

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

Joint Standing Committee on Treaties

**THE OAKLEY AGREEMENT:
AUSTRALIA AND SINGAPORE**

6th Report

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¹ Replaced Senator the Hon C Ellison (LP, WA) from 26 February 1997.

² Replaced Senator K Carr (ALP, VIC) from 4 December 1996.

³ Replaced Senator K Denman (ALP, TAS) from 12 December 1996.

EXTRACT FROM RESOLUTION OF APPOINTMENT

The Joint Standing Committee on Treaties was formed in the 38th Parliament on 30 May 1996. The Committee's Resolution of Appointment allows it to inquire into and report upon:

- (a) matters arising from treaties and related National Interest Analyses and proposed treaty actions presented or deemed to be presented to the Parliament;
- (b) any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the committee by:
 - (i) either House of the Parliament, or
 - (ii) a Minister; and
- (c) such other matters as may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the Minister may prescribe.

RECOMMENDATIONS

The Joint Standing Committee on Treaties recommends that:

The Queensland Chamber of Commerce and Industry (South West Region) be provided with full details of the Government's tendering processes to enable them to facilitate local industry participation in the economic benefits flowing from the Agreement (Paragraph 4.43).

The Coordinating Group established by the Queensland Department of Premier and Cabinet facilitate the provision of a single Singaporean housing coordination agency and that a plan be developed outlining the provision of essential services such as education and health care (Paragraph 4.45).

The Australian Government ratify the Oakey Agreement with the Government of the Republic of Singapore at the earliest opportunity (Paragraph 4.49).

ACKNOWLEDGMENTS

The Committee wishes to thank all those who participated in the Inquiry by appearing as witnesses, providing written submissions and assisting with the arrangements for Committee meetings and inspections. The Committee is grateful for the interest shown and the cooperation and advice provided.

CHAPTER 1

CONDUCT OF THE INQUIRY

1.1 The text and accompanying National Interest Analysis (NIA) for the Agreement between the Government of Australia and the Government of the Republic of Singapore dealing with the location of a helicopter squadron at the Army Aviation Centre at Oakey, Queensland, was tabled in both Houses of Parliament on 11 February 1997.

1.2 While the formal title of this document is the 'Agreement between the Government of Australia and the Government of the Republic of Singapore concerning the Location of a Helicopter Squadron at the Army Aviation Centre Oakey', the less formal title 'The Oakey Agreement' will be used for convenience in this report. This Agreement was done at Canberra on 21 October 1996.

1.3 On 11 February 1997, the Committee agreed that an inquiry should be undertaken into the Oakey Agreement, with a view to making recommendations to the Parliament about ratification of the Agreement and any other relevant matters.

1.4 The inquiry was advertised regionally on the 12 February 1997, and again on the 15 February 1997. The inquiry was also advertised nationally on the 15 February 1997. The Committee received a limited response to these advertisements.

1.5 A public hearing was held in Toowoomba on 19 February 1997. This hearing was preceded by a briefing on the Agreement, the Army's activities in the Oakey area and a tour of the Army Aviation Centre on 18 February 1997. The tour included existing infrastructure and the proposed location of the Singaporean training facilities.

1.6 Those people who gave evidence at the hearing are listed in Appendix 1. Submissions received are at Appendix 2. Exhibits are listed at Appendix 3.

CHAPTER 2

BACKGROUND

Strategic relationship

2.1 Australia regards Singapore as an important regional partner, maintaining a strong bilateral relationship that draws on long-standing, shared strategic interests. Australia's relationship with Singapore and other regional countries also conveys vital strategic, commercial and political benefits. Singapore is Australia's largest trading and investment partner in the Association of South East Asian Nations (ASEAN), with bilateral trade totalling A\$6.16 billion in 1995-96. Overall, Singapore is the sixth largest market for Australian exports.¹

2.2 In recent years, Australia's bilateral links with Singapore have been elevated above their already highly productive levels by the announcement in early 1996 of a so-called new partnership between the two countries by the then Prime Minister Keating and Prime Minister Goh. This announcement was given early support by the new Coalition Government. The new partnership ushered in the Singapore-Australia Joint Ministerial Committee which held its inaugural meeting in Canberra in October 1996.² Australia also cooperates with Singapore, often with closely aligned objectives, through APEC, the World Trade Organisation and the region's peak security body, the ASEAN Regional Forum.

