise as promptly and as warmly as we should the tremendous contributions these people make to ensure the parliament works well.

Among others, I mention the Serjeant-at-Arms and his staff, the attendants, the security people, the Comcar drivers, Tim and the

dining room staff, the nurses, the cleaners, the people in the library and those who record in *Hansard* what we say—and sometimes translate it into the language which we intended to use but did not. We appreciate those who look after our travel arrangements, the childcare workers and those who provide all the other services of the parliament.

The press gallery can be a challenge but we know that they also play an important role in a robust democracy. The advent of 24-hour news cycles—the 24-hour ABC program, the work of Sky and now A-PAC television—have certainly increased the coverage of the parliament. I particularly welcome A-PAC television, which, sadly, not many people have access to. It shows more of the parliament than just the traditional conflict of question time. It shows the real workings of the parliament and raises the esteem of the public about the work of the parliament and, in particular, allows many backbenchers, who make very good contributions to parliamentary debates, to be heard. Their words are often not reported in the media but, in reality, their contributions are important. This greater television coverage gives many other people an opportunity to be seen for the work they do in this place.

I thank the Leader of the Opposition, Tony Abbott, and his deputy, Julie Bishop. We work well together as a team and it is a privilege to work with them. Indeed, I pay a special tribute to Tony Abbott, who in any fair-minded assessment would have to be regarded as the man of the year in Australian politics. This time last year, the opposition was at a pretty low ebb, almost in a state of despair. No-one thought we were even remotely competitive in the political contest, but that has turned around and turned around so quickly that we had an election that was the closest in at least 70 years. A lot of the tribute and credit for that certainly belongs to Tony Abbott. I have watched closely the

dedication and commitment that he has given to the task. He has certainly shown, through his leadership, a willingness to look at the issues and to address them in a comprehensive and, in many ways, a bold and innovative way. So I pay tribute to the leadership that he has provided. It has been a real privilege to work with him.

I acknowledge my Nationals colleagues: my deputy, Nigel Scullion, and Senators Joyce and Nash—the leaders in the Senate—who have worked very effectively as a team. I appreciate also the work of the whips: Alex Somlyay in the old parliament and now Warren Entsch. I also acknowledge the terrific role that Kay Hull played over the years as whip. She is an extraordinary individual. It was remarkable to go to her tribute function in her electorate. There are probably more things named after Kay Hull in Wagga than I have seen of any other serving member of parliament in their lifetime. She made an extraordinary contribution and will never be forgotten. Mark Coulton is doing an excellent job as the new Nationals whip. They battle on without any staff. I might say to the Leader of the House, who has moved into the place: it is high time that the Nationals' whip staffing was restored. For the first time really since whips had clerks, this government has taken away the clerical assistance to the Nationals and, frankly, it ought to be restored in the interests of a fair and proper functioning of parliament.

I also acknowledge Brad Henderson and the team in the Nationals secretariat and also acknowledge the cooperative relationship we have had with Brian Loughnane and the Liberal Party secretariat. They worked very hard during the election campaign—in the case of the Nationals, always with very limited budgets—but they were able to achieve the best result that our party has received since World War II. We acknowledge their contribution.

I also thank my Canberra staff, David Whitrow and the team. Most of them have been with me since the days of government and sometimes a long time before that. That dedication is greatly appreciated. I also thank my electorate staff, again all of whom have been with me a very long time—some since the beginning of my time in the parliament, some having served my predecessor. Those people are really special and the contribution that they make is much appreciated. So thank you to all of those who have served the parliament, who have made the contribution, who have helped our country to address some of the key issues over the recent period and who are also committed to doing that again in the future.

Christmas is a very special time of the year. It is an occasion when families can get together and enjoy one another's company. We love to have the people we know and who are special to us around us at Christmas time. But Christmas is more than just decorations and gifts and parties. The celebrations and symbols of Christmas highlight the joyous reason for our festivities: the birth of Jesus Christ. Those who seek to take Christmas out of the holidays, or Christ out of Christmas, just lose the central reason for the celebrations and their meaning and purpose. The true spirit of Christmas, though, also means that we should think of those less fortunate—the homeless, the jobless, those who are sick or those who are spending Christmas alone this year. In the context of earlier remarks today, we think over Christmas especially of those who have lost loved ones in tragedies like the New Zealand coalmine disaster, those who have a loved one lost during the Afghanistan war and in other tragedies.

Finally, I appeal to Australians travelling this Christmas to be safe on the road. We committed our nation some years ago to reducing the road toll by 40 per cent by 2010.

Very good progress was made, particularly in the early period of that target, towards reducing the road toll, but for some reason or other the last year or so has not been so good. Now we are setting new targets, and they should be ambitious as well. The road toll is about having good roads and good infrastructure, but it is also about careful driving. We all think that we are good drivers, but there are other people on the road who perhaps are not that good. At Christmas time in particular we need to make sure that we are observant and careful. There are a lot of temptations at Christmas time, but we should be patient during this festive season so that we can enjoy them and not have a family celebration in any way tinged by the tragedy of a heavy Christmas road toll. Please drive safely on our crowded roads.

Finally, I acknowledge those who will work over the Christmas period when others are taking leave—those who will be on hand to deal with the disasters that so often seem to happen over the Christmas period: the bushfires and the floods that seem to predominate around the Christmas holiday period. We appreciate the commitment of our emergency services personnel, the armed forces, police, ambulance and hospital staff, the people who work in nursing homes and childcare facilities. We need them whether it is holiday time or not and we appreciate their sacrifice.

We have had an exciting year in the parliament. I acknowledge those who have contributed to the past year and extend my very best wishes to them and their families for a wonderful Christmas season. I hope they will come back refreshed from the holiday, ready again to confront the issues that are important to our nation and make sure that as a parliament we can continue the vital work of building a better country so that all people can enjoy and appreciate the great privilege we have to live in Australia.

Mr ALBANESE (Grayndler—Leader of the House) (11.37 am)—I rise to contribute to this debate, which is a part of the tradition of the closure of an annual meeting of the House of Representatives. It is indeed a tremendous honour to be the Leader of the House in this parliament, the 43rd Parliament, as it was in the 42nd Parliament. It is a duty which I take very seriously and one in which I attempt to play a role for the good functioning of the House, as well as of course being a government representative in terms of negotiating the handling of this parliament. I thank the former Prime Minister, Kevin Rudd, and the current Prime Minister, Julia Gillard, for giving me this honour.

The new Prime Minister has made an extraordinary beginning. She has, in my view, a capacity as a parliamentarian greater than any other of the 150 members of this House of Representatives. I think we see that in question time and I certainly see it in other forums as well. Her capacity to get across the detail over the whole range of portfolios that is required of the Prime Minister is quite extraordinary. We have seen it on exhibition again this week where, after flying to Lisbon to represent Australia over the weekend, she came back into this House and conducted herself in exemplary fashion. She is a very strong advocate as the leader of our government.

To the Deputy Prime Minister and Treasurer, Wayne Swan, I thank him very much for the close way in which we work together as infrastructure minister and Treasurer, and as Deputy Prime Minister and Leader of the House. To he and my other good friend the deputy leader of the House, Stephen Smith, I would like to say that I think we have an extraordinarily good relationship, on both the political and a personal level, in terms of the way we sit down day to day in the early mornings discussing tactics and what will play out during the day. I am very pleased

that the deputy leader of the House has moved to the defence portfolio because it means fewer overseas trips and therefore fewer absences from the House in comparison with what was the case in his former position of foreign minister.

To my other ministerial colleagues and caucus colleagues, I thank them very much for the cooperation that I have received as Leader of the House. The new paradigm is taking some getting used to but the faith shown by the collective caucus that is the Labor Party, in my judgment, in being able to make calls on behalf of the government is certainly appreciated, and it is not something that I take for granted. To the Chief Government Whip, and to his predecessor the former member for Chifley, Roger Price, I say thank you for the cooperation which we have received. The government whips, the member for Shortland and Fowler—and I also want to single out Anna George in the whips' office—also make an extraordinary effort.

I have probably spent more time with the members for New England, Lyne, Melbourne, O'Connor, Kennedy and Denison than I would have anticipated. But to them I say: this has been a good thing. In my dealings with each and every one of them I have tried to be honest at all times in giving them advice in terms of the procedural functioning of the House and have tried to be someone able to facilitate their participation in the House. I think it is a good thing that the standing orders have been changed to facilitate the active engagement of all 150 members of the House of Representatives in a way which was not as easy before. Individual members of parliament can make a difference in this chamber through committees and through their participation in the political system, and I thank them for their participation.

For the opposition, I would like to single out the Manager of Opposition Business. He is not someone I always agree with but he is usually a person of good humour—and that matters in this place. Being in opposition is hard, and I certainly had an experience of it that was a lot longer in duration than I would have liked—hence I was very grateful that we were able to re-establish government in the aftermath of the 21st of August election. But to Christopher and the team in his office—James and others—I thank them for their, in the main, cooperation.

To Henry Thomson and the team in the parliamentary liaison office, I thank them for keeping the show ticking over. To the Clerk of the House, Bernard Wright, and his team, the Deputy Clerk, the Serjeant-at-Arms and those people who work in the Chamber Research Office and the Parliamentary Library—including Anna, Naomi, Penny and Chris—and to all the attendants who look after us so well in this chamber, I thank them very much as well. To the Speaker and the Deputy Speaker, the presiding officers who now have a more difficult task than used to be the case in the parliament, I thank them for the important role that they play in this parliament.

I also have the privilege and honour of being a cabinet minister in the government, and I thank the secretary of my department, Mike Mrdak, and his team very much for their efforts over the past year.

I turn to my personal staff—my chief of staff Michael Choueifate, my personal assistant Karen Bissaker and my Leader of the House adviser Jo Haylen, who does an extraordinary job for the entire team. Her job was difficult before; it now is monumental. She does her job in an extraordinary fashion. To my electorate office staff, including Tanya Jackson-Vaughan and my electorate team, can I say I am only here as Leader of

the House and as a minister if I am member for Grayndler. As the member for Grayndler I want to thank Daniel Barbar and all the team—and not only Labor Party members and Labor Party supporters but also the people who might not be natural Labor Party supporters but who support me personally in the role I play as the federal member for Grayndler. I thank them very much. I think some people got a bit of a reminder of the importance of electing a Labor member for Grayndler during those 17 days after 21 August. It is possible that the outcome in terms of who got to form government might have been different if Labor had not been successful in returning me as the member for Grayndler.

During those 17 days we had considerable negotiations over the functioning of the parliament. The fact is this parliament is functioning extremely well. We have so far carried some 51 pieces of legislation through this House. There is not a single bill that has been put up by the government that has not been carried. Indeed, there has not been a single amendment supported by the government that has not been carried as well. So we are on a 100 per cent success rate in terms of legislation. That has included important health and hospital reform legislation, legislation vital to the National Broadband Network and legislation fulfilling the commitments that we went to the election campaign with prior to 21 August. So the parliament is working well. There have been considerable improvements made and we can always look at further reform, but in general I think it is the case that our parliamentary reform has been a great success.

Members of parliament spend a lot of time away from their families. To my wife and life partner Carmel Tebbutt, I say thank you. She also has an extremely difficult job as the health minister in New South Wales. Our most important task is not our political task; it is that of being parents. To Nathan, I un-

derstand it is particularly hard on young ones when they miss out on seeing their parents. Just a few days ago he asked why his dad was not coming home that night, and he was told that parliament was sitting. His response was a reasonable one for a nine-year-old: why is he still working so hard; he won the election! It was a reasonable response for a nine-year-old to make. It is a great pleasure when we do get to spend time as a family, and I enjoyed seeing him bowl two wicket-maidens on Saturday for the Summer Hill under-10s playing against Marrickville. Those activities are of course the best part of every week.

As the transport minister, I join with the shadow minister, the member for Wide Bay, in asking people during this festive season to very much do whatever they can to drive safely on the roads. This is a time of year where there are always too many tragedies. Every tragedy is one too many. So, drive safely and be aware of the limitations of human performance and of the errors that can occur. I say to each and every member of the House, have a safe and festive Christmas season. I look forward to the fact that we will be back in the new year in the second week of February. I am proud of the fact that we are not sitting during the first week, which means parents can take their kids to school for the first week. Those of us who have young schoolchildren will be able to sit down with the teachers and help our children adjust to a new year in school. That was a very conscious decision made after some representations to me as Leader of the House.

Ms JULIE BISHOP (Curtin) (11.50 am)—As we come to the end of a tumultuous year in federal politics we should all pause to think about the relative comfort and security in which most of us live our lives in this great country of Australia. At a time when we can consider our good fortune as a

nation, we are reminded that more than 925 million people will suffer chronic hunger this year, according to the United Nations. It is no coincidence that a similar number of people worldwide will struggle to survive on less than \$1.25 a day, given the strong link between poverty and hunger. Almost nine million children will die this year before their fifth birthday. More than 350,000 women will die this year from complications involving pregnancy and childbirth, with 99 per cent of those deaths occurring in developing countries. It is estimated that almost 70 million school-age children are not attending school, with about half that number in sub-Saharan Africa and about a quarter in southern Asia.

There is bipartisan commitment in this place to the United Nations Millennium Development Goals and to increasing our foreign aid budget to 0.5 per cent of our gross national income by 2015. I am particularly pleased that the Minister for Foreign Affairs has adopted my proposal for an independent inquiry into the effectiveness and efficient delivery of our foreign aid budget. Australians are generous people, as evidenced by the level of their personal donations to charities that support both domestic and international causes and by the high level of support throughout our nation for our foreign aid program. They do want to be reassured, however, that the money is being spent effectively and that there is value for the donated dollar. I welcome the broad-ranging inquiry into our aid program.

There is also great need in Australia, particularly in many of our Indigenous communities, and I applaud the work of our charities and government agencies to alleviate poverty and hardship in Australia. We do live in a land of plenty, with one of the highest standards of living on earth, but there are Australians who need our ongoing support.

Australia is one of the oldest continuous democracies in the world. It is a source of our strength and our stability. Here in Canberra, our parliament best represents our democratic process. It is the epicentre of the battle of ideas, the competing policy positions and the robust political debate that differentiates each side of politics. And long may members and senators bring to this place their diverse views, backgrounds and life experiences, and engage in passionate debate. Debates are undertaken with passion, for sure, but also with civility, respect, humility and good humour when needed.

We respect the election results in this country—however frustrating and painful. Australians accept the outcome and are comforted in the knowledge that our elections are free and fair, with the result determined at the ballot box. That is not the case in a number of countries around the world. While our system is not perfect nor necessarily the ideal for other nations, we continue to be disturbed by elections in countries such as Burma—where this year the first election since 1990 was held. The world was dismayed by the ongoing detention of Aung San Suu Kyi—that courageous voice for freedom and democracy in Burma. As perhaps the only member in this place who has had the privilege of meeting Aung San Suu Kyi, I am confident that her inspiration and courage will never be dimmed by the regime's treatment of her.

I pay tribute to our armed forces representing our country overseas. They are defending freedom and fighting for the universal ideals of freedom and choice. I particularly want to mention our troops in Afghanistan and the troops and families of the Special Air Service regiment based in Swanbourne in my electorate of Curtin. People aspire to live a life free from the threat of violence wherever they are in the world. They aspire to live in a peaceful environment

for the benefit of their families and communities. I pay tribute to the Australian Defence Force in its efforts to support those aspirations.

Turning to home, I place on record my admiration for the efforts this year of the Leader of the Liberal Party and the Leader of the Opposition, Tony Abbott. His marathon campaigning effort, which was highlighted by his final non-stop 36-hour sprint to the finish, epitomised his strength, courage and commitment. He has forever changed the political landscape in this country and achieved what no other leader of the opposition has achieved—he saw off a first-term Prime Minister, although it seems that a number on the Labor side had a hand in that. A first-term government lost its majority for the first time in 80 years. Tony Abbott has made political history. In paying credit to Tony, I also pay credit to the whole coalition team: the members and senators, candidates, supporters, and federal and state executives who worked so tirelessly to achieve such an extraordinary result.

I enjoy the professional relationship that I have with Tony Abbott and the Leader of the Nationals, Warren Truss. We are great friends. I enjoy the working relationship that I have with my colleagues who make up the leadership team in the Senate—Senators Eric Abetz, George Brandis, Barnaby Joyce and Nigel Scullion—as well as Joe Hockey in this House, who has been such a stalwart in putting forward alternative policy positions this year.

I also take the opportunity to thank the Manager of Opposition Business, Christopher Pyne, for keeping us all in line. I admit that I do enjoy his company in question time just a little too much, but his ability to have adopted into parliamentary lexicon phrases such as ‘slag and bag’ keeps me endlessly amused. One cannot mention the member for

Sturt without mentioning the Speaker. What extraordinary scenes we witness everyday during question time. That spark and sizzle keeps us all on edge. The battle of wills and sophisticated word play make question time the visual spectacle it is today with the great chemistry that all onscreen relationships are made of—although it is not quite Hepburn and Tracy or Bogie and Bacall, but more like Oscar and Felix. But it is tantalising: will Christopher take yet another point of order? Will Harry throw him out yet again? Stay tuned for tomorrow’s episode.

I want to pay tribute to the class of 2010—that is, the members of the coalition who were elected at the 2010 election. I appreciate that my colleague at the table, the member for Fadden, is of the class of 2007—and what a fine class that was—but I am sure I have paid tribute to him in previous years, and this year it is the turn of the class of 2010. What a talented, diverse group of individuals we have seen elected to this place as members of the coalition. I have no doubt that this bright, intelligent group of people will make a wonderful contribution to public debate in this place for years to come.

I thank our whips, those who serve on the Speaker’s panel and all those who take part in the everyday, ongoing parliamentary process in this place. I particularly pay tribute to our former Chief Opposition Whip, Alex Somlyay, and to our current Chief Opposition Whip, Warren Entsch. I think the legendary ‘Crocodile Hunter’ makes an ideal person to take on the role of whip.

I place on record my thanks to my Western Australian parliamentary colleagues. I thank them for their support and for their company on those long trips across the Nullarbor. The member for Perth, the Minister for Defence, is also at the table. He will join with me, I am sure, in recognising that it is quite an effort for Western Australian mem-

bers and senators to make that journey every week, and I do appreciate the good spirit and humour with which they make that journey. We are a pretty close mob—the western force should never be trifled with. I also place on record my thanks to Wilson Tuckey, the former member for O'Connor, who gave such long and dedicated service to this parliament and to the Liberal Party.

To the Prime Minister, the Deputy Prime Minister, the Leader of the House and the cabinet ministers, I congratulate them on achieving another stint on the Treasury benches. I wish them the very best for the Christmas break and I hope that they are able to spend some special time with family and friends. I thank all my colleagues who have played such an important role in the coalition team this year and I trust that they, too, will spend precious time with family and friends over the Christmas break.

I want to thank my staff, who have been the most competent, loyal and dedicated group that I could have wished for: in the Canberra office, Murray, my chief of staff; Peter and Sam and, before them, Justin and Rochelle; and in my electorate office, the amazing Kirsten, Suzanne, Georgina, Rachael, Judy and Isabel.

Finally, I want to acknowledge and thank all of the staff who work here at Parliament House, all who work in this great public institution, including the clerks, Sergeant-at-Arms and attendants, those who work at HRG doing the bookings, working for the committees—everyone who gets up every morning and comes into this place hoping to make a difference, hoping to ensure that this place functions as the Australian people would expect. I acknowledge their dedication and their service. Finally, I acknowledge the members of the press gallery and thank them for their fair and balanced reporting throughout the year. I wish everyone a safe

and happy Christmas and may we return refreshed and reinvigorated as we strive to provide better public policy and better outcomes for all Australians. I wish all Australians a safe and happy Christmas.

Mr STEPHEN SMITH (Perth—Minister for Defence) (12.03 pm)—I will make some brief remarks, firstly in my capacity as Deputy Leader of the House. Mr Deputy Speaker Georganas, I thank you and other members of the Speaker's panel. If you could relay to the Speaker himself my thanks for that very good cooperation in the course of what has been a long parliamentary year. Can I again congratulate the clerk on his appointment this year and thank him and his officers and all of the members of the House of Representatives staff for the fine work that they do not just keeping the chamber running but keeping the parliament running in the course of the year. As Deputy Leader of the House I am of course the deputy to 'Albo' as he is known on our side—

Ms Julie Bishop—Affectionately.

Mr STEPHEN SMITH—with affection on our side and with affection on the other side. I cannot think of a better person, frankly, to be Leader of the House at a time when, for the first time since the 1940s, the government is in minority. He has fashioned a very admirable and functioning parliament, not just that which the public see—question time—but also in its general working, private members' business and the enactment of legislation. Indeed, as he has said, some 50 bills have already been passed by the House this year. You could actually make the observation that, if you were looking at the parliament itself from outside in its day-to-day functioning, its smoothness, its effectiveness, it is not all that dissimilar from the parliaments that we have traditionally seen. It has of course, both in his case and in my case, required much more attention to that direc-

tion of the House where I see the member for Denison is now sitting. As the Leader of the House said, this is not a bad thing. In my own case as deputy leader, both in the previous parliament and in this one, my primary to-date responsibility or function has been to assist in question time tactics and the running of the House in question time. Of course, in this parliament, as the Leader of the House's role has been effectively extended, so has mine. Like the Leader of the House, I have enjoyed my additional contact with those members from the crossbench.

One thing may come of this parliament. We all arrive in this place as politicians. Some of us leave as parliamentarians. This parliament may actually see more of us leave as parliamentarians because more attention has had to be paid to the functioning of the parliament, the standing orders and the like. Indeed, I have been known to say to my ministerial colleagues that when the parliament sits we are members of parliament and when the parliament does not sit we are members of the executive. So this exercise will see, hopefully, a greater appreciation of the traditional role of the parliamentarian per se.

As I say, both in the previous parliament and in this one, much of my role as Deputy Leader of the House is engaged in the day-to-day tactics and question time. Of course, it is not just the Leader of the House, me, the Deputy Prime Minister and other parliamentary colleagues who sit around the table; we are also supported by loyal, long-suffering staff members. In that context, can I pay tribute and thanks to Courtney Hoogen, who has been on my staff both in government and in opposition. Indeed, she has travelled the road from Immigration, when I was shadow minister, to Defence, with me as minister. As I have said to her, that has been a tough road—Immigration to Defence—over a number of years.

Between now and when the parliament sits in February of next year, Courtney will leave my office and return to her home town of Brisbane. I place on record my appreciation for all of her efforts in the parliamentary and media space, and also my affection for her. I will miss her. I am not quite sure how I will start each day without the very strong plunger coffee—deep, dark and black—provided with media clips and what is occurring in the course of the day. She is typical of a very large number of loyal and devoted Labor staffers who not just are here for 'the good time of government' but have done the hard slog of opposition. I am very appreciative of her efforts and we wish her well back in Brisbane.

I started my remarks as Deputy Leader of the House. I will now make some remarks as Minister for Defence and, firstly, say how privileged I am and how proud I am to be able to occupy that position. I was very pleased when the Prime Minister indicated to me after the election that she wanted me to serve in this role. The Minister for Defence is more than just being minister for the war in Afghanistan—but that, of course, is our most difficult operation. We always worry when our troops are serving overseas, whether it is in a conflict like Afghanistan or in a stabilisation or peacekeeping mission such as the Sudan, East Timor or the Solomons. But Afghanistan is where we focus most of our operational attention because of the nature of our mission there. As we get close to Christmas, this will of course be a very difficult time for 21 families who will be reminded that their loved one—a son, father or husband—is not with them. For 10 families this will be a terrible time because it will be the first Christmas where their loved one will be missing. Our eternal gratitude continues and our thoughts will be with the families at this difficult time.

I pay my tribute to the Defence diarchy: the Chief of the Defence Force, Angus Houston, and the secretary of the department, Ian Watt. They have both been of invaluable assistance to me in my early days and weeks as minister. Both are fine Australians and fine public servants. They work very well with me and they work very well together. My thanks go to them.

I make the point that generally when people observe the parliament they see the conflict of ideas at question time. What is underappreciated is that very much of what we do is done by agreement, where commonsense decisions in the nation's interest are made. This is particularly the case in what we describe as the national security space. Whether it is as Minister for Foreign Affairs, Minister for Defence or Attorney-General, very often in that national security space, as a matter of course, government ministers will consult and brief their counterparts. I thank the shadow minister for defence personnel, the member for Fadden, in his capacity as representing the shadow minister for defence, for the professional way in which he engages with me, with Mr Clare, the Minister for Defence Materiel, and with Mr Snowden, the Minister for Defence Science and Personnel. In that context, I also thank the previous speaker, the Deputy Leader of the Opposition and shadow minister for foreign affairs, for that same approach when I was, earlier in the year, Minister for Foreign Affairs.

I take this opportunity, as I did not have the opportunity in the last parliament, to thank the Secretary of the Department of Foreign Affairs, Dennis Richardson—our former Ambassador to the United States, who commenced as secretary of the department in February of this year. He is a very fine diplomat, a very fine public servant and I enjoyed very much my time with him as secretary of the department. I thank him and

all DFAT officers for the invaluable work that they do advancing our national interests in the international sphere.

We always acknowledge, understand and know of our troops serving overseas at a time such as this. Often, we forget that our Foreign Affairs officers are also operating overseas. From time to time, we very publicly see part of the fine work that they do, particularly in the consular space. I again place on record my thanks to the department for its very fine efforts in the Sundance Resources case when tragically all of the board of Sundance Resources was lost in a plane crash in the Congo. The efforts made by the department in Africa, Canberra and Perth are very much appreciated by the company and by the families of the board members lost in that terrible plane crash.

I take this opportunity, having thanked some of the senior officers in the department, to also thank my ministerial staff, both those people from DFAT and AusAID who served with me in Foreign Affairs and those people who came with me or joined with me as Minister for Defence. It is a tough, hard slog in a ministerial office—I have done it myself in the office of former Prime Minister Keating: long hours, long suffering and generally underappreciated but invaluable and very important work. The efforts of those in both of my ministerial offices are much and greatly appreciated.

I make special mention of my chief of staff for the last two years, Frances Adamson. Frances is a first assistant secretary in the Department of Foreign Affairs and Trade, has previously been a Deputy High Commissioner in London and agreed to be my chief of staff for two years. Having refused all entreaties to extend her term, which is not normally the response of DFAT officers when an extension is offered, particularly if they are serving overseas, she will

finish up by the end of the year. She is a consummate diplomat and a consummate professional, and we look forward to her return to the Department of Foreign Affairs and Trade for what will continue to be a stellar career in the foreign affairs area for our nation. My thanks and my friendship go to her.

This was an election year, so I thank my electorate staff not just for all their efforts assisting me as the local member for Perth but in the special year of an election for all the additional workload that that creates. I thank Fran, Laurence and David and make particular mention of Anne Keane, my senior electorate officer, who has been with me for all of my time as the member for Perth. She also served for the vast bulk of my predecessor's, Ric Charlesworth, time as member for Perth. When you add those two terms together, Anne is far and away, from the Labor Party's point of view, the person who has made the longest continuous contribution to the cause of federal Labor in Perth since Federation. Her efforts continue to be greatly appreciated by me and also greatly appreciated by my constituents.

I finish by making, as the member for Curtin did, special mention of my WA parliamentary colleagues on all sides of the House. We make a long and arduous journey here and on occasions when we have flown back we have been accompanied on a Thursday or Friday at the end of a parliamentary week or fortnight by a colleague—maybe a minister, shadow minister or a colleague on a parliamentary committee—making the flight from Canberra to Perth or from Canberra to Melbourne to Perth. At the end of the flight, invariably the person from the eastern states will stand up, shake his or her head and try to regain some dignity after a six- or seven-hour flight or a three- or four-hour direct flight, look around and say, 'I don't know how you do it,' to which my answer is always, 'Every week. That's how we do it—

every week.' That does create camaraderie for those who ply a particular craft and fly a particular journey. People would be surprised at the friendships that are forged in the course of those plane flights. So I wish all my WA parliamentary colleagues the best for the parliamentary break and for the Christmas and New Year season.

I make particular mention of Sharryn Jackson, the former member for Hasluck, who was defeated at the last election. She is a very fine individual and is a loss to this parliament. She is a person of great integrity. She worked very hard in her two terms as the member for Hasluck. She is a person who was very much in tune with the way in which Western Australians and Australians in her electorate were reacting to events and was very much attuned to their needs. She made a very fine contribution in Hasluck and I wish her well for the rest of her career. She is making currently a very important contribution in the office of the Leader of the Government in the Senate. I wish all my colleagues well for the Christmas-New Year season. I am joined at the table by the Manager of Opposition Business and the Deputy Manager of Opposition Business; I wish them all the best and thank both of them for their cooperation in the course of this parliamentary term.

Mr PYNE (Sturt) (12.19 pm)—I will not take up the time of the House at great length today for these valedictories, as they are called. I know that we have business to conclude at 12.30 and I see that the Speaker has entered the chamber to do that. I might just make it to that particular time or we might do that business a bit earlier. I begin my valedictory by thanking the parliamentary staff. They sometimes succeed in making members of parliament look like we know what we are doing. They certainly know what they are doing. We would be quite incapable of managing this House, this quite peculiar place,

without the parliamentary staff. Members of parliament get elected and then come to Canberra, and the parliamentary staff do their level best to ensure that we do not humiliate ourselves too much. They are led by Bernard Wright and David Elder, the Clerk of the House and the Deputy Clerk of the House. I have known both gentlemen for 18 years and have been very well served by them in government and in opposition, as a backbencher and as a frontbencher, and now, in particular, as the Manager of Opposition Business in the House.

It is said that Leader of Opposition is the worst job in politics. I do not want to take that title from the current Leader of the Opposition, but I think that in a hung parliament the Manager of Opposition Business and the Leader of the House are giving it a good run. We have certainly managed in this extraordinary year to do our level best to continue to hold the government to account from our side, and from the government's side to try to ensure the opposition does not get in front of the government, with the best humour that we can manage, while not letting the Australian people down in our respective roles. So I thank the parliamentary staff: the clerks; the house attendants, who are led by Cheryl Lane; the Secretary of the Department of Parliamentary Services, Alan Thompson, and his team; all the Comcar drivers; the security staff; the cleaners; the staff of the Parliamentary Library and so on—everybody in this place. All of them ensure the smooth running of the parliament, which is a very important institution in the 14th largest economy in the world. We sometimes underestimate the role that we as members of parliament have in one of the longest-running democracies in the world—since 1901. For almost 110 years Australia has had the same kind of government, and it is testament to the Australian people and to the parliament that that has

never been in question, unlike in so many other countries around the world.

I would like to thank, too, all the colleagues of mine, both government and opposition, who make this place so very interesting. I will start with the Speaker, Mr Jenkins, who has been Speaker for three years. Coming up for his second term as Speaker, he was supported by the opposition in a near run thing, but of course the opposition was with the Speaker from the beginning. I am not absolutely certain that the credit to the opposition is being granted by the Speaker where it is due in giving us the leeway that we need in opposition, but he does manage the role of Speaker very well. There is a misunderstanding in the Australian public that the Speaker and I somehow do not get along. I can assure the House that is not true. The Speaker and I have a very good relationship. It is somewhat symbiotic: I make him look good every day and he works to make me look bad every day. But I know it is not personal. My wife sometimes says I miss social signals because my skin has become so thick after 18 years in politics, but I am sure it is not meant personally. The Deputy Leader of the Opposition described it as the Oscar and Felix relationship of the parliament. I think the speaker is more like the ringmaster of a circus, with the performing monkeys being on the government's side of the House, of course. I do take my hat off to the Speaker. It is a very difficult job; in a hung parliament it is even more difficult. I am sure that when we come back in February I will find that particular affection that I have been looking for from the Speaker. After we have all had a lovely break over Christmas and the new year, and maybe a couple of weeks at the beach, he will return with just a little bit more affection for me as the Manager of Opposition Business.

I would also like to thank the Deputy Speakers, Peter Slipper and Bruce Scott, who

do a great job supporting the Speaker. I will not rush to thank the Speaker's panel, as the opposition has not added any members to the Speaker's panel for very obvious reasons, for the first time since the early 1960s. But there are good reasons for that, which I will not go into.

I would also like to thank the chief whips on both sides of the House—Joel Fitzgibbon, the member for Hunter, and Warren Entsch, the member for Leichhardt—who head their respective teams. It is a thankless task to be the whip in any kind of parliament, let alone a hung parliament. It is particularly thankless when pairs are so much harder to come by and, unfortunately, children's birthdays get missed, graduations get missed and important conferences get missed simply because without the pairing arrangements being quite so generous as they have been in the past the whips often have to say no. I thank the member for Leichhardt and his staff: Nathan, Suzanne, Danae, Kylie and Josh. Patrick Secker, the member for Barker, Nola Marino, Mark Coulton and Paul Neville—the National Party whips—all do a sterling job of supporting me as Manager of Opposition Business and the entire House.

I would also like to thank some of the very senior members of the opposition. The Leader of the Opposition has done the most remarkable job in the almost 12 months now that he has been Leader of the Opposition. It is a very difficult job, and who would have predicted last December, a year ago, that one year later we would be in a hung parliament where the opposition had more seats than the government and where there are more Liberal and National party members in the House of Representatives and the Senate together than there are members of the Labor Party? The member for Warringah has taken the coalition to great heights this year. Of course, while we did not win the negotiations, there is an argument that we won the

election. He has given great confidence and heart to all the supporters of the coalition around Australia who voted for us, who help us as a political party and who donate to and support the Liberal and National parties.

I give my absolute assurance to the House that on this side there is no sense of anything other than absolute support for the Leader of the Opposition and our leadership team. Julie Bishop, the member for Curtin, has been Deputy Leader of the Opposition for three leaders, which is quite a feat in itself, and that is because she brings an amazing, erudite contribution to the opposition and a great sense of humour. She is my question time buddy. We sit next to each other in the chamber. She and I and Warren Truss, who we sometimes describe as one of the few adults in the chamber, form a team down the front with the Deputy Manager of Opposition Business, the member for Cowper. The four of us try and keep question time rollicking along, holding the government to account, and I think on most tests you would have to say that the opposition have had a good year. Certainly we did not get across the line in the negotiations, but the 17 new faces that have joined our ranks have been a tonic to the opposition. They bring an enthusiastic attitude to all aspects of the parliament. On our side of the House we genuinely could not be more pleased with the contributions that the new members of parliament have made and will make. When I look at some of the long faces on the government side of the House, I have to pinch myself with the realisation that in fact the election really had a terrific outcome for the coalition.

This has been a very difficult year for South Australian voters. We have had three elections. As a South Australian, Mr Deputy Speaker Georganas, I am sure you also feel the weariness of the South Australian voters. There was a state election, a federal election

and local government elections. So I hope that we will not have any elections in South Australia for some time, but I do thank all of my South Australian colleagues, certainly on the opposition side and not quite begrudgingly but a little less so on the Labor side. We would like fewer South Australian Labor members of parliament. But I thank all of my South Australian colleagues for the support that they have given me as the senior South Australian Liberal.

I would also like to thank my opposite number, the Leader of the House, Mr Albanese, the member for Grayndler. I believe that his bark is much worse than his bite. It is not easy to be Leader of the House or Manager of the Opposition Business.

Mr Fitzgibbon—You can feel the affection.

Mr PYNE—I do not want or feel any need for affection from the Leader of the House, Chief Government Whip, but I certainly think that his bark is much worse than his bite. He has a difficult job and he does it as well as he possibly can—I will put it that way, Chief Government Whip. His staff give him great support. I see Jo in the adviser's box. She really is the Leader of the House. Without her, the Leader of the House would be utterly bereft, without moorings and simply floating on the ocean. I thank his staff for making sure that he does not make too many mistakes in his attempts to manage the House.

I should also thank my own staff, my long-suffering staff, led by my chief of staff, Adam Howard, who has been with for about six or seven years. He leads a great team in my office here in Canberra—Aliide Murphy and James Newbury—and also in my electorate—Bec Lynas, Talis Evans, Jack Batty, Alex Rice, Lily Zhang and Reuben Bolaffi. I will not name them all. They all do a marvellous job. I will name, however, my personal

assistant, Kaye Gaskin, who has had to put up with a lot over the years, as all our PAs do. She does a fantastic job.

This is a different kind of parliament. It is obviously a hung parliament. The cross-benchers have injected a whole new paradigm—if I dare use that word—into our deliberations. It must be very difficult for them. They have come to this place with very little parliamentary experience—in fact, some of the new members have no parliamentary experience. Yet they have been expected to get on top of the sometimes arcane operations of this place in a very short space of time. I have been here for almost 18 years and I am still learning all the time.

I have been given the signal to wrap up by the Chief Government Whip—but I have much more to say, Chief Government Whip! I do not intend to keep the House for much longer. I want to thank Kevin Rudd, the member for Griffith. On a quite serious note, I believe that the bloodless coup in June was one of the most extraordinary things that have happened in Australian politics. For a Prime Minister to be removed from office in his first term by his own party and through forces outside the parliament was a very black day for Australian democracy. The opposition feels for the member for Griffith. I know that members of the Labor Party feel for the member for Griffith. I am sure that the pain of that experience will resonate for years in the Labor Party. Even though I wanted the member for Griffith to be defeated, I wanted him to be defeated by the Australian people not by the factional bosses of the Labor Party or the now less-than-faceless bosses of the union movement. Since Mr Howes has exposed himself as one of the faceless men, I do not think that we can any longer describe him as anything other than a very major force in the running of the Labor Party in this place.

In closing, there are three other people who I would like to acknowledge. Jason Wood, the former member for La Trobe in Victoria, who was sadly defeated, had much more of a contribution to make in this place. Wilson Tuckey, the former member for O'Connor, had already made a very large and very good contribution to this place. I miss Wilson Tuckey and his advice and demands—his advice was more like demands—about what we should do in this place. He had a very insightful understanding of the standing orders and the parliament and a very good political feel. I regarded him as a close personal friend. He taught me a lot about the standing orders. He taught me about the standing orders using the same set of standing orders with the yellow post-it notes that he used to display in question time. I do not think that he really read the post-it notes; he knew it already. He is a loss to the parliament.

Finally, I thank my wife, Carolyn, and all my children—Eleanor, Barnaby, Felix and Aurelia. We are quite a crowd when we all get together, which is not as often as we would like. They have to put up with a great deal, as do the families of all members of parliament.

Mr Albanese—They are probably Labor voters.

Mr PYNE—It would not surprise me if they wanted to get their father and husband out of politics, because the worst of our job is without doubt having to leave our families and come to Canberra. Anybody who says otherwise is not telling the truth. We can manage and cope with all other aspects of politics, which can sometimes be unpleasant. But the one thing that we are all united by is that deep sense of longing or grief at having to constantly leave our families, especially small children, of which I have four who are under 10. I thank the House. I wish every

one of my colleagues a very happy Christmas and I wish those on this side of the House a very successful New Year and those on the other side a much less successful New Year.

Debate (on motion by **Ms Collins**) adjourned.

MENTAL HEALTH

Recommittal of Vote

The SPEAKER—In the consideration of private members' business and on the motion moved by the member for Dickson on mental health, I have contributed to some confusion. I apologise, especially to the member for Melbourne, to whom for two weeks running I have caused some discomfort. I assure him that it is due to my incompetence rather than any other feeling that I might have. I note that in his contribution that he just concluded the member for Sturt indicated that after 18 years he is still learning about the way that this place works. I will make the same admission. I know that the member for Melbourne was acting in good faith on some very good advice that he had received, which he heeded but others did not. In calling the vote on the amendment by the member for Melbourne, two things happened. There is reason to believe that there was confusion in the minds of those in the House. I then contributed by not carrying out other steps of procedure that would have alerted the House to that confusion.

It is my wish, with the concurrence of the House, to proceed to put the motions again. I am in the hands of members of the House as to whether they are happy for that to occur. But I believe, on the basis there is evidence of a great deal of confusion, which I might add, a lot of us should not have had, that that is the best course of action. I propose to go back to the point that we were at, when the member for Melbourne had moved, and the member for Denison had seconded, quite a

clear motion and when I had put as such: ‘That the original question’—that is, the motion moved by the member for Dickson—‘be agreed to; to this, the honourable member for Melbourne has moved, as an amendment, that paragraph 2 be omitted with a view to substituting other following words.’ According to the procedures and customs of this House I then proposed the question: ‘That the words proposed to be omitted stand part of the question.’ It is now my intention to put that motion again and seek the wishes of the House on that motion.

Question put:

That the words proposed to be omitted (**Mr Bandt’s** amendment) stand part of the question.

The House divided. [12.42 pm]

(The Speaker—Mr Harry Jenkins)

Ayes.....	123
Noes.....	<u>5</u>
Majority.....	<u>118</u>

AYES

- | | |
|----------------|------------------|
| Adams, D.G.H. | Albanese, A.N. |
| Alexander, J. | Andrews, K. |
| Andrews, K.J. | Baldwin, R.C. |
| Billson, B.F. | Bird, S. |
| Bishop, B.K. | Bowen, C. |
| Bradbury, D.J. | Broadbent, R. |
| Brodtmann, G. | Buchholz, S. |
| Burke, A.E. | Burke, A.S. |
| Butler, M.C. | Byrne, A.M. |
| Champion, N. | Cheeseman, D.L. |
| Chester, D. | Christensen, G. |
| Ciobo, S.M. | Clare, J.D. |
| Cobb, J.K. | Collins, J.M. |
| Combet, G. | Coulton, M. * |
| Crean, S.F. | D’Ath, Y.M. |
| Danby, M. | Dreyfus, M.A. |
| Dutton, P.C. | Elliot, J. |
| Ellis, K. | Emerson, C.A. |
| Entsch, W. | Ferguson, L.D.T. |
| Ferguson, M.J. | Fitzgibbon, J.A. |
| Fletcher, P. | Frydenberg, J. |
| Garrett, P. | Gash, J. |
| Georganas, S. | Gibbons, S.W. |
| Gillard, J.E. | Gray, G. |

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| Grierson, S.J. | Griffin, A.P. |
| Haase, B.W. | Hall, J.G. * |
| Hartsuyker, L. | Hawke, A. |
| Hayes, C.P. | Hockey, J.B. |
| Husic, E. | Irons, S.J. |
| Jensen, D. | Jones, S. |
| Kelly, C. | Kelly, M.J. |
| King, C.F. | Laming, A. |
| Leigh, A. | Livermore, K.F. |
| Lyons, G. | Macfarlane, I.E. |
| Macklin, J.L. | Marino, N.B. |
| Markus, L.E. | Marles, R.D. |
| Matheson, R. | McClelland, R.B. |
| McCormack, M. | Melham, D. |
| Mitchell, R. | Morrison, S.J. |
| Moylan, J.E. | Murphy, J. |
| Neumann, S.K. | Neville, P.C. |
| O’Connor, B.P. | O’Dowd, K. |
| O’Dwyer, K. | O’Neill, D. |
| Owens, J. | Parke, M. |
| Perrett, G.D. | Prentice, J. |
| Pyne, C. | Ramsey, R. |
| Randall, D.J. | Ripoll, B.F. |
| Rishworth, A.L. | Robert, S.R. |
| Rowland, M. | Roxon, N.L. |
| Roy, Wyatt | Ruddock, P.M. |
| Saffin, J.A. | Scott, B.C. |
| Secker, P.D. * | Shorten, W.R. |
| Sidebottom, S. | Simpkins, L. |
| Slipper, P.N. | Smith, S.F. |
| Smyth, L. | Somlyay, A.M. |
| Southcott, A.J. | Swan, W.M. |
| Symon, M. | Tehan, D. |
| Thomson, C. | Thomson, K.J. |
| Truss, W.E. | Vamvakinou, M. |
| Van Manen, B. | Vasta, R. |
| Washer, M.J. | Wyatt, K. |
| Zappia, A. | |

NOES

- | | |
|-------------------|--------------|
| Bandt, A. * | Crook, T. |
| Oakeshott, R.J.M. | Wilkie, A. * |
| Windsor, A.H.C. | |

PAIRS

- | | |
|---------------|--------------|
| Plibersek, T. | Schultz, A. |
| Rudd, K.M. | Bishop, J.I. |

The SPEAKER—Before concluding this division, can I thank the crossbenchers for encouraging this outbreak of peace on earth and goodwill to all on my right. May it last

for at least another three hours! The peace on earth I am looking for is during question time.

Question agreed to.

Original question agreed to.

BUSINESS

Days and Hours of Meeting

Mr ALBANESE (Grayndler—Leader of the House) (12.59 pm)—On indulgence, I update the House with the state of play. For the benefit of members, the Senate has resolved to sit until 10 pm this evening and tomorrow from 9 am to 3.30 pm. This is to deal with the Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2010. We would anticipate that there will be a very long schedule of amendments to this bill. The bill will have to return to the House for final determination. I will report to the House again later this day about arrangements, but I would anticipate that certainly the House will now not conclude at 5 pm. The House will continue to sit. When we continue to sit to is largely in the hands of the Senate. So I would suggest that those people who might know people who are senators might want to have a discussion with their colleagues about a common-sense approach to these issues. It is clear that determinations will not change, just the inconvenience. It may well be that we will be returning here tomorrow. It may well be that we will be returning here on Monday. When we make a determination I will report back to the House later this day.

LEAVE OF ABSENCE

Debate resumed.

Mr FITZGIBBON (Hunter) (1.01 pm)—Given the most recent events in this place—extraordinary events—I intend to make a very brief contribution to this debate, and I apologise from here to the French ambassador, who is currently waiting to have a con-

versation with me. I have heard the word ‘tumultuous’ used a number of times this morning in respect of the year almost past. It certainly has been that: an unusual election, an excruciating 17-day period while we waited for the fate of the various parties to be determined and then almost five weeks of parliamentary sittings under the so-called new paradigm in an environment where no major party or grouping has an absolute majority in this place. That has been tough but I am very pleased to be able to say, and obviously I have a very close view of these things as the Chief Government Whip, that the parliament has been functioning exceptionally well and good government is being delivered to the Australian people. There are many reasons why the parliament and government have functioned well. The greatest credit goes to our Prime Minister, who has proved to be an outstanding leader and a person willing to talk with all sides of the parliament to secure the necessary consensus to get her government’s legislation through the parliament. So I pay tribute to her efforts, her strong leadership and her great skill. Both the Leader of the House and the Manager of Opposition Business deserve credit. Again, it has been difficult. In many ways we all have our training wheels on, given the new standing orders, and it will take some time before we all fully understand the consequences of some of those changes.

We are learning every day and, as a member of the Standing Committee on Selection, like you are, Mr Speaker, no-one understands that better than me and that goes for all of my colleagues on that committee. On that point I want to pay tribute to the secretary of the committee, Robyn McClelland. I think she has been given the toughest job in the parliament. I joked to the Clerk that I suspected maybe he had some reason to dislike Ms McClelland, because I did not know what she could have done to deserve such a

tough gig. She has played that role exceptionally well and, if I may, I congratulate her on behalf of the committee. I want to pay tribute to the crossbenchers. I think not only have they made a significant contribution to the place but they have approached the new rules, the new standing orders and the new arrangements with a great deal of credibility and in a responsible way. It is a credit to them that they have been able to do so in that fashion. I want to mention also the staff of all those people whom I have mentioned, including the staff who guide both the Leader of the House and the Manager of Opposition Business, many of whom have been named this morning and this afternoon and I will not go through them again. Of course, I want to thank my staff and my fellow whips. I came to the Chief Government Whip's job with no experience in the role and I would have undoubtedly been all at sea if it were not for the guidance of the member for Shortland and the member for Fowler. Of my staff the best known is Anna George, the whips' clerk, who really runs the show. Having come to the job with training wheels on, I could not have survived even the first hour without Anna's advice, support and guidance. My thanks go also to Natasa Sikman and Jay Suvaal, who are both new to the job and are doing outstanding work, which I appreciate very much. I also appreciate the work of the staff of my fellow whips.

They have been mentioned before so, in a way, there is no need to do it again, but I do want to acknowledge the Clerk and his team. They are also doing wonderful work in the most difficult of circumstances, given the nature of the new standing orders and how they are playing out. Like others, I want to thank the Serjeant-At-Arm's Office, Comcar, the chamber attendants, those who work in security, the cleaners, the gardeners, those who organise our travel, all committee staff and those who operate the gym. The gym is

very important in the hung parliament. We cannot afford to have anything but very healthy members; and I encourage all members to make better use of the gymnasium, although not necessarily in periods when divisions are likely. I want to thank those in the Nurses' Centre, the physios, those who provide IT support—it is very, very important in the 21st century—and those who feed us at places like Aussies and the staff cafe and in the dining room.

I just close by associating myself with the words of the Prime Minister, the Minister for Defence and others in reference to those who are serving with the Australian Defence Force on overseas operations. I had the experience of going to both Iraq and Afghanistan on the eve of Christmas 2007, so I have a really good sense of what they are thinking and feeling at the moment as they contemplate Christmas without their families. It is a tough thing and a great tribute to their dedication to their work. We are eternally grateful to them. I reflect on those we have lost in Afghanistan—tragic losses. We reflect on people who have been prepared to take significant risk and to risk the ultimate sacrifice under the Australian flag. I know I speak for all members of the House when I say we are eternally grateful for their contribution and we assure their families and friends that we will never forget their deeds. I wish a merry Christmas to everyone.

Mr HOCKEY (North Sydney) (1.09 pm)—I join with those that have preceded me in thanking everyone associated with this parliament for all the effort they have put in over the last 12 months. It has been an extraordinary 12 months, not least because St George won the premiership, as the Attorney-General would appreciate. I was just reflecting on a conversation with the father of the House, the member for Berowra. I asked him if he had seen such a tumultuous year since he first came here in 1973, when I

was eight years of age. I think at that time even Wyatt Roy's parents might not have been born.

It has been an extraordinary year in the history of the parliament, and no less and probably more significant than any other year in politics since 1901. We have had two leaders of the opposition, two prime ministers, and an incredibly hard-fought election that resulted in the first hung parliament since 1941. We have seen some very important milestones in the new parliament—the first Indigenous Australian elected to the House of Representatives, the first Muslim Australian elected to the House of Representatives, the youngest Australian ever elected to the House of Representatives and the direct re-election of a female Prime Minister—all in the space of just a few months. It is significant.

Normally this time of the year is a moment of upheaval, whether you are in government or opposition. They have referred to it as the killing season in the media but, in the period between 2003 and 2009, there have been six leadership changes in Australian politics either before or just after the summer period. I am very sure—although I have said this before—that on this occasion we will not see that happen, thankfully; and Australia will have a stable political environment for some months to come. The fact is that we still manage to have a stable political environment despite occasional upheaval within this chamber. Much of that stability is delivered by the fact that we have set formats that the Australian people expect us ultimately to deliver for them. In that regard, I want to thank all the members of the House of Representatives and the Senate for all of their contributions to that stability over the last 12 months, given that there could have been a period of incredible instability for the Australian people, particularly in the aftermath of the recent election.

It has been a significant year for the economy. I fear that 2011 will be a rough ride, not particularly for Australia but on a global basis in particular for Portugal, Spain and Greece—and the challenge of what Ireland is going through at the moment. The massive increase in the supply of sovereign debt is going to represent a funding challenge for the world and particularly for Australia, which is a net importer of capital. Therefore, we cannot lose sight of the challenges that not just our economy but also our financial system is going to face in 2011. But now is not the time to focus on that. I do want to wish my direct opponent, the Treasurer Wayne Swan and his wife Kim, all the very best for Christmas. I want to wish the much loved Speaker Harry Jenkins and his wife Michelle all the very best for Christmas.

To my leader, Tony Abbott, Margie and his three daughters I would say that Australia has not seen a more formidable Leader of the Opposition. He is someone who brought down a Prime Minister and nearly brought down a second Prime Minister in a matter of months. He managed to take us from what was, 12 months ago next Wednesday, an extraordinary period in the Liberal Party and I will not forget that date in a hurry. Tony Abbott's contribution over the last 12 months has been nothing short of exceptional. I join with my colleagues in praising him for what has been a most formidable performance in Australian politics.

To his office and to all of our colleagues; the deputy leader, Julie Bishop; the Leader of the National Party, Warren Truss; and Senate colleagues: thank you so much for your support. To my own finance team of Andrew Robb, Tony Smith, Luke Hartsuyker and a number of others: thank you so much. In the Senate, Mathias Cormann, I thank you for your support.

From a personal and rather indulgent perspective I thank my own office. Thank you to my former chief of staff, Andrew Kirk, who has a formidable brain, and to my current chief of staff, Tony Pearson, who is an exceptional person, and former and current staff, Lisa Chikarovski and Nigel Blunden, but particularly to my long-suffering PA, Jacquie Parker, who has been with me for 16 years, and to Trent Zimmerman in my electorate office.

Mr Ruddock interjecting—

Mr HOCKEY—Anyone that puts up with us for 12 months, let alone for many more than that, is quite an exceptional person. To all of the Liberal Party organisation I say that everyone keeps writing the Liberal Party off but, my goodness, it is the most formidable political machine in Australia. To Alan Stockdale, Brian Loughnane, Mark Neeham and to all of the team: thank you so much for your support during the recent election. Beyond that, to my own FEC, Robert Orrell and all of the team: thank you so much for helping me to be re-elected. As for so many others in this place, the swing gets bigger the less time you spend in the electorate. That is what I discovered in this election campaign. I am sure I will get my very best swing in my favour when I am never there. It sounds as though that is going to be sorely tested over the next 72 hours.

To you, Mr Deputy Speaker Adams, all the very best for what should be a rather cool Tasmanian summer over the Christmas period. To all the people of Australia: I wish you the best, and I will say a bit more about this in the MPI, if Mr Speaker should so accept it.

It is at Christmas time that we reflect on what we have and what we do not have. We have a new tradition in our household at Christmas involving the three children. I have now managed to convince the kids that

the snow turns into flour on Christmas morning, so it proves Santa has been to the house. For a lot of Australians Santa is not coming, therefore we should think very carefully about the people who are going to miss out this Christmas—and there will be many like that. Whether it be the widows of the diggers that died in Afghanistan, or the widows and family of the miners that died in New Zealand or just family who are not here this year—fathers, brothers, sisters or, God forbid, children—for many people it is a pretty tough time at Christmas.

This is the journey of life and thank God that we live in a great nation that affords stability and opportunity but most significantly gives all of our people hope that they can forge a better life. Everyone in this place—I say this emphatically—wants our nation in 2011 to be a better place than 2010. In that regard I hope that everyone has a well-earned break and begins 2011 with a spirit of determination to make Australia an even greater country.

Mr ENTSCH (Leichhardt) (1.20 pm)—I rise to say that it is a great pleasure to be back in this place. Three years ago when I rolled my swag and decided that I was going to call it quits, being back here today giving a valedictory a couple of months after re-emerging as the member for Leichhardt was the last thing I anticipated. I want to take the opportunity to say thank you to quite a number of people who make my life a lot easier in this place and provide a tremendous amount of assistance to ensure from our side the smooth working of the parliament.

The coalition now holds more seats than any other party within the parliament, and I think that every single coalition member sitting in this House today needs to be very proud of themselves in their dedication and what they have achieved in this short period of time. This new paradigm, more than any

other previous parliament, has been essential to an effective and workable relationship with those on the other side of the political realm, particularly in relation to the tightness of our numbers. The importance of not missing a division and being in the House on time is paramount on both sides. It certainly could mean the difference between a vote getting up and a vote being lost.

Firstly, I would like to acknowledge Joel Fitzgibbon, the Chief Government Whip. We certainly do not agree on everything and often go in to bat for our side of politics, but I have to say that we do have a very solid working relationship. I appreciate the high level of cooperation that I get from Joel; it certainly helps to make things run a lot more smoothly as a result. I would like to thank not only Joel but his staff. Our staff have a regular interaction. His staff, led by Anna, do a great job in working together, and I look forward to that relationship continuing. I stand here, but without the support of my staff there is no way in the world I could do the job that I was given. When I won the seat of Leichhardt again, the last thing I expected was to be offered the position of Chief Opposition Whip. It is not something that I had aspired to. On taking up the role, and in the years I have been in this place, I note that it is the first time we have seen such a balance of numbers and, subsequently, it has provided some challenges. Probably more than I have, my staff, my Canberra staff in particular, Nathan Winn, Suzanne Newbury and Joshua See, have done a wonderful job in making sure that there has been a smooth transition from one opposition whip to another. To Kylie Hart, who keeps me on time and makes sure that the diary works well, and Danae Jones, who does her best to try to keep my profile in the media: you do an outstanding job.

To my electorate staff, who have to spend more time there because I am away, Jaki

Gothard and Corrie Donaghey and Natasha Sambo, and Temira Creek-Dewis, who works in my office in the Torres Strait, it is a credit to them that they are able to keep that office functioning. All the good work that they do there reflects very positively on me. At this point I would like to acknowledge that they are the ones who do the work and who really deserve a lot of the credit for an outstanding job. They are all very new. For most of my staff, this is the first time they have worked in an electorate office. It has been a bit of a challenge at times but they have adapted very well and are learning very quickly. I am very proud of the commitment they have shown me in the roles they play on a daily basis and the support they give me to ensure that we have overall functionality in this place.

The Chief Opposition Whip, as a figurehead, if you like, has the support of some other great people who need to be acknowledged. I refer to my fellow whips, the member for Forrest, the member for Parkes, the member for Hinkler and the member for Barker. Patrick, in particular, has an outstanding understanding of standing orders and I would be somewhat lost without having him there to refer to on a regular basis. They all do an outstanding job in their capacities as opposition whips. I think we should also recognise their respective staff in Megan Smith, Vicki Riggio, Kate Barwick and Sarah Johnston. They do make coming to work in this busy environment an absolute pleasure. Knowing that you have such a great team to back you up certainly makes a big difference.

I would also like to thank the honourable member for Fairfax, who was the former Chief Opposition Whip. He served the party well during his time as whip. He is a very good friend of mine. He did an outstanding job and left behind some seriously large shoes to fill. He managed to be not only a

whip who was highly respected by his colleagues but also a confidant to many within the party during some very trying times over the past couple of years. I understand that the member for Fairfax has announced that this will be his final term in the parliament and I would like to pay tribute to him. I wish him well in his final term, along with his wife, Jenny, and their family. I thank them for their support over the many years that I served with him. Certainly while I will miss him in the parliament I will be looking forward to catching up with him from time to time.

At this time I would also like to acknowledge the Leader of the House and, especially, the Manager of Opposition Business for their ability to maintain an effective working relationship. I should also acknowledge their staff, especially James Newbury, all of whom help us in making sure that this place runs well. I acknowledge Mr Henry Thomson from the Parliamentary Liaison Office for his exceptional leadership and his dedicated team. They serve both the parliament and the executive in a very professional and courteous way and deserve much credit for the fantastic work they do. It certainly is not easy balancing the demands of this place and the executive, but Henry manages to do that fantastically.

The Department of Parliamentary Services also does a wonderful job in keeping us supported on a daily basis, ensuring that we have everything that we need to undertake our jobs adequately. We certainly thank you for everything you do. I would also like to take the opportunity to thank the clerks, especially the Clerk of the House, Mr Bernard Wright, for his assistance. He and his department do a wonderful job in helping members and their staff in what can be a very hectic place. They have earned some very well deserved rest over the forthcoming summer break.

I would also like to pay credit to all of our attendants for the wonderful assistance they provide members and their staff in performing their duties. The Serjeant, Claressa Surtees, and her deputies and assistants, thank you very much indeed for all that you do.

The Speaker and the deputy speakers—a good friend of mine, Deputy Speaker Adams, is sitting in the chair at the moment—do an outstanding job in an endeavour to keep us under control in sometimes very difficult and heated debates. I would like to congratulate you all, for the first time publicly, for being elected to your roles. I certainly look forward to working with you in the new parliamentary sittings.

I leave the best to last in paying tribute to the Leader of the Opposition for his exceptional leadership. This has been an amazing year for the coalition. Thanks to our leader, we managed to win more seats in the parliament. Under his reign, we certainly stand within a whisker of taking government. This, of course, is the challenge that now lies ahead of us, and I have no doubt that under his leadership a victory will be within our grasp at the next election.

On a personal note, I would like to thank a few people who have helped me come back into this place after my three-year break and recognise them for the outstanding work that they have done. I have before recognised Trent Twomey and Dennis Quick, but there are others such as Nicole Tobin-Donnelley, Richard Gibbons, Katrina Breen, Doug Jones, Graham Smith, Louise and Jake Robinson, Danae Jones, Lisa Dunkerton, Julie Wallis—who did a wonderful job in supporting me during the campaign—and Kate Dewar, and of course everyone else who came forward and offered the support that has provided me with the opportunity to be in this place. I really appreciate their outstanding effort, and again I say that, without their

support, the opportunity to be here today would not have eventuated.

On a further personal note, I would like to thank my family for their ongoing support—my partner, Elle, and my sons Jacob and Jason. We as federal members of parliament have to commit an enormous amount of time to our roles and spend a lot of time away from our loved ones. Particularly for those of us who live in more remote regional areas or at significant distances from this place, this makes it even more difficult for our families. So I think it is important that we recognise them and thank them for their support. Of course, to my widowed mum, who, again, very rarely sees me but whom I try to keep in touch with, thank you very much indeed.

Also, thanks to all my colleagues in this place who have been very cooperative and supportive. We have been on the job now for only a relatively short period of time, so I think it is fair to say that I have a decent set of training wheels on to learn the job. However, without their cooperation, it would make it a hell of a lot more difficult. I see my neighbour and colleague Bob Katter, the member for Kennedy, in the chamber. I am sure he has an outstanding contribution to make. We share a significant boundary—

Mr Katter—And views.

Mr ENTSCHE—We have a lot of issues that we share and common views in the way that we want to address them. I certainly look forward to working with the member for Kennedy during this term of parliament in trying to address some of those things. I am sure that between the pair of us we can not only certainly raise them but hopefully find some solutions.

Again, I would like to wish everybody a great Christmas. It is a time to reflect and also to spend with family. Christmas can also be a very sad time for some people and a very distressing time for others. If you know

someone who is without family or who is away from their home, take the opportunity to open your home and provide them with the opportunity of spending some time with you. That is probably the greatest gift that we can give as we move into the new year. While I would very strongly urge everybody to make the most of this time and to enjoy it immensely, I want you to also understand that moderation is very important. I urge you to take the opportunity of enjoying this time somewhere where you do not have to get out onto the roads, because that is where some of our greatest tragedies occur. So stay at home and enjoy it with your family and friends. I look forward to seeing everyone at the start of the next parliamentary term.

