



COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON PETITIONS

Selected petitions from Sydney presented up to 26 March 2015

(Public)

WEDNESDAY, 29 APRIL 2015

SYDNEY

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HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON PETITIONS

Wednesday, 29 April 2015

Members in attendance: Mr Broadbent, Mr Buchholz, Dr Jensen.

To inquire on:

Selected petitions from Sydney presented up to 26 March 2015

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CHAIR (Dr Jensen): Good afternoon everyone. Petitions are an important avenue by which Australia can have a matter raised in the House of Representatives. The committee takes its public outreach role very seriously to promote this important means of engagement with the House. One of my favourite parts of community engagement is visiting schools and talking to students about parliament and the work we do. Earlier today we visited Hornsby Girls High School to discuss a petition on tertiary education reforms with Miss Olivia Kong followed by a discussion session with some of the year 11 students at the school. That was a wonderful meeting, and we were very impressed with the students we spoke to and seeing their engagement with and passion for Australia's democratic system. It was very heartening to receive so many insightful questions and comments from both Olivia and her fellow students, and the committee looks forward to conducting more such school visits in the future. I would like to thank Olivia and the other year 11 students as well as Dr Justin Briggs, the Principal of Hornsby Girls High School, for hosting us and for a very interesting discussion on citizens' engagement with the House of Representatives.

In this afternoon's session we will be hearing from witnesses about a range of petitions, and I welcome all witnesses and members of the public to the Petitions Committee here today. Under the rules of the House of Representatives the Petitions Committee is required to consider if petitions comply with the requirements for petitioning the House. If so, the petition may then be presented to the House, and the committee may further refer it to a relevant government minister for a response. The committee may also hold public hearings into petitions, allowing both principal petitioners and government agencies to further consider the concerns raised in petitions and the response made. I remind participants and interested parties that, in undertaking hearings on a petition, the committee is not endorsing or advocating the contents of a give petition, nor are we able to grant the requests made in petitions. It is not the committee's practice to make any recommendations based on hearings of this kind. These hearings are an opportunity for participants to cover in more detail the issues raised in petitions, which as we know are restricted to 250 words, and for the committee to hear about people's experiences of engaging with the House of Representatives petitions process.

Today we will begin by talking with Mr Tony Dagger about his electronic petition on Australian Defence Force pay. I remind you that, although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of parliament and therefore has the same standing as proceedings of the chambers themselves. The evidence given today will be recorded in *Hansard* and will attract parliamentary privilege. Will you please state the capacity in which you appear before the committee.

Mr Dagger: I was the originator of a Change.org petition to encourage the government to make an improved offer for ADF pay.

CHAIR: You may make a brief opening statement, or we can go straight to questions.

Mr Dagger: I have three or four minutes if that is okay.

CHAIR: Absolutely.

Mr Dagger: Around the middle of October last year I was waiting on a delayed flight at Sydney Airport. I was sitting in the departure lounge and I was browsing online *The Sydney Morning Herald*. I was reading an article about the government and the senior ADF staff and their recommendations to the Defence Force Remuneration Tribunal that 57,000 serving members of the ADF should receive a pay rise of 1.5 per cent per year for the next three years. As I read over the article I started to form the opinion in my mind that this offer was not appropriate. It was below inflation and CPI. The ADF are the people we ask to put themselves in harm's way to protect us, and it was in my mind and view an immoral offer for everything that we ask of our ADF. I knew that the ADF could not make collective comments or protests about such things as pay and conditions. They have to rely on the government and senior staff to represent as well as do the right thing by them and, again, it appears to me that they have not been fairly represented.

I have always had a passing interest in things military and I recalled reading somewhere a quote from an Australian prime minister way back in the early 1900s. I did a quick search and I found the words of Prime Minister Billy Hughes, who in 1917 said:

We say to them, 'You go and fight and when you come back we will look after your welfare' ... we have entered into a bargain with the soldier, and we must keep it!

As I read that, it occurred to me that this was a commitment by our government, and it seemed to me that the bargain was not being kept. It reinforced in my mind that something had to be done to support our ADF. But what can I do? I am just one parent of a very new member of the ADF. My son joined the Royal Australian Air Force

in June 2014. I have always told my children that, if they believe in something passionately, they are to go for it and not to be dissuaded by the challenge or the hurdles and hoops you may have to jump over or go through, to be honourable and honest and, if you believe it is right, never give up. But, again, what could I do?

As I sat in the departure lounge of Sydney Airport I recalled having been invited to sign some Change.org petitions, so I went to Change.org and looked up how to create a petition and started to create one. It took me 45 minutes sitting in the lounge to create the petition. Just before I boarded my plane I sent the link to all eight of my Facebook friends and about half a dozen or so people I thought would be willing to sign by sending them a direct email. When I disembarked in Brisbane some 90 minutes later, as I turned on my mobile phone, it brought up an email saying I had 250 supporters for the petition. By the time I got home that night, back in Sydney, there were 1,100 signatories. The following Monday, it clicked off 3,000. And on the Friday of that week at 3 pm—if I can remember that time—I got an email telling me that we had hit 10,000 signatures on the petition.

Over the next couple of weeks or so, we steadily grew to have just over 25,000 electronic signatures by late November. Then, on the Tuesday of the last week of November, we obviously hit a nerve in a cohort somewhere out there in the community that this issue was important to. In one day, we added over 20,000 signatures to the petition. It was massive, and suddenly we were approaching 50,000 signatures. With this sort of growth, the media became interested, and we had articles written in national newspapers and reports on TV about the petition. The petition was subsequently raised in speeches in both houses of the federal parliament.

On 1 December last year, I attended Canberra and presented hard copies of the petition to members of the federal parliament from both the House of Representatives and the Senate. At that time, there were a shade over 60,000 signatures. Subsequently on that day, the petition was tabled in question time by the Leader of the Opposition and was accepted by the government. In early March of this year, the government announced an improved pay offer, above the current inflation rate, for the ADF. At the time of that announcement, we had over 65½ thousand signatures.

The success of this petition was, I believe, not only that it was an honourable issue and that it meant a lot to a significant number of the population but also that it was able to reach out across state as well as international borders 24/7. It did not require volunteers to stand outside shopping malls or libraries asking people to sign, week after week. I did not have to worry about the 10-second word-grab time most people will give when approached to sign a petition. By being online, I was able to explain clearly what the issue was and what the final objective was, and people could read it at their pace and leisure. They could read all the updates made prior to signing, so they had a far better informed position. Every signature generated an email to the responsible government ministers, which is always good.

As I said, I was able to send out regular updates to the signatories to keep them informed as to how many total signatures we had, any recent developments and any recent publicity. I could encourage them to circulate the petition amongst their social circles. This meant we could maintain momentum. By engaging and updating people on the above, we had a more informed group of people who had signed, as well as whoever was considering signing. It is my belief that being more informed provides for a better decision-making process, as well as making the decision on whether or not to sign clearer and easier. Being able to get to a wider and broader representation on issues of the day can only make for a better, more accountable government. Electronic petitions will become the norm in the 21st century, of this I have no doubt, and governments must find ways to embrace this technology. Thank you.

CHAIR: Thank you very much for your evidence today. Did you at any stage think about going through a formal process in terms of the petition? As you know, your petition was ruled out of order under the standing orders of the House. Did you think about getting in touch with the committee to find out about a formal petition that would be found to be in order?

Mr Dagger: To be honest, no. When it was explained to me that through the standing orders of the committee it was not able to be accepted currently in its present form as electronic, it was like: 'Damn! What can I do then?' But I still believe that, even though it could not be accepted, it still was there. You could not take it away. It still existed. I am hopeful that it did have some influence in the activities of the—

CHAIR: I have no doubt that it would have had some impact, certainly. You have certainly laid out the benefits of having an electronic petitioning system. Let me ask you a question from the other side though. Does it concern you at all that, when something is as easy as pressing a button, rather than thinking about the issue, maybe there are a whole lot of people who really did not think about it much but just hit that button?

Mr Dagger: I do not think it is quite as easy—and certainly on this petition it was not as easy—as just hitting a button and saying, 'Yes, righto.' You had to put in your email address. You had to put in your postal code. So

there was a little bit of effort, and I do not think that is too different from when you go to a manual petition. You sign your name, and you put your address and your postcode in. So I do not believe there was that much difference. I think the ease was that it is a lot easier because it is a lot more convenient. If it is more convenient then I think you are going to get a greater range of people coming through. I do not think the ease is necessarily a negative for that.

CHAIR: Certainly I can see pros and cons to electronic petitioning. What was your first step as far as the committee itself was concerned? You gained your electronic petitions, then what process did you follow?

Mr Dagger: As the petition grew, I was contacted by several of the Defence Force support organisations—ADSO, ADWA; I cannot remember all the acronyms, but several of those organisations got in contact with me and were giving me some guidance and some thoughts about how we could get the petition out to a broader audience. They gave me certain insights. They were aware. I think it was a gentleman by the name of Ted Chitham—from the ADWA, I think it is—who said, 'You know this can't be given, because it's an electronic petition, under standing orders?' so he was already aware of that. I guess I leveraged off those organisations. Again, I am just one person. I had great support from those organisations, but ultimately I am just one person. This became not all consuming but a considerably consuming thing for me. To have gone and started to get involved—I did not know what I was going to gain by—

CHAIR: There is no implied criticism here at all.

Mr Dagger: No, I can understand that.

CHAIR: Basically, the way I see it, the thing snowballed to an extent—

Mr Dagger: Yes.

CHAIR: that you had not foreseen. You were annoyed by the issue and then very quickly did a petition, and the thing snowballed beyond any of your wildest expectations. Would you have done things differently, knowing what you know now?

Mr Dagger: Yes, I would probably have engaged with those Defence Force support organisations a lot earlier, maybe not prior but a lot earlier, once the petition had gone, and got in touch with those guys. There were a lot of government procedural things that I just was not aware of but those organisations were aware of because they are representing the Defence Force into government. That may have changed some aspects of what we did, but I do not believe it made any significant difference.

CHAIR: If you had it to do again, would you contact the Petitions Committee before?

Mr Dagger: Probably now. I did not even know, in all honesty, that there was a Petitions Committee.

CHAIR: I understand that.

Mr Dagger: Probably, now that I do, yes, you are right. It would be to make contact and find out a bit more. As I say, the only thing I was told was, 'Hey, it's electronic; it's got no feet,' but that did not stop us: 'Let's do it.'