2.3 Singapore shares with Australia a strong desire for a stable and predictable region. From a strategic perspective, the cooperation between regional defence forces is an important part of building a stable regional security environment.³ To assist in developing this environment, Australia and Singapore agree on the need to create a strong and reliable network of strategic contacts as a means to furthering confidence, transparency and cooperation on security issues.

1 Transcript, 19 February 1997, p. 5.

2 *ibid*, p. 5.

3 *ibid*, p. 4.

2.4 Additional security benefits for Australia from the strategic relationship with Singapore include:

- a heightened potential interoperability of the respective defence forces;
- provision of important insights into regional and Singaporean thinking about strategic issues; and
- potential peace time spin-offs including increased capabilities in search and rescue and anti-terrorism operations.⁴

2.5 Singapore also shares Australia's view on the importance of the United States (US) presence in the region as a balancing power in the post-Cold War era.⁵

Defence cooperation

2.6 Australia's interest in the security of Singapore is formally reflected in membership of the Five Power Defence Arrangement (FPDA). Membership of the FPDA includes Australia, Malaysia, Singapore, New Zealand and the United Kingdom. Under this Arrangement, Australia is committed to consult with Singapore if that country is either attacked or threatened with attack. The FPDA provides important opportunities to cooperate in developing the defence capabilities of all members. Regular combined and joint exercises continue to be valued by all partners in the Arrangement. In addition, FPDA exercises have been supplemented by a number of bilateral exercises, both in Australia and Singapore.

2.7 Australia's wide range of cooperative activities with Singapore have been supplemented in recent years by the development of substantial Singaporean military training and exercise activities in Australia. By using Australia's abundant air and land space, Singapore can conduct activities which it cannot readily undertake within its own constrained territorial boundaries. Singapore's defence forces have made substantial investments in the construction of facilities in Australia, and have provided valuable opportunities for Australian companies to support their activities. Significant undertakings to date include:

- the development of the RSAF Flying Training School at RAAF Base Pearce (including the construction of facilities);

4 *ibid*, p. 5.

5 *ibid*, p. 4.

- an agreement regarding the use of the Shoalwater Bay Training Area (under cost recovery arrangements with the Department of Defence that include repair of any environmental damage) for up to 45 days in the September-October period each year;⁶ and
- an agreement, signed in September 1995, for the deployment and use of Remotely Piloted Vehicles (RPV) in the SWBTA in conjunction with the September-October exercise period outlined above.⁷

2.8 Other activities have included the deployment of Singaporean Skyhawk and F-5 Tiger aircraft for training activities from RAAF Base Amberley and the participation of approximately 60 Headquarters personnel in Exercise Kangaroo 95.⁸

2.9 As the relationship at Oakey develops, benefits to the Australian Defence Force (ADF) of the Agreement will likely include opportunities for the Australian Army to utilise the Singaporean's spare helicopter capacity for exercise purposes. This arrangement would result in mutually beneficial training.⁹

The Army Aviation Centre

2.10 The Army Aviation Centre is located at Oakey in South East Queensland. The Centre has been home to the Australian Army Aviation Corps since it took formal control of the airfield on 1 July 1969 from the then Department of Civil Aviation. Since then, the Aviation Centre has continued to expand with the addition of various aviation units to the Army's Order of Battle.

6 Transcript, 19 February 1997, p. 7.

7 *ibid*, p. 7.

8 *Weekly Senate Hansard*, May 95, p. 98.

9 Transcript, 19 February 1997, p. 8.



Figure 1. The Army Aviation Centre

(printed by approval Headquarters Aviation Support Group)

2.11 The Centre is currently home to a number of headquarters and operational flying units. These include:

- Headquarters, Aviation Support Group - tasked to provide the resources and procedures necessary for the maintenance and sustainment of Army aviation and associated aircraft. It includes:
 - Aviation Support Group Workshop - tasked to provide first and second line maintenance and recovery support to the School of Army Aviation specialist equipment; to provide training support to initial and ongoing aviation trade training; to provide specialist maintenance engineering staff support; and to provide base warehousing and logistic support to Army Aviation as directed by Headquarters Aviation Support Group.
- Headquarters, 1st Aviation Regiment - tasked to provide Army with aerial reconnaissance, surveillance and operational support, including:
 - 171 Operational Support Squadron - equipped with the Bell Iroquois utility helicopter; and
 - 173 Surveillance Squadron - equipped with civil leased twin turbine fixed wing aircraft.

- School of Army Aviation - responsible for the specialist training of all Officers and Other Ranks.
- Royal Australian Electrical and Mechanical Engineers (RAEME) Aircraft Maintenance School - conducts RAEME individual training in aircraft maintenance; provides aircraft maintenance training for Army aircrew; and contributes to the development of doctrine and equipment.
- Darling Downs Logistic Battalion - provides support and facilities to dependencies and supports military flying operations at the Army Aviation Centre.
- Army Aircraft Logistic Management Squadron - responsible for the provision of logistics support to Army aircraft and some other Royal Australian Air Force (RAAF) and Navy aircraft equipment.



Figure 2. An Army Aviation Kiowa helicopter flying over the Darling Downs.

(printed by approval Darling Downs Logistic Battalion)

2.12 The Aviation Centre is manned by a mixture of uniformed Defence personnel, Defence civilians and contractor staff. Manning levels at the time of the public hearing were:

- Uniformed personnel - 611;
- Defence Civilians - 222; and
- Contractor staff - 112.

2.13 During his presentation on the Agreement to the Committee, Brigadier Bill Mellor, Commander of the Aviation Support Group and the senior Army representative at Oakey, indicated there were a number of future developments likely to occur at the Aviation Centre. These developments may include:

- the location of a Black Hawk helicopter training simulator;
- Oakey Redevelopment - Stage Two;
- the relocation of the Australian Defence Force (ADF) Helicopter School; and
- changes stemming from 'Restructuring the Army'.

CHAPTER 3

THE AGREEMENT

General

3.1 The Oakey Agreement was signed on 21 October 1996 by the Australian Defence Minister, the Hon Ian McLachlan, AO, MP, and the Singaporean Deputy Prime Minister, Mr Tan. It is envisaged by the Department of Defence that formal notes will be exchanged on or about 1 April 1997.¹ The Agreement facilitates the conduct of Republic of Singapore Air Force (RSAF) helicopter flying training at Oakey until 31 December 2012. The Agreement will be re-negotiated two years prior to its expiry date.

3.2 Under the Agreement, Singapore will base up to 12 Super Puma helicopters at Oakey with an option to include Chinook helicopter training at a later date. It is expected that up to 250 military personnel and an additional 250 dependents will be based in the Oakey/Toowoomba region.² This number of personnel is expected to decrease slightly after the first two years of Singaporean operations.

Key elements

3.3 The key elements of the Oakey Agreement include:

- the terms and conditions under which the RSAF may establish a helicopter squadron at the Army Aviation Centre and conduct flying operations from the date of signature of the Agreement until 31 December 2012. Within two years of the expiry of the Agreement the two Governments shall consult at the request of either concerning its extension (Article 2).
- Flying activities are to be consistent with those undertaken by a helicopter squadron for the purpose of maintaining flying skills and operational capabilities (Article 3).

1 Transcript, 19 February 1997, p. 7.

2 *ibid.*, p. 7.

- All activities by the Singaporeans are to be in accordance with Australian law and Australian Defence Force (ADF) regulations and procedures; including environmental management, Occupational Health and Safety (OH&S), noise abatement, flying safety and security (Article 3).
- The ADF will provide military support on the Oakey base, while infrastructure support for dependents; including, housing, education and health, will be provided by local government, commercial firms and institutions in the Oakey and Toowoomba area (Articles 6, 7 and 13).
- Domestic accommodation will be arranged by Singapore (Article 7).
- Suitable land will be made available at the Army Aviation centre on which dedicated RSAF facilities will be built. The title to this land will be retained by Australia (Article 8).
- Stringent security guidelines have been imposed on the Singaporeans, including unrestricted and unaccompanied ADF access to all facilities at any time for the purpose of validating security arrangements (Article 10).
- Members of the RSAF will remain under RSAF command and will continue to be subject to RSAF disciplinary laws and regulations (Article 11).
- Singapore will pay for the full cost of goods, services and facilities provided by the ADF. In addition, Singapore will pay a pro-rata share of the cost of shared facilities (Article 14).
- A mechanism has been set in place for management of the Agreement and settlement of disputes (Article 15).³

Implementing arrangements

3.4 A series of implementing arrangements will also be negotiated between the Australian Army and the RSAF. These arrangements will cover:

- operational issues, including flying operations and safety;

3 *ibid*, pp. 7-8.

- logistic matters, such as storage facilities, maintenance support, communications, emergency medical support and messing;
- financial arrangements, such as payment for services provided by the ADF, funding provisions for the new Singaporean facilities, and common-use agreements; and
- commercial support.

3.5 These implementing arrangements, signed by the Chief of the Australian Army and the Chief of the Singapore Air Force, while international arrangements, do not carry treaty status and, as such, do not require Executive Council approval.⁴

Consultation

3.6 The NIA states that information on the Oakey Agreement has been provided to the Premier of Queensland and there has been informal liaison with local government authorities to ensure that their requirements are observed.

3.7 Information on the proposed Agreement has also been provided to the States and Territories through the Standing Committee on Treaties (SCOT) Schedule of Treaty Action. The consultation process is addressed further in Chapter 4.

Withdrawal

3.8 The Oakey Agreement may be terminated by either Party giving written notice of its intention to terminate it, in which case it shall terminate twelve (12) months after the date of receipt of the notice of termination. The Parties may mutually consent to the termination of the Agreement at any time.

3.9 The provisions of the Agreement concerning costs will, notwithstanding any termination, continue until all costs incurred by either Party have been paid. The provisions on compliance with Australian laws and dispute settlement will continue in force notwithstanding termination.

4 Transcript, 19 February 1997, p. 8.

CHAPTER 4

IMPLICATIONS OF THE AGREEMENT

Local economic benefits

4.1 Then Mayor of Toowoomba, Mr Ross Miller, and the Mayor of the Jondaryan Shire, Mr Peter Taylor, were both supportive of the Oakey Agreement and believed that there will be significant economic benefits to the region.¹ Mr Don Christmas, Regional Manager, South West Queensland, Queensland Chamber of Commerce and Industry, viewed the Agreement as an exciting development for the region, presenting many opportunities for businesses in the local economy.²

4.2 Mr Graham Healy, MLA, Member for Toowoomba North, is of the firm belief that the location of the RSAF helicopter squadron at Oakey will not only see the injection of financial benefits into the local economies, but that their addition to the community will enable him to argue in the future for additional Government services.³

4.3 While initial capital investment will be in the vicinity of A\$30 - A\$35 million, ongoing annual maintenance requirements will be approximately A\$5 million per annum.⁴ Additional economic benefits will flow to the local economies from the Singaporeans and their families living within the communities of Oakey and Toowoomba. The Department of Defence has estimated these additional economic benefits, obtained principally from the expenditure of salaries in the local economies, to be in the vicinity of A\$9 million per annum.⁵

4.4 Mr Christmas emphasised that the Queensland Chamber of Commerce and Industry had a key facilitative role to ensure local businesses maximised their economic benefit from the Agreement.⁶ He believed that it was the role of the Chamber to fully brief local businesses and firms on the most appropriate way to obtain a large proportion of the economic benefits that will result from

1 Transcript, 19 February 1997, p. 23. and p. 28.

2 *ibid*, p. 24.

3 Mr G. Healy, MLA, Submission No 1, p. 1.

4 Transcript, 19 February 1997, p. 28.

5 Department of Defence, Submission No 7, p. 1.

6 Transcript, 19 February 1997, p. 35.

the expansion at Oakey.⁷ A critical issue identified by Mr Christmas was the tendering process. He stressed that in the past the Chamber had found a lack of knowledge and expertise in this area of business; an issue that needed rectification to ensure that local business opportunities were fully exploited.⁸

The Army Aviation Centre - consultation and regional issues

4.5 The Department of Defence and, in particular, the staff at the Army Aviation Centre, have consulted widely with local councils and the Queensland State Government. Brigadier Mellor indicated that consultation and negotiation had been occurring for close to two years, and that at each stage of developing the Agreement, appropriate briefings had been given and advice sought from relevant authorities.⁹

4.6 Brigadier Mellor stressed that the lessons learnt from previous negotiations with Singapore regarding the Pearce and Shoalwater Bay Agreements were taken into account during the negotiations over the Oakey Agreement. These lessons included issues relating to both operational matters and the integration of the RSAF personnel and their dependents into the domestic environment.¹⁰

4.7 Mayor Taylor acknowledged the consultation that had taken place to date between the local community and the Department of Defence. He stated that the Jondaryan Shire Council had had an opportunity to raise infrastructure concerns with the Department of Defence and that, aside from the issue of housing, matters that had been raised by the Council had been addressed in the Agreement.¹¹

4.8 An important regional issue that is being resolved by cooperation between the local Councils and the Department of Defence is the issue of local water supply. The present situation is that the Army Aviation Centre operates a reticulated water supply scheme separate to the Jondaryan Shire system. Both systems are reliant on shallow water and a series of bores. Recent periods of drought have resulted in both water levels and the quality of water decreasing.¹² A pipeline is planned from Toowoomba to Oakey that will provide town water

7 *ibid*, p. 35.

8 *ibid*, pp. 35-36.

9 *ibid*, p. 10.

10 *ibid*, p. 10.

11 *ibid*, p. 37.

12 *ibid*, p. 24.

to the region, a solution which will overcome the existing problems associated with poor quality bore water. Financial arrangements, while not finalised, will be shared between the local Councils and the Department of Defence.¹³

4.9 The issue of Federal government contributions to local government infrastructure development was raised at the public hearing. Mayor Taylor felt that while historically the Commonwealth government has not contributed to the cost of local government infrastructure development, this situation was becoming an issue with his constituents because of the number and size of developments occurring.¹⁴ He did acknowledge, however, that the lack of capital contributions by the Commonwealth were often offset by economic benefits to the local and regional economies.¹⁵ He emphasised that while the Commonwealth did not pay rates, there were a number of services provided by his Shire to the Army Aviation Centre that were paid for in full.¹⁶

Flying operations and related matters

4.10 Flying operations conducted from the Aviation Centre by the RSAF will be in accordance with Australian regulations and procedures.¹⁷ While there is likely to be an increase to the amount of night flying operations, Brigadier Mellor stressed that the Centre will ensure these activities have a minimal impact on local properties and residences.¹⁸ Noise abatement procedures and the processing and settling of complaints from Singaporean flying activities will be handled in the same manner as complaints made against the ADF.¹⁹ RSAF operations will also not impact on those flying and training operations conducted by ADF flying units already stationed at Oakey.²⁰

4.11 The issue of safety will be paramount to any activity conducted by the RSAF at Oakey. The Agreement specifies that all activities by the RSAF will be conducted in accordance with Australian Occupational Health and Safety (OH&S) regulations.²¹ In the event of an incident/accident involving a

13 *ibid*, p. 25.

14 *ibid*, p. 38.

15 *ibid*, p. 38.

16 *ibid*, p. 32.

17 The Oakey Agreement, Article 5, paragraph 1, p. 5.

18 Transcript, 19 February 1997, p. 10.

19 The Oakey Agreement, Article 5, paragraph 8, pp. 6-7.

20 Transcript, 19 February 1997, p. 16.

21 The Oakey Agreement, Article 3, paragraph 2, p. 3.

Singaporean helicopter, specific provisions will apply. The initial response to the incident or accident will come from the Army Aviation Centre Accident Response Service, which will be manned on a pro-rata basis by the Australian Army and the RSAF. If the Singaporeans are conducting independent flying operations, such as night training, they will be entirely responsible for providing the accident response service in accordance with the Aviation Centre's regulations and procedures.²²

4.12 All key services at the Aviation Centre are currently being assessed as to their capacity to handle the additional workload following the arrival of the RSAF. Certain services, such as firefighting/rescue and air traffic control, may require supplementation. Should this be required, the funding of this additional capacity will be at the expense of Singapore.²³ In some circumstances, such as air traffic control, Singapore may provide any additional necessary staff members.

The provision of housing

4.13 The Oakey Agreement provides for the RSAF personnel and their dependants to be housed in private residential accommodation arranged by the RSAF.²⁴ Singaporean representatives have commenced negotiations with both state and local government instrumentalities. Mr Stephen Davis, President, Darling Downs Branch, Real Estate Institute of Queensland, indicated that the ability of the local real estate market to absorb the influx of Singaporeans will depend upon the standard and type of housing required.²⁵ Based on the assumption that the RSAF will want to occupy housing to a similar standard as the Australian Defence Force (ADF), Mr Davis concluded that there could be a shortfall in the number of houses required.²⁶ He based this conclusion on the fact that in Toowoomba at the time of the public hearing, the vacancy rate for houses in the \$170-\$220 per week bracket (the likely bracket in which the Singaporeans will rent) was only one per cent of available accommodation.²⁷

4.14 The introduction of a significant number of families into the local real estate market may also act as a catalyst in forcing rental prices to increase. Mr

22 Transcript, 19 February 1997, p. 16.

23 *ibid*, pp. 15-16.

24 The Oakey Agreement, Article 7, paragraph 1, p. 7.

25 Transcript, 19 February 1997, p. 29.

26 *ibid*, p. 29.

27 *ibid*, p. 29.

Davis emphasised that while increased rents would encourage investors to build new properties, any decision by an investor to build would be effected by the terms of any likely lease arrangement. Long term tenants and leases would be more likely to encourage investors than shorter term arrangements (such as six month leases).²⁸

4.15 Mr Davis also raised another concern regarding the provision of housing. He stressed that it would be to the disadvantage of the Singaporeans if they were forced to individually provide character references and negotiate with individual real estate property managers. Mr Davis stated that his concern would be negated if there was a central focus provided by a housing coordination agency. This agency would also be able to guarantee the character of the tenant and ensure that tenants understood their obligations under the lease.²⁹ Mr Christmas stated that the coordination of housing was an issue that the Chamber wished to see resolved through the provision of a central focus.³⁰

4.16 Mr Miller also supported Mr Davis in the call for a housing coordination agency. He was concerned that the Agreement may encourage the building of an oversupply of housing in the area. He emphasised that what his community required were firm numbers and an accurate time line for the Singaporean's arrival. Once this information was confirmed, the local building industry could respond as necessary.³¹

4.17 Two supplementary submissions to the Committee offer a solution not only to the coordination of housing, but also to the provision of essential services such as health care and education. The Department of Defence and the Queensland Department of the Premier and Cabinet have concluded that the most suitable forum to address these issues is a Coordinating Group that will be established out of the Department of Defence/Queensland Government Strategic Planning Level Consultative Arrangements.³² The Coordinating Group will consist of representatives from Queensland Departments of the Premier and Cabinet; Economic Development and Trade; Emergency Services; Public Works and Housing; Transport; and the Environment.³³ The Coordinating Group is planning to meet in early March 1997. Relevant members of the Queensland Departments of Health and Education will participate in this Group.

28 *ibid*, p. 30.

29 *ibid*, p. 31.

30 *ibid*, p. 35.

31 *ibid*, pp. 30-31.

32 Department of Defence, Submission No 7, p. 2. and Department of Premier and Cabinet, Submission No 6, p. 1.

33 *ibid*, pp. 1-2.

Education

4.18 The Queensland Department of Education and private education institutions met with representatives of the Singapore Government in late 1996 to discuss the issue of education. At this meeting, representatives from the Queensland Government outlined the educational facilities available in the Oakey and Toowoomba regions, while giving the Singaporean representatives an opportunity to clarify any outstanding issues. The Singaporean representatives indicated that in the first group of RSAF personnel to arrive in the region there would be approximately 25-30 children. Because of the likely dispersed nature of the families throughout the area, these numbers would not impact on state school enrolments.³⁴

4.19 The Queensland Department of Education saw dispersal of the Singaporeans throughout the community as the key to meeting educational needs. Dispersal of the Singaporean families and their children would alleviate any pressure on school infrastructures, albeit that the Australian Bureau of Statistics figures for Toowoomba indicate that in the period 1986-1991 primary school enrolments in the area fell.³⁵ Dispersal amongst the community would also enable the Singaporeans to gain the maximum benefit from living in a foreign country.

4.20 One of the major issues raised by the Singaporean delegation regarding education was the correct placement of children in a year level that was appropriate for when they returned to Singapore.³⁶ Mr Mark Campling, Senior Review Officer, Queensland Department of Education, explained that the Department employed a schedule to place children in the appropriate year level, but that both state and private schools also went through a series of assessments to confirm these placements.³⁷ Ongoing dialogue between the Singaporean Government and the Queensland Department of Education will continue to resolve issues as they arise.

4.21 Members of the RSAF and their dependants will be granted temporary residence status on arrival in Australia; therefore, they will be exempt from paying state school fees, other than those fees charged by a particular school.³⁸ Should they attend an independent school, and assuming they have residency

34 Transcript, 19 February 1997, p. 40.

35 *ibid*, p. 41.

36 *ibid*, p. 41.

37 *ibid*, p. 41.

38 *ibid*, p. 44.

status, the Singaporeans will pay the same fees as those levied against an Australian citizen.³⁹

Health

4.22 The Agreement states that:

The RSAF shall ensure that all RSAF Personnel are medically and dentally fit on arrival in Australia and shall be responsible for their continuing medical and dental support in Australia.⁴⁰

4.23 The Queensland Department of Health indicated that health care facilities in the region would provide adequate levels of care for the Singaporeans. At the primary health care level, both in Oakey and Toowoomba, there exists health care facilities of a high standard. At the secondary level, the facilities at the base hospital in Toowoomba would certainly be, in most respects, adequate for the Singaporean's needs.⁴¹

4.24 Dr Denis Lennox, Medical Superintendent, Toowoomba Base Hospital, indicated that while the Singaporeans had conducted an informal visit to the health facilities at both Oakey and Toowoomba, he was unsure as to whether they would access both public and private facilities.⁴² Moreover, he stressed that whichever option, or combination of options, the Singaporeans chose, there would be adequate capacity within existing health facilities to cater for the Singaporean requirements.⁴³

4.25 Dr Lennox, and Mr Greg Chapman, District Manager, Toowoomba District Health Service, raised a concern regarding the provision of health care to the Singaporeans stationed at Oakey, ie access to Medicare arrangements. Dr Lennox stated that he believed the Singaporeans would be ineligible persons under the Medicare arrangement, and would be expected to pay the ineligible persons' rate to access services in the public system.⁴⁴ During their visit to Toowoomba, Dr Lennox recommended to the Singaporeans that they pursue this issue at the highest level to ascertain the status of their citizens in terms of accessing the public health system while in Australia.⁴⁵ Mr Stephen Brown,

39 *ibid*, p. 44.

40 The Oakey Agreement, Article 12, paragraph 1, p. 10.

41 Transcript, 19 February 1997, p. 47.

42 *ibid*, p. 47.

43 *ibid*, p. 47.

44 *ibid*, p. 45.

45 *ibid*, p. 45.

Department of Defence, indicated the Agreement specified that the Singaporeans should bear the full cost of medical and hospital treatment for their personnel while in Australia.⁴⁶

4.26 A further significant health issue raised by Dr Lennox was the participation by the Singaporeans in the provision of health care. While discussed informally, Dr Lennox believes that participation by the Singaporeans in health care delivery, particularly in the area of emergency service responses, would benefit the southern and inland Queensland regions.⁴⁷ He added that the new development at the Toowoomba Base Hospital would be capable of supporting Singaporean Puma helicopter operations from the proposed carpark helipad.⁴⁸

4.27 The issue of child immunisation was briefly addressed. Dr Lennox stated that he believed the Singaporean record regarding child immunisation was good, and that Australian children did not face any significant risk from their presence. He stressed, however, that immunisation status should be an issue that is addressed in any implementing arrangements.⁴⁹

4.28 Dr Lennox concluded that to ensure the Singaporeans received the best possible health care support, a stronger dialogue was required between the Queensland Department of Health and the Department of Defence.⁵⁰

Religion and pastoral care

4.29 Religious institutions within the Oakey and Toowoomba area believe that suitable pastoral care will be available for the visiting Singaporeans regardless of their religion or denomination. Father James Byrne, Catholic Chaplain, Army Chaplains Department, stated that Toowoomba was a 'hybrid' religious area that covered all possible churches. He felt that the local communities would open up avenues for the Singaporeans to access their own churches and that there would be no difficulty in providing suitable pastoral support.⁵¹

4.30 These sentiments were echoed in a written submission to the Committee by the Anglican Area Dean of Toowoomba, the Reverend Allan Shepard.

46 *ibid*, p. 12..

47 *ibid*, p. 47.

48 *ibid*, p. 47.

49 *ibid*, p. 48.

50 *ibid*, p. 48.

51 Transcript, 19 February 1997, p. 49.

Reverend Shepard indicated that spiritual and pastