

**The Parliament of the Commonwealth of Australia**

**ENVIRONMENT, RECREATION, COMMUNICATIONS AND  
THE ARTS LEGISLATION COMMITTEE**

**REPORT ON REFERENCE OF PETITIONS RECEIVED  
MAY 1996 TO MAY 1997**

**JUNE 1997**

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**ENVIRONMENT, RECREATION, COMMUNICATIONS  
AND THE ARTS  
LEGISLATION COMMITTEE**

**June 1997**

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Senator the Hon C Schacht (Deputy Chair)	ALP, South Australia
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Senator M Lees	AD, South Australia
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Senator R Lightfoot	LP, Western Australia

**Participating Members**

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Senator L Allison	LP, Tasmania
Senator the Hon N Bolkus	ALP, South Australia
Senator R Boswell	NPA, Queensland
Senator B Brown	Australian Greens, Tasmania
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Senator S Mackay	ALP, Tasmania
Senator D Margetts	GWA, Western Australia
Senator B Neal	ALP, New South
Senator J Tierney	LP, New South Wales

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## BACKGROUND

Petitions are referred to committees on the initiative of the President of the Senate. This practice originated following debate on the April 1982 report of the Senate Standing Orders Committee. The Standing Orders Committee recommended that petitions be "referred to the relevant standing committees, so that, should those committees wish to inquire into any particular petitions, they may seek a reference from the Senate to do so."

On 6 March 1997, the Senate adopted the recommendations contained in the First Report of 1997 of the Procedure Committee. During the debate on the motion to adopt the recommendations, one of which concerned petitions, several points were made about the practice of making petitions to the Senate.

Senator Margetts said: "A petition is an awareness mechanism. It is one of the few means by which the community can have a direct voice, small as it is, in the parliamentary process. The message in a petition is to us, the elected representatives.... Petitions constitute an aide-memoire for us of the issues that are important to the community. With petitions, we know what the issues are. We know how many people are supporting a petition. If the same issue comes up day after day in large numbers, it is important — not just that it happens and not just that it gets written down somewhere — that we know, because we are the people to whom those people are sending the message."<sup>1</sup>

Senator Bourne said: "Petitions represent the one area where Australians on the street can actually have a voice in this chamber. They put their signature to a petition and at least the subject of that petition and the number of people who have signed it are read out by the Clerk some time during the day."<sup>2</sup>

Senator Brown said: "I am greatly troubled by the fact that hundreds of thousands of Australians sign petitions to the Senate each year and, in the main, the Senate totally ignores them. The best that happens at the moment is that petitions are read out detailing the number of people who signed them and the senator who brought them in. They then go onto the record. But the reality is that most people who sign petitions do not know how little notice we as senators take of them.... Petitions are read out at the beginning of each day, but let us all

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1 Senate Hansard, 6 March 1997, pp.1232-1233.

2 *ibid.*, p.1233

be honest: we are not listening much of the time because we are distracted by the business of the Senate. I tell community groups to put their energy into other modes of lobbying their parliamentarians — directly in the electorates and through other methods of public debate. I think there is a very strong feeling in the community that, if people petition parliament, it is really going to have an impact. That is not the case.... Petitions have been a part of parliamentary procedure since the Magna Carta. They are an institution. However, as both Senator Margetts and Senator Bourne have indicated, they have been reduced to a thread of their former power simply by the passage of time. I think it behoves all of us to tell people who are campaigning to have their point of view registered with us that there are other more powerful ways of doing it..... There is a responsibility on the Senate and on senators to let the public know just how little petitions weigh. It is a very sad factor in life, but it is reality and we should not duck that."<sup>3</sup>

Senator Campbell said: "I do not disagree with virtually anything that Senator Brown has said. ... It is incumbent upon individual senators to use all of the processes of the Senate to assist their constituents, the people and democracy. When it comes to petitions, they can be used effectively.... You can write to your petitioners — which I always do when I table a petition — saying, 'I would like you to know that I have tabled the petition you gave me on this day, and here is an extract from *Hansard*.' I always do that to petitioners so they know that it has been received."<sup>4</sup>

The petitions below were referred to the Environment, Recreation, Communications and the Arts Legislation Committee by the President, and the Committee sought comment from the appropriate Ministers. This report is presented for the information of the Senate.

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3     ibid., pp.1233-1234.

4     ibid., p.1234.

## **Banning of the Caging of Pet Birds**

The President of the Senate referred the text of a petition presented to the Senate to the Environment, Recreation, Communications and the Arts Legislation Committee.

The petition was presented to the Senate on 21 November 1996 by Senator Spindler from 19,000 petitioners requesting that the trapping, caging, selling and destruction of birds be made illegal.

The matter raised in this petition was referred to Senator the Honourable Robert Hill, Minister for the Environment. A response from the Minister was received on 12 July 1996, and is attached at Appendix A.

## **ABC Daily Current Affairs Format in Tasmania**

The President of the Senate referred the text of a petition presented to the Senate to the Environment, Recreation, Communications and the Arts Legislation Committee.

The petition was presented to the Senate on 30 November 1995 by Senator Abetz from 73 petitioners expressing widespread community concern about the ABC's decision to centralise daily current affairs coverage in Sydney and asking the Senate:

1. note and endorse the concerns expressed in this petition: and
2. call on the Government to instruct the ABC to reverse its decision to centralise current affairs coverage in Sydney and appoint a Tasmanian to the Board of the ABC

The matter raised in this petition was referred to Senator the Honourable Richard Alston, Minister for Communications and the Arts. A response from the Minister was received on 4 October 1996, and is attached at Appendix B.

## **Great Western Tiers National Park**

On 21 May 1996 the President of the Senate referred the text of a petition presented to the Senate to the Environment, Recreation, Communications and the Arts Legislation Committee.

The petition was presented to the Senate on 20 May 1996 by Senator Panizza from 54 petitioners requesting that the Senate impose a moratorium on the logging of old growth forests and other forests of high conservation value on the Great Western Tiers and in all other parts of Australia.

The matter raised in this petition was referred to Senator the Honourable Robert Hill, Minister for the Environment. A response from the Minister was received on 20 November 1996, and is attached at Appendix C.

## **Aboriginal People's Sacred Sites, Evans Head, New South Wales**

On 24 September 1996 the President of the Senate referred the text of a petition presented to the Senate to the Environment, Recreation, Communications and the Arts Legislation Committee.

The petition was presented to the Senate on 12 September 1996 by Senator Panizza from 52 petitioners asking the Senate to call on the Australian Government to:

1. halt any further desecration of the Sacred sites at Evans Head New South Wales on behalf of the Traditional Owner and Custodian, Mr L. Wilson;
2. actively encourage Senator, the Hon. John Herron, Federal Minister for Aboriginal Affairs, to carry out his statutory duty and protect Aboriginal culture and heritage as charged under the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth);
3. protect all Sacred sites, areas and sites of significance for all Aboriginal Australians.

The matters raised in this petition were referred to Senator the Honourable John Herron, Minister for Aboriginal and Torres Strait Islander Affairs. A response from the Minister was received on 3 December 1996, and is attached at Appendix D.



## **Chemical Storage Facility at Pt Lillias**

On 24 September 1996 the President of the Senate referred the text of a petition presented to the Senate to the Environment, Recreation, Communications and the Arts Legislation Committee.

The petition was presented to the Senate on 19 September 1996 by Senator Cooney from 31 petitioners requesting that the Senate examine the proposal to set aside land currently protected under the Ramsar Treaty in order to provide for a chemical storage facility at Pt Lillias. Further, they requested the Senate to examine whether the proposal to set aside an area alternate to the one now nominated by the Ramsar Treaty was in accordance with the requirement of that treaty.

The matter raised in this petition was referred to Senator the Honourable Robert Hill, Minister for the Environment. A response from the Minister was received on 24 March 1997, and is attached at Appendix E.

## **Proposed Point Lillias port and chemical storage facility, and a possible airport at Holsworthy**

On 18 December 1996 the President of the Senate referred the text of three petitions presented to the Senate to the Environment, Recreation, Communications and the Arts Legislation Committee.

The petitions were presented to the Senate on 11 December 1996 as follows:

- i) By Senator Cooney from 61 petitioners requesting that the Senate examine the proposal to set aside land currently protected under the Ramsar Treaty in order to provide for a chemical storage facility at Pt Lillias. Further, they requested the Senate to examine whether the proposal to set aside an alternate area to the one now nominated by the Ramsar Treaty was in accordance with the requirement of the Treaty and the International Convention on Economic, Social and Cultural Rights, the International Convention on Civil and Political Rights, and the Declaration of The Principles of International Cultural Co-operation, UNESCO 1966, and the Convention for the Protection of the World Cultural and Natural Heritage.
- ii) By Senator Foreshaw from 1232 petitioners requesting the Senate oppose the consideration and construction of an airport in Holsworthy by immediately

withdrawing the proposal and ensuring that the land in question be given over as national heritage (national park) immediately the Defence Force withdraw from the area.

iii) By Senator Foreshaw from 2033 petitioners drawing the attention of the Senate to the fact that the quality of the life of the Sutherland Shire will be severely and adversely affected by the construction of an airport at Holsworthy and calling on the Senate to urge the Prime Minister and Government to prevent the construction of any airport at Holsworthy

The matters raised in these petition were referred to Senator the Honourable Robert Hill, Minister for the Environment. A response from the Minister was received on 7 May 1997, and is attached at Appendix F.

**Senator Kay Patterson**  
**Chair**