Question agreed to.

**NATIVE TITLE AMENDMENT BILL
(No. 1) 2010**

Consideration resumed from 15 November.

Second Reading

Mr McCLELLAND (Barton—Attorney-General) (1.36 pm)—I present the explanatory memorandum to this bill and I move:

That this bill be now read a second time.

The Native Title Amendment Bill (No. 1) 2010 contains an important measure to complement and assist the government's closing the gap agenda by facilitating the timely provision of quality public housing and associated infrastructure on land in Indigenous communities which is, or may be, subject to native title.

The government has a genuine commitment to improving the lives of Indigenous Australians and addressing Indigenous disadvantage. Housing is at the centre of this commitment.

It is vital to achieving the advances needed in health, education and employment

participation outcomes for Indigenous Australians.

The government has committed an unprecedented \$5.5 billion over 10 years to address historic underfunding of housing in remote Indigenous communities.

To ensure the new delivery model for Indigenous housing avoids the pitfalls of the past, secure tenure arrangements are now a requirement of all major investment in housing and other infrastructure. This makes government responsible and accountable for effective management and maintenance of these assets.

However, some state governments have indicated that uncertainty in relation to native title could be a barrier to meeting housing and service delivery targets. There is a risk this will create delays in the delivery of housing.

This bill introduces a new process specifically for public housing and a limited class of community facilities including education, health and emergency services facilities, and staff housing associated with these facilities.

It will apply primarily to acts of state, territory and local government bodies.

The new process strikes a balance between the need for these services and the need to engage meaningfully with native title parties and protect native title rights and interests.

It also contains important safeguards to ensure genuine consultation with native title parties.

The new process sets out reasonable and specific periods for comment and consultation, and provides flexibility to allow native title parties to choose the level of engagement they feel is appropriate for each individual project.

It will be subject to state and territory heritage processes.

The bill also enables the Attorney-General to prescribe how consultations with native title parties should occur, including general guidance on the issues to be included in consultation. This includes the capacity to set more detailed requirements such as face-to-face meetings and provision of interpreters.

The bill also requires that reports on consultation be provided to the Attorney-General as the responsible minister. The Commonwealth intends to make these reports public, providing for public scrutiny on the new process.

Acts covered by the new process will be invalid if there is a failure to notify, provide a consultation report or observe the minimum specified time periods. This ensures that a proper process is followed and that governments can then be certain that the investment has been validly applied.

Finally, the new process will sunset after 10 years.

The 10-year period approximates the duration of the National Partnership Agreement on Remote Indigenous Housing under which the \$5.5 billion to which I have referred has been committed.

The government is determined to continue on the course of resetting the relationship between Indigenous and non-Indigenous Australians and to recognise and respect native title.

Alleviating poverty and improving housing and infrastructure in Indigenous communities is paramount to this effort and hence the reason for this bill, which I commend to the House.

Mr ANDREWS (Menzies) (1.40 pm)—The government makes big promises and therefore is responsible for epic policy failures. Indigenous housing is yet another one we can add to the list of this Labor-Greens alliance government, a government that has

lost its way and failed Indigenous Australians.

I rise this morning to speak on the Native Title Amendment Bill (No. 1) 2010, the passage of which will deal with issues that could potentially delay house and infrastructure construction in Indigenous communities. The coalition will be supporting this bill. The bill is designed to overcome a range of delays associated with, and a number of uncertainties currently surrounding, land ownership in Indigenous communities, including the construction of housing and other associated infrastructure. The bill is a reintroduction of previous legislation introduced and passed by the House in November 2009, but which lapsed. As has been the case with so much of the government's agenda, I am disappointed to note that this bill, despite being listed as non-controversial and despite being listed for debate on a number of occasions during this year, has only now been brought on, on this the last day of sitting for 2010.

The legislation creates an important new subdivision which provides for the timely construction, by the Crown, a local government authority or a statutory authority, of public housing and a limited class of public infrastructure for Indigenous people in communities on Indigenous held land. And whilst the Commonwealth will have the power to act in a timely way for the purpose of building housing, the irony is that the government's Indigenous housing program has been anything but timely—another program riddled with delays and problems, another program that is delivering little actual benefit on the ground.

The new amendments enshrine provisions to ensure the relevant representative Aboriginal or Torres Strait Islander body and any registered native title claimants in relation to the land where construction is proposed will be notified of the proposal and will have the

opportunity to comment on acts that could affect native title. Importantly, this bill does not extinguish any native title and specifically provides for compensation for any impact on native title rights and interests.

Social dysfunction and poor health outcomes are directly associated with the state of disrepair of Indigenous communities and the government has undeniably failed these communities. We must tackle housing overcrowding and the state of disrepair of much of the infrastructure in remote Indigenous communities. We must address issues associated with failures in proper maintenance regimes and systems.

The new provisions in the act would operate for 10 years. This 10-year period is designed to match the 10-year funding period under the current national partnership agreements between the Commonwealth and the states and territories on remote Indigenous housing and remote service delivery. I would remind the House that this agreement has, however, already been in place for two years—that is, since November 2008. And what have we seen in those two years? Very little. To give you an understanding of how inefficient the government has been in delivering this program, in the Northern Territory, the SHIP agreement has barely delivered 85 of the promised 750 new houses.

It seems that the government is all talk and no action on Indigenous housing. The then Prime Minister, Kevin Rudd, was big on talking. He talked and talked and talked. He promised, he committed, he proclaimed. But he did not deliver. He failed. This program has been nothing short of a disgraceful failure of government administration. The most concerning thing is that we have gone from the Rudd-Gillard government—one dominated by inaction and epic program administration failures—to the Labor-Greens alli-

ance, where the extremist Greens have an open door to setting the agenda.

The coalition reaffirms its disappointment at the failure of the government in managing and delivering Indigenous housing projects. This bill will mean that the government's excuses will have to stop. There can be certainty that there are no inhibitors to delivering Indigenous housing projects. The coalition supports this bill and I commend it to the House.

The DEPUTY SPEAKER (Hon. BC Scott)—It being approximately 1.45 pm the debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour.

STATEMENTS BY MEMBERS

Workplace Relations

Mr LAMING (Bowman) (1.45 pm)—It could be anywhere in Australia: a young, vulnerable apprentice hairdresser nervously signs her first full-time apprenticeship contract with a hair salon. Yet after six months her boss turns to her and says: 'You know that employment contract you signed? Well, it actually stipulates that you only work 15 hours a week, not full-time. Thanks for coming in and working for 25 hours a week, but we don't have to pay you for those extra 10 hours. You've worked those in error. That's not what's written on the contract. Please pay me back thousands of dollars.'

This House, the media and in fact all of Australia would be appalled at a story like that. We would go into meltdown. But in fact that is what is happening on a regular basis to employers in this country, who can find themselves paying for hours of work that have not been done simply because there is an error in a contract. It does not matter what is in the letter of employment in some cases, even if it stipulates clearly that a minimum of 15 hours a week will be worked.

I would ask that Fair Work Australia take a fairer approach and appreciate that if in essence there has been an error in a contract by a third-party then employers should not be compelled to pay back thousands and thousands of dollars for hours that simply have not been worked by an employee. We should be doing the right thing. In cases where there has been reliance on a third party to complete the contract correctly there should not be a penalty on an employer. It should not drive people away from employing young workers in the future. We need a more balanced approach with the handling of these disputes.

Scottsdale Defence Science and Technology Facility

Mr LYONS (Bass) (1.46 pm)—I express my disappointment with Senator Guy Barnett, who has been spreading messages of doom and gloom to the people of north-eastern Tasmania, in my electorate of Bass. Without any confirmation, Senator Barnett expressed doubts about the Australian government's commitment to the Defence food science and technology facility at Scottsdale. He was given a free run by the local paper, the *Examiner*, which did not even bother to contact my office to see whether Senator Barnett's comments had been invented. Senator Barnett has also been backed by his friends at the Launceston Chamber of Commerce.

It is understandable why Senators Abetz and Parry managed to get Senator Barnett out of the Senate if this is symbolic of his performance within the Liberal Party. This must be Senator Barnett's dying throw after eight years in the Senate and little to show for his time. Now he chooses to go out on a negative note, when there are so many positives in Bass. There are the BER projects in schools, the Dorset Trade Training Centre, a number of Active After-School Communi-

ties, school chaplaincy programs, as well as significant funding under the Regional and Local Community Infrastructure Program which saw jobs created in every town in the North East.

Senator Barnett's actions in recent days, along with the member for Canning's outrageous comments in this House yesterday, add up to the Liberal Party's ongoing denigration of Tasmania and their corresponding failure in the polls.

Mr Azem Elmaz

Dr STONE (Murray) (1.47 pm)—I want to put on the record the great work and generosity of Mr Azem Elmaz. Azem was born in Macedonia. He and his wife, Jehain, own and operate Lutfiye's Shish Kebabs in Shepparton, but this generous, big-hearted family do much more than make and sell great food and coffee. They also donate to many needy causes, including to the victims of the Victorian bushfires and drought and to the underprivileged in the community. Azem is a devout Muslim and so believes charity and helping others is an essential part of life. He provides chaplaincy services to prisoners in Dhurringile, Beechworth and the metropolitan area, supporting both Muslims and non-Muslims.

Azem is one of the key members of the local People Supporting People interfaith group of volunteers. This group helps others in the community who cannot help themselves. They raise thousands of dollars each year and, for example, operate free biweekly soup kitchens with all the food prepared by Azem—a huge task. Azem and the People Supporting People group also provide free breakfasts at the Anzac Day dawn services and coffee at community Christmas carols. They are always there when an event needs a hand, always volunteering and offering enormous support and examples of intercultural community harmony. Azem is an inspi-

ration and a huge asset in our multicultural community of the Goulburn Valley, and I pay tribute to him and his wonderful family.

Ms Krystle Brown

Ms HALL (Shortland) (1.49 pm)—Krystle Brown is a young woman with a disability which has resulted in her having significant mobility problems that have led to her being confined to an electronic wheelchair. Krystle is a very special person who has been working in my office as a volunteer since she was a high school student. During that time I have seen her grow in confidence and skill.

Krystle has a goal, which is to find part-time employment. Since leaving school she has been attending TAFE and she is also a client of Castle Personnel, who are working with her to achieve her goal. This year Krystle received a special encouragement award from TAFE in recognition of her achievements. She received a certificate and \$500. Krystle is a good worker. She is accurate, efficient and keen, always ready to try new tasks. She is a valuable member of our team in the office. This year I hope Krystle can build on her skills and secure part-time employment.

I would like to encourage employers throughout Australia to give people like Krystle the opportunity to develop new skills and offer them jobs. It is important to remember that people with disabilities have much to offer and any employer who employs a person with a disability will be rewarded by having a dedicated, committed employee who is keen to succeed. Never forget, people with disabilities have abilities.

Finally, I thank Krystle for the work she has done in my electorate office and for just being Krystle. I conclude by wishing everyone all the best for Christmas and the New Year. (*Time expired*)

Wright Electorate: Girl and Woman of the Year Dance

Mr BUCHHOLZ (Wright) (1.51 pm)—I rise to inform the House that the spirit of regional Queensland is alive and well. And there is no better place to witness an event of country hospitality than the Girl and Woman of the Year dance at Tamrookum Memorial Hall, which was on Saturday, 20 November. This has been an annual event for over 20 years. It was a hall full of warm country folk having a good old-time country dance run by the Rathdowney-Christmas Creek branch of the LNP. This dance is just one of a number in my electorate, all held in community halls which hark back to an era when they were the central social hub in their community. My wife and I had a great time and I discovered that I am a hopeless dancer—but apparently I dance with a fair bit of passion.

As is customary, last year's junior winner, Kirsty Bishop, did a lap of honour with her mum, Doris. Kirsty is in a wheelchair and has spina bifida. She has just completed year 12 at Beaudesert State High School and looked wonderful at her high school formal last Thursday evening. Over the years, apart from dancing, she has belonged to Beaudesert Swimming Club, has played basketball in Beenleigh and has been in school choirs.

The 2010 Girl of the Year is Rebecca Holding, who was partnered by Albert Schwartz. The runner-up is Nikkita Ward, who was partnered by Allen Dennis. Woman of the Year 2010 is Jo Wright, who was partnered by Monty Bridger and the runner-up was Doris Bishop, who was partnered by Bobby Manning. (*Time expired*)

Newcastle

Ms GRIERSON (Newcastle) (1.52 pm)—The *Lonely Planet* recently named Newcastle the ninth best city in the world to visit in their *Best in Travel* 2011 edition. *Lonely Planet* wrote that:

Today's 'new' Newcastle is a unique blend of imagination, sophistication and laidback surf culture.

... ..
 "Australia's most underrated city" has transformed itself "from 'steel city' to creative hub."

This transformation has been possible because of the hard work of our community, particularly through the efforts of Renew Newcastle to revitalise the city precincts and reconnect the community. Renew Newcastle, a creative initiative started by Marcus Westbury, has activated around 40 vacant buildings in the heart of the city with more than 60 creative enterprises and projects, giving artists a low-cost opportunity to showcase and retail their work. The Renew Newcastle framework for rejuvenating city spaces is now being rolled out across the country as Renew Australia. I commend their ongoing efforts to transform Newcastle into a connected and creative city and I encourage our government to consider ways to be a part of this innovation. Community driven urban renewal is a key to truly making Newcastle among the top 10 cities in the world.

I would also like to congratulate the Elder Street Medical Centre, which today has been short-listed for \$300,000 of federal government primary care infrastructure funds. After the closure of the Lambton Medical Centre by Primary Health Care, our community called out for a new local medical centre. I am incredibly pleased that their calls have been heard and I wish the Elder Street Medical Centre continuing success.

Herbert Electorate: North Queensland Community Transport

Mr EWEN JONES (Herbert) (1.53 pm)—I rise to speak on behalf of the Townsville community, the people of Herbert and North Queensland Community Transport. North Queensland Community Transport provides assistance to get to and from hospi-

tal appointments, shopping and anything around town for people who cannot afford a taxi or where there is no public transport. It is a membership based organisation. The drivers are all volunteers. They do not have to have a first aid certificate but North Queensland Community Transport likes them to. The organisation is not in a position to pay for them all so we have just done a fundraising drive for them. They had 30 drivers to get through. When the Brothers Leagues Club, the Cowboys Leagues Club and the Townsville RSL heard there were 30 people to go through they said they would pay for the lot. We also have a list of about 25 businesses in Townsville who will go on a roster so that every time a new driver comes on, that driver will have their first aid certificate paid for on behalf of North Queensland Community Transport. It is a great organisation and they are fantastic, driven people.

The volunteers who work for them do all sorts of hours with a smile on their face. There is nothing they will not do for their members. It is a great thing. They do a lot of work and take the pressure off the Ambulance Service. The Brothers Leagues Club, the Cowboys Leagues Club and the Townsville RSL just came to the party with one quick phone call and said, 'We will pay for the lot.' On behalf of the people of Townsville, I say thank you very much.

Canberra Electorate: Curtin Primary School Age Care Program

Ms BRODTMANN (Canberra) (1.55 pm)—I would like to congratulate the Curtin Primary School age care program for winning this year's 2010 ACT Super Site Award. The award is presented each year to schools that take part in the Australian Sports Commissions Active After-school Communities program. Curtin Primary School age care program beat 49 other sites in the ACT to win the award. The Active After-school

Communities program is a free Gillard government initiative that gives school-aged children the chance to experience 70 different sports and up to 20 other structured physical activities.

In Curtin Primary School's case, students are kept active and entertained through dance, taekwondo, softball, cricket, soccer, rugby league, AFL and touch football—even cheerleading! The program aims to help establish healthy habits in primary school age children so that they will continue as they get older. And it was great to see the kids tucking into fresh fruit and healthy snacks when I presented the award. Without the program, over 80 per cent of children participating would not be engaged in any structured physical activity outside school. I congratulate Gabe Hodges, Kate Crawford and their team of enthusiastic early childhood development and education students and volunteers for keeping young Canberrans fit and healthy in a fun and safe way.

Cook Electorate: Mr Joshua Gibson

Mr MORRISON (Cook) (1.56 pm)—I rise today to pay tribute to a delightful and special young boy from the Sutherland Shire, Joshua Gibson, who died on Tuesday, 2 November, at just eight years of age. Joshua was born with epidermolysis bullosa, a rare genetic disorder which caused his skin to blister from even the slightest contact. This is why children with EB are known as 'Butterfly children'. Joshua's courage and the dedication of his loving family, mum Kylie, dad Todd and brother Sam, came to my attention in 2008. I was deeply moved by this situation and, together with the association of EB sufferers led by Michael Fitzpatrick, we secured the support of the government to provide funding for a national free medical dressing scheme, which now helps with dressings for the 50 people around Australia like Joshua who suffer the most severe form of EB.

I thank the Minister for Health and Ageing once again for her support in making this scheme a reality. Joshua was a brave and dear little boy who had to endure more than any other child ever should. His courage and his parents' selfless devotion have been an inspiration to thousands. Together they are the reason families across Australia are now receiving increased support to make what is an unimaginably difficult road just a little bit easier. I hope we can do more for the 229 others formally diagnosed and registered on the Australasian EB registry. Kylie, Todd and Sam's gift was to provide Joshua with the best life he could have hoped to have in his condition. Their gift is a testimony to their love and dedication as parents and as a brother. My family and I join in grieving for your loss and in giving thanks for the precious life of a very dear little boy.

Robertson Electorate: Broadband

Ms O'NEILL (Robertson) (1.58 pm)—I rise to draw the attention of the House to an event in the seat of Robertson next week which is of direct relevance to the debates going on in parliament this week. Next Tuesday a group of enthusiastic local businesses and community leaders will gather at the new media studios at Mount Penang Parklands at Kariong to kick off the Central Coast regional NBN business case. The Central Coast business case event forum will be held in the new media studios of the campaign director Dave Abrahams. Dave is the chair of our local Youth Connections community group and may I say that they are doing amazing things in getting the most disadvantaged kids, who have fallen out of school, re-engaged and back into training and jobs. He is also joined in this campaign by Edgar Adams, the publisher of the *Central Coast Business Review*, who had this to say:

The most worrying element continues to be that the coalition completely lacks the vision and un-

derstanding of broadband as an essential ingredient in delivering the urgently needed government innovations in health care, transport, energy, environment and education.

He was 100 per cent correct. This group is aiming to pull together the regional business case to advance our site as an early roll-out spot—or as prompt as possible in getting the National Broadband Network unveiled in our area. The goal is to produce a website and social media campaigns. Some of these will be filmed locally. Contributing partners understand the Central Coast's burning need for liberation of this new technology. I look forward to attending the visit next week.

BUSINESS

Mr ALBANESE (Grayndler—Leader of the House) (1.59 pm)—Mr Speaker, on indulgence: for the benefit of the House and as an update, I have had a discussion with the Leader of the Government in the Senate and it would appear that it is unlikely that the Senate will carry its legislation concerning telecommunications this evening. The Senate is still talking about going over to tomorrow, in which case we will make an assessment. I will have a discussion with the Manager of Opposition Business about the two options of the House either coming back very late tomorrow afternoon or—it might suit people's convenience—coming back on Monday. I will talk to the Manager of Opposition Business about that. If it is the case that the legislation can be carried by the Senate tonight, then it would obviously be more convenient for us to simply resume for a short period tomorrow morning.

SOCCER WORLD CUP

Ms GILLARD (Lalor—Prime Minister) (2.00 pm)—Mr Speaker, on indulgence: I am sure you are wondering why everybody in the chamber is so resplendent in their 'Come Play' scarves. We are doing that because decision time in Zurich begins today. Today the

process begins that will tell the nations of the world which nation has the privilege of hosting the Football World Cup in 2022—the greatest sporting event on earth. The verdict in Zurich will mark the culmination of a decade of planning and preparation by the Football Federation of Australia, working in partnership with the Australian government and state and territory governments.

Our bid has been prepared and composed carefully and methodically. It is a compelling case based on the great strengths of our nation—the strengths that set Australia apart from its competitors: our love of sport, our excellence in delivering major sporting events and our welcoming multicultural society. I have been honoured to support that bid by hosting a dinner for the FIFA inspection team at Kirribilli House in July, and I acknowledge that the member for Moncrieff also attended that dinner in his capacity then as the shadow minister for sport, indicating very clearly the bipartisan commitment to the bid, and I thank him for that. I personally visited the President of FIFA, Sepp Blatter, in Zurich seven weeks ago to underline Australia's commitment.

Today in Zurich our nation is privileged to be represented by our first citizen, Her Excellency the Governor-General, along with the Minister for Sport, Senator Arbib, and an impressive delegation led by the remarkable Australian Frank Lowy. Frank's passion has ensured a strong, compelling and unified bid. No nation could hope for a better case to be submitted on its behalf than that which Frank and his team have put forward. No-one could have prosecuted the case with more enthusiasm or zeal. It is a great bid and it deserves a great result. Years of planning, years of striving all come down to the vote.

We hope that the name 'Australia' emerges just as the word 'Sydney' emerged in Monte Carlo 17 years ago. Like then, our

nation is united in anticipation and bonded together by hope. I wish our bid team all the best, and I am confident every Australian does so.

Mr ABBOTT (Warringah—Leader of the Opposition) (2.03 pm)—Mr Speaker, on indulgence: I support the sentiments of the Prime Minister and point out to the House that Australia is the undisputed champion of the world at running sporting events. We ran the world's best Olympics, we ran the world's Commonwealth Games, we ran the world's best Rugby World Cup, and we will run the world's best soccer World Cup if we get the chance. Like the Prime Minister, I place on record my thanks to Frank Lowy, who has been the chairman of the bid, and I wish our delegation led by the Governor-General every success.

The SPEAKER—I might say 'Come play' but it is questions without notice. Please do not play questions and answers.

QUESTIONS WITHOUT NOTICE

Broadband

Mr ABBOTT (2.04 pm)—My question is to the Prime Minister. Given that the government could not deliver on Fuelwatch and GroceryWatch, cannot build GP clinics on schedule, cancelled 220 of the childcare centres it had promised to build, could not safely put pink batts into roofs and wasted billions on overpriced school halls, why would anyone trust this government not to make a complete and utter shambolic mess of the National Broadband Network?

Mr Albanese—Mr Speaker, on a point of order: there is just a wee bit of argument in there, in contradiction of standing order 100.

The SPEAKER—Noted. Of course, that then allows, as I have said earlier, for a wider response, directly relevant.

Ms GILLARD—I thank the Leader of the Opposition for his very widely-drawn ques-

tion. I say to the Leader of the Opposition that it is time to stop being stranded as human history marches past you. We could not have a better example of that than we have in this parliament today and into tonight. This parliament is poised to deliver the biggest micro-economic reform agenda in telecommunications that this nation has ever seen—a reform agenda 30 years in the making, a reform agenda actually based on competition policy. Competition—a word that used to mean something to the Liberal Party. Instead of just accepting that his strategy of wrecking and demolition has been exposed to all the world for what it is, instead of just accepting that in his negativity the Leader of the Opposition has lost, he is forcing this parliament into the sham of sitting through the night and tomorrow when he knows that this ends in victory for those who believe in the National Broadband Network and in defeat for the Leader of the Opposition and his negativity. In my answering this question, the Leader of the Opposition adds yet again to his tidal wave of negativity and his lack of vision for the future. What does the Leader of the Opposition stand for except ‘Stop this’, ‘End that’ and ‘Wreck the other’? Is he a man who has ever had a positive idea or plan for the nation’s future?

In this parliament today we are seeing on display the contest in Australian politics and the battle of ideas about this nation’s future: one side of the parliament, aided and facilitated by those who have got a vision for the country, delivering a transformative technology, the National Broadband Network; and the bitter and defeated, mired in their negativity, as human history marches past them. The Liberal Party, the party of the past; the Labor Party, delivering the technology of the future.

Broadband

Ms RISHWORTH (2.07 pm)—My question is to the Prime Minister. Will the Prime Minister update the House on the government’s progress in delivering competition in the telecommunications sector for the benefit of working Australians?

Ms GILLARD—I thank the member for Kingston for her question. Of course, as a South Australian originally, I know her electorate well. It is a growth corridor. It is a place where people go to raise their families. It is a place where people go to open their small businesses. It is a place where people go to often open small businesses from home. In order to do that, they need the power of national broadband. In pursuit of delivering national broadband, I welcome the support of the crossbenchers in this place and the Independents in the Senate for structurally separating Telstra—a reform of the telecommunications industry that this nation has wanted for 30 years. This reform is being delivered against the relentless negativity of the opposition—relentless negativity. It is remarkable to me that the other side of politics has missed the opportunity to be part of this historic reform.

The structural separation of essential services markets is Economics 101. Consequently there is no mystery why the Leader of the Opposition does not understand it. Let me quote to the parliament what Graeme Samuel said in the *Wall Street Journal* on 4 October:

The fundamental reforms proposed in the legislation ... which will see Telstra separate its wholesale network operations from its retail operation—represent the most significant pro-competitive stance we have taken in this area certainly in Australia’s history and probably that has been seen in any other jurisdiction in the world.

Let us reflect on those words: ‘the most significant pro-competitive stance’—and the

Liberal Party missed it. Menzies would be turning in his grave to see the Liberal Party of the modern age turn its back on microeconomic reform, turn its back on competition. But, of course, this is a start, and the journey to build the NBN continues. We will use this structural separation pathway to build the National Broadband Network as the Liberal Party gets mired in the past and chants to itself, the way we are seeing on display now.

Today the government is introducing another significant bill into the House that puts in place the regulatory framework for NBN Co. It establishes the governance, ownership and operating arrangements for NBN Co. It is building on what will be achieved through structural separation. What difference will this mean for Australians? We can put it in terms of faster internet speeds or we can just go to some examples. Some examples for farmers: ‘revolutionising the way they conduct their farms’—not my words but the words of the Chief Executive of the Tasmanian Farmers and Graziers Association; revolutionising the way we deliver health care; and revolutionising the way businesses like a Korean language centre, which teaches children here and in Korea, can operate from a town like Gladstone. These are the transformative reforms of the future that the Labor Party, a party of the future, is delivering to Australians, and every step of the way we need to overwhelm the opposition, the party of the past—and of course, in this parliament, we have.

DISTINGUISHED VISITORS

The SPEAKER (2.12 pm)—Before calling the member for Wentworth, I inform the House that we have in the gallery today Jeffrey Bleich, the US Ambassador to Australia. As he celebrates his first anniversary of the presentation of his credentials tomorrow, and of course on Thanksgiving Day, on behalf of

the House I extend to him a very warm welcome.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Broadband

Mr TURNBULL (2.12 pm)—My question is to the Prime Minister. I refer her to the fact that the original cost of the National Broadband Network was \$4.7 billion. Then it became a \$43 billion project written on the back of an envelope. In yesterday’s summary of the business case, the total investment had increased to nearly \$50 billion. It has now been asserted today by CEOs of 10 leading telcos, the Alliance for Affordable Broadband, that the true cost is closer to \$55 billion. Doesn’t this further blow-out demonstrate the government is all announcement and no delivery, and cannot be trusted to get anything right?

Ms GILLARD—I know the member for Wentworth is unhappy that the parliament has repudiated his entreaties to wreck the NBN, but his unhappiness is no excuse for coming into this parliament and just making stuff up, which is of course what the member for Wentworth has just done. I have said in this parliament on a number of occasions when the opposition have asked for more information about the NBN that there is no point providing it to the opposition. There is a point providing it to people of goodwill, like the crossbench representatives in this parliament, but there is no point providing it to the opposition because they will not care what it says; whatever it says, they are determined to wreck the NBN. We could not have a better example than what the member for Wentworth has just done in this parliament. The capital expenditure figure in the summary of the NBN business case released yesterday is \$35.7 billion, and he knows it. And the capital expenditure figure is less than the earlier capital expenditure figure in

the implementation study because capital costs have been changed by the deal with Telstra—the deal with Telstra that he wanted to fall over, the deal with Telstra he spent the last few days trying to wreck by holding up the structural separation bill.

I understand the member for Wentworth is embarrassed by and ashamed of his political failure this fortnight. We all understand the member for Wentworth was out there trailing his coat with the backbench; he was going to be the custodian of a big political victory for the Liberal Party in this parliamentary fortnight, and it has all ended in tears. But all ending in tears for the member for Wentworth does not justify making figures up. Anybody who wants the facts should go to the summary of the NBN business case, released yesterday.

Mr ABBOTT—Mr Speaker, I ask a supplementary question. Again it refers to the 10 CEOs of the Alliance for Affordable Broadband. Their statement says that the National Broadband Network will ‘increase the costs of basic services, directly affecting lower income households’. Will the Prime Minister guarantee that prices of basic services will not rise under the NBN?

Ms GILLARD—I acknowledge that the Leader of the Opposition said he is relying on an assertion from elsewhere, but the assertion in his question is simply untrue. As the NBN summary business case released yesterday makes absolutely clear, the most basic service offering the cost in nominal terms remains the same, which of course means in real dollars it goes down over time, and the pro-competitive impact of structural separation means that costs for service offerings of greater bandwidth will go down over time. All you have to do is accept the proposition that competition is good, that competition makes a difference to price. If you accept that proposition, then of course competi-

tion through retail providers on the NBN is good for pricing. When you look at the broader service offerings, we will see reduced costs over time.

I would say to the Leader of the Opposition, how is it that he can explain in this parliament that Australians have one of the most expensive broadband systems in the world, and he thinks that it is not in any need of real reform. The Leader of the Opposition is exposed as a man with a plan to wreck but no plan to build. Despite that negativity, we will build the National Broadband Network; we will deliver to Australians the technology they need today and will need even more in the future.

Economy

Mr ADAMS (2.18 pm)—My question is to the Prime Minister. Will the Prime Minister outline to the House the government’s priorities for reform? How have these been received, and what is the government’s response to that reception?

Ms GILLARD—I thank the member for Lyons for his question, and I thank him too for his continued very feisty advocacy in this parliament of the interests of his local community. We should also be thanking him for his Christmas salmon, which is being circulated in the parliament courtesy of a great Tasmanian member. The member for Lyons asks about the core priorities of this government, and of course our core priorities are absolutely clear. We want a strong economy that offers Australians the opportunities that can flow only from a strong economy. We want a sustainable Australia; we all understand that there is an Australian way of life that we want to take with us into the future, and that requires action on climate change. We want a fair and inclusive society, and that means we need great quality health and education services to make sure every child gets a chance. We want to govern for all Australia.

lians; we want to make sure there is no part of the country that gets left behind; and, of course, we want to keep Australians safe and keep our nation strong in the world.

Achieving a strong economy requires the budget to be in surplus in this phase of economic growth. We will bring the budget to surplus in 2012-13. We are engaged in the fastest fiscal consolidation since the 1960s. Other nations have government debt of over 80 per cent; ours will peak at 6.4 per cent of GDP. On the other side of politics, we are matched by an \$11 billion black hole, and another \$2 billion black hole would have been added had they succeeded in blocking the PBS savings measures in the Senate. We have over there a political party that was too ashamed to put their tatty costings into Treasury for the officials to have a look. When we sought to find out who was responsible for these costings, the shadow Treasurer blamed the shadow finance minister and the Leader of the Opposition blamed both of them.

We will harbour a strong economy. We have kept the economy strong and growing through the financial crisis, and now we will balance growth with lower company tax rates, with lower tax rates for small business. On the other side of politics, this is matched by an aspiration for tax increases, including an aspiration for a higher company tax rate which would have cost families \$350 extra per year. That would have been in direct breach of a policy promise of no new taxes. On this side of politics, we believe in using market principles to resolve market problems—in pricing carbon, in water reform, in the structural separation of Telstra. What we have seen in this parliament is a prize fighter, the Leader of the Opposition, who is always looking for a fight but he know longer knows what he is fighting for.

Mr Robb—Mr Speaker, I rise on a point of order. For the first two weeks after the new paradigm was signed you refused to tolerate any argument and abuse, and I think we could say question time was far better for it. I put it to you that this question in no way invited argument. It was their question, it in no way invited argument, and you should sit the Prime Minister down.

Mr Albanese—Mr Speaker, I rise on that point of order. There is just no point of order.

The SPEAKER—Order! The Prime Minister is responding to the question. It would be safe to say that direct relevance could be constructed from the answer. But I make the observation that earlier in the session there was discussion about how adversarial question time should be. I think that we perhaps need to revisit the extent to which there should be that adversarial nature, as distinct from robustness. The Prime Minister has the call.

Ms GILLARD—Thank you. I was asked a broad question about belief and priorities and I am answering it. I have outlined the government's priorities in strengthening the economy. I can say in this parliament that we have the policies, plans and vision for this nation's future, including a stronger economy. What we are seeing from the Leader of the Opposition is him throwing out fundamental Liberal Party tenets: competition—they no longer believe in it; markets—they no longer believe in them; balanced or surplus budgets—they no longer believe them; low taxes—they no longer believe in them. This is a pit bull that has turned on its owner. That is the limit of his vision for the country. *(Time expired)*

Mr Dutton interjecting—

The SPEAKER—The member for Dickson will withdraw.

Mr Dutton—I withdraw.

Broadband

Mr HARTSUYKER (2.24 pm)—My question is to the Prime Minister. Will the Prime Minister confirm that local government planning powers will be overridden so that households will have no right to be consulted on the intrusive and unsightly overhead cables that will be required for the National Broadband Network, and that they will have no right to object? Why will the Prime Minister not listen to the concerns of Australian families about the effect of the NBN on their local neighbourhoods?

Ms GILLARD—I thank the member for his somewhat remarkable question. If the member does not like seeing cables, then he should support the NBN. Through the NBN you get NBN Co. rolling out the cable for the country rather than multiple providers rolling out multiples cables in a repetition of the kind of problems we saw with the original rollout of pay TV. Yes, we need to cable the country with fibre. If you want to have fibre there is no alternative than laying the cables—that is absolutely right. The reason for a wholesale provider like NBN Co. providing that fibre backbone is that it should be provided once, it should be provided right and there should be retail competition on the basis of it.

Without NBN Co., which is presumably the vision the member who asked the question has for the country, there would be multiple cable providers laying those multiple cables in parts of the country where they thought business was profitable but entirely ignoring parts of the country, like regional Australia, that did not fit in with their business plans. The member's question begs for more cables in some parts of the country and further neglect of regional Australia.

The coalition might believe in neglecting regional Australia, the coalition might be in denial about the future, the coalition might

not want to see superfast broadband, but I can tell this parliament one thing very clearly: Australians do not want to miss out on the opportunities of the future. They want the National Broadband Network. Responsible members from regional Australia know that their communities want the National Broadband Network to shatter the tyranny of distance that regional Australia has suffered under for far too long. In order to do that, we need to lay the very cable that the member for Cowper seems to object to. We will provide that technology for the future, despite this relentless negativity.

Mr Hartsuyker—I seek to table photographs of these ugly cables that are intruding in local neighbourhoods.

The SPEAKER—Order! The member for Cowper will resume his seat.

DISTINGUISHED VISITORS

The SPEAKER (2.27 pm)—I indicate to the House that we have in the gallery today Graham Edwards, a former member of this place and now a member of the board of the Australian War Memorial. He gets a very warm welcome. I sometimes wish he was down here defending me.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Disability Services

Mr WILKIE (2.28 pm)—My question is to the Prime Minister. In Australia 1,145,000 people live with a profound or serious disability. They are likely to be unemployed, marginalised and significantly poorer than the average Australian. If the Productivity Commission recommends the implementation of a national disability insurance scheme in its July 2011 report, will the government commit to the implementation of such a scheme during the term of this parliament?

Ms GILLARD—I thank the member for Denison for his question. I know that he is

deeply concerned about the circumstances of Australians with disabilities, as I and many members of the government are. I want to particularly pay tribute to the work of the member for Maribyrnong when he held this portfolio for the government in the last parliament. Building on his work with advocates for Australians with disabilities and their carers, I specifically want to say to this parliament: we absolutely believe Australians with disabilities deserve any assistance to ensure that they can pursue their day-to-day lives, enjoy the benefits and dignity of being full members of our community—including work, if that is possible for them—and having a full community life.

That is what has motivated us to ask the Productivity Commission to undertake a landmark inquiry into the feasibility of a national long-term care and support scheme for people with disability, and this does include considering the question of a national disability insurance scheme. The member for Denison is right: we will receive that report during 2011; we will receive it in July 2011. To the member for Denison what I can say is that we will seriously consider what is found by the Productivity Commission. We need to see the recommendations, we need to know them and we need to study and assess them and then respond. That is what we will do as a government. I can say to the member for Denison: we did ask for this report for a reason, because we wanted a piece of policy work done in this area and we believed that, in this policy area, the Productivity Commission was the right agency to do it.

I can also say to the member for Denison that, whilst this work is being done by the Productivity Commission, the government is not standing still. We are delivering reforms and changes for Australians with disability. We have doubled Commonwealth funding, to more than \$6 billion over five years, for more and better specialist disability services

under the National Disability Agreement. Of course, our pension reforms included those who are disability pensioners and carers, and we have increased the maximum rate to around \$115 a fortnight more for single pensioners. We have provided \$1.7 billion to remove waiting lists for disability employment services, because we know that there are many Australians with a disability who want to work, who want to enjoy the benefits and dignity of work and the inclusion in the life of our community that that necessarily means. And we have mapped out the National Disability Strategy. More than 2,500 people with disability and their carers had their say in developing this important strategy. To build on these measures, from July next year the government will also provide flexible funding for early intervention services to parents of children diagnosed with conditions that we referred to in the Better Start for Children with Disability program, because we know that if people can get the benefits of early intervention it makes such a difference. So that will be a change for children with sight and hearing impairments, cerebral palsy, Down syndrome or fragile X syndrome. We will continue to work on this and, of course, we will work with the member for Denison and other members of the parliament on these important disability reforms that are so important to the life of our nation and Australians with disability and the people who love them.

Economy

Mr CHEESEMAN (2.32 pm)—My question is to the Treasurer. What are the economic achievements of the government and what do they mean for future reform? How has this reform program been received and what is the government's response?

Mr SWAN—I thank the member for Corangamite for this very important question. This government has a proud economic

record. Over the past three years Australia has created 650,000 jobs. There is nothing that we are prouder of than the fact that 650,000 jobs have been created in this country over the last three years. During that period the rest of the developed world lost 30 million jobs. Unemployment in Australia is currently 5.4 per cent. It is almost twice that in most other developed economies and, almost alone amongst developed economies, Australia avoided a recession. Our net debt will peak at 6.4 per cent of GDP in 2011-12. In other major advanced economies it is closer to 90 per cent. And, of course, we are coming back to surplus in three years, three years early, while other developed economies are struggling to halve their deficits. Our financial institutions are in good shape. So in black and white this is the proud record of a Labor government in the face of a global financial crisis and a global recession. We are proud of the fact that breadwinners were kept in jobs and we are proud of the fact that small businesses right around this country were able to keep their doors open because we put in place stimulus which backed confidence in the community. So as a country we stand tall as a consequence of these actions—Australians working together; employers, employees and the government working together to produce this outstanding result for Australia.

But there is always more work to be done. That is why we have a big reform program: tax cuts for companies, tax assistance for small business, investment in infrastructure and particularly the big microeconomic reform that the Prime Minister was talking about before to propel us into more prosperity in the future by making our companies and our great regions more productive. But every step of the way on this journey we were opposed by those opposite. If they had had their way, Australia would be in recession. It would have gone into recession, un-

employment would have been far higher and business closures would have been far higher. They opposed us at every point along the way. The member for Wentworth stood up and said that stimulus would never create a single job. The member for Wentworth opposed the bank guarantees which gave security to our country. And, of course, now we have the Leader of the Opposition opposing the NBN. Those opposite would rather see the government fail than see the country succeed. That is the lesson of the last three years. They are defined purely by what they oppose because they stand for nothing positive. And the final word on their lack of economic credibility goes to the former Treasurer, Peter Costello. This is what he has had to say about the current Leader of the Opposition:

Never one to be held back by the financial consequences of decisions—

Mr Pyne—Mr Speaker, on a point of order, I rise on the standing order 91: disorderly conduct. I simply say that, as the shadow communications minister has time and time again corrected the record after question time about the same lie being told by the Treasurer about the bank guarantee, how could it possibly be orderly for the Treasurer to completely refuse to accept that and repeat the same lie?

The SPEAKER—Order! What is happening on this occasion is consistent with what has happened over a number of parliaments. It is something that the House, through its Procedure Committee and standing orders, has not dealt with in the past. In fact, it leads to the situation where a member who feels aggrieved is forced to use the processes of the House to put in place a correction. The member for Sturt knows full well that this regrettably has happened throughout a number of parliaments. If he has an interest in this, he might take it up with the Procedure Committee to correct this anomaly. The

Treasurer has the call. He will relate his answer directly to the question.

Mr SWAN—I was asked about economic reform. The former Treasurer Peter Costello had this to say about the Leader of the Opposition, ‘He tells me proudly that he learned all his economics at the feet of Bob Santamaria. I was horrified. He once claimed he was the political love child of John Howard and Bronwyn Bishop.’ (*Time expired*).

Broadband

Mrs GASH (2.39 pm)—My question is to the Prime Minister. I refer the Prime Minister to the comments of Natalie Osborne of Kiama in my electorate following the destruction of her nature strip by the National Broadband Network installers. She said:

They have ripped up my whole nature strip It’s a massive amount of work, people have no idea how much destruction it’s going to be. Here it is just a very small coastal town so the destruction in a city suburb is going to be unbelievable.

Does the Prime Minister guarantee that all damage to property will be made good to the satisfaction of the householders at the expense of the NBN Company?

Opposition members interjecting—

Government members interjecting—

The SPEAKER—The House will come to order or I will give members the opportunity to go out and reinstate nature strips with the equipment that the gardeners cannot use during sitting times. Joe, I thought that was one of my better lines and you ignored it. I am really disappointed.

Ms GILLARD—I would say the following to the member for Gilmore: I understand she comes to this parliament and does seek to represent the concerns of her constituents in this parliament. That is why, of course, she was such a big endorser of the government’s trade training centres policy: because of the benefits of the trade training centre to her

electorate; and that is why she must have been so distressed to see that the Leader of the Opposition wanted to cut that funding. Consequently, because I do believe that the member for Gilmore does seek to raise concerns on behalf of her constituents, I would say to her that if there is a specific matter she wants me to look at, then I will look at it.

But I will also say to the member for Gilmore—and to this parliament more generally when we look at the challenges of the future for this country—we need to build infrastructure. We need to build the NBN. We need to renovate ports and we need to renovate the rail system. We need to build roads. As every Australian knows as a simple matter of common sense, when you build complex infrastructure projects that does cause some dislocation as infrastructure projects are being rolled out. I live in Melbourne’s west and I can tell you about infrastructure projects on the Princes Freeway and the Westgate Bridge. Of course, when they were being constructed, there were consequences.

Mrs Gash—Mr Speaker, on a point of order on relevance, I just want the guarantee, Prime Minister, that it will be fixed.

Ms GILLARD—I was asked by the member for Gilmore about a matter in her electorate and I am making the simple common-sense point that Australians would understand—which is, when you are building the nation and building infrastructure then obviously building requires you to do things. It is just like when you are building a major road project—for a period of time people suffer the constraints on their ability to use that highway because part of it is fenced off for the construction. The same things will happen as we roll out the National Broadband Network. I am going to be very transparent about that.

I would also say to the Liberal Party: is its advocacy in this place that we somehow put

a dome over the nation now, that we freeze it in time, that we pickle it, that we keep it in its current form and we do not move one brick, we do not create one road, we do not build one bit of rail track, we do not change one port, we do not engage in one school construction and we do not roll out the NBN because people do not want to see the natural consequences of construction? Is that really the position—the luddite position—of a political party that calls itself the Liberal Party?

There has been a theme in these questions. Apparently they do not like cable. Do they want us to take all the electricity wires down? Apparently they do not like wiring. Do they want all the telephones wires gone? Apparently they do not like progress. Which part of time would they like us to go back to—1960, 1930 or 1910? Which age would they pick as the party of the past? This does not befit a political party that calls itself the ‘Liberal Party’. If they want to go out and rename their political party the ‘Luddite Party’ then they should do it by the time this parliament next convenes and at least then they will be honest with the Australia people about what they stand for in politics—a denial of progress, a denial of the future and no vision for the country.

Building the Education Revolution Program

Ms SMYTH (2.46 pm)—My question is to the Minister for Regional Australia, Regional Development and Local Government and Minister for the Arts and Minister representing the Minister for Tertiary Education, Skills, Jobs and Workplace Relations. Will the minister inform the House of progress in implementing the Building the Education Revolution program and of the support this program has received across the community?

Mr Chester interjecting—

The SPEAKER—Order! The member for Gippsland is warned. I am not sure what out-

break there is in the hinterland of the chamber but you will remain quiet.

Mr CREAN—I thank the member for La Trobe for her question because I know she does understand the significance this program has to her electorate and she has been involved in many openings of great new facilities within her electorate for the students in La Trobe. The fact is that the BER program is the largest school modernisation program in Australian history. What is derided on the other side as a school halls program is, in fact, building classrooms, libraries, science centres, language labs, gymnasiums, multipurpose facilities and sports facilities. There have been 24,000 such projects across the nation in 9,000 schools. Indeed, this program has been welcomed across the nation from parents and students alike for state-of-the-art facilities that they never could have dreamt of and were never delivered under the previous government.

As an example of how this program has been welcomed I refer to the opening of a completed project in Linden Park Schools. This was a new BER funded project of some \$4.775 million and all of it was paid for under the BER—a teaching block with a shared activity area, an early years outdoor learning area, a middle years outdoor learning centre and a significant increase in the school gymnasium.

Mr Pyne interjecting—

The SPEAKER—Order! The minister will resume his seat. The member for Sturt knows that this is not a debate. He will sit down quietly. The minister has the call.

Mr CREAN—Here is an example of what has been said about this very significant program:

I am very pleased to be a part of the opening of these new school buildings. But a school is made much better by having tremendous facilities and the facilities that Linden Park now has are second

to none in the state and are going to be a gold standard for all the other primary schools across the electorate.

Mr Pyne—Mr Speaker, on a point of order, I simply ask: how can Howard government money that I secured in 2004 be directly relevant to this question?

Mr Albanese—Mr Speaker, that was not a point of order, that was a confession.

The SPEAKER—Order! The minister has the call.

Mr CREAN—To continue the quote:

What a marvellous job that's been done—

This is in relation to the \$4.775 million under the BER program, a Labor government program—

What a marvellous job you've done in making this great school even better. Congratulations to those people who have made it happen and thank you very much for the opportunity to be here today.

Now, who said this? It just so happens that it was the member for Sturt. There he is in the photo at the podium welcoming this great initiative. It was a very good speech. There is another photo. There he is in the school audience at the opening ceremony with his mouth open. He must have been saying something—you might say 'prattling'—but no-one is listening to him.

The SPEAKER—Order! The minister will go to the question.

Mr CREAN—I will go the question, Mr Speaker, because I am asked how it has been received in the community. That is how it has been received in the community.

The SPEAKER—The minister will resume his seat. I think enough is enough, all right? The House will concentrate on what it is here for and behave. For those who are miraculous by way of interjection in their advice to me, suggesting that I am showing a double standard, they forget that the double

standard in their behaviour is amazing. There was one person who was disciplined for the display of an object. He copped it fairly. There were then others who have been here a long time that tried their stunts, and for them to be finger-pointing today is quite extraordinary.

Mr Abbott—So is this a stunt?

The SPEAKER—The Leader of the Opposition should show just a smidgin more leadership when I am trying to say that enough is enough. The minister has the call.

Mr John Cobb—Simon got away with it.

Mr CREAN—I am asked how this—

The SPEAKER—The minister will resume his seat. The member for Calare will withdraw the reflection upon the chair or take his medicine, which would be an hour out of the chamber.

Mr John Cobb—I withdraw, Mr Speaker.

Mr CREAN—Mr Speaker, I am asked how it is received in the community. This is an example of how the hypocrisy on the other side knows no bounds. This is the person who is the attack dog in this parliament but the lap-dog when he gets back to his community and wants to claim credit for what we have done.

Australian Labor Party

Mr ABBOTT (2.54 pm)—My question is to the Prime Minister and refers to reports of her crisis caucus meeting last night and her PowerPoint presentation of five policy priorities. Will the Prime Minister confirm that her priorities did not include ending the waste, repaying the debt, stopping the big new taxes and, above all, stopping the boats—the measures that the Australian people really want? Will she admit that what this proves is that, while Labor might be in government, the Greens are in power?

Ms GILLARD—I am happy to confirm for the Leader of the Opposition that Labor

caucus members did meet last night to talk about our shared vision for the country. We did meet last night to talk about our strategy. We did meet last night to talk about our positive plans for the nation's future. My recommendation to the Leader of the Opposition would be that he should try it. He should try going to a meeting and actually sitting in a chair and thinking about what he stands for, not what he opposes. He should sit for a moment or two and reflect—

Mrs Mirabella—Show us some transparency; publish the minutes.

The SPEAKER—The member for Indi is warned.

Ms GILLARD—Does he have a vision for the nation, not a list of things he is opposed to but a vision for the nation?

Mr Pyne interjecting—

The SPEAKER—The member for Sturt is warned.

Ms GILLARD—He should perhaps sit in a chair and sit in a meeting and think about what positive policies and plans he wants to release to the Australian electorate for their consideration. The truth is that, since this parliament first sat, the Leader of the Opposition has not released one positive policy for the nation. I am not generally charitable to him, I know, but I have to give the shadow treasurer this: at least he got out an envelope and scribbled nine points on the back of it. Since this parliament first sat, the Leader of the Opposition has not released one policy for the nation. He is a man of slogans derived from focus groups—

Mr Simpkins—Oh, come on! That is the pot calling the kettle black.

The SPEAKER—The member for Cowan is warned.

Ms GILLARD—and they all start with words like 'end, stop, demolish'. The Leader of the Opposition is a man who can always

give you a comprehensive picture of what he is opposed to but he can never give you a picture of what he stands for. He is a prize-fighter who always keeps fighting, but he no longer knows what he is fighting for. The real damage he is doing is to the nation by putting his political interests before the national interest every day. The real damage he is doing is to the heritage and legacy of the Liberal Party because, in looking for bricks to throw at the government, he is actually getting those bricks from the foundations of the Liberal Party. Competition—they used to believe in that, now he has pulled that brick out and thrown it; markets—used to believe in that, now he has picked that brick out and thrown it; balanced or surplus budgeting—used to believe in that, now he has picked that brick out and thrown it. In doing so he is destroying the political legacy and political brand of the political party that has propelled him into the leadership position he now holds. This is a pit bull that has turned on its master, and it is time the Liberal Party woke up to it.

I understand that there are a few lonely progressives in the Liberal Party who are saying: 'Let's have an idea. Let's put a positive policy. Let's put a plan.' Those lonely progressives need some friends before this man entirely trashes everything they have ever believed in and everything they have ever stood for. He is a man determined not only to wreck the national interest but also to destroy the legacy of his political party in this country. It is remarkable.

Climate Change

Mr MURPHY (2.59 pm)—My question is to the Minister for Climate Change and Energy Efficiency. How is the Gillard government delivering on its commitment to tackle climate change so that Australia can cut pollution and compete successfully in a global low-carbon economy?

Mr COMBET—I thank the member for Reid for his question. The foundation for any policy to deal with the challenge of climate change is the climate science. This is one of the defining differences between the government and the Leader of the Opposition in particular. The government respects the climate science and it was for that reason, amongst others, that Labor ratified the Kyoto protocol after the years of inaction and ineptitude demonstrated by the Howard government. There is a defining difference on this issue, because we know what the Leader of the Opposition thinks about the climate science. He has famously called it ‘absolute crap’. That is his description. He has designed a climate change policy for the coalition in accordance with his belief about the climate science—because it does not take us any further.

The government has articulated three key areas of policy to deal with the challenge of climate change. They involve strong support for clean energy, strong support for improvements in energy efficiency in our industry and in our households and the establishment of a carbon price through a market mechanism. In relation to the issue of clean energy, the government has legislated a 20 per cent target by the year 2020 such that 20 per cent of our electricity supply must come from renewable sources by that year. It is expected and modelled that \$19 billion worth of investment in renewable energy generation will be a consequence of that policy measure by the year 2030. It is supported by the \$5.1 billion Clean Energy Initiative, which includes important things such as the Solar Flagships program, developmental support for carbon capture and storage—extremely important for the future of the coal industry in this country—the Australian Solar Institute and other initiatives. The government has also committed a billion dollars towards connecting remote renewable energy

generation to the national electricity grid. These are very strong measures in the area of clean energy.

In the area of energy efficiency, the government has established the \$100 million Energy Efficiency Trust and the Australian Carbon Trust to manage those funds and to work with the business community to develop innovative approaches to achieve energy efficiency improvements in business in particular. We have also brought in mandatory disclosure of the energy performance of residential and commercial buildings—a very important initiative. We have got new programs on the way—low-carbon communities and tax breaks for green buildings. We have released a Prime Minister’s task group report on energy efficiency, and we are working with stakeholders on that issue now. Most importantly, the government has established what is necessary to achieve important structural change in our economy, and that is the objective to achieve a carbon price through a market mechanism. Again, this is an issue repudiated by the opposition and repudiated by the Leader of the Opposition—a repudiation of the fundamental importance of markets in driving the most efficient changes of this nature.

A market mechanism will be extremely important in our economy to drive us towards a low-carbon future. It is supported by the business community, it is supported widely in the community and it will be supported by further policy initiatives. What we know about the other side of politics, as we head towards the end of this parliamentary sitting, is that they have papered over the cracks; they are split and divided on this issue. They are led by a leader who thinks the science is absolute crap, but we know that there are very different views on that side of the House.

Australian Labor Party

Mr PYNE (3.03 pm)—My question is to the Prime Minister. I refer the Prime Minister to reports of her crisis caucus meeting last night where 21 Labor backbenchers outlined their concerns that this government has no agenda and, in particular, the Prime Minister is too scripted and, according to the ever-knowledgeable and wise member for Banks, guilty of parroting three-word slogans. Does this not simply confirm, Prime Minister, what many Australians now believe, which is that, while Labor is in government, the Greens are in power?

Opposition members interjecting—

The SPEAKER—The question has been asked. I would have thought those on my left would be looking to listen to the response.

Ms GILLARD—To the Manager of Opposition Business who asked the question, can I say: I do not think he has much insight into the meeting that we had. We talked about our vision for the future. Now I know ‘vision’ is a confusing word for members of the opposition. They are all looking at each other now and asking for a definition—‘A what for the future? We don’t have one of those. Ooh, never heard of that.’ We understand you do not know much about vision for the future. We talked about policies and plans for the Australian people. We talked about our goals for the Australian nation. So, yes, we talked about things that matter to Australian families and to keeping our economy strong and prosperous, building it for the future. We talked about tackling climate change and sustainability for our country. We talked about being a fair and inclusive society. We talked about governing for all, and we talked about keeping our nation strong and safe in the world. We talked about positive plans for the future.

Of course, when we look at the Manager of Opposition Business, who has asked this

question, what we can say to him is: we understand his frustrations being in a political party in opposition when they had hoped for more. We understand his frustrations that they are there with their three-word slogans, unable to add to them with any positive policies or plans. We understand that there is frustration on the Liberal backbench with the leadership of the Liberal Party—a man who went around with his slogans in the election campaign, driven by focus groups, hollow to the core, no belief for the nation’s future and no ability to add to those policies or plans in opposition—not one positive policy statement since this parliament sat. We understand that it is frustrating for the Manager of Opposition Business and for some on the Liberal backbench. But I would say to the opposition that the solution for this frustration is not to come into this parliament and ask these kinds of questions of the government; it is actually to sit down and see if they are capable of working out what they believe in, what they think the future should hold, what their policies and plans for that future are, and how they cost them and make them add up.

Across all of those phases of positive action and policy development the Liberal Party in this parliament has returned a ‘fail’ in every space. The Leader of the Opposition has been going to Christmas parties and his proudest achievements for this political year are all about hurting other people and stopping things. Not one positive achievement. He cannot go to a Christmas party and say, ‘I celebrate having achieved one thing for the nation this year,’ because there is not one positive idea he has pursued and not one for the Australian people. This is a legacy of wrecking. The Leader of the Opposition seems unable to lift himself beyond wrecking, looking always at his narrow political interest. The problem for the Leader of the Opposition is that you might be able to run a

protest vote campaign for a limited period in the run-up to an election, but let me give you some advice: you cannot run one for three years. That is going to be very transparent to the Australian people. Over three years they are going to be on to you—hollow at the core.

Mr Pyne—Mr Speaker, to put the matter beyond doubt we invite the member for Griffith to table the minutes from the caucus meeting last night!

The SPEAKER—Order! The member for Sturt will leave the chamber for one hour under the provisions of standing order 94(a).

The member for Sturt then left the chamber.

Opposition members interjecting—

The SPEAKER—He had been warned; I could have named him.

Health Services

Ms BURKE (3.08 pm)—My question is to the Minister for Health and Ageing. How is the Gillard Labor government delivering a better health system with sustainable funding for hospitals and more access to GP services?

Ms ROXON—I thank the member for Chisholm for her question. She will be particularly pleased with the good news that I can report to the House today, which is that we have this morning released the details of 240 general practices across the country, three of which are in her electorate of Chisholm, where investments are going to be made to allow general practices to expand, for extra doctors to be employed, for a new treatment room to be built, for a practice nurse and, maybe, some allied health professionals to be employed. This is unreservedly good news for general practices across the country that have been saying that they are ready to do more in meeting the needs of the community but need a little bit of extra assis-

tance to be able to develop their facilities to do that.

The good news goes beyond just general practice, although that is the particular focus of our announcement today. The other good news is that last night this House passed the Federal Financial Relations Amendment (National Health and Hospitals Network) Bill 2010, the first step to being able to reform the funding of our health system into the future. I want to thank the Independents and the Greens, who supported this legislation in the House. It adds to a list of successes in the health area over the last fortnight in getting changes through this House that actually provide a legislative base for doing things better into the future. We are very proud of the fact that this will allow us to invest properly in our hospitals into the future.

People will well remember that when the Leader of the Opposition was the health minister he pulled \$1 billion out of our hospitals. In the year 1996 the Commonwealth funded 45 per cent of hospital services and in 2007, when we came to government, it was down to 38 per cent. Never again will that situation occur if this legislation that was passed by the House last night is passed by the Senate when we return in the new year.

Let me provide a little bit more information to those members of the House who might be interested to know about the 240 clinics that are being supported by virtue of our announcement today. Members will be interested to know that 45 per cent of those grants are in regional parts of the country, because a number of these practices are the ones that are ready to expand but need some extra resources to do so. People might be interested to know that lots of electorates across the country have had one successful recipient. Many, in fact over 20, have had two. I think nearly 15 have had three.

But I would just like to highlight a couple of electorates that have been extremely lucky because there are four or five projects in the electorates that have been successful. The member for O'Connor will be pleased to know that there are four in his electorate. The member for Barker I suspect will be pleased to know that four practices in his electorate are being supported. The member for Leichhardt might be surprised to know that there are five in his electorate that are being supported and the member for Cowper, who I know has been supportive of his superclinic, will no doubt be pleased to know that five general practices are being supported in his area. That is not to mention the member for Denison, the member for Franklin and the member for Kingston, all of whom have had multiple successes. This is good news for general practice across the country but even more importantly it is good news for those patients who will see expanded services and be able to get to see a doctor or nurse more quickly when they need one.

Cost of Living

Mr BROADBENT (3.12 pm)—My question is to the Prime Minister. I refer the Prime Minister to reports from water authorities that electricity costs are driving up water costs. The number of customers seeking assistance has grown by 20 per cent in the last couple of years. If the government cannot ease the cost-of-living pressures on struggling Australian families how can anybody expect you to get right the delivery of a \$50 billion national broadband network?

Ms GILLARD—I thank the member for his question. I understand that there are many Australian families struggling with cost-of-living questions. I would say to the member that the government has enacted a number of policies and plans to help Australians with cost-of-living questions. We have

provided tax cuts for three years in a row. We created the education tax refund to help with the cost of getting the kids to school, which is something that did not exist before this government put it in place. And of course now we will be expanding it to cover school uniforms. We moved to increase assistance for the costs of child care. They press on many working families as the second-income earner, usually the mother, seeks to return to work. To provide extra assistance with those costs we increased the childcare tax rebate from 30 per cent to 50 per cent. We understand that the Australians who most struggle with utility prices are often those on fixed incomes and consequently we moved to implement a historic rise to the pension to assist pensioners who feel these cost-of-living pressures.

Of course we are committed to further measures to ease cost-of-living pressures. We want to change the circumstances for families of teenagers where the family tax benefit structure really is from an earlier age and assumes that it is quite likely that a 16-year-old is going to move into the workforce, whereas in the modern age we want 16-year-olds engaged in full-time education. So we will rectify that problem by increasing the family tax benefit to assist with the costs of teenagers.

We are also moving to implement other policies and plans that will make a difference for Australians, including for older Australians who seek to combine a partial retirement with partial work. Our plans for things like superannuation are a long-term way of assisting people with the cost of living. There is nothing more important to helping with the cost of living than certainty and security of pay and entitlements, and it is the Labor government that have brought that about through the introduction of the Fair Work Act and the eradication of Work Choices.

I understand that with these measures there are still families that feel cost-of-living pressures—I do understand that—and so we will, with determination, go about delivering our election commitments, which are there to help make a difference to cost-of-living pressures. But can I say to the member coming into this place that he should acknowledge that the government have taken these steps—for example, the increase in childcare rebate and the education tax rebate—and that these steps are more than the steps that were taken by the Howard government. The government are working in partnership with families to assist with cost-of-living pressures.

Gillard Government

Mr FITZGIBBON (3.16 pm)—My question is to the Leader of the House. Minister, how is the Gillard government delivering its legislative agenda? How has this been received and what is the government's response?

Mr ALBANESE—I thank the Chief Government Whip for his question. When the 43rd Parliament was formed some were critical about how effectively we could govern. Of course we know that this is only the second time since Federation that those who have sat on the government benches have not had an absolute majority on the floor of the parliament.

Well, after five weeks of sittings we can say that this government has shown that the 43rd Parliament is able to get legislation through and is able to function in the national interest. This parliament has adopted important reforms in the National Health and Hospitals Network, in delivering the National Broadband Network, in providing assistance for higher education with student services and, just this week, again an important piece of legislation in reforming child care. Indeed, the government has not lost a single vote on legislation nor has a single

amendment been passed to its legislation on the floor of this House—a remarkable achievement and a fact.

Indeed, the government have passed some 51 pieces of legislation—the radio communications amendment, social security amendment, the Civilian Corps, corporations, amending of the Pharmaceutical Benefits Scheme to save \$1.9 billion, offshore petroleum and greenhouse gas, superannuation, carer recognition, civil dispute resolution, telecommunications legislation, territories' law reform, income tax amendments, corporations amendments, water efficiency amendments, native title amendments. This is a parliament that is functioning and passing our legislation—

Mrs Bronwyn Bishop—Mr Speaker, I rise on a point of order on relevance. Could the Leader of the House please return his list to the bathroom.

The SPEAKER—The member for Mackellar is warned! And, whilst I should not get into marking homework, I do not think it was one of her best efforts. It was a good try—but she is still warned.

Mr Melham interjecting—

The SPEAKER—The member for Banks!

Mrs Mirabella—The member for Banks could do better than that pathetic performance!

The SPEAKER—The member for Indi should be very careful. I cannot read the list to see if she has been warned, but she is warned now. The minister has the call.

Mr ALBANESE—Thank you, Mr Speaker. It was better than the member for Mackellar's efforts on the sitting schedule, I will say that.

The fact is that this government have passed 51 pieces of legislation through this House with the support of the crossbenchers.

We are showing that government can function effectively. We can cooperatively negotiate our legislation through this parliament. Those opposite simply take a negative approach where they have three-word slogans that all begin in ‘oppose’, ‘end’, ‘destroy’ or ‘stop’. With every single policy, that is where they are at—nothing positive whatsoever. We have also—

Mr McCormack interjecting—

The SPEAKER—The member for Riv-
erina!

Mr ALBANESE—whilst we have been getting through this legislation, had over 90 hours of private members’ business before this parliament—

Mr McCormack interjecting—

The SPEAKER—The member for Riv-
erina is warned!

Mr ALBANESE—and we have for the first time in a decade passed the private member’s bill moved by the member for Denison. The fact is that this parliament is functioning effectively, the fact is that this government is governing in the national interest and the fact is that those opposite just have not got over their 21 August loss. It is all negative. They are continuing with the same frame that they had during the election campaign of just oppose, destroy, stop, end. What the Australian people want is a positive vision for the future. If anything embodies the difference between the two political parties which seek to form government, it is the National Broadband Network.

Mr Morrison—Can I ask the Leader of the House to table the document he had there with the big green tick on it.

The SPEAKER—The only way I can get the minister to table it would be if I asked him whether he was reading from a document.

Asylum Seekers

Mrs MARKUS (3.23 pm)—My question is to the Prime Minister. I refer to the fact that since Labor was elected in November 2007 they have committed more than \$350 million to open more than 6,000 new beds in our immigration detention network—far more new detention beds than beds opened in public hospitals. If the government cannot protect our borders, how can anybody be expected to believe that it can get it right in the delivery of the \$50 billion NBN?

Ms GILLARD—I thank the member for her question. Point No. 1: the member for Wentworth has given her the wrong figure about the NBN.

Dr Emerson interjecting—

Ms GILLARD—She should look at that summary of the NBN business case and not use that figure because it is simply not correct. I presume she does want her constituents to get from her mouth the facts and the truth. Point No. 2: I would say to the member who has asked the question—

Mr Morrison—I would ask that the Minister for Trade withdraw the offensive comment he made about the member for Macquarie, making insulting remarks about her faith and her church.

Government members interjecting—

Opposition members interjecting—

The SPEAKER—Order! Those at the end of the table who continue to squabble are not assisting the proper resolution of this matter. On occasions like this when the chair has not heard the remark, there is a dilemma. I observed that there was a very heated exchange between a number of people on both front benches. I am not in a position to make any definitive decision about what was said but on the basis of the exchange, whether it was based on reality or perception, there seems to have been a problem. To resolve that prob-

lem and for the proper functioning of the House, I will ask the Minister for Trade to withdraw. This is not in any way a decision on the circumstances.

Dr Emerson—Mr Speaker, I made no such comment. I asked the member to show a bit of compassion to asylum seekers. If she finds that offensive, then I withdraw.

Opposition members interjecting—

The SPEAKER—Order! The minister will come to the dispatch box and just withdraw.

Dr Emerson—I withdraw.

The SPEAKER—I thank the Minister for Trade. Those on the front benches on both sides will sit there quietly.

Ms GILLARD—Thank you, Mr Speaker. In answer to the member's question, the second point she raised concerned health and what is being done for the hospital system. Let me explain to the member: a great deal more than under the Howard government where we saw the track record of the Leader of the Opposition in delivering cuts. If she cares about the hospital system, and I presume from the comparison she has used in her question that she does, then I can only imagine what she must be prepared to say about the Leader of the Opposition's cut-backs to hospitals—\$1 billion ripped out of our hospital system.

Mr Hartsuyker—Mr Speaker, I rise on a point of order as to relevance. The question referred to 6,000 new asylum seeker beds and not hospital beds.

The SPEAKER—The Prime Minister is responding to the question. I will listen carefully to her answer and will be assisting in doing that if the interjections cease.

Ms GILLARD—Thirdly on the member's question, the member should note that we have more assets patrolling our borders than ever before. Of course, the government

are committed to patrolling our borders, to keeping our nation safe, to operating a mandatory detention system and to working on a long-term regional protection framework. Not for us are the cheap, three-word slogans of the opposition.

Violence Against Women

Mr HAYES (3.29 pm)—My question is to the Minister for Home Affairs and the Minister for Justice. How is the government encouraging men and boys to take positive action to prevent violence against women?

Mr BRENDAN O'CONNOR—I thank the member for Fowler for his question and his ongoing campaigning on this very important public issue. Today, as many know, is White Ribbon Day. It is a day that was created in 1991 by a handful of Canadian men who met on the second anniversary of one man's massacre of 14 women in Montreal, Canada. From that day this event has grown to the point where the United Nations General Assembly has recognised 25 November as a day when we have an opportunity to stop, to reflect and to act against violence against women and girls. Indeed, we do have some work to do. The facts are that there are nearly one in three Australian women who have experienced physical violence and almost one in five women who have been victims of sexual assault. These are damning statistics, they are appalling figures, because they effectively mean that in any one year almost half-a-million women in this country suffer physical or sexual violence. It is an intolerable situation and I am therefore very pleased that the White Ribbon Foundation in Australia is working very hard to create a national awareness of this problem. The foundation is working very hard with community groups and organisations to reduce this problem with a view to hopefully stamping it out.

As a part of White Ribbon Day, Australian men are making a public oath to support the campaign and ensure that Australia becomes a safer place for women and girls. Today, in the Senate courtyard, this day was signified by the Prime Minister and the Leader of the Opposition and members and senators of all political persuasions meeting to make an oath and in some cases reaffirming their commitment 'to not commit, excuse or remain silent about violence against women' and to wear a white ribbon as a visual indication of this solemn commitment.

The campaign goes from strength to strength. Today we have 1,200 white ribbon ambassadors, many of whom are in this place, but there is a lot more that needs to be done. I also note the efforts of a number of ministers, including the Minister for the Status of Women, who announced today a \$1.1 million White Ribbon Workplace program to deliver ambassadors' accreditation and awards in workplaces, where we know violence against women does occur all too prevalently. This government, indeed this parliament, has a zero tolerance approach to all forms of violence. We are working in partnership with women's organisations, state and territory governments, other community groups and law enforcement agencies to reduce violence against women and girls. We are proud to be working alongside the outstanding community organisations that are committed to stamping out violence against women.

The government today is calling on Australian men to show leadership in combating violence against women and girls. It is by not speaking out, it is by condoning violent behaviour and it is by turning a blind eye that men let themselves down. They let their communities down. Most importantly, they let down women and girls in this country. In particular, I call upon men in this place to make an oath, if they have not made an oath,

and indeed urge all men in their constituencies to do the same.

Ms Gillard—Mr Speaker, I ask that further questions be placed on the *Notice Paper*.

QUESTIONS TO THE SPEAKER

Member for Gippsland

Mr FITZGIBBON (3.34 pm)—In an action which reminded me of a boxer's trainer throwing the white towel into the ring, during question time the member for Gippsland left the chamber in much of a hurry and hurled a World Cup scarf into the press gallery. While some people might think I am being a little bit conservative, particularly at this time of year, I would have thought that if the member for Gippsland had some sentiment to extend to the Leader of the Opposition he could have simply passed him a text message.

The SPEAKER—There was no question in there and based on my—

Mr Randall interjecting—

The SPEAKER—Order! The member for Canning is the greatest advocate for the reverse of what he wants to achieve when he does things like that, because I was about to say that, consistent with the way that I have reacted to abuses of the forms of the House, the Chief Government Whip should know much better than to do what he just did.

Opposition members interjecting—

The SPEAKER—I think that I have just explained that if you want to advocate things sit there quietly and let me do my job.

Parliament House: Water Features

Mr BROADBENT (3.35 pm)—I preface my question to you, Mr Speaker, by noting that in 1988 when this building was created and developed the water features were a major part of its beauty. My point is that since 2006-07 all the water features have been turned off, which really changed the look and

the ambience of the whole place. I was perhaps under the misunderstanding that, once we got back to 50 per cent water storage in the ACT, we would have all of the water features turned back on. I know that with those that have been turned back on—the forecourt and some others—they are using recycled water. Do you have an answer for when the rest of the garden will be restored to what it was meant to be?

The SPEAKER—It is true that, because of the rains in the ACT region and the level of the catchments increasing, there have been changes to the restrictions, but the ACT authority has moved to a more permanent water conservation program and that means that the Department of Parliamentary Services has to liaise with those authorities to gain permission for the refilling of water features. That is being done progressively. The important thing I should stress is that at this stage there has been no permanent closure of any of the water features and there is discussion that, if water features are to be put out of action from time to time, we achieve a better aesthetic treatment of those that are closed down than we have had for the last four or five years.

Broadband

Mr ABBOTT (3.37 pm)—Mr Speaker, the business case document for the National Broadband Network says that the NBN anticipates being able to reduce nominal prices for all products except basic services—in other words, the nominal price for basic services can increase. In question time today the Prime Minister said that the cost of basic services in nominal terms remains the same. In other words, she got it wrong—

The SPEAKER—Order! The Leader of the Opposition should come to the question he has for me.

Mr ABBOTT—My question to you is: would you please undertake to this House to

call the Prime Minister in to correct the record?

The SPEAKER—The Leader of the Opposition will resume his seat. He knows that that is not achieved by a question to me. I now regret that the member for Canning intervened. I could have had two people warned in succession.

Mr Randall interjecting—

The SPEAKER—Not you, no. You have saved the Leader of the Opposition—that gets you brownie points. The Chief Opposition Whip on indulgence.

MEMBER FOR MOORE

Mr ENTSCH (Leichhardt) (3.39 pm)—Mr Speaker, on indulgence, I wish to make a short statement. I spoke earlier in acknowledging the contribution of a whole range of people in this House. There is one that I held off recognising because I thought it would be appropriate, with a number of our colleagues here today, to do so now. I recognise the contribution of our parliamentary doctor, the member for Moore, Dr Mal Washer. I wanted to bring to the attention of the House the fact that he has taken on that role. He treats members of both sides of the House. He pays his own medical insurance. As an example of the contribution that he has made, today he has seen seven patients from both sides, and he never charges for his services. He has been an outstanding advocate for all of us in this place in relation to stress and long hours, and ensuring that our health is maintained. I would like to recognise his outstanding contribution to this place and register on behalf of all members of the House the strong appreciation we have for that extra contribution. Thank you very much.

NEW ZEALAND: MINE EXPLOSION

Mr NEVILLE (Hinkler) (3.40 pm)—Mr Speaker, on indulgence, I would like to associate myself with the comments this morning

of the Prime Minister and the Leader of the Opposition regarding the mine disaster in New Zealand. As honourable members are aware, there were two Australian victims, one of them William John Joynson, known to many as Willy Joynson. Willy came from Tinana, near Maryborough, and earlier from the Howard-Torbanlea area of my electorate, famous until comparatively recent times for its coal deposits.

Mr Joynson, who worked at Burgowan Collieries, and his brother, Stanley, have both been miners in Australia. His cousin Russ said his family 'would want people to remember him as a good guy who was always fun, never whinged and was always happy to have a chat'. On behalf of my electorate I extend condolences to his wife, Kim, and his two children; his mother, Beryl; his brother, Stanley; and his sisters Veronica, Diane and Leanne.

It is a sad and tragic irony that Mr Joynson, who moved to New Zealand earlier this year, was to return to Australia with his family at the end of this school year, which makes the matter all the harder to bear for his extended family. I spoke to his mother, Mrs Beryl Joynson, this morning, and the family is hoping to repatriate his body to Australia if that is possible. I trust the government will extend every assistance to her, to his wife, Kim, and her little family.

The SPEAKER—I am sure that the House would want me to associate them with the member for Hinkler's comments.

Honourable members—Hear, hear!

AUDITOR-GENERAL'S REPORTS

Report No. 16 of 2010-11

The SPEAKER (3.42 pm)—I present the Auditor-General's Audit report No. 16 of 2010-11 entitled *Centrelink's Role in the Process of Appeal to the Social Security Ap-*

peals Tribunal and to the Administrative Appeals Tribunal.

Ordered that the report be made a parliamentary paper.

COMMITTEES

Selection Committee

Report No. 9

The SPEAKER (3.43 pm)—I present the Selection Committee's report No. 9 relating to the consideration of bills. The report will be printed in today's *Hansard*. Copies of the report have been placed on the table.

Report relating to the consideration of bills introduced 22 to 25 November 2010

1. The committee met in private session on Wednesday, 24 November 2010.
2. The committee determined that the following bills not be referred to committees:
 - Aviation Crimes and Policing Legislation Amendment Bill 2010;
 - Crimes Legislation Amendment Bill 2010;
 - Electoral and Referendum Amendment (Enrolment and Prisoner Voting) Bill 2010;
 - Human Services Legislation Amendment Bill 2010;
 - National Broadband Network Companies Bill 2010;
 - Statute Law Revision Bill (No. 2) 2010;
 - Tax Law Amendment (2010 Measures No. 5) Bill 2010; and
 - Telecommunications Legislation Amendment (National Broadband Network Measures—Access Arrangements) Bill 2010.

Publications Committee

Report

The SPEAKER (3.43 pm)—I present the Presiding Officers' response to the report of the Joint Committee on Publications entitled *Inquiry into the development of a digital re-*

pository and electronic distribution of the Parliamentary Papers Series.

Reports: Government Responses

The SPEAKER—For the information of honourable members, I present a schedule of outstanding government responses to reports of House of Representatives and joint committees, incorporating reports tabled and de-

tails of government responses made in the period between 23 June 2010, the date of the last schedule, and 24 November 2010. Copies of the schedule are being made available to honourable members and it will be incorporated in *Hansard*.

The document read as follows—

THE SPEAKER'S SCHEDULE OF OUTSTANDING GOVERNMENT RESPONSES TO REPORTS OF HOUSE OF REPRESENTATIVES AND JOINT COMMITTEES

(also incorporating reports tabled and details of Government responses made in the period between 23 June 2010, the date of the last schedule, and 24 November 2010)

25 November 2010

THE SPEAKER'S SCHEDULE OF OUTSTANDING GOVERNMENT RESPONSES TO COMMITTEE REPORTS

The attached schedule lists committee reports tabled and government responses to House and joint committee reports made since the last schedule was presented on 24 June 2010. It also lists reports for which the House has not received a government response. Schedules of outstanding responses will continue to be presented at approximately six monthly intervals, generally in the last sitting weeks of the winter and spring sittings.

The schedule does not include advisory reports on bills introduced into the House of Representatives unless the reports make recommendations which are wider than the provisions of the bills and which could be the subject of a government response. The Government's response to these reports is apparent in the resumption of consideration of the relevant legislation by the House. Also not included are reports from the Parliamentary Standing Committee on Public Works, the House of Representatives Committee of Privileges and Members' Interests, and the Publications Committee (other than reports on inquiries). Government responses to reports of the Public Works Committee are normally reflected in motions for the approval of works after the relevant report has been presented and considered. Reports from other committees which do not include recommendations are only included when first tabled.

Reports of the Joint Committee of Public Accounts and Audit primarily make administrative recommendations but may make policy recommendations. A government response is required in respect of such policy recommendations made by the committee. However, responses to administrative recommendations are made in the form of an Executive Minute provided to, and subsequently tabled by, the committee. Agencies responding to administrative recommendations are required to provide an Executive Minute within 6 months of tabling a report. The committee monitors the provision of such responses. Reports which do not contain policy recommendations are only included when first tabled.

November 2010

Description of Report	Date Tabled or Published ¹	Date of Government Response ²	Responded in Period Specified ³
Aboriginal and Torres Strait Islander Affairs (House, Standing)			
Indigenous Australia at work: Successful initiative in Indigenous employment	13-08-07	No response to date	No

Description of Report	Date Tabled or Published ¹	Date of Government Response ²	Responded in Period Specified ³
Open for business: Developing Indigenous enterprises in Australia	20-10-08	No response to date	No
Everybody's Business: Remote Aboriginal and Torres Strait Islander Community Stores	16-11-09	No response to date	No
Agriculture, Fisheries and Forestry (House, Standing)			
Taking control: a national approach to pest animals	28-11-05	No response to date	No
Australian Commission for Law Enforcement Integrity (Joint, Statutory)			
Inquiry into the operation of the Law Enforcement Integrity Commissioner Act 2006 – Interim Report	22-02-10	13-10-10	No
Climate Change, Water, Environment and the Arts (House, Standing)			
Managing our coastal zone in a changing climate: the time to act is now	26-10-09	23-11-10	No
Communications (House, Standing)			
Hackers, Fraudsters and Botnets: Tackling the problem of Cyber Crime	21-06-10	No response to date	No
Communications, Information Technology and the Arts (House, Standing)			
Digital Television: Who's Buying It?	13-02-06	No response to date	No
Community Television: Options for digital broadcasting	12-02-07	No response to date	No
Report: Tuning in to community broadcasting	20-06-07	No response to date	No
Corporations and Financial Services (Joint, Statutory)			
Inquiry into the review of the <i>Managed Investments Act 1998</i>	12-12-02	No response to date	No
Inquiry into Regulation 7.1.29 in Corporations Amendment Regulations 2003 (No.3), Statutory Rules 2003 No.85	26-06-03	No response to date	No
Corporations Amendment Regulations 7.1.29A, 7.1.35A and 7.1.40(h)	02-06-04	No response to date	No
Corporate responsibility: Managing risk and creating value	21-06-06	No response to date	No
Structure and operation of the superannuation industry	07-08-07	No response to date	No
Better shareholders – Better company: Shareholder engagement and participation in Australia	23-06-08	No response to date	No

Description of Report	Date Tabled or Published¹	Date of Government Response²	Responded in Period Specified³
Aspects of agribusiness managed investment schemes	07-09-09	No response to date	No
Inquiry into financial products and services in Australia	23-11-09	23-06-10 ⁴	No
Statutory oversight of the Australian Securities and Investments Commission	21-06-10	No response to date	No
Economics			
(House, Standing)			
Competition in the banking and non-banking sectors	21-11-08	No response to date ⁵	No
Inquiry into raising the productivity growth rate in the Australian economy	24-05-10	No response to date	No
Education and Training			
(House, Standing)			
Review of the Department of Education, Science and Training annual report 2006-07	01-06-09	No response to date	No
Adolescent Overload? Report of the inquiry into combining school and work: supporting successful youth transitions	16-11-09	No response to date	No
Electoral Matters			
(Joint, Standing)			
Inquiry into the implications of the Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009 (NSW) for the conduct of Commonwealth elections	25-02-10	No response to date	No
Report on the 2007 Federal Election – Events in the Division of Lindsay: Review of penalty provisions in the <i>Commonwealth Electoral Act 1918</i>	18-03-10	No response to date	No
Employment and Workplace Relations and Workforce Participation			
(House, Standing)			
Making it work: Inquiry into independent contracting and labour hire arrangements	17-08-05	No response to date ⁶	No
Employment and Workplace Relations			
(House, Standing)			
Making it Fair: Pay equity and associated issues related to increasing female participation in the workforce	23-11-09	No response to date	No
Environment and Heritage			
(House, Standing)			
Sustainable cities	12-09-05	No response to date	No
Sustainability for survival - Creating a climate for change: Report on the inquiry into a sustainability charter	17-09-07	No response to date	No

Description of Report	Date Tabled or Published ¹	Date of Government Response ²	Responded in Period Specified ³
Family, Community, Housing and Youth (House, Standing)			
Housing the Homeless: Report on the inquiry into homelessness legislation	26-11-09	No response to date	No
Avoid the Harm – Stay Calm: Report on the inquiry into the impact of violence on young Australians	07-07-10	No response to date	No
Foreign Affairs, Defence and Trade (Joint, Standing)			
Review of the Defence Annual Report 2007-2008	29-10-09	16-07-10	No
Human Rights in the Asia-Pacific: Challenges and opportunities	11-05-10	No response to date	No
Review of the Defence Annual Report 2008-2009	01-07-10	No response to date	No
Health and Ageing (House, Standing)			
Weighing it up: Obesity in Australia	01-06-09	No response to date	No
Regional health issues jointly affecting Australia and the South Pacific: Delegation Report	18-03-10	No response to date ⁷	No
Roundtable forum on burns prevention in Australia	16-07-10	No response to date	No
Industry, Science and Innovation (House, Standing)			
Seasonal forecasting in Australia	23-11-09	No response to date	No
Australia's International Research Collaboration	22-06-10	No response to date	No
Infrastructure, Transport, Regional Development and Local Government (House, Standing)			
Rebuilding Australia's coastal shipping industry: Inquiry into coastal shipping policy and regulation	20-10-08	No response to date	No
Funding regional and local community infrastructure: Proposals for the new regional and local community infrastructure program – Interim Report	5-11-08	No response to date ⁸	No
Intelligence and Security (Joint, Statutory)			
Review of Administration and Expenditure: No 8 – Australian Intelligence Agencies	21-06-10	No response to date	No
Legal and Constitutional Affairs (House, Standing)			
A Time for Change: Yes/No? Inquiry into the Machinery of Referendums	08-02-10	No response to date	No

Description of Report	Date Tabled or Published ¹	Date of Government Response ²	Responded in Period Specified ³
Migration			
(Joint, Standing)			
Negotiating the maze: Review of arrangements for overseas skills recognition, upgrading and license	11-09-06	No response to date	No
Immigration detention in Australia: A new beginning – Criteria for release from immigration detention	01-12-08	No response to date	No
Immigration detention in Australia: Community-based alternatives to detention	25-05-09	No response to date	No
Immigration detention in Australia: Facilities, services and transparency	18-08-09	No response to date	No
Enabling Australia: Inquiry into Migration Treatment of Disability	21-06-10	No response to date	No
National Capital and External Territories			
(Joint, Standing)			
Inquiry into the changing economic environment in the Indian Ocean Territories	11-05-10	No response to date	No
An advisory report on the Territories Law Reform Bill 2010	11-05-10	16-11-10	No
Petitions			
(House, Standing)			
Electronic Petitioning to the House of Representatives	16-11-09	No response to date	No
The work of the First Petitions Committee 2008-2010	21-06-10	No response to date	No
Primary Industries and Resources			
(House, Standing)			
Farming the future: The role of Government in assisting Australian farmers to adapt to the impact of climate change	15-03-10	No response to date	No
Procedure			
(House, Standing)			
Motion to suspend standing orders and condemn a Member: Report on events of 10 October 2006	07-12-06	No response to date	No
Building a modern committee system: An inquiry into the effectiveness of the House Committee system	21-06-10	No response to date	No
Public Accounts and Audit			
(Joint, Statutory)			
Report 417 – Review of Auditor-General's reports tabled between February 2009 and September 2009	22-06-10	No response to date	No

Description of Report	Date Tabled or Published ¹	Date of Government Response ²	Responded in Period Specified ³
Publications (Joint)			
Inquiry into the development of a digital repository and electronic distribution of the Parliamentary Papers Series	24-06-10	No response to date	No
Treaties (Joint, Standing)			
Treaties tabled on 4 June, 17 June, 25 June and 26 August 2008 (95 th Report)	16-10-08	22-10-09 ⁹ 04-02-10 ¹⁰	No
Treaties tabled on 3 December 2008 and 3 February 2009 (99 th Report)	12-03-09	No response to date	No
Treaties tabled on 25 June 2008 (2) (100 th Report)	19-03-09	No response to date	No
Treaties tabled on 20 August (2) and 15 September 2009 (107 th Report)	16-11-09	No response to date	No
Treaties tabled on 18, 25 (2) and 26 November 2009 and 2 (2) February 2010 (110 th Report)	15-03-10	No response to date	No
Treaties tabled on 25 November 2009 (3), 4 and 24 February 2010 (111 th Report)	21-06-10	No response to date	No
Treaties tabled on 9, 10, 15, 16 and 29 March 2010 (112 th Report)	21-06-10	Not required	
Treaties tabled on 12 May 2010 (113 th Report)	28-09-10	Not required	

Notes

1. The date of tabling is the date the report was presented to the House of Representatives or to the Speaker, whichever is earlier. In the case of joint committees, the date shown is the date of first presentation to either the House or the Senate. Reports published when the House (or Houses) are not sitting are tabled at a later date.
2. If the source for the date is not the Votes and Proceedings of the House of Representatives or the Journals of the Senate, the source is shown in an endnote.
3. For reports up to the end of 42nd Parliament, the time specified is three months from the date of tabling. For reports from the 43rd Parliament (28/09/10 onwards) the period is 6 months - see resolution of the House of Representatives of 29/09/10.
4. The response was given in the form of a Ministerial Statement titled Future of Financial Advice, made in the House on 23 June 2010.
5. On 14 May a partial response to the report was presented from the Reserve Bank of Australia.
6. In June 2009 the government advised that it did not intend to respond formally to this report. The committee awaits a response to recommendations of the report. In November 2009 the government indicated a response is being considered and will be tabled in due course.
7. On 13 May 2010 the Presiding Officers' response to recommendation 1 was tabled.
8. On 3 February 2010 a government response to the Committee's final report was tabled. That response addressed the recommendations of the final report only. The Committee has written to the Minister seeking a response to the separate recommendations of the interim report.

9. Partial response - recommendations 6, 7 and 11.
10. Partial response – recommendations 1, 2, 3, 4 and 5. The Government has indicated responses are not required on the outstanding recommendations.

DOCUMENTS

Mr ALBANESE (Grayndler—Leader of the House) (3.44 pm)—Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the *Votes and Proceedings* and I move:

That the House take note of the following documents:

Australian Electoral Commission—Report for 2009-10.

Australian Public Service Commission—State of the service—Report for 2009-10.

Communications—House of Representatives Standing Committee—Report—Hackers, fraudsters and botnets: Tackling the problem of cyber crime—Government response.

Department of Defence—Special purpose flights—Schedules for the period January to June 2010.

Debate (on motion by **Mr Hartsuyker**) adjourned.

COMMITTEES

Climate Change, Environment and the Arts Committee Membership

The SPEAKER—I have received advice from Mr Bandt nominating himself to be a supplementary member of the Standing Committee on Climate Change, Environment and the Arts for the purpose of the committee's inquiry into the National Radioactive Waste Management Bill 2010.

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (3.44 pm)—by leave—I move:

That Mr Bandt be appointed a supplementary member of the Standing Committee on Climate Change, Environment and the Arts for the pur-

pose of the committee's inquiry into the National Radioactive Waste Management Bill 2010.

Question agreed to.

BUSINESS

Mr ALBANESE (Grayndler—Leader of the House) (3.45 pm)—I wish to update members on proposed sittings. We will shortly move to the matter of public importance. There are then two pieces of legislation to be dealt with, the Native Title Amendment (No. 1) Bill 2010 and the Financial Framework Legislation Amendment Bill 2010. We will sit until such time as they are carried by the House. My understanding is these are not controversial pieces of legislation. We will then suspend the sitting.

I will consult on when we suspend sittings until. We might have a dinner break and come back later tonight if there is any prospect of our being able to receive the telecommunications legislation from the Senate. If there is no prospect of that, option 2 is to return tomorrow morning. Obviously we will make that decision before we suspend the sitting. It maybe that, if proceedings are still continuing, we suspend and return on Monday.

I will consult the Senate on time frames. If there is no prospect of our receiving the legislation back from the Senate tonight, which is my current advice, we will suspend the sitting until tomorrow or Monday. I will provide an update before we suspend. It is anticipated that, if members keep their comments reasonably brief, we would be looking at a suspension after the two bills are completed at around 6.30 or 7.00 pm.

NATIONAL PARTY WHIPS: STAFF

Mr GRAY (Brand—Special Minister of State and Special Minister of State for the Public Service and Integrity) (3.47 pm)—This morning, during the course of the debate on leave of absence for members, the Leader of the Nationals and member for Wide Bay claimed that the National Party whips in this place had no staff and that in fact this government had removed their entitlement to staff. As the Leader of the National Party is well aware, that statement is not true.

In contrast to the behaviour of the Howard government, who reduced opposition whip staffing from three to two in 2001, Labor governments have consistently increased the staffing entitlements of opposition whips over the last three years. There was an increase to four staff in 2007, to five in 2009 and to six following the 2010 election. These increases were done properly in recognition of the increased workload of whips in this place, particularly in the complex parliamentary environment we are experiencing. I also note that this staffing entitlement has been allocated to the Chief Opposition Whip, and it is up to the member for Leichhardt to determine how that staffing entitlement is further distributed amongst opposition whips. In other words, if the Leader of the Nationals has a gripe about staffing for his whip, he knows he should take that argument up with his coalition partners in the Liberal Party and he should not be falsely accusing the Gillard government of stripping staff entitlements from the National Party whip. Merry Christmas.

Mr TRUSS (Wide Bay—Leader of the Nationals) (3.49 pm)—Mr Speaker, I wish to make a short statement with your indulgence. I acknowledge the statement made by the Special Minister of State and I thank him for doing me the courtesy of telling me he in-

tended to make the statement. I said to him at that time, and I repeat it to the whole House, that in December 2007 the then Prime Minister, Mr Rudd, wrote:

In a departure from past practice, I have decided that staffing for whips will not be included in calculating the government and opposition allocation totals.

He went on to say that two clerical staff have been allocated to the opposition whips in the House of Representatives and the Senate. The effect of that was that the two National Party whips positions were terminated. The practical effect was that Miss Gerrie van Dam, who had been working in that position for over 30 years, in both government and opposition, was not able to continue. The second Nationals whip position was actually created by the Labor government when the Main Committee was established. So the changes announced by Mr Rudd did have the effect of eliminating the two Nationals whips positions.

QUESTION TIME

Mr ROBB (Goldstein) (3.50 pm)—Mr Speaker, I wish to ask a question of you. I want to return to an explanation that you gave to the Manager of Opposition Business on a point of order regarding standing order 90. I listened very closely to what you had to say. I repeat the observation that I sought to make at the time: for the first two weeks of this parliamentary sitting period, after the new paradigm was supposedly established, I thought you very effectively stopped any argument or abuse or denigration. I must say I thought the atmosphere and the nature of question time was materially improved. I thought it was very constructive. I know the media did not enjoy it, but I think people watching it noticed a distinct difference. I just say to you that I think it has degenerated back into what it always was. I find it deeply frustrating and annoying, and I think many

of my colleagues share that view. I simply ask why are you not in a position, after the resolution of the so-called new paradigm, to continue to do what I thought you did very effectively in the first two weeks.

The SPEAKER—As has been my practice, I will not reflect on questions that relate to procedural matters, but I indicate to the member for Goldstein that the Procedures Committee is looking at everything. I encourage every member to get onto the Procedures Committee and make comments.

WEATHER CONDITIONS

Mr McCLELLAND (Barton—Attorney-General) (3.52 pm)—On indulgence: I will begin this short statement by thanking the member for Stirling. This concerns a question not reached in question time, but I think it is for the benefit of members if I do make a brief statement. We are about to head off during a great time of the year but it is also known as the natural disaster season. Certainly, the warnings suggest that there is an above average bushfire risk for Victoria, for coastal South Australia and for the south-west of Western Australia. It is predicted that North Queensland and the top of Australia are going to have a pretty rugged cyclone season.

The government is doing all it can to work with state and territory governments to make our communities as prepared as possible. Consistent with the recommendations of the Victorian Bushfires Royal Commission, we have recently conducted preseason briefings about federal assets that might be deployed in the event of such an emergency. There is also much that can be done at a local level and I certainly encourage all Australians to be aware of risks in their local area.

In December 2009 we commenced the National Emergency Warning System. I urge Australians to be aware of the nature of warnings and the protocols that they might

receive on their mobile or domestic phones. I also urge them to consider preparing their own emergency plans, including evacuation plans if necessary, and preparing an emergency kit for their own households. There is some very valuable information on the website of Emergency Management Australia at www.ema.gov.au. I know that local members have been of tremendous assistance to their local communities in the event of natural disasters and I will shortly be writing to members to advise them of a 1300 number to contact Emergency Management Australia directly in the event of an emergency in their area.

Mr KEENAN (Stirling) (3.54 pm)—On indulgence: on behalf of the opposition, I associate myself with the remarks of the Attorney-General. Clearly, all Australians know that there are dangers that communities face as we approach what is sometimes known as the bushfire season. As a Western Australian, I am very aware of those dangers. It is timely reminder from the minister that we all need to be mindful of the sorts of risks that are involved and also the sorts of things we can do to mitigate those risks.

MATTERS OF PUBLIC IMPORTANCE

Economy

The SPEAKER—I have received a letter from the honourable member for North Sydney proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The failure of the Government to take decisive action on cost of living pressures in the lead up to Christmas

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

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

Mr HOCKEY (North Sydney) (3.55 pm)—I will begin on a more sombre note by talking about a few crucial issues facing everyday Australians and then I will perhaps join in the Christmas cheer and focus on exactly what might be under the Labor Party Christmas tree this year. During the course of question time and afterwards, I thought this parliament moved away from the concerns that everyday Australians have about meeting some of the challenges of the Christmas period.

It remains unanswered why so many Australians feel that they are doing it tough at the moment. When economic data is presented about the unemployment rate of just over five per cent and GDP growth of over three per cent, Australians are perceived to be doing extremely well, but everyday Australians feel it is getting tougher. When they look at the bills they receive at home they see that electricity prices have risen 12½ per cent this year, water and sewerage prices are up nearly 13 per cent, gas prices are up nearly 10 per cent, childcare prices are up over seven per cent, hospital and medical service prices are up seven per cent, postal service prices are up 6½ per cent, property rates and charges are up over six per cent, and education prices are up nearly six per cent.

Even though they have perhaps received a wage increase of around two to three per cent, Australians are still asking why they are worse off. It is because everyday costs are not properly factored into the inflation data. The prices of everyday things that they cannot avoid, such as gas, water, education and health, are rising by far more than the official inflation indicator suggests.

Audiovisual and computing equipment fell over 20 per cent. That is not something Australians buy every day. Pensioners do not buy a new television set once a year. I know that Gerry Harvey and others have been

complaining about cheaper goods online, but I say, 'All strength to the consumer' if they can get cheaper goods elsewhere. Even though it is difficult for shop owners, I say to those people, 'The consumers are the ones who are hurting at the moment and without a consumer there is no retail business.'

This government just does not get it when it comes to these key figures. It does not understand that the Australian people on a day-to-day basis feel that they are worse off. If the government did understand that it would not be so self-indulgent in focusing on its own ructions and inner debates; instead, the government would be focusing on structural tax reform and getting the budget deficit down.

As the chief economist of HSBC, someone who worked at the Reserve Bank for 12 years until recently, said this week in an op-ed in the *Financial Review*, 'If the government is serious about taking upward pressure off interest rates, it will cut its own budget and cut dramatically.' But the government is not serious. We have laid down, as the shadow minister for finance said, \$50 billion of detailed spending cuts. That is our Christmas gift to the Labor Party. We on this side of the House have the courage to say, 'Here is a list of \$50 billion of cuts that you can make to the budget that we will not oppose because we are so desperately concerned about the capacity of our nation to fund itself over the next few years.' We are prepared to make the hard yards but the government has not got the courage to do it. Instead it is focused on its own workings.

What we know is that, in the great tradition of the Labor Party and in the great tradition of previous state Labor governments, they will have no limit on their Christmas spending this year. When they give gifts to each other they will say, 'There are no spending limits. We'll do whatever we can.'

So you can imagine Christmas Day at the Lodge and the Prime Minister and her spouse running to the Christmas tree wondering what is there from Santa. I thought to myself, what would the Prime Minister be looking for this Christmas? I know what the Prime Minister will be looking for. The Prime Minister will be looking for a series of electronic ankle bracelets with a GPS tracking device for Kevin Rudd and Bill Shorten so that she can keep an eye on them during the course of 2011. They will be piping the footage straight through to the Sony BRAVIA 42-inch TV set in the Lodge and she will be watching everything they are doing during 2011, and I bet she will have a data back-up service in Altona, having converted the house for servers. What would the Deputy Prime Minister want for Christmas? Well, I have brought him a present. It has nice pink wrapping. I was thinking, what would the Deputy Prime Minister, the Treasurer, be wanting this Christmas?

Ms Julie Bishop interjecting—

Mr HOCKEY—Funny you should say that! I got old Swanny *Economics for Dummies*. It has an Australian introduction by Lindsay Tanner which starts with the words, ‘With some frustration I welcome this authoritative guide for my Labor colleagues.’ But I would not leave it just to one book. As the Treasurer is so concerned about the Greens at the moment, I did a little search on Amazon.com and I came up with a new copy of Tom Gorman’s authoritative text, *The Complete Idiot’s Guide to Economics*. It is on sale for \$12.89. In fact, I am not giving it to him. It is to be for the Greens as an authoritative text on economics. And do you know what? It also has an introduction by Lindsay Tanner which says: ‘With some frustration I welcome this authoritative guide for my Greens colleagues.’

But what would you give the Minister for Foreign Affairs? I am sure that with the help of the Leader of the Opposition we could give him a signed copy of *Lazarus*, because beating in the bosom of the Minister for Foreign Affairs is the hope that just one day he can do what his predecessor did and come back from the dead and lead his political party. But, not to be outdone with the Christmas cheer, we have the Assistant Treasurer to consider. I was rather hoping the Assistant Treasurer, Bill Shorten, would be here. I thought, what would you give the Assistant Treasurer? What would Santa Claus give the Assistant Treasurer for Christmas? I thought there was only one thing you would give the Assistant Treasurer and that would be something from Peter’s of Kensington, not Ken’s of Kensington. I found a six-piece Grosvenor Bisteca steak knife set. When I looked up the sale value of it, I saw this:

Looking for the kind of cutlery that makes a statement?

Even though Grosvenor has been making beautiful, quality cutlery since 1928, they’re not stuffy and dull ... far from it, actually! You’ll love the fresh, modern, funky designs Grosvenor has to offer. They’re not at all ordinary ...

Our Bill’s not ordinary! It continues:

When it comes to steak, sometimes your average knife just won’t cut it.

But wait, there’s more. We cannot leave the four horsemen of the apocalypse out of it: Senator Mark Arbib, Senator David Feeney, Paul Howse—we will get to him in a minute—and Senator Don Farrell. I will start with Senator Arbib. What would you give him? Well, Senator Arbib likes knives, not just at the Golden Century in Sussex Street. He is someone who is an avid reader, particularly of polls. When it comes to Christmas cheer, Santa, my colleagues and I would like to give him a copy of Toby Young’s *How to Lose Friends and Alienate People*. In fact, he could have been the co-author of that one.

You can buy it on Amazon for \$6. But, not to be outdone, you would ask, 'What would you give the other faceless men: Senator Feeny, Senator Farrell and Paul Howse?' I believe they deserve a facial from the Ella Bache College of Skin and Beauty Therapy in North Sydney. I am prepared to chip in. It says:

Radiance Intensive Eye Express Facial Treatment

A gentle massage and botanical peel-off mask make this the ultimate anti-ageing treatment for puffiness, dark circles and fine lines.

And do you know what? That is only \$28 for 45 minutes. So far I have been operating within a budget, which is what the coalition does; we operate within a budget. But, hang on, there's one more.

It has been NBN week in this place, hasn't it? I thought to myself: what would you give Senator Stephen Conroy, the minister for communicating confusion?

Mr Truss—A business plan.

Mr HOCKEY—A business plan was one suggestion. You can readily buy one off Amazon for a lot less than \$50 billion, but there is only one thing that I would give the Minister for Broadband, Communications and the Digital Economy this year. It is a DVD copy of *The Cable Guy*. It was a 1996 film. That was a great year, not just for the production of *The Cable Guy*. On Rotten Tomatoes they describe the DVD as:

... a lonely and disturbed cable guy raised on television who just wants a new friend, but his target ... rejects him.

The good thing about this gift is that you can buy it on eBay for 99c if you get in early. That could be a starting bid.

When it comes to Christmas cheer, the Labor Party will indulge. As they have done over the course of the last year, they will partake in their own indulgent dialogue where they will focus on whether Kevin was robbed or whether Julia deserved her posi-

tion. Over the last 12 months it has been the coalition, under the leadership of the Leader of the Opposition, that has shown formidable discipline and a formidable focus on the interests of everyday Australians. Everything we have done, everything we have said, every policy we have presented has been focused on the Australian people. We have done so with an unqualified commitment to improve the lot of the people, to give them more opportunity to put more money in their pockets, to give them more certainty and stability in an uncertain time. What we have done is present to the Australian people—at the election and beyond—policies that put in place, that lay down, a sustainable future for our nation. It goes back to the fundamentals of what Australians are going to go through this Christmas when they actively consider whether they have enough money to buy their children the sorts of presents their children want. How can it be like that in a prosperous nation, a nation in the most bountiful period arguably in its history? How can it be that so many Australians will wonder whether they can afford the desires and the aspirations of their children this Christmas?

It is because Australians are not confident under Labor leadership. They are not confident that tomorrow is going to be better than today. They are not confident that they can take a risk. They are worried about tomorrow's bills. They are worried about how they are going to pay today's bills. It is only the coalition that is prepared to do the hard yards. It is only the coalition that is prepared to state emphatically that we are focused on the Australian people, that we are focused on the family budgets, that the rules that apply to the family budget of not spending more than you have as income should be applied to the national budget as well. If you as a government do not make hard decisions now when you have the best terms of trade in 50 years, when you have unemployment of

around five per cent, when you have inflation under three per cent and when you have economic growth above trend, you will never have the courage to make the hard decisions when they will be absolutely necessary.

If you want to look at what happens when you have not got the courage to make hard decisions, pick up a newspaper and look at what is happening in Ireland today, pick up a newspaper tomorrow and have a look at Portugal or Spain or get yesterday's newspapers and have a look at what has happened in Greece, because the only reason Australia has any confidence today is that the coalition has done the hard yards in the past and, as of today and into the future, we will do the hard yards again for the Australian people. (*Time expired*)

The DEPUTY SPEAKER (Hon. Peter Slipper)—Before calling the Minister for Defence Materiel, I just remind the member for North Sydney that he ought not to refer to other honourable members by their names.

Mr CLARE (Blaxland—Minister for Defence Materiel) (4.11 pm)—As this is one of the last debates before we head off for the Christmas period, can I wish all members—colleagues on both sides of the House—a very merry Christmas and trust that they have a great new year and come back safe and sound. This is a revealing debate because the member for North Sydney, the shadow Treasurer, talked about indulgent dialogue. For people listening to this broadcast across Australia or people watching this in the public gallery, it will not have gone unnoticed that he spent the first 13 minutes of his contribution cracking jokes and talking about the other side and only spent the last two minutes of his speech talking about cost of living.

He said that Australians are doing it tough and that there are cost-of-living pressures, and he is dead right. You cannot be the

member for Blaxland and not understand that and not appreciate that, because when cost-of-living pressures bite, when interest rates rise and mortgages get harder to pay it is in the electorate that I represent in Western Sydney that it is often felt harder than most. But there is also another important point to make here, and that is that you cannot pay the mortgage if you do not have a job. There would be a lot more people this Christmas sitting around the Christmas tree without the opportunity to buy presents for their children or to think about a holiday up or down the coast if it was not for the action that this government took.

It is important for us from time to time to remember the position that Australia was in two years ago when Lehman Brothers collapsed. Who here would have expected that today we would be talking about an unemployment rate of 5.4 per cent? Who here would have predicted that MYEFO would say that unemployment will go down to 4.5 per cent? At a time when unemployment in Europe is near 10 per cent and unemployment in the United States is close to 10 per cent, unemployment here in Australia is at 5.4 per cent.

In the last 12 months we have created more than 300,000 jobs. This is a remarkable figure and it is a testament to the strength of the economy and the decisions that we have made. To put this into perspective, you need to understand the challenge that Australia would have confronted if we had gone into recession and unemployment had gone up to the level it is in Europe or in the United States. I state this for members and everybody listening to this broadcast to reflect upon: if unemployment had gone to 10 per cent, like it is in the United States, it would have taken us five or maybe 10 years to get that unemployment rate back to where we are now with all the catastrophe of people

losing their jobs and perhaps never going back into full-time employment again.

Our success, though, brings its own challenges and it brings us to the focus of this debate. Because we did better than any other advanced economy in the world, we now face the challenges of recovery before any other advanced economy in the world. One of those is skills shortages in a tight labour market. Another, invariably, will be interest rates. If the challenge of the last term of government was to avoid recession, then the challenge now is to manage growth. The budget update, MYEFO, makes that very clear. It shows that new engineering constructions are expected to grow by more than 16 per cent this financial year and by 21 per cent in the next financial year.

In the next financial year the mining industry is planning something like \$55 billion in new investment. That is the highest it has been in over 40 years. That creates a lot of wealth and a lot of good news for people all around Australia, but it also brings a number of economic challenges. Meeting these challenges requires us to do a number of things. One of them is returning the budget to surplus as quickly as we can. You do this through a spending discipline, keeping spending at a capped growth level of two per cent. Another is making sure that election promises do not add a single dollar to the budget bottom line. We have done that. We made the promise that all the promises we made during the election campaign would be fully offset and they will be.

This is not just about spending. It is also about where and how you invest. If you want to keep inflation within the band of two to three per cent as we set for the Reserve Bank—this is a debate that will not end here today; it is a debate I am sure we are going to engage in over the course of the next 12 months and beyond—then the key to this is

boosting our productivity. This means investing in things like skills and infrastructure. In short, if there is a shortage of skills in our economy, if there is a shortage of labour, if there is a shortage of infrastructure that business needs, then that economy cannot grow as fast as it wants to. An economy that cannot grow as fast as it wants to then creates price pressures. It pushes up prices, pushes up inflation and has a massive impact on interest rates.

This is an area where, quite frankly, the last coalition government failed. They did not recognise this challenge even existed before it was too late. There was nothing on skills, nothing on infrastructure and spending growth over the last term of the Howard government grew every year by four per cent. Reflect upon that. I said ‘a spending cap over the forwards of two per cent’ and that spending growth in the last coalition government was four per cent. This is what partially drove the Reserve Bank to increase the cash rate time after time after time, ending at 6.75 per cent.

It hurt a lot of people. It hurt more people in my electorate than anywhere else in the country. I had more people lose their homes because of high interest rates than any other member of this parliament. It got to the point where 60 families a month had their homes repossessed, which was three a day. So I understand what the impact of high interest rate rises is and I understand the importance of a productivity agenda. It is the importance of managing growth. In 2007, 10,000 families across Australia lost their homes. This is no small thing. We as a government and as a parliament need to focus on the productivity agenda and managing growth. It is not an easy task; it is a very hard task. It is one that the former coalition government failed to manage and one that we are focused on.

When we were talking about this in the parliament over three years ago the member for Wentworth said, after an interest rate rise, that interest rate rises were overdramatised. That is how much the Liberal Party cared about this issue three years ago and, obviously, how much they care about it now given the contribution of the member for North Sydney who gave all of two minutes to this important issue. If they really cared about this issue they would have done something when they were in government, when three families a day in my electorate were losing their homes.

Interest rates and repossession levels are lower now than they were when the coalition lost office. The RBA would have to increase the cash rate another eight times before it got back to the level it was when the Howard government lost office. The cash rate would have to go up another eight times. That does not mean that people are not doing it tough. Every member worth their salt knows that when they go out and talk to their constituents.

What this government will never do is make irresponsible promises. What this government will never do is say that we will keep interest rates at record lows. That is what happened in 2004 when the Howard government said, 'We will keep interest rates at record lows.' Off the back of that people trusted that promise and went out, invested and got a mortgage. Then in 2007, 10,000 Australian families had their keys taken off them and lost their homes because they trusted the Howard government when they said that they would keep interest rates at record lows. By 2007 they did not believe them anymore when they said, 'Australians have never been better off.'

This government would never make a statement like that. We do practical things and give practical help like increasing the

childcare rebate, increasing the pension—the biggest increase in the pension in over 100 years—introducing the Teen Dental Plan, expanding the education tax refund so it will now apply to school uniforms, giving more support to families of teenagers by giving them support through the family tax benefit fund and, of course, come 1 January, more help for young mums and dads through the introduction of Australia's first Paid Parental Leave scheme.

Compare that with the opposition. This is a debate about the cost of living. What are their policies? What are their plans? We did not hear any from the member for North Sydney in his contribution but, more importantly, we did not hear any from the Leader of the Opposition either in this parliament or in the election campaign. Members might remember tuning into Sky News and listening or watching the contribution from the Leader of the Opposition in the Sky News *Courier-Mail* debate during the election campaign. A woman named Tammy asked the Leader of the Opposition: 'What will you do to help with cost-of-living pressures?' His answer was:

There is no magic wand, I've got to say. I'd like to be able to come in and tell you that I could make all of that that pain disappear.

David Speers then said:

Just on that, nothing particular that you'll do on cost of living.

Tony Abbott then responded:

... there is no across the board bit of magic that is going to dramatically reduce our cost of living.

The question was asked twice. There were no ideas and no plans. It is no wonder that the member for Moncrieff is saying in the party room, 'Where are the positive ideas?' And it appears to be contagious because, only this week, when the Premier of Western Australia was asked about increasing electricity bills his response was, 'People should turn their

air conditioners off.' That was his response to the cost of living: people should turn the air conditioner off.

Mr Keenan interjecting—

Mr CLARE—For people living in Victoria who are contemplating their vote on the weekend, that is the Liberal Party's policy when it comes to the cost of living: turn the air conditioner off. There are no policies except increasing taxes through their own paid parental leave scheme, refusing to support a tax cut for small business and talking about getting rid of unfair dismissal laws. No wonder it is a party that is not supported by the general public.

We also hear a return to the debate of the flat tax. The last person to come in here and talk about flat tax was Pauline Hanson. It is no wonder we talk about economic Hansonism when we have a return of the debate about a flat tax, which would mean that the average income earner would earn \$500 less a year and people like us would get an extra \$4,000 a year in our pocket. So, if you are a politician, if you are earning our income, the cost of living might be easier under a flat tax regime but I tell you what: it will not be for the 60 per cent of Australians that it would affect. It would mean less money in their pockets. When you are talking about the cost of living, it is not only how much things cost but how much you can pay. How much is in your pocket can be a lot less if there is a flat tax regime. It means that you get less money, less take-home pay—a lot less if we were to return to a system like WorkChoices, when more than a million Australians earned up to \$4½ thousand less as a result of those changes.

Through the contribution of the member for North Sydney, the Liberal Party have shown that they have no credibility and no argument when it comes to the cost of living—more importantly, they have shown that

it is the Liberal Party that have lost their way. To be frank, the Liberal Party lost their way a long time ago. If Menzies were alive today he would not recognise the modern Liberal Party. Menzies would not have voted against tax cuts for small business. Menzies would not have voted against tax cuts for the forgotten people. But the Liberal Party intend next year to vote against tax cuts for small business. Menzies would not have taxed Australian business with a paid parental leave scheme, as this Liberal Party want to do. Menzies would not have voted against the National Broadband Network. How do we know this? When the biggest nation-building project of Menzies' era came about, the Snowy Mountains Scheme, what did Menzies do? Menzies criticised it. He argued about it, he asked lots of questions and, at the end of the day, Menzies voted for it. He acted in the national interest. The same cannot be said of his successors. The Liberal Party look more like the Australian branch of the Tea Party. You have the Tetley branch in the Liberal Party and the National Party is the Bushells faction of the Tea Party, and the Leader of the Opposition is more like Sarah Palin than he is like Robert Menzies.

As the parliament comes to an end in 2010, the Liberal Party has become a party of the extreme Right, with no ideas and no solutions when it comes to the cost of living. They just have jokes—13 minutes of jokes. Their only agenda is to attack everything and destroy. Given the great challenges that this country faces the people—(*Time expired*)

Mr JOHN COBB (Calare) (4.26 pm)—I rise to support this matter of public importance about the cost-of-living increases being imposed upon Australians, leading up to Christmas. But I do not think we should make the mistake of thinking that this is some Johnny-come-lately thing. It took three years of hard labour to get to this point. It was not done overnight. The current Prime

Minister has been gleefully forging ahead in the big-spending, throwaway way in which she acted as a minister in government, and she still seems to be ploughing on with the same reckless abandon towards what those in the Australian public have to pay—interest rates on cars, interest rates on houses and, particularly, interest rates on small business. It is right there in front of us. After three short years, the government is continuing the rhetoric without the action.

There is one thing that every Australian does, no matter their background or which state or region they come from: we all eat. The one thing that will happen is that food prices will go up. Admittedly, in the course of the three years it has taken to get to this kind of pressure, we did have GroceryWatch, which we all remember. We do not hear a lot about it now. One of the things that the former Prime Minister said in '07 was, 'We are going to bring down the cost of living.' That was three short years ago. GroceryWatch is the only thing I noticed that was ever actually aimed at it, and that was no more successful than Fuelwatch. And fuel is probably the other thing that most Australians have to use as well.

I recall that, at one stage, they did try to pass off the pink batts as a way of dropping the cost of living. I am not quite sure how successful that was. Parts of that I do not want to talk about today, but certainly it cost a lot of money. It almost cost more money to try to fix than to do, and that was a heck of a lot. At the same time we had the school halls program. There might have been schools around Australia that were glad of it, and why would they not be? No-one knocks anything back that is free. The point that was missed by the minister in question time today was that the school halls cost about three times more than they should have. The reason I lock in the batts and school halls together is that it was a lot of money, a lot of

borrowed money, which, as I recall, we were criticised for voting against.

There is one thing that we have to look at with the borrowing side of this issue as we run up to Christmas. The previous speaker mentioned the previous government. The previous government left this government in the best fiscal position of any government at any time in Australia's history. And what have they managed to do to the position we left them in three short years of hard labour? What did happen? Not only did they spend the surplus we left them, I think they might have borrowed a little too. And now we are looking at a wonderful communications network. As with the school halls, people like something they get for nothing, but in actual fact they will still have to pay for the NBN. We are talking about \$55 billion. The communications industry—not John Cobb, not me, not any of us—looked at the summary for this program and said 'Whoops!' Mind you, they have always been a bit amazed by the whole NBN proposal. The communications industry is now talking about \$55 billion. That is okay. We will borrow a bit more. But the issue of all this borrowing is that the rest of us—the constituency of Australia—have to deal with it. If you come from where I do, you do have to deal with it—that is, retail sales have gone down. Even though we are now getting into the festive season, retail sales are going down out of sight. In towns where I come from, Bathurst and Orange, retail sales are shrinking rapidly. Why? Is it because the government have run up such a debt? The previous speaker spoke about interest rates. The government have managed to bring interest rates back to a situation where they are higher than at any time in the 11½ years of the previous government—and it has not taken this government long to do it.

Dr Mike Kelly—Rubbish.

Mr JOHN COBB—The member for Monaro might not like it but it is a fact. As somebody from a so-called regional electorate, he ought to know better than to poke fun at the cost of living of people in regional areas. We all know very well that, with the issue of debt, it is the ordinary people who have to pay it. This government and their union mates believe that it does not matter how much they borrow, because big business will pay it back. Everybody knows that the people who really struggle to pay off debt under a high tax regime are the ordinary workers who pay their taxes every week—and that is a fact. That is what is occurring in the electorates of Calare and Monaro, and you had better start thinking about it.

As well as that, let us look at the fact that everybody has to eat food and that prices for food are going up and will continue to go up. Let us also look at what has gone on in the Murray-Darling Basin, where a high proportion of fresh food is being produced. The previous minister, Senator Wong, was not terribly concerned about what happened to ordinary Australians, or what they did or what they paid. She just wanted to take all the water from the basin. However, we now have a new minister, the member for Watson—the minister for water and various other things. Should he inspire confidence in us? I doubt it. In his time as Minister for Agriculture, Fisheries and Forestry, in one year he took \$1 billion out of his portfolio—a portfolio that concerns the very people who produce the food, the best food in the world, and that keeps food prices down—and gave it to Treasury and various other people. He took money away from the CSIRO. He took money away from R&D. He now proposes to cut half the amount of R&D money that goes to industry to keep the costs down so that people wanting to shop in supermarkets do not go broke at the thought of walking in there, let alone paying for anything. Let me

talk for a moment about where we are going with the water cuts and what effect this will have on food production. If you take 30 or 40 per cent of the water out of the basin, you are taking about 10 or 15 per cent of all the available fresh food in Australia.

One of the other huge over-costs that this government is wearing is the boat people who are coming to Australia. The government is blowing a billion dollars there. But the biggest refugees in Australia are the political refugees who have come from Sydney to Canberra, and the member for Watson, the Minister for Sustainability, Environment, Water, Population and Communities, is one of them. Three years ago he woke up to what was going on in New South Wales and he got out. He came from the upper House there to the House of Representatives in Canberra. That man is a protege of Joe Tripodi and Eddie Obeid. It is not really a great recommendation for somebody to talk about policy and not just about politics—and that is all he is worrying about. He is a protege of the New South Wales Right. It is not something that I would want to skite about in any parliament of Australia. He got out because he knew what was going on.

There have been two federal elections since the last state election, and the Joe Tripodis and the Eddie Obeids are getting out too. People talk about having confidence in the minister for water; it is not just about his handling of the basin. He and his predecessor knew what that report was going to show before it was tabled. Do you really think the authority would not advise the minister how drastic that was going to be? Of course they did. You would sack them if they did not. Yet one did not give a damn and the other one looked at it and thought he would get away with it. The minister for water did not even care about it from the point of view of food prices or what it would do to the basin until such time as he suddenly realised that the

average Australian is a fair dinkum person and believes in a fair go. Suddenly, they realised they were in trouble with the Australian media in the main cities, not just with the two million people in the Murray-Darling Basin. Now they are saying, 'We'd better have a look at it.' Well, he had better do that in a hurry.

This government have empowered the Greens; they are pursuing policies in agriculture, mining, forestry and transport that are being pushed by the Greens. These policies will not just lift prices on electricity and food; they will send them through the roof. It is Christmas and people have stopped buying because they know what is coming. (*Time expired*)

Ms SMYTH (La Trobe) (4.36 pm)—I am pleased to be speaking in this afternoon's debate because I am particularly pleased to see that the opposition has finally, in this near final sitting day for 2010, determined that cost-of-living issues are a matter of some significance. I am very pleased that they have reached that conclusion. We on this side of the House have known for quite some substantial time that these are issues that are of significance to ordinary Australians, which is why we have embarked on a very significant and comprehensive series of policy initiatives and reforms and have done so from day 1 of our term in office.

Those reforms have spanned areas such as taxation, superannuation, pensions, child care, education and skills development, jobs and job security and, recently, the cost of PBS medications. In contrast to that, the opposition, as was noted by the Minister for Defence Materiel earlier this afternoon, has come up with no positive or constructive policies. They are yet to enunciate anything that would in fact address the issues that they so vehemently say are matters of concern.

The one thing I will say, however, is that the shadow Treasurer mentioned earlier in today's debate that something they would be seeking to do was to cut spending, presumably in the areas of health and education as we saw during the years of decay of the Howard government. What he unfortunately failed to indicate to us was the margin for error in that \$50 billion figure that he mentioned in spending cuts. Call me a nitpicker or a pedant, but I tend to think that a margin of error of plus or minus \$11 billion is somewhat significant if one is aspiring to position oneself as a Treasurer in this country.

I am very pleased this afternoon to be able to articulate in a bit more detail the significant areas of reform that we have embarked on in those particular areas of taxation, superannuation, pensions, child care, education and skills development, jobs and job security and the cost of medications. We know that this government has delivered tax cuts for three years in a row to assist working families. These are real and practical measures that will impact upon Australians' cost-of-living concerns. We know that this was achieved even against the backdrop of a global financial crisis, so our dedication to these issues is clear and consistent. Our tax cuts mean that a worker earning \$50,000 is paying \$1,750 less tax in 2010-11 than they did in 2007-08. These are fairly significant practical changes that this government has delivered. We have doubled the low-income tax offset, which has increased the tax-free threshold from \$11,000 to \$16,000. As many Australians know, we have also reduced the marginal tax rates faced by many workers, which means that they get to keep more from an extra dollar of income.

We know that this government has increased the childcare tax rebate from 30 per cent to 50 per cent, which is something that has an incredibly significant impact in my electorate, which is a growing area that has a

significant and growing population of young families, who will rely on and benefit from that significant policy change. Yet, again, in more than a decade of Howard decay, none of these initiatives for Australian families were delivered.

We will deliver the new family tax benefit arrangements to assist families with teenagers, who continue to bear the significant costs that come with raising teenage children. We all know that this is a very significant reform and reflects our hope that teenagers will stay at school and develop skills for their futures. Yet again, it is a practical reform that provides financial assistance to families and is targeted at ensuring that teenagers remain at school and develop skills.

We also know that this government has delivered a historic pension rise, which is something that the Howard government did not prioritise. During more than a decade in office professing to have an interest in and regard for older Australians, it gave nothing back to them. It took this government, in its first term and once again against the backdrop of a global financial crisis, to achieve a significant increase to the age pension.

Another significant issue that will be of relevance to older Australians and to pensioners in this country relates to a reform that this government has achieved in only the last week, and that is the reform to the Pharmaceutical Benefits Scheme. We have made changes to the PBS which will mean that the price taxpayers pay at the pharmacy for PBS medicines will now more accurately reflect the market price instead of the current listed price, which is often much higher. The opposition did not support this measure. Tellingly, the people who profess to be concerned about the real costs to the pockets of ordinary Australians facing cost-of-living pressures were precisely the people who objected to this measure. Here is the alternative they

so helpfully suggested: they proposed that we take up the proposals of the Generic Medicines Industry Association, which would have meant that pensioners would pay an extra \$5 per script for their medications. To a pensioner \$5 per script is a fairly significant amount of money. I am sure that most members in this place would be aware of that. So, we have increased the pension by a historic amount during our first term in government, and the opposition's terribly constructive proposal, in the manner in which it proposes to regulate the PBS, is to take money away from those people whom we have given that increased pension to.

I say again that I am particularly glad that the opposition, in a rare moment of illumination this afternoon, has come to understand that cost-of-living pressures are something to consider. Unfortunately their rhetoric and the reality of their behaviour in relation to these matters are somewhat at odds. We on this side have been taking measures for some time to address cost-of-living pressures. It is extraordinary that the opposition, which has once again taken an opportunity to berate the very successful BER program and which let the education sector flounder without adequate funding for so very long during the Howard years of decay, should talk about the need for attention to the cost of living. Because what better way is there of assisting the long-term prosperity of our young people, and their capacity to earn a decent wage, than through investments in their education and then securing their employment? On both fronts this government has been leading the way.

We have almost doubled the education funding of the Howard government in our first term, again against the backdrop of the global financial crisis. We have created, as the Treasurer mentioned again today, an estimated 650,000 jobs during the last three years, achieving much of this through the

stimulus spend and through other endeavours to sustain the Australian economy during difficult global financial circumstances.

When people have studied and worked hard to get an education, to get qualifications and to get jobs, we would really like them to keep those jobs. That is why in our first term we moved to restore fairness in workplaces around this country, something which those opposite persist in questioning today. Indeed, we have heard that the member for Moncrieff has once again raised whether industrial relations 'reform', as they put it, should be revived in the Liberal Party's agenda. We showed during our first term, and we continue to show, that it is possible to work with industry and workers for the best outcomes. We implemented the Fair Work Act and we abolished Work Choices.

The only measure that the opposition have proposed in addition to their spending cuts, which again have that plus or minus threshold of a mere \$11 billion—pocket change!—is tax increases which they need to support their paid parental leave scheme. I am pleased to say that on this side of the House we have been able to initiate and implement a paid parental leave scheme without needing to impose additional taxes which would have flowed on to consumers and thereby raised the cost of groceries and other everyday ordinary items, increasing cost-of-living pressures for ordinary Australians.

The final point I will make is in relation to superannuation. This government is seeking to increase the superannuation guarantee to 12 per cent. We all know the public position of the opposition on this. What better way to provide for the long-term quality of life and economic circumstances of our retiring Australians than to provide appropriately for superannuation.

Mrs ANDREWS (McPherson) (4.46 pm)—I rise to support the matter of public importance today. The government should be ashamed that it has failed to take any action to alleviate the cost-of-living pressures in the lead-up to Christmas. This is a time when family budgets are pushed to the brink, when a lack of funds means fewer Christmas presents or maybe no Christmas presents at all, fewer guests at the Christmas table or maybe no guests at all. It could mean that school holiday activities have to be significantly reduced or perhaps not take place at all simply because there are no funds or there are very limited funds.

I know the cost of living is hurting Australian people a lot. I hear it from the people in my electorate of McPherson. I receive emails and calls on a regular basis in which people talk to me about the impact that rising prices are having on their day-to-day life. People raise it with me in person. They stop me at shopping centres and in the street to tell me how difficult life is for them at the moment. I heard it before and during the campaign and I hear it more and more as the situation deteriorates.

Unfortunately, the issue is most often raised by those who are most vulnerable in our community. What I want to know is what the government is actually doing to reduce the pressure on our most vulnerable: our seniors on fixed incomes; our welfare recipients; the unemployed, who have no capacity to increase their incomes to compensate for the additional cost pressures they face. Of course it does not only affect the most vulnerable amongst us; it affects the entire community. And it affects us most dramatically during the holiday period.

At the 2007 election, the government promised to address cost-of-living pressures. They made a commitment to the Australian people to reduce the cost of everyday expen-

diture on items that we all rely on. They promised to do something about groceries, they promised to do something about fuel and they promised to do something about banking. But what have the government done to fulfil the promise that really was the centrepiece of their campaign? If you cannot think of anything, Mr Speaker, I can assure you that you are not on your own. Very few of us can think of anything real and tangible that the government have done. But let me point out to you a few things that they have attempted.

Firstly, there were a range of websites. Fuelwatch, which was supposed to reduce our fuel costs, was of course the ridiculous embarrassment that the coalition predicted it would be. The Royal Automobile Association of South Australia went so far as to say that it believed that Adelaide motorists would be \$100 a year worse off as a result of Fuelwatch. So not only did it not help; it actually exacerbated a situation. It is easy to say that \$100 is not much, but \$100 here and \$100 there most certainly does add up, and it becomes very significant to those in the community who are most vulnerable.

Then there was GROCERYchoice, the now abandoned white elephant that did not help retailers reduce their prices, did not help consumers get the best prices, and cost Australian taxpayers at least \$7 million. A team of up to 30 people had been working around the clock to develop the site, and \$7 million went out of the pockets of the Australian people and down the drain. What did this project achieve? Absolutely nothing. It was poorly planned and poorly thought through.

It is actually not unlike the government's favourite project at the moment, the NBN—poorly planned, poorly thought out and a potential financial disaster of a magnitude not seen before in this country. It is again a project done without due diligence and with

an ever-increasing bill payable by us, the Australian taxpayers. Why is this relevant to cost-of-living pressures? With a budget deficit in excess of \$40 billion this year and a budget deficit next year, this government is going to deliver to all Australians a burden of debt that will put upward pressure on interest rates and have a huge impact on all Australian families, potentially for years to come. Wasting money on poor projects, including the failed home insulation project, increases the debt and deficit, and that is really only making the problem worse.

A debt-free government is one that does not compete with individuals and businesses for finance. This government is borrowing \$100 million a day. It is a AAA rated borrower. This government is in competition for finance with ordinary Australians. This pushes up costs for us, the ordinary Australians. When you reduce the debt you reduce the costs on borrowings. This is certainly a simple concept but the government either does not understand it or chooses to ignore it. The seven interest rate rises in the past year have added more than \$500 a month to the repayments on an average mortgage—an extra \$500 a month just to keep a roof over your head.

The coalition has a plan to make banking fairer for consumers and for a better all-round financial system with our nine-point plan. This is the only proposal on the table that looks to address issues with our banking system outside the RBA's interest rates increases. This plan will culminate in a full review of our financial system. Considering the impact financial services and lending have on household budgets, this is a necessary measure that will help address the cost-of-living pressures. The government will not consider it and they will not consider addressing their reckless spending, but families and individuals have to look at their own spending, at their own budgets. I say, if it is

good enough for families, why is it not good enough for the government to manage the budget?

It is disgraceful that, because this government has shirked its own responsibilities, Australians are now paying the price and will continue to pay that price for some time in future. And of course it is not only in the form of increased prices; it is the potential for increased taxes or at least taxes that are not reduced. If your family is debt free, you are still hit with cost-of-living pressures outside the interest rate rises. Electricity is up 34 per cent. Gas is up 26 per cent. Water and sewerage are up 29 per cent. The issue here is that you just cannot decide to disconnect your electricity, gas or sewerage. You can use less, and in Australia we have a very proud history of demonstrating that we can conserve water, that we can reduce electricity use by simply switching off the power. We are already doing this but we are still faced with the rising cost pressures of those services.

Health care is not something families should be skimping on, but the cost of health care under the Labor Party has risen up to 18 per cent. Education costs are up 17 per cent and no government should want families to cut back on that and sell out our children's future. Year over year prices generally go up. I accept that; we all accept that but we should accept that only up to a point.

We need to look at the period over which these price increases have occurred. We are constantly reminded—and the Treasurer reminded us this week in the House—of the seriousness of the global economic downturn. Australia, thanks to years of strong economic management and reforms prior to the 2007 election, was in a good position to weather the GFC. There was a reduction in inflationary pressures and this is shown in the figures, but these everyday prices kept

rising despite the GFC. The value of the dollar is higher than ever. We should be able to get more for our dollar, so there is no excuse there either. There is a link between the actions of this government and the prices we all pay for our everyday expenses that the government just will not accept. They are shirking their responsibility to the Australian people in this regard and the impact of this is exacerbated as we move towards the holiday season.

They do not understand that there is a link between government expenditure—their reckless spending—and the impact interest rates and prices are having on everyday Australians, or maybe they just do not care. Not only are they not willing to be part of the solution but also they continue to be committed to being part of the problem. The government need to take responsibility for the impact they are having on ordinary Australian households. They need to take responsibility for the impact they are having on our most vulnerable and they need to understand the correlation between their actions and what is in the next household bill for families across the nation. In July, the Treasurer said:

We will do everything as we go forward to ensure we minimise those cost-of-living pressures.

I say to the Treasurer: the government has failed Australian families and must immediately change its pattern of behaviour. It must start planning properly, improve its financial management, start proper project implementation and act in the best interests of all Australians.

Ms BRODTMANN (Canberra) (4.57 pm)—When I saw this MPI this afternoon, I was a bit surprised and wondered to myself where the member for North Sydney has been during the 43rd Parliament. Has he not been listening? I do not think so, because he has been so hell-bent on destroying, cutting and slashing that he cannot hear above the

din of chainsaws, demolishing balls and jackhammers in his head. Had he listened, he would have learnt that Labor saved this country from recession. He would have learnt that we created 650,000 jobs. That figure makes me think about what is happening in the UK and the US at the moment, and what is happening in Europe. Just recently, I heard of 500,000 public service jobs being slashed in the UK. Compare that to 650,000 jobs being created here in Australia.

Had the member for North Sydney been listening, he would have learnt that we have an unemployment rate of 5.4 per cent. Again, compare that to the UK, the US and Europe, where the unemployment rate is double that. Had he been listening, he would have learnt that we are heading for a surplus in three years time. That makes me cast my mind to the extraordinary and tragic situation in Ireland at the moment, where they are being bailed out by the EU. Where are we in Australia? We are heading towards a surplus in three years time, we have created 650,000 jobs, we have unemployment at 5.4 per cent and our workers are now working under Fair Work arrangements, enjoying good pay and conditions.

Had the member for North Sydney been listening, he would have heard about the infrastructure that we are creating in this country, that we are building after decades of neglect. He would have learnt that we have doubled the spend on roads, that the spend on rail has gone up tenfold. He would have learnt that we have invested \$16.2 billion in the Building the Education Revolution for children now and for Australia's future. He would have learnt that we are overhauling the health system and increasing the number of GPs, doctors, nurses and carers throughout the country, and he would have learnt that we want to improve productivity in this country through the National Broadband Network, that we want to ensure that this

country stays up to date with what is happening in the world and continues to be innovative and productive. That is why the National Broadband Network is so crucial.

Had he been listening he would have learnt that Labor is doing an enormous amount to ease the cost-of-living pressures on families. On 1 January next year we will introduce paid parental leave, an amazing achievement after decades of fighting by women for this. It will benefit not just women and men but also all families. It is thanks to Labor that this amazing achievement has happened. Had he been listening he would have heard about the increase in childcare rebates from 30 per cent to 50 per cent and also the range of reforms we are introducing in that area to improve the delivery of standards of child care and the education, fulfilment and commitment of childcare workers. Had he been listening he would have heard that the pension had gone up. My mother is on the pension and she was greatly relieved to hear that news. It was thanks to Labor that that has been delivered for both singles and couples. Had he been listening he would have heard about the education tax refund for uniforms, the dental health system for teens and also the plans we have for super so that Australians can enjoy prosperity and decent conditions when they retire. Had he been listening he would have heard about the tax cuts—18 per cent for people who are earning \$50,000 a year. That is nearly 20 per cent over three years, putting more money in families' pockets. And had he been listening he would have also heard about the increase that we are planning in family tax benefit A.

The investment that Labor has been making in this country, and also the efforts it has been making to reduce the cost-of-living pressures, has extended to Canberra, thanks to the Gillard Labor government. We now have cranes everywhere around the city. We have not seen cranes on the horizon of this

city for decades. Now we have roadworks everywhere, which I know cause some complaints amongst my constituents, but it is the first time for decades that we have had roadworks. Now, for the first time in decades, we have millions of dollars being invested in our schools. Parents, students, staff and the grandparents of Canberrans are very grateful for the investment we are making in their schools.

Had he been listening he would have realised that the Gillard government is deeply committed to the people of Canberra and deeply committed to investing in our future to ensure that we continue to grow and thrive. I contrast that with what happened under the coalition government in 1996. I contrast that with the fact that when the coalition government came to power they axed 30,000 jobs in this town.

Mr McCormack—Rubbish.

Ms BRODTMANN—They axed 30,000 jobs—go back to it.

Dr Mike Kelly—Shocking. The whole region was affected.

Ms BRODTMANN—As the member for Eden Monaro can attest, 30,000 jobs that had an impact not just on this city but also on this region. As a result of the axing of those jobs, we went into a countercyclical recession for four years. The coalition does not care about Canberra; it does not care about the Public Service. It has complete disdain for it. Not only did it impact on the Public Service but also it impacted on the region as businesses closed down. It had a knock-on effect right throughout the economy, and that lasted for four years. Only now in some parts of the city are we gradually getting out of the recession that was caused by the coalition government. We still have empty shops as a result of its complete disdain for the Public Service and for Canberra.

Not only does the opposition have complete disdain for Canberra's existence but 10 years ago it also had complete disdain for 30,000 jobs. The coalition's promise to public servants in Canberra if it was to win office again in 2010 was 12,000 more job cuts, plus an increase in the efficiency dividend. This is what the coalition promises Canberra. It has complete disdain for this city and the Public Service.

The member for North Sydney has obviously not been listening to what has been happening in this 43rd Parliament over the last few weeks. He obviously has not been listening to the significant range of achievements that this government has delivered for the people of Australia and, most importantly, for the people of Canberra and the significant effort it has gone to to ease the cost-of-living pressures throughout Australia. He feigns concern that he is worried about the people of Australia. If he is concerned about the people of Australia, he is certainly not concerned about the people of Canberra. He and the coalition are intent on destroying this city. The coalition destroyed it in 1996 and it took 15 years for it to be rebuilt. The coalition is intent on doing it again in 2010 and onwards. Do not pretend otherwise. It should not pretend that it is interested in this city and the welfare of the people of Canberra in the guise of Christmas cheer.

The DEPUTY SPEAKER (Hon. BC Scott)—Order! The discussion is concluded.

COMMITTEES

Corporations and Financial Services Committee

Reference

Mr ALBANESE (Grayndler—Leader of the House) (5.05 pm)—by leave—I move:

That the Parliamentary Joint Committee on Corporations and Financial Services be required to inquire into and report on the access for small

and medium business to finance, and report by 30 April 2011, with particular reference to:

- (1) the types of finance and credit options available to small and medium business (SMEs) in Australia;
- (2) the current levels of choice and competition between lending institutions, but not limited to, credit availability, fees, charges, comparative interest rates and conditions for business finance;
- (3) credit options available from banks, non-bank lenders and second tier lenders;
- (4) the impact of financial institution prudential requirements and banking guarantees on lending costs and practices;
- (5) comparison between the credit options available to SMEs located in regional Australia and metropolitan areas;
- (6) the impact of lenders' equity and security requirements on the amount of finance available to SMEs;
- (7) policies, practices and strategies that may restrict access to SME finance, and the possible effects this may have on innovation, productivity, growth and job creation;
- (8) the need for any legislative or regulatory change to assist access by SME to finance; and
- (9) any other related matters.

This motion results from a request from the Joint Committee on Corporations and Financial Services and its chair, the member for Oxley, after consideration of these issues. This is an inquiry which will be of interest to all members, particularly those who are aware of issues relating to access of small and medium businesses to finance. I commend the motion to the House.

Question agreed to.

**NATIONAL SECURITY LEGISLATION
AMENDMENT BILL 2010**

**PARLIAMENTARY JOINT
COMMITTEE ON LAW
ENFORCEMENT BILL 2010**

**HIGHER EDUCATION SUPPORT
AMENDMENT (2010 BUDGET
MEASURES) BILL 2010**

**SOCIAL SECURITY LEGISLATION
AMENDMENT (CONNECTING
PEOPLE WITH JOBS) BILL 2010**

**CORPORATIONS AMENDMENT (No. 1)
BILL 2010**

**HIGHER EDUCATION SUPPORT
AMENDMENT (FEE-HELP LOAN FEE)
BILL 2010**

**INTERNATIONAL FINANCIAL
INSTITUTIONS LEGISLATION
AMENDMENT BILL 2010**

**AUSTRALIAN NATIONAL
PREVENTIVE HEALTH AGENCY
BILL 2010**

**1998 BUDGET MEASURES
LEGISLATION AMENDMENT
(SOCIAL SECURITY AND VETERANS'
ENTITLEMENTS) BILL 1998**

Assent

Messages from the Governor-General reported informing the House of assent to the bills.

**NATIVE TITLE AMENDMENT BILL
(No. 1) 2010**

Debate resumed.

Mr STEPHEN JONES (Throsby) (5.07 pm)—I rise to support the Native Title Amendment Bill (No. 1) 2010. The purpose of this bill is to amend the Native Title Act 1993 to create a new process to deal with the construction of housing and other relevant infrastructure on land which is or may be subject to native title. This bill is almost identical to the Native Title Amendment Bill

(No. 2) 2009, which lapsed on the proroguing of parliament in September this year. That original bill was referred to the Senate Legal and Constitutional Affairs Legislation Committee for inquiry, and the committee reported on it in February this year. The key amendments in the bill before us today provide a new process to assist in the timely construction of infrastructure that is being built for the benefit of the relevant Indigenous community by or on behalf of the Crown, a local government body or any other statutory authority of the Crown in any of its capacities, for Indigenous communities or on Indigenous held land.

Schedule 1 of the bill inserts new subdivision JA into the 'future acts regime' in division 3, part 2 of the act. The future acts regime sets out how acts that will affect native title, called 'future acts', can be undertaken. Importantly, if an act will not affect native title, it is not subject to the Native Title Act and the future acts regime in this bill. It is not an open licence to override the provisions of the Native Title Act. If an act will affect native title, it will be valid to the extent of any effect on native title only where it is covered by one of the subdivisions of the future acts regime.

The types of infrastructure that this bill applies to are set out in the new subdivision JA and include public housing for Aboriginal people and Torres Strait Islanders living in, or in the vicinity of, the area—and it is not intended that this will extend to cover housing for private ownership; public education and health facilities; police and emergency services facilities that principally or primarily benefit Aboriginal people and Torres Strait Islanders living in the area; certain facilities, such as sewage treatment facilities, relevant to this; and other relevant facilities. Furthermore, following stakeholder input and feedback from the Senate inquiry into the bill, the 2010 bill's coverage has been

extended to include staff housing. This is an important part of ensuring there are sufficient staff to deliver services in Indigenous communities and is important to remove systemic obstacles to the delivery of much needed services, particularly in remote communities.

I want to talk about consultation. There will also be a requirement for genuine and appropriate consultation with possible native title holders and this will require state and territory governments to lodge a report outlining how these consultations were conducted. As part of this consultation process, representative Aboriginal or Torres Strait Islander bodies and any registered native title claimants and registered native title bodies corporate will be notified and have the opportunity to comment on acts which could affect native title with regard to the relevant land or waters.

Importantly, the consultation process may be enhanced through experience. The consultation provisions and definitions in this bill are strengthened by the provision that the Attorney-General has the power to make a determination to refine the requirements for this consultation process over time to reflect the experiences of the relevant groups as a result of this new process. This power with regard to consultation will ensure that the process can be adapted to deal with differing projects and community circumstances. This strong and flexible consultation process reflects the intention of this government to deal with native title issues in a way that is respectful of the interests of all parties but also serves to ensure the timely delivery of this important infrastructure. Native title is protected for the long term because, where this new process is used, native title will not be extinguished but merely suppressed.

This bill has come about because some state governments have indicated that uncer-

tainty in relation to native title could be and is a barrier to meeting housing and service delivery targets, which could create a delay in the delivery of housing projects. The new process outlined in this bill will be subject to state and territory heritage processes, and this is an important provision. A sunset clause will apply to ensure the amendment operates for a period of 10 years, consistent with the current funding commitments under the national partnership agreements on remote Indigenous housing and remote service delivery.

There is no doubt that Indigenous Australians remain the most disadvantaged group in the country and that we need to take all practicable steps to improve the delivery of basic services to this community. At present, there is extreme overcrowding and an appalling standard of housing and public infrastructure, particularly in remote communities. Improving housing and reducing overcrowding in Indigenous communities is essential to the Gillard government's efforts to close the gap on Indigenous disadvantage. The amendments in this bill are therefore necessary to help achieve these important goals.

It is important to note in this regard that the Gillard government's housing program in the Northern Territory is now on track to deliver 750 new homes, 230 rebuilds of homes and 2,500 refurbishments of homes by 2013—and all of that in remote communities in the Northern Territory. The Gillard government exceeded our target for the most recent financial year and, as at 11 October 2010, 82 new houses had been completed, and we have 101 houses under construction in remote communities in the Northern Territory. In addition, 645 refurbishments and rebuilds of houses have been completed and another 105 refurbishments and rebuilds are underway.

The Gillard government is also making important efforts to build a strong Indigenous workforce, which is another important part of closing the gap on Indigenous disadvantage. This goes directly to the points the member for Kennedy is trying to make by interjecting. There are currently around 300 Indigenous people employed in this housing program—and around 30 per cent of the housing workforce in these remote communities is Indigenous, well above our commitment to 20 per cent Indigenous employment in the workforce. Despite these achievements, we are only too aware that we have got an enormous amount more to do in remote Indigenous housing, both in the Northern Territory and in other parts of remote Australia. The Gillard government has made a very significant financial commitment to addressing the need for Indigenous housing and intends to get on with the job.

As well as these important housing measures, other improvements are taking place in remote communities. The most recent monitoring report shows that there are now additional police in remote communities, and many of those communities have never before seen police on the ground. There have of course been tens of thousands of child health checks and specialist follow-up services with doctors and dentists. There are now an additional 140 teachers in schools in remote communities. More safe houses and creches have been built in these communities. The government is also in the process of putting in place the new income management system, which will improve parental responsibility to make sure that welfare payments are spent how they are intended to be spent—in the interests of children. Most significantly, for the first time we are introducing the new child protection income management system, which does mean that child protection workers can now refer parents for 70 per cent of income management in cases of neglect.

Most relevant to this bill we are debating today, it is good to know that there have been improvements in housing for Indigenous people in remote communities in the Northern Territory. Of course there is more work to be done, but improvements in these communities are occurring. This is important for many reasons, not the least of which is the reason highlighted by the recently released report of the most recent inquiry into child protection in the Northern Territory. That report highlighted how overcrowded housing impacts on family wellbeing. This reminds us that decent housing is vital if we are to see a safe environment in which children can grow up.

As I said at the outset, Indigenous Australians remain the most disadvantaged group in the country. There is extreme overcrowding and an appalling standard of housing and public infrastructure in many remote communities. Improving housing and reducing overcrowding in Indigenous communities is essential to the Gillard government's efforts to close the gap on Indigenous disadvantage. The provisions of this bill will assist us to meet this objective. For these reasons I commend the bill to the House.

Mr KATTER (Kennedy) (5.19 pm)—I had not seen the Native Title Amendment Bill (No. 1) 2010 so I had a look at it this morning and it seems the building of every house in Queensland will involve taking land off the local community. I am staggered by that. Why do you have to take land off the local community to build a house? I built 2,500 houses—don't pin me down on that—when I was minister in Queensland. I did not see the necessity to take any land off anyone. Why did I have to take land off somebody? Did those houses fall to pieces? No, our maintenance levels dropped dramatically. When the member for Throsby said they have created jobs for the people, he gave us the figure of 20 per cent.

Mr Stephen Jones—Thirty per cent.

Mr KATTER—You said 20 per cent, and the official figure of your government is 20 per cent. I know because I have battled over that figure on numerous occasions. Your former Prime Minister, Mr Rudd, in my presence and in the presence of the Mayor of Cairns and the Mayor of Yarrabah, made a commitment that the houses would be built by local Indigenous labour. So we had a commitment that they would be built by local Indigenous workers to a level of 30 per cent. I will tell you what the 20 per cent means—it means that we will be carrying the bricks and carrying the water and carrying lunch and doing the sweeping up afterwards, on \$40,000 a year, and the whitefella fly-ins will come in on \$80,000 a year and build the houses for us, because we are incompetent Murris; we are not capable of building our own houses. The problem for the government is that we built over 2,500 houses—again, do not quote me on the figures as I would have to check on them—with exclusively Indigenous local labour. If you think it was easy, it was not—it was pretty scary, as the minister, to take that decision. I took that decision on a number of houses, and they worked out well, so we took the same decision on a lot more, and then we did the whole program. So why does the government have to go back to 20 per cent? Why? Why can't you create jobs for the people there?

When I look back on it, the housing was the most remarkable success story I can think of. In my lifetime in politics I doubt whether there was a similar success story—and I had absolutely nothing to do with. I am not in a position to say that. I am sure that if the former federal minister Gerry Hand were here he would agree with me that neither of us had anything to do with that program in Queensland. Greg Wallace was twice on *60 Minutes*—it was the only follow-up program ever done on *60 Minutes*—because he got

people to work for the dole, which we came to call the CDEP program.

Noel Pearson's brother, Gerhardt Pearson, was the CEO of the newly set up self-management communities, which were like local shire councils, although they had much more extensive powers than a council. Gerhardt rang me up and said, 'Why can't we use work for the dole labour to build the houses?' Of course, this was a brilliant idea. I rang Gerry Hand and he said, 'That's too smart for you; you wouldn't have thought up that one.' I said, 'No. It was a bloke called Gerhardt Pearson,' who was more prominent than his brother in those days. Gerhardt thought it up, and Gerry and I did it immediately. We were able to almost double the number of houses being built because we were able to get that money from work for the dole.

That was not the end of the story. Lester Rosendale recently passed way. The death of Lester was a very sad day for all of us. He was one of the finest citizens of North Queensland. One of the great pillars fell over when he died. Eric Law from Cherbourg was one of the dominant figures in First Australian affairs in Queensland over many years and he was effectively the head of the department in Queensland, with some 3,000 employees working for the department. I must use the word 'bludgeon' because Lester and Eric almost literally bludgeoned all of the councils to agree that all houses would be built by exclusively local Indigenous labour. I can tell you that despite me being the minister they did not consult with me. It was done independently of me. We let it roll and we ended up with some 2½ thousand houses being built by almost exclusively local Indigenous labour.

That still was not end of the story. Donald Fraser, who married a local girl in Doomadgee and is a First Australian himself,

was the executive officer and occupied a sort of audit role at Doomadgee. He came up with the idea that we should build our own blocks for houses—bricks, if you like. I was very sceptical about that, but he had worked in a block-making factory and said we could do it. So as an experiment we bought two block-making machines. They were \$80,000 each—I can remember the figure because I was very scared about the whole thing. They worked magnificently well and we ended up buying eight block-making machines and placing them strategically throughout Queensland.

I think we received \$45 million a year for housing in Queensland but this enabled us to almost treble the number of houses we had been putting out before all these First Australians made the decision to create this wonderful program. That enabled us to build 2½ thousand houses over a period of seven or eight years. This government purports to be very ambitious with their \$5,500 million for housing. We had a figure of about \$100 million if you adjust it for inflation, but this government is only going to built one-tenth of the number of houses we built.

What I am saying here is that today we are passing legislation which I will not vote for. To some degree, I feel I should have got to the opposition sooner on this bill. It would have been nice if the government had consulted with me before proceeding down this path, since I represent probably more First Australians than anyone else in this place. I will be certainly voting against this bill.

Mr Speaker, do you want to know the sense of frustration and rage in Queensland? For 20 years they have not been able to get a title deed on the 10 million-acre piece of land supposedly owned by the First Australians in Queensland. What the hell can you do with a piece of land if you cannot get a title deed to it? We come here today to hon-

our and take into account native title. As the parliament of Australia, we are very sensitive on the issue of native title. Doesn't anyone in this government or the previous government understand what has happened with the 10 million acres in Queensland supposedly belonging to First Australians?

Let me take Yarrabah as an example. There are supposedly 200 people from the original native title holders at Yarrabah. There are 4,000 people in Yarrabah. Are you moving forward into the future or are you going to lock us into the past? Clearly you are going to lock us into the past. Things became so bad at Yarrabah as a result of the decisions taken in this place that there were injunctions to prevent any houses being built. The minority group there, who had been given this great power through the Native Title Act, decided that they were really going to fix up the rest of them there and told them all to leave. I do not hold that against those people. If the parliament of Australia says, 'You can own this land and kick everybody else off it because your great-great-great granddaddy lived here,' you would be a fool not to.

Every community in Queensland on the mainland is occupied by people who, in the main, never came from that area. So what you did when you passed the Native Title Act here was to dispossess the vast bulk of the population of the people in Queensland who identify as First Australians and live in First Australian communities. Have you done anything in the 20 years since to fix it up? No, you have not.

After 20 years in Queensland, after the government fell there and the machinery for handing out title deeds to people was removed—and it was only there for seven years—can you imagine the cynicism and hatred of the First Australians towards the whitefella Australians? 'They give us the

right to own land for seven short years and then they take it back off us again.' And it has been 20 years of fighting to get it back again. But under extreme pressure—and I think that I might have had a little bit to do with this, but then again I may be flattering myself—the Queensland government have deigned after 20 years to issue a title deed.

The title deed they issue is for a 99-year lease. So every other Australian gets a freehold title but we only get a 99-year lease. What are we, some sort of second-class citizen? We only get a 99-year lease. Why would we be given a 99-year lease? It is a flashing neon light to say: 'We can't really trust you with freehold title.'

That is not the end of it. The Queensland government has another little pernicious condition upon the issue of the title deeds: we have to give them \$22,000. We have to give them \$22,000 to buy our own land back, do we? I will tell you: there are not a lot of Murri people in Queensland who have \$22,000 available to take up a piece of land which in the first place is their own.

We look for leadership amongst communities that have had the great privilege of education, as many people in this place have had the privilege of education. To some degree it is a privilege. Most certainly for people of my age it would be looked at that way because most of us did not get to 12th grade. In Yarrabah, most of the people are well educated. It is a very sophisticated community, with probably some of the lower alcoholism rates of any community, black or white, in Australia. It is a very religious community. The Anglican Church probably has as high an attendance as in any town in Australia. Yarrabah is under the brilliant leadership of a family that has given great leadership over the years when it has not been easy to lead—Percy Neal and his family and many others who are associated with them.

They have said to the government, 'If we have to give you our land then we'll go without the houses.' What they are effectively saying is, 'Better for us to live in a gunyah than to bend our knees to you so-and-sos.' That is what they are saying. If the government is looking for a head-on collision, you will get it. And, if you are stupid enough to continue to take the advice from whoever the hell is giving this advice, whether it is the minister or some public servant, do not blame me for what you are going to cop very shortly and what you richly deserve.

As for your state government, let us just have a look at their record. Let us look at the number of children being stolen in Queensland—and I use the word 'stolen'. They say 'protection'; I say 'stolen', because I am young enough to remember the generation of stolen children, and I can tell you, Mr Deputy Speaker, that we were told then that they were being protected. Well, there are 300 per cent more kids being 'protected' now than there were in the days of the stolen generation, so please excuse me for saying that things have improved!

We just had the last speaker stand up in this place, and I am going to get his speech and use it. I am going to hand it out, because what he said was: 'We will manage your money for you. We will see that your children get fed for you, and we will build your houses for you.' That is what he said. That is what this government is saying here, and I will be opposing it. If I am the Lone Ranger, all the more credit to me, Mr Deputy Speaker.

The DEPUTY SPEAKER (Hon. BC Scott)—I remind not only the member for Kennedy but other members of this chamber that, when they refer to 'you', the pronoun 'you' is referring to the person in the chair. It is a reflection on the chair. They should be

referring to the organisation or the government or whoever it is that they are directing their remarks to. I do not use your speech, Member for Kennedy, in isolation, sitting in this chair; it is just a reminder generally to members—

Mr Katter—Mr Deputy Speaker, I ask to withdraw that and say that you would be one of the most remarkably kind, generous and intelligent people that have occupied that position.

The DEPUTY SPEAKER—I knew I should have given you the call again, Member for Kennedy! It is a season of goodwill. I thank the member for Kennedy. It does not reflect on you; it is many in this chamber.

Mr ZAPPIA (Makin) (5.35 pm)—Unlike the member for Kennedy, I will be supporting the Native Title Amendment Bill (No. 1) 2010. A couple of weeks ago I stood in this place and I spoke about a couple of other initiatives that I believe go a long way to addressing the disadvantage currently being experienced by Indigenous communities around Australia. I referred to the Clontarf Foundation and the work that that foundation is doing and I referred to the One Laptop per Child initiative and the good work that that organisation is doing in trying to ensure that the 400,000 or so young people of this country aged between four and 15 living in remote and regional Australia have access to a laptop.

This bill also, in my view, supports and enhances the opportunities for Indigenous people to make a better life from whatever opportunities they have. The bill is important because essentially it speeds up the construction of public housing and other infrastructure on land in Indigenous communities. I heard the member for Kennedy raise concerns that this bill will take land away from Indigenous people. I do not entirely accept his conclusions. The building of houses on

Indigenous land does not necessarily take the land away from them. On the contrary, it is my view that it provides them with the housing that they so desperately need.

The bill will facilitate the construction of housing on Indigenous land that is subject to native title or may be so in the future. If it is subject to native title then the land quite rightly comes under the administration of the land management council of the area. The Native Title Act came under this bill in order to build the housing which in turn will be made available to the very Indigenous communities who have rights to that land. The Mabo case in 1992 gave credibility to the rights of Indigenous people over that land. This government has respected that decision ever since. This bill addresses concerns raised by state governments that uncertainty in relation to native title could be a barrier in delivering much-needed housing and other services. I make that point in the full knowledge that in only recent days in this House the government has been criticised for not being able to deliver this housing much as soon as it would have otherwise liked to. It is for reasons such as that that this housing has not been able to be delivered.

Mr Katter interjecting—

The DEPUTY SPEAKER (Hon. BC Scott)—Order! The member for Kennedy was heard in silence; he will allow the member for Makin to be heard in silence.

Mr ZAPPIA—This bill creates a new process for the provision of housing and specific community services on Indigenous land. These specific community services include education, health and community service facilities and the staff associated with providing those services. The bill seeks to strike a balance between the urgent delivery of much-needed housing to Indigenous communities and the need for native title

rights and interests to be protected. I believe the bill does exactly that.

The framework in this bill allows a meaningful engagement with all key stakeholders about this vital housing and community infrastructure. Importantly, the bill allows native title parties themselves to determine the level of engagement they feel is appropriate for each individual project. I understand that may not be to the acceptance level of some members of this place, such as perhaps the member for Kennedy, but that is what the bill does. The federal Attorney-General will be able to prescribe how consultations with native title parties should occur, including, if required, setting detailed requirements such as face-to-face meetings or the use of interpreters. Reports on these consultations will need to be provided to the Attorney-General and can be made public, therefore providing for public scrutiny of this new consultation process.

The bill also contains a sunset clause, meaning that this new process will expire after 10 years. This 10-year period is in line with the duration of the National Partnership Agreement on Remote Indigenous Housing between the Commonwealth and the states and territories. Under that agreement, the federal government has committed \$5.5 billion to Indigenous housing, about which I will speak more in just a moment.

The Labor Party is the party of Indigenous rights and native title in Australia. It was a Labor government in 1975 under Gough Whitlam which famously handed over the land of Wave Hill Station to Vincent Lingiari and the Gurindji people. This was the beginning of legal recognition of Indigenous land rights in Australia. It was a Labor government under Paul Keating that in 1993 passed the Native Title Act in response to the High Court's Mabo decision. And it was a Labor government under Kevin Rudd that in Feb-

ruary 2008 apologised to the stolen generations and began a process of 'closing the gap' between Indigenous and non-Indigenous Australians.

Housing is one of the areas where there has been significant work in 'closing the gap'. I accept that there is much more to do. I do not for a moment pretend that we are nearing the completion of our objectives in that respect. But there has been significant progress made. In fact, that progress has been outlined in the annual reports by the Prime Minister each year since the apology.

Mr Katter—Isn't it about who builds the houses?

The DEPUTY SPEAKER—Order! The member for Kennedy will allow the member to be heard without interjection.

Mr ZAPPIA—The member for Kennedy quite properly asks, 'Who builds the houses?' I think that is a legitimate matter that could be looked at separate to the principal issue here, and that is about building the housing and not who builds it. But who builds it is not something I believe should be ignored either. The government is on track to build 750 new houses and rebuild or refurbish another 2,500 homes in remote Indigenous communities by 2013. In the 10-year life of the agreement between the states and territories, the federal government has committed \$5.5 billion to build 4,200 new houses and refurbish 4,800 more. The commitments will benefit around 9,000 Indigenous families. Increasing the supply of housing available to Indigenous Australians will reduce the overcrowding we have often seen where families of up to 20 may be living in a house designed for one family. Overcrowding is more severe in rural and regional areas.

I want to speak about another matter that is also relevant to this bill, and that is the issue of homelessness. Homelessness Australia suggests that Indigenous Australians are

six times more likely to be living in overcrowded conditions than non-Indigenous Australians. Living in overcrowded conditions can also contribute to poor health and family violence and it can disrupt the education of those living in the house. What is more concerning about the statistics, however, is that, of the 105,000 or so homeless Australians, Indigenous Australians are over-represented in those statistics. Indigenous Australians comprise roughly 2.5 per cent of Australia's population, but they represent about 10 per cent of homeless Australians. Indigenous Australians comprise 16 per cent of rough sleepers and 20 per cent of people living in temporary accommodation for homeless people. In Western Australia 34 per cent of people in temporary accommodation are Indigenous, and in the Northern Territory that figure is around 63 per cent. Twenty-one per cent of women who seek support from homeless services to escape domestic violence are Indigenous women. When it comes to homelessness, Indigenous Australians are much, much worse off than other Australians.

I come to another matter that is relevant to these statistics, and that is the matter of homeownership in Australia. Again, if you look at the statistics for homeownership, Indigenous Australians are about half as likely to own their home as other Australians. The latest figures, I have to say, show an improvement. I will quote some figures. In 1991 around 19 per cent of Indigenous families owned their own home. By 2006 the percentage had gone up to 36 per cent. For the nation generally, the figure has been consistently at around 70 per cent—in other words, almost twice as much.

Owning your own home is one of the key steps in trying to overcome disadvantage for any family, whether it is an Indigenous family or any other family. Home ownership creates stability in the home and once you

have stability in the home then all of the other matters which arise from unstable homes, and which in turn cause a whole range of other social problems, begin to diminish. That is why home ownership is a priority of this government for all Australians, particularly Indigenous Australians. That is why this bill is important. It invests considerable funds in building homes which will be occupied by Indigenous families who currently live in crowded homes, do not have a roof over their heads or live in rental accommodation which is, again, unsuitable. The bill seeks to make the provision of housing and other services to Indigenous communities more efficient while still respecting the rights and responsibilities of native title regarding those communities. It is an important step in the Gillard government's reforms to reduce disadvantage amongst Indigenous Australians and I commend this bill to the House.

Dr STONE (Murray) (5.46 pm)—I rise to speak to the Native Title Amendment Bill (No. 1) 2010. The purpose of this bill is to amend the Native Title Act 1993 so that the procedural rights of native title holders are curtailed when land is required for public education, health facilities, public housing and a wide range of other public facilities. Between the previous government being prorogued when this bill was first presented and this new government being formed there was one small alteration to the bill and that was to include, amongst the previous categories of public housing, an explicit reference to staff housing provided in connection with housing or facilities that benefit Aboriginal or Torres Strait Islanders—facilities which the legislation nominates as covering public education facilities, public health facilities, police facilities and emergency facilities.

It is a fact that in Australia we have Third World conditions in many parts of the Northern Territory, Queensland, South Australia,

Western Australia and, indeed, even in parts of more remote New South Wales. A lot of those conditions are being experienced by the first Australians—our Indigenous Australians. We lament the very great differences in life expectancy between Indigenous and non-Indigenous Australians, we are concerned about the levels of deafness experienced by Indigenous children and we are concerned about the exposure to pornography of young children, which, too often, is simply blaring out into a community where houses have no walls. We have to be concerned about the part that decent housing plays. Quite obviously, if you do not have decent shelter, if your sewerage system does not work, if you do not have running water in your house, if you do not have access to warm or hot water, if you do not have screens on the windows of your buildings so there is no chance to keep disease-carrying mosquitoes at bay, if you have housing that is so overcrowded that there is no chance for a family to have privacy and if dysfunctional families are almost a given because of the numbers of individuals—adults, children and babies—that are trying to sleep each night in shocking conditions, then, I repeat, you have Third World conditions.

It is very important that we do whatever we can in this federal parliament to increase the chance that the dollars put aside, first by the coalition government and now by the Labor government, are actually spent and spent wisely on building and refurbishing houses. I would like to be able to say that there is now a strong record of housing construction going on and that houses are being refurbished at a great rate, but that is not quite the case, despite, I am sure, the very good intentions of this Labor government. This is a government that, unfortunately, is not known for being able to manage projects. It has had a series of disasters since coming into power. I remind the Australian public of

the pink batts debacle, the squandering of funds under the Building the Education Revolution program, the Green Loans debacle and so many other cases of literally billions of dollars not being spent appropriately, not delivering value for money. Now we are facing a similar outcome with the National Broadband Network.

Perhaps the saddest, I would say desperately unfortunate, example of projects not being properly managed amongst all of those I have mentioned is the Aboriginal housing program. To quote from the *Australian* of 31 August 2009:

A report into a remote Aboriginal housing scheme in the Northern Territory has found it was behind schedule and over budget. Outrage over the lack of progress of the \$672 million Strategic Indigenous Housing and Infrastructure Program (SIHIP) prompted the NT and federal governments to review the scheme. Rebel MP Alison Anderson walked out on the NT Labor government last month after she was told only 30 per cent of the money would actually go towards new homes. She was also told less than half of the 750 homes promised almost 18 months ago would be delivered by the scheme, which is yet to produce a single new home. The report, released in both Darwin and Melbourne on Monday, has found the program is not on track to meet its targets.

Fast forward 10 months to 22 May 2010. One would hope that there would have been a different story of cooperation and outcomes between the different territories, states and the federal government on building decent housing or refurbishing houses for Aboriginal families. Ten months later, on 22 May, the *Australian* wrote:

With only 11 houses completed during the program's first 2½ years, The Weekend Australian has undertaken a detailed analysis of the progress under the nation's largest single investment in remote housing.

A confidential document detailing progress under the SIHIP reveals that only seven of the 16 communities that were to receive 750 new houses

among them have signed long-term leases with the federal government.

It went to say:

Those seven communities - Nguiu, Groote Eylandt townships, Wadeye, Maningrida, Gunbalanya and Galiwinku, as well as the Alice Springs town camps, - are set to receive 629 houses by 2013.

It then said:

A further nine communities...are yet to sign the long-term leases, which give security of tenure for housing investment.

Clearly there is something terribly wrong when it comes to the delivery of housing using the dollars that have been committed to this program. We have to ask why, and we have to see if there is some impediment in the legislation. Let us hope that this Native Title Amendment Bill (No. 1) 2010 has within it some better way to proceed.

On the surface, you could wonder why we need a bill that changes the arrangements of the Native Title Act. A previous version of this bill was referred to the Senate Standing Committee on Legal and Constitutional Affairs for inquiry. That committee reported on 24 February this year. Many issues were raised in the committee's report, including that many Indigenous organisations, academics and indeed some state agencies argued that the amendments in the bill were unnecessary and paternalistic or racist and that the framework was already in place to facilitate the construction of facilities such as the bill had in mind. In particular, the report examined the evidence given by the federal government, in the form of the Attorney-General's Department and the Department of Families, Housing, Community Services and Indigenous Affairs, and by the Queensland and WA governments. They argued that the measures were necessary, were beneficial to Indigenous communities and should be seen as special measures, and they were not, therefore, a breach of the Race Discrimina-

tion Act 1975. The opposition made a special contribution, saying it supported the recommendations of the majority report but also recommended that Indigenous land use agreements be given support and that a template for such agreements should be developed.

We in the coalition are saying that, yes, we believe there needs to be special measures when it comes to Indigenous housing. There have been literally decades of good intentions leading to nothing in the way of a significant change in the numbers or quality of housing available to Indigenous Australians. As I said, we see dysfunctional families, disease, the failure of children to thrive and an exacerbation of kids unable to be cleaned, dressed and properly prepared to go to school. If you have spent the night going from place to place looking to sleep, it is very hard to be bright and shiny the next day.

I want to refer to our Liberal Country Party senator for the Northern Territory, Senator Scullion. He is very well versed in the inadequacies of housing in the Northern Territory. He is a man who I regard very highly as a person who knows exactly how it is in the Northern Territory. He has spoken in the parliament about the inadequate housing supply, commenting that it is not uncommon for 15 to 20 people to be sharing a totally inadequate dwelling in remote territory communities. They have non-functioning bathrooms and toilets and there is misery associated with their day-to-day living, to the point where some choose to abandon their hovels altogether and go and live in old cars, under tarpaulins or under sheets of tin.

As we all know, the very special report *Little Children are Sacred*, which was released in 2007, identified poor housing as one of the most significant factors contributing to child abuse and neglect. The coalition government was most concerned to make

sure that we moved quickly on the business of putting in place better housing. We also understood the importance of Indigenous workers being upskilled and being able to work on those projects themselves so they would become more likely to find employment after the housing work was completed. It is a very sad situation—an indictment on this government—that that Indigenous workforce has not come forward. It has not been supported into place and, indeed, a lot of the excuses have blamed the failure to do the work or to build and renovate houses on the fact that there were no Indigenous workers to be found. You really have to wonder just what this government is doing.

Mr Katter—We found about a thousand of them in Queensland! It wasn't real hard!

Dr STONE—I am repeating what is the case in 2010. In April 2008, the Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, increased the commitment of funding to \$547 million over four years with an additional \$100 million to be provided to the Northern Territory government, given their massive failures. This \$647 million was later increased to \$672 million to provide 750 new houses—230 new houses that would replace houses that were earmarked for demolition because they were in such bad repair—and over 2,500 housing upgrades for essential infrastructure to support these new homes and improvements to living conditions in the town camps. Work was due to begin in October 2008 and was to be completed by 2012. Unfortunately, the Labor government has failed at every turn to deliver on these commitments and promises. This is a monumental tragedy with real human outcomes. We are seeing intergenerational poverty, shorter life spans and lost life opportunities because families cannot even have decent shelter. It is an insult to Indigenous people who have to live in Third World conditions. Sadly, the

dollars have been committed in the budget but have not been efficiently delivered via the states or territories, or in partnerships with them, so that our Indigenous Australians can at least be better served, have some privacy, look after their children better, have a toilet that works and have water infrastructure that functions.

The community of Maningrida, for example, was to be consulted closely on what sort of housing was to be built, and we have to say that sometimes it is this very consultation that takes up a lot of dollars and does not lead to an outcome. At Maningrida, Senator Scullion said:

... more than \$45 million was spent on consultations, administration and other bureaucratic expenses before a single house slab was poured, a single nail driven or a single brick laid.

That is, \$45 million was spent on consultation and not one single step taken towards better housing for anyone in that community, and that is despite money having been available since 2007 for better house construction work.

This bill may not deliver what this Labor government hopes it will in the form of even better strategies to have housing constructed. I say it may not because this government sadly has a history of maladministration and poor project management. Unfortunately, with Indigenous housing, whether it is building or renovation, we cannot afford to have mismanagement continue. We saw mismanagement, as I said, with the pink batts, with the Building the Education Revolution program, with the Green Loans program and with child care. But in this instance we have to hope that this government finally gets it right. We understand they wish to make a difference; now they have got to put some skills and proper management processes in place. They have to hold states and territories accountable, and if this bill helps at all then

of course the coalition will not oppose it. But we do say that time is passing. The dollars have been on the table for more than three years now. The people in those remote communities in Australia continue to live and die in conditions that we would be ashamed of if they were anywhere near suburban backyards or if our own relations were experiencing those conditions. We need to be ashamed of the conditions our First Australians are living in.

Mr McCLELLAND (Barton—Attorney-General) (6.02 pm)—in reply—I would like to thank members for their contributions to the debate on the Native Title Amendment Bill (No. 1) 2010 and thank the House for dealing with this matter expeditiously. There is no doubt that improving housing and reducing overcrowding in Indigenous communities is central to the government's efforts to close the gap in Indigenous disadvantage and to address issues of abuse and community safety. To this end, the Council of Australian Governments has committed \$5.5 billion over 10 years to deliver much-needed Indigenous housing in remote Indigenous communities across Australia.

The member for Murray, in her speech immediately preceding me, outlined some undoubtedly chronic issues and spoke of the shame that our First Australians are living and dying in such conditions. Indeed, these have been intergenerational issues. They did not happen overnight; they happened during the 12 years of neglect of the former government. It was not until the former government received the *Little children are sacred* report that they were motivated to action. It expedited their attention, but the reality is that the chronic problems and the cultures are set in and it is taking a great deal of work, obviously, to address these chronic issues that it would be incumbent on any government to address and to address

quickly. Hence the reason why we are seeking urgency in the passage of this legislation.

I would like to respond to some specific comments from the member for Menzies and the member for Murray. The Australian government, as I have mentioned, is delivering \$5.5 billion to address the significant overcrowding, homelessness, poor housing and severe housing shortage in Indigenous communities. The government has put in place secure tenure arrangements as a precondition for housing investment so that responsibilities are clear and people can be masters of their own domain. We are ensuring standard tenancy management arrangements are in place so that rents can be collected and repairs and maintenance can be carried out, and 352 new houses have already been completed, with construction underway on another 165 homes across the country. A further 1,186 houses have been rebuilt or refurbished, with 338 rebuilds or refurbishments currently underway.

We are holding state and territory governments accountable for the delivery of targets under the National Partnership Agreement on Remote Indigenous Housing. At the Australian government's insistence, the national partnership was renegotiated in December last year, when it became clear that insufficient progress was being made by jurisdictions to meet targets. These Australian government reforms created a renewed sense of drive and urgency across all jurisdictions. Consequently, the states and the Northern Territory delivered 316 new homes and 828 refurbishments in remote Indigenous communities in 2009-10. While this was just four houses short of the new houses target, the refurbishment target was exceeded by some 241 refurbishments. The Australian government is continuing to drive improvements in the delivery of Indigenous housing programs across Australia.

Returning to issues raised in respect of the content of the bill, I can confirm that the proposed amendments will enable housing and infrastructure to be built in Indigenous communities on Indigenous held land where native title may exist after—and I emphasise: after—consultation with native title parties takes place. The bill's coverage of housing and associated infrastructure, including staff housing, represents a holistic approach that recognises that community health and well-being depends on the availability or all of these public services for communities. The new process gives native title parties an opportunity to provide input into the design and delivery of urgently needed housing and public infrastructure, and also flexibility to choose the level of consultation that is appropriate and necessary in the circumstances. In this way, the new process balances proper consultation with the need to ensure public housing and infrastructure projects proceed in a timely, definite and certain way.

The non-extinguishment principle, compensation and consultation mechanisms provided in the bill will ensure that any native title rights are not adversely affected in the long term. The bill's sunset period of 10 years provides an incentive to state and territory governments to deliver on housing and infrastructure commitments in a timely manner in accordance with the national partnership agreements on remote indigenous housing and remote service delivery. That partnership stresses the issue of urgency.

The amendments in the bill are not intended to replace Indigenous land use agreements but provide an alternative mechanism to secure appropriate tenure for housing and infrastructure construction on land in Indigenous communities. The proposed amendments are necessary to mitigate the risk that uncertainty about the existence of native title and also uncertainty about which native title processes may apply will

delay government's ability to secure appropriate tenure for housing and infrastructure construction. There has been greater success in putting in place secure tenure arrangements in Indigenous communities where these uncertainties do not arise, such as on Aboriginal land rights land in the Northern Territory.

The bill addresses real concerns that state and territory governments would not be able to meet their Council of Australian Government targets because of delays caused by native title. So far, state and territory governments have largely met their housing targets, but they have been doing so by targeting non-native-title land. But that land is running out. With the construction expected to trigger native title issues, from 2011 to 2012, there is no certainty that existing native title processes can be relied upon to deliver secure tenure arrangements in a timely manner. There is also a risk that, without a bill, program delivery will be skewed towards sites where native title processes do not have to be followed rather than on the basis of greatest need, and that would be a distortion of where the services should properly be allocated.

In conclusion, this bill facilitates the delivery of the government's unprecedented funding commitment to improve housing and reduce overcrowding in Indigenous communities, whether that is based on native title or otherwise. It does this by ensuring investment in housing and community infrastructure proceeds expeditiously and in a manner consistent with the government's commitment to work in partnership with Indigenous Australians. I commend the bill to the House.

The DEPUTY SPEAKER (Hon. Peter Slipper)—The question before the House is that this bill be now read a second time.

Mr Katter—Mr Deputy Speaker, we need two voices but, as I am the only voice, I

would like my vote to be registered in the negative in *Hansard* and for history.

The DEPUTY SPEAKER—I thank the member for Kennedy. Under standing order 126, as you point out, we need two voices to have a division but you are entitled to have your dissent recorded in the *Votes and Proceedings*. I will ensure that such a course of action occurs.

Question agreed to, Mr Katter dissenting.

Bill read a second time.

Third Reading

Mr McCLELLAND (Barton—Attorney-General) (6.10 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

FINANCIAL FRAMEWORK LEGISLATION AMENDMENT BILL 2010

Second Reading

Debate resumed from 30 September, on motion by **Mr Gray**:

That this bill be now read a second time.

Mr ROBB (Goldstein) (6.11 pm)—I rise to speak on the Financial Framework Legislation Amendment Bill 2010. As noted by the member for Brand, when he introduced this bill on 30 September, this is the seventh Financial Framework Legislation Amendment Bill since 2004. These bills have continued the coalition's work to promote transparent and accountable government finances for Australian government departments, agencies, Commonwealth authorities and companies which are predominately contained in the Financial Management and Accountability Act 1997 and the Commonwealth Authorities and Companies Act 1997.

This bill, in particular, seeks to update the framework, improve operational efficiency and assist with the operation of interjurisdic-

tional entities. Firstly, the bill repeals 20 redundant special appropriations, including six acts in their entirety. Secondly, the bill seeks to improve the governance framework, established by the FMA Act and the CAC Act, both of which govern the management and accountability of Commonwealth agencies, authorities and the executive arm of the government.

The bill will allow ministers to delegate certain functions under the CAC Act to departmental secretaries, relating to the oversight of Commonwealth authorities and Commonwealth companies. It also seeks to allow relevant state and territory ministers to request information about FMA Act agencies and Commonwealth authorities operating under the CAC Act.

Thirdly, the bill consolidates the Australian Institute of Criminology with the Criminology Research Council into a single agency, while also transferring them from the CAC Act to the FMA Act. It also seeks to transfer the governance of the Australian Law Reform Commission from the CAC Act to the FMA Act. Further, the National Transport Commission will be brought under the CAC Act as it currently sits outside existing frameworks, other than for its annual reporting.

The coalition broadly supports this amending legislation. However, I draw the attention of the House to page 5.2 of the Department of Finance and Deregulation's red book, the incoming government brief, publicly released on 1 October, which stated:

Through this Bill—

the Financial Framework Legislation Amendment bill 2010—

there is also an opportunity for the Government to reconfirm its support for a strong financial framework dealing with Commonwealth resources by expanding the definition of 'proper use' to include 'economical'. While proper use

already includes 'efficient, effective and ethical', inclusion of the word 'economical' will increase the focus on the level of resources the Commonwealth applies to achieve outcomes.

This was the department's subtle way of acknowledging the government's reckless waste and mismanagement across myriad programs over the past three years and the need for something to be done about it. Even though the language was somewhat tortuous, it was quite pointed for a department to advise its own government in such a significant way about the monumental waste and mismanagement of which we have seen endless examples, such as the \$2.8 billion pink batts debacle. That program was rushed out and led to 207 house fires, 4,000 potential cases of fraud and, tragically, four deaths. It was one of the monumental policy failures in this country's history.

We also saw the \$850 million solar panel scheme blow-out. We saw the dumping of the \$275 million Green Loans program. We saw \$6 billion to \$8 billion wasted in delivering the \$16.2 billion school hall program, with state schools paying twice as much per square metre as Catholic schools for the same buildings—a disgrace to proper management in anyone's language. We saw the embarrassing implementation of the Indigenous housing program. We saw the \$1 billion blow-out in the Computers in Schools program. We saw the \$1 billion blow-out due to the Labor government's loss of control of our nation's borders. We saw the gross waste and mismanagement of our \$4 billion-a-year foreign aid budget. We saw \$1.5 million spent to send 113 delegates to the Copenhagen conference. We saw the failed GroceryWatch website set up and shut down at a cost of \$10 million. We saw the bungled Fuelwatch scheme and, of course, the \$43 billion NBN, which we now know is \$50 billion—from \$4.7 billion originally. And now we see a project cost—

Mr Ripoll and Mr Husic interjecting—

Mr ROBB—If you do not know what a project cost is, go back to accounting 101. See what the cost is to the community: \$50 billion. Some in the industry are saying it is \$55 billion.

The DEPUTY SPEAKER (Hon. Peter Slipper)—The members for Oxley and Chifley will restrain themselves.

Mr ROBB—So it has gone from \$4.7 billion to \$43 billion, and the Prime Minister stood up here today and tried to dissemble, saying, ‘Well, you only look at capex, of course; you don’t look at what the NBN has to pay to Telstra.’ This is real money. It is not like the \$600 that the now Treasurer said was not real money before he got into office. It is real money. Get over it and start concentrating on how you can pay it back.

With the NBN we have seen the scope to produce the greatest level of waste this country has ever seen. This has been further highlighted by this government’s refusal to conduct a cost-benefit analysis despite the fact that it promised, before coming into office, that every significant infrastructure project would have a cost-benefit analysis. Not one significant infrastructure project in the last three years has seen a cost-benefit analysis. Nothing has been released. There has been politics writ large with every major decision, from the school halls program to the road decisions to the NBN: politics, politics, politics and spin. There has been not one cost-benefit analysis. Yet, go back and see what the Minister for Infrastructure and Transport said unambiguously and endlessly before the 2007 election: that this government, if it got into government, would undertake one and release it in a transparent way.

Such a litany of waste and mismanagement has never been seen in the history of this country. It is the most egregious and devastating waste and mismanagement, and

this government stands condemned. This waste and mismanagement is one of the principal reasons the government came so close to losing the election despite the fact that, around the world and in Australia, a first-term government is hardly ever tossed out—in fact, it has only happened once in Australia’s history.

Only recently the Australian National Audit Office also revealed that taxpayers are not getting value for money in up to three-quarters of government purchases. The ANAO concluded that government agencies failed to routinely compare prices when direct sourcing goods and services worth a mere \$10.2 billion a year. Again, the now retired former Minister for Finance and De-regulation said endlessly that the government had sought to improve and upgrade the sorts of processes required by government agencies. Now we see that it has failed to routinely compare prices across \$10.2 billion worth of goods and services. The report stated:

For 74 per cent of the Direct Source procurements in the ANAO sample, agencies were unable to demonstrate whether the procurement gave them value for money. In the majority of cases there was a lack of evidence of any comparative analysis of the relevant costs and benefits of different procurement options to support the procurement decision.

All this waste is occurring when interest rates are going up, with the average mortgage holder paying up to \$6,000 more on interest payments than they were a year ago. Cost-of-living pressures are increasing, with household bills continuing to rise and a budget built on the back of more than \$40 billion worth of new taxes since 2008. The government continues to borrow \$100 million a day and does not have the courage to make the tough decisions to rein in its reckless spending. This has all contributed. It is a

matter of good governance, transparency and strong financial management.

Mr Deputy Speaker, I understand there is a need to sum up quickly. I had other comments to make on this. What I do foreshadow is that we have sought to move an amendment. We sought in the other place to move a private member's bill, which failed to gain support, to introduce the need for the notion of value for money to be included within this act to ensure that there is a proper focus on the requirements to properly look after the nation's finances. That was unsuccessful. We foreshadowed an amendment to introduce value for money along the lines consistent with what the Department of Finance and Deregulation have recommended. We were unable to get agreement from the government but they have agreed to an amendment, I understand, where we would include 'economical', instead of 'value for money', as recommended by the Department of Finance and Deregulation. So I will move that amendment in due course when other speakers have concluded.

In conclusion, while the amendment I will formally move today is a small amendment to the FMA Act, it will be a further step in reminding this government of the obligation it has to every Australian taxpayer. The coalition does not oppose the Financial Framework Legislation Amendment Bill 2010. It builds on the work carried out by the Howard government between 2004 and 2007. I commend the bill to the House.

The DEPUTY SPEAKER (Hon. Peter Slipper)—In this Yuletide period of peace that has broken out, I thank the member for Goldstein for limiting his results and also the member for Oxley for facilitating the business of the House by choosing not to speak.

Mr GRAY (Brand—Special Minister of State and Special Minister of State for the Public Service and Integrity) (6.24 pm)—in reply—I thank the member for Goldstein for his contribution to this debate. The Financial Framework Legislation Amendment Bill 2010 is an omnibus bill that would affect 31 acts, involving the amendment of 25 acts and the repeal of six. The bill contains three major themes. The opposition has circulated amendments to the Financial Management and Accountability Act to include 'economical' in section 44 of the FMA Act, which sets out the responsibilities of chief executives to promote the proper use of government resources. The government will support the opposition's proposed amendment.

I will now turn to other aspects of the bill. The first theme is the repeal of 20 redundant special appropriations, including six acts in their entirety. This continues the government's commitment as part of Operation Sunlight to enhance the transparency and accountability of the Commonwealth's financial framework and budgetary process.

The second theme is improving the financial governance framework established by the Financial Management and Accountability Act 1997, the FMA Act, and the Commonwealth Authorities and Companies Act 1997, the CAC Act. In particular the bill would allow ministers to delegate their ability to obtain budget estimates and monthly financial statements under the CAC Act to departmental secretaries for Commonwealth authorities and Commonwealth companies. The bill will also give state and territory ministers the ability to request information about operations of interjurisdictional agencies under the FMA Act and interjurisdictional authorities under the CAC Act. The bill would also strengthen the reporting to parliament of the Commonwealth's involvement in companies by transferring these requirements from the CAC Act to part 5 of the

FMA Act, which currently deals with investments by the Commonwealth.

The third theme is clarifying governance arrangements of several specific bodies. In particular the bill would consolidate the Australian Institute of Criminology with the Criminology Research Council into a single agency while at the same time transferring them from the CAC Act to the FMA Act. The bill would also transfer the governance of the Australian Law Reform Commission from the CAC Act to the FMA Act. Further, this bill would bring the governance of the National Transport Commission under the CAC Act, consistent with the government's policy on governance arrangements as the commission currently operates outside existing frameworks other than for its annual reporting. Finally, the bill would repeal legislation that had established the Office of Evaluation and Audit for Indigenous Programs as this function has been successfully absorbed into the Australian National Audit Office.

Overall, the amendments in the bill reduce red tape through legislative housekeeping, improve the governance arrangements of interjurisdictional bodies and improve the financial and governance arrangements of specific bodies.

Lastly, I would like to take this opportunity to recognise the efforts of those officials who assisted in the preparation of this bill from across the Commonwealth. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr ROBB (Goldstein) (6.27 pm)—I move the amendment circulated in my name:

(1) Schedule 8, page 48 (after line 20), after item 5, insert:

5A Subsection 44(3) (definition of *proper use*)

After “effective”, insert “, economical”.

Note: The heading to section 44 is altered by omitting “**efficient, effective and ethical use**”, and substituting “**proper use**”.

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Mr GRAY (Brand—Special Minister of State and Special Minister of State for the Public Service and Integrity) (6.28 pm)—by leave—I move:

That the bill will be now read a third time.

Question agreed to.

Bill read a third time.

SERVICE AND EXECUTION OF PROCESS AMENDMENT (INTERSTATE FINE ENFORCEMENT) BILL 2010

Debate resumed from 26 October.

Second Reading

Mr McCLELLAND (Barton—Attorney-General) (6.29 pm)—I present the explanatory memorandum to the bill and I move:

That this bill be now read a second time.

Introduction

The Service and Execution of Process Amendment (Interstate Fine Enforcement) Bill 2010 implements a decision of the Standing Committee of Attorneys-General to establish a framework that enables states and territories to register interstate court-imposed fines that have a cross-border element.

States and territories will be able to enforce interstate fines in accordance with the laws of their own jurisdiction. They will no longer be able to enforce interstate fines by

apprehending and imprisoning the fine defaulter.

The measures within this bill provide a cooperative solution to one of the challenges posed by our federal system, and are consistent with the federal government's continuing commitment to ensuring early and appropriate intervention.

SEPA Amendments

Specifically, the bill will repeal part 7 of the Service and Execution of Process Act 1992, which is commonly referred to as SEPA, which sets out the existing scheme for the recognition and enforcement of interstate court-imposed fines. The existing scheme relies exclusively on apprehension and imprisonment for the enforcement of interstate fines.

Reliance on these sanctions is no longer appropriate.

All states and territories have introduced alternative, less punitive, sanctions to enforce fines and their laws now allow for fines to be enforced by more targeted measures.

Accordingly, the bill will remove from SEPA any provisions which are inconsistent with state and territory laws that allow for alternative sanctions.

Under the new scheme, a state will be able to request the registration of a fine in the state in which a fine defaulter resides. Upon registration, that state will be able to enforce the registered fine in the same way as it would enforce a locally imposed fine. When the fine has been paid, the payment will be transferred back to the state or territory which originally imposed the fine.

I understand that, while a number of states and territories have now completely removed their courts' authority to issue warrants of apprehension and imprisonment in relation to fine defaulters, some jurisdictions still retain these measures as a last resort.

The bill will confirm that this is no longer an option for enforcing an interstate fine, regardless of whether a state or territory still permits fines to be 'served out' by a penal servitude.

The amendments will also impact upon how Commonwealth fines are enforced against offenders who move between jurisdictions, because these fines will be enforced as 'interstate' fines in accordance with the new part 7 of SEPA.

Conclusion

Legislating to enable more targeted remedies, and allow what are essentially civil matters to continue to be treated within the civil justice system, is consistent with the Government's Access To Justice Framework.

In particular, the bill promotes the application of proportionate responses and early intervention as the preferable approach, rather than allowing matters to be escalated to the point where someone is imprisoned and the state incurs enormous expense in so imprisoning them.

In conclusion, this bill will enable the states and territories to establish a scheme to recognise fines quickly, simply and efficiently and to enforce them in another jurisdiction using appropriate and targeted means. I commend the bill to the House.

Mr KEENAN (Stirling) (6.33 pm)—It is a great pleasure to speak briefly on the Service and Execution of Process Amendment (Interstate Fine Enforcement) Bill 2010. The purpose of the bill is to amend the Service and Execution of Process Act 1992 to implement a new part 7 to the act dealing with a simplified process of enforcing fines imposed by courts of summary jurisdiction. It should never be forgotten that the Service and Execution of Process Act, although never, so far as I am aware, a subject of acute political controversy, is one of the most fundamental machinery-of-government acts of

the Australian parliament. It might not have been the first act but it was certainly one of the first acts passed by the parliament, to establish a machinery for the mutual recognition and enforcement of the orders and decrees of the courts of the various states.

This bill replaces the existing regime for arrest and imprisonment of interstate fine defaulters with the alternative sanctions available in the jurisdictions of the states and territories. As mentioned in the *Bills Digest*, section 112 of the Service and Execution of Process Act currently enables warrants of apprehension to be issued concerning an offender against whom a fine has been imposed and the liability has not been fully discharged. An enforcement officer may apprehend the offender and must give the offender an opportunity of paying the whole fine to the enforcement officer without delay. If the offender does not pay, the enforcement officer apprehends the person and brings them before a court, together with the warrant.

Under section 115, the court, if it is satisfied that the person is the person on whom the fine was imposed and is not satisfied that the person's liability to pay the fine has been fully discharged, must order the person to be committed to prison to serve such period of imprisonment as specified in the order or a period of six months whichever is the shorter. Part 7 of the Service and Execution of Process Act provides a scheme for the mutual recognition between states and territories of fines imposed by courts of summary jurisdiction, which allows interstate fines to be enforced through the arrest and imprisonment of fine defaulters.

The bill seeks to implement a decision of the Standing Committee of Attorneys-General by replacing that scheme with a simplified mechanism which no longer relies on arrest and imprisonment and instead applies the less punitive sanctions that have

been introduced in the various jurisdictions. Under the proposed scheme, a state or territory that is owed a fine may request enforcement in another jurisdiction. The fine is then registered in the jurisdiction in which the defaulter resides. Once registered, the fine can be enforced according to that jurisdiction's own laws. Any money recovered is remitted to the state or territory that is owed the fine. The new scheme will apply to fines imposed after the bill's commencement, and also to certain other pre-commencement fines—a measure that is principally targeted at persistent and recalcitrant defaulters.

The bill provides for a quicker, simpler and more efficient method of collecting interstate fines and is therefore entirely consistent with the historic role of the Service and Execution of Process Act to make the service and execution of process between the several states and territories easier and uniform. On behalf of the coalition I am happy to support the bill.

Mr HUSIC (Chifley) (6.37 pm)—I welcome the opportunity to speak on the Service and Execution of Process Amendment (Interstate Fine Enforcement) Bill 2010 because the time has well and truly come to reform a number of aspects of this system as states and territories experience their own problems with the unintended consequence—if I may describe it that way—of enforcement. My mind stretches back to some of the terrible incidents that stemmed from enforcement.

Specifically, I am reminded of an incident that occurred in 1987 involving New South Wales resident Jamie Partlic, who was sent to Long Bay Prison because he had failed to pay a series of parking fines. He was sentenced to four days imprisonment. While serving his time he was assaulted. The assault was truly devastating. It left him in a coma and with permanent brain damage. All this was as a result of failing to pay parking

finer. I remember at the time it triggered a wave of public and media interest in the way governments manage fine enforcement and governments were also mindful of court cases reminding prison authorities of their obligation of care.

While I wish to stress that I do not condone the failure to pay fines, we are expected to fulfil our responsibilities and obligations as citizens. However, there should be a wiser way to ensure that these obligations are fulfilled at a cost that does not exact such a heavy personal toll on people's wellbeing. This is not an area with answers that lend themselves easily to enforcement agencies. Certainly it is a difficult matter to grapple with, especially where people refuse to pay parking or driving fines but, for example, continue to drive their vehicles illegally. In the electorate of Chifley I have experience of people placed in a position where they are unable, by virtue of their income, to pay the level of fines they owe to governments. So it is a matter of deep concern. There would be members here who have constituents in their electorates who are confronted by these problems. Obviously, there are elements of this proposed bill that will come as some relief to members of this House.

Following the matter affecting Mr Partic, various jurisdictions re-evaluated their approach in securing fine payment without reliance upon prison sentences, limiting them to a last resort. All states and territories have now introduced alternatives, and—as the Attorney-General indicated—less punitive sanctions to enforce fines. For example, in New South Wales last year initiatives were introduced to help reduce the incidence of low-income or mentally unwell individuals finding themselves incarcerated as a result of fine default. There is also a financial imperative to reduce these instances. For example, coverage of this matter in the *Sydney Morning Herald* dating back to March 2009 indi-

cated that in 2007, for example, 906 people were caught driving without a licence and were subsequently sent to jail compared with 424 in 1994. I am also mindful of the fact that it costs about \$210 a day to incarcerate such prisoners.

Further, driving licence offences are also taking up more court time across the country as shown by Australian Bureau of Statistics research. Over the five years to 2009, the number of people convicted of driving licence offences had grown 61 per cent. Without doubt, something needed to be done and, as a result, within the New South Wales jurisdiction people were given the ability to volunteer at charities to have their traffic fines cancelled, an approach triggered by considerations and recommendations of the sentencing council in 2006 designed to give disadvantaged people and people on low incomes the chance to avoid jail. Volunteering to pay off fines will be done through charities including St Vincent de Paul, Youth Off the Streets and the Salvation Army. I also congratulate measures introduced to include partial write-off of debts and financial counselling. I merely mention these matters to help shine a light on the considerable work that has been dedicated in the states to devise means of avoiding incarceration for those people who are in exceptionally difficult situations and trying to deal with fine default.

The bill before us, as indicated by the Attorney-General, establishes a framework enabling states and territories to register interstate court imposed fines that have that cross-border element. In his remarks tonight the Attorney-General has clearly elaborated the way in which that would operate. I do not seek to repeat that in my contribution this evening. From what I understand, legislating to enable more targeted remedies and allow what are essentially civil matters to continue to be treated within the civil justice system is

well in line with the government's access to justice framework; and the bill itself promotes a much more proportionate response and early intervention as a preferred approach to ensure that we do not see matters escalating to serious and potentially harmful events.

The important other point worth making is that this bill along with some of the other bills that have been debated in this parliament this week—for example, the Federal Financial Relations Amendment (National Health and Hospitals Network) Bill—demonstrate the headway that this government in conjunction with states and territories is making to ensure that our federation works more wisely, smarter and more efficiently. If states and territories and the Commonwealth—who obviously take note and learn from each other what they are doing in implementing systems and processes—can harmonise their approaches, there are clearly significant benefits to be had from a compliance and regulatory perspective, from a financial perspective and in respect of the matters before us from a societal perspective.

I commend the bill to the House and I commend the cooperation and wisdom evidenced by the efforts of various levels of government to ensure the smoother functioning of our Federation and the efforts that have been championed by the Attorney-General.

With the indulgence of the Speaker I would not mind including on the record that, on a quite separate matter, I extend my congratulations to the Canberra Capitals head coach Carrie Graf, who has won her first WNBL coach of the month award for season 2010 and 2011.

Mr McCLELLAND (Barton—Attorney-General) (6.43 pm)—in reply—I thank the previous speakers for their contributions to

the debate. The Service and Execution of Process Amendment (Interstate Fine Enforcement) Bill 2010 implements a decision of the Standing Committee of Attorneys-General to replace the existing framework enabling states and territories to enforce fines imposed by a court in another jurisdiction. The new scheme facilitates a registration of court imposed fines in the jurisdiction in which the fine defaulter resides and enables them to be enforced in the same way as a locally imposed fine. Any fine payment will be transferred back to the state or territory which originally imposed the fine. When operational the new scheme will allow for quick, simple and efficient enforcement of court imposed fines across borders in the civil jurisdiction. The scheme will ensure that interstate court imposed fines are no longer enforced through the arrest and imprisonment of fine defaulters.

The SEPA Act, as I have referred to, will pick up the alternative less punitive sanctions that are now used by the states and territories to enforce their own fines. The use of more appropriate enforcement options for court imposed interstate fines accords with the government's Access to Justice Framework. In conclusion, the measures within this bill provide a cooperative solution to one of the challenges posed by our federal system and are consistent with the federal government's continuing commitment to resolve legal disputes using the most appropriate means. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Third Reading

Mr McCLELLAND (Barton—Attorney-General) (6.45 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

BUSINESS

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (6.46 pm)—On indulgence, I inform members that progress in the Senate on the Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2010 is extremely slow. Some might argue it is as slow as a coalition senator. It is progressing in a way which is, in my view, not constructive given that we have had a range of procedural resolutions moved simply to make the end outcome take longer, not to change the end outcome. At this stage we anticipate that the Senate will not conclude the committee stage and third reading until at least the middle of tomorrow. There will then be a time delay required to complete the detailed paperwork on the schedule of amendments.

It is the case that, rather than sit around tomorrow waiting for the Senate to deliberate, it is in the interests of the House that the House be suspended until 12 noon on Monday. The proposed procedural processes, of course, are that the House be suspended until the ringing of the bells but, so that people can make arrangements for this evening and to travel home tomorrow morning, it is best that certainty be given. I thank all members for their patience and cooperation. I look forward to seeing people back in this chamber on Monday to receive the legislation.

Mr PYNE (Sturt) (6.48 pm)—Just very briefly, I think the last comment from the Leader of the House might have been more tongue-in-cheek than genuine. I am sure he is not looking forward to seeing us back here on Monday. I, of course, am looking forward to seeing you back here on Monday, Mr Speaker, on the other hand.

Obviously the management of the Senate and the House is in the hands of the government. It is disappointing that, yet again, the government has been unable to manage its

legislative agenda in a way that would ensure that we could be finished today. I held out a vain hope that the Leader of the House would be able to manage the affairs of this building in such a way that we would finish at five o'clock today but, yet again, I am disappointed by the Leader of the House's management of the business of the parliament.

Of course, the Senate is doing the job that it is elected to do, which is to scrutinise government legislation and to hold the government to account. If the government chose to do so, it could easily have moved the guillotine motion in the Senate. Obviously it does not believe that it has the numbers to achieve that, and that speaks volumes about the inability of this government to progress its agenda. As we have known for the last five sitting weeks in this parliament, one of the major bugbears of the opposition is the failure of the government to have an agenda or a plan because, as we know, while the ALP is in government the Greens are in power. We are seeing that in the Senate and in the House every day. With those few words I look forward to seeing some of our members on Monday to finish the government's legislative program for this year.

The SPEAKER—Order! The sitting is suspended until the ringing of the bells.

Sitting suspended from 6.50 pm until Monday, 29 November at 12.00 pm

Monday, 29 November 2010

PERSONAL EXPLANATIONS

Mr BALDWIN (Paterson) (12.00 pm)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the honourable member claim to have been misrepresented?

Mr BALDWIN—Yes.

The SPEAKER—Please proceed.

Mr BALDWIN—Recent articles written by Michael Madigan and Steve Lewis in the

Courier-Mail, Danielle Cronin in the *Canberra Times* and Josh Gordon in the *Sun-Herald* misrepresented my use of travel entitlements and I feel I must correct the record. The cost to the taxpayer for my study leave to Papua New Guinea was not the \$28,489 as quoted but rather \$4,002.96. Despite assertions by Mr Gordon in particular, my time on board MV *Seafaris* was at no cost to the taxpayer. Indeed, in accordance with the standing orders, I have declared this complimentary hospitality in the Register of Members' Interests.

Following my travel to Papua New Guinea I prepared a 37-page report detailing the meetings I had and my subsequent findings and recommendations. In particular, I noted the relevance of these meetings to my role as then shadow minister assisting the shadow minister for defence. Both this report and the Register of Members' Interests are on the public record and available to journalists to read in full. Of course, as some of their colleagues did, the journalists in question could have telephoned me and I would have been happy to provide a complete briefing on my travel.

COMMITTEES

Selection Committee

Report

The SPEAKER (12.01 pm)—I present the report of the Selection Committee relating to the consideration of private members' business. The report will be printed in today's *Hansard*.

The report read as follows—

Report relating to the consideration of private Members' business

1. The committee met in private session on Thursday, 25 November 2010.
2. In addition to items previously recommended, the committee recommended that the following item of private Members' business be voted on:

Orders of the day

PAID PARENTAL LEAVE (REDUCTION OF COMPLIANCE BURDEN FOR EMPLOYERS) AMENDMENT BILL 2010 (Mr Billson): Second reading (from 22 November 2010).

Economics Committee

Membership

The SPEAKER—I have received advice from the Chief Opposition Whip nominating a member to be a supplementary member of the House of Representatives Standing Committee on Economics for the committee's inquiry into the Competition and Consumer (Price Signalling) Amendment Bill 2010.

Mr ALBANESE (Grayndler—Leader of the House) (12.02 pm)—by leave—I move:

That Mr Billson be appointed a supplementary member of the Standing Committee on Economics for the purpose of the committee's inquiry into the Competition and Consumer (Price Signalling) Amendment Bill 2010.

Question agreed to.

GILLARD GOVERNMENT

Suspension of Standing and Sessional Orders

Mr ABBOTT (Warringah—Leader of the Opposition) (12.03 pm)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition to move the following motion forthwith—That this House calls on the Prime Minister to immediately explain to the Parliament how a Government that has lost its way has suddenly found it despite the evidence to the contrary, and in particular for:

- (1) treading water when it comes to policy reform;
- (2) being forced to admit to a secret plan to introduce a carbon tax despite her election promise not to;
- (3) failing to protect Australia's borders with the arrival of three more boats over the weekend,

- making it 53 boats and 2,750 people since she became Prime Minister;
- (4) being distracted by issues such as gay-marriage and euthanasia when millions of Australian households are struggling to make ends meet with soaring power bills and cost of living pressures;
 - (5) continuing to borrow \$100 million dollars a day putting pressure on interest rates;
 - (6) a back-stabbing, in-fighting style of Government that is all about factional control and not the good Government that Australians need and deserve;
 - (7) pandering to the Greens with an agenda that is more about staying in power than delivering good and competent Government; and
 - (8) the wasting of taxpayer dollars typified by its refusal to submit the \$50 billion NBN Network to a full and transparent cost benefit analysis by the Productivity Commission which has the support of this Opposition, business leaders and the Governor of the Reserve Bank of Australia, Mr Glenn Stevens.

Mr Speaker, 2010 is ending very badly for the Australian Labor Party. Everywhere you look, Labor—

The SPEAKER—Order! The Leader of the Opposition will resume his seat.

Mr Albanese—Mr Speaker, on a point of order: we have reconvened today to consider some important pieces of legislation. This motion is clearly out of order. It was not on the schedule of the blue to be moved today.

The SPEAKER—Order! The Leader of the House will resume his seat. The Leader of the Opposition has the call.

Mr ABBOTT—Mr Speaker, 2010 is ending very badly for the Australian Labor Party, because everywhere you look the Labor Party is in a mess. Most recently we have seen the example of Victoria, and I say to members opposite that you might have a good day in parliament, you might occasionally even get a bit of legislation passed, but you cannot save a bad government. You can-

not even save a comparatively good government, as the Victorian example illustrates, when the Labor brand is increasingly toxic. That is what we are seeing: a Labor brand which is increasingly toxic right around this country.

Government members interjecting—

Mr ABBOTT—Doesn't the shouting tell you something, Mr Speaker? The more they shout, the more embarrassed they are, the more humiliated they are, by this latest devastating rebuff to brand Labor. You have the Victorian disaster. You have the South Australian disaster, where the sitting Premier was almost rebuffed by his own conference. You have the New South Wales disaster, the train wreck that is coming. You have the Queensland situation, where the government was elected promising not to privatise and almost the very next day announced that it was privatising. What we see is one Labor disaster after another.

Government members interjecting—

Mr ABBOTT—Aren't members opposite looking very frightened indeed? As they should! Let me say to members opposite that they can shout all they like but the problem is not the Victorian Labor government, the problem is not the New South Wales Labor government and the problem is not the Queensland Labor government. The problem is Labor. That is the problem. The problem, which the Australian public is increasingly understanding, is that governments that are more talk than action, that are more announcement than delivery, that are more spin than substance, will be rejected by the Australian people.

We see today the absent Prime Minister in Sydney making the announcement that she has just discovered that the year 2011 should be all about decision and delivery. Well, that would be a change, wouldn't it? That would be a change from 2008. That would be a

change from 2009. That would be a change from 2010. But shouldn't every year—shouldn't every day of every week of every month—be a time when governments should be about deciding and delivering? It is precisely because this government cannot decide and cannot deliver that Labor is on the nose right around Australia right now. She said that in 2011 she is going to fix the mining tax. That was supposed to be fixed before the last election, until it became unworkable because she was not able to face down the state premiers. She said that in 2011 she is going to fix the issue of a carbon price. We see that the Prime Minister has had at least three positions on this whole question of a carbon price. First of all, she supported the former Prime Minister's emissions trading scheme until she stabbed him in the back. She stabbed him in the back by ditching the emissions trading scheme. Then she supported a people's assembly, but that hardly lasted until polling day. Then there was the third position: a carbon tax that she ruled out before an election has been ruled in since an election. What that means is a massive increase in the costs of Australian households.

Then there is health reform. The Prime Minister says 2011 is the year to decide on and deliver health reform. That was supposed to be done in 2009. Kevin Rudd, the former Prime Minister, was going to deliver health and hospital reform in 2009. What a joke! What an absolutely shambolic mess this government has become that something that should have been delivered in 2009 is now on the wish list for 2011.

But let me say this about health and hospital reform: it will never work. Going from a 40-60 federal-state funding mix to a 60-40 federal-state funding mix is about more bureaucracy; it is not about more beds and better services. Let me make a prediction: when the Prime Minister's health and hospital reform dissolves into more shambles and more

chaos in the course of 2011, she will try to blame the Victorian coalition government. But it will not be the Victorian coalition government, which has refused to surrender its GST to get what it already has, that is to blame; it will be the incompetence of this Labor government that is to blame.

Here we have the Prime Minister. It is very good of the Prime Minister to turn up. She summons back the parliament but cannot bring herself to be here at the start of the parliamentary sitting day.

Let me conclude by saying that if there is one issue above all else which crystallises the ineptitude and the irresponsibility of this government it is spending some \$50 billion on a national broadband network without a cost-benefit analysis. Ken Henry, the Treasury secretary, says that it needs a cost-benefit analysis. Graham Bradley of the Business Council of Australia says that it needs a cost-benefit analysis. The government's own Future Fund chairman David Murray says that it needs a cost-benefit analysis. The Governor of the Reserve Bank says that it needs a cost-benefit analysis. Even the Prime Minister herself this morning admitted in effect that it should have a cost-benefit analysis, when she said that she wants the government to look at each decision from every angle, to hold them up to the light, to examine every possibility and every question, to make every dollar go as far as it can. Well, why not a cost-benefit analysis of the biggest decision that this government will ever make?

What we have from this Prime Minister is someone who very occasionally says the right thing but never does the right thing. That is why standing orders should be suspended. That is why this Prime Minister should explain why a government that has lost its way has suddenly found it. (*Time expired*)

The SPEAKER—Is the motion seconded?

Mr TRUSS (Wide Bay—Leader of the Nationals) (12.13 pm)—I second the motion. From south to north and from east to west Australians have lost faith in Labor governments. Labor have failed the Australian people. They do not keep their promises. They have demonstrated no capacity to govern in the interests of Australians. It is all about what the factional bosses and the union chiefs want, not what the people of Australia want. And another judgment was passed upon Labor in Victoria last weekend.

The wild promises have simply not been delivered. Yet this morning over breakfast we had the Prime Minister, in her latest speech, drawing a line in the sand and making another new beginning, saying that next year is going to be the year of delivery and decisions—oddly, delivery first and decisions later. Frankly, Labor will not deliver either. Their record over the last three years makes it absolutely clear that Labor will not deliver on their decisions. They will not make the decisions in the first place. After three years of not making decisions and not delivering, why should we believe them this time? Why is it going to be different this time to what it was previously?

The Prime Minister has already admitted that Labor lost its way. No-one believes that she has found her way now. Her speech to CEDA this morning, attended by some of the leaders in the economic decision making and management of our country, no-one will find credible. This is a government that has failed to deliver. It will fail to deliver in 2011 just as it has failed to deliver in previous years.

Let us look at this three-point plan. The first point is about hospital reform. This is the reform that was supposed to be delivered by June 2009, as the Leader of the Opposition said. That was the core promise made by

Kevin Rudd at the previous election and, when it was not delivered by the states, Labor did nothing. They have no reform plan, just a money-shuffling plan. Instead of a bit of the GST being spent by the states, it will be given to the Commonwealth, who will then give it back to the states. It is just bureaucracy and a money-shuffle. What did they deliver by way of hospital reform in the first three years? Eleven beds at about \$20 million each. The queues are longer, not shorter. Labor has simply failed to deliver. The other big area where there is to be a decision is the mining tax.

Mr Symon interjecting—

The SPEAKER—The member for Deakin is warned!

Mr TRUSS—What, another decision and then another piece of implementation? The reality is that this tax is a shambles, like everything this government has done. The other big decision to be made is about a carbon tax. I thought during the election that 150 people were going to be chosen from the phone book to make that decision, but now the government is going to make the decision. Why is the government going to make the decision when the Prime Minister said, two or three days before the election, that there would never be a carbon tax while she is leader? So why, Prime Minister, are you making decisions, why are you going to spend a year talking about it if you are never going to do it, if it is not going to happen? Surely the Prime Minister was telling the truth to the Australian people when she spoke to them and said not while she was leader would there be a carbon tax. So why are we to spend a year talking about something that we have been faithfully promised by an honourable Prime Minister would never happen? Yet this will be the big thing for the next year: talking about, and making a decision on, a carbon tax. Was she actually

making a prediction about her own leadership? If it is not going to happen during her time as leader, does that mean that this decision is going to be made because there will be a different leader and she will have honoured her word to the Australian people, made faithfully just days before the election, that there would be no carbon tax? Yet, we are told, that is the agenda that will happen next year.

The reality is that Labor governments have failed the Australian people. Labor governments will fail Australia again in 2011, just as they have failed us over the last three years. There will be no new direction. It will be the same failed Labor.

Ms GILLARD (Lalor—Prime Minister) (12.18 pm)—Labor members and members of the crossbench have come here today to deliver a nation-changing microeconomic reform. The opposition have come here today to have a temper tantrum. They are acting like two-year-olds, mired in their bitterness about defeat. In their sourness, in their destructiveness they have come to parliament to pull whatever irrelevant stunt they can in order to exhibit to all Australians how bitter they are, how sour they are and how sad they are as they limp their way out of 2010 and into 2011. We did not need this display for Australians to conclude that this is an opposition that is good at three-word slogans but completely bereft of a vision for this country.

Let's go through the principal things about which you have to have a view and a belief if you are going to have a vision for this country. First and foremost is the need to strengthen the economy so Australians can have opportunities and have the benefits and the dignity of work. Of course, the Leader of the Opposition, who cares nothing about economics and knows nothing about economics, tosses his hands up in the air at that statement 'the benefits and the dignity of

work, and a strong economy'. Of course, he throws his hands up at that statement because if it had come to him we would have a weakened economy. A strong economy requires bringing the budget to surplus in 2012-13. The Leader of the Opposition stands for an \$11 billion black hole in the budget.

Mr John Cobb interjecting—

The SPEAKER—Order! The member for Calare!

Ms GILLARD—So reckless is he, so incompetent is he and so disinterested in anything to do with the economy is he that he did not even bother to check the costings during the election campaign. He is a man who stands condemned by his own conduct during the election. He stands condemned by the words out of the mouth of the former Treasurer, Peter Costello, who said: 'He was never interested in economics. He would come to the cabinet with yet another hare-brained spending proposal with no idea about how it could be funded.' They are not my words; they are the words of a man who served around a cabinet table with him. The Leader of the Opposition does not believe in budget surpluses, and that was shown during the election campaign.

To have a strong economy, you have to understand contemporary economic circumstances and how to balance growth. Courtesy of the economic policies of men like the Leader of the Opposition when he was a minister in the Howard government, we did not make the most we could have of the mining boom mark I. We will make the most of mining boom mark II by balancing growth with the minerals resource rent tax, by cutting company taxation, by increasing retirement incomes and by increasing national superannuation and national savings. The Leader of the Opposition, of course, is now chanting at me about tax. The only leader who went into the last election campaign

promising increased taxes was the Leader of the Opposition, with his great big new tax on everything. We went into the last election campaign promising a tax cut. Oh, he doesn't like it, does he?

Mr Danby—Glass jaw.

Ms GILLARD—Bullies always are glass jaws.

Mr Abbott—Mr Speaker, I rise on a point of order. It is not within the standing orders for the Prime Minister to repeat untruths—

The SPEAKER—Order! The Leader of the Opposition will resume his seat.

Mr Danby—Glass jaw.

The SPEAKER—The member for Melbourne Ports is warned! The Prime Minister has the call.

Ms GILLARD—He is a weak man with no convictions, and it is on display for all Australians to see. Amongst his lack of convictions is his lack of conviction about budget surpluses, because he will never be able to make the money add up. He will never have a conviction about economic growth, because he will never have an economic plan. He will never have a conviction about infrastructure, because standing in this parliament today in his bitterness and in his defeat he is standing in the way of the microeconomic reform that this country has sought for 30 years. This government will deliver that microeconomic reform and we will deliver the National Broadband Network. It is not just the National Broadband Network and the challenges of the future about which the Leader of the Opposition is in denial; he thinks climate change is a political plaything—you go outside, you test where the winds are blowing that day and then you decide what your position is.

Mr John Cobb interjecting—

The SPEAKER—Order! The member for Calare is warned!

Ms GILLARD—Climate change is not a political plaything; climate change is a challenge for our globe, for our country and profoundly for our economy. As the Leader of the Opposition, once again, sits there like a weathervane waiting for someone to tell him what to do, so profound is his lack of conviction, the government will get on with tackling climate change, with pricing carbon, with dealing with energy efficiency and with increasing solar and renewable energy efficiencies. Of course, the Leader of the Opposition talks about fairness. But how can he believe in fairness and deliver Work Choices? He talks about health reform. The biggest impediment to health reform is the Leader of the Opposition. Here he goes again: weak, weak, weak—

Mr Abbott—Mr Speaker, I rise on a point of order. She wants to refight the 2007 election. The only election that counts is—

The SPEAKER—The Leader of the Opposition will resume his seat.

Mr Abbott interjecting—

The SPEAKER—Order! The Leader of the Opposition is warned.

Ms GILLARD—I say to the Leader of the Opposition: it is your tactic. It is not my fault that it is going so badly. We are determined to deliver health reform. They have signalled in this parliament that they will vote against it. Why is health reform so necessary? It is because of the Leader of the Opposition's cutbacks to Australian hospitals, where a billion dollars was ripped out. It was aimed at hurting Australian families, and it did.

This is a Leader of the Opposition who sat in a cabinet that never did anything about education reform. It did not care if Australian kids were being left behind. The Leader of the Opposition now comes into this parliament and his own backbench have their jaws trailing along the ground because they know

in their heart of hearts that if they are to sustain support in their electorates they need to go to their electorates with a positive plan. I make this prediction about the Leader of the Opposition: he may be here yelling and screaming this December, but it will be very interesting to see what is happening next December when his backbench, who are already restive—

Mr Baldwin interjecting—

The SPEAKER—The member for Pater-son is warned!

Ms GILLARD—realise that you cannot sustain political support in this country based on negativity, bitterness and three-word slogans. They will realise that he is a man empty of conviction and empty of ideas. By next December he will be standing in front of the Australian people and his own back-bench, revealed as precisely that.

Mr OAKESHOTT (Lyne) (12.26 pm)—I came here today—like, I thought, 149 of my colleagues came here today—to vote on three issues. The first is the Airports Amendment Bill 2010, the second is the Tax Laws Amendment (Confidentiality of Tax-payer Information) Bill 2010 and the third is the Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2010. I did not come here for rhetoric over reality. I did not come here for politics over policy. Mr Speaker, I notice there are cameras up in the gallery today, and I notice there are members who have already spoken who are wanting to get some atten-tion. But the attention today, and the photo today, is not at the table. It is here—and here. Where are your members who are supposed to be here working? If you want an absolute majority to get to 76 and pass a motion such as this, you need to turn up for work. Six of us turned up for work today. Where are your members to get to 76, to get to an absolute majority to support such a motion as this?

You are wasting the House’s time by the ex-ample that you are showing.

The SPEAKER—Order! The time allot-ted for the debate has expired.

Question put:

That the motion (**Mr Abbott’s**) be agreed to.

The House divided. [12.33 pm]

(The Speaker—Mr Harry Jenkins)

Ayes.....	55
Noes.....	<u>56</u>
Majority.....	<u>1</u>

AYES

Abbott, A.J.	Alexander, J.
Andrews, K.	Andrews, K.J.
Baldwin, R.C.	Billsen, B.F.
Briggs, J.E.	Broadbent, R.
Buchholz, S.	Chester, D.
Christensen, G.	Cobb, J.K.
Coulton, M. *	Entsch, W.
Fletcher, P.	Forrest, J.A.
Frydenberg, J.	Gambaro, T.
Griggs, N.	Hartsuyker, L.
Hockey, J.B.	Hunt, G.A.
Irons, S.J.	Jensen, D.
Jones, E.	Kelly, C.
Laming, A.	Ley, S.P.
Macfarlane, I.E.	Markus, L.E.
Matheson, R.	McCormack, M.
Morrison, S.J.	Moylan, J.E.
Neville, P.C.	O’Dowd, K.
Prentice, J.	Pyne, C.
Ramsey, R.	Robb, A.
Roy, Wyatt	Scott, B.C.
Secker, P.D. *	Simpkins, L.
Slipper, P.N.	Smith, A.D.H.
Southcott, A.J.	Stone, S.N.
Truss, W.E.	Tudge, A.
Turnbull, M.	Van Manen, B.
Vasta, R.	Washer, M.J.
Wyatt, K.	

NOES

Adams, D.G.H.	Albanese, A.N.
Bird, S.	Bowen, C.
Bradbury, D.J.	Brodtnann, G.
Burke, A.S.	Butler, M.C.
Byrne, A.M.	Champion, N.

Clare, J.D.
 Danby, M.
 Ellis, K.
 Ferguson, L.D.T.
 Fitzgibbon, J.A.
 Georganas, S.
 Gillard, J.E.
 Hall, J.G. *
 Husic, E.
 Kelly, M.J.
 Lyons, G.
 McClelland, R.B.
 Mitchell, R.
 Neumann, S.K.
 O'Neill, D.
 Ripoll, B.F.
 Rowland, M.
 Rudd, K.M.
 Sidebottom, S.
 Smyth, L.
 Swan, W.M.
 Thomson, K.J.
 Wilkie, A.

PAIRS

Ruddock, P.M.
 Keenan, M.
 Schultz, A.
 Dutton, P.C.
 Tehan, D.
 Hawke, A.
 Robert, S.R.
 Gash, J.
 Bishop, B.K.
 Marino, N.B.
 Mirabella, S.
 Haase, B.W.
 Randall, D.J.
 Ciobo, S.M.
 O'Dwyer, K.
 Somlyay, A.M.
 Ms J. Bishop

* denotes teller

Question negatived.

Combet, G.
 Dreyfus, M.A.
 Emerson, C.A.
 Ferguson, M.J.
 Garrett, P.
 Gibbons, S.W.
 Griffin, A.P.
 Hayes, C.P. *
 Jones, S.
 Livermore, K.F.
 Macklin, J.L.
 Melham, D.
 Murphy, J.
 O'Connor, B.P.
 Perrett, G.D.
 Rishworth, A.L.
 Roxon, N.L.
 Shorten, W.R.
 Smith, S.F.
 Snowdon, W.E.
 Symon, M.
 Vamvakinou, M.
 Zappia, A.

Crean, S.F.
 Marles, R.D.
 Plibersek, T.
 Parke, M.
 Grierson, S.J.
 Owens, J.
 Thomson, C.
 Gray, G.
 King, C.F.
 Collins, J.M.
 Burke, A.E.
 D'Ath, Y.M.
 Elliot, J.
 Saffin, J.A.
 Cheeseman, D.L.
 Leigh, A.
 Mr S.F. Smith

**RADIOCOMMUNICATIONS
 AMENDMENT BILL 2010**
**FAMILY LAW AMENDMENT
 (VALIDATION OF CERTAIN
 PARENTING ORDERS AND OTHER
 MEASURES) BILL 2010**
**CORPORATIONS AMENDMENT
 (SONS OF GWALIA) BILL 2010**
**HEALTH INSURANCE AMENDMENT
 (PATHOLOGY REQUESTS) BILL 2010**
**FINANCIAL FRAMEWORK
 LEGISLATION AMENDMENT
 BILL 2010**
**THERAPEUTIC GOODS AMENDMENT
 (2010 MEASURES No. 1) BILL 2010**
**TERRITORIES LAW REFORM
 BILL 2010**

Returned from the Senate

Messages received from the Senate returning the bills without amendment or request.

AIRPORTS AMENDMENT BILL 2010**Consideration of Senate Message**

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

Senate's amendments—

- (1) Schedule 1, item 2, page 4 (lines 30 and 31), omit "(in relation to civil uses of the airport and in accordance with regulations, if any, made for the purpose of this paragraph)", substitute "in relation to civil uses of the airport and".
- (2) Schedule 1, item 15, page 8 (line 27), omit "*incompatible*", substitute "*sensitive*".
- (3) Schedule 1, item 27, page 10 (line 19), omit "*incompatible*", substitute "*sensitive*".
- (4) Schedule 1, item 27, page 10 (line 22), omit "incompatible", substitute "sensitive".
- (5) Schedule 1, item 27, page 10 (line 23), omit "An *incompatible*", substitute "A *sensitive*".

- (6) Schedule 1, item 27, page 10 (lines 23 to 25), omit “the development of, or the redevelopment of, any of the following facilities in a way that increases the capacity of the facility”, substitute “the development of, or a redevelopment that increases the capacity of, any of the following”.
- (7) Schedule 1, item 27, page 10 (lines 26 and 27), omit “(except accommodation for students studying at an aviation educational facility at the airport)”.
- (8) Schedule 1, item 27, page 10 (line 31), omit “(except an aviation educational facility)”.
- (9) Schedule 1, item 27, page 10 (lines 32 to 34), omit “(except a facility with the primary purpose of providing emergency medical treatment to persons at the airport and which does not have in-patient facilities)”.
- (10) Schedule 1, item 27, page 10 (after line 34), after subsection 71A(2), insert:
- (2A) A *sensitive development* does not include the following:
- an aviation educational facility;
 - accommodation for students studying at an aviation educational facility at the airport;
 - a facility with the primary purpose of providing emergency medical treatment and which does not have in-patient facilities;
 - a facility with the primary purpose of providing in-house training to staff of an organisation conducting operations at the airport.
- (11) Schedule 1, item 34, page 12 (lines 30 and 31), omit “an incompatible”, substitute “a sensitive”.
- (12) Schedule 1, item 34, page 12 (line 33), omit “incompatible”, substitute “sensitive”.
- (13) Schedule 1, item 39, page 14 (line 21), omit “Incompatible”, substitute “Sensitive”.
- (14) Schedule 1, item 40, page 14 (lines 25 and 26), omit “, including altering a runway in any way that changes”, substitute “(other than in the course of maintenance works) in any way that significantly changes”.
- (15) Schedule 1, item 45, page 15 (line 26), omit subparagraph 89(5)(b)(i).
- (16) Schedule 1, item 46, page 16 (line 3), omit “**Incompatible**”, substitute “**Sensitive**”.
- (17) Schedule 1, item 46, page 16 (line 4), omit “**Incompatible**”, substitute “**Sensitive**”.
- (18) Schedule 1, item 46, page 16 (line 7), omit “an incompatible”, substitute “a sensitive”.
- (19) Schedule 1, item 46, page 16 (line 9), omit “an incompatible”, substitute “a sensitive”.
- (20) Schedule 1, item 46, page 16 (line 12), omit “incompatible”, substitute “sensitive”.
- (21) Schedule 1, item 46, page 16 (lines 23 to 25), omit “matters in paragraphs (1)(c) and (d)”, substitute “approval of the Minister mentioned in subsection (1)”.
- (22) Schedule 1, item 46, page 16 (line 29), omit “an incompatible”, substitute “a sensitive”.
- (23) Schedule 1, item 46, page 17 (line 1), omit “incompatible”, substitute “sensitive”.
- (24) Schedule 1, item 46, page 17 (line 5), omit “incompatible”, substitute “sensitive”.
- (25) Schedule 1, item 46, page 17 (line 11), omit “incompatible”, substitute “sensitive”.
- (26) Schedule 1, item 48, page 17 (line 29), omit “an incompatible”, substitute “a sensitive”.
- (27) Schedule 1, item 48, page 17 (line 31), omit “incompatible”, substitute “sensitive”.
- (28) Schedule 1, item 54, page 19 (line 8), omit “an incompatible”, substitute “a sensitive”.
- (29) Schedule 1, item 54, page 19 (line 11), omit “incompatible”, substitute “sensitive”.
- (30) Schedule 1, item 54, page 19 (line 13), omit “incompatible”, substitute “sensitive”.
- (31) Schedule 1, item 54, page 19 (line 16), omit “incompatible”, substitute “sensitive”.
- (32) Schedule 1, item 75, page 23 (line 2), omit “**incompatible**”, substitute “**sensitive**”.
- (33) Schedule 1, item 75, page 23 (line 4), omit “incompatible”, substitute “sensitive”.
- Mr ALBANESE** (Grayndler—Minister for Infrastructure and Transport) (12.39 pm)—I move:
- That the amendments be agreed to.

These amendments take into account reasonable suggestions put forward through the Senate inquiry. They change the term ‘incompatible development’ to ‘sensitive development’ to recognise that each proposal must be dealt with on a case-by-case basis. These developments will remain prima facie prohibited unless exceptional circumstances are demonstrated.

Further, the amendments clarify that educational institutions which are a sensitive development in section 71A do not include facilities that provide in-house training to staff conducting operations at the airport. The amendments now also exclude routine runway maintenance such as patch repair of runways, taxiways and aprons, runway resurfacing, line marking, jet blast protection and the upgrade of navigation aids from undergoing a major development plan process. They also introduce a test so that only a runway alteration that significantly changes flight paths or patterns of aircraft noise will require a major development plan. Finally, technical amendments clarify major development plan exemption provisions and address drafting errors.

This bill is about empowering communities around airports and improving integration and coordination of on- and off-airport planning schemes whilst recognising the importance of continued investment in Australia’s airport infrastructure. This bill arises from the aviation white paper, which was the result of extensive consultation with the community, with airport owners and with airport operators. I commend the bill and the amendments to the House.

Mr TRUSS (Wide Bay—Leader of the Nationals) (12.41 pm)—The opposition will not be opposing these amendments to the Airports Amendment Bill 2010. Indeed, during the debate in the House of Representatives I said that these sorts of amendments

would be necessary. Unfortunately, the government did not provide any kind of exposure draft so that there could be consultation with the industry before this legislation was brought into the House. The normal courtesy of consultation with key stakeholders in the drafting of the bill simply did not happen. Fortunately, on 30 September the bill was referred to the Senate Rural Affairs and Transport Legislation Committee for inquiry and report by 16 November.

In the debate in the House of Representatives, I suggested to the government—and indeed moved—that the debate be adjourned until after that Senate committee report, because it was quite obvious from the submissions that had already been received that there were serious deficiencies in the legislation which needed to be corrected. Unfortunately, not enough of the Independents supported us in that motion and so we are now going through this process today where this legislation has to be brought on on this special day of sitting. It could have all been dealt with through the proper processes by waiting for the Senate inquiry which identified the problems which the government has now sought to correct.

There are some 33 amendments. The embarrassment of the government in having to bring this legislation back today has been entirely brought on by themselves because they would not consult with the industry in advance and then they did not wait for the Senate inquiry before insisting that the legislation go through the House of Representatives.

Next year there will be another new paradigm. The government and the Greens will have control of the Senate. That alliance will mean that there will not be the usual scrutiny of legislation undertaken in the Senate that has occurred in the past. Labor will be able to count on the Greens whenever they re-

quire them and, as a result, the situation which has occurred in the past, where the Senate has corrected and tidied up shoddy legislation, will not be able to be counted upon. Indeed, it will be this House which will have to do much more of the work in ensuring that the legislation that is passed does in fact meet the expectations of the government in bringing it forward, and deliver good policy for the Australian people. In the past, this House has often relied upon the Senate to fix up poor legislation such as this. That will not happen so much in the future. We will need to undertake committees of inquiry in this House to make sure that poor legislation is corrected before it leaves or at least adjourn the legislation for debate in this place until after it has been considered in the Senate.

I have always been uncomfortable about governments—and I acknowledge that it happened also under the previous government—bringing in legislation where there is public controversy, where there is a public inquiry process going on, but having it voted upon in the House of Representatives before the problems are fixed. I do not believe that treats members of this House with proper respect and it is not good governance.

In the future I hope the government will have learned from this experience. If they do not consult with industry, if they do not wait for the Senate inquiry, legislation will often be defective. In this instance, 33 amendments have now had to be brought back to the House of Representatives. The government has had to include the bill in this day of special sittings to get the legislation through. If they had used proper process this could all have been done last week, after the Senate inquiry and without asking the House of Representatives to vote for legislation which even the government, surely, must have known, on the basis of the submissions that

had been received from industry, was defective.

The bill establishes a framework for the regulation of Commonwealth leased airports. It comprises amendments to the Airport Act 1996, which the previous government introduced to ensure that there was an appropriate planning process for airports. The act sets out the requirements for airport master plans and sets out development plans over a 20-year period. Master plans are intended to establish the direction of use of the airport, and the act ensures that there is consultation with local communities. I think this legislation will improve that consultation. The amendments are absolutely essential; otherwise the legislation would simply have been unworkable. The process that the government has used is flawed, but we have ended up with the best possible outcome.

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (12.46 pm)—The fact is that we have had an appropriate process for this legislation. This legislation was not just carried in the 43rd Parliament; it was carried by the 42nd Parliament from the House of Representatives. It arose out of the white paper. We had a process which had a discussion paper. We then had a green paper. We then had a white paper. During that process my department consulted airport owners, airport users and, indeed, also consumers. We had a Senate inquiry which was already in place. That is appropriate. The Senate inquiry has found a number of amendments, which the government supports. The fact is that when the previous government leased the airports they did not get the planning system around the airports right. That is why we have around Australia at a number of airports non-aeronautical developments which have been prioritised above aviation activity. That has occurred at capital city airports and it has occurred at regional airports. Those airport

owners have received a windfall gain from the leasing of the airports in order to engage in other commercial activity.

The fact is that this government put in place a system that has ensured that it is not brickworks that are prioritised at airports; it is aviation activity. It has put in place a process through this legislation whereby communities who live around airports will also be properly consulted. We have engaged in a process of three years of consultation to get to this point. That is why this legislation is worthy of support and worthy of support with the amendments that have been adopted by the Senate. If we had deferred this legislation, as the opposition wanted when they moved their second reading amendment, once again we would have had further delay and further uncertainty. I note that the opposition, when they moved their amendments in this House, did not put forward any constructive proposals; they just put forward what they are against. Once again it was stop and delay rather than moving forward with reform. I commend the amended bill to the House.

Mr TRUSS (Wide Bay—Leader of the Nationals) (12.49 pm)—I want to respond to a couple of points made by the minister. It is not accurate to suggest that the old arrangements did not provide for community consultation; of course they did. There was extensive community consultation in relation to each of the airport plans. There were objection periods, which in some instances the government have actually shortened since they have been in office. We did not oppose that but they have shortened them. There was also consultation with state and local governments. I know that local governments would like to have complete control over planning of airports but that is not a course that I would recommend, and I note that that is also a view that the minister shares. But we do need to have appropriate opportunities

for the public to be consulted. There are some improvements to the public consultation process in this bill and that is why we are supporting it, but it is not accurate to suggest that there was no public consultation previously.

Nor is it accurate to suggest that other developments could be given priority over aeronautical developments within an airport. The leases make it absolutely clear that the airports are there for airport purposes and that they must be used with those objectives in mind. There must also be adequate provision for future land and resources to be available for airport expansion; that is why they are there. But it is true that other developments have been allowed on airport sites, and on some of the very large sites, like Melbourne and Brisbane, that has helped to improve the efficiency of the airport and helped to focus important trade and import-export type businesses within the airport environment.

As I said earlier, the opposition will not be opposing these amendments; they are an improvement. I foreshadowed during the House of Representatives debate that these amendments would be needed, and I am pleased that at last the government has come to that realisation.

Question agreed to.

**TAX LAWS AMENDMENT
(CONFIDENTIALITY OF TAXPAYER
INFORMATION) BILL 2010**

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

Senate's amendments—

- (1) Schedule 1, item 1, page 9 (line 2), before "Section", insert "(1)".

- (2) Schedule 1, item 1, page 9 (lines 4 and 5), omit paragraph 355-55(b), substitute:
- (b) an item in the table in this subsection covers the making of the record or the disclosure; and
 - (c) if the entity is not the Commissioner, a Second Commissioner or an SES employee or acting SES employee of the Australian Taxation Office—one of the following has agreed that the record or disclosure is covered by the item:
 - (i) the Commissioner;
 - (ii) a Second Commissioner;
 - (iii) an SES employee or acting SES employee of the Australian Taxation Office who is not a direct supervisor of the taxation officer.
- (3) Schedule 1, item 1, page 10 (line 2), omit “section”, substitute “subsection”.
- (4) Schedule 1, item 1, page 10 (after line 5), at the end of section 355-55, add:
- (2) The *taxation officer is entitled to rely on the exception in subsection (1) even if the agreement referred to in paragraph (1)(c) has not been obtained in relation to the record or disclosure.
- (5) Schedule 1, item 1, page 20 (lines 12 and 13), omit paragraph 355-70(1)(b), substitute:
- (b) an item in the table in this subsection covers the making of the record or the disclosure; and
 - (c) if the entity is not the Commissioner, a Second Commissioner or an SES employee or acting SES employee of the Australian Taxation Office—one of the following has agreed that the record or disclosure is covered by the item:
 - (i) the Commissioner;
 - (ii) a Second Commissioner;
 - (iii) an SES employee or acting SES employee of the Australian Taxation Office who is not a direct supervisor of the taxation officer.
- (6) Schedule 1, item 1, page 22 (before line 1), before subsection 355-70(2), insert:
- (2A) The *taxation officer is entitled to rely on the exception in subsection (1) even if the agreement referred to in paragraph (1)(c) has not been obtained in relation to the record or disclosure.
- (7) Schedule 1, item 1, page 34 (after line 3), at the end of section 355-320, add:
- The Commissioner must issue instructions relating to the disclosure of protected tax information.
- (8) Schedule 1, item 1, page 36 (after line 6), at the end of Subdivision 355-E, add:
- 355-335 Procedures for disclosing protected information*
- (1) The Commissioner must issue instructions in relation to the procedures to be followed by *taxation officers in disclosing *protected information under the exceptions in sections 355-55 (about disclosures to Ministers), 355-65 (about disclosures for other government purposes) and 355-70 (about disclosures for law enforcement and related purposes).
- (2) The instructions must:
- (a) be issued within 6 months after the commencement of this section; and
 - (b) be in writing; and
 - (c) provide for the matters mentioned in subsection (3); and
 - (d) be published on the Australian Taxation Office website.
- (3) The matters are:
- (a) the processes to be followed before *protected information can be disclosed by a *taxation officer under the exceptions in sections 355-55, 355-65 and 355-70; and
 - (b) the processes involved in obtaining and giving the agreement mentioned in paragraphs 355-55(1)(c) and 355-70(1)(c); and

- (c) other matters the Commissioner considers appropriate.
- (4) Without limiting subsection 33(3) of the *Acts Interpretation Act 1901*, the Commissioner may vary or revoke the instructions.
- (5) A failure to comply with the time limit in paragraph (2)(a) does not:
- (a) prevent the Commissioner from issuing the instructions after this time; or
- (b) affect the validity of the instructions when issued.
- (6) A failure to comply with the instructions does not, of itself, mean that a *taxation officer is not entitled to rely on the exceptions in sections 355-55, 355-65 and 355-70.
- (7) The instructions are not a legislative instrument.
- (9) Schedule 2, item 108, page 58 (line 5) to page 59 (line 21), omit the item, substitute:
- 108 Paragraphs 3B(1AA)(b) to (f)**
 Repeal the paragraphs, substitute:
- (b) set out:
- (i) the number of occasions (if any) during the year on which a request was made to disclose information under subsection 355-55(1) in Schedule 1 (about disclosures to Ministers); and
- (ii) the number of occasions (if any) during the year on which information was disclosed under that subsection; and
- (iii) the Ministers to whom the information was disclosed; and
- (c) set out:
- (i) the number of occasions (if any) during the year on which a request was made to disclose information under subsection 355-70(1) in Schedule 1 (about disclosures for law enforcement and related purposes); and
- (ii) the number of occasions (if any) during the year on which information was disclosed under that subsection; and
- (iii) the types of entities and the names of the courts and tribunals to which the information was disclosed; and
- (iv) if the information was disclosed under table item 1 or 6 in subsection 355-70(1)—the general categories of offences in relation to which the information was disclosed; and
- (d) set out the number (if any) of *taxation officers found guilty of the offence in section 355-25 in Schedule 1 (about disclosure of protected information).

Mr BRADBURY (Lindsay—Parliamentary Secretary to the Treasurer) (12.52 pm)—I move:

That the amendments be agreed to.

I would like to thank all the members who have contributed to the debate on the Tax Laws Amendment (Confidentiality of Taxpayer Information) Bill 2010. The bill reflects the government's commitment to reduce the volume and complexity of the taxation law. The primary purpose of the bill is to consolidate into a single framework taxation secrecy and disclosure provisions currently found across 18 different taxation acts. In doing so, it will overcome inconsistencies and ambiguities associated with the existing provisions.

The bill affirms the importance of maintaining a high level of protection of information provided by taxpayers. As with the existing law, it will impose serious sanctions for the unauthorised disclosure of taxpayer information. The government has also decided to agree to the opposition amendments to the bill. The opposition's amendments will provide for new approval procedures for par-

ticular disclosures by taxation officers under the bill, including that senior officers approve disclosures to law enforcement agencies; to require that the Australian Taxation Office publish these procedures on its website; and create new annual reporting requirements for disclosures made to ministers and law enforcement agencies. I commend the bill and the amendments to the House.

Mr ANTHONY SMITH (Casey) (12.54 pm)—The Tax Laws Amendment (Confidentiality of Taxpayer Information) Bill 2010 is now much improved because the Senate accepted the amendments moved by the opposition which were foreshadowed in this House back in October and through the course of last week. As the parliamentary secretary has outlined, this bill will improve the tax laws in many important ways. In addition, the opposition wanted to ensure that there were appropriate safeguards in place. It foreshadowed amendments which were moved in the Senate and accepted finally by the government. One of those amendments, as the parliamentary secretary outlined, was that an appropriately authorised senior tax officer be the decision maker when a determination needed to be made about the public benefit of disclosing taxpayer information. This is an important amendment. As I said, it is an amendment foreshadowed by the opposition. Also, it is an amendment recommended unanimously by the Senate Economics Legislation Committee. I make that point here in the House because the government's initial instinct was to ignore a unanimous recommendation of that Senate committee, which is chaired by a Labor senator with a Labor majority. Their initial instinct was to ignore that sensible recommendation. The fact that the government's initial instinct was to do that says much about their approach to the transparency and openness that many members of this House want to see upfront. The fact that they have reluctantly agreed to

these important improvements and to other improvements, in the two areas that the parliamentary secretary outlined, is welcome. This is an important bill. It is now a much improved bill thanks to those amendments. I commend the bill to the House.

Question agreed to.

**TELECOMMUNICATIONS
LEGISLATION AMENDMENT
(COMPETITION AND CONSUMER
SAFEGUARDS) BILL 2010**

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

Senate's amendments—

- (1) Clause 2, page 2 (before table item 1), insert:
 - 1A. Schedule 1, Part 1A The day after this Act receives the Royal Assent.
- (2) Schedule 1, page 4 (before line 2), before Part 1, insert:

Part 1A—Objects

Telecommunications Act 1997

1A At the end of subsection 3(1)

Add:

- ; and (c) the availability of accessible and affordable carriage services that enhance the welfare of Australians.
- (3) Schedule 1, item 30, page 10 (line 20), omit the heading to subsection 577A(2), substitute:

Transparency and equivalence
 - (4) Schedule 1, item 30, page 10 (line 21), after "relating to", insert "transparency and".
 - (5) Schedule 1, item 30, page 10 (line 32), after "provides for", insert "transparency and".
 - (6) Schedule 1, item 30, page 11 (before line 26), before paragraph 577A(6)(b), insert:
 - (aa) the national interest in structural reform of the telecommunications industry; and

- (ab) the impact of that structural reform on:
- (i) consumers; and
 - (ii) competition in telecommunications markets; and
- (7) Schedule 1, item 30, page 11 (after line 28), after subsection 577A(7), insert:
- (7A) Before making or varying an instrument under subsection (7), the Minister must:
- (a) cause to be published on the Department's website a notice:
 - (i) setting out the draft instrument or variation; and
 - (ii) inviting persons to make submissions to the Minister about the draft instrument or variation within 14 days after the notice is published; and
 - (b) consider any submissions received within the 14-day period mentioned in paragraph (a).
- (8) Schedule 1, item 30, page 14 (after line 10), after the definition of fixed-line carriage service, insert:
- telecommunications market* has the same meaning as in Part XIB of the *Competition and Consumer Act 2010*.
- (9) Schedule 1, item 30, page 18 (after line 10), after subsection 577B(5), insert:
- (5A) Before making or varying an instrument under subsection (5), the Minister must:
- (a) cause to be published on the Department's website a notice:
 - (i) setting out the draft instrument or variation; and
 - (ii) inviting persons to make submissions to the Minister about the draft instrument or variation within 14 days after the notice is published; and
 - (b) consider any submissions received within the 14-day period mentioned in paragraph (a).
- (10) Schedule 1, item 30, page 36 (after line 4), after subsection 577C(1), insert:
- (1A) In deciding whether to accept an undertaking under subsection (1), the ACCC must have regard to:
- (a) the matters (if any) set out in an instrument in force under subsection (1B); and
 - (b) such other matters (if any) as the ACCC considers relevant.
- (1B) The Minister may, by writing, set out matters for the purposes of paragraph (1A)(a).
- (1C) Before making or varying an instrument under subsection (1B), the Minister must:
- (a) cause to be published on the Department's website a notice:
 - (i) setting out the draft instrument or variation; and
 - (ii) inviting persons to make submissions to the Minister about the draft instrument or variation within 14 days after the notice is published; and
 - (b) consider any submissions received within the 14-day period mentioned in paragraph (a).
- (11) Schedule 1, item 30, page 36 (after line 14), at the end of section 577C, add:
- (6) The Minister must cause a copy of an instrument under subsection (1B) to be published on the Department's website.
 - (7) An instrument under subsection (1B) is not a legislative instrument.
- (12) Schedule 1, item 30, page 40 (after line 1), after subsection 577D(3), insert:
- (3A) In deciding whether to accept the variation, the ACCC must have regard to:
- (a) the matters (if any) set out in an instrument in force under subsection (3B); and
 - (b) such other matters (if any) as the ACCC considers relevant.

- (3B) The Minister may, by writing, set out matters for the purposes of paragraph (3A)(a).
- (3C) Before making or varying an instrument under subsection (3B), the Minister must:
- (a) cause to be published on the Department's website a notice:
 - (i) setting out the draft instrument or variation; and
 - (ii) inviting persons to make submissions to the Minister about the draft instrument or variation within 14 days after the notice is published; and
 - (b) consider any submissions received within the 14-day period mentioned in paragraph (a).
- (13) Schedule 1, item 30, page 40 (after line 4), at the end of section 577D, add:
- (6) The Minister must cause a copy of an instrument under subsection (3B) to be published on the Department's website.
 - (7) An instrument under subsection (3B) is not a legislative instrument.
- (14) Schedule 1, item 30, page 40 (after line 15), after subsection 577E(1), insert:
- (1A) In deciding whether to accept an undertaking under subsection (1), the ACCC must have regard to:
- (a) the matters (if any) set out in an instrument in force under subsection (1B); and
 - (b) such other matters (if any) as the ACCC considers relevant.
- (1B) The Minister may, by writing, set out matters for the purposes of paragraph (1A)(a).
- (1C) Before making or varying an instrument under subsection (1B), the Minister must:
- (a) cause to be published on the Department's website a notice:
 - (i) setting out the draft instrument or variation; and
 - (ii) inviting persons to make submissions to the Minister about the draft instrument or variation within 14 days after the notice is published; and
 - (b) consider any submissions received within the 14-day period mentioned in paragraph (a).
- (15) Schedule 1, item 30, page 40 (after line 29), at the end of section 577E, add:
- (7) The Minister must cause a copy of an instrument under subsection (1B) to be published on the Department's website.
 - (8) An instrument under subsection (1B) is not a legislative instrument.
- (16) Schedule 1, item 30, page 44 (after line 21), after subsection 577F(3), insert:
- (3A) In deciding whether to accept the variation, the ACCC must have regard to:
- (a) the matters (if any) set out in an instrument in force under subsection (3B); and
 - (b) such other matters (if any) as the ACCC considers relevant.
- (3B) The Minister may, by writing, set out matters for the purposes of paragraph (3A)(a).
- (3C) Before making or varying an instrument under subsection (3B), the Minister must:
- (a) cause to be published on the Department's website a notice:
 - (i) setting out the draft instrument or variation; and
 - (ii) inviting persons to make submissions to the Minister about the draft instrument or variation within 14 days after the notice is published; and
 - (b) consider any submissions received within the 14-day period mentioned in paragraph (a).
- (17) Schedule 1, item 30, page 44 (after line 24), at the end of section 577F, add:

- (6) The Minister must cause a copy of an instrument under subsection (3B) to be published on the Department's website.
- (7) An instrument under subsection (3B) is not a legislative instrument.
- (18) Schedule 1, item 31, page 59 (after line 7), at the end of clause 74, add:
- (2) In determining the principle of equivalence covered by paragraph (1)(a), regard must be had to whether:
- (a) the terms and conditions relating to price or a method of ascertaining price; and
- (b) other terms and conditions; on which Telstra supplies regulated services to its wholesale customers are no less favourable than the terms and conditions on which Telstra supplies those services to its retail business units.
- (3) Subclause (2) does not limit the matters to which regard may be had.
- (4) To avoid doubt, this clause does not affect the meaning of anything in Part 33.
- (19) Schedule 1, item 31, page 59 (after line 21), after subclause 75(4), insert:
- (4A) Before making or varying a functional separation requirements determination, the Minister must:
- (a) cause to be published on the Department's website a notice:
- (i) setting out the determination or variation; and
- (ii) inviting persons to make submissions to the Minister about the determination or variation within 14 days after the notice is published; and
- (b) give the ACCC a copy of the notice; and
- (c) consider any submissions received within the 14-day period mentioned in paragraph (a); and
- (d) ask the ACCC to give advice to the Minister, within 28 days after the publication of the notice, about the determination or variation; and
- (e) have regard to any advice given by the ACCC.
- (4B) Subclause (4A) does not, by implication, prevent the Minister from asking the ACCC to give the Minister additional advice about a matter arising under this clause.
- (20) Schedule 1, page 83 (after line 8), after item 64, insert:
- 64A Section 104**
- After:
- The ACMA may be directed by the Minister to monitor, and report on, specified matters relating to the performance of carriers and carriage service providers.
- insert:
- The ACCC is to monitor, and report each financial year to the Minister on, breaches by Telstra of an undertaking about structural separation.
- 64B At the end of Part 5**
- Add:
- 105C Monitoring of breaches by Telstra of an undertaking about structural separation*
- Monitoring*
- (1) The ACCC must monitor, and report each financial year to the Minister on, breaches by Telstra of an undertaking in force under section 577A.
- Report*
- (2) The ACCC must give a report under subsection (1) to the Minister as soon as practicable after the end of the financial year concerned.
- (3) The Minister must cause a copy of a report under subsection (1) to be tabled in each House of the Parliament within 15 sitting days of that House after receiving the report.

(21) Schedule 1, page 155 (after line 15), after item 195, insert:

195A After section 152EO

Insert:

152EOA Review of operation of this Part

- (1) Before 30 June 2014, the Minister must cause to be conducted a review of the operation of:
 - (a) this Part; and
 - (b) the remaining provisions of this Act so far as they relate to this Part.
- (2) A review under subsection (1) must make provision for public consultation.
- (3) The Minister must cause to be prepared a report of a review under subsection (1).
- (4) The Minister must cause copies of the report to be tabled in each House of the Parliament within 15 sitting days of that House after the completion of the preparation of the report.

(22) Schedule 1, page 168 (after line 15), after item 216, insert:

216A Subparagraph 6(1)(b)(i)

Omit “has a hearing impairment”, substitute “is deaf or has a hearing and/or speech impairment”.

216B Subparagraph 6(1)(b)(ii)

Omit “teletypewriter”, substitute “device that enables text-based communication”.

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (12.57 pm)—I move:

That the amendments be agreed to.

The Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2010 is historic microeconomic reform and is in Australia’s long-term national interests. The measures in this bill have been subject to considerable discussion and scrutiny over more than the past year and I thank all parliamentarians for their contributions to the debate on this important

piece of legislation. The bill has now been returned from the Senate with various amendments. The government supports these amendments and will be supporting this important legislation being carried with the Senate amendments.

Amendments (1) and (2) insert an object in the Telecommunications Act that makes clear the importance that parliament places on the provision of accessible and affordable telecommunications that enhance the welfare of Australians. Amendments (3) to (5) make clear that the structural separation undertaken must provide for transparency in the equivalence arrangements that will apply during the period that Telstra is engaging in its process of structural separation. Amendments (6) and (8) require the ACCC to have regard to the national interest in structural reform of the telecommunications industry and the impact on consumers in competition when deciding whether to accept a structural separation undertaking provided to it by Telstra. These amendments make it clear that the ACCC will consider how a structural separation undertaking will impact both competition and consumers. These amendments formally set out some of the considerations that the ACCC would in any case have regard to. I am glad that we have reached an agreement on the wording of these amendments.

Amendments (7), (9) to (17) and (19) require the minister to publicly consult before making certain instruments which relate to Telstra’s undertakings about structural separation, hybrid-fibre coaxial networks, subscription television broadcasting licences and functional separation. Amendment (18) adds a provision for determining the principle of equivalence for the purposes of functional separation. Amendment (20) requires the ACCC to monitor and report each financial year on breaches by Telstra of an enforced structural separation undertaking. Amend-

ment (21) establishes that, before 30 June 2014, the minister must cause to be conducted a review of the operation of part 11C. Amendment (22) will replace the current outdated examples used in the definition of a standard telephone service in section 6 of the Telecommunications (Consumer Protection and Service Standards) Act 1999.

The government's supports each and every one of these amendments. I now urge all members in this chamber to support these amendments. It is in the interests of consumers, business and the economy more broadly that these historic reforms are passed and that they are passed today. We know that the structural separation of Telstra has been an issue which has been talked about by telecommunications commentators, academics and, indeed, many of the operators themselves, having knowledge that this reform is vital. I therefore commend the bill to the House as it is amended and say to the House that it is important that this be done.

Mr TURNBULL (Wentworth) (1.01 pm)—I seek leave to move together an amendment to Senate amendment (2) together with two further related amendments as circulated to honourable members.

Leave not granted.

Mr TURNBULL—I will then move the amendments to the Senate amendments to the bill one at a time. I move the amendment listed under my name as amendment (1):

- (1) Senate amendment 2, omit amendment, substitute :
- ; and (c) the universal availability of affordable carriage services, including broadband services, in the most cost effective manner that best combines least cost to the consumer and least cost to the public purse and as a consequence thereof, greatest increase in the public welfare of all Australians.

This amendment omits Senate amendment (2), which adds an additional object to the objects of the Telecommunications Act, and instead substitutes as an object the following words: 'The universal availability of affordable carriage services, including broadband services, in the most cost-effective manner that best combines least cost to the consumer and least cost to the public purse and, as a consequence thereof, greatest increase in the public welfare of all Australians.'

Mr Albanese—Mr Speaker, I rise on a point of order under standing 160. Standing order 160 is very, very clear. Standing order 160 provides that further amendments to a bill must be relevant. It states:

The House may only amend a House bill which has been returned from the Senate if its further amendment is relevant to or consequent on the Senate amendments or requests for amendments.

What the member for Wentworth is attempting to do here is to change the very objectives of the legislation that have been agreed to by the Senate. That is not within the ambit of this House, which has already carried this legislation. The legislation has been determined by this House, it has gone to the Senate and it has been returned to this House. The reason that I objected to the amendments being dealt with together is that the member for Wentworth is attempting to move an amendment to change the objective of the act and then, consequent upon that, to change other schedules in the act, including an extraordinarily lengthy amendment to part 10 in which he suggests in his foreshadowed amendment (3) that the Productivity Commission prepare a cost-benefit analysis on the availability of the NBN. To the point of order: it is very clear that that particular item has already been rejected by this House.

The SPEAKER—Order! I am in a position to rule on the point of order about amendment (1). Under standing order 160,

the House will only discuss amendments that are relevant to the amendments being forwarded to it by the Senate. In this case, the amendment proposed by the member for Wentworth, amendment (1), is relevant to Senate amendment (2) as stated. It is an amendment to the added subsection at section 3(1)(c).

Mr TURNBULL—Thank you, Mr Speaker. The most critical responsibility of this parliament and in the context of telecommunications is to ensure precisely this object, which fleshes out the amendment agreed to by the Senate. That is essentially to deliver—as Ken Henry famously said in respect of the importance of cost-benefit analyses—the most cost-effective availability of universal carriage services, in particular broadband, and to do so in a way that is at the least cost to consumers so that the internet or telecommunications access is most affordable and, at the same time, at the least cost to the public purse. Combining both of those aspects of the public welfare is a fundamental responsibility of this parliament, and it is appropriate that the objects of the act be amended in the way that we have submitted to better define that objective and ensure that we do our job as legislators in guarding the public interest and the public purse.

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (1.07 pm)—Mr Speaker, I note your ruling on whether this was eligible under standing order 160. What must be clear is that the subsequent amendments foreshadowed by the former Leader of the Opposition, the member for Wentworth, will lapse if this amendment loses. The consequences of this amendment being carried, of course, are that this important legislation for the structural separation of Telstra will be delayed. The Senate would have to be recalled. The Senate would have to reconsider the House's views and then the

House would have to be recalled again. There are no lengths to which the opposition will not go to deny this important structural separation of Telstra.

The fact is that we have had this debate. The fact is that the member for Wentworth has said he supports the structural separation of Telstra. And yet every measure possible is being put in the way of this legislation, even to the point where now, it having been properly and fully considered by the House, it having been properly and fully considered by the Senate, with amendments, and the government being prepared to accept each and every one of the Senate amendments, the member for Wentworth would seek to change the very objectives of the legislation, then send it back to the Senate to consider whether they would agree with our amendments, and then have the House sit again when it returns again.

The fact is that this structural separation of Telstra, this significant microeconomic reform, should have occurred at least years ago—many would argue decades ago. This is a debate that we have been in since the 1980s, and yet the member for Wentworth wants to further delay. The consequences of that, as the member for Wentworth would know, are severe for the future of the National Broadband Network. We know that this legislation has an impact particularly on Telstra, which has various meetings coming up. We know that in terms of the future of telecommunications reform in this country this is vital legislation.

The former government took a public monopoly and turned into a private monopoly and called it 'reform'. They did not address what needed to be addressed in terms of structural separation to allow for a wholesale network, the National Broadband Network, with retail competition on top of it. There were real consequences for consumers as a

result of the failure of former governments to not undertake the structural separation of Telstra. That is why we should reject the amendment moved by the member for Wentworth and why we should support the bill that is before the House as it has been amended by the Senate.

Mr TURNBULL (Wentworth) (1.10 pm)—The amendment proposed does no more than state the duty of this parliament, which is to ensure that the funds of the taxpayers of this nation are spent in the most cost-effective way. We have been calling for a cost-benefit analysis of this vast project. In response to that call, we have been accused by the Prime Minister of being wreckers, of being Luddites, of wanting to stand in the way of human progress, technology and all that is good for mankind. But the reality is that the people who are isolated in this cost-benefit analysis issue are the Prime Minister and her supporters on the government benches and, regrettably, on the cross-benches. We saw only last week the Governor of the Reserve Bank, Glenn Stevens, stating that—

Mr Swan—That's a lie.

Mr TURNBULL—I would ask the Treasurer to withdraw that, Mr Speaker.

The SPEAKER—The Treasurer will withdraw.

Mr Swan—I withdraw.

Mr TURNBULL—Glenn Stevens was asked about the general proposition of governments providing—

Mr Swan—That's untrue and you know it.

Mr TURNBULL—for projects of this kind and, when talking directly about the NBN—

Mr Swan—He was not and you know it.

Mr TURNBULL—Mr Speaker, the Treasurer seems to have a difficulty with dealing with the facts.

Mr Swan—You have a difficulty with the truth.

The SPEAKER—Order! The Treasurer will cease interjecting.

Mr TURNBULL—What the Reserve Bank Governor said was: 'There ought to be, of course, a proper cost-benefit analysis in those instances.' Not only has the Reserve Bank Governor called for a cost-benefit analysis but so has the OECD—

Mr Swan—That's untrue and you know it.

The SPEAKER—The Treasurer will cease interjecting.

Mr TURNBULL—in a report that the Treasurer knows was written by his own department.

Mr Swan—Another lie.

The SPEAKER—Order! The Treasurer will be careful.

Mr TURNBULL—And what about Ken Henry? Is he another wrecker? Is Ken Henry standing in the way of human progress? Ken Henry, the head of the Treasurer's own department, has said, famously:

Government spending that does not pass an appropriately designed cost-benefit analysis necessarily detracts from Australia's well-being. That is, when taxpayer funds are not put to their best use, Australia's wellbeing is not as high as it otherwise could be.

In addition to that, we have seen leading business figures, including the chief executive of the Business Council of Australia and The Alliance for Affordable Broadband—10 of the competitive telcos—calling for a cost-benefit analysis. David Murray called for a cost-benefit analysis. Graham Bradley, president of the BCA, called for a cost-benefit analysis. The head of one of our lead-

ing ISPs, iiNet, Malcolm Malone, called for a cost-benefit analysis. What about the chairman of the ANZ Bank, John Morschel, or the chairmen of Boral and Wesfarmers or the chairmen of National Australia Bank and Woodside Petroleum? The fact is that it is difficult to find one credible business or economic leader in this country who does not support a cost-benefit analysis.

Indeed, the government's hypocrisy on this is shown for what it is: all talk and no action. They set up Infrastructure Australia. For what purpose? For the very purpose, so they said, of identifying, prioritising and subjecting to a rigorous cost-benefit analysis major infrastructure projects. Yet when we have the biggest one in our history, the most significant one, there is no cost-benefit analysis. We do not even have a set of financials. We do not have a profit and loss; we do not have a cash flow statement; we do not have a balance sheet. Never has the parliament voted on a project so massive with so little information. What this amendment does is put right into the centre of this telecommunications debate the fundamental objectives of this parliament, which is to spend the taxpayers' funds wisely.

The Prime Minister and the Treasurer can hoot and scorn and misrepresent the Reserve Bank governor as much as they like, but the fact is: if we, on our side, in calling for economic responsibility are Luddites then we are joined by dozens of the leading business figures and economic leaders in this country—people like Glenn Stevens, Warwick McKibbin, John Morschel; institutions like the OECD. These are all swept aside as naysayers and wreckers because they are not prepared to turn a blind eye, as the government expects the parliament to do, to this reckless expenditure.

Question put:

That the amendment (**Mr Turnbull's**) be agreed to.

The House divided. [1.20 pm]

(The Speaker—Mr Harry Jenkins)

Ayes.....	57
Noes.....	<u>60</u>
Majority.....	<u>3</u>

AYES

Abbott, A.J.	Alexander, J.
Andrews, K.	Andrews, K.J.
Baldwin, R.C.	Billson, B.F.
Bishop, J.I.	Briggs, J.E.
Broadbent, R.	Buchholz, S.
Chester, D.	Christensen, G.
Cobb, J.K.	Coulton, M. *
Crook, T.	Entsch, W.
Fletcher, P.	Forrest, J.A.
Frydenberg, J.	Gambaro, T.
Griggs, N.	Hartsuyker, L.
Hockey, J.B.	Hunt, G.A.
Irons, S.J.	Jensen, D.
Jones, E.	Kelly, C.
Laming, A.	Ley, S.P.
Macfarlane, I.E.	Markus, L.E.
Matheson, R.	McCormack, M.
Morrison, S.J.	Moylan, J.E.
Neville, P.C.	O'Dowd, K.
Prentice, J.	Pyne, C.
Ramsey, R.	Robb, A.
Roy, Wyatt	Scott, B.C.
Secker, P.D. *	Simpkins, L.
Slipper, P.N.	Smith, A.D.H.
Southcott, A.J.	Stone, S.N.
Truss, W.E.	Tudge, A.
Turnbull, M.	Van Manen, B.
Vasta, R.	Washer, M.J.
Wyatt, K.	

NOES

Adams, D.G.H.	Albanese, A.N.
Bandt, A.	Bird, S.
Bowen, C.	Bradbury, D.J.
Burke, A.S.	Butler, M.C.
Byrne, A.M.	Champion, N.
Clare, J.D.	Combet, G.
Danby, M.	Dreyfus, M.A.
Ellis, K.	Emerson, C.A.
Ferguson, L.D.T.	Ferguson, M.J.
Fitzgibbon, J.A.	Garrett, P.

Georganas, S.	Gibbons, S.W.
Gillard, J.E.	Griffin, A.P.
Hall, J.G. *	Hayes, C.P. *
Husic, E.	Jones, S.
Katter, R.C.	Kelly, M.J.
Leigh, A.	Livermore, K.F.
Lyons, G.	Macklin, J.L.
McClelland, R.B.	Melham, D.
Mitchell, R.	Murphy, J.
Neumann, S.K.	O'Connor, B.P.
O'Neill, D.	Oakeshott, R.J.M.
Perrett, G.D.	Ripoll, B.F.
Rishworth, A.L.	Rowland, M.
Roxon, N.L.	Rudd, K.M.
Shorten, W.R.	Sidebottom, S.
Smith, S.F.	Smyth, L.
Snowdon, W.E.	Swan, W.M.
Symon, M.	Thomson, K.J.
Vamvakinou, M.	Wilkie, A.
Windsor, A.H.C.	Zappia, A.

PAIRS

Ruddock, P.M.	Crean, S.F.
Keenan, M.	Marles, R.D.
Schultz, A.	Plibersek, T.
Dutton, P.C.	Parke, M.
Tehan, D.	Grierson, S.J.
Hawke, A.	Owens, J.
Robert, S.R.	Thomson, C.
Gash, J.	Gray, G.
Bishop, B.K.	King, C.F.
Marino, N.B.	Collins, J.M.
Mirabella, S.	Burke, A.E.
Haase, B.W.	D'Ath, Y.M.
Randall, D.J.	Elliot, J.
Ciobo, S.M.	Saffin, J.A.
O'Dwyer, K.	Cheeseman, D.L.
Mr Somlyay	Dr Leigh

* denotes teller

Question negatived.

Mr TURNBULL (Wentworth) (1.25 pm)—I move:

- (1) Schedule 1, item 6, page 5 (lines 2 to 5), omit the item.

The SPEAKER—The member for Wentworth, having moved his amendment as circulated, has given me the ability to make a ruling about whether the motion is in order.

Mr Turnbull interjecting—

The SPEAKER—I have not ruled yet. I would like to assist you in your submission to me. I am ruling amendment (3) out of order on the basis that it was dependent upon the member for Wentworth's amendment (1) being successful. I have looked at the original Senate amendment (2), and I believe that his amendment to schedule 1 goes well beyond the elements of Senate amendment (2).

Mr TURNBULL—As Mr Speaker knows, the definition of 'relevance' is something which bears upon or is connected with the matter at hand, and a consequential amendment is something which follows from the previous amendment. The amendment that is before us, relevantly, is the addition of an object which reads:

... the availability of accessible and affordable carriage services that enhance the welfare of Australians.

The amendment I am submitting is relevant, in the sense that it bears upon and is connected with that new object, and following from it is the new part 10 providing for a Productivity Commission inquiry. That Productivity Commission inquiry is stated in new section 24A to have the purpose of enabling Australians to determine whether the object in subsection 3(1)(c)—the Greens amendment—is being realised. Of course, the object speaks to the welfare of all Australians.

The critical importance of a cost-benefit analysis to the issue of the welfare of all Australians was underlined by the Treasury Secretary, Ken Henry, when he said:

... government spending that does not pass an appropriately defined cost-benefit test necessarily detracts from Australia's wellbeing—

which is another word for 'welfare'—

that is, when taxpayer funds are not put to their best use, Australia's wellbeing—

which has the same meaning as 'welfare'—

is not as high as it otherwise would be.

Given that the Senate has concluded that an object of the act should be the availability of accessible and affordable carriage services that enhance the welfare of all Australians, it is highly relevant for the parliament to provide in the act, relevant to that object, a mechanism to enable Australians to determine whether that object is being realised. The amendment therefore flows logically from the Senate amendment that has been passed.

This amendment (3), setting up the Productivity Commission cost-benefit analysis, does not flow from the amendment that I put a moment ago and which was defeated. It flows from the amendment that is the new object to section 3(1) of the Telecommunications Act.

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (1.29 pm)—To your ruling and indeed in support of your ruling, Mr Speaker, standing order 160 is very clear that this amendment is out of order. What is more, *House of Representatives Practice*, on page 434, states:

No amendment may be moved to an amendment of the Senate that is not relevant to the Senate amendment. A further amendment may not be moved to the bill unless the amendment is relevant to or consequent on the Senate amendment.

That makes it very clear that your ruling, Mr Speaker, is consistent with standing orders and with *House of Representatives Practice*. That is precisely why the member for Wentworth sought to change the objects of this act—so that he could then move a consequential amendment. Indeed, the specific amendment that he is moving was rejected by the House when we debated the bill and it was rejected by the Senate. You have one shot in the House and you have one shot in the Senate. You are 2-0 down; both houses have rejected those amendments. Therefore, Mr Speaker, your ruling is absolutely correct.

This is completely an attempt to rewrite the nature of the act. It is an attempt to delay the structural separation of Telstra, which is what this bill is about. This is not directly about the establishment of the National Broadband Network. I introduced those bills in the House on Thursday of last week. I introduced two bills to the House, which had their first reading. Therefore, Mr Speaker, your ruling is absolutely correct—

The SPEAKER—Order! The Leader of the House is straying slightly—

Mr ALBANESE—and we should get on with the business—

The SPEAKER—from the discussion.

Mr ALBANESE—I am just supporting you, Mr Speaker.

The SPEAKER—I appreciate that, but I am keen to get business moving—moving.

Mr ALBANESE—Indeed, and we should be able to just move on and conclude this debate.

Mr PYNE (Sturt) (1.32 pm)—Mr Speaker, on the ruling that you have made, with great respect to you, I do not think it is too late to amend that ruling. I know that you understand what section 160 of the standing orders says, but if I could just read it for the benefit of the rest of the House. Standing order 160 says:

The House may only amend a House bill which has been returned from the Senate if its further amendment is relevant to or consequent on the Senate amendments or requests for amendments.

I would then alert you to one of the amendments that the Senate passed to the House telecommunications bill, which is:

1A At the end of subsection 3(1)

Add:

; and (c) the availability of accessible and affordable carriage services that enhance the welfare of Australians.

That is the relevant amendment to which the member for Wentworth wishes to add the words ‘for the purposes of enabling Australians to determine whether the object in subsection 3(1)(c) is being realised’—as in it refers directly to the amendment supported and passed by the Senate which was put by the Greens. He then lists a number of things that an analysis could take into account, including, at (a), ‘an analysis of the availability of accessible and affordable carriage, including broadband services across Australia’.

So, Mr Speaker, while I hear your ruling, I do respectfully put to you that what the member for Wentworth has done is fully comply with standing order 160. He has moved an amendment that is specifically relevant to an amendment that was passed by the Senate—namely, that in determining ‘the availability of accessible and affordable carriage services that enhance the welfare of Australians’ this telecommunications bill include a requirement for a simple cost-benefit analysis. I therefore ask you to reverse your ruling and allow the member for Wentworth’s amendment to at least be debated.

The SPEAKER—Whilst my learned colleague the member for Wentworth has put to me a very earnest submission, I am afraid that it has not persuaded me. Before we proceed, I just indicate that, whilst people may not be happy with the rulings, on this occasion the way in which the House has conducted itself by attempting to draft amendments I think is something that should be encouraged. But in this case I cannot find, to use the words of the member for Sturt, ‘enough specificity’ in the amendment to allow it to be in order. The question is that the Senate amendments be agreed to.

Mr TURNBULL (Wentworth) (1.35 pm)—The Senate amendments represent some very valuable, in many cases, amend-

ments to this legislation, and there is no doubt that this legislation is a very important reform. Structural separation of Telstra is welcomed. The thing that we cannot avoid, though, is the \$43 billion elephant in the room—or is it now a \$50 billion elephant or a \$55 billion elephant?—the National Broadband Network. While we may all agree with the ideal of enhancing greater reform in telecommunications by having a separation between the customer access network of Telstra and its retail business, this bill goes much further than that and basically sets the framework to enable the NBN to proceed and, in particular, to proceed without any rigorous or any economic analysis.

There is a lot of talk thrown around about the economic benefits of broadband, and all of us agree, as the Governor of the Reserve Bank said only on Friday, that greater connectivity is valuable. But, since the Treasurer accused me of lying only a moment ago, when I quoted the Governor of the Reserve Bank, I thought I might quote the governor in full. This man is now about to be described as a Luddite, a wrecker and an enemy to human progress and all its forms by the forces of modernity on the other side. Even the former Prime Minister is smiling now; he knows how silly their position is on this. The Governor of the Reserve Bank said:

As a general proposition, there probably are some projects that the private sector will not fund that still ought to be done. Whether this is one of them—

that is, the NBN—

would be another question. But I think you can imagine some projects that the private sector just does not feel it can take the risk on but on which the public sector—which, after all, has a stronger balance sheet than anyone else—might on some occasions be able to accept that risk. But there ought to be, of course, a proper cost-benefit analysis of that case in those instances. It is not unreasonable to expect that more interconnectiv-

ity around the country can be a benefit to productivity—that is a reasonable claim, it seems to me—but, as I have said on one or two other occasions, much hinges on how much you pay to do it and how efficiently it is done.

That is exactly our point. The issue here, the elephant in the room, is not the question of whether we should have broadband or whether we should have universal and affordable broadband or whether Telstra’s customer access network should be separated. The question is: are we spending taxpayer funds cost effectively? At this stage we have no transparency on this project—no transparency at all. We have seen overnight—

The SPEAKER—Order! The member for Wentworth will resume his seat.

Mr WILKIE (Denison) (1.39 pm)—I move:

That the question be now put.

Question put.

The House divided. [1.44 pm]

(The Speaker—Mr Harry Jenkins)

Ayes.....	57
Noes.....	<u>60</u>
Majority.....	<u>3</u>

AYES

Adams, D.G.H.	Albanese, A.N.
Bird, S.	Bowen, C.
Bradbury, D.J.	Brodthmann, G.
Burke, A.S.	Butler, M.C.
Byrne, A.M.	Champion, N.
Clare, J.D.	Combet, G.
Danby, M.	Dreyfus, M.A.
Ellis, K.	Emerson, C.A.
Ferguson, L.D.T.	Ferguson, M.J.
Fitzgibbon, J.A.	Garrett, P.
Georganas, S.	Gibbons, S.W.
Gillard, J.E.	Griffin, A.P.
Hall, J.G. *	Hayes, C.P. *
Husic, E.	Jones, S.
Katter, R.C.	Kelly, M.J.
Livermore, K.F.	Lyons, G.
Macklin, J.L.	McClelland, R.B.
Melham, D.	Mitchell, R.

Murphy, J.
O’Connor, B.P.
Perrett, G.D.
Rishworth, A.L.
Roxon, N.L.
Shorten, W.R.
Smith, S.F.
Snowdon, W.E.
Symon, M.
Vamvakinou, M.
Zappia, A.

Neumann, S.K.
O’Neill, D.
Ripoll, B.F.
Rowland, M.
Rudd, K.M.
Sidebottom, S.
Smyth, L.
Swan, W.M.
Thomson, K.J.
Wilkie, A.

NOES

Abbott, A.J.
Andrews, K.
Baldwin, R.C.
Billson, B.F.
Briggs, J.E.
Buchholz, S.
Christensen, G.
Coulton, M. *
Entsch, W.
Forrest, J.A.
Gambaro, T.
Hartsuyker, L.
Hunt, G.A.
Jensen, D.
Kelly, C.
Ley, S.P.
Markus, L.E.
McCormack, M.
Moylan, J.E.
O’Dowd, K.
Prentice, J.
Ramsey, R.
Roy, Wyatt
Secker, P.D. *
Slipper, P.N.
Southcott, A.J.
Truss, W.E.
Turnbull, M.
Vasta, R.
Windsor, A.H.C.

Alexander, J.
Andrews, K.J.
Bandt, A.
Bishop, J.I.
Broadbent, R.
Chester, D.
Cobb, J.K.
Crook, T.
Fletcher, P.
Frydenberg, J.
Griggs, N.
Hockey, J.B.
Irons, S.J.
Jones, E.
Laming, A.
Macfarlane, I.E.
Matheson, R.
Morrison, S.J.
Neville, P.C.
Oakeshott, R.J.M.
Pyne, C.
Robb, A.
Scott, B.C.
Simpkins, L.
Smith, A.D.H.
Stone, S.N.
Tudge, A.
Van Manen, B.
Washer, M.J.
Wyatt, K.

PAIRS

Crean, S.F.
Marles, R.D.
Plibersek, T.
Parke, M.
Grierson, S.J.
Owens, J.
Thomson, C.

Ruddock, P.M.
Keenan, M.
Schultz, A.
Dutton, P.C.
Tehan, D.
Hawke, A.
Robert, S.R.

Gray, G.	Gash, J.
King, C.F.	Bishop, B.K.
Collins, J.M.	Marino, N.B.
Burke, A.E.	Mirabella, S.
D'Ath, Y.M.	Haase, B.W.
Elliot, J.	Randall, D.J.
Saffin, J.A.	Ciobo, S.M.
Cheeseman, D.L.	O'Dwyer, K.
Ms Brodtmann	Mr Somlyay

* denotes teller

Question negatived.

Mr TURNBULL (Wentworth) (1.47 pm)—I am glad that I have not been shut down before my time has expired. One of the great claims made consistently for this project is the great economic benefit that will flow from it. It is taken almost as received wisdom that there are enormous external economic benefits coming from the provision of fibre to the home. But, as we have said for some time—and, indeed, as the Reserve Bank governor has said—there is no doubt there is a benefit in interconnectivity, but the big question is to what extent there is additional benefit in going from the interconnectivity that we have today, or the interconnectivity at speeds that we enjoy in the best-service parts of Australia, being delivered around the country to going to that enormous additional step of fibre to the home. As Robert and Charles Kenny pointed out in their paper on fibre to the home, which was released over the weekend, every other increase in internet access technology in the fixed-line environment has basically just required equipment at either end—that is, equipment at the exchange, a modem at the household or the business and upgrades at either end of the pipe, as it were—for the progression to DSL, to VDSL or, for cable networks, to DOCSIS 3, which is able to run at 100 megabytes.

Fibre to the home, however, involves a completely additional infrastructure. It requires not simply changing the electronics at either end but building a completely new

infrastructure, and that is why it is such an enormous step up in expense. So we need to be very sceptical about the claims of great economic benefits. One claim that is not correct, which the brothers Kenny pointed out in this report, is one made by former Prime Minister Kevin Rudd, who, in 2009, said:

... innovation from information and communications technology is the single biggest driver of business productivity—it drives 78 per cent of productivity gains in service businesses and 85 per cent in manufacturing businesses.

The authors of the paper note:

... Prime Minister Rudd's estimates of 78% of service and 85% of manufacturing productivity gains in Australia stemming from ICT seem to have been based on two papers from that country's Department of Communications, Information Technology and the Arts. These said that 59-78% and 65-85% of service and manufacturing productivity growth respectively was due to technological factors. What was an upper bound in the research has become a mid-point in Rudd's speech, but more importantly the research was looking at all technological factors, not just ICT. Thus the figures cited include the benefits of everything from biotechnology to the rise of containerized transport. Finally, the research covered the period 1985-2001 for manufacturing and 1984-2002 for services, when the Internet was in its infancy and broadband was pre-natal.

I do not suggest that the Prime Minister did anything other than read a speech that was written for him by his department, but it goes to show that these claims of great productivity benefits from changes to technology need to be looked at in a very thorough and rigorous way, because the risk is that, if we just accept a sort of cornucopia of external spill-over economic benefits from greater enhanced broadband services, without actually questioning them, we will be making a very poor investment of taxpayers' funds, when those funds could be better used for other public infrastructure. The Premier of Victoria, Mr Brumby—unless there has been a

change while we have been in here—no doubt regrets that more money was not spent by his government and the federal government on public transport rather than planning to spend \$50 billion-plus on a national broadband network.

All of this points to the absolute necessity of rigorous financial analysis, of understanding how much we are spending and what we are going to get out of it and of ensuring that we maximise the welfare of all Australians with a thorough cost-benefit analysis. (*Time expired*)

Mr HOCKEY (North Sydney) (1.52 pm)—I rise in support of the position offered by the member for Wentworth today. As he was speaking, I was reminded of a speech given by Mr Gary Banks, the Chairman of the Productivity Commission, at a seminar run by the *Australian* that I attended at the Melbourne Institute. It was the Economic and Social Outlook Conference, the Road to Recovery, on 5 November 2009. The speech from the Chairman of the Productivity Commission is hugely instructive. At that time, in the wake of the financial crisis, there was a vigorous debate, albeit not as well reported as perhaps it should have been, about the importance of gaining the very best outcome from dollars spent by the government. Mr Banks said:

... poorly conceived or executed infrastructure investments can impose a double burden on the community, with future generations having to service higher debts from incomes that are lower than they otherwise would be.

Indeed, it could be argued that any stimulatory spending on economic or social infrastructure that did not yield a net benefit would be inferior on efficiency (national productivity) grounds, to giving the money to households for discretionary spending. At least such payments are likely to end up being directed to valued goods and services ... at prices that reflect costs.

What the Chairman of the Productivity Commission was saying in 2009 was that there may well be a case for every dollar that is allocated by government to go back to individuals for the proper expenditure of that money in a productivity-enhancing manner rather than to have the government proceed with infrastructure projects that are not as productive as they would be if they had a proper cost-benefit analysis.

The speech is instructive on financial services and I refer others to it. But the interesting thing is that he says:

A second potential source of productivity gain, now that some of the pressure is off, are those larger scale 'nation-building' infrastructure proposals that were brought forward and selected without the opportunity to conduct adequate cost-benefit analysis (CBA). It would be desirable to delay the progression of such projects, until this can be remedied.

There is no more significant project—one that initially started as a \$5-billion broadband to the nation project. Now it is revealed that it will be 10 times that amount. The Chairman of the Productivity Commission's opinion, back in 2009—backing the sentiment expressed by the chairman of the Reserve Bank, the Secretary to the Treasury and every half-credible economist across the world—is that you should be having a cost-benefit analysis of infrastructure projects that are no longer about economic stimulation but are simply about spending taxpayers' money. He went on to say:

There are two 'urban myths' about CBA—cost-benefit analysis—

that appear to be gaining currency. One is that they need to be kept confidential because of commercially sensitive material. This conflates CBA with a competitive bidding process.

And he goes on to describe how you can have a cost-benefit analysis up-front without in any way compromising the delivery of the infrastructure. He says:

The second myth is that CBAs cannot be conducted where there are non-financial costs or benefits (like environmental impacts). Such impacts will be implicitly valued anyway. CBA merely requires that those valuation judgements be transparently tested.

I can understand the concerns of the Independents. I can understand the concerns of all Australians. We all do want to have a faster broadband in Australia. We all want that. But the fundamental point is: \$50 billion later, was this the very best way that we could have spent the money? Or, even better: after \$50 billion, could Australians have had \$10 billion or \$20 billion left, with a more appropriate spend of the money that could have delivered 10 or 15 or 20 brand new teaching hospitals with the money left over, and still have ended up with a broadband that delivered what Australians want? (*Time expired*)

Mr Albanese—Mr Speaker, I raise a point of order. There are some very specific amendments before the House. This is now just a filibuster.

The SPEAKER—The member for North Sydney should make his remarks relevant to the Senate amendments—but the member for North Sydney's time has expired. The question is that the Senate amendments be agreed to.

Mr Hockey—I seek leave to table Gary Banks' speech from 2009.

Leave not granted.

The SPEAKER—The question is that the Senate amendments be agreed to.

Mr HARTSUYKER (Cowper) (1.58 pm)—I welcome the opportunity to speak in this debate on the Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2010. We see a project here that is not following the traditional trajectory of projects that have been implemented by this government. There is a trajec-

tory that these projects seem to follow. First we have the wildly inflated claims as to what a particular program will achieve and how it will be done. Next we have the bungled implementation phase of the project. The third phase is the massive cost overruns.

This project is a little bit different. We have had the first phase—we have had the madly inflated claims about what the project will deliver. But we have already jumped to stage 3—we have got the massive cost overruns—and the project has not even started. We started at \$5 billion for a fibre-to-the-node project. Then we jumped up to \$43 billion for the first cut at the costing. Now it is looking like \$50 billion or \$55 billion. We are already wildly over-budget and the project has hardly got off the ground.

Heaven knows what the final cost of this project is going to be. And the bottom line is: what are the Australian people going to forgo in order for Labor to try and complete this illusion—this con on the Australian people? We know why they do not want a cost-benefit analysis: they do not want the facts to come out. They have been fighting scrutiny every inch of the way. They have been fighting an economic analysis every inch of the way. We see a very important report—

Mr Albanese—Mr Speaker—

The SPEAKER—Order! The Leader of the House will resume his seat. I remind the member for Cowper that this is not an opportunity to reopen the second reading debate.

Mr HARTSUYKER—Mr Speaker—

Mr Albanese interjecting—

The SPEAKER—You did not get a point of order.

Opposition members interjecting—

The SPEAKER—Order! The member for Cowper has the call, and he is discussing the Senate amendments.

Mr HARTSUYKER—The amendments, in part, deal with the issue of some degree of transparency. The opposition are all for transparency, but we are very concerned about a lack of transparency that has accompanied this project. There is a very informative new paper released by Robert and Charles Kenny, entitled ‘Superfast: is it really worth a subsidy?’ It raises a range of interesting concepts.

Mr Albanese—Mr Speaker, on a point of order: the member for Cowper is straying nowhere near what the legislation and the amendments are about. This is a bill about the structural separation of Telstra, and we are receiving amendments that have been carried in the Senate.

The SPEAKER—Order! The Leader of the House will resume his seat. The question before the chair is that the Senate amendments be agreed to. The member for Cowper will relate his remarks to the Senate amendments.

Mr HARTSUYKER—Absolutely. The Leader of the House raises the issue of the structural separation of Telstra and, effectively, the creation of a statutory monopoly which, if it is to become viable, requires the elimination of competition. It requires the HFC cable network to be switched off so that consumers cannot get cheaper broadband. It requires that the copper network be decommissioned so that you cannot get competition. This government is all about backing up its failed project. This government is all about trying to back up a \$43 billion project that has become a \$50 billion project and then a \$55 billion project.

Mr Albanese—Mr Speaker, on a point of order: again the member is now defying your ruling. This is about the Senate amendments to the bill about structural separation of Telstra.

The SPEAKER—Order! The Leader of the House will resume his seat. The member for Cowper will relate his remarks to the Senate amendments.

Mr HARTSUYKER—I am being relevant to the Senate amendments—very relevant indeed—because there are some very important points here about scrutiny. We are very focused on scrutiny. The members opposite do not want scrutiny. We want a high degree of scrutiny. We want to see that taxpayers get value for money. We want to see that taxpayers are not ripped off. We want to see that taxpayers do not fall victim to the sort of incompetence that they have had from this government on the pink batts program, on the Building the Education Revolution program—

The SPEAKER—Order! The member is straying into a second reading debate.

Mr Hartsuyker—Solar panels!

The SPEAKER—Order! The member for Cowper does not have the call.

Mr Albanese interjecting—

The SPEAKER—The Leader of the House does not have the call.

Mr FLETCHER (Bradfield) (2.03 pm)—I want to address the amendment which deals with the availability of accessible and affordable carriage services that enhance the welfare of Australians. For two decades the bipartisan direction of policy in telecommunications in Australia, directed towards this objective of accessible and affordable carriage services, has been to enhance competition in telecommunications, and today in Australian telecommunications we have a dark day indeed, because that commitment has been comprehensively repudiated by this government. This government has turned its back on the core principle of competition in telecommunications. We have a bill which is bribing Telstra with \$11 billion to shut down

not just one network—not just the copper PSTN—but also the HFC network, which is already capable of delivering 100 megabits per second, the purported benefit of this bill. We have a proposal in this bill to authorise a transaction which would otherwise be anti-competitive as a breach of the Trade Practices Act. The scheme of this bill is anti-competitive to the core, and the amendment which the Senate has moved—

The SPEAKER—Order! I remind the member for Bradfield that this is not an opportunity to do a second reading speech.

Mr FLETCHER—The Senate amendment which I am addressing goes to the core question before this parliament: how do we discharge our responsibility to the people of Australia to deliver affordable and accessible carriage services? You cannot do that with a bill that is so fundamentally anti-competitive. We have heard that the minister intends to specifically limit and constrain the prices that competing networks may charge, an extraordinarily heavy-handed and centralised intervention in what has previously been a competitive market. This bill cannot achieve a competitive regime consistent with the principle stated in this Senate amendment of accessible and affordable carriage services. You cannot achieve that objective by allowing a national broadband network to put forward a proposal for a mere 14 points of interconnect nationally, centralised in five capital cities. You cannot achieve that objective with this grubby proposal that will permit a deal which would otherwise be in breach of the Trade Practices Act.

As we ask the question about how we best make available accessible and affordable carriage services that enhance the welfare of Australians and as we turn our minds in this House to that Senate amendment, we must ask: is this truly a bill about the structural separation of Telstra, as has been claimed, or

is it a bill by which the government of the day is proposing to pay a large company to shut down two perfectly viable and operational networks which deliver service today? One of those networks is the HFC network—a network perfectly capable of delivering a speed of 100 megabits per second. Instead, as we consider this question of whether we are delivering accessible and affordable services, we have an extraordinary scheme under which some \$50 billion is going to be spent. It is claimed a return on that money will be generated. What will the generation of that return mean? It will mean that very large amounts will have to be recovered from people who use that network. In turn, it will mean the charging of increased prices to consumers. People who may have no interest in broadband are going to have the government knocking on their doors saying: ‘We are shutting down your perfectly operational service. We are shutting down the service you are perfectly happy with. We are going to replace that with a government mandated broadband service and that may cost you more money, but this is a scheme that we in the government have decided is a good one.’ I have worked in telecommunications policy for 15 years. I am as passionately committed to an improved broadband infrastructure as anybody in this place. Drawing on all that experience, I say that this is an atrocious bill and it ought to be rejected.

Mr ALBANESE (Grayndler—Minister for Infrastructure and Transport) (2.08 pm)—I rise to support the Senate amendments and to support the amended Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2010. We have had some debate about the substance of the issue which goes to competition policy and the amendments that go to the consideration of that. Allan Fels, who knows something about competition, has described this legislation as a victory for the ACCC. He said:

Yes and for consumer. This had to happen. The access law was very weak and it was introduced at a time when the government wanted to privatise Telstra, so it made it weak and kept it weak. And so the true objectives of policy weren't achieved.

If you are not convinced by Allan Fels, perhaps you will be convinced by this quote:

In fixed-line telecommunications today we have the equivalent of Qantas owning all the airports. The result: competition is weak.

That is Paul Fletcher, now the member for Bradfield, in *Wired Brown Land?*. It was the former government that privatised Telstra without protecting competition, choice or service delivery and that has had devastating consequences, particularly in regional Australia, and has ensured that whilst there are relatively decent services in my electorate around Marrickville or around Wentworth those same services simply are not available in places like Mount Isa, Tamworth or Cooma.

The fact is that this process has been through a substantial amount of debate and scrutiny. We now have these amendments before the House that have been carried by the Senate. What we have had today, with the absurd motion moved by the Leader of the Opposition in order to stall proceedings and by many of the measures moved by the opposition today, is an attempt once again to delay. That is why this bill as amended must be carried as is; otherwise, the consequences are the Senate being recalled then the House being recalled again to deal with what occurs in the Senate.

We have had appropriate scrutiny for all of these measures. The bill before the House is about the structural separation of Telstra. The shadow Treasurer says we are only doing that for the National Broadband Network. It is certainly the case that this bill is related to the NBN because the structural separation of Telstra is necessary to ensure

that you can have a wholesale network and build retail competition on top of that. That is why this legislation is important.

Regardless of what was occurring, the structural separation of Telstra is relevant in and of itself. The fact that the shadow Treasurer does not understand that goes back to the sort of ideological position that saw a public monopoly become a private monopoly in place of reform. That is what the former government did with Telstra. That is why we are ensuring this important piece of micro-economic reform, which is about delivery for consumers rather than about maximising the sales prices which occurred at the time that Telstra was privatised as Allan Fels has indicated in his quote and as Paul Fletcher has indicated in his book, *Wired Brown Land?*. I commend the amendments to the House. I commend the bill with the Senate amendments to the House.

Question agreed to.

ADJOURNMENT

Mr ALBANESE (Grayndler—Leader of the House) (2.13 pm)—They weren't real fair dinkum, were they? They weren't real fair dinkum today: no division. I move:

That the House do now adjourn.

The SPEAKER—Before putting the question without debate, in abbreviated end-of-year comments that do not reflect the depth of their sincerity, I thank all members for their cooperation in varying degrees throughout the year. I say to all officers of parliamentary departments: thank you for your professionalism and the way in which you have been able to adapt to a tumultuous year. I think that the comments that were made in the leave of absence debate reflect the appreciation that people have of your efforts.

To others around this place that are either on contract, sessional or have licences: thank

you for your assistance. To officers of other departments that assist us in our work, including COMCAR drivers and the like: thank you very much. I join members in thanking their staff. I appreciate the support that I get from the staff that work in the Speaker's office and the electorate office. I hope that you all are able to enjoy a very restful and safe festive season and New Year; that you come back to assist in making this parliament a more efficient, vibrant, robust, less adversarial place.

To those theatregoers in the commentariat, I am sorry that this is leading to terrible theatre. But it is not about theatre; it is about operating an efficient parliament, and I look forward to our combined efforts in doing that. Best of luck for the holiday period. May you come back rested for a successful 2011. The House stands adjourned until Tuesday, 8 February 2011 at 2 pm.

Question agreed to.

House adjourned at 2.15 pm

NOTICES

The following notices were given:

Ms Saffin to move:

That this House:

- (1) notes that the Government:
 - (a) deeply regrets recent reports of violence in Western Sahara, and allegations of human rights violations with respect to Western Sahara;
 - (b) urges parties to uphold international human rights standards, and to maintain their resolve to work peacefully through these issues in the United Nations led process currently underway;
 - (c) strongly supports the efforts of the United Nations to find an enduring and mutually acceptable settlement in relation to Western Sahara;
 - (d) welcomes progress made during the third round of informal talks here on 8-9 November in New York between Mo-

rocco and the Polisario Front, facilitated by the United Nations Secretary General's Personal Envoy Christopher Ross, including agreement to further informal talks later in 2010;

- (e) calls on the parties to continue to work through these issues in the United Nations process underway; and
 - (f) hopes the next round of informal talks, scheduled for December 2010, will make further progress; and
- (2) fully supports:
 - (a) the efforts of the United Nations Secretary General, his Special Envoy, and the United Nations to find an enduring settlement to the Western Sahara issue; and
 - (b) these concerns, calls, hopes and actions.

Mr Champion to move:

That this House:

- (1) notes that all workers are entitled to spend time with their families and friends on Christmas Eve and New Year's Eve regardless of their profession; and
- (2) calls on all State and Territory governments to legislate that Christmas Eve and New Year's Eve become public holidays after 6 p.m.

Ms Rishworth to move:

- (1) notes that:
 - (a) support for a solution to return the Murray Darling river system to health is widespread across Australia;
 - (b) a poll by the Australian Conservation Foundation found that 77 per cent of Australians agree that environmental degradation in the Murray Darling Basin must be reversed;
 - (c) the Government is working towards an effective strategy for the integrated and sustainable management of water resources in the Murray Darling Basin; and
 - (d) this strategy includes purchasing water for increased environmental flows, setting sustainable diversion limits on the quantity of water removed from the Ba-

sin, managing water quality and investing in water-saving infrastructure; and

(2) recognises that the Government:

- (a) has already begun the task of returning the Murray Darling River system to health through the *Water for the Future* plan;
- (b) is working towards ensuring the long term viability of this river system for all those who rely on its precious water resources; and
- (c) will continue to consult openly with all stakeholders in the Murray Darling Basin.

Thursday, 25 November 2010

The **DEPUTY SPEAKER (Hon. Peter Slipper)** took the chair at 9.31 am.

CONSTITUENCY STATEMENTS

Murray-Darling Basin

Dr STONE (Murray) (9.31 am)—After seven years of the worst drought on record, northern Victorians have finally seen some abundant rains. However, one season of average rainfall does not undo the damage to the local economy or individual bank accounts. As well, right now there is growing despair as people await the outcome of the Murray-Darling Basin Authority's guide to the proposed Basin Plan, fearful that there might not be a balanced result at the end of the day. So I want to put on the record what happens when you do not have enough water to sustain an agribusiness that has been a world leader in terms of efficiency and profitability in the past. A report has just been released, compiled by the Victorian Department of Primary Industries, the Northern Victoria Irrigation Renewal Project and the HMC Property Group. It asks: 'Where have all the dairies gone?' From data derived from inspection of 9,500 of 11,500 properties, the report found:

While a high degree of change was anticipated, the results can only be described as startling. The most significant finding was the movement of properties out of irrigated dairy production due to the drought conditions and the low water allocation environment that has prevailed ... and the extent to which that land is no longer actively farmed.

In fact, in the area long considered the food bowl of Victoria, the most common land use for the 2009-2010 irrigation season was "in transition". The inspection program identified that the idle rural land component comprised over 45% of the nearly 800,000 hectares of rural land across the study area.

Typically the idle land was part of ex-dairy and fodder production that have been "dried off" and fallen into poor state. Weed infestation and general degradation were prevalent on these properties. Not only had these holdings been retired from irrigation, they had been retired from active agriculture.

The farms were often located within older soldier settlement districts and while they featured older style irrigation lay-out they also occupied better than average soils in areas that were once highly sought after.

The point I am making is that the consequence of lack of water security is no farming activity. In this case, nearly 45 per cent of once-dairy country is no longer being farmed. It is not being farmed for dairy or for any alternative agricultural production; it is simply land lying idle and being degraded. That is why it is critical, if we want to have food security into the centuries ahead for this country, that we must understand the significance of a balanced approach to the environment and agriculture, particularly irrigated agriculture in this part of the world that I am referring to. That in turn gives you a viable, effective community that more than contributes its share to building the economy of Australia. There are solutions to this, quite obviously, and those solutions will very much be in the hands of this government as it puts together the Murray-Darling Basin Plan for years to come.

Deakin University Pedestrian Bridge

Ms BURKE (Chisholm) (9.34 am)—I rise today to voice my outrage, along with that of my community and that of Whitehorse City Council, at the VCAT's decision to agree to the Deakin bridge, which is going to put a blot on our beautiful landscape. Deakin University,

which was originally created at Geelong, has now morphed the suburb of Burwood. What used to be Burwood Teachers College and Burwood Boys Home has now become a very large university. It is situated on two sides of major roads and in between is a beautiful creek, Gardiners Creek. It has been regenerated by community members and the council. We now have a magnificent reserve that is utilised day and night by people. I can testify to this because my two dogs absolutely love it. Now we are getting a bridge that is not a bridge—a six-metre wide road, two storeys above our beautiful reserve, to join the two campuses together. Whilst I understand the university's need to have the two campuses joined, it knew the reality when it moved into the site. The suburban people were there first; the burbs and the houses were there before the university. Over 500 objections have been lodged to the bridge, which will involve the loss of about 60 mature trees which have been growing in this area for a long time. As I say, it is not a bridge; it is a major pedestrian thoroughfare at above-height level, which will just be a huge blot on our landscape.

The university is claiming there is a need, that it is about the interaction between the two campuses and about moving students across. The students can already go across if they care to walk down the road and actually cross at creek level. Currently, there is a perfectly serviceable bridge there. There is no impediment to people utilising the bridge. For a long time the university argued that it was about disability access. For years we have been asking the university, 'Show us the people with a disability who are actually accessing the bridge.' Originally, the dance studios were on one side of the creek and the other. I do not mean to be disrespectful, but I do not think too many people with disabilities were actually undertaking the dance course.

We now have this huge structure. VCAT has not listened to individuals. It has taken the view of the university into account above and beyond the views of the people who actually live in this area. I want to commend the various people who have been leading the protest, most notably: Elizabeth Meredith, from the West of Elgar Residents Association; and Terry Randle, from the Gardiners Creek Community Group. They have been there from day one. They will be shocked and disappointed.

I also want to offer congratulations and commiserations to Bob Stensholt, the state member for Burwood, who sat through days and days of VCAT hearings to ensure that we would not be getting this blot on our landscape. It is not a footbridge; it is a road above our heads and it should not be going ahead. (*Time expired*)

Petition: Mentelle Basin

Ms MARINO (Forrest) (9.37 am)—I table the following petition from concerned constituents in my electorate of Forrest who oppose the Labor government's decision to allow exploration for oil and gas in the Mentelle Basin.

The petition read as follows—

To the Honourable the Speaker and Members of the House of Representatives

This petition of certain citizens of Australia draws to the attention of the House the Federal Government's decision to allow oil and gas exploration in the Mentelle Basin, off the coast of Margaret River in Western Australia. This petition also **draws to the attention of House** the environment impacts of recent oil spills in the Gulf of Mexico and the North west of Western Australia (Montara Field).

We therefore ask the House to refer to the Government the concerns of the people of the South West of Western Australia, including the electorate of Forrest.

from 90 citizens

Petition received.

Ms MARINO—The announcement by Labor's Minister for Resources and Energy, Martin Ferguson, in May 2010, to allow exploration in the Mentelle Basin took many in the community by surprise. They have raised their very serious concerns with me through direct contact and through a public meeting that I held, along with the shadow minister for the environment, Greg Hunt, with the Margaret River community on 1 July. As a result we developed a three-point action plan. Of the 31 regions released for exploration by the Labor government, 30 were released at the request of industry. The release of Mentelle Basin was not requested by industry but was released on the recommendation of a government body, the Australian Geological Survey Organisation. We have sought answers from the government as to why this occurred.

The opposition are concerned, as is the community, about the government's lack of capacity to manage an oil spill in the Mentelle Basin and have questioned the government's ability to manage oil spills more generally, following the Montara oil spill in the north-west of Western Australia in late 2009.

There was a serious delay in the releasing of the Montara oil spill document. It was released only yesterday by the minister, which is interesting given the timing of this petition. What is really concerning our community is the fact that nobody can be assured that a similar incident could not or would not be handled better today or in the future.

Thirdly, the Labor Party has ignored the south-west. No Labor minister involved in this decision has come to the Forrest electorate since it was made. We invited the Prime Minister, the resources minister and the environment minister to come to Margaret River. Unfortunately for the residents in my electorate, not one of these people has accepted this invitation. As I said, this is a serious concern for people in my electorate, and I table this petition on behalf of concerned people in the south-west of my electorate.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I understand that is in order as the petition has been approved. Before calling the Minister for Employment Participation and Childcare and Minister for the Status of Women, I gently remind the member for Forrest of the provisions of standing order 64.

Adelaide Electorate: City of Prospect

Ms KATE ELLIS (Adelaide—Minister for Employment Participation and Childcare and Minister for the Status of Women) (9.40 am)—I rise today to congratulate the City of Prospect, which is within the good electorate of Adelaide, on winning the Economic Development Strategic Planning Award. This national award was presented at the Economic Development Australia conference in Sydney recently. The City of Prospect received the award in recognition of its outstanding digital economy strategy, which was prepared by the city's business and economic development director, Steve Harrison, with, I am delighted to say, the support of councillors of all different backgrounds under the dedicated leadership of Mayor David O'Loughlin.

This award is fitting for the city of Prospect, as my ministerial colleague the Hon. Stephen Conroy has declared its strategy to be the best digital economy strategy in Australia. The

strategy was developed with the objective of creating a digital-savvy community, which in turn generates demand for broadband services over optical fibre while simultaneously increasing incomes for small to medium enterprises. It has been adopted by seven member councils in the Eastern Region Alliance of councils in Adelaide and has been in demand from Regional Development Australia boards, local government authorities and state government departments as a model digital economy engagement strategy.

I am really pleased that the City of Prospect has received national recognition for the significant amount of work it has put into this. The City of Prospect understands that a 21st century economy requires 21st century infrastructure, and that is critical to our government's National Broadband Network. The development of the City of Prospect's strategy highlights not only that it welcomes the NBN but also that it is preparing our local community through digital economy engagement projects, making sure that residents, schools, health services and local businesses can take advantage of affordable high speed broadband.

In partnership with the City of Prospect, I am absolutely delighted that phase 2 of the NBN rollout will include our local community as one of the next 19 sites to receive the NBN. I encourage all residents and businesses to express their interest in making the switch from ageing copper wire to optical fibre and to demonstrate our community's enthusiasm towards the NBN. I know that many residents across the Adelaide electorate understand just how important this infrastructure investment is in supporting our local economy, in the provision of health services and in improving the way we operate as a community.

I have no doubt that residents outside of the phase 2 rollout within the seat of Adelaide will be watching with a keen interest in the benefits that the NBN will bring to our local community. I look forward to continuing to work in partnership with the council to deliver affordable high-speed broadband. (*Time expired*)

Armenian Community

Mr FLETCHER (Bradfield) (9.43 am)—I am pleased to rise to talk about issues of concern to the Armenian community in Australia. Australia has greatly benefited from having many Armenians come here, but this has been driven by much conflict and upheaval. Armenians have been subject to a history marred by invasion and occupation over centuries, including by Persians, Turks and the Soviet Union. In modern times, we have witnessed the atrocity of the Armenian genocide during World War I. Subsequently, Armenia was swallowed by the Soviet Union and became the Armenian Soviet Socialist Republic before finally declaring its independence in 1991 following the dissolution of the Soviet Union.

It is pleasing that the Armenian people now have their own recognised state, but the state of Armenia does not comprise all of the area that has traditionally been occupied by Armenians. In this respect, I want to speak of Nagorno Karabakh. This province is located at the eastern end of the Armenian plateau. The historical roots of the Armenian people of this area can be traced back to the sixth century BC. These Armenian peoples have been subject over the centuries to war, conflict and invasion. Russian Bolsheviks and then Stalinist Russia and the Soviet Union played a large part in the more recent history of this region. In the early 1920s, Stalin placed Nagorno Karabakh under Azerbaijani rule.

The dissolution of the Soviet Union created a vacuum for conflict to escalate in the late 1980s and the early 1990s. The struggle resulted in a period of war from 1988 to 1994. In

1991 Armenians in Nagorno Karabakh declared themselves an independent state. It was not until 1994, however, that a ceasefire was reached. The ceasefire has not eliminated hostilities, with continued conflict and casualties. The OSCE Minsk Group—chaired by the US, Russia and France—is mediating efforts to negotiate a full settlement.

The rights of the Armenians of Nagorno Karabakh derive from what is known as the Helsinki Final Act, which in article VIII provides for the rights of peoples to self-determination and says that:

... all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development.

I support the application of the principle of self-determination for Nagorno Karabakh. I recognise the struggle and courage of the Armenian peoples of this region over many centuries. A key aim of the Armenian National Committee of Australia is to raise awareness of the status of Nagorno Karabakh, and I am therefore very pleased to be able to speak on this issue during advocacy week of the Armenian National Committee of Australia.

Earnshaw State College: Global Enterprise Challenge

Mr SWAN (Lilley—Treasurer) (9.46 am)—I rise to congratulate the students and staff of Earnshaw State College on becoming the first Australian school to ever win the international Global Enterprise Challenge. The challenge is a rapid-fire competition involving students from 14 countries, including Australia. Students involved gain important knowledge about business and enterprise, as well as hone valuable skills like teamwork, critical thinking and using information technology. Teams were given just 24 hours to prepare a plan for a business in 2030 to produce an innovative game for a family of four to address the issues facing the world then.

The solution that the children produced was called ‘Axis’. It used the power of technology, presumably much more advanced by 2030, to allow players to take on the role of a nation’s leader to develop their country’s potential and respond to issues in real time. Under their proposal, players in the game would address many of the issues that we debate in this place, like economic management, protecting the environment and dealing with the threat posed by global terrorism. A team of 10 students from years 10 to 12 prepared a written report, video presentation and PowerPoint slides which laid out a timetable for development as well as plans for sales and marketing. The standard of the proposal developed by these students was very high indeed, especially considering it was produced in such a short span of time.

I would like to acknowledge the hard work of those who mentored the students participating in the challenge—Colleen Hills and Jane Freier from Earnshaw State College, college captain Jared Peut, and Bob Steele from the Brisbane North Chamber of Commerce. The students participating in the challenge were served very well by their support. I congratulate the students on their success in winning this challenge. I wish them all the best for their future studies. If the work they have produced here is any guide, I am sure they will enjoy great success in the future.

Petition: Pompe’s Disease

Mr SOMLYAY (Fairfax) (9.48 am)—I present two petitions on behalf of my constituent Bradley Gibson, who suffers from Pompe’s disease and is requesting that the life-saving drug

Myozyme be made available under government funding to all Australian sufferers of this extremely rare, inherited and often fatal disorder which affects the muscles.

The petition read as follows—

To the Honourable the Speaker and Members of the House of Representatives

This petition signed by the Australian Community on behalf of Australian Citizens diagnosed with Pompe's Disease draws to the attention of the Members of the House of Representatives that:

- The life saving drug Myozyme which is funded by Governments to treat Pompe's disease in over 44 countries throughout the world has not been accepted onto the Australian Government's Life Saving Drugs Program for Juvenile and Adult onset Pompe Disease sufferers. This is despite evidence showing the drugs success in halting disease progression, prolonging and improving quality of life in Juvenile and Adult onset Pompe patients.

The high cost of Myozyme is out of reach of the average Pompe disease sufferer. The drug is currently funded by the Australian LSDP for infants only. Withholding access to this drug for Adult and Juvenile Pompe sufferers means confinement to a wheelchair and the need for permanent ventilatory support. Untreated Pompe patients require high cost medical care and die prematurely due to respiratory failure.

We therefore ask the Members of the House of Representatives to:

1. Recognize Myozyme as a life saving drug in the treatment of Adult and Juvenile onset Pompe's disease
2. Pass appropriate legislation to place Myozyme on the Australian Governments Life Saving Drugs Program
3. Allocate sufficient funding to ensure Myozyme is made available to all Australian Citizens diagnosed with Pompe's disease to bring the care offered in Australia in line with accepted International Practice.

from 712 citizens

Petition received.

The petition read as follows—

To the Honourable the Speaker and Members of the House of Representatives

This petition signed by the Australian Community on behalf of Australian Citizens diagnosed with Pompe's Disease draws to the attention of the Members of the House of Representatives that:

- The life saving drug Myozyme which is funded by Governments to treat Pompe's disease in over 44 countries throughout the world has not been accepted onto the Australian Government's Life Saving Drugs Program for Juvenile and Adult onset Pompe Disease sufferers. This is despite evidence showing the drugs success in halting disease progression, prolonging and improving quality of life in Juvenile and Adult onset Pompe patients.

The high cost of Myozyme is out of reach of the average Pompe disease sufferer. The drug is currently funded by the Australian LSDP for infants only. Withholding access to this drug for Adult and Juvenile Pompe sufferers means confinement to a wheelchair and the need for permanent ventilatory support. Untreated Pompe patients require high cost medical care and die prematurely due to respiratory failure.

We therefore ask the Members of the House of Representatives to:

1. Recognize Myozyme as a life saving drug in the treatment of Adult and Juvenile onset Pompe's disease
2. Pass appropriate legislation to place Myozyme on the Australian Governments Life Saving Drugs Program

3. Allocate sufficient funding to ensure Myozyme is made available to all Australian Citizens diagnosed with Pompe's disease to bring the care offered in Australia in line with accepted International Practice.

from 4,750 citizens

Petition received.

Mr SOMLYAY—I further ask the Australian government to recognise Myozyme as a life-saving drug for the treatment of Pompe's disease and to take urgent action so that Myozyme can be placed on the Life Saving Drugs Program and to provide and fund Myozyme for Australian citizens diagnosed and suffering from Pompe's disease.

I first met Brad during the 2010 election campaign and made urgent representations on his behalf to the incoming minister for health, requesting funding of Myozyme. The minister responded by advising that the PBAC had not recommended funding for Myozyme for the treatment of late onset Pompe's disease through the Life Saving Drugs Program on three previous occasions. In early November this year, the committee met again and the request for Myozyme to be included and given government funding is awaiting decision. Brad is a determined man. He has travelled to Canberra to meet with MPs and senators to discuss the need for funding and to explain in detail how Pompe's disease has impacted on his life and that of his young family.

Currently there are 22 Australians living with Pompe's disease, and the only way to stop the life-threatening degeneration caused by the disease is an infusion of Myozyme. This drug is out of the reach of most patients, as it costs approximately \$500,000 per year. Myozyme does not cure the disease but stops it from progressing further and getting worse. Myozyme is supplied by the American pharmaceutical company Genzyme and is available in the health-care systems of 44 other countries but has not been accepted on the Australian government's Life Saving Drugs Program for adult onset Pompe's disease sufferers. Myozyme is currently funded by the Australia Life Saving Drugs Program for infants only. Withholding access to this drug for adult and juvenile Pompe's disease sufferers means confinement to a wheelchair and the need for permanent ventilator support. Untreated Pompe's disease patients require high-cost medical care and die prematurely due to respiratory failure.

Brad has a wife and young family. He works at Nambour Hospital. He has collected 5,462 signatures throughout Australia on this petition. This disease is affecting Brad's ability to do those everyday activities that most people take for granted. I again passionately urge the Australian government to recognise Myozyme as a life-saving drug for the treatment of this terrible debilitating disease, and I thank my colleagues on both sides of the House for their support of Brad and his fellow sufferers. (*Time expired*)

The DEPUTY SPEAKER (Hon. Peter Slipper)—That petition is in order, as it has been approved.

Emeritus Professor Frank Fenner

Ms BRODTMANN (Canberra) (9.51 am)—It gives me great pleasure to speak today in honour of the legendary contribution made by my constituent the revered and humble Professor Frank Fenner, who died on Monday at 95. Professor Fenner contributed to some of this country's and the world's greatest scientific achievements and he became an authority on extinction. He sent smallpox into oblivion, and the myxoma virus suppressed rabbit populations.

Professor Fenner graduated with a Bachelor of Science in 1938 and from medicine in 1942—both degrees from the University of Adelaide. He served with distinction as a captain and later a major in the Australian Army Medical Corps in Palestine, Egypt, New Guinea and Borneo. He was made a Member of the Order of the British Empire for his work in controlling malaria in World War II troops, which, like all his work, was a challenge. In an interview in 2003, Professor Fenner said: ‘One of the main jobs was to convince the officers to see that their troops took one tablet a day with Sunday off, and that prevented malaria in most of the campaigns. It was hard to get the troops to accept this because anything that you have to take they don’t like taking. It made you very yellow and the rumour went round that it made you impotent.’

In 1949, Professor Fenner was appointed Professor of Microbiology at the newly established John Curtin School of Medical Research here at the ANU, and it was here that he worked on the myxomatosis virus, which greatly reduced the rabbit population in Australia after devastating plagues. He famously joined his colleagues Frank Macfarlane Burnet and Ian Clunies-Ross in injecting himself with the virus to show the Australian public that myxomatosis was safe for humans. Perhaps his most significant contribution was as chair of the Global Commission for Certification of Smallpox Eradication, where he oversaw the eradication of smallpox—a major achievement. He said it was his proudest moment when in May 1980 he declared before the World Health Assembly that smallpox had been eradicated globally. Professor Fenner could very well have retired after his monumental contributions, but his passion for science and medicine meant he continued to make valuable contributions. He was recognised in 1989 with a Companion of the Order of Australia, in 2002 with the Prime Minister’s science award and in 2005 as Senior Australian of the Year.

In my first speech, I paid tribute to the many Canberrans who contribute so much to this country and ask little in return—what I call the invisible heroes. Professor Fenner was such a Canberran. He has been described as a rascal, an inspiration, a sage, a delight and a legend. He is survived by his daughter, Marilyn, two grandchildren and one great-grandchild. He is also survived by a significant and life-changing legacy to humanity at the national and global level. I pay my respects to him and I pay tribute to him.

Pompe’s Disease

Mr McCORMACK (Riverina) (9.54 am)—I rise today to bring to the Main Committee’s attention a rare and debilitating autosomal recessive metabolic disorder that affects many Australians, including constituents of mine in the Riverina. Pompe’s disease is an issue which the parliament and, more particularly, the government need to address. Recently I met with two members of the Australian Pompe’s Association, Brad Gibson and Raymond Saich. Raymond watched as his own brother was taken by the disease that he himself was later diagnosed with. Brad was also diagnosed with Pompe’s disease this year. The lives of these gentlemen have been adversely affected by Pompe’s disease, and they are now facing what they describe as a ‘fairly bleak’ Christmas season.

While I respect the independence of the Pharmaceutical Benefits Advisory Committee, the PBAC, I call upon the it to rigorously investigate the potential benefits of drugs including Myozyme that are available to treat Pompe’s disease and the debilitating condition that many people, including my constituent Gloria Halliwell, of Wagga Wagga, are left dealing with every day. Gloria Halliwell is in a nursing home with her mother. She is wheelchair bound

and being fed by a tube due to the muscular degeneration in her throat. Pompe's disease is a punishing disease that requires the real consideration of the PBAC. It is heartbreaking to see people such as Gloria suffering with a condition of this nature.

Should Myozyme receive a positive recommendation from the PBAC, I call upon the government to expedite the listing of the drug so that the people who have been diagnosed with Pompe's disease can start to lead a better life. Myozyme is available in 40 other countries, and there are many people in a condition similar to Gloria's who are receiving the treatment they need for this disease. I believe that the existence of this drug and the plight of the people living with Pompe's disease have been brought to the attention of the Minister for Health and Ageing, and I hope that the minister does not adopt the present position of the government when it comes to calling upon the PBAC to properly consider the possible benefit of drugs of this nature and place it on the necessary register.

Parramatta Electorate: Switch Digital Arts Centre

Ms OWENS (Parramatta) (9.56 am)—I was delighted in the last two-week break of the parliament to be able to attend the launch of the Switch Digital Arts Centre, which is powered by the Information and Cultural Exchange, known as ICE, in North Parramatta. Switch will provide access to cutting-edge technology and training to emerging digital artists in the region. The Switch Digital Arts Centre provides state-of-the-art facilities including commercial quality digital media equipment, performance space and screening and training rooms. Importantly, the centre will provide access for the community to industry experts in music and sound, video, screen based art and graphic design. The federal government provided a total of \$1.5 million for the new centre out of its education and innovation fund.

The new space and cutting-edge equipment are great, but ICE itself is powered by ideas and heart. The people at ICE are people who make hard ideas happen. Ten years ago, they had a blank piece of paper and a dream, and they now have one of the best digital arts facilities in Australia, if not the world. It is exciting to think what these sorts of creative people can achieve now that they have a world-class space and equipment.

Located on Victoria Road, Switch is just 15 minutes walk from Parramatta train station. It is located in Western Sydney's new cultural hub, which includes the Parramatta Heritage and Visitor Centre, Connect Studios, the Parramatta Artists Studios, the Riverside Theatres, Parramatta Park and St Patrick's Cathedral. Acting Executive Director of the Information and Cultural Exchange Lisa Torrance put it well at the opening when she said: 'Switch Digital Arts Centre is a story-telling playground. It's a space where we will actively encourage dynamic interaction between creative individuals and community. It's a creative space that we hope will become a gathering place for communities from all walks of life.'

Many people deserve recognition for bringing about this fantastic outcome. Among them are Susan Green, Lisa Torrance, Caitlin Vaughan, Mouna Zaylah, Indu Balachandran, Jill Chambers, Kristy Mayhew, Trey Thomas, Jerome Pearce, Maria Tran, Gary Paramanathan and Donita Hulme-Cawi, but one person stands out, and that undoubtedly is Lena Nahlous, the Executive Director of the Information and Cultural Exchange. Lena is a phenomenal individual of enormous passion, energy and capability. She is a cultural development worker, arts manager and writer, and she has worked for over a decade in non-government organisations, managing and collaborating on initiatives that have engaged thousands of people, particularly women, refugees, migrants and young people. At ICE she established Artfiles, a portal and

directory for Western Sydney artists, and the Switch multimedia and digital arts centre and was a co-founder of the highly successful Sydney Arab Film Festival. Over 10 years, Lena has led ICE from the old Gatekeeper's Cottage in Parramatta Park to a world-leading community-accessible digital arts facility. The intervening years have not been easy, but she has overcome every hurdle.

Congratulations to everyone involved in the Information and Cultural Exchange. Switch Digital Arts Centre is an amazing achievement which I am sure will give birth to many other amazing achievements, ideas and creations, which I will raise in this place in the future. (*Time expired*)

Mr Bob Brooks

Blood Donation

Ms HALL (Shortland) (10.00 am)—On 14 October Bob Brooks, a constituent of mine who lives at Doyalson North, gave his 150th whole blood donation, which is a fantastic achievement. To put this in perspective, this equals a blood donation every 12 weeks for about 38 years. Bob is very dedicated to his local community. He lives in one of the residential parks on the Central Coast. He is a man with a very strong community spirit. The Red Cross, as we all know, always needs blood donations. Each individual blood donation can save up to three lives. Going into the holiday season, it is really important for all Australians to consider making a blood donation, because that donation could save somebody's life. You could be like Bob Brooks: if you start donating blood now, over the years you could end up giving maybe not 150 but a considerable number of blood donations. I am a regular blood donor, and I know many of the members in this House are regular donors. It is important that we take the message back to our electorates and encourage people to go and give blood.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! In accordance with standing order 193, the time for constituency statements has concluded.

GOVERNOR-GENERAL'S SPEECH

Address-in-Reply

Debate resumed from 24 November, on the proposed address-in-reply to the speech of Her Excellency the Governor-General—

May it please Your Excellency:

We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, express our loyalty to the Sovereign, and thank Your Excellency for the speech which you have been pleased to address to the Parliament—

on motion by **Ms O'Neill**:

That the Address be agreed to.

Mr WINDSOR (New England) (10.01 am)—It is with pleasure that I speak on the address-in-reply to the Governor-General's speech. There are a number of things I would like to raise in this debate. Firstly, I would like to recognise the time of the new parliament since the election. Obviously I was involved in the process of the determination of the government. Since that determination occurred, there has been a settling-in period, which you have been a part of, Mr Deputy Speaker Slipper. A number of changes have been made in procedures and processes. I am pleased to say that I think things are starting to settle down, and the nature of

this particular parliament has been a positive experience so far. Some people with various political agendas may find that difficult to handle, but there have been some positive indications that some of the substantive issues that the Australian people want addressed can be addressed in this particular parliament.

One of the very attractive things about this particular parliament—and I am not speaking just as an Independent; it is not just about vested interest; I think the Australian people are looking very closely at this—is that the executive does not have total power, as is normally the case. It is quite a different parliament to previous ones. As time goes on, I think members from both sides of the parliament will recognise that there are very real opportunities in the nature of this particular parliament which will give all backbenchers, all members of parliament, a degree of freedom that they have not experienced in the past. There was a dictatorial nature of previous parliaments, where the executive, the ministry, the cabinet and the inner cabinet dictated to the backbench how they would think and how they would vote. This parliament is going to be substantively different.

I have just left the other chamber and there is a debate going on down there about the suspension of standing orders, for instance. That debate is based on the logic rather than the politics of argument. I think it is refreshing to see people arguing and putting their case before their fellow parliamentarians within the parliament and then having it adjudicated by those fellow parliamentarians. In a technical and theoretical sense that is what our House of Representatives was supposed to be about. It was supposed to be about representatives from the various electorates coming together and debating various issues on the floor of the chamber, making decisions as to whether the arguments had been cogently put, whether they had been convincing and whether they had logic, and then the decisions being made.

I think the Australian people are starting to see that this parliament is significantly different from other parliaments they have had. Some would argue that, in a hung parliament, nothing will happen. Some people in the media and some people in the political process have argued that reform will not occur in this particular parliament because of the nature of it.

A division having been called in the House of Representatives—

Sitting suspended from 10.06 am to 10.43 am

Mr WINDSOR—Before the interruption, due to a division having been called, I was talking about the reform process. Some people have suggested that, because of the nature of this particular parliament, reform of a significant nature will not occur. I would argue to the contrary. For instance, as we speak today, I think the passage of the National Broadband Network, in my view, is a very good example of a very-much needed reform, which essentially has been neglected in the politics of telecommunications for the last decade. It is no secret that I am a fan of the fibre-optic arrangements under the National Broadband Network and I am very pleased to see that reform proceeding, as I am to see the structural separation of Telstra. I think the two things are very significant in terms of the way forward, particularly for regional Australia where anybody with any sense would understand that the possibility of developing two or more wholesale networks in regional Australia is just nonsense. It may happen in some major urban areas but, obviously, not in country areas.

We had that debate some time ago when the third tranche of Telstra was sold. The then Prime Minister, John Howard, and the National Party's Senator Joyce, who had the balance of

power in the Senate, argued that competition would deliver to country communities. Obviously, that has not occurred. As part of the agreement with Senator Joyce and the then President of the National Farmers Federation, Peter Corish, on the passage of the legislation to sell the third tranche of Telstra they said they had it in writing and that it would be entrenched in legislation that there would be equity of access to broadband and telephone services, including price, for country constituents. And we all know that that did not occur. So one of the things that I am very pleased about is that, in our negotiations on the formation of this government, there was support not only for the National Broadband Network and the rollout in regional Australia but also for obtaining an equalised wholesale price. So, as I said, I am very supportive of that piece of reform.

There are other areas where I think the nature of this parliament can achieve significant reform. I am pleased to see the member for Riverina here. He has very big shoes to fill. Even though he is taller than the previous occupant, they are big shoes to fill. I pay my regards to his predecessor Kay Hull, who was an excellent member of parliament. The member for Riverina is also involved in the House of Representatives committee that is looking at the Murray-Darling issue. That is the Standing Committee on Regional Australia, and I congratulate Minister Crean for setting up that committee. Also part of the discussions we had in the formation of government was that a regional development committee should be part of the committee processes within this parliament. It has not been in the past but I think that has now been remedied.

The significant issue of the Murray-Darling system, which has been politicised and played with for many years, with very little happening, is now coming to a head and the regional Australia committee will look at that issue. As I have said on a few occasions before, the nature of this particular parliament—and it can fail, as other parliaments have—could utilise the hung parliament to obtain a solution to the ongoing problems of both the socioeconomic impacts of water reform and the environmental concerns that many people do have in parts of the system—at the top end, at the bottom end and, obviously, in the middle. So that is another area of reform where this parliament could proceed and make meaningful gains. Some people have suggested that this will be a stagnant parliament because the executive does not have control. As I said before the break, I think it is a great thing that the executive does not have control. I think that in his next book John Howard may well agree, because when the executive had total control of the parliament the wheels started to fall off that particular government. I know that, if you are into power, that is what you want, but the people do have their say as well.

There are other areas of reform. I am involved in a multiparty committee that is looking at climate change. In the previous parliament, I was on another committee that was looking at the impact of climate change on agriculture, and there are a number of issues that I will be raising in this committee as well. I think that is an area that we need to look at. That might be in terms of direct action, as the Leader of the Opposition has talked about from time to time. I have spoken about a number of issues there in terms of soil carbon and various technologies that not only assist in the sequestering of carbon but also improve drought readiness for various farming and grazing activities. That is a very significant issue that potentially will be addressed by this parliament.

There are many other issues that I think will be debated, and the Governor-General mentioned some of those in her address, but I do not think there is any that intersects and interconnects a lot of those issues that is greater in importance than broadband. Not only does it have the capacity to negate distances—a disadvantage of being a resident in the country; it has the capacity to enhance productivity in a number of ways. I note that Malcolm Turnbull has been talking about the Productivity Commission, and I have discussed that with Malcolm on a whole range of occasions.

One of the reasons that I did not agree with the arguments of the member for Wentworth about the Productivity Commission was that it is very hard for a body such as the Productivity Commission to factor in technologies and services that we do not even know exist yet. One of the things that I raised with a number of economists on that issue is: for instance, how would you design it as a benefit in, say, 10 years time if 300,000 aged people who would normally enter the aged-care institutional sector were able to be kept in their homes for an extended period with the interactive arrangements that broadband would offer? What would be the savings to the aged-care budget? What would be the capital savings in facilities that will need to be built if the baby boomer group head, as they are heading—and there is a representative of them here today, Paul Neville—into that age group where they will have to go into an aged-care facility?

Mr Neville—Not for a while yet!

Mr WINDSOR—The member for Hinkler's hearing is adequate, and obviously he will be able to stay in this environment for quite some time! I did mention, member for Hinkler, that in about 10 years time the technologies will quite possibly be available for interactive, real-time health care and participation in communication with relatives, and also this technology has the capacity to provide monitoring services within the home environment. What savings will be accrued from that sort of technology? No-one knows that, and the Productivity Commission can only guess at it, and there are any number of examples of that sort of thing. What will the savings be when GPs in country areas will be able to almost immediately contact specialist services, potentially in any part of the world, if they have issues? That sort of backup in providing some of those services is going to be extraordinary.

One thing I would like to speak about as well is the ongoing debate that is taking place in regional Australia, particularly in parts of the New England electorate, about the interface of coalmining methane gas extraction, groundwater systems, surface water systems and flood plain management. There have been a number of issues in Queensland recently where there are very real concerns about the lack of a policy platform to base future decisions on. And the people of the Liverpool Plains, for instance—there was another meeting held in Gunnedah only last week, and the Leader of the Australian Greens, Senator Bob Brown, attended, as did others—have very real concern with some of these extractive activities and even the exploratory activities that the state governments are allowing to proceed without any real knowledge of the potential impacts on the hydraulics of various groundwater systems and the long-term impacts on some of the most productive land in Australia.

In that case I was talking about the Liverpool Plains. In Queensland, in the Haystack Plain and in places like Felton and other parts of the Darling Downs, areas which have been very, very productive over the long term, some of the more profitable extractive activities are moving in. We really do not know the long-term impact of allowing those industries to go ahead. I

am not arguing against those industries, but I have argued for some time that what we really need—and I will be moving this way next year when the parliament settles down—is legislation to put in place some form of bioregional assessment prior to the granting of exploration licences and the argy-bargy that goes on between the investment sector and government. In this case it is mostly state government but, with the Murray-Darling arrangements in place between the Commonwealth and the states, there is a role for the Commonwealth to play, and part of that role may well be through amendment to the Water Act 2007. Irrespective of how we do it, we need to put in place a clear policy platform for bioregional assessment to be done. If the bioregional assessment shows that there are risks if certain activities occur in certain areas—to the groundwater systems or whatever, depending on the nature of the land—then those activities would be prohibited.

These bioregional assessments could well involve putting lines on a map to show certain areas where exploratory activity and mining activity can occur and other areas where it cannot. It is a fairly simplistic way of looking at it. Some people say that it would be very difficult to do. Well, we do it in national parks now. We have passed a law to say that in certain areas of land you do not carry out certain activities. I suggest that we do the same for some of the very productive food-producing areas, particularly where there is an interconnect between the groundwater and surface water, and particularly when we are going through this process of trying to design an intervalley water budget. If extractive activities that could impact on groundwater and surface water flow were allowed to proceed, what would it do in the Murray-Darling, for instance, in terms of the whole water budget? I do not know the answer to that and neither do the mining companies and the state governments. Before we get too many cumulative impacts of some of these extractive activities, we really need to have a handle on what that means.

Normally an extractive industry will look after its area of land, but all it has to do through the EIS process is look after the area of land it is actually mining and make sure that nothing gets off it to pollute the neighbours. But, if you are invading groundwater systems, the impact could occur 10 or 100 kilometres away—nowhere near the actual activity itself. Proving in a court that the extractive activity, when it crossed a groundwater aquifer, for instance, caused a problem 10 or 15 kilometres away will be enormously difficult for a landholder to do. The case would be beaten to death in the courts. I think government has to put in place a policy. As I said, I will be moving to put in place some sort of legislative arrangement next year that will address that. There are others who are looking at it. I know Melanie Stutsel, the environmental officer for the Minerals Council of Australia, addressed a similar issue in a Senate inquiry a few years ago. The mining industry were suggesting that they were not opposed to something similar to a bioregional assessment. The question is: who does the assessment? I think it is the role of government. The Murray-Darling system, where we have come to special agreements between the states and the Commonwealth, would be a very good place to start.

Mr NEVILLE (Hinkler) (10.59 am)—It is a pleasure to be able to respond to the Governor-General's speech. In doing so, let me start at the beginning. The election on 21 August was unique in our country's history. The run-up to it was marked by the crumbling of the Rudd government. From the moment Tony Abbott took the leadership of the coalition on 1 December 2009, a new dynamic swept across Australian politics, with the polls showing a growing disenchantment with the Rudd government. In the last week of the 2010 winter ses-

sion, that disenchantment in the government had developed into disillusionment and finally into panic. The execution cabal, consisting of union and ALP officials and former officials now in the parliament, was ready to strike and did so ruthlessly on Wednesday, 23 June. It was as close to a bloodless coup as we are ever likely to see in this country. Many rank-and-file members, and even senior cabinet ministers, had no idea what was afoot until the die was cast. Some of them did not know until they came back to the chamber from dinner engagements around 10 or half-past 10 at night. The party meeting was merely a formality.

Not surprisingly, there was disquiet if not outright shock in an unsuspecting electorate. This disquiet was palpable, certainly in my area, and especially amongst traditional Labor voters, many of whom were quite outspoken and said they would never vote Labor again. While the coup had many of the hallmarks of the faceless men of old, there was a troubling difference: the coup leaders were not shy about their roles. They gloated in media interviews and maintained their sense of smug self-satisfaction by indulging themselves in retrospective books on their roles, milking the previous leader's demise for everything they could get out of it. It is little wonder then that the new Prime Minister evoked the catch cry 'moving forward', using it incessantly. Why the emphasis on moving forward? Because no-one dared looked back. The other mantra excusing the plotters' duplicity was 'Labor had lost its way.' That too resonated in the electorate, though not in the same way Labor might have expected. The admission hangs around the Prime Minister's neck as an albatross of constant reminder. It was certainly not a strong footing for a new government.

Against this background, we moved inevitably towards the federal election. Hinkler, which three years ago ceded Gladstone and the parts north and west of the Burnett River to Flynn and picked up Hervey Bay, has always been a volatile electorate. It has nevertheless been kind to me in its new and old manifestations over the last seven elections, and I deeply appreciate the loyalty and generosity of my constituents, especially on 21 August. Hinkler, which is now essentially the Coral Coast, Bundaberg, Childers and Hervey Bay, resisted the 8.5 per cent swing to Labor in 2007, despite which my margin was reduced to 1.7, and later by redistribution to 1.5. However, the results in 2010 not only recaptured old ground but took the LNP vote to 60.5, an increase of 8.9 per cent and two per cent above our notional recent best. I was humbled to win all 48 of the booths in Hinkler, with positive swings in 47 of them. In one the vote actually dropped from 65 to 63 per cent—my only bad mark in the campaign. Dreadful!

The rejection of Labor twice on these new boundaries deserves some attention, not for some personal self-indulgence but rather as the basis of an analysis of Labor's contempt for the electorate. In both the 2007 and 2010 elections Labor made only meagre promises to Hinkler, two of them former promises—the Isis River Bridge and the Hervey Bay Community Centre. In 2007 we were promised \$10,000 water grants for surf clubs. Why you would give water grants to surf clubs I have never been quite sure. Only half of them were ever delivered. A modest grant was also given to the Bundaberg Cricket Association. In 2010 Labor promised 50 per cent funding for an athletics track in Bundaberg and \$70,000 to convert a toilet block into a sporting club canteen—hardly riveting stuff and paltry when put against the rampant ALP promises in some marginal seats where there were serious challenges, like Herbert and Flynn.

What infuriated me was the lack of collective vision on the part of the ALP when it came to local projects. You would think that both sides of politics would want to get these things for

the community. These were practical, focused and, in many cases, modest proposals. It seems the ALP candidate was forbidden from matching my promises, important as they were to the community, no doubt on the basis that, if I were successful, an ALP government would not be committed to delivering them. It is a bit cynical, isn't it?

In short, Labor's failure to articulate a real vision for our communities or to commit to key civic infrastructure was their real undoing. Quite frankly, I was amazed that, outside those I have just spoken of, Labor did not identify one solitary key project to support or even map out a plan for the growth of the region. I think that lack of knowledge or passion for the electorate cost them dearly. The people and businesses in Hinkler are passionate about improving their future. They simply will not accept candidates who do not even engage with grassroots issues.

In contrast, the coalition made commitments to road infrastructure in Hervey Bay, a rapidly increasing city; improving local waterways; and building a performing arts centre at Urangan State High School. None of these were matched by my Labor opponent. In fact, she described the latter, almost unbelievably, as 'unfair to other high schools', failing to recognise the role of an integrated arts curriculum in a regional high school. Why should all these special arts faculties be only in capital cities? Why can't we have one in regional Australia? I cannot for the life of me understand why the Labor candidate would not match the coalition's \$3 million commitment to get this project off the ground. She was once a supporter of it but backed away from it.

The projects I have been talking about have not been just plucked out of the air. They are things that have been identified by the community as local priorities and, in some instances, they are things that have been worked on for years. For instance, the performing arts centre at Urangan high school has the strong backing of the community and the school has been visited over time not only by lots of local people interested in the concept but also by former Prime Minister Rudd, the Minister for Infrastructure and Transport, Mr Albanese, and the Leader of the Opposition, Tony Abbott. All of them have been there.

The coalition also planned \$10 million for helping the Fraser Coast council upgrade key arterial roads around Hervey Bay, like the much talked about Urraween extension and River Heads Road, the access corridor to Fraser Island. This investment would have helped relieve traffic congestion in a growing city and would have been a much needed boost to business in the first instance and tourism in the second.

Hervey Bay is also lucky to be the home of the Fraser Coast youth mentoring service, which supports and guides troubled students who are having a tough time with school and need extra encouragement to stick with their education. We talk a lot about this, but we do not do much about it. Unfortunately, the program's funding has not been renewed by this government—a situation that the coalition was ready to fix by providing around \$600,000 to keep it running for a further three years. I have already met with the Attorney-General since we resumed about the continued funding for this youth mentoring service, and I am hopeful the government will take on board its importance to the local community and provide some funding to keep the doors open.

At the Bundaberg end of the electorate, I fought for commitments to clean up our local rivers with a new water weed harvester and to open up the mouth of the Elliott River by way of a groyne wall—both of which would have made a real difference to very serious environmental problems. The sense of disappointment in the electorate that Labor will not match these com-

mitments is palpable. People are not stupid. They understand that the government holds the purse strings. So I appeal to the government to seriously look at these projects, match the coalition's commitments and improve the prospects in my electorate of Hinkler.

I also identified some small projects like a grant of \$260,000 to the Hervey Bay Hockey Association and others under coalition structured programs like revegetating the isthmus at Elliott Heads and consolidating sections of the Hervey Bay foreshore—a prime tourist area and currently a hot topic in that city at present. There is some erosion and some clumps of vegetation that need attention. We also identified, under our environmental high schools program, Bundaberg High, Isis High and Xavier College.

As I said, my opponents in 2007 and 2010 would not engage with me on these issues, not so much as a serious letter to the editor. It was as if they were ordered to be mute. During the 2010 election campaign they offered, as an offset, a contrived series of debates on health. I refused to debate these issues until the coalition's policy was on the table. The debates went ahead without me and drew a paltry 25 and 30 people respectively. After you removed the media, organisers and ALP functionaries, the debates drew only 12 or 15 members of the public. In fact, the worst attended was for the then Deputy Prime Minister, Julia Gillard, who did much of the speaking for the candidate, who was supposed to be debating, while a CFMEU votee helpfully waved around a placard—no doubt to enhance the one-sidedness of the event.

For all that, we had a great campaign. May I acknowledge today my superb campaign team led by Rod Wilson, who has masterminded all seven of my campaigns. His meticulous attention to detail and his experience with the media is unsurpassed. Dick Bitcon was his deputy and the National Party-LNP's 'light on the hill' in the Bundaberg district. Dick added even greater strength to the campaign, as did the team in the Hervey Bay office: Norma Hannant, John Rutherford and Jenny Sorensen. Steve and Trish Hoffman coordinated the Childers area in between the two cities. Ruth Gillespie also played a vital role in the finance for the campaign and I appreciate her help.

May I also acknowledge Brendon Falk, Wayne Fehlhaber, Dale Fehlhaber, Paula Harberger, Michael Nyenhuis, Ted Sorensen, Russell Green, John Rutherford, Julie Stewart, Stan Flack, John Norris and Steve Dixon for their hard work. The LNP's Llew O'Brien, our regional vice-president, was also ready to help anywhere anytime.

It is not just the five weeks of a campaign which decides the fate of the sitting member; it is the time in between campaigns which dictates whether the seat will be held or lost, and I have been singularly blessed with excellent and experienced staff who have done the hard yards. Kate Barwick, Heather Hawkins, Janelle Geddes, Darlene Dobson and my former chief-of-staff, Leslie Smith, who returned for a short time, worked tirelessly before, during and after the campaign, doing the everyday things behind the scenes that got the right result on that day. The pivotal anchor of my campaign was my wife Margaret, without whose support and humour a tough campaign would have been made impossible.

As we look to the horizon of the next three years, or however short this term might be, I see some important targets for Hinkler. Firstly, we need to dedicate ourselves to a campaign to see pensions increased. Increasingly, I see pensioners come into my office who cannot make ends meet. This is not some whinge or annual push for more money; this is a serious cry to the government for help and to recognise how costs are impacting on vulnerable retirees.

While I acknowledge the special increase of \$30 to single pensioners a year or so ago and the recent half-yearly adjustments, more has to be done to allow those who have worked all their lives to live reasonable and trouble-free existences. If members are in any doubt about what I am saying, let us look at the costs which have risen since Labor came to power. Let us look at the quarterly figures for December 2007 and September 2010: electricity prices increased by an average of 42 per cent across Australia; gas prices an average of 29 per cent; water and sewerage has increased by an average of 46 per cent; hospital and medical services by 20 per cent; education costs—school fees etc—by 17 per cent; postal costs are up 16 per cent; and property rates and charges have risen 19 per cent. Those increases do not factor in the recent pressures from a variety of influences—for example, the scarcity of properties in mining and mining service communities which has been instrumental in pushing rents up to a point where many pensioners have had to leave towns. If the cabinet leak which said that the current Prime Minister was opposed to pension increases is true I am truly staggered.

I am not a tree hugger; I am a practical environmentalist. I have demonstrated that in many ways in my electorate. But with the Great Barrier Reef and the offshore fishing grounds around my electorate of Hinkler there has to be balance. First, we had what was called the East Coast Trawl plan that took out 250 trawlers—in fact it actually took out 290. We were told the reef was then secure. Then we had the Great Barrier Reef Marine Park Authority's RAP program—its Representative Areas Program. It was originally only to take 20 per cent of the water surface of the reef, but when the maps came out it was 33 or 34 per cent. In my part of the reef, the southern end of the reef, the practical application of the government measures was 70 per cent. Now we are going to have a closure off Fraser Island. This is known as the Fraser Area for Further Assessment, which is a cute way of saying: 'We are going to close down a bit more.' We will come to a point where there will not be a critical mass left in Bundaberg and Hervey Bay to drive the processing works. Before all those programs I have talked about, we had about 80 trawlers each in Bundaberg and Hervey Bay. Today we have about 30 in each city. Another cut could see that number reduced to 20 or fewer. Then we get to a point where we do not have critical mass, which then flows back through the community to the people who work in the processing works, to the chandlery, to the fuel, to the people who service the trawlers and, indeed, down to recreational fishing, which relies on a lot of those services as well.

The other thing I want to see is fair treatment for farmers. There is a push now to tell farmers that they are environmental vandals. That is not the case. I have never met a farmer who does not believe in looking after his property or in looking after riparian areas around properties. This is another push that is coming on to primary producers, not just fishermen but farmers. I call on the government to be fair to people when bringing these measures about, to understand that, yes, there have to be environmental measures, but you do not have to make life a misery for everyone along the chain.

Those are my views on the Governor-General's speech. I hope that the electorate of Hinkler will continue to prosper. I will be doing everything in my power to make it so.

The DEPUTY SPEAKER (Mr Murphy)—Order! The debate is adjourned and the resumption of the debate will be made an order of the day for the next day of sitting.

ADJOURNMENT

Mr HUSIC (Chifley) (11.19 am)—I move:

That the Main Committee do now adjourn.

Bennelong Electorate: Infrastructure

Mr ALEXANDER (Bennelong) (11.19 am)—Several weeks ago, I hosted the inaugural Bennelong trilevel government meeting, bringing together federal, state and council leaders on a quarterly basis. These meetings will address collaboration on projects where limited resources were previously wasted due to duplication. Inevitably, the topics for discussion centre on overdevelopment and the inadequate provision of infrastructure. Bennelong faces a dire situation due to a lack of long-term planning and the impact that has on our daily lives. Not a day goes by without a different situation raising its head to add to this condition.

Last month I spoke of the state government using its part 3A powers of the New South Wales planning laws to overrule council decisions on the establishment of high-density housing. As an example, the former Channel 7 site in Mobbs Lane, Epping, will now have 800 apartments—in a lane. Where is the infrastructure to support these people? Where is the planning? Last week I met with senior managers from Energy Australia regarding an electricity substation next door to residential homes in Buffalo Road, Ryde. Despite the \$40 million price tag, the costs to the community of exposure to high levels of electromagnetic fields were mostly ignored and consideration was only given to community consultation after the property was secured. We have seen Telstra and Optus towers in Ryde and North Ryde being proposed, again with insufficient community consultation, requiring multiple meetings with the management of both companies to improve their dialogue and assess alternative sites.

Yesterday I read a report by an independent think tank called Lateral Economics which described New South Wales as ‘groaning under the weight of a widely recognised infrastructure crisis’. The report went on to comment that our constituents are paying for this lack of long-term planning:

... they are paying with inflated tolls on roads ... they are paying with their time as they wait at peak hour in traffic ... Indeed, these problems explain no small part the below average economic growth of NSW itself since these policies took hold.

Even Labor councillor Alison McLaren was quoted as saying:

“The government can no longer justify deferring critical transport projects such as South West and the North West rail links ...”

The Epping to Parramatta rail link must be added to this critical list.

Today we have the ridiculous situation regarding a road over the M2 freeway, called Murray Farm bridge. This road carries 1,000 cars an hour during peak-hour periods and connects the two parts of Beecroft split by the M2. The Murray Farm bridge is due to be closed for a period of 10 months while widening work is done on the freeway. The proposed alternative route takes locals on a roundabout journey, down back streets, through black spots and past several schools, all leading to a 30-minute drive time for a two-kilometre journey. Give me a break.

Add to this the development of the Royal Rehabilitation Centre in Ryde, which will offer some benefits to the community. But, again, I ask: where is the planning? The traffic generated from 791 apartments will funnel onto Morrison Road, which is already running at three

times over the RTA operational capacity. I have been meeting with stakeholders on this matter since February. I must also declare a personal interest, as I have recently bought a house just off Morrison Road. The absolute inefficiency and the cost of this total lack of long-term planning is frightening. To quote Lateral Economics again:

... the citizens of NSW are realising that their long term interests have still fallen victim to short-termism.

The important consideration is that this is a national problem that requires a national solution. It is our job as representatives to plan for the future and make provision for the necessary infrastructure as we grow. We are suffering from the super cost and compromise of the retrofitting of infrastructure. This must be replaced in the future by serious, well-considered long-term planning. Trilevel government collaboration should be an important component of the development of planning and the implementation of that infrastructure. This cooperation is in the best interests of our constituents. These matters are of the utmost importance.

Chifley Electorate: Plumpton High School

Mr HUSIC (Chifley) (11.24 am)—Mr Deputy Speaker, I seek leave to speak without closing the debate.

Leave granted.

Mr HUSIC—I rise to celebrate a terrific example of collaboration which demonstrates what good can be achieved by respecting and valuing the talents of others and then using those talents to their greatest effect. Before I proceed further I think it is important to note, as I did in my inaugural speech, that a third of Chifley's residents are aged 19 or under, which underlines the importance of ensuring a focus and engagement with young people and their education in the Chifley electorate. For young people in Chifley education is an important and integral path to opportunities in life: the opportunity to help them reach their full potential earlier in their school life makes way for a fresh start to life in the real world. There has been great work done to boost student performance and attendance rates at schools in the Chifley electorate. In particular I would like to put a spotlight on the initiatives of a local school, Plumpton High School, led by principal Eric Jamieson.

Plumpton High School is a success story and a model example of how hard work can reap the full benefits, and in this case to reap the full potential of students at the school. Plumpton High School has worked on developing a culture which uses the enormous untapped potential of its students with a focus on achieving excellence. That approach rests on a desire to improve the quality of education in the school by developing the skills of the teachers and investing in their talents, by setting higher expectations of students and teachers alike, realising that we are better than we think we are and that we sometimes need to be urged to recognise and act upon this. So the school embraces a quality teaching framework. They rely on lots of professional learning and teacher development. Ideas are shared between the teachers and the good experiences are reported between them, while the lessons from things that did not work so well are acknowledged and they are seen as something to build upon.

The teachers there have developed an open and collaborative culture, something that did not necessarily exist in times past. I do not mark that out as a criticism but realise that it is something that they wanted to recognise and develop themselves. Importantly, the teachers let the students know that they are expected to do well as well. They do a lot of work on skill

building, working on conflict resolution, setting goals and managing projects with students. They also focus on behaviour in terms of shifting to a positive approach, setting out positive behaviour and learning, working with students, which I think is really important, that they engage the talents of students. They ask them simply, if you go to a cinema or you go to the footy, what are the expectations on your behaviour? Then they basically pick that up and ask, if you are in a student assembly, what is expected of you? If you are in the schoolyard, what is expected of you? Students are given the opportunity to guide and improve the outcome of behaviours in the school. There is an emphasis on being positive but at the same time respectful. They focus primarily on three things: being safe, being respectful and creating a learning environment.

They are also focused on facilities within the school, recognising that a lot of pride has been taken in the facilities around them and improving the outlook to have an effect on educational outcomes. They used their \$200,000 wisely from the National School Pride project to improving some of the facilities there. The outcomes have been tremendous and I will quickly reflect on some of the improvements that they have had. There has been an incredible impact on the performance of students in their School Certificate results, and particularly in the HSC bands 4, 5 and 6. From 2005 and 2006 the numbers have gone from 25 per cent to 45 per cent, which is an astounding outcome. On improved behaviour, the referrals of incidents are down from 700 incidents in 2005 to 600, capping or reducing the level of behavioural incidents in the school. The NAPLAN results in numeracy and literacy are showing exceptional outcomes. It is a matter of great pride when I went to their excellence ceremony in September that the principal reported on that. The teachers there are a credit to our local community and engaging the students and then the students taking responsibility in behaviour and outcomes are something to be exceptionally proud of. I commend them all for that great work.

Dunkley Electorate

Mr BILLSON (Dunkley) (11.29 am)—May I extend my best wishes for the festive season to all members and senators, all of the staff and the committed parliamentary team that make this parliament function—and, of course, to the great folk of Dunkley. I hope the electorate has a safe, happy and wonderful Christmas, visited by the many who come to our community to enjoy the terrific environment.

There is a recurring concern, though, that sadly did get a bit of focus in the national media again this morning in the discussion leading up to this Saturday's Victorian state election—an election in which I dearly hope my good friend Geoff Shaw is successful in the state seat of Frankston and that David Morris retains his state seat of Mornington and in which we also, looking right across the electorate, the near area and right across the state, hope to see a good outcome. I am optimistic about that, but we will see how all that travels.

The issue of personal safety and security is a concern for a city like Frankston. It is at the end of a metropolitan rail line, it is the focal point for a lot of activities and services and, at times, people's personal safety and security are a concern. There have been acts of violence, vandalism and antisocial behaviour, hoon driving and the like, that have really unsettled the members of the local community. This is a recurring theme in the doorknocking that I do, in neighbourhood visits, meetings and surveys and in representations to my office. Thankfully, over my time there, we have worked collaboratively with local councils, the police, the Commonwealth government—particularly during the Howard government years—as well as

committed community people and community organisations, and we have secured some gains. The rollout of CCTV technology has been very positive. We have worked with Travis Honda to secure a non-operational police vehicle: the clean, green community policing machine, I call it. It was a Civic Hybrid and it enabled the police to carry out non-operational duties using that vehicle, not fully equipped patrol cars. We have also had trader watch pads for small business in the area, about how to handle and respond to episodes of crime, any shoplifting and things of that kind, that need to be fed into the intelligence that the police use to sort out their patrol activity. Also, being in a coastal environment, we have made the effort to ensure that boats in the community are not seen as easy pickings.

I am pleased that we are getting somewhere. The latest CCTV rollout actually arises from funding I secured under the Howard government, back when the National Community Crime Prevention Program had committed some resources. I am pleased that the latest of nine cameras is about to be put in place on the Frankston foreshore, in the nightclub and entertainment precinct, and also along Young Street, at the train station and near the roundabout at Young Street and Playne Street. But we need to keep this work going.

I was pleased to announce some coalition commitments in the election campaign to further roll out that technology to complement the resources of the local police. It is clear, and it is an ongoing concern, that the police are under-resourced and we have too few officers present. This technology helps to optimise their activities, and I am hopeful the Gillard government will see its way clear to continuing to support that very positive work. The CCTV rollout is around Langwarrin, near the skate park, in other hot spots in the Frankston CAD, around the Seaford Pier precinct and extending into other areas of Mornington along foreshore car parks, and there is an upgrade of the technology that is currently in Main Street. There is also a new rollout in the Mount Eliza village, something that is strongly supported by local traders and the Mount Eliza Community Association. So all that work is ahead of us and we must persist with that work.

I am concerned, though, that rumours have emerged again about Australia Post threatening to close the Playne Street post office. Just how many times do we have to have this same fight? We have had it over and over again. Ten years ago, we rallied to protect that post office. It is a crucial post office on the south side of Frankston. It is very important in terms of its accessibility by the broader industrial and commercial areas around Frankston. They do not need to wrestle for one of a limited handful of car-parking spaces that are in the Wells Street location. The rumours are back again. How disappointing. As we did 10 years ago and as we did in 2009, it looks like we are going to have to run the same campaign to try and hang onto this post office that is so important, so profitable and so viable but that, for some reason, Australia Post keeps wanting to shut. We need to get to the bottom of that.

In the last few seconds another thing that we need to focus on is the National Rental Affordability Program and a tower being built in downtown Frankston for disadvantaged and affordable housing. Worryingly, I am hearing that the approval for an apartment project now looks like being for bed-sits and one-bedroom apartments. That hardly sounds like family accommodation. We need to understand what is going on with that project. *(Time expired)*

**New Zealand: Mine Explosion
Newcastle Electorate**

Ms GRIERSON (Newcastle) (11.35 am)—Firstly, I would like to express my condolences to the families of the victims at the Pike River coalmine disaster in New Zealand and to the New Zealand people, from one mining community to another. We feel their pain.

I rise to acknowledge the contribution of teachers in my electorate to the education of young Australians. Teachers are the best resource our education system has and we do need to ensure that we continue to invest in human capital in the education sector and recognise the achievements of our teachers.

This morning, Jason Fairweather, Yvette McShane and Andrew Johnson, all from Callaghan College campuses in my electorate, were awarded New South Wales Quality Teaching Awards for their commitment to their students and their teaching expertise. Also, Trudy Lawson received the 2010 National Excellence in Teaching ASG Inspirational Teaching State Award. These awards build on the tradition of excellence in teaching in Newcastle that has been repeatedly recognised in the past. Each year for the past three years, Callaghan College has received three of the New South Wales Quality Teaching Awards—that is, apparently, almost a quarter of the 13 Quality Teaching Awards presented each year. Carolyn Hayden, the head teacher of science at Lambton High School, was in 2008 awarded a National Award for Quality Schooling Excellence by a Teacher.

As the member for Newcastle I am proud that the teachers of our region are being recognised for their excellence in the education of our children. Teachers play a vital role in the socialisation and development of young people, and I would like to thank them for their commitment to their students. It was Aristotle who said that ‘teaching is the highest form of understanding’, and I know that, for many of the teachers in Newcastle, this is true.

As a former teacher and principal I understand also that teaching is a partnership between students, parents, teachers and the broader school community. It is a partnership between all stakeholders in the education sector, and it is vital that we foster a positive culture of support for our teachers, from the school community and from government, so that as our children climb the ladder of opportunity each step is supported by quality teaching.

Ben Jensen, from the Grattan Institute, in his *Investing in our teachers, investing in our economy* report demonstrates that investing in teacher quality is both the most valuable reform for improving school education and the most profitable investment as it increases productivity and long-term economic growth. A 10 percent increase in teacher effectiveness, the report found, would lift Australia’s students to among the best in the world and add \$90 billion to the Australian economy by 2050. According to the latest OECD rankings, Australia ranks eighth, significantly behind, I am afraid, Finland, Hong Kong-China and Canada, the top-performing nations. We need to continue to invest in and support our teachers and our education system from pre-school to primary school and through to high school, university and technical college.

I also wish to inform the House that, on 3 December, I will be very proud to launch three new research institutes at the University of Newcastle that will foster excellence in research and teaching. The Educational Research Institute, the Humanities Research Institute and the Research Institute for Social Inclusion and Wellbeing will concentrate research and expertise

within the institutes in order to facilitate greater rigour in research and implement the university's commitment to research in the humanities, education and social science.

Over the past two months in my electorate we have seen 36 ARC grants, 20 National Health and Medical Research Council grants and three Future Fellowships at the University of Newcastle. This recent investment in research totals more than \$25 million, and brings the federal Labor government's investment in research in my electorate to \$130 million.

I would like to take the last minute I have to wish my electorate a very safe and happy Christmas period. May the holiday season be for them a time of celebration and joy. May their families enjoy each other's company and may they take that well-earned rest. We are a very busy city. I would also like to say to my staff that they have done a wonderful job. It has been a trying and difficult year and, to each of them, I thank them so much for their commitment to the people of Newcastle and their support for me in the important job that we do. I also thank my electorate for the wonderful friendships and the wonderful relationship they have with me and my office. I know that is always based on the best interests of the people of Newcastle and the City of Newcastle, which has a great future, one that I am very proud to be part of assisting in the realisation of that potential. Thank you.

Petition: Step to the Future Program

Mr CHESTER (Gippsland) (11.39 am)—I join other members in extending my condolences to the New Zealand mineworkers, their families and friends. This enormous tragedy has touched people right throughout New Zealand and Australia.

I would like to present a petition which has been signed by 452 of my constituents and has been found in order by the House of Representatives Standing Committee on Petitions. This petition deals with concerns over the government's failure to fund the Step to the Future program, therefore threatening the future operation of this important event for years 10, 11 and 12 students in Gippsland.

I would like to begin my comments by congratulating the principal petitioner, Renae Hyde, from Traralgon. Renae has taken a personal interest in this issue and has been the driving force behind bringing her school community's concerns to the attention of the parliament. Renae wrote to me after attending a Step to the Future program in July this year with about 50 other Traralgon Secondary College students. She said they all got a significant benefit out of the program. In the Renae's letter to me, she said:

I find it difficult to express in words the value myself and my fellow students got from listening to the excellent speakers provided by the program this year. I hope to one day have the same positive effect on young people within our community.

For those who are not familiar with the program, perhaps a bit of background from the Step to the Future Foundation website is in order. The program is 'a youth initiative which is aimed at inspiring young people to build confidence in themselves so they can take the initiative to reach their goals in life'. The program started in 2002, and it 'aims to provide young Australians with positive role models, motivation and the opportunity to share the life experiences of a diverse group of individuals, representing business, politics, entertainment, sport and the general community'. It works by the schools across the country designating a year group to attend this day, which is put on the school calendar as an important school event, and a student organising committee brings it all together.

It does sound like a very rewarding program, and certainly the 452 people who have signed this petition believe it is worthy of ongoing government support. This government does talk a lot about education revolutions and investing in the future of our children, but this is a real opportunity for us to step up to the plate. It is all about helping young people to achieve their full potential in the future. As I understand it, the foundation was previously in a position to fund 30 forums a year and now, due to a lack of ongoing funding, it is down to four forums.

In addition to presenting this petition to the House, I have written to the Minister for Sport, Senator Arbib, to seek support for the Step to the Future program. I acknowledge that he may not be the right minister, but there is a bit of confusion about who actually has had responsibility for this program in the past. I am also forwarding my speech today to the Minister for School Education, Early Childhood and Youth. The confusion comes about because the funding for this program has come from different sources in the past. The former Minister for Education, Science and Training, Brendan Nelson—who was a man, I believe, who was always keen to invest in the future of young Australians—originally provided funding, and I believe there was also some funding at one stage from the Department of Defence. I believe that last year the former Minister for Youth, Kate Ellis, managed to provide some funding for a one-year extension of this program, but since then the government has not been in a position to fund the future of the Step to the Future program. So I apologise for any confusion over which minister should be held responsible for this program, but I do urge the government to consider this petition very seriously. It is about making a difference in young lives and it is about community building. It is a long-term investment in the future of our communities.

In the time that I have left I would like to briefly reflect on the role of the petitions committee in the presence of the new chair of the committee, the member for Reid. As a member of the committee myself, I believe that the petitions process is an important one because it allows people like Renae Hyde, the principal petitioner in this case, to have direct access to the parliament, to have her views heard as the principal petitioner and also to have her views supported by the more than 450 people who share her concerns. It is a good process that has been developed in recent years. I think it is a better process than was in place in the past. Under the current process, the petition is not simply banished to a back room to gather dust; it is referred to the minister for a formal response. Once that response is received, the principal petitioner will receive a copy of the minister's letter and can then consider their next course of action. I believe we have added more rigour to the petitions process with the petitions committee in the House.

On occasions, petitions have resulted in some positive outcomes and a change of direction in a decision in favour of the petitioners. I refer for one example to the Traralgon Post Office and the great concern that was raised about that issue during the Gippsland by-election, where thousands of people signed a petition which eventually forced Australia Post to reconsider its position on the issue. I do encourage those members who may be new to the place, who have not been involved in the petitions process, to get involved and to urge their constituents to take the opportunity that presents itself through the petitions process in the House.

In closing, like other members I reflect on the Christmas season which is almost upon us—it is hard to believe—and extend my best wishes to all members, to their families and to their staff for the work they do on behalf of their constituents. To the staff here at Parliament House: I thank you for your support and the work you do for us in this place. Sometimes you

even make us look half decent! I urge you all to have a peaceful Christmas season and look forward to seeing you all back here next year. Have a very safe and merry Christmas.

The petition read as follows—

To the Honourable the Speaker and Members of the House of Representatives

PETITION

The Petition of the residents of Gippsland

Draws to the attention of the House the failure of the Federal Government to continue to fund the “Steps to the Future” program therefore threatening the future operation of this important event for Gippsland year 10, 11 and 12 students.

We therefore ask the House to call upon the Federal Government to reinstate funding to the “Steps to the Future” program to ensure this event continues into the future.

from 452 citizens

Petition received.

Emeritus Professor Frank Fenner

Dr LEIGH (Fraser) (11.44 am)—I wish to speak today on the loss of Emeritus Professor Frank Fenner, the audacity he demonstrated throughout his life and the monumental contributions he made to Australia and the world. A distinguished Australian microbiologist, he passed at the age of 95. His legacy has been cemented by years of advocacy regarding public health and his successes in various theatres of medical and scientific life. Spanning virology, immunology and microbiology, his battles against virulent pathogens in the name of science and humanity are world renowned, including his work on the World War II battlefields of Egypt and Papua New Guinea in the Australian Army Medical Corps where virtually he alone was equipped with crucial life-saving knowledge regarding the malaria virus.

Underpinning his work were strong values and principles and his promotion of mass vaccinations was directly related to his concern for public health. The active engagement he consistently showed with his research reached exceptional levels. The account of him injecting himself and his colleagues with enough myxoma virus to kill up to 1,000 rabbits in order to prove its benign effects on humans is legendary. The virus escaped in the early 1950s and killed millions of rabbits, alleviating the devastation the pests had caused to the agricultural industry. It coincided, however, with an outbreak of encephalitis and so they acted to put the public’s mind at ease by proving the two diseases were unrelated.

When he became director in 1967 of the John Curtin School of Medical Research here in Canberra, Professor Fenner was unwilling to continue scientific research. He wished to be thoroughly involved in the process, not through students and not through assistants. As he asserted in a radio interview:

I am temperamentally unable to do research without being personally involved, hands-on at the bench.

From genetics at a molecular level to epidemiology, Professor Fenner’s work has provided the foundations for a plethora of research and knowledge. Even though there has been a sharp fall from the mortality rate of 99 per cent in the rabbit population since the release of the myxoma virus, the research carried out pertaining to changes in virulence provided about the only example of an extended period of study on genetic resistance and continues to be a reference for modern genetic understanding.

Professor Fenner's work has been and continues to be duly acknowledged. His death has made international headlines and the awards he has received over the years evoke a sense of a decorated veteran or war hero. He was made a member of the Order of the British Empire in 1945 following his work combating malaria, and he was awarded the Britannica Australia Award for Medicine, as well as the Prime Minister's science prize in 2002. The World Health Organisation medal of 1988, however, is a veritable symbol of Professor Fenner's outstanding accomplishments and contribution to the world. He led the battle against the devastating smallpox virus as chairman of the Global Commission for the Certification of Smallpox Eradication. In an interview with Peter Thompson he said that announcing to the UN's World Health Assembly in 1980 the eradication of the virus—a monumental victory and honour—was his proudest moment.

Professor Fenner had been an important voice on matters ranging from health to the environment to the fate of humankind. He was strongly interested in the consequences of health impacts in the environment and as foundation director of the Centre for Resource and Environmental Studies at the ANU, where he worked until his retirement in 1979, he advocated the development of a socially and environmentally sustainable population. His last interview with the *Australian* is not only thought-provoking but an impetus for further research and work. His assertion that humankind was facing imminent extinction stemmed from his dismay at the inaction regarding climate change and the delays in cutting greenhouse gas emissions. As a pioneer and fighter for humanity, the absence of a strong and rousing response to the environmental threats to our existence was understandably disappointing to him.

However, I relate to the words of Stephen Boyden, a long-time friend of Professor Fenner. He said:

Frank may be right, but some of us still harbour the hope that there will come about an awareness of the situation and, as a result, the revolutionary changes necessary to achieve ecological sustainability.

I believe we are on the cusp of such revolutionary changes and that by taking action, acknowledging the science and looking out for the future health of Australia this government can assist in avoiding the imminent extinction that Professor Fenner predicted.

His insight and legacy, however, is of far-reaching value. Professor Fenner's legacy lives on in the plethora of books he has written, the students he has taught and the words of warning about caring for the world in which we live and for the health of one another. In response to his colossal achievements, he modestly replied, 'You just have to live a long time.'

In closing, on his last day of sittings, I would like to take the opportunity to acknowledge my staff—Rick Youssef, Lyndell Tutty, Shobaz Kandola, Alex Cubis and Ruth Stanfield—and three hardworking volunteers in my office—Damien Hickman, Sigourney Irvine and Emily Murray. To each of them I say: 'I literally could not have done it without you. (*Time expired*)'

Wild Rivers

Mr ENTSCHE (Leichhardt) (11.50 am)—On Saturday I was taking some time to read the national papers, and I almost choked on my Weeties when I saw this full-page ad about wild rivers, taken out by the Queensland government in all of the national papers. It says 'Traditional Owners support Wild Rivers' and proudly shows the state government logos. The cost of this would have been quite significant. It was done at the same time that the Queensland government had just confirmed it had sold Queensland Rail for something like \$4 billion. So

now we are using our rail not only to pay our debts but also to peddle propaganda for the Wilderness Society. I find it very, very disappointing, when we have a whole lot of other issues to deal with, particularly when the economy in my region, in Cairns, is struggling and we see the state of our hospitals, our roads and a whole raft of other things. Yet the state government can find what would have been literally hundreds of thousands of dollars to invest in a dishonest propaganda campaign to try and support an initiative that is being driven not by the state government but by the Wilderness Society. The government has been aiding and abetting it, but now it is obviously financing it.

I had a look at the names of some of the individuals that have been put there as traditional owner supporters of this. The one right at the top is David Claudie. David Claudie is said here to be a Chuulangun traditional owner. You have to wonder. There is also Murandoo Yanner, representing the Carpentaria Land Council, and Jimmy Richards, who is a wild river ranger. They are three of the five who are there. These guys are obviously very committed to the wild rivers, but if you have a look a little bit behind that you start to question motives.

I refer first of all to David Claudie. I have here a cooperation agreement that was signed between the Chuulangun Aboriginal Corporation and the Wilderness Society in 2005 and committed, among other things, to assist in raising funds for that organisation. I also have here a letter from the traditional owners of the group that David Claudie claims to represent. In that letter, which was sent to the Department of the Environment, Water, Heritage and the Arts in Canberra, they say, among other things:

Chuulangun Aboriginal Corporation has only 3 directors —David John Claudie, his partner Judith Pamela Eriksen—

who is non-Indigenous—

and his uncle Robert Nelson. It has only 6 members, being the 3 directors plus David Claudie's sister Michelle Claudie, brother Robert Claudie and Robert Nelson's daughter Joanne Nelson.

They ask questions about the \$840,000 that was given to the corporation of six family members in the last financial year and suggest that there are some serious issues that need to be investigated. You have to ask the question about conflict of interest. You also have to ask the question about the legitimacy of such a claim and the concerns by a very significant number of legitimate traditional owners in that area. I think it is appalling that the state government hides behind the Wilderness Society and this type of thing to claim support for its initiative.

I was also concerned to hear on the ABC the other day that another proponent of wild rivers is the Steve Irwin Wildlife Reserve, through Australia Zoo. Let us not forget that the Australian government gifted them \$6 million to purchase that property at Batavia Downs. Not only that; the state government last week announced that it is actually funding 27 wild river rangers to be trained by Australia Zoo. It is a significant amount of money. The Carpentaria Land Council have about 100 rangers that they are being funded to train—new Toyotas, new boats and that sort of stuff. Again you have to question the motives of these individuals in claiming this. The 10 elected mayors of the 10 Aboriginal communities all oppose this. They are elected mayors. I notice that the state government did not mention any of those people in its propaganda. The state government should be condemned for not having the courage to stand up against the Wilderness Society and for imposing wild rivers on the Cape York community when the majority of the traditional owners have serious issues with the imposition of wild rivers. (*Time expired*)

Rail Infrastructure

Mr MURPHY (Reid) (11.55 am)—I too extend my sympathy to the families of the victims of the terrible human tragedy in New Zealand. I also extend my Christmas and New Year greetings to you, Madam Deputy Speaker Livermore, and to all members of the House. If anything typifies the failure of the former Howard government it is the disastrous legacy of that government's policies that continues to bedevil all aspects of the Australian transport industry.

Of particular concern are the high and still growing carbon dioxide emissions from road transport that result directly from a combination of inefficient vehicle engines and an excessive national dependence on road transport. Equally concerning is the unending carnage that makes the truck driver's cab the most dangerous workplace in the country. According to the TWU, in any given year, road transport has the highest number of work related fatalities of all Australian industries and, in the 18 months ending in May 2010, 431 people were killed in truck crashes—an appalling figure that can no longer be accepted as an unavoidable cost of cheap transport in a civilized country.

Contributing to this disaster is a run-down railway system still operating on mixed gauges that are confined to 19th century alignments and single track lines between the major cities. While it is true that Australia has a widely dispersed population, this circumstance cannot be used to rationalise the level of inefficiency that has developed in our transport industry. Rather, Australia's situation means that, as we are forced to confront rising fuel prices and growing oil imports together with the need to reduce carbon dioxide emissions, we must act rapidly to both reduce dependence on road transport and increase the utilisation of our rail network.

Figures produced by Professor Phillip Laird from the University of Wollongong make the problem clear. Between 1995 and 2010, the share of non-bulk freight carried by rail between Sydney and Melbourne fell from about 18 percent to around nine percent. That is a real decline of 50 percent. Worse, in the same period the transport of non-bulk freight by rail between Sydney and Brisbane fell from 29 percent in 1995 to less than 12 percent today, a real decline of 60 percent. Effectively nine out of 10 freight consignments between Sydney and Melbourne and eight out of 10 freight consignments between Sydney and Brisbane are now transported by road.

As a direct result, between 1995 and 2010, oil consumption and carbon dioxide emissions by the transport sector grew by almost 20 percent and now, according to the US Energy Information Administration, close to 40 percent of the 950,000 barrels of oil consumed per day in Australia is imported, increasingly from the trouble-prone Middle East. This quantity of oil when burnt produces approximately 100 million tonnes of carbon dioxide per annum, a figure that must be rapidly reduced if we are to avoid dangerous climate change.

The CSIRO points out in its fact sheet 'Reducing Australia's greenhouse emissions' that it is possible to electrify most passenger vehicles and smaller trucks and only draw on around 10 per cent of total electricity generation. The CSIRO also points out that electrification of aviation and long-distance trucking is not presently practical yet much evidence shows that railway electrification is both viable and cost effective. In fact many decades ago the European Union recognised the risk of relying on roads for long-distance transportation. The Europeans saw that the costs of road transport can only continue to rise and that electrified

rail transport was more efficient, much safer and free from dependence on oil imported from the unstable Middle East sources.

Presently 240,000 kilometres or 25 percent of the length of the world's railways are electrified and 50 percent of all rail transport is hauled by electric traction. The advantages over diesel traction are numerous and include lower running costs, a higher power to weight ratio resulting in fewer locomotives, faster acceleration and higher practical speeds, less noise pollution, and independence from oil supplies. There is also much evidence that shows that electric trains are more energy efficient and produce significantly less carbon dioxide emissions compared with equivalent diesel trains.

Under the Howard government, the electrification of the railways went into reverse with over 100 serviceable electric locomotives scrapped as a result of incompetent decision-making by that government, blind to the consequences of its actions and ignorant of the advantages of railway electrification. We know the Leader of the Opposition will attempt to continue this failed policy because he said in his first speech:

The government's job is not to lay rails, shift earth and pour concrete.

I am sure that if earlier leaders had held this view, our nation would have remained forever a land of dirt tracks, shacks and squatters.

Western Australia

Mr IRONS (Swan) (12.00 pm)—I rise to speak about the continued tax levied by the Gillard government on the state of Western Australia, its economy, its lifestyle and its people. There are many ways that WA is being attacked, whether it be through anti-small-business Fair Work legislation which strikes at the very heart of our entrepreneurial business community, the impending mineral resource rent tax, the scrapping of the condensate concession which raised the cost of gas to consumers in WA, through to the very important issue of the sharing of the GST revenue.

To put it as simply as possible, the people of WA are being robbed. We are being punished for our success and the lazy eastern state Labor governments are being rewarded for their incompetence. The member for Canning had a justified swipe at the state of Tasmania yesterday and, from the responses he received, he obviously hit a raw nerve. Currently WA receives 68c in the dollar return on GST revenue and forecasts could see this reduced to just over 50c over the next three years. This is completely unacceptable. I have heard WA Premier Colin Barnett talk about scrapping the Commonwealth Grants Commission and I agree with the Premier of Western Australia on the minimum floor of 75c in the dollar return to the states no matter how successful they are. I call on the Prime Minister and the government to address these issues that affect my electorate and all of Western Australia. Do not worry about a MRRT, just stop robbing us of our GST. WA is very fortunate to have the only coalition government in the nation and, with Colin Barnett as Premier, I am sure we will see a long and successful period for the state.

We continually hear in question time, with all the dorothy dixers that are asked by the other side, about threats to this and threats to that. The biggest threat to WA and its prosperity is this Gillard government and its continual focus on punishing WA for its success and efficient government. What makes the situation all the more worrying—and I stated this earlier—is that while WA is being punished, the inept and inefficient state Labor governments continue to be

rewarded under the current Grants Commission scheme. What incentive is there for state governments like New South Wales to become efficient machines if they can be sure their mates in Canberra will continue to top up the kitty?

Peter Urban, former chief economist for DFAT, correctly identified in his article in the *Australian* on 18 November that the Grants Commission has it all wrong. Firstly, the Grants Commission treats mining royalties as taxes, which is incorrect. A mining royalty is a payment made for the purchase of a state owned asset. For the Grants Commission to get such a basic economic term wrong is very disturbing, but not all that surprising. The ability to charge royalties is a major source of revenue for WA and if Labor plans on refunding mining companies the royalties in the proposed MRRT, we are effectively giving away the state's resources for free.

The Prime Minister does not understand that these two issues, the proposed mining tax and GST revenues, are linked. If Canberra are refunding royalty costs, this extra hole in their budget needs to be filled. No doubt that is why WA is firmly in Labor's sights. In the 2010 election, constituents in my electorate of Swan and WA recognised Labor's policies would endanger their quality of life and WA's economic prosperity, so they put their trust in the conservatives. Many people in Swan and in WA source their incomes from the mining industry and everyone in the state shares from the sale of the state owned assets or from related industries downstream.

My biggest fear for WA is that under this Labor government, in partnership with the Greens who actually hold the power, the mining tax and the carbon tax will be introduced, stabbing our state in its economic heart. So on top of the GST rip-off, WA will be punished even further. This is a dangerous way to even things out in Australia. What we should be doing for the other states is encouraging them to develop their own wealth and not rely on choking WA until there is nothing left. We do not want to be a state that purposely drives itself into being a welfare state. One such state is enough for this nation.

On behalf of the constituents of Swan, I offer my condolences to the families of the New Zealand victims of the Pike River mining tragedy. Our thoughts are with them. To all my colleagues in this place, I warmly wish them a safe and peaceful Christmas and New Year. I extend that wish to all the parliamentary staff in this building, including the Comcar drivers and the security staff. Also to the people of Swan and my staff, I offer you my best wishes and I thank you all for the work and the trust that you have put in me. To my son, Jared, and my family in Melbourne, I am looking forward to spending some time with you over the summer recess. As we do our work for this great nation we live in, it is the sacrifices our families make that enable us as parliamentarians to do our job, and I thank them all for their patience and understanding.

Iraq

Mr HAYES (Fowler) (12.04 pm)—I rise today merely three weeks after the worst attack on Christians in Iraq since the invasion of 2003. While 100 people gathered to celebrate Sunday mass on 31 October, armed Islamic militants stormed Our Lady of Salvation Catholic church in Baghdad. The militants were armed and wore explosive suicide vests. By the end of the day 52 Christians had been killed. I want to express my total condemnation of these attacks at the hands of members of the Islamic State of Iraq, a known terrorist group with links

to al-Qaeda. The same group has made it their mission to rid Iraq of Christian minority groups, including the Assyrians, Mandaeans, Syriacs and Chaldeans.

Christians everywhere in Iraq have been declared legitimate targets and they now rightly feel as though they are being ethnically cleansed by Islamic militants. In fact, there are now reports that Christians are fleeing. Posters have been placed on their houses telling them that they have three days to leave the country or face death. Nijem Abdallah, who lost two cousins in the attack in Our Lady of Salvation church, was not in the church on the day because he had already escaped to Jordan from Iraq after visits from those militants. Last week he told the ABC about his ordeal. He said:

“They came into my shop and demanded I give it to them,” he said. “So I did. Then they followed me home and demanded \$1,000 a month or they would kill me and my son.”

The man did the only thing that he could do: he left behind his home and his extended family and went to a refugee camp in Jordan.

Other Christians have fled to camps in both Syria and Egypt. In fact, the Catholic Church reports that one million Christians have left Iraq since the invasion of 2003. This is a disturbing figure and a rather distressing situation when one considers the long associations that Christianity has had in that country. For over 2,000 years, Christians such as the Assyrians, Mandaeans and the other Aramaic speakers have called that part of the world home. It will be a damning critique on humanity and the coalition forces, who have vowed to protect the people of Iraq, if religious groups with such a significant history within the region are forced out at the hands of terrorists.

Last week I met with the Assyrian delegation which is desperately trying to help those of its brethren in Iraq and in refugee camps in Syria, Jordan and Egypt. The delegation was led by Hermiz Shahen, the Regional Secretary of the Assyrian Universal Alliance in Australia and New Zealand; Mr David M David, the Secretary of the Assyrian Universal Alliance Australian Chapter; Simon Essavian, President of the Assyrian Australian National Federation; and Paul Azzo, Senior Advisor to the Assyrian Universal Alliance. They expressed their anger and sadness over the systemic violence against Assyrians and other Christian minorities in Iraq. They also called on this government to do more to address the growing humanitarian crisis which is a result of the violence.

I have spoken in this place many times about the need for a more compassionate response from the government to Christian refugees fleeing the unstable and dangerous situation that they find in Iraq presently, for it can be rightly argued that the 2003 invasion of Iraq and the subsequent withdrawal of coalition troops opened the door for the prosecution of the world's oldest Christian communities. I will continue to support the cause of Assyrians, Mandaeans and other Christian minorities in Iraq, who merely want us to help them deal with the consequences of our participation as members of the coalition of the willing. Unless we can assure these people of their future safety free of threat or terrorism, then as a group they certainly must be considered to be refugeeed from their traditional lands and must be considered for repatriation. By being part of the coalition of the willing we helped create this situation, and it is now our responsibility, with our other coalition partners, to deal with the consequences.

Petition: Menindee Lakes

Ms LEY (Farrer) (12.09 pm)—I rise today in the Main Committee to present a petition addressed to the Speaker and members of the House of Representatives involving a critical proposal which could have long-term detrimental effects on a significant region within my electorate of Farrer. This petition, with Stephen Block as the principal petitioner, contains the signatures of no less than 6,388 citizens of Broken Hill and the far west region of New South Wales, asking honourable members to save the Menindee Lakes.

I am pleased to advise the House that the petition was considered at a recent meeting of the Standing Committee on Petitions and certified as being in accordance with those standing orders. I note that the subject of the petition must be a matter on which the House has the power to act—that is, it must be a federal matter, involving, in this case, administration of government. I also note that, as part of those standing orders, the petition must actually include a request for action by the House. In this case, it is a pretty simple request and one that, as a house of democracy, we should all subscribe to, and that is: that we should undertake local consultation before this government moves to take any action that would drain and/or decommission Lake Menindee and Lake Cawndilla, in the so far undecided expectation that an aquifer will become a viable option in the future.

The petition read as follows—

To the Honourable the Speaker and Members of the House of Representatives

PETITION

“SAVE THE MENINDEE LAKES”

The petition of residents in the Farrer/Murray-Darling Electorates draws to the attention of the House that they are opposed to the proposal to drain Lake Menindee and Cawndilla and decommission those lakes. The aquifer proposed by the Federal Government to supply Broken Hill with water is an unrealistic and costly alternative and has the potential to price water beyond the capacity of Broken Hill consumers. The Government must also realise that the Menindee Lakes are a tourism asset and provide a recreational area for people in the far west and tourists.

Your petitioners therefore request the House ensures local consultation is undertaken to gain local knowledge before any decision is made.

from 6,388 citizens

Petition received.

Ms LEY—I cannot stress enough to this parliament the strength of feeling that people in Broken Hill, Menindee and the far west region of New South Wales have about a government in Canberra putting a proposal that would alter, permanently, the environment, amenity, structure and everything associated with the magnificent Menindee Lakes—and at a distance, without the consultation that we would expect as residents of the area and that we deserve. Instead of relying on the Menindee Lakes for Broken Hill’s water, as has been the case for many years, it is proposed that a so far unverified aquifer should be the new source of Broken Hill’s water.

I have spoken about this in the House before; this is not a new proposition, to store water in an aquifer. It is certainly very risky to store drinking water in an aquifer, subject to contamination and salinity. Just think of the mechanics of moving the water from an aquifer so far away to provide fresh water for drinking for a city the size of Broken Hill, when already we have a

perfectly good pipe—and, yes, it does need upgrading—that runs from the Menindee Lakes directly into Broken Hill's water supply. People in the far west feel very angry about this, and that is why we have those 6,000-odd signatures on this petition.

With its stunning wetlands, red sand dunes and array of native wildlife, the far west and the Menindee Lakes are a natural paradise. They support hundreds of thousands of waterbirds, including migratory shore birds, and there are over 200,000 waterbirds, including 34 species, and 40,000 small wading birds—more than are found in Kakadu. It is truly an amazing part of Australia. I will be spending the time between Christmas and New Year on the road between Menindee and Wilcannia, quite near the lakes, because there is a once-in-a-lifetime opportunity to appreciate the environment that we have there, and I would certainly support every single one of the signatories to this petition to make sure that no decisions are made about the future of the Menindee Lakes without very careful consultation and a recognition of the lakes' real and genuine environmental amenity.

The DEPUTY SPEAKER (Ms K Livermore)—I thank the member for Farrer, and look forward to seeing her in Broken Hill in a couple of weeks as part of the regional committee.

La Trobe Electorate: Education and Health

Ms SMYTH (La Trobe) (12.15 pm)—The credentials and the commitment of this government in the areas of education and health reform and in education and health policy are well known. It pleases me very much to be able to update members on education and health matters, particularly on developments in my electorate of La Trobe.

I was very pleased last week to visit Hillcrest Christian College in Berwick to participate in their senior school's awards night and the opening of their Building the Education Revolution project. Hillcrest has, as a result of the BER program, a new performing arts theatre. The BER initiative meant that the theatre, which was part of the college's master plan, was brought forward by three years. It is a facility which will have a tremendous amount of use and give students enjoyment, skills and a creative outlet through which to show their talents. I understand that there is already considerable interest from the broader community in using Hillcrest's new facility. It is marvellous to see a school which is so willing to continue sharing its resources in what is very much a growing community in La Trobe. Of course, this very much reflects the spirit of the BER program in terms of community engagement. I was fortunate to also visit the school earlier this year to talk to the year 12 politics students. I have been impressed by the maturity and thoughtfulness of the school's students.

I also had the pleasure of visiting the Belgrave South Primary School and Emerald Secondary College in the roughly 10 weeks since being formally elected as member for La Trobe. I think it is extremely important in this role to engage with students in civic education, because it is so significant in the strengthening of our community and our democratic processes. It is for this reason that I have instituted the La Trobe Leadership and Community Involvement Award in schools throughout my electorate. Over 40 schools have so far taken up the opportunity to participate in the inaugural award, which aims to recognise students who have demonstrated a commitment to civic life, community involvement and leadership.

The first recipient of the award was Sophie Wieckmann. The Hillcrest school has advised me that Sophie has organised numerous fundraising events and has assisted in the wider community in making several important and selfless contributions, which is admirable for

someone of her age. She was involved in a mission trip to Uganda to work with disadvantaged children in hospitals and orphanages. She has also been involved in the 40 Hour Famine and the MS Readathon and was the youngest competitor to take part in the Sydney 100-kilometre Oxfam walk, raising over \$5,000 with her team earlier this year. During the next month I will be visiting each of the schools to meet with award recipients, who I hope will want to become even more actively involved in our local communities. I recently mentioned in this place my visits to Saint Thomas More Primary School, Kallista Primary School, Harkaway Primary School and Mount Dandenong Preschool. I was also pleased to meet with students of Ferntree Gully North Primary School and Saint Catherine's Primary School in Berwick in recent weeks.

I have been assisting schools in my area that have raised issues with me, and I will continue to assist others as the needs arise. Therefore it is somewhat disappointing that the shadow minister for climate action, environment and heritage last Wednesday in the House sought to misrepresent me to the chamber. He remarked that I had refused to visit a primary school in my electorate that had raised an issue with my office. This is not true, and a simple inquiry with the school and its principal would readily reveal that. I have at no stage declined an invitation to attend the school, and I will gladly do what I can to assist them.

In circumstances where this government, in its first term, nearly doubled the education funding committed by the Howard government in its last term, in circumstances where we are committed to enabling disadvantaged schools and disadvantaged students to have better opportunities to succeed, in circumstances where we have committed ourselves to a comprehensive national curriculum and considering the educational decay of the Howard years, I find it somewhat disingenuous that the shadow minister for climate action, environment and heritage should talk of an absence of adequate support for schools.

The second important matter about which I am extremely pleased is the announcement by the Minister for Health and Ageing of the first round of Primary Care Infrastructure Grants. These grants stand to benefit three local GP clinics in La Trobe: Belgrave Medical Clinic, Mandala Clinic at Emerald and the Hills Medical Clinic in Olinda. I know just how hard our local GPs work to ensure that our local community gets the best possible health care available, and I know that the primary care infrastructure grants will go a long way in assisting them with that aim.

In particular, I would like to mention Dr Dennis Gratton, of the Belgrave Medical Clinic, who has had an impressive and longstanding commitment to the training of new GPs and healthcare professionals and a determined and passionate focus on community health. In the final hours of this session of parliament, it pleases me greatly to be able to remark on the considerable commitments to my electorate that this government has made in the key areas of health and education.

Calare Electorate: White Ribbon Day

Pensions and Benefits

Flying Foxes

Mr JOHN COBB (Calare) (12.20 pm)—I rise in parliament today to tell all Australians, particularly the men who live in my electorate of Calare, that this is White Ribbon Day. This is the day when men around Australia should, by their very nature, stand up and take the oath

not to effect violence against women and girls. It does not matter what ethnic background or what cultural background you are from or what age you are, men have a right to respect and protect women and to get up and speak against violence that happens at any level. As one of the original ambassadors for White Ribbon Day, I think it is a fantastic thing that Andrew and everybody got behind this quite a few years ago. It came out of the armed forces deciding to take a stand against it—not as soldiers; as people. The police have taken a stand against it—not as officers; as people. I think it is fantastic that it came out of there. It is one of the most important things that men can be involved in: stopping men using violence against women and girls. I call upon all the men of Calare to get up and take that vow over this time.

I would also like to talk about the youth allowance. I live in a part of Australia which is almost all inner regional. West of Molong, Forbes and Parkes are the only part of my electorate but also of New South Wales that is eligible now for the youth allowance. When the current Prime Minister was Minister for Education, she initially wiped it for everyone, but popular appeal, popular demand, people action, got it back for those in the outer regional areas. I have to call upon the people of Calare to once again do the same thing. The Labor Party, the Greens and Senator Xenophon have prevented this being voted on in the Senate, and I think it is disgusting. If you live in inner regional places like the electorate of Calare, unless you are very lucky and can perhaps get to Orange or Bathurst for your secondary education, you have to live away from home, the same as if you live out at Cobar or Condobolin. For somebody who said in this parliament yesterday that she was passionate about education to wipe—and I mean wipe—the students in inner regional areas, as they are in Calare, whether they are in Lithgow, Bathurst, Blayney—

Ms Marino—Bunbury.

Mr JOHN COBB—Orange, Oberon or wherever they might be, in the seat of Forrest or anywhere else, is just bias against country people. I am afraid we have to call upon our people, our students, our parents and our teachers, to once again get involved in the people push—

Ms Marino—People power.

Mr JOHN COBB—the people power, to bring this back and put the heat on the Prime Minister once again, now that she is the Prime Minister and not just the so-called Minister for Education, who is meant to be passionate about education. She is not passionate about it in country areas.

The other subject I rise to speak on today that I was not able to speak on when the member for Cowper moved his legislation on flying foxes is the Environment Protection and Biodiversity Conservation Amendment (Public Health and Safety) Bill 2010. I totally support it. This year, for the first time in living memory, flying foxes invaded Orange. This is an area with very serious apple orchards and fruit orchards to a large extent. The flying foxes inundated it, and all the state government did was allow some people to destroy up to 25. There were 25 million of the damn things around. I have nothing against flying foxes personally, but I do have something against allowing an animal to threaten livelihoods and schools. Flying foxes are actually responsible for spreading the hendra virus, which is a deadly disease for humans. We have already had four deaths in Australia and two or three other people who very nearly died. It is total destruction for horses which get it or carry it. I totally support the member for Cowper's legislation, and I call on the state government and the federal government to get off

their high horse and actually allow communities to deal with this pest in the way it needs to be dealt with.

PBS Homes ACT

New Zealand: Mine Explosion

Cambodia: Festival Disaster

Ms BRODTMANN (Canberra) (12.25 pm)—I recently attended the Master Builders Association of the ACT celebration of its 75th anniversary in Canberra. The evening honoured the significant contribution of the building and construction industry in building our great bush capital and our city. I would like to congratulate John Miller, the MBA and its members in achieving this milestone and to thank them for building Canberra and for being with Canberra during the good times and the tough times.

The event also honoured the work of PBS Homes in my electorate for its significant contribution to the Canberra and regional community. PBS Homes took out the inaugural Build the Community award for its great work with students at risk through the Kids Assist program and for its assistance in the construction of Home in Queanbeyan in the electorate of my colleague the member for Eden-Monaro.

The Kids Assist program has been operating for some years now and focuses on year 10 students who may not complete high school. The program aims to provide on- and off-the-job training for disengaged students, relevant pathways into employment and education, an opportunity to seek apprenticeships at the completion of the program and literacy and numeracy support. The program mentors students and links the subjects they study at school to the real world. Through the program students get the chance to understand what the workforce expects and how their subjects have meaning in that environment. The program also opens up the career horizons of students who may have fallen through the cracks.

Kids Assist involves six weeks of structured training in the classroom and on site. The training includes the formal OH&S induction card plus the appropriate theory that underpins the various trades. Students are invited to select the trade of their choice, and PBS encourages subcontractors to place them with a host employer who offers training for their trade. At the completion of the program students receive a certificate II in construction pathways.

So far 32 students have completed the program this year, and four of those students were offered apprenticeships with their host employer while the others continued on to year 11. This is just a great result. The teachers of the kids who stayed on at school have all reported improvements: a positive change in attitude and greater concentration. The students themselves have said that they feel more motivated and confident. As I said, it is a great result for everyone.

This program alone is worthy enough of recognition, but PBS's commitment to the community does not end there. PBS Homes also received an award for the construction of Home in Queanbeyan. Home in Queanbeyan offers 24-hour support for people with chronic mental illness who might otherwise sleep rough. Home in Queanbeyan recognises the dignity of all people by striving to restore a sense of self-worth and belonging to those with chronic mental illness who need support to live a productive life. Home in Queanbeyan also raises awareness about the plight of the chronically mentally ill, and in so doing procures the involvement and support of local people, churches, community agencies, business and government.

When PBS Homes was asked to help Home in Queanbeyan, they gave a simple but direct 'yes'. They agreed to build the facility at cost, covering only their overheads for the project. They also urged their suppliers and subcontractors to reduce the cost of their work, meaning further savings for this important community project. I am also informed that one of the principals at PBS Homes, Ian Carter, donned his tool belt and worked at the site, acting as foreman and spending many hours on the weekend to finish the job.

The work done by PBS Homes showcases the generosity and goodwill of the Canberra community to those in need. To Warren Ahrens, Ian and James Carter and the team at PBS Homes, congratulations on your award and thank you for your significant contribution to Canberra and the region.

I would like to talk about two other issues today. On behalf of the people of Canberra I would like to express our deepest sympathy and sadness to the family and friends of the miners in New Zealand. This is a terrible tragedy, and I know that the thoughts, hearts and prayers of the people of Canberra are with them now and in the future. It is a particularly difficult time for them now, and I imagine that the next few months and years will also be difficult. Our thoughts are with them.

I would also like to acknowledge the tragedy in Cambodia. I know that a number of Canberrans have worked, visited or served there, and I would like to take this opportunity to express our condolences to the families and friends of the victims of this week's terrible event at the water festival. This event was described by Prime Minister Hun Sen as the biggest tragedy since the Khmer Rouge.

Bowel Cancer

Ms O'DWYER (Higgins) (12.29 pm)—Bowel cancer is the most frequently occurring cancer in Australia and the second biggest cancer killer after lung cancer. Based on current trends, one in 12 Australians will develop bowel cancer before age 85. Around 3,800 Australian lives are claimed each year by bowel cancer. These deaths are made even more tragic given that most cases can be diagnosed and cured if identified early through effective screening. It is difficult to believe that so many preventable deaths could occur. Early detection offers the best hope of reducing the number of Australians who die each year from bowel cancer. There is often no way of knowing that cancerous growths are developing in the bowel. In fact, many people put off taking the test because they feel fit and healthy.

Recently I had the pleasure of meeting with one of my constituents, Professor James St John, whose work with the Cancer Council of Australia is to be commended. His important work, along with that of countless others, helps save lives, as well as providing comfort and peace of mind to Australian men and women. Part of the Cancer Council's work is the provision of free kits to eligible Australians. This is a vital way of providing information to those in the at-risk age groups and an effective way of screening for those who cannot afford a test kit.

Cancer councils in each state and territory are the leading independent funders of cancer research in Australia. In 2009 they funded more than \$47 million for cancer research, research scholarships and fellowships. Their research is vital for better understanding effective prevention and treatment for cancer and working towards a viable population based screening program for Australia.

The testing process detects precancerous polyps and early, curable cancer, 90 per cent of which can be cured by surgery alone. It is world's best practice. The National Health and Medical Research Council endorsed the National Bowel Cancer Screening Program in 1999, and a pilot program was implemented between 2002 and 2004. Currently the program is in phase 2, with the testing of three eligible age groups: 50, 55 and 65. Ideally, a screening program would involve two-yearly testing for all Australians over 50.

Currently, the government has given no commitment to ensure the viability of the program past December 2010. This is quite wrong and makes no sense when you consider the cost-effective nature of the screening. Without a firm commitment from the government, experienced health professionals involved with the program will move elsewhere. This will make it difficult for the program to be reinstated in the future. The government should not assume that it can suspend the program for a while and then start it up again at a moment's notice. Unless the program has a clear understanding with the government that the program will be funded on an ongoing basis, resources will be withdrawn from the program.

The National Bowel Cancer Screening Program saves lives. However, around five million at-risk Australians are missing out on tests. According to BioGrid Australia, which maintains an integrated repository of patient data, 41 per cent of cancers diagnosed through the National Bowel Cancer Screening Program are at stage A, which is the most curable stage. This is compared to 18 per cent diagnosed outside the program.

Leaving aside the very strong personal reasons why we should all support screening for bowel cancer, there are also very compelling economic reasons to introduce a viable national screening program. We know that the National Bowel Cancer Screening Program can save up to 30 Australian lives each week. It also has the potential to substantially reduce escalating PBS, Medicare and public hospital costs for treating bowel cancer, which, with the ageing of the population, are expected to see Australia's annual bowel cancer bill reach \$1 billion next year.

The expansion of this program is by far the most clinically effective and cost-effective cancer control initiative available to the government in the current policy environment in terms of reducing cancer disease and the cost burden to Australian taxpayers over both the immediate and the long term. According to Cancer Council Australia, early detection can make significant savings in hospital costs. BioGrid Australia estimates that removing a precancerous polyp costs approximately \$1,600, whereas treatment at a public hospital for bowel cancer can cost more than \$70,000. I commend the National Bowel Cancer Screening Program. The government should support it. It is something that I will continue to fight for.

Pork Industry: Sow Stalls

Ms PARKE (Fremantle) (12.35 pm)—As we head into the festive season, I wish to speak today about a decision made last week by Australian Pork Ltd, APL, the industry's peak research and marketing body, to ban the use of sow stalls for pregnant pigs across Australia by 2017. This decision, made at the organisation's annual general meeting, has been praised by animal welfare and consumer groups across the country as a significant step toward improving agricultural animal protection standards. Groups such as Voiceless, the RSPCA, Animals Australia and WSPA have been campaigning to end the use of sow stalls in Australia and transition to a free-range pork industry across the country.

Currently, sow stalls are used by the pork industry to house pregnant pigs for all or part of their 16-week pregnancy, and national standards to come into effect in 2017 would only limit the use of these sow stalls to six weeks of pregnancy. Such confinement to stalls has traditionally been justified as a way of minimising the space needed to house pigs and as a way of reducing behaviour which can lead to a risk of sows losing a pregnancy in the early stages. Yet recent studies confirm that confining a sow for any period has a severely detrimental effect on physical health and behaviour. Pigs are naturally sociable, highly intelligent animals. When they are kept outside, they spend many hours exploring their environment and foraging. Sow stalls and their counterparts, farrowing crates, block these natural instincts and lead to a life of confinement and distress for the sow and her piglets. In both of these environments, the sow cannot turn around and can only take one step backwards or forwards. The stalls are made of metal bars with metal slatted flooring, with dimensions of about two metres by 0.6 metres square.

The RSPCA estimates that, at any one time, 250,000 breeding sows are confined to stalls in Australia. I am sure it would shock members and people in the wider community to know that this confinement continues for most of the animals' adult lives. Thus the decision by the industry to ban sow stalls altogether by 2017 is very significant. Brian Sherman AM, co-founder and director of Voiceless, has called on the federal government to follow the industry's lead and align national standards with the decision made by APL. I support this call and believe that consideration should be given to revising the Commonwealth code of practice when it comes to housing pigs in sow stalls. The only state or territory with a more progressive policy on sow stalls is Tasmania, which is moving to ban them completely from 2017, bringing its policy in line with other jurisdictions such as the UK and Sweden. Despite the change in those countries, the productivity of sows is the same as in Australia, in the case of the UK, or even better, in the case of Sweden.

Dr Malcolm Caulfield, a lawyer and scientist with over 35 years experience working in the agriculture industry and now a key legal adviser for Voiceless, has noted that the Senate Select Committee on Animal Welfare observed in its *Intensive livestock production* report in June 1990 that stalls were an 'undesirable means of restraint' and that 'future trends in housing the dry sow should be away from individually confined stall systems and this be reflected in the codes of practice'. That was 20 years ago, and I think we have reached the future by now—certainly other countries have when it comes to stopping this inhumane practice.

In addition to the animal welfare benefits, there are also positive environmental and economic benefits of group or free-range pig farming. Sow stall sheds use high levels of energy for heating, for piglets, and ventilation and pumping systems for manure run-off. Intensive farming employs the excessive use of antibiotics to ward off chronic infectious disease. Other sectors of the industry are responding to the national campaign to phase out sow stalls. Coles supermarkets announced last week that from 2014 they will only source their pig meat from farms that do not use sow stalls. I applaud that stance.

A division having been called in the House of Representatives—

Sitting suspended from 12.39 pm to 1.02 pm

Ms PARKE—This is also an issue that has a significant food labelling aspect because consumers may be misled as to the origin of the pork they are purchasing. As reported by the ABC earlier this month, two recent studies conducted by the APL showed that 70 per cent of

consumers said they preferred 'free-range' pork products but thought that 'bred free-range' was the same thing.

The RSPCA defines 'bred free-range' as a term applied to pig products from pigs that were born in a free-range environment but subsequently raised indoors, sometimes in large open sheds with straw bedding known as eco-shelters, or conventionally in small pens on concrete floors. The RSPCA approved farming scheme requires producers who market their pork as 'bred free-range' to allow pigs to range freely outside. Piglets must be born outside and, once weaned, raised in eco-shelters.

I urge the Primary Industries Ministerial Council to work in partnership with peak bodies such as APL and animal welfare organisations to ensure better animal welfare and more transparency for consumers when it comes to accredited free-range and bred free-range pork.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I call the honourable member for Bonner, and in doing so I say how pleased I was to see his mother, Mrs Ella Vasta, when she visited Parliament House this week. I hope that she had an enjoyable visit.

Disability Services

Mr VASTA (Bonner) (1.03 pm)—Thank you, Mr Deputy Speaker. I rise today to speak on behalf of people in my electorate of Bonner who provide unwavering support and/or care for people with disabilities.

I am speaking today on behalf of people like Jody Florence from Carindale, a tireless advocate and volunteer for people with disabilities and the mother of a child with a disability; like Peter Connolly from Mount Gravatt, who has 40 years experience supporting people with an intellectual disability and who is father to Damien, a 45-year-old man with an intellectual disability; like Terry Forster, principal of the Mount Gravatt Special School, who is passionate about achieving systematic reform for disability support; like Kathy Stone, president of the P&C association of the Mount Gravatt Special School community, the parent of a child with a disability and someone who knows firsthand the demands placed upon families that love and care for these most disadvantaged and most often marginalised members of our society; and also like Kath Coory, a diligent worker in the disability community and mother of a daughter who attends Darling Point Special School in Manly.

These wonderful members of our community have shared with me their personal experience of what they consider to be a deeply flawed and inadequate system in Australia for people with disabilities. They have told me that there are insufficient funds and inadequate services to provide for the needs of people with disabilities and that, without a substantial change in direction, the situation will increasingly get worse.

In Queensland the problems for the disabled, their carers, their families and their supporters, they have warned me, are as acute as anywhere in Australia. Based on government figures, there are 5,000 to 6,000 people in my electorate of Bonner with a profound or severe disability. Peter Connolly tells me that the situation in Queensland is improving but that there is a long way to go, as progress has come from such a low base.

The level of support a person with a disability receives can depend on a number of factors: what state they live in; whether the disability is congenital or was acquired; and, if acquired, whether it was acquired in the workplace, in a motor vehicle accident or in some other context. The result is that many people with a disability are left without the assistance they need.

With an ageing population and a frayed patchwork of support for Australians with a disability, there is community consensus that we need to do better. There is a particular concern for people with severe disabilities, who need long-term care, and for those carers who are no longer able to provide constant care and support. As many of us in this House will be aware, a scheme for change, known as the National Disability Insurance Scheme, was presented to the federal government and then referred to the Productivity Commission for consideration. The idea of a national scheme that moves to support a system based on need rather than rationing is certainly worthy of examination. I, along with members of the coalition, support the referral of the concept of a national disability insurance scheme to the Productivity Commission for inquiry.

Australians with a disability should be supported properly regardless of how they acquired their disability. Peter Connolly believes that the proposed National Disability Insurance Scheme includes a number of positive aspects, such as a lifetime approach to care and support for people with a disability, which would replace the current arrangements for funding specialist disability services. The proposed model would assess the risk of disability in the general population, calculate the costs of meeting the essential lifetime needs arising out of these disabilities and estimate the premium or contribution required from taxpayers to meet these needs. Instead of funding capped programs and services for people with disability to find and access the scheme, this would fund on the basis of each individual's need, which would in turn drive the development of necessary care and support services.

However, while Jody Florence believes that these aspects are positive, she also believes that they are the most basic of requirements and that much more needs to be done. There is no doubt that there is strong interest from the disability sector in reforming this policy area. This is evidenced by the many people in Bonner whom I have referred to today. I will continue to engage with my community as to how the government can better deliver support on the basis of individual need, and I am looking forward to the Productivity Commission's findings. I am confident that a support scheme based on individual need will be just the beginning of wide-ranging reforms in the area of disability support.

New Zealand: Mine Explosion

Ms LIVERMORE (Capricornia) (1.08 pm)—I really thank you, Mr Deputy Speaker Slipper, for your cooperation and indulgence in keeping the adjournment debate going following that division. I want to use my time in this speech to join with the Prime Minister and other members of the parliament in offering my condolences to the families and people of Greymouth, New Zealand, in the wake of the disaster at the Pike River mine.

I know this is something that is very much on the minds of people in my electorate, being one of the major coalmining regions of Australia. The unfolding tragedy of the past five days would have had very strong resonance within the households, workplaces and communities of the Bowen Basin and of Central Queensland more generally.

Whilst our hearts have gone out to the people affected in New Zealand, the tragedy could not have helped but stir memories for many families and people of towns like Moura and Collinsville, in particular, but also in Central Queensland who have been touched by their own workplace tragedies associated with the mining industry over the years that it has been a big part of our economy and activity in Queensland.

About an hour or so ago I made a phone call to a woman, with whom I work quite closely, in the town of Moranbah, without realising that her husband is part of the mines rescue team in the Bowen Basin. He is in fact, almost as we speak, flying over with another workmate to New Zealand to be part of the rescue operation over there. There are people in my electorate who are personally involved and for them the danger is not yet over. His wife said to me that, as soon as the all-clear is given to go anywhere near the mine to retrieve the deceased miners, her husband will be the first one going in there. My thoughts are with those people in my electorate who are so closely involved in this matter. I am very conscious that the danger is not yet over for them. I wish them all the best in assisting that community.

One of the things about mining communities is that there is a very strong bond between miners and their families which crosses all borders and boundaries. So the thoughts of people in my electorate will be very much with the other people of Greymouth and with the families of those killed at the Pike River Mine.

I spoke, when you were in the chair a couple of weeks ago, about the additional burden of danger that is being placed on too many of our miners. I am talking about the increasing reliance that mining companies are placing on their employees—I guess fly-in fly-out is the overarching term, but it is the drive-in drive-out practice that is becoming more widespread in the Bowen Basin. That is adding an extra burden of worry and danger on miners and their families as they are not only working very long hours in what is a dangerous industry but then compounding that by having to drive long distances backwards and forwards to their families, mostly located on the coast. I really support the communities in my electorate which are taking a stand and trying to hold the line against that overreliance on drive-in drive-out or fly-in fly-out practices. These are strong communities, they are good communities and they need to be building off the back of this boom rather than seeing it pass them by.

One young man I do want to mention, in the closing minutes of this debate, who lost his life less than a month ago is Scott Ramage. Scott was a great young bloke from Collinsville who was working in Moranbah. He lost his life just a few weeks ago on the road between Moranbah and Collinsville. My thoughts remain with his family, his dad, Peter, his wife, Kirby, and his young boys. I know that their grief is far from over. (*Time expired*)

Riverina Electorate: Citrus Industry

Mr McCORMACK (Riverina) (1.13 pm)—I rise today to alert the parliament to a serious disease threat to one of the most important agricultural industries in the Murrumbidgee Irrigation Area, in my electorate of Riverina. The citrus industry based around Griffith, Leeton and Hillston comprises 8,500 hectares. It is the largest citrus-growing region in Australia. It produces about 200,000 tonnes of fresh oranges and juice every year. It exports about a third of its crop, which has a retail value of around \$500 million. The Riverina citrus industry has watched with growing alarm the devastation caused by Huanglongbing, HLB or greening disease, to the major citrus-growing regions of the world, including Brazil and Florida. Earlier this year Riverina Citrus sent three of its committee members to examine firsthand the damage that greening has caused in the United States of America.

In Brazil four million trees have been removed and the Florida industry reports HLB is costing \$300 million annually. And now the insect which spreads greening is spreading in California, where they are anticipating that if the disease follows it will reduce that state's production by 20 per cent.

There is no cure for greening disease. It is an insidious disease which is only remedied by total removal of the orchard. Unfortunately, there is very little a farmer can do for preventative management apart from prompt removal of infected trees and multiple insect sprays. The disease is well and truly established by the time symptoms manifest themselves. Once it gains a foothold in a country it remorselessly spreads until it has contaminated every productive farming region. The citrus industry rightly fears the entry of the insect which could carry the disease into Australia.

The vector is an insect known as a psyllid and the major risk is entry of infected psyllids on cyclonic winds, live plants, nursery stock, budwood, fruit and possibly ornamental vegetation. The vector has been identified in countries to the north of Australia, including East Timor, Indonesia, Papua New Guinea and Samoa. If there is an incursion the disease will destroy the Australian citrus industry, cost governments hundreds of millions of dollars and increase our dependence on imported fruit. This will lead only to increased prices on supermarket shelves and Australians will be left knowing little or nothing about the growing and environmental conditions under which imported food is grown. None of us wants that.

Citrus growers in the Riverina are already desperately worried about the proposed water cutbacks in the MIA of the order of up to 43 per cent under the controversial guide to the proposed Murray-Darling Basin Plan. There is so much uncertainty in the regional farming communities of the MIA as a result of this unfair and un-Australian dagger to what the Griffith Mayor, Councillor Mike Neville, often describes as the heart and lungs of the nation.

Certainly the MIA is the food bowl of Australia. It needs to be encouraged, promoted and supported in every way possible and by every level of government now and into the future. Sustaining this life-giving region with productive water and keeping it safe from any potential threats must always be a major priority. Plant Biosecurity has conducted a risk analysis in the form of a literature review to assess the quarantine risks posed by greening disease and its vectors. It did not identify where there may be any deficiencies in the existing import system or how surveillance could be improved. There was little or no consultation with industry.

The citrus industry has advised Biosecurity of the flaws in the review. Citrus farmers in my electorate are asking the government and the relevant agencies, including the Australian Quarantine and Inspection Service, to look again at this terrible agricultural disease with a more constructive attitude and with a greater sense of urgency. Greening disease is currently classified category 2. However, the disease is carried by a vector which is classified only as category 3. This is a recipe for inaction and lost opportunity. A small investment now and a change of category could save Australia millions of dollars and hundreds of jobs in the future. Our country must maintain its reputation for clean, green and safe agricultural produce.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Before I call the next speaker, the member for Melbourne Ports, I recognise his advisers, Patrick Reeder and Dr Jane Shelton, who are in the gallery.

Election Material

Mr DANBY (Melbourne Ports) (1.18 pm)—In a little noticed event in Britain on 5 November, a court effectively involved itself in the political process and overturned the election of Mr Phil Woolas, a former minister for immigration, to the seat of Oldham East. We in Australia have not heard much about this case, but it has rightfully caused huge debate in Britain and has implications here—and, indeed, anywhere with a Westminster system of government .

The case was brought under section 106 of the Representation of the People Act 1983, which makes it an offence for anyone to publish ‘any false statement of fact in relation to the candidate’s personal character or conduct’ to prevent them from being elected, ‘unless he can show that he had reasonable grounds for believing, and did believe, the statement to be true’. A specially convened Election Court ruled that Woolas had, in mocked-up newspapers, claimed that another candidate had ‘wooded’ Islamic extremists and the Liberal Democrat candidate had failed to condemn radical group attacks, and that this was deliberately and knowingly misleading.

I have had a look at some of the election material put out by Woolas, and I have to say the tone used is not one that I would support. Neither do I support the death threats against the former immigration minister, but I think the decision of the court is an unfortunate one for British democracy.

I am sure that when the Representation of the People Act was framed it was intended to ensure that the voting public was empowered and protected. This verdict, in my view, has the opposite effect. In the words of Mr Woolas’s solicitor, the decision will ‘chill free speech at election time’. The Conservative member for Gainsborough said in the House of Commons:

... massive constitutional issues are raised by it—

the court’s decision—

which the House should debate. This is the first time in 99 years that a Member has been evicted.

The member for Gainsborough also said:

My worry is that if the judgment is allowed to stand, robust debate during elections will become virtually impossible. People will be terrified of attacking their opponents. For instance, what happens if a minor candidate for the BNP—

that is, the British National Party—

attacks a major party candidate? The latter would be frightened of attacking the former back because he might be disqualified. These are enormous constitutional issues, which we should discuss in the House.

In the words of the Labour member for Walsall North:

... the House has always been extremely reluctant to expel anyone. I know that this is not an expulsion made by a decision of this House, but the House has refused to expel Members over the years on the basis that this is not a club, despite what some people might say, and that if someone is elected it should be for the electorate to decide.

There is therefore bound to be concern about whether a court—judges—should decide, and not the electorate. From the moment I heard of the decision, I felt some concern and anxiety that the decision about whether the electorate wanted that particular Member to serve had been taken out of their hands and given to the judges. Therefore, as the hon. Member for Gainsborough (Mr Leigh) said, the question does arise about whether in future circumstances an unsuccessful candidate will use any means to say in effect that what happened during the election was unfair, and to take the issue to the judges.

In elections, electors expect a bit of rough and tumble, colourful rhetoric and exaggeration—we are judged on whether we go overboard. It is part and parcel of politics. In a democracy, the electors rather than judges should decide what they think of attacks made by candidates on their opponents.

From the information I have, there was at least some basis for Mr Woolas’s colourful campaigning. During the British election the UK Muslim Public Affairs Committee targeted six ‘Zionist MPs’—their words—and argued for their supporters to vote for the Liberal Democrat

candidate in Oldham East and some other seats. Of course, British Muslims have a perfect right to campaign against whomsoever they like in a free society like the UK. But the UK Muslim Public Affairs Committee was described in 2006 in a carefully written British parliamentary report on antisemitism as being involved in Holocaust denial, using the word 'Zionist' to replace the word 'Jew' and promoting conspiracy theories about Jews. It seems fair, within the parameters of free speech, to describe them, as Mr Woolas did, as extremists. Moreover, if the Liberal Democrats were prepared to benefit from the MPAC targeting six seats in the recent British election then it is perfectly fair and understandable that any MP would subject his opponent to caustic criticism. That is what Mr Woolas did during the campaign. He demanded that the Lib Dems condemn some of the campaign tactics used against him. Although both sides agree that the Lib Dem candidate was silent during the attacks on Mr Woolas, there is disagreement about whether this silence was a refusal to act. I note that no similar prosecution has been successful against a member of the House of Commons for 99 years and that the previous case involved public corruption which led to riots—far more serious than the claims against Mr Woolas.

Mr Woolas's solicitor Gerald Shamash, who acts for the Labour Party, said:

In reaching this decision the court adopted an interpretation of conduct detailed in a case nearly 100 years ago when considering a 19th-century statute. Those who stand for election must be prepared to have their political conduct and motives subjected to ... scrutiny and inquiry ... This decision will inevitably chill political speech.

Even more significantly, the former Lord Chancellor Lord Falconer said:

It is bound to have ramifications, if there's no appeal, for how people conduct elections in the future. It is going to make all the political parties say, 'look, we've got to be very, very careful about that in future'.

One can expect political opportunism from the Tories and the Liberal Democrats, who instantly and greedily announced that they would try to seize Mr Woolas's seat. Worse is what many in the British Labour Party described as the gutless decision of their new leader, Ed Miliband, and deputy leader, Harriet Harman, to suspend Mr Woolas, a former immigration minister. What happened to the Labour ethos of solidarity and opposition to extremism of the far Right or the far Left or any other variety?

I conclude by reporting to the House that Mr Woolas is appealing the decision, and I wish him all success. It may be found that the original decision was a narrowly correct interpretation of the law. If that is the case I think the British should look seriously at amending the law, lest their great democracy be diminished and lest it have implications for other countries practising under the Westminster system.

The DEPUTY SPEAKER (Hon. Peter Slipper)—Before concluding proceedings, I take this opportunity to thank honourable members for their cooperation during my time as Deputy Speaker so far. I also thank the clerks, the attendants, Hansard and everyone else who contributes to making the Main Committee a success. I wish all honourable members a happy and holy Christmas, a peaceful Christmas time with family and friends and a prosperous new year.

Question agreed to.

Main Committee adjourned at 1.25 pm.

QUESTIONS IN WRITING**Climate Change and Energy Efficiency: Staffing****(Question No. 5)**

Mr Fletcher asked the Minister for Climate Change and Energy Efficiency, in writing, on 29 September 2010:

In respect of the impact on departmental staffing of the Government's announcement in April 2010 that the implementation of the Carbon Pollution Reduction Scheme would be delayed until 2013:

- (1) Prior to the announcement, what number of staff were employed in the
 - (a) Emissions Trading Division (ETD) of the department, and
 - (b) department as a whole.
- (2) How have staffing levels within the
 - (a) ETD, and
 - (b) department, changed in light of the announcement; and will staffing levels be further changed, if so, how.
- (3) How many retrenchments and redundancies
 - (a) have occurred since the announcement, and
 - (b) are anticipated to occur.
- (4) What redeployments
 - (a) have occurred since the announcement, and
 - (b) are anticipated to occur.
- (5) What is the nature of staffing changes, if any, in the context of a very significant part of the workload of the department having been reduced as a result of the announcement.

Mr Combet—The answer to the honourable member's question is as follows:

- (1) (a) As at 30 April 2010, the Emissions Trading Division (ETD) had 39 full time equivalent employees.
(b) As at 30 April 2010, the Department of Climate Change and Energy Efficiency had 1,048 employees.
 - (2) (a) From the period 27 April to 30 June 2010, ETD documented its work on the Carbon Pollution Reduction Scheme (CPRS), completed emissions-intensive trade-exposed assessments to provide eligible industries with partial exemptions under the Renewable Energy Target, and advised on non-CPRS climate change mitigation policy. At 30 June 2010, ETD ceased to exist and its mitigation policy functions were divided between two new divisions: the Climate Strategy and Markets Division and the Land Division.
(b) Employees that held a permanent ongoing position associated with the announcement of a delay of the CPRS have been placed into funded vacancies arising from the integration of the energy efficiency programs into the Department.
 - (3) No retrenchments or redundancies:
 - (a) have occurred since the announcement; and
 - (b) none are presently anticipated to occur.
 - (4) (a) All permanent Australian Public Service (APS) employees (other than three employees on long term leave) who were associated with the CPRS in the Department have been redeployed
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into funded vacancies arising from the integration of the energy efficiency programs into the Department.

- (b) The three remaining employees on long term leave will be redeployed on their return to duty.
- (5) As at the response to part (4) all permanent APS employees who were redeployed in respect of the announcement in April 2010 that the implementation of the CPRS would be delayed are now working within roles associated with the vacancies arising from the integration of the energy efficiency programs into the Department.

Climate Change and Energy Efficiency: Premises
(Question No. 6)

Mr Fletcher asked the Minister for Climate Change and Energy Efficiency, in writing, on 29 September 2010:

- (1) For each premises occupied by the department,
- (a) what is the address, and
 - (b) is it
 - (i) leased to, or
 - (ii) owned by, the Government.
- (2) In respect of each premises leased by the department,
- (a) what are the terms of lease;
 - (b) what is the sum of the annual rental payments, and
 - (c) what is
 - (i) its size in square metres, and
 - (ii) the sum of each payment per square metre.

Mr Combet—The answer to the honourable member's question is as follows:

Address	Leased/ Owned	Terms	Sum of Annual Rent Payments	Size	Sum of each payment
2 Constitution Ave, Canberra City (Levels 4, 5 and car parking)	Leased	1 January 2008 to 31 Decem- ber 2012	\$2,661,065.31	5,697m ² 60 parking bays	\$427.23/m ² office \$3,785.60/bay
2 Constitution Ave, Canberra City (Levels ground to 3 and car parking)	Leased	1 January 2008 to 31 Decem- ber 2012	\$1,878,202.79	4,205m ² 42 parking bays	\$409.03/m ² office \$3,767.42/bay
2 Constitution Ave, Canberra City (Stor- age)	Leased	1 October 2009 to 31 Decem- ber 2012	\$9,600	96m ²	\$100/m ²
2 Constitution Ave, Canberra City (Li- cenced areas)	Leased	1 February 2010 to 31 December 2012	\$10,000	N/A	N/A
20 Allara Street, Can- berra City (Level 12)	Leased	1 February 2010 to 14 June 2011	\$314,717.34	833.6m ²	\$377.54/m ²

Address	Leased/ Owned	Terms	Sum of Annual Rent Payments	Size	Sum of each payment
20 Allara Street, Canberra City (Level 13)	Leased	15 December 2009 to 14 June 2011	\$314,717.34	833.6m ²	\$377.54/m ²
20 Allara Street, Canberra City (Carparking)	Leased	4 January 2010 to 14 June 2011	\$18,500	5 parking bays	\$3,700/bay
20 Allara Street, Canberra City (Storage)	Leased	8 March 2010 to 14 June 2011	\$4,260	42.6m ²	\$100/m ²
5 Farrell Place, Canberra City	Leased	1 June 2007 to 31 May 2012	\$3,517,136.62	7,147m ² office 127m ² storage 60 parking bays	\$457.61/m ² office \$196.85/m ² storage \$3,693.30/bay
1 Farrell Place, Canberra City (Levels ground, 6 & 7)	Leased	1 December 2003 to 30 November 2011	\$547,192.00	1,392.8m ² office 1 parking bay	\$390/m ² \$4,000/bay
1 Farrell Place, Canberra City (Level 4)	Leased	1 May 2006 to 30 November 2011	\$239,772	614.8m ²	\$390/m ²
1010 La Trobe St, Docklands, Victoria	Leased	1 July to 31 December 2010	\$12,800	22m ² 1 parking bay	\$400/m ² \$4,000/bay
Secretariat of the Pacific Regional Environmental Programme Headquarters, Avelo Road, Valima, Apia, Samoa	Leased	1 March 2010 to 30 June 2011	US\$33,055.08	77.72m ²	US\$425.31/m ²

NB: rental rates reflect the position as at 29 September 2010 and do not include future rent reviews. Rent figures are exclusive of GST.

Prime Minister
(Question No. 7)

Mr Briggs asked the Prime Minister, in writing, on 30 September 2010:

- (1) What sum of money was spent upgrading security at her residence in (a) Melbourne, and (b) Canberra, after being sworn in as Prime Minister on 24 June 2010.
- (2) How many flights has she taken between Melbourne and Canberra in the VIP aircraft since 24 June 2010, and what (a) were the times and dates of each trip, and (b) was the total cost of these flights.

Ms Gillard—The answer to the honourable member's question is as follows:

- (1) Prime Ministerial personal security arrangements, including costs, are generally not disclosed for security reasons.
- (2) Special Purpose Aircraft flight details will be tabled in the Parliament by the Department of Defence in accordance with established practice.

Friable Asbestos
(Question No. 42)

Mr Fletcher asked the Minister for Health and Ageing, in writing, on 20 October 2010:

- (1) Is it a fact that in the 1980s and 1990s the government participated in and funded a scheme to identify and remediate houses in the ACT that contained friable asbestos; if so, (a) will the Minister provide information about the program, including the sum of money provided by the government and other parties, and (b) what government department(s) administered the program.
- (2) Are there currently any Government programs which would provide support, assistance or funding to home owner occupiers in NSW whose properties are contaminated with friable asbestos; if so, will the Minister provide information about the programs; if no programs exist, does the Minister have any discretionary power to provide such support, assistance or funding; if so, will the Minister provide information about this discretionary power.

Ms Roxon—The answer to the honourable member's question is as follows:

- (1) (a) The Commonwealth funded the Loose Asbestos Insulation Removal Program for the identification, sealing and removal of asbestos from ACT homes from October 1988. On self-government, responsibility for the conduct of the program was transferred to the ACT with the Commonwealth to contribute funding on the following basis:
 - The ACT pay the first \$10 million of costs;
 - The ACT and the Commonwealth share, dollar for dollar, the next \$20 million of costs; and
 - Thereafter the costs be proportionately met \$2 to \$1 by the Commonwealth and the ACT respectively.By the conclusion of the program in 1994, the Commonwealth contribution had been \$55.7 million towards this program, with \$44.1 million provided by the ACT.
- (b) Portfolio responsibility for this program rested within the then Department of Sport, the Environment, Tourism and Territories.
- (2) There are no current Australian Government programs that can provide support, assistance or funding to home owner occupiers in NSW whose properties are contaminated with friable asbestos. The Minister does not have any discretionary power to provide such support, assistance or funding.

Resources, Energy and Tourism: Tourism Division
(Question No. 52)

Mr Baldwin asked the Minister for Tourism, in writing, on 28 October 2010:

In respect of Program 4 of the Department of Resources, Energy and Tourism:

- (1) What is the total number of staff currently employed, including full time, part time and casual staff?
- (2) What salary bands are currently available, including Senior Executive Service, and what is the salary range of each level?
- (3) What sum of funding is allocated to staffing for 2010-11?
- (4) As a (a) monetary value, and (b) percentage, what proportion of Program Support funding is allocated to the implementation of the National Long Term Tourism Strategy for (i) 2010-11, (ii) 2011-12, (iii) 2012-13, and (iv) 2013-14?

Mr Martin Ferguson—The answer to the honourable member's question is as follows:

- (1) As at November 2010, Tourism Division (including Tourism Research Australia) employed 65 staff.
- (2) Tourism Division employs staff ranging from APS2 to SES Band 2. Salary ranges for these classifications are outlined below.

APS2	\$43,580 - \$48,527
APS3	\$49,636 - \$53,833
APS4	\$55,321 - \$60,209
APS5	\$61,703 - \$65,431
APS6	\$66,645 - \$76,865
EL1	\$84,863 - \$93,243
EL2	\$98,053 - \$117,677

As published in the Department of Resources, Energy and Tourism Enterprise Agreement 2009-2011.

SES Band 1	\$175,520 - \$225,990
SES Band 2	\$219,025 - \$268,990

As published in the Department of Resources, Energy and Tourism Annual Report for 2009-10. Figures include salary, superannuation and vehicle allowance.

- (3) \$7.17 m has been allocated for Tourism Division staff salaries and training in 2010-11.
- (4) Tourism Division does not allocate internally in a formal budgetary manner how much time is done in kind by its officers for each of the various activities it undertakes, so program support costs related to implementation of the Strategy would be difficult to quantify. Consistent with broader Australian Public Service practice, the Tourism Division's operating budget is applied flexibly to meet ongoing and emerging priorities.

Tourism Research Australia

(Question No. 53)

Mr Baldwin asked the Minister for Tourism, in writing, on 28 October 2010:

In respect of Tourism Research Australia:

- (1) What is the total operating budget for (a) 2009-10, (b) 2010-11, (c) 2011-12, (d) 2012-13, and (e) 2013-14?
- (2) Of this total budget and for the same period, what sum is the contribution from (a) the Commonwealth, (b) the State Tourism Organisations, and (c) other external revenue?
- (3) What is the total number of staff currently employed, including full time, part time and casual staff?
- (4) What salary bands are currently available, including Senior Executive Service, and what is the salary range of each level?
- (5) What sum of funding is allocated to staffing for 2010-11?

Mr Martin Ferguson—The answer to the honourable member's question is as follows:

- (1) (a) TRA Operating Budget 2009-10 - \$8.48 m. (b) TRA Operating Budget 2010-11 - \$8.55 m. (c-e) TRA operating budgets beyond 2010-11 have not been determined. While there is ongoing budget appropriation for TRA, the amount of revenue that TRA will receive from the States and Territories beyond 2010-11 is yet to be agreed.
- (2) (a) to (c) A breakdown of TRA operating budgets for 2009-10 and 2010-11 is provided below.

2009-10	
Commonwealth Appropriation	\$5.89 m
States and Territories	\$2.49 m
Other External Revenue	\$0.10m
Total	\$8.48 m
2010-11	
Commonwealth Appropriation	\$5.55 m
States and Territories	\$2.80 m
Other External Revenue (includes contributions from Tourism Australia for TRA surveys)	\$0.20m
Total	\$8.55 m

- (3) At November 2010, TRA employed 17 staff.
- (4) TRA currently employs staff ranging from APS4 to SES Band 1. Salary ranges for these classifications are outlined below.

APS4	\$55,321 - \$60,209
APS5	\$61,703 - \$65,431
APS6	\$66,645 - \$76,865
EL1	\$84,863 - \$93,243
EL2	\$98,053 - \$117,677

As published in the Department of Resources, Energy and Tourism Enterprise Agreement 2009-2011.

SES Band 1	\$175,520 - \$225,990
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As published in the Department of Resources, Energy and Tourism Annual Report for 2009-10. Figures include salary, superannuation and vehicle allowance.

- (5) \$2.17 m has been allocated for TRA staff salaries and training in 2010-11.

TQUAL Grants Program

(Question No. 56)

Mr Baldwin asked the Minister for Tourism, in writing, on 28 October 2010:

In respect of the additional \$40 million allocated to the TQUAL Grants program as part of the Government's election commitments:

- (1) What sum of this additional amount will be; (a) allocated to: (i) 2010-11; (ii) 2011-12; (iii) 2012-13; (iv) 2013-14 (b) outside the forward estimates.
- (2) How many funding rounds will be conducted with this additional money.
- (3) Has any of this additional funding been allocated to meet specific elections commitments; if so, what amount, to what projects, and in which electorate(s); if not, will the entire amount be distributed, on application, by the department.
- (4) What proportion of this additional funding will be used for: (a) grants (b) administration and advertising, and (c) other expenses.

Mr Martin Ferguson—The answer to the honourable member's question is as follows:

- (1) (a) (i) 2010-11 = zero, (ii) 2011-12 = \$10mil, (iii) 2012-13 = \$10mil, (iv) 2013-14 = \$10mil, 1 (b) \$10mil for 2014-15

- (2) The design of the program, including the number of funding rounds over the next four years, is yet to be finalised.
- (3) No funds have been allocated to specific election commitments. The design of the program over the next four years is yet to be finalised.
- (4) An amount of \$400,000 will be allocated each year for program management costs including administration, advertising and other expenses.

Tourism Australia: Staffing

(Question No. 58)

Mr Baldwin asked the Minister for Tourism, in writing, on 28 October 2010:

In respect of Tourism Australia:

- (1) What is the total number of staff currently employed, including full time, part time and casual staff.
- (2) What salary bands are currently available, including Senior Executive Service, and what is the salary range of each level.
- (3) What sum of funding is allocated to staffing for 2010-11.
- (4) What number of corporate cost saving initiatives was implemented in (a) 2009-10, (b) 2010-11, what sum of money did/will each initiative save; what is the total combined sum of these cost savings initiatives; and is each cost saving initiative temporary or ongoing.
- (5) What corporate cost savings initiatives were identified but were not, and will not be, implemented in (a) 2009-10, and (b) 2010-11, respectively.

Mr Martin Ferguson—The answer to the honourable member's question is as follows:

- (1) As at 31 October 2010, Tourism Australia employed 224 staff. Of these, 17 staff are part-time employees. Tourism Australia does not employ any casual staff.
- (2) Tourism Australia uses a common banding structure based on Hay job evaluation points. The salary ranges assigned to each Band varies depending on the country in which the employee is based. Tourism Australia operates in 14 countries, so it hence has 14 different salary structures.
- (3) \$25.4 million.
- (4) Cost management within TA is ongoing to ensure most efficient and effective allocation of resources to marketing programs.
- (5) Nil.