Mr BROADBENT: Just on that same subject—and congratulations on your work—knowing that electronic petitioning is not law in this country yet, do you think it is a good idea, and, had you known that, would you have sent petition forms out electronically for people to print and have signed and sent back to you?

Mr Dagger: I will answer the second question first. I work in IT, and sending out forms and getting people to sign and then scan them or send them back as hard copy to me would never be an option. That was not what this was about. This was about reaching out through electronic means, social media—be it Facebook, be it Twitter, be it emails, be it social circles, be it community engagements; that type of thing—because that to me, from what I see through working in the IT industry, is how to get information extremely quickly spread. It was viral. We saw this go viral. I do not think we would have done that if we had said: 'Here's a form. Print this form out, sign it and either scan it and send it back or put it in an envelope and send it.' Then, I did not even consider that, and even now I do not think that would be an appropriate—

Mr BROADBENT: On that, then: it has been put to me that, with regard to electronic petitioning, some people just see it, say, 'Oh, yes, that's nice,' and press the button, 'I don't have to deal with the issue; now I've done my bit.' How genuine do you feel the 64,000 people were?

Mr Dagger: When the petition finished, there were just over 65½ thousand signatures. We had over 40,000 comments, where people had gone in and written a comment. I can honestly say that, of those 40,000 comments, less than a handful were negative. People had taken the time to put comments in about why they supported this. Whether you can consider 65½ thousand successful or you can say, 'Well, really there were maybe 20,000 people who just went, "Yes, I'll put my email address in; it looks good,"' there were 40,000 people who took the time to write. They were not always just 'good onya' types of comments. There was a lot of reasoning about why they

were supporting it—their background. I cannot say. It is impossible for me to say if every one of those was genuine support.

Mr BROADBENT: Did you read the 60,000 comments?

Mr Dagger: We printed them off. I printed off the 40,000 comments, and we tabled that as one of the documents that we gave to the federal parliament. I did not read every one of them. I did scan them. It was a 2½-inch, double-sided printed binder of comments. I scanned through it, but I did not read every one. I would still be reading it, probably, by now.

Mr BUCHHOLZ: Mr Dagger, congratulations on the way you have gone about the process. You can put your head on your pillow tonight knowing, I think, that you did play a part in getting that outcome. We do not have a mechanism to receive electronic signatures, so I just want to ask you a series of questions to help understand the psyche. How do you, as a member who has just prepared a petition, get your media? Is it through newsprint, the news? How do you stay informed? If you were other than electronic, what percentage of means comes from other mechanisms rather than social media?

Mr Dagger: My iPad is my life. I read every day. I subscribe to different news media, be it the print—

Mr BUCHHOLZ: Print through electronic formats?

Mr Dagger: Yes. I go through the papers, be it *The Telegraph*, *The Age* or *The Financial Review*. I subscribe to the ABC. I subscribe to the BBC and so on. That is how I keep in touch. I read through that because I can flick through really quickly. I will look at the newspapers; there is no argument. We have them in the office at work, hard-copy newspapers, and I will maybe scan them when I am waiting for a coffee or something, just flick a page over, but that is not the normal thing. My normal thing is through the iPad generally or my phone if I am looking at that.

Mr BUCHHOLZ: Have you ever previously prepared a petition?

Mr Dagger: No.

Mr BUCHHOLZ: This is the first one?

Mr Dagger: This is the first one.

Mr BUCHHOLZ: We have received petitions at this committee sometimes, occasionally, with in excess of a million signatures. Once it was 1.2 and then another one at 800 thousand. But know that it was a buoyant effort. Well done. Have you ever signed a petition for a cause—

Mr Dagger: Hard signed?

Mr BUCHHOLZ: yes—

Mr Dagger: Yes.

Mr BUCHHOLZ: or given support to a petition?

Mr Dagger: Yes. I have done it both electronically and in hard copy at the shopping mall.

Mr BUCHHOLZ: Do you recall what the outcomes were? Do you believe that petitions are an effective means of communicating with government on behalf of community?

Mr Dagger: I suspect that there is a mixed bag of outcomes. The one that I did sign—I live in Epping—was regarding the Hornsby pit, the massive hole to the west of Hornsby. The petition there was to get the state government to do something about it. In the last six weeks there has been an announcement that the state government are going to do something about that and fill that massive hole in. Is that a result of the petition? You would have to ask the state politicians about how much it influenced them. I am not privy to that. There are other ones that I have signed, certainly, in terms of schools and local issues—telephony towers and things like that.

Mr BUCHHOLZ: More recently, in the federal parliament there have been a series of reviews on how we can be more effective across a wide range of committees. I believe the minutes will show that there has been discussion about electronic petitions into the future. It is currently under investigation and, hopefully, one day we might get to that space.

Mr Dagger: I understand this is a process, and hopefully that will be the outcome. But as I say, the 21st century is going to be an electronic communications century; it is not going to be for hard copy communications.

Mr BUCHHOLZ: Thank you for your evidence this morning.

Mr Dagger: No worries. Thank you very much.

CHAIR: Thank you very much for your participation today. If the committee has further questions for you, the secretariat will contact you.

Mr Dagger: No worries. Thank you for the opportunity to participate. I appreciate it. Thank you.

CHAIR: Thank you.

ADAMS, Ms Robin Eleanor, Minister for Cultural Heritage and Community Services, Legislative Assembly of Norfolk Island

[13:57]

Norfolk Island

CHAIR: I remind you, as I do with all witnesses, that although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of parliament and therefore has the same standing as proceedings of the chambers themselves. The evidence given today will be recorded by Hansard and will attract parliamentary privilege.

Ms Adams: Thank you for your kind invitation to appear.

CHAIR: You may make a brief opening statement or we can go straight to questions.

Ms Adams: Thank you, Dr Jensen. I had understood I could perhaps speak for 10 to 15 minutes.

CHAIR: About 10 minutes would be good.

Ms Adams: Cut me off if I say too much! In order to understand why the Norfolk Island community petitioned the Australian parliament, one needs to look at the historical time line of key events that led up to the petition and key events that followed from the petition. I have provided, through your inquiry secretary, a compendium for each one of you which gives you lead-up detail and following-on detail from the petition. First of all, could I give you a very brief background for self-government on Norfolk Island.

Norfolk Island has, from 1979 to 2010, successfully funded and been responsible for administering three tiers of government—federal, state and local. This arrangement commenced with the enactment of the Norfolk Island Act of 1979. This self-governing arrangement was established as the most appropriate form of governance for the island following consideration of the 1976 Nimmo royal commission into Norfolk Island. There were many reasons for the establishment of Norfolk Island's unique governance arrangements, and those reasons are as valid today as they were in the 1970s. That the island today has economic issues does not in any way justify abolition of the Norfolk Island democratic and political structure. The island has great potential, in traditional areas of tourism, in harnessing its natural resources and in growing its economic activity.

In 2010, in return for short-term financial assistance, a memorandum of understanding was entered into between the Commonwealth of Australia and the Norfolk Island government, in which Norfolk Island agreed in broad terms to enter into the Australian taxation and social welfare system, provided there was a net benefit from Norfolk Island and taking into account local circumstances. Something which has seemed to have got lost in the mix, as we have tracked along from 25 November 2010 to the present day, is that it was Norfolk Island that had entered into a memorandum of understanding with the Commonwealth of Australia to come into the taxation and social welfare system.

In 2011, both of our governments, the Commonwealth and Norfolk Island governments, signed what we today call the road map for reform. That was signed on 2 March 2011. Under the road map for reform, Norfolk Island, in good faith, agreed that it would undertake certain actions such as opening up immigration and improving transparency and accountability. We fulfilled those obligations. The Commonwealth, in turn, was required under the road map that we signed together, in exchange for Norfolk Island's participation in the tax and social welfare system, to relieve the island of cost burdens in the areas they cover in the wider Australian system. These reforms were promoted as being to strengthen self-government. I reinforce here that, by Norfolk Island having responsibility for federal, state and local government, we, for the last 36 years up to the present day, have funded Commonwealth responsibilities totally in Norfolk Island. We have been totally funding health and totally funding education—federal, state and local responsibilities. Of course, when the global financial crisis occurred in 2008, Norfolk Island at that time was running its own airline and got hit harder than many other places around Australia. We limped along. What happened was that we were getting 35,000 to 40,000 visitors a year and, because of the global financial crisis and what happened with the Australian dollar, we dropped down to 22,000 visitors. It was unsustainable at that point in time, at the same time as we were running an airline. So we limped along, but come 2010 we could no longer limp without coming to Australia and saying, 'We need some assistance.' We hoped that it would just be short-term assistance, and we signed the memorandum of understanding to come into the Australian taxation and social welfare system.

It has to be recognised that the Commonwealth's failure to deliver on significant aspects of the reform process, as outlined in the 2011 road map, which I have here if you are interested in looking at it, has been a major contributor to the uncertainty in the island, uncertainty that has translated into real dollar impacts for every business and every person living on this island and for the Norfolk Island administration's finances. These

financial impacts have not only had a severe effect on the lives of real people, the Norfolk Island community; they have also affected island revenue-raising capacity and the capacity to deliver services. I reinforce: we agreed on 25 November 2010 to come into the taxation system—and where are we today? We are still not there, and we are not in the social welfare system, as we agreed nearly five years ago.

It needs to be acknowledged that the Norfolk Island government have been trying continuously, without success, since 2011, to have dialogue with the Commonwealth government of Australia on our preferred model of territory self-governance. I will briefly explain what that means. It means that we would hand back to the Commonwealth their federal responsibilities. We would come into the taxation and social welfare system. At the time, the resolution of the parliament, in 2011, which was reinforced in 2013, was to come into the Australian GST system, which would then allow us to have the same equalisation and transfer payments as the rest of the states and territories. We saw that that was a feasible way forward so that, instead of us fully funding education and fully funding health, we would have the co-funding arrangements that the other states and territories have with the Commonwealth of Australia, and we would be able to manage. However, we could never get the Commonwealth to the negotiation table on the preferred model of territory self-governance.

So what galvanised the community to initiate the petition to the federal parliament? The Chief Minister, on 8 October last year in Adelaide, met with Assistant Minister Briggs in an attempt to dialogue with the Australian government to bring some certainty onto the table as to what the Commonwealth's intentions were around Norfolk Island's preferred model of territory self-governance, which had been on hold for 4½ years. We were trying to get certainty for our community. I invite you, when you have time, to look at attachment A in the compendium, which lays out for you quite clearly the model of governance we were proposing, had been proposing and continue to propose to the Commonwealth at this time. Regrettably, Minister Briggs indicated that a cabinet paper was with the Prime Minister is a prelude to a full cabinet decision which would not include the Norfolk Island model of governance which we had had on the table sent 2011 awaiting dialogue with the Commonwealth. Minister Briggs made it quite clear to the Chief Minister that the Australian government intended to remove the current Norfolk Island self-governance model and to take away the voting rights of Norfolk Islanders in that process. The government responded as follows, 'A matter of public importance having been raised as a consequence of the Adelaide meeting, the legislative assembly met one week later after the Adelaide meeting on 15 October 2014 and resolved that the Speaker of the Legislative Assembly of Norfolk Island convey a motion and a statement of the matter of public importance to the honourable Speaker of the House of Representatives in Canberra requesting that the honourable Speaker bring it to the attention of members of the House of Representatives.' And you will see attachment D within the compendium. But more importantly was the momentous significance as to how the community responded. It responded by initiating the petition we are discussing today, a petition which attracted in excess of 800 signatures of residents and descendants of the original settlers of Pitcairn Island in less than seven days.

This is a testament to just how important this important issue is to the Norfolk Island community and how they went about doing that. It was done in consultation with the government to make sure that it met the Petitions Committee's terms of reference and guidelines for putting petitions before the House of Representatives and the Senate. The local community and the Council of Elders manned a table in what is our big supermarket area from morning until dusk. It was on the radio and people just came in and signed. They knew exactly what they were signing because it was on the radio and on local social media. So it was just a matter of, 'Where do I sign?'

CHAIR: You have about two minutes.

Ms Adams: In that case, instead of continuing, I will stay with—I was going to talk about the JSC and its report and how that further galvanised the community but if that is all the time I have left, I will shift across to an initiative of the Commonwealth Parliamentary Association, the management committee of the Australian region with. In response to a media release which I, as vice president of the Commonwealth Parliamentary Association Norfolk Island Branch, with the agreement of the executive of the Norfolk Island branch, sent a media release throughout every branch of the Commonwealth Parliamentary Association in the Commonwealth of Nations. As a response, the United Kingdom branch came back to the Australian region management committee and said, 'What is Australia's response?' Australia's response was that an extraordinary general meeting was held in Adelaide on 10 April and the Speaker, as branch president, and me, as author of the media release which galvanised this meeting of all states and territories, came together in Melbourne at the parliament on 10 April. Out of that meeting came this resolution from the Australian Region Management Committee under the hand of Michelle O'Byrne MP, chair of the management committee. It is addressed to the Hon. Jamie Briggs MP, Assistant Minister for Infrastructure and Regional Development, Parliament House, Canberra, ACT, and I will read it into *Hansard*:

Dear Minister

At a meeting of the Australian Region Management Committee of the Commonwealth Parliamentary Association held in Melbourne on Friday 10 April 2015, it was resolved that I write to you concerning the Commonwealth government's proposal to abolish the Norfolk Island Legislative Assembly.

The resolution agreed to was in the following terms:

'that the Australian region of the CPA:

(1) notes that on 1 December 2014 a petition was presented in the House of Representatives, *Votes and Proceedings* No. 88, page 1021, signed by 834 citizens asking that before any voting on any bill to change governance arrangements for Norfolk Island that the residents of Norfolk Island have the right to be provided with the facts and consulted at referendum or plebiscite and have a democratic on the future model of governance for Norfolk Island before any proposed changes are voted on by the House, and on 18 November 2014 a petition was presented to the Senate, *Journals of the Senate* No. 65, page 1784, from 830 petitioners requesting that the Senate not vote on any bill to change governance arrangements for Norfolk Island prior to consultation with and the consent of the residents of Norfolk Island;

(2) notes that on 18 March 2015 the Norfolk Island Legislative Assembly resolved that a referendum of Norfolk Island residents be undertaken on the following question: should the people of Norfolk Island have the right to freely determine their political status, their economic, social and cultural development and be consulted at referendum or plebiscite on the future model of governance for Norfolk Island before such changes are acted on by the Australian parliament? YES NO;

(3) notes that a referendum will be conducted on 8 May 2015—

That is Friday of next week—

with that question being put to the residents of Norfolk Island; and

(4) calls on the Assistant Minister for Infrastructure and Regional Development not to proceed with the legislation currently before the House of Representatives dealing with this matter until:

(a) the result of the referendum to be conducted on 8 May 2015 is known; and

(b) further consultation with the people of Norfolk Island on the proposed governance models for Norfolk Island has been undertaken by the Commonwealth.'

The committee will know that Minister Briggs has responded to the petition tabled in the House and said that he is not prepared to conduct a referendum and, regrettably, last Monday, two days ago, before I flew over, the Administrator, on the radio, said to the Norfolk Island community: 'The referendum is a waste of time and money.' One has to ask: where is democracy?

CHAIR: Thank you very much, Ms Adams. As you are probably aware, it is not the committee's position to adjudicate on issues that are petitioned. Basically, our job is to ensure that petitions comply with the standing orders and make sure that due process with those petitions is followed. As such, the questions that I will have to ask, at least, will not pertain to the specifics of the petition but to the petitioning process itself. The first question I will ask is: how did you go about this? What sort of correspondence did you enter into with the Petitions Committee? You described some of what went to make sure that the petition was in order.

Ms Adams: Our Chief of Staff, David Price, certainly made inquiries through the parliamentary process to ensure that the procedure that was followed was correct.

CHAIR: You mentioned some of the processes that you went through to start collecting signatures. Could you give a little bit more detail of that?

Ms Adams: Norfolk Island is very small and Chinese whispers move very quickly from one end of the island to the other, so it was very quick that the community was aware there was a petition happening and that it stood that Norfolk Island was not going to be consulted on the model of governance going forward and they were demanding that they wanted to be consulted at referendum. So a table was put into the supermarket area, there was a big board up that explained what the question was and the time line within which they had to sign the petition. The Speaker and the Chief Minister were travelling to the island—I think it was on 20 October—for the Speaker to present the matter of public importance to the Speaker of the House of Representatives, and so that opportunity was to be taken to, at the same time, present the petition to you and to the Senate, which gave less than seven days for the community to respond.

CHAIR: Once you were set up in the shopping centre, how did you go about getting signatures? You set up the table?

Ms Adams: Yes. Word of mouth and on the local radio. Continuously on the local radio, people were told.

CHAIR: In the shopping centre itself, did you wait for people just to approach and sign the petition?

Ms Adams: Yes. There was no coercion. It was very much spontaneous. It turned out that a number of schoolchildren had signed, and so the opportunity was taken to ring the parents of every one of those children,

because in a small community we know one another. So we rang the parents to say, 'Your son or daughter has signed the petition; what is your feeling about this?' Some said they were very happy for their children to do so—we are talking about the senior children, years 10, 11 and 12 students. Others were not happy, and so you would have seen on the petition the names with lines through them. Those names were removed.

CHAIR: There were two emails that were sent to the secretariat that suggest that there was some coercion, if you will. They make allegations, which you have addressed in part, that a large number of children were scared into signing the petition. This is just what the email says; I am not making it a personal issue. This is an issue of process rather than the petition itself. This email also says: 'Many people, young and elderly, I spoke to have said they were pressured and coerced into signing, especially if you wanted to be regarded as 'one of them', as in an islander. The pressure they exerted on everyone to sign, including sideways looks glaring at you if you did not sign, you were singled out as dissenter. In the end, you either avoided going to the mall or went in through the back entrance.' There is another email that basically makes similar allegations.

Ms Adams: I understand that.

CHAIR: I would like your response to that.

Ms Adams: We went to great pains of instructing the people, because it was all volunteers manning it—in particular, the Council of Elders; they took responsibility for assisting with putting people on. Certainly they were told that there was to be absolutely no coercion; it had to be a free and open process. I was aware of it, and that is one of the reasons we dealt with the schoolchildren in the way that we did. I cannot speak for any of the others. In a small community, people take sides for and against. I am not going to say any more about that. I understand exactly what you are saying, but I can assure you that, to the best of my knowledge, there was no coercion of people.

CHAIR: To the best of my knowledge—and the secretariat can inform me if I am wrong—have we had any other correspondence about petitions like this before, where there have been intimations of coercion?

Secretary interjecting—

CHAIR: Not recently?

Ms Adams: That was one of the reasons as well the decision was taken by the parliament to put a motion through that there be a referendum.

CHAIR: As there are no further questions, we thank you very much for your attendance today. If the committee has further questions for you, the secretariat will contact you.

Ms Adams: Thank you very much.

Mr BUCHHOLZ: We acknowledge the travel you have put in to get here.

Ms Adams: Thank you. That is how important it is to Norfolk Island.

CAMERON, Mrs Tanya Maree, State President, Country Women's Association of New South Wales

[14:20]

Energy Drinks

CHAIR: I now invite Mrs Tanya Cameron to discuss her petition on the sale of energy drinks to children under 18. I remind you, as I do with all witnesses, that although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of parliament and therefore has the same standing as proceedings of the chambers themselves. The evidence given today will be recorded by Hansard and will attract parliamentary privilege. You may make a brief opening statement, or we can go straight to questions.

Mrs Cameron: I have a brief statement to make. Firstly, thank you for the invitation to appear today and the opportunity to give evidence on the petition regarding a ban on the sale of energy drinks to minors.

In 2013, members of the Country Women's Association recognised the serious effect that caffeinated energy drinks were having on young people and, in response, brought this issue forward to develop a policy stance. Originally there were two related resolutions accepted on the consumption of these drinks, the second being the practice of mixing them with alcohol. The state executive committee eventually decided that banning the sale to children under 18 would be a more realistic use of our limited resources and that public assistance was required to add weight to our campaign, hence the raising of our petition and the collection of more than 13,600 signatures from people across the state by our membership, which numbers just under 10,000.

As mothers, grandmothers, sisters and aunts, friends and neighbours, our members had all either seen firsthand or heard of the effects that too many caffeinated, sweet and easily accessible drinks were having on our children. We based our decision on information available at the time, which included product labelling that showed high levels of caffeine mixed with ingredients like taurine, guarana, one I cannot pronounce and ginseng. These elevate the heart rate and blood pressure and disrupt sleep. To children this is dangerous, especially when these beverages can be purchased practically anywhere with no limit as to how many can be bought at one time. The average drink contains 160 micrograms to 300 micrograms of caffeine per 500 millilitres served, whereas as coffee has 82 micrograms to 160 micrograms and tea has 40 micrograms to 120 micrograms for an equivalent quantity. The higher rate of caffeine found in most energy drinks can cause insomnia, headache, rapid heart rate, nervousness, hypertension, anxiety and diarrhoea, not to mention developing a dependence on caffeine.

The Australian Medical Association has supported the proposal, saying that the increase in the number of incidents of caffeine toxicity from energy drink consumption among adolescents is alarming. The previous president of the Australian Medical Association was quoted in our press release at the time of lodging the petition. He said:

We are very concerned about the number of teenagers being adversely affected by energy drinks ... The dangers of over-consumption are significant ...

He added:

... I think many parents and teenagers are unaware of the risks.

Further research told us that: studies have shown that young teenagers who frequently consume these drinks on their way to school are more disruptive in class, have poor concentration and some have been admitted to hospital suffering heart palpitations; the sale of energy drinks is growing by more than eight per cent a year, and in 2013 they made up more than 35 per cent of all drinks sold in convenience stores, outdoing soft drinks, which came in at 31.5 per cent. Our research also told us that the Food Standards Code limits caffeine in soft drinks to a maximum of 145 milligrams per kilogram, and our advice is that the industry has committed to no direct marketing and advertising of energy drinks to children, but these drinks are sold on the same shelves from the same outlets with no restrictions.

More recently, the *Medical Journal of Australia* reported that caffeine toxicity from energy drink consumption is increasing, particularly among adolescents, warranting review and regulation of the labelling and sale of these drinks. Educating adolescents and increasing the community's awareness of the hazards of energy drinks is of paramount importance. Interestingly, I found just recently the World Health Organisation has validated scientific and medical community concerns, as well as those of the general public, regarding the health effects of energy drinks in a report published in *Frontiers in Public Health* in 2014. The Country Women's Association of New South Wales therefore believes that the sale of caffeinated energy drinks to children under the age of 18 should be banned for the same reasons that the sale of alcohol and tobacco are prohibited to this age group.

CHAIR: Thank you very much for your evidence. As I have said previously, our major drive is obviously to talk about the petitioning process itself. Could you tell me a bit about the history? Firstly, what drove you to do this petition and have you engaged in other forms of advocacy on this issue?

Mrs Cameron: It is not driven by me personally; it always comes from our member base. They make a decision as to whether we will take a particular stance on an issue. We are concerned about the amount of energy drinks that are consumed with alcohol by young people. Those over 18 can make their own choices, but our children under 18 seem to be consuming huge quantities of caffeinated energy drinks in particular. So our members were hoping we could use our long history and our ability to advocate—which we have done on many issues over the years—to perhaps make some changes in this area.

CHAIR: Obviously you engaged with the committee to make sure the petition was in order.

Mrs Cameron: We liaised with my local member, Mark Coulton, but we also looked at the Petitions Committee website. Initially we were not aware that there was a Petitions Committee; we thought it was just a matter of lodging it to parliament, the way they used to be done. We looked at the government website to make sure we lodged a petition in what we hoped was the appropriate way.

Mr BROADBENT: Your words are echoing in my ears. But we still have a great problem with alcohol and nicotine being consumed by those under the age of 18. There has been no abatement. There has probably been an increase because of its availability. Are they mixing this substance with other substances?

Mrs Cameron: My understanding is that they are mixing it with alcohol. I have three children myself and I think that, at various stages, they have all tried it. They have only done it once because the after-effects are horrendous—dry-retching and enormous headaches. It is more than the normal hangover they would get from spirits or beer. They are all in their 20s now but they were young adults when they had their first experience at the pub. Parents are foolish to think that their kids do not try alcohol when they are under 18. Alcohol is a depressant, a suppressant, whereas energy drinks boost their staying power. The effects, over a sustained period of time, of having a lot of these drinks mixed with alcohol is quite horrendous. They are sick for a lot longer. They are dehydrated more than normal. The next day, as I said, the headaches are worse. The heart palpitations are unbelievable. They have the shakes and the jitters. It is quite extraordinary.

Mr BROADBENT: What effect are they trying for with the energy drink?

Mrs Cameron: I think it is about being able to stay awake longer.

Mr BROADBENT: It is about sustainability—in a different context of course.

Mrs Cameron: Yes. I take your point about cigarettes and alcohol but we need to at least warn people—in particular, children—about the hazards. I read only today that, the earlier that children start with any of these substances, the worse the effect on their long-term health. We believe caffeine addiction and also the level of sugar contained in caffeinated drinks will have huge long-term effects on health, as do smoking and alcohol.

Mr BROADBENT: I would have thought that your organisation is powerful enough that it can send a message to the producers of these products that they could become culturally unacceptable in the community—in other words: 'It is dangerous to my kids. Why are you doing this to my children?'

Mrs Cameron: The beverages council—I think that is what they are called—actually requested a meeting with us. Prior to the petition being lodged, they had a meeting with us to provide us with the facts. But the facts, to us, are that children are turning up in emergency departments from overdosing on caffeinated drinks, not from having too much coffee, one espresso too many. At that meeting the beverages council said the sale of energy drinks to children under 18 represented about two per cent of their market. To my way of thinking, that is a very small percentage of their market and it would not harm them any to restrict the sale of those energy drinks to children under 18. But that has not happened. In media interviews that I have done at various times, particularly when the petition was lodged, the beverages council basically intimated that our information was incorrect and that it was a knee-jerk reaction.

Mr BROADBENT: How many drinks does it take for a person to be poisoned by the energy drink?

Mrs Cameron: It depends. People react in different ways. Sometimes there are other health issues that might react with an increased or elevated heart rate. My understanding is that anywhere from two to four or six drinks a day can bring about some of the symptoms that are described as being a result of too much caffeine intake.

Mr BROADBENT: Did your petition go to every CWA branch in New South Wales?

Mrs Cameron: Yes.

Mr BROADBENT: And did you get a response from every branch?

Mrs Cameron: That I am not sure about. I do not know whether we can actually provide that information. I know we sent it out to them all. Some came back with only one or two signatures.

Mr BROADBENT: It only takes one or two. You could have been the principal petitioner here today with one signature on this issue representing your organisation or yourself. Do you think the petitioning process was a good medium for you to get the message out on the danger of these drinks?

Mrs Cameron: It was the next step for us in our strategy mapping that we do on particular issues. From our annual general meeting, we identify a couple of issues to progress each year. We initially wrote to the minister and we were not happy with the response. So our next response was to try the petitions route.

Mr BUCHHOLZ: Congratulations on the work you have done. Anyone who comes before the committee wearing the badge of the Country Women's Association will automatically get our attention. It is a most worthy organisation. Is this the single biggest issue that confronts you as an organisation at the moment?

Mrs Cameron: No, not at the moment. This issue came out of our 2013 conference. The petition was raised and lodged in March 2014. Since then, apart from waiting to hear what was going to happen with the petition, we have looked at other issues—in particular, drought and lot of disasters have been happening. We have been involved in progressing various projects along—in health et cetera. There are all sorts of issues that we deal with.

Mr BUCHHOLZ: Has the Country Women's Association previously lodged a petition?

Mrs Cameron: Good question. Not in my time. I cannot remember having signed a petition to be lodged by the CWA of New South Wales.

Mr BUCHHOLZ: You mentioned that this issue came from a resolution at your conference. Is it because the idea of a petition has not been at the forefront as a tool to use in the past? I am interested to explore this to establish the power of the petition process.

Mrs Cameron: We are looking at different ways we can approach how we advocate for our members. Part of the process is identifying two issues to focus on each year and then what avenue might best promote the idea of getting some traction on those issues. As an organisation, as part of our strategic plan we have identified ways we might progress different issues. There will not always be petitions. It is just that for this issue we felt a petition might garner support from the general public to add to our membership numbers and add a little more weight. At the time, we were approached by several other organisations to join with them. There was an online petition running on the same thing. We were approached by various mothers groups. I did a blog for the Mamamia website. We also had various groups congratulate us on taking this forward. We just felt that this was the best way to make it a little higher profile and also to garner more support from members of the public to try and push this through.

Mr BUCHHOLZ: Well done. Given that the intent of the petition was to get broader public support, are you able to inform the committee what percentage of those who signed it were CWA members?

Mrs Cameron: Not definitively. Because we sent it to our branches, it is up to them. I would suggest that a fair percentage of our members have signed it, but we have a lot of inactive members who do not go to meetings who possibly would not have signed it. A wild guess would be that 50 per cent or better of those who signed the petition might be our members.

Mr BUCHHOLZ: I understand the difficulty in trying to give a figure. I am just interested in the effectiveness or the intent. Thank you very much. I hope this lands where you want and that you are happy with the process of the Petitions Committee in the way this issue has been dealt with.

CHAIR: Mrs Cameron, Now that you have experience with the petitions process, do you believe it was a worthwhile exercise? Is there anything you would have done differently? I would appreciate any other thoughts you might have on the entire process.

Mrs Cameron: From our perspective, there is the problem of the time lag. It is not that the issue is not important anymore, but we have lost the momentum of public support and media coverage. I am also curious to know what happens now. Where does it go to from here? That is a question from me to you. The process itself, provided we have lodged the petition in the correct fashion, is fine, apart from the time it takes to see some sort of result.

CHAIR: The committee determines whether petitions are in order or out of order. If they are in order, they are resented to the parliament and they are on the *Hansard* record. They are also forwarded to the minister, as you know, and you now have the response. What further action you do with regard to the minister's response is basically up to you.

Mrs Cameron: Now that our policy is set and we have a stance on it, we will deal with that once that response comes in.

Mr BROADBENT: Tanya, you are part of a highly respected national body. I see Mark Coulton has addressed the parliament on the issue on your behalf. I hope I am not interfering here, but there is a standing committee of the federal parliament on health and ageing. Through Mark or directly from your organisation, you might like to write to that committee suggesting they might inquire into this issue on behalf of the children of the nation. I think your inspiration was to inform not only mothers that this is a threat to their children's health and wellbeing but the children themselves. But it should come from a national perspective where we are concerned about the consumption of something like that. Coffee has been described as poison to me a couple of times, but I probably drink far too much of it!

Mrs Cameron: We probably all do, but, as I said, kids are not turning up in the EDs from too much coffee. They are turning up because of—

Mr BROADBENT: I do not think I have ever turned up in hospital because of too much coffee!

Mrs Cameron: No, but kids are turning up in alarming numbers in some cases from too many highly caffeinated energy drinks. Just on your point about approaching it at a national level, our national body meets at a conference level only every three years. Later this year there will be a conference. It is the first conference since we have raised this issue. So we are now taking that issue to that conference to be carried forward as part of the national body issues that they will deal with.

Mr BROADBENT: When is that going to be held and where?

Mrs Cameron: That will be held in August in Port Macquarie. So it is in New South Wales this year.

CHAIR: Thank you very much for your attendance here today. If the committee has further questions for you, the secretariat will contact you.

BAGNALL, Mr Robert William, Committee Member, Headland Preservation Group

BERGIN, Ms Linda, OAM, President, Headland Preservation Group

L'ESTRANGE, Ms Elizabeth Jill, Committee Member, Headland Preservation Group

[14:47]

CHAIR: Good afternoon. I now invite Ms Jill L'Estrange, Mr Robert Bagnall and the principal petitioner, Ms Linda Bergin, to discuss a petition on the development of a residential care facility at Middle Head, Sydney. I remind you, as I do all witnesses, that, although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of the parliament and therefore has the same standing as proceedings of the chambers themselves. The evidence given today will be recorded by *Hansard* and will attract parliamentary privilege. You may make a brief opening statement or we can go straight to questions.

Ms L'Estrange: I do have probably a bit more than a brief opening statement. Is that allowable?

CHAIR: How long are you talking? We have allocated 20 minutes in total, including for questions. If you run to eight minutes or so, that will be acceptable.

Ms L'Estrange: I will try to do that. I was wondering if the chair and committee members would like to be briefed on the background of the petition.

CHAIR: That is fine, just remember that we do not actually act on the details at all of petitions. We do not form any position or adjudicate on petitions; all we fundamentally do is determine whether petitions comply with the standing orders and in that context we then forward them to relevant ministers and present them to the House. However, we are looking at the whole issue of the petitioning process here and obviously the issue is a significant portion of why you have presented a petition to the parliament.

Ms L'Estrange: As you are aware, the petition started in December 2013 and ended in April 2014. The petition was in relation to the issue concerning Middle Head and the development on military land of a private development for commercial purposes. In the end, over a period of time, I think 2,400 signatures were collected on that petition. There have been various online petitions since. I would like to give you some background on the issue that the petition was about.

The Headland Preservation Group that I am representing here today was first established in 1996 to raise community awareness and to take action to prevent the Defence Department from selling off surplus lands around Sydney Harbour for private development. The Headland Preservation Group played a key role in bringing about the Sydney Harbour Federation Trust Act 2001 and the establishment of the Sydney Harbour Federation Trust. That trust was set up to preserve and safeguard these lands. The preamble to the act says:

The Parliament intends to conserve and preserve land ... for the benefit of present and future generations of Australians. ... Suitable land with significant environmental and heritage values will be returned to the people of Australia.

Until now the trust has generally been regarded as doing an excellent job in conserving, re-using and renovating former military buildings on the lands and adapting them for various uses within the community. However, in more recent times, a private developer, Middle Head Healthcare Pty Ltd, is proposing to build a large residential aged-care facility on land at Middle Head. To do so, the developer would have to demolish most of a Commonwealth heritage-listed military building on the site, which is known as 10 Terminal. The proposal was originally for a 96-bed residential aged-care facility with a dementia unit. Now, since April 2014, it is an 89-bed residential aged-care facility with a day care dementia unit for an additional 15 persons. The size and the bulk of the proposal are still out of proportion with the environment. It dominates the surrounding area. It would be built along a ridge line and would be highly visible not only from walking tracks on Middle Head, but also from Sydney Harbour and Middle Harbour. It would have a significant impact on the natural landscape of the area and the heritage value of the area.

I do have some photographs here that I would like to share with you to give you an indication of the natural area that I am talking about. These first photographs, numbered 1 to 4, show you the natural landscape of the area that we are addressing. The scale, form and type of development that Middle Head Healthcare Pty Ltd is proposing is akin to the type of development that first motivated the Headland Preservation Group to take action and that the Sydney Harbour Federation Trust Act was designed to prevent. I would like to show you a plan of this proposed development. Actually there are two plans: one shows the visual impact, and the other shows the footprint of the actual building.

Under the Sydney Harbour Federation Trust Act, the Sydney Harbour trust comprehensive plan was prepared. This is an overarching plan that covers all of the harbour sites under the control of the trust. The vision of this

comprehensive plan is to provide a lasting legacy for the people of Australia by helping to create one of the finest foreshore parks in the world and provide places that will greatly enrich the cultural life of the city and the nation.

Mr BROADBENT: If I could interrupt for a moment: is the red the old elevation for the old buildings?

Ms L'Estrange: Yes.

Mr BROADBENT: So is there a dramatic change? It is very hard to tell whether there is dramatic visual amenity change here, just from those lines. Have you done an artist's impression of what the visual change would be?

Mr Bagnall: For the elevation?

Mr BROADBENT: I see the elevation—the old elevation: what is coming down. It is in the one that has the red marks on it. My question was going to be: are you being unreasonable? We are going to enter into discussion on this. The inspiration for the petition was: there was going to be an amenity change to that area—is that correct?

Ms L'Estrange: That is correct.

Mr BROADBENT: So there was going to be a visual amenity change?

Ms L'Estrange: Visual and physical.

Mr BROADBENT: I do not understand the physical. I do not know the area very well at all. So that is what it looks like now, and that is what it will look like afterwards—these two photos here?

Ms L'Estrange: The area that we are talking about is a headland park, and it essentially has buildings dating back to the 1800s and early 1900s—

Mr BROADBENT: Yes, I read that in the report.

Ms L'Estrange: And this one to 1921.

Mr BROADBENT: That is exactly what I was talking about. That is what you have done there?

Ms L'Estrange: Yes. Although the comprehensive plan covered all the foreshore lands, over prior Defence lands, underneath that umbrella there were individual plans of management for various precincts around Sydney Harbour, and on Middle Head there were eight precincts, and one of those is the Middle Head precinct which is the precinct that we are addressing today in relation to 10 Terminal.

The aims of the management plan are quite clear: they are to conserve and interpret Commonwealth heritage values of Middle Head, maximise public access, facilitate the adaptive reuse of the precinct's buildings for appropriate use, and integrate the precinct with adjoining lands as part of a unified headland park—a network of open space. In doing this, their aim was also to conserve and interpret the whole site as a historic precinct.

Under the Sydney Harbour Federation Trust Act, the objects are in section 6 and the functions in section 7. We believe that the trust has acted contrary to those in approving this development. The objects of the Sydney Harbour Federation Trust Act as set out in section 6 say:

- (a) to ensure that management of Trust land contributes to enhancing the amenity of the Sydney Harbour region;
- (b) to protect, conserve and interpret the environmental and heritage values of Trust land;
- (c) to maximise public access to Trust land;

... ..

- (f) to co-operate with New South Wales, affected councils and the community in furthering the above objects.

The scale and form and type of development that I have mentioned is inappropriate for the site, which is required to be conserved and preserved for the benefit of present and future generations of Australians. It involves the majority demolition of existing buildings—at least 70 per cent. I do have a map here showing the extent of the demolition.

Mr Bagnall: There are minor amendments to that, but that is, essentially, representative.

Ms L'Estrange: While demolition and construction are not inconsistent with the objects of the Sydney Harbour Federation Trust Act, or the comprehensive plan, it is the scale of the development that is the issue. The proposal involves retaining and refurbishing the front and rear buildings and replacing the wings with a new, two-storey extension which is replacing an existing single-storey construction; two new buildings of similar height are proposed to replace the rear garaging building; and there will be a first-storey covered walkway between the two buildings. The buildings will create an expanded footprint when compared to the original.

What exacerbates this is that it is in a precinct along with a group of buildings that are commonly referred to as ASOPA. These buildings are low-rise. They have been re-adapted and re-used. And this building will overpower them completely. I would like to give you copies of photographs of these buildings. As to these two buildings, 10

Terminal forms 50 per cent of this Commonwealth-listed heritage area together with the ASOPA buildings. It is estimated that the cost of the development will be about \$27 million, and it is proposed to lease the land to the developer for 25 years.

This will be the permanent home of 89 people, in a house where there will be communal services for communal residents, a day clinic, and all that goes with a hospital care facility. This is large, both in size and in value. It is a commercial development being carried out on public land.

We know that this area is in a bushfire prone area as it has been mapped by the Mosman Council. It is questioned whether the development proposal complies with bushfire regulations. However, we have been told that the trust is considering constructing what is called a berm or a heat shield or a radiant heat shield around the proposed facility, and that this will probably be an earthen wall about 150 metres long, about 60 per cent of it being over three metres high. That earthen berm, to have that height, would have to have several metres width at the base. Not only will it take away views of that region of the harbour; it will totally change the landscape and the relationship of the 10 Terminal complex with the bushland. I would like to hand up another photograph showing the effect of such a radiant heat shield.

Just to interrupt: I do have another plan here showing the original building, and if that is viewed in relation to the proposed development it will give you an indication of the size and scale of this new development.

This extensive development of the land for commercial interests is inconsistent with the public nature of the land and it does not maximise public access to trust land. Not only is this proposal at the gateway of the national park, at which there are several sandstone cottages built in the 1800s and a network of fortifications built to protect Australia from 1800 to the 1870s; it is also within a wider military precinct. The bulk of this modern two-storey building will detract from this historical military precinct. I would like to hand up a photograph, which is looking back at the existing 10 Terminal with the green tiled roof and orange brickwork, being taken from one of the stone cottages just at the gateway to the national park. As I mentioned earlier, 10 Terminal and the former ASOPA building are Commonwealth heritage listed places. This is a component of a larger Commonwealth heritage listed place, which is the defence site of Georges Heights and Middle Head.

The proposed development involves the demolition of a significant part of military history. Terminal 10 complex was built in 1941 and is only one of two remaining buildings of that era and of that particular style. Terminal 10 has been built to a military formula.

Mr BROADBENT: I am going to stop you there for a moment to try and help you. We are actually out of time. I want to hear from Linda and from Robert. Could we have some brief statements from Linda and Robert, and then there may be questions.

CHAIR: Particularly with regard to the petitions process, could you tell us how you found it, why you decided to go the petitions route rather than some other route, what contact you had with the secretariat and how you have found the process so far.

Ms Bergin: I do not have prepared remarks and I was not directly involved in the petition process—that was others on our committee—but I just want to make a brief statement, and then I will let Rob speak to that. I have been involved with the Headland Preservation Group for 19 years this year, so from day one. This development was not the intent of the Howard government when it created the Harbour Trust, which was announced in 1998. The trust itself was commenced in 1999 and the act was assented to in early 2001. This development was not the intent of the Howard government or the parliament that created the trust. Based on my experience with the lifetime of the trust, this development is, I believe, unlawful under the act. That is pretty much the gist of it. I am happy to answer any questions. Thank you.

Mr Bagnall: I am afraid none of us were directly involved in formulating or putting the petition to parliament. The decision was originally made on the basis that it appeared that the trust was presenting the community with a fait accompli, even though it did not say so. It subsequently appeared from further information that it had been working these proposals up in private with the developer for over a year and a half and therefore did not seem interested in going through an effective public process. The decision was taken to try to gather signatures to indicate opposition to this proposal which had been mooted in some public meetings at that stage. It was, in fact, widespread and not confined to just the local residents who may have been affected by traffic or a sense of Nimbyism. Rather, this was an issue of national significance, being on a prime headland in the middle of Sydney Harbour, with first settlement issues. If this sort of development were allowed on such a site—which had been specifically set aside by the Prime Minister and the government as, effectively, iconic land preserved as a federation gift for the public, with the intent that it would be national park—with this sort of commercial development, then it would be open slather on any other trust land and, for that matter, any other national park

that was under the control of the Commonwealth. The precedent would then be applied naturally for other public lands.

The idea was to bring this to the attention of the parliament and raise the matter so that it is quite clear that this is a matter of national significance—in that sense, the national park—and, naturally, the land is Commonwealth land. Ultimately, as stated in the preamble, it is the intent that the lands be transferred to the state reserve system, but that has not happened as yet. The trust has been focusing more on bringing the lands up to a state in which they could be then transferred across.

The aim of the petition process, essentially, was to bring to the awareness of the national parliament that this is a matter that seems to be in conflict with the legislation which has been passed by parliament to preserve these lands in posterity for the people and to maximise public access. The original petitioning was gained with signatures at Middle Head on Boxing Day at the start of the Hobart race. There were about 1,500 or 2,000 signatures at that time. Further signatures were subsequently gathered. We lodged the petition itself in about May. I am sorry I do not have the details. The lady who put it all together was not available to assist us with this.

CHAIR: Thank you very much, and thank you for your attendance here today. If the committee has further questions for you, the secretariat will contact you.

Mr Bagnall: May I make one point?

CHAIR: Yes.

Mr Bagnall: Last year, when Ms Bergin, Ms Goodsir and I met Mr Hunt, the environment minister, he invited us to submit an alternative proposal. He asked, 'What's the alternative?' and we said we had some ideas. He asked us whether we would be willing to put those together. We have done so. May I present a three-page, very brief summary of that alternative proposal? We have more comprehensive details of that. The trust itself and even the politicians have tended to say that there is no alternative; it has to pay its way; the only alternative is a commercial development of this nature. We believe that is not appropriate. It has not been properly explored. We have invited further conversations, but that has not been taken up.

Mr BROADBENT: Was your petition to the parliament to be information or was it to put more focus on the trust itself?

Ms Bergin: Could you repeat the question, please? I did not hear it.

Mr BROADBENT: Regarding your petition to the parliament, was it with regard to Greg Hunt's role under the EPBC Act or was it with regard to the problems you have with the trust itself and the decisions the trust is making?

Ms Bergin: I believe that, at the time, it had not been referred under EPBC, although it did have to be eventually.

Mr BROADBENT: It was explained to us before that it was your group that established the trusts.

Ms Bergin: That is right. I was directly involved in that. We modelled the trust on the Presidio of San Francisco. We took that model, which meant that the trust would get \$100 million up-front to do up all its sites, but it got more than that and it got money for remediation. Then it would use the income—because there are lots of buildings—from the buildings to run itself. That model has been very successful.

Mr BROADBENT: Thanks.

CHAIR: Thank you very much.

GOLDEN, Mrs Katie, NET patient

LEYDEN, Dr John Charles William, Founding Chairman, The Unicorn Foundation Australia

[15:15]

Neuroendocrine Cancer

CHAIR: Good afternoon. I remind you, as I do all witnesses, that although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of parliament and therefore has the same standing as proceedings of the chambers themselves. The evidence given today will be recorded by Hansard and will attract parliamentary privilege. You may make a brief opening statement, or we can go straight to questions.

Dr Leyden: Thank you. The Unicorn Foundation is Australia's peak charitable body for patients suffering from an uncommon cancer called neuroendocrine cancer. This afflicts 14,000-odd Australians across the length and breadth of this country, which are served with limited resources or centres of expertise. Unlike other more common cancers such as breast, bowel, melanoma and lung, which are well served by support services, neuroendocrine cancers, by their nature of being quite complex and rare, are misunderstood by the medical community and the general community at large. The repository of knowledge is only amongst a few experts in the city centres. I myself am a practising anaesthetist, but I have been involved in the area of neuroendocrine cancers for the last decade, having lost my sister to this disease—pancreatic neuroendocrine cancer—at the age of 35. Seeing this unmet need of a lack of support services and expertise, we founded The Unicorn Foundation charity to meet the needs of the 14,000 Australians who need support and guidance in their treatment and management of NET.

Mr BROADBENT: Katie or John, would you like to tell us what the disease is? You just confused me when you used the term 'pancreatic'.

Dr Leyden: Thank you, I will.

Mr BROADBENT: That always leads me to believe it is the brain.

Dr Leyden: No, Mr Broadbent, you are truly right—this is where the confusion arises. Neuroendocrine cancers arise from specialised cells that line the lungs and the gastrointestinal system from the mouth to the anus. When these cells undergo abnormal changes they develop into cancerous bodies. These tumours are most commonly found in the small bowel, large bowel, pancreas, lung and other sites where there is hormonal function. They commonly grow slowly and are often misdiagnosed—40 to 50 per cent of patients present, on average, four to five years before a diagnosis is made, by which time the cancer has spread to the liver or other organs.

The most high profile patient that has ever had a neuroendocrine cancer is Mr Steve Jobs, the Apple CEO, who had a pancreatic neuroendocrine cancer.

Mr BROADBENT: I thought it was your sister.

Dr Leyden: That is the most important person to me, true, but it was the same cancer as my sister had. This disease is on the rise and currently is the second most prevalent cancer after colorectal cancer. Over the last decade things have changed substantially with our knowledge and understanding of neuroendocrine cancers, and henceforth we are here today seeking support for our services.

CHAIR: Thanks very much for that. As you will no doubt have been briefed, we do not make any decisions at all with regard to this. We simply go through a process of ensuring that the petitions comply with standing orders. As such, what made you decide that the petitions process was the most appropriate process for you to use in trying to get support for your foundation? Did you contact the secretariat prior to submitting that petition and how have you found the process generally?

Dr Leyden: There are a number of aspects there which I will touch on. First and foremost, Mr Andrew Wilkie, at his suggestion to help raise awareness of the need for ongoing funding for this NET nurse specialist role, suggested the petitioning process as something to draw it to the attention of the House. As I said, it is an uncommon cancer. Not many in the House would understand or have heard of it per se and we are touched personally. From that, I submitted, based on a clear mandate that we need ongoing funding. This is a small charity and supplemental support for this good service, some government assistance, is needed. We went about petitioning after submitting our petition to the committee for review to see whether it was appropriate and having received word that it was, we sourced signatures Australia wide. At my count it was over 12,000 and we presented them with Mr Wilkie on 27 October last year with about 30 patients from New South Wales and the ACT. Obviously after counting there may have been some photocopies and what have you in that group and I think we had over 8,000 accepted. It was a little disappointing so next time we will be a bit more attentive to the collection process.

CHAIR: Eight thousand is not bad. That is a lot of people.

Dr Leyden: They were from WA, South Australia, Queensland, Victoria and Tasmania. So it was Australia wide, indicating there were persons around Australia who have used this service.

CHAIR: Mr Broadbent?

Mr BROADBENT: Get Katie's story.

CHAIR: I was first of all going through the petitioning process. Do want to ask Katie her story?

Mr BROADBENT: I would like Katie to make a statement.

Mrs Golden: The Unicorn Foundation is a small foundation. We are just trying to get the help of family and friends around to do a lot of the work on our behalf as well because there are so few people. There are not that many patients. Support groups which are run all around Australia have—it is not as though there are 50 patients at each meeting because a lot of them live in rural areas. I find I am fortunate to live in a metropolitan city and to have access to it. It was also a great way to get family and friends from all over the place to stop to think about what it is we are going through and getting them to do the work and to spread the word in some ways. I was diagnosed about four a half years ago and I have been trying to access services which we cannot get elsewhere

Mr BUCHHOLZ: Dr Leyden mentioned in the opening statement about the issues surrounding early detection? How far were you before you were diagnosed? I want to explore early diagnosis.

Mrs Golden: I probably had had this for somewhere between four and eight years before it was diagnosed. I had had tests for so many different things and felt generally crappy for years, trying to have a third baby and that was not happening. I thought something was wrong. I think a lot of doctors think after a while that you are making it up, that you probably need to see a psychologist.

That is also the feeling that you get from talking to a lot of people, because it is not one of the well-known cancers. Until someone you know is affected by it, you do not know about it. It is amazing—the elderly lady across the street from me, who we knew quite well, passed away from it. So there are more and more people with it, and I think possibly that is because of development in the detection process. I was just lucky that I had a scan of my gall bladder and they must have gone over my liver and they could tell something was wrong. They walked out and got the doctor to come in. This was all on New Year's Eve.

I think it is one of those things you know nothing about. You might ask: 'What is neuroendocrine?' People always say to me, 'Does that mean it's in your brain?' I still cannot necessarily describe it to them, other than 'endocrine' is secretory cells. It is one of those things that is not really important to you until it affects you.

This petition is about trying to get more and more support. When I first found out, I googled it. You look at it and you do not want to look at it. If you look at pancreatic cancer, you know you probably have six to 12 months and you are gone. The information is not there and the support is not there. The Cancer Council cannot really help. Because it is rare, they do not know enough about it. I guess that is what the petition is for. There is very little support. Even the GPs do not know anything about it, and they admit that. There are very few oncologists who know anything about it either. It is one of those things that you do not want, because no-one knows about it. It is just a matter of finding the right people.

Mr BROADBENT: Is there a blood test to pick it up, doc?

Dr Leyden: There is a screening test called chromogranin A. It needs to be done under proper conditions, because some things such as anti-acid medication can alter its levels in the blood test. If it is done appropriately, it is probably our best surrogate measure as a screening tool.

Mr BROADBENT: How was Katie picked up?

Dr Leyden: Serendipitously.

Mrs Golden: Just from someone seeing spots on my liver, which were metastases from my pancreas, because my primary was on my pancreas. I don't think that blood tests would ever be something that they would do as a mainstream test to negate that you have it, because it is complicated. Even heartburn medication will give you a false result, I believe.

Dr Leyden: There is the NET nurse role, which we have been running for over 12 months. It has met with significant success and acclaim from the patients. A very experienced NET nurse from the Peter MacCallum hospital took up the role and is able to facilitate referral pathways and give good, appropriate and sound medical advice—without giving treating advice—across all things from pain management, dietary advice and advice about the medications to psychosocial support. This is a very marginalised group of cancers which have now found a

home within the Unicorn Foundation but which up until now have been quite stigmatised. You do not want to tell anyone because no-one understands or is aware of it.

Henceforth we need ongoing support to help with this role. We are totally funded by donors, to the tune of about \$200,000 a year, and we are looking for in the order of \$80,000 to \$100,000 for a salaried nurse per annum. When you contrast that to the \$17 million in the last budget for the McGrath Foundation nurses, it is really a drop in the ocean. And the outcomes that we are measuring, and that we will be publishing at the upcoming cancer nurse meeting in June, are significant. I am justifiably proud of them. But, as a small charity, it is our business to raise awareness and try to get assistance for what good we are doing.

CHAIR: Thank you very much, Dr Leyden and Mrs Golden. Thank you for your attendance here today. If the committee has further questions for you, the secretariat will contact you.

Mrs Golden: Thank you.

Dr Leyden: Thank you, and I would just like to add this to the record for your edification. It is just some of the KPIs that have been met and a greater—much of what we have said today—role of the NET nurse.

CHAIR: Thank you very much.

VO, Mr Tri, President, Vietnamese Community in Australia**VO, Mr Minh, former President, Vietnamese Community in Australia**

[15:30]

CHAIR: I now invite Mr Tri Vo to discuss his petition on China's actions in the South China Sea. I remind you—as I do with all witnesses—that, although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of parliament and therefore has the same standing as proceedings of the chambers themselves. The evidence given today will be recorded by Hansard and will attract parliamentary privilege. Do you have any comments to make on the capacity in which you appear?

Mr Vo: I am the principal petitioner of the petition about the South China Sea. With me is Mr Minh Vo.

CHAIR: Thank you. You may make a brief opening statement, or we can go straight to questions.

Mr T Vo: I am not quite sure exactly what information the Petitions Committee requires, but, as you can see, there is the issue with China potentially building a lot of military bases. Two weeks ago they built an airstrip in the Spratly Islands, and those islands are disputed at the moment. They do not belong to China, and we believe this is a great threat for Australia in the long term. Although we do not have direct claims in that area—the South China Sea—we do have interests in it, and we have trade and economic interests in the region. Sixty per cent of our trade is with countries in that region, especially Asian countries, and this particular issue is very important. I am not quite sure if I can do this, but on *Lateline* on the ABC on 3 November 2014 Margot O'Neill reported and the other reporter was Emma Alberici. They interviewed two of the professors on this issue. The professors were Hugh White, Professor of Strategic Studies at the Australian National University, and Professor Alan Dupont, Professor of International Security at the University of New South Wales. They spoke about the issue of China creating new islands and also about China wanting to challenge US naval domination of Asia. I think this program on ABC TV was very important. These professors have been advisers to Defence and foreign affairs ministers and the Prime Ministers previously, and I think that program is very important in relation to South China Sea issues. I highly recommend all the ministers and the Petitions Committee to have a look at the program. The two program segments were simultaneous, one after the other, and Rory McCarthy, from the program segment 'China creates new islands', concluded:

Australia, the United States, much of the region was focusing on the South China Sea a couple of years ago. The risk is of course that with other crises in the world, with Ukraine, with the Middle East, there's a risk of taking our eye off the ball in the South China Sea. That's a risk we can't afford.

There are also conclusions from the program, such as that China wants to challenge US naval domination of Asia. I have got the transcript here. I am not quite sure if the Petitions Committee would like to receive it.

CHAIR: We can receive the transcript, but I would not worry about reading it into evidence.

Mr T Vo: I will not read it. I will hand you those transcripts of the program on 3 November last year, 2014. It is very important and highly recommended that government—both sides—should look into that or read it or look at the program.

CHAIR: Thank you very much. As you know, it is not the petitions committee's job to make decisions on any of this or promote anything. What we are really interested in is why you chose to go the petitions route, how you went about it, whether you went to the secretariat before you started collecting signatures for your petition, and how you found the process generally. Has it been a worthwhile experience?

Mr T Vo: What happened is that in about May 2014 China's company, under the authorities of the People's Republic of China, had a big oil rig in the EEC—exclusive economic zone—of Vietnam. They intended to have it there for three months. This was really challenging the territorial claims of Vietnam. We had protests by Vietnamese people overseas, all around the world, including in many of the states of the United States, in Canada, in Europe and even inside Vietnam. But, of course, the Vietnamese authorities did not do much because they come from the same party as the People's Republic of China, the Communist Party. We also had protests in Australia. I was the president of the Vietnamese community then. I coordinated protests in all of the states and territories, including Sydney, Canberra, Queensland, South Australia, Western Australia—pretty much anywhere that had a Chinese or Vietnamese embassy.

In America, they had some kind of motion that had passed through the Senate. Our community in Australia, the Vietnamese community in Australia, looked into this and we had advisors, who drafted this with the help, of course, of the Senate committees website. We drafted it and we tried to limit it to 250 words. I called up the committee and spoke to James, who is present here in this room. That is from the lower house. In the upper house I spoke to a lady, I cannot remember her name. We did two petitions: one for the lower house and one for the

upper house. That was a lot of work! We thought, 'We've never done such a thing before, petitions,' and the committee want you to do two at a time. Was that too ambitious? The whips were quite helpful; people like James in the committee were very helpful. I rang him a lot of times, and also the upper house committee—all together, probably anything from 30 to 50 times during the whole process—and they were very helpful, very prompt and very professional.

I thought it was a very good process. As we all know, petitions go back centuries—I am not quite sure; nearly 1,000 years or something in England. I think it is a very good process. We do things like protests and media releases and peaceful assemblies and signing other petitions to give them to MPs and all of that, but in terms of the petition in the lower house and the upper house, it is very good. It is a formal process and the ministers do reply. There was a set time—two months or three months I think—and they did reply. It is not signed by one of the employees of the minister; it is signed by the minister themselves. I checked the *Hansard*. It has recorded the MPs who helped us pass the petitions. They spoke about it, and that is also recorded in *Hansard*. I found that very helpful.

Previously, on the issue of human rights, we did an electronic petition in the upper house. But that is a little bit different. With an electronic petition, we cannot clarify who it belongs to, and one person can sign up for many people. It crosses boundaries, like different countries and all of that. So it has a different purpose. In the lower house it goes to the people directly.

CHAIR: So you would be somewhat sceptical about the electronic signatures for petitions?

Mr T Vo: We did a human rights petition electronically before. It went to 50,000 people across the world. The United States also put their name on it. But that is for the upper house, the Senate. It has got its purpose, if you want numbers et cetera. In terms of hard-copy paperwork, sometimes it goes directly to the people and you know who they are and they know what they sign to, because they have to be there to sign it. Of course, the numbers are lower, but it is more reliable and I believe it helps the democracy of Australia. At least parliamentarians know the extent of the concern. If it is properly done, professionally done, et cetera, they know how important the request in the petition is.

Having said that, an electronic petition has its own purposes. Maybe that is why it fits the upper house, because they do not really represent individuals in the electorates; they represent the powers of the state. But in the lower house, with the electorates, they represent the people, and it goes directly to people. Previously, people thought that for the lower house it goes to MPs, it goes to ministers, but with electronic versions it is sometimes hard to clarify where they are from and the time et cetera. Across the states, maybe it is better to do it in the organisation of powers.

Mr BUCHHOLZ: Thank you for your evidence and for your constructive commentary on your understanding of the petitions procedure. The committee finds it most helpful. I want to ask a question unrelated to the Petitions Committee and more about your charge as President of the Vietnamese Community in Australia. Firstly, how many members do you oversee, and do members pay membership fee to be part of that organisation? Secondly, of those that signed the petition, how many would be members of your organisation?

Mr T Vo: Firstly, as you would understand, we did two petitions. In the lower house we had more than 10,000 original signatures. In the upper house we also had more than 10,000 original signatures. That is in different states and territories of Australia. It goes from Western Australia to South Australia to Victoria, to New South Wales, to Wollongong and to Queensland. We are proud that the Vietnamese Community in Australia is quite unified, in that we have only one Vietnamese community body in Australia. Each state and territory has a chapter. I am national President of the Vietnamese Community in Australia, but in each state and territory we have chapters and they have their own presidents and executive committees. The executive management committee of those states and territories elects a federal body. States have their own members. It really depends on the states. I was President of the Vietnamese Community in New South Wales from 2005 to 2009. In New South Wales, their members are the organisations. They have anything from 60 to 100 organisations. When I say organisations, they can be media, religious—we have the Buddhist association, Catholic association—students associations, elderly associations, sports associations, political associations, veterans' associations. These associations vote for the Vietnamese community in New South Wales—and also individuals. Of course, we do not have member's names and details for all them, but for them to be able to vote they have to be registered. That can be anything from 5,000 to 10,000 or more depending on the election. It is similar to other states as well. Other states are more into the individual voting rather than organisations. In New South Wales, organisations and individuals vote. The organisation might have 20 votes, an individual one vote. The second question you asked was: are these signatures from members of our community? I would say yes. They are members of our community. But we only had about two months to collect the signatures. It had to be in the last year, because the Haiyang oil rig incident

happened in the middle of last year, so we had to finish it last year. It is hard to collect signatures with only two months, but they are members of our community.

Mr BUCHHOLZ: Thank you.

Mr T Vo: You can see the names and addresses and all that—the members of our Vietnamese community in each state and territory.

CHAIR: Thank you very much for your attendance here today. If the committee has further questions for you, the secretariat will contact you.

Mr T Vo: Thank you so much, and all the best with the Petitions Committee. I hope you retain this committee. It helps democracy. It helps our country. It is another voice that maybe not many people know, but they should know—and they should use.

CHAIR: Thank you very much.

Mr BROADBENT: Mr Vo, I hope you come back again.

Mr T Vo: Thank you so much.

JOGIA, Ms Diane Margaret, Committee Member, Holroyd Community Aid

THOMPSON, Ms Suzette, Treasurer, Holroyd Community Aid

[15:46]

CHAIR: I now invite Ms Suzette Thompson and Ms Diane Jogle to discuss their petition on Holroyd Community Aid's emergency relief fund. I remind you, as I do with all witnesses, that, although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of parliament and therefore has the same standing as proceedings of the chambers themselves. The evidence given today will be recorded by Hansard and will attract parliamentary privilege. You may make a brief opening statement, or we can go straight to questions.

Ms Jogle: I would appreciate it if I could make an opening statement to support the petition that was sent in. Our petition concerns a request for reinstatement of emergency relief funding to community aid at Holroyd. Holroyd Community Aid has provided welfare services to local residents for 48 years and knows the local community and its needs very well. Holroyd Community Aid has a long history of managing emergency relief funds for the benefit of the local community. No questions or concerns have ever been raised with Holroyd Community Aid regarding its management of emergency relief funds. Holroyd Community Aid requested individual feedback on the loss of funding, as offered by the government. However, no contact has been made with us. The competitive tendering process used to allocate 2015 emergency relief funds put all small volunteer-run organisations at a distinct disadvantage in favour of the large charitable organisations, who can afford to employ professional grant seekers. It appears that there is no emergency relief service in the Holroyd local government area although information on new emergency relief providers has been difficult to obtain. This is a huge disadvantage to local clients, who often do not have the funds to travel to another local government area for assistance. Holroyd Community Aid had a very stringent process for assessing client needs. To ensure that people were in real need clients were required to produce documentation to show where their income had been spent. We have heard that assessments are now done over the phone, and we question the efficiency of such a process.

Holroyd Community Aid is an incorporated association managed by a community based management committee. It is non-political and non-religious and receives clients from all religious and ethnic backgrounds. Holroyd Community Aid received very little administration funding from the government. In recent years only \$6,000 out of the emergency relief grant of approximately \$185,000 was permitted to be used for admin costs. This barely covered the fee for the required annual audit.

For these reasons we believe that Holroyd Community Aid's grant should be reinstated. We understand the government's need to reduce spending. If emergency relief funding had to be reduced, why not simply reduce the amount of money provided to Holroyd Community Aid so that the most needy in our community could still be assisted?

CHAIR: Thank you very much. As you know, the Petitions Committee does not advocate. We simply make sure that the petitions comply with the standing orders and make sure that the process is smooth. Can you please tell me what made you decide to use a petition as a means of advancing your argument? What contact, if any, did you have with the committee secretariat before presenting your petition to the parliament? How have you found the process of the Petitions Committee itself? Has it been a worthwhile exercise?

Ms Jogle: We only found out in the middle of January that the funding had been cut.

Ms Thompson: It was 12 January. The department who gave out the funding spoke to someone in our office and said, 'When do you close for Christmas?' It was 22 or 23 December and we reopened on 12 January. The email that cut our funding was sent on the Monday after we closed, so we did not know about it until we reopened on 12 January.

Ms Jogle: Because Holroyd Community Aid has been in existence for such a long time in the local area and has been involved in a lot of community processes and there is widespread acknowledgement a lot of people were quite upset, not just the community aid members but our clients, the counsellors and the local community. There was a suggestion that we would have to do something and get a petition going. That is where the idea of a petition came from. To my knowledge—and I have been involved with community aid for about 30 years—we have never done a petition before but people said, 'Let's do a petition.'

Ms Thompson: To see if that could help us.

Ms Jogle: It took a while to find out how you go about a petition. The wording has to be a certain way. Then there is the format. None of us are spectacularly good at that.

Ms Thompson: I think they found it on the website.

Ms Jogia: Yes, we had some assistance from the library. They found that out for us.

Ms Thompson: Since we have put the petition together we have had assistance and encouragement from our local MPs and our local federal MP. Tony Issa was our local state MP; it is now Julia Finn. We have had help from them. We have also had some advice from the guy from Bankstown—I cannot think what his name is.

Ms Jogia: Jason Clare. Holroyd has I think five state MPs and four federal members of parliament. They all have bits. So we got some assistance and advice from a number of people.

Ms Thompson: And also, at the time, we did not know who was taking over with the emergency relief. We assumed it was going to be St Vincent de Paul and the Salvation Army, which are the only other two charity organisations operating in the Holroyd community area. The Salvation Army does not cover all of the Holroyd local government area and neither does St Vincent de Paul, so we have quite large areas of our local government area that are not covered by the new providers, so people are falling through the cracks. That is another reason why we started the petition: we are offering a unique service in the Holroyd area.

CHAIR: So you presented the petition. How have you found the process with the Petitions Committee itself?

Ms Jogia: I did not realise that this is what happened—that there was a hearing.

Mr BROADBENT: There is not a hearing for everybody, only special people!

Ms Jogia: That is good to know. I think it is excellent that people get the chance to say a little bit more than what you can put in that little tiny petition heading.

CHAIR: But, in terms of the petition itself and the process of it going to the minister and the minister responding, how have you found that?

Ms Thompson: I think our local member, Julie Owens, has taken it into parliament for us. We handed it over to—

Mr BROADBENT: I do not think they have got a ministerial response yet.

Mr BUCHHOLZ: Yes, it is only very juvenile. It was presented on 25 March.

CHAIR: Okay. So you have not had a ministerial response yet?

Ms Thompson: No.

Ms Jogia: No.

CHAIR: You have that to look forward to, I guess.

Ms Thompson: Yes. Also, with our application for funds, there was only a very small amount of space that we were allowed to put our case forward.

Mr BROADBENT: I missed this before. How much did you distribute?

Ms Thompson: \$184,000 a year.

Mr BROADBENT: Had that been growing over the years?

Ms Thompson: Yes.

Ms Jogia: Yes, it had gone up over the years.

Mr BROADBENT: That was directly to your organisation from the federal government?

Ms Thompson: That is correct.

Ms Jogia: Yes.

Mr BROADBENT: Didn't local government used to distribute it, and they handed it over to organisations like yours to do it?

Ms Jogia: Never in Holroyd, no.

Mr BROADBENT: It was always done by—

Ms Jogia: It was always done through Holroyd Community Aid. I believe that we started getting grant funding in about the early to mid eighties. There have never been any problems, never any questions about how we operated. We had a very stringent assessment process to make sure that we were not wasting money; we were assisting the really needy people in our area. As I mentioned, a very small amount of that grant was allowed to be used for admin purposes, and that really just covered our audit fees. You have to do a very substantial audit for the grant.

Mr BROADBENT: Has anything changed since you put the petition in?

Ms Thompson: We are not able to offer emergency services relief because our funding was cut—at the end of March, wasn't it?

Ms Jogia: Yes.

Mr BROADBENT: So who is offering that service now?

Ms Thompson: St Vincent de Paul and the Salvation Army, as far as I know.

Ms Jogia: Yes.

Ms Thompson: For St Vincent de Paul, the people have to ring up and make an appointment and I assume are being assessed over the phone or in a home visit, and a lot of these people that we help do not have homes to visit. A lot of them are homeless, or they are sharing a house with other refugees or whatever. If they want to have assistance from the Salvation Army, they have to travel in to Parramatta, to the Salvation Army head office, whereas—

Mr BROADBENT: Have you had conversations with the Salvation Army or St Vincent de Paul?

Ms Thompson: Not as yet, but the husband of one of the ladies on our committee works for St Vincent de Paul, and she tells us what the procedures are with them.

Ms Jogia: It was very difficult to find out who the new providers were going to be, just so that we could refer our clients on when they came into our office. Centrelink did not even know. They rang us up and said, 'Who do we send people to now?' We said: 'Well, we don't know. It's your department that should have that information.' It has been really hard to find out who is providing a service. I have heard that somebody rang up for assistance and was told that, no, he would have to go to the Blacktown office for assistance. A lot of these people just do not have the money for a train ticket or a bus ticket to go from Holroyd to Blacktown, so we are really concerned that people are missing out.

Mr BUCHHOLZ: This is unrelated to petitions. Are you aware if the recommendation for you as an organisation to be no longer funded came from the Australian Charities and Not-for-profits Commission?

Ms Jogia: No, it was—

Mr BUCHHOLZ: That organisation was set up to streamline and centralise money going to charities.

Ms Jogia: It was a government department, the Department of Social Services, wasn't it?

Ms Thompson: Families and communities, I think.

Ms Jogia: Families and community or something.

Mr BUCHHOLZ: They made the recommendation?

Ms Thompson: Yes.

Ms Jogia: The whole process was changed in the last funding round. Previously to that, as long as you were performing okay and sending in all your paperwork, doing the right thing and audited, the funding continued. But in the last round it changed to a competitive tendering process where you had to put in lots of different information. I have only recently got onto the committee, and I was asked to look up the general feedback that was available on the website. When I looked at those performance indicators that were required, I just said, 'No small organisation would be able to do that.' It just could not do it. It almost looked like there was a deliberate ploy to—and we know that a lot of the other small organisations have no funding anymore either. It seems to have just all gone to the very big organisations.

Mr BUCHHOLZ: That was the intention of that commission. It was to centralise funding.

Ms Jogia: The concern is that the people who are supposed to be helped through this process are not getting much help. They are really being put through lots and lots of hoops, and they are under a lot of strain already.

Ms Thompson: Either that or they do not qualify, because these people do not have the funding to give them the help that they need. For instance, we had one young gentleman who came. He was in his early to mid 20s. His wife had just had a baby and then committed suicide. He had to leave work to look after the newborn baby and could not afford to bury his wife. The other charitable organisations do not have the funding to give someone for funeral services. They can give it to them for rental assistance, help with the phone or help with the food but not for funeral services. We were able to help this gentleman bury his wife and still remain at home to look after his newborn child. That is just one of the people we have been able to help.

I have also brought some more information, which is our history. It has some case studies. It has an overview, and it has the stats of the people that we help, how many clients we assist and what sort of assistance we give them, if that is any help to you.

Mr BUCHHOLZ: Can you table that for us, please.

CHAIR: Yes. Thank you very much. We now come to the end of today's public hearing. I thank all our participants for their contribution. It has been a most interesting public hearing. As our participants know, the aim of today's hearing is twofold: firstly, to allow petitioners to expand on the issues raised in petitions, particularly in the light of any government response, and, secondly, to hear about the experience of members of the community in petitioning the House. The information received here today has been helpful in this regard. There will be a transcript of this public hearing published on the committee's website in due course.

Resolved that these proceedings be published.

Committee adjourned at 16:03