

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

4 Ms A. E. Burke to move:

That this House:

- (1) notes that it is estimated that anaphylaxis effects up to 380 000 Australians who experience a food allergy, 5-8 per cent of whom are children;
- (2) recognises that tragically, three Australian students died between March 2002 and April 2003 during school hours as a result of an anaphylactic reaction;
- (3) acknowledges that a simple medical treatment is all that is needed to treat an anaphylactic reaction, prevent loss of life and provide the necessary time to transport the victim to hospital for further medical treatment; and
- (4) asks that the Government introduces legislation, devised in a COAG capacity, to ensure all preschools, primary and secondary schools:
 - (a) have necessary policies and procedures to provide effective response to a student who experiences an anaphylactic reaction;
 - (b) include policies that reduce the exposure to causative agents in the classroom environment;
 - (c) ensure staff members are appropriately trained to support life in the event of an anaphylactic reaction; and
 - (d) develop an individual action plan for each student that has an anaphylactic allergy that comprises treatment plans from the student's physician. (*Notice given 25 May 2006.*)

Time allotted — 30 minutes.

Speech time limits —

Mover of motion — 5 minutes.

First Government Member speaking — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

5 Mr Baker to move:

That the House:

- (1) notes that 15-21 October is Carers' Week;
- (2) notes that the theme of this year's Carers' Week is "Anyone, Anytime", the objective of which is identifying carers and empowering them to access support services;
- (3) recognises that there are approximately 2.6 million carers in Australia who provide unpaid help and assistance to a relative or friend, who could not otherwise manage because of disability, mental illness, chronic condition or frailty;
- (4) notes that almost everyone will provide care at some time during their life;
- (5) notes that around 1.2 billion hours of informal care are currently provided by family carers (as recently found

by Access Economics in its report *Economic Value of Informal Care*);

- (6) acknowledges the enormous contribution made by carers to Australian society, often at great personal cost; and
- (7) calls on all levels of government, businesses and schools to consider adopting carer-friendly work practices and learning environments. (*Notice given 16 October 2006.*)

Time allotted — remaining private Members' business time.

Speech time limits —

Mover of motion — 5 minutes.

First Opposition Member speaking — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

CRIMES ACT AMENDMENT (FORENSIC PROCEDURES) BILL (No. 1) 2006

PUBLIC WORKS COMMITTEE AMENDMENT BILL 2006

Referred to Main Committee

Mr BARTLETT (Macquarie) (4.13 pm)—I move:

That the bills be referred to the Main Committee for further consideration.

Question agreed to.

AGED CARE AMENDMENT (RESIDENTIAL CARE) BILL 2006

First Reading

Bill received from the Senate, and read a first time.

Ordered that the second reading be made an order of the day for the next sitting.

BUSINESS

Rearrangement

Ms GAMBARO (Petrie—Parliamentary Secretary (Foreign Affairs)) (4.15 pm)—I move:

That Main Committee order of the day No. 1, government business, be returned to the House for further consideration.

Question agreed to.

The DEPUTY SPEAKER (Hon. IR Causley)—The matter will be set down for consideration at a later hour this day.

LOCAL GOVERNMENT

Debate resumed from 16 October, on motion by **Mr Lloyd**:

That the House:

- (1) recognises that local government is part of the governance of Australia, serving communities through locally elected councils;
- (2) values the rich diversity of councils around Australia, reflecting the varied communities they serve;
- (3) acknowledges the role of local government in governance, advocacy, the provision of infrastructure, service

delivery, planning, community development and regulation;

- (4) acknowledges the importance of cooperating with and consulting with local government on the priorities of their local communities;
- (5) acknowledges the significant Australian Government funding that is provided to local government to spend on locally determined priorities, such as roads and other local government services; and
- (6) commends local government elected officials who give their time to serve their communities.

upon which **Mr Albanese** moved by way of amendment:

That paragraph (1) be omitted and the following paragraph substituted;

“(1) supports a referendum to extend constitutional recognition to local government in recognition of the essential role it plays in the governance of Australia.”.

Mr ALBANESE (Grayndler) (4.16 pm)—The Labor Party support this parliamentary motion on local government. We support it because it is a small step in the direction of giving appropriate recognition to the important role that local government plays in the delivery of services at the local level. Local government is a particularly important tier of government because it is the tier that is closest to the people.

This motion of the federal parliament is essentially a symbolic statement, and that is why I have moved an amendment which would take this recognition of local government beyond simply a symbolic resolution of this House. That is why I have moved that all words in paragraph (1) be deleted and substituted by the following:

... supports a referendum to extend constitutional recognition to local government in recognition of the essential role it plays in the governance of Australia.

Labor has a longstanding policy of support for constitutional recognition of local government. The House of Representatives Economics, Finance and Public Administration Committee inquired into local government and was chaired by the current Speaker of the House of Representatives, David Hawker. The Hawker inquiry received a number of submissions from right around the nation and local government made it very clear that they do seek constitutional recognition. They seek constitutional recognition as an acknowledgment of the critical role that they play in providing local infrastructure and local services, and in ensuring that there is democratic accountability. This is important because of the absolutely critical role that local government play.

Any of us who attend local branches of our respective political parties would know that local issues often dominate people’s concerns: what is happening with local swimming pools, local cleaning services and, in an electorate such as mine, support for multicultural

services to the community. There is the celebration of local communities that occurs in my electorate through important functions such as the Carnival of Cultures that I attended which was hosted by Ashfield Council some three weeks ago; the Marrickville Festival, which was held a couple of weeks before that; the Norton Street Festival, particularly with its celebration of the Italian community in Leichhardt; the Bairro Português Festival in Petersham, which is a celebration of the local Portuguese community; and, indeed, in a couple of weeks time, the Newtown Festival, which is a very colourful festival celebrating the diversity which exists in the inner western suburbs of Sydney.

So I would ask the government to support my amendment and come together with Labor in recognising, in a real way—not in just a symbolic way—the important role that local government plays. That could right some of the wrongs, it must be said, that have occurred in previous times when referendums asking for the recognition of local government in the Constitution were put before the Australian public and defeated.

I want to address the argument put by the Minister for Local Government, Territories and Roads in opposing Labor’s amendment. It was essentially: ‘The reason why we will not seek constitutional recognition of local government is that it would not be successful.’ I say this to the government: it will be successful if they join with Labor in supporting it. The only reason it was opposed was due to the opportunistic, cynical attitude of the current Prime Minister and the former member Peter Reith who pushed the no vote and ensured that the constitutional referendum was indeed not successful. It is quite clear that unless both of the major sides of politics in Australia agree on a constitutional proposition it will not be successful. I call upon the government to take the first step and support Labor’s amendment to this motion on local government. It will indicate to all of those hard-working mayors, councillors, local government workers and, indeed, electors out there that we recognise in a true and practical way the work that they do on behalf of the Australian community.

Question put:

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

The House divided. [4.27 pm]

(The Deputy Speaker—Hon. IR Causley)

Ayes.....	79
Noes.....	56
Majority.....	23

AYES

Abbott, A.J.	Andrews, K.J.
Bailey, F.E.	Baker, M.
Baldwin, R.C.	Barresi, P.A.
Bartlett, K.J.	Billson, B.F.

Bishop, B.K.
Broadbent, R.
Cadman, A.G.
Cobb, J.K.
Draper, P.
Elson, K.S.
Farmer, P.F.
Ferguson, M.D.
Gambaro, T.
Georgiou, P.
Hardgrave, G.D.
Henry, S.
Jensen, D.
Jull, D.F.
Keenan, M.
Kelly, J.M.
Ley, S.P.
Lloyd, J.E.
Markus, L.
McArthur, S. *
Nairn, G.R.
Neville, P.C. *
Prosser, G.D.
Randall, D.J.
Robb, A.
Schultz, A.
Secker, P.D.
Smith, A.D.H.
Southcott, A.J.
Thompson, C.P.
Tollner, D.W.
Tuckey, C.W.
Vaile, M.A.J.
Vasta, R.
Washer, M.J.
Wood, J.

Adams, D.G.H.
Beazley, K.C.
Bird, S.
Burke, A.E.
Byrne, A.M.
Crean, S.F.
Elliot, J.
Ellis, K.
Ferguson, L.D.T.
Fitzgibbon, J.A.
Georganas, S.
Gibbons, S.W.
Griffin, A.P.
Hatton, M.J.
Hoare, K.J.
Jenkins, H.A.
Lawrence, C.M.
McClelland, R.B.
Melham, D.
O'Connor, B.P.
Owens, J.
Price, L.R.S.
Ripoll, B.F.
Rudd, K.M.
Sercombe, R.C.G.
Snowdon, W.E.

Bishop, J.I.
Brough, M.T.
Ciobo, S.M.
Downer, A.J.G.
Dutton, P.C.
Entsch, W.G.
Fawcett, D.
Forrest, J.A.
Gash, J.
Haase, B.W.
Hartsuyker, L.
Hunt, G.A.
Johnson, M.A.
Katter, R.C.
Kelly, D.M.
Laming, A.
Lindsay, P.J.
Macfarlane, I.E.
May, M.A.
McGauran, P.J.
Nelson, B.J.
Pearce, C.J.
Pyne, C.
Richardson, K.
Ruddock, P.M.
Scott, B.C.
Slipper, P.N.
Somlyay, A.M.
Stone, S.N.
Ticehurst, K.V.
Truss, W.E.
Turnbull, M.
Vale, D.S.
Wakelin, B.H.
Windsor, A.H.C.

NOES

Albanese, A.N.
Bevis, A.R.
Bowen, C.
Burke, A.S.
Corcoran, A.K.
Danby, M. *
Ellis, A.L.
Emerson, C.A.
Ferguson, M.J.
Garrett, P.
George, J.
Gillard, J.E.
Hall, J.G. *
Hayes, C.P.
Irwin, J.
King, C.F.
Livermore, K.F.
McMullan, R.F.
Murphy, J.P.
O'Connor, G.M.
Plibersek, T.
Quick, H.V.
Roxon, N.L.
Sawford, R.W.
Smith, S.F.
Swan, W.M.

Tanner, L.
Vamvakinou, M.
* denotes teller

Thomson, K.J.
Wilkie, K.

Question agreed to.

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

Ms GAMBARO (Petrie—Parliamentary Secretary (Foreign Affairs)) (4.33 pm)—It is no surprise that the government does not support the amendment moved by the member for Grayndler. I remember only too well the House of Representatives Standing Committee on Economics, Finance and Public Administration, because I was on that committee with the member for Grayndler. One of the recommendations of that particular committee report was that the Minister representing the Minister for Local Government, Territories and Roads proposed, as a precursor to the summit on intergovernmental relations, a resolution that the House of Representatives recognises local government as an integral level of governance in Australia and that that would be put forward in both chambers of parliament.

What the member for Grayndler has done today has gone even further and we do not support his amendment. That is not because we do not support local government. We feel that local government does a tremendous job in this country—and I am pleased to have the minister at the table at the moment. The objective of the motion before the House and the Senate is to recognise the contribution that has been made by local government to democratic governance in Australia. That is what the original House of Representatives committee recommended. The Australian government has consulted widely with local government on the terms of the motion and we received wholehearted endorsement of the words that were originally moved. Constitutional recognition was not a recommendation of the Hawker report. It was a unanimous bipartisan report. I and the member for Grayndler worked on that report. In fact, the report recognised that to provide constitutional recognition for government was not likely to ever succeed or be fully successful. The Hawker report recommended that, instead of a referendum on constitutional recognition, the government should move a motion in parliament to recognise local government as an integral level of governance in this country. That is exactly what we said we would do and we have done it. We have done it in the Senate and we have done it in the House of Representatives.

Constitutional recognition has been rejected by the Australian people on two previous occasions, in 1974 and 1988, and the member for Grayndler knows that only too well. He has come in here and is pulling another one of his stunts. The Australian government believes that there is a substantial number of issues that really do need to be addressed before a recommendation to change the Constitution to recognise local gov-

ernment could be again put to the Australian people. The Australian government does not want to see constitutional recognition used as a means for the states again to shuffle their responsibilities for local government, which they have a habit of doing. That report had many instances of where that was occurring in areas such as the police and health services. I remember it quite well.

Local government is a constitutional responsibility of the states and territories and is recognised in state constitutions, and the Australian government is not prepared to take on additional responsibility for the Commonwealth without a proper demarcation of the roles of states and territories in funding and regulating local government.

I want to place on record my great support for local government and the work that many of its officers around the country do; for supporting each and every one of us in this parliament and for the essential services they provide. Many times they do it for little or no financial reward. This motion recognises the time they give to serve their wonderful communities, and that their great commitment is above and beyond their elected fiduciary responsibilities.

It is a great honour to be here making the concluding remarks on this historic occasion. It is the first time ever that the Commonwealth parliament has considered a motion recognising that local government has a legitimate place in the governance of Australia. Again, I want to place on record my sincere appreciation of the great role that it plays. The motion celebrates the achievements of local government, it applauds the efforts of these people who work to represent their communities day and night and it marks the special relationship that we as the Australian government have with local government.

I commend all of the efforts of the Australian Local Government Association in their representation of local government interests in many forums. I know that they have a very high regard for the minister here, because I was at a women's local government conference just a short while ago where they put that on the record.

It is unfortunate that, on this occasion, bipartisan support for the motion was not possible. The members opposite know only too well that constitutional recognition of local government was not a recommendation, as I said, of the Hawker report; it was a recommendation in the unanimous report of the bipartisan House of Representatives committee that a resolution in the form of the government's motion be adopted by the House. This motion is a further step by the government towards meeting the commitments it gave. As I said, those full commitments were given at the time of the Hawker report, and we have undertaken to meet them.

A number of speakers, both in the Main Committee and today in the House, have used this opportunity to

bring the special efforts and contributions of local government to our attention. For that, I thank each and every one of those who have spoken on local government to date. But the motion does not mean the Australian government have completed its consideration of local government issues. There are still several high-profile issues on which both levels of government need to work together, to make sure that we do what is right for the time ahead. The Australian government look forward to working with local government and making sure that we have this long, enduring and fruitful relationship.

Question agreed to.

**BROADCASTING LEGISLATION
AMENDMENT (DIGITAL TELEVISION)
BILL 2006**

Cognate bill:

**BROADCASTING SERVICES AMENDMENT
(MEDIA OWNERSHIP) BILL 2006**

Second Reading

Debate resumed.

Mr GEORGANAS (Hindmarsh) (4.40 pm)—I rise to speak on the Broadcasting Services Amendment (Media Ownership) Bill 2006 and the Broadcasting Legislation Amendment (Digital Television) Bill 2006. In doing so, I will be arguing against any increase in the concentration of media ownership amongst Australia's dominant media outlets.

The purpose of the Broadcasting Services Amendment (Media Ownership) Bill 2006 is to dismantle cross-media ownership laws. It does so by allowing media owners to buy into other means of communication. The main purpose of this bill is to scrap restrictions that have guaranteed that the major metropolitan newspapers are not controlled by the same people who control the television stations or the comparatively few opinion-setting radio stations. How can the concentration of ownership of TV, daily newspapers and radio businesses within any one company do anything but decrease media diversity?

Analysts all over the country have identified the result of this bill—that is, a reduction in the number of media owners in Australia's major media markets from 11 to five. As a result of this government's assault on Australian journalism, we will see the largest players buying up media and making the notion of diversity within Australian journalistic media a global joke. There may be some countries with less media diversity than this government has planned for Australia. They are countries such as Cuba, North Korea, maybe Burma, and the old Soviet Union of the fifties through to the eighties. This is the company we, a free and open democracy, will be keeping with a minimal number of media outlets with a millennium of media dominance to play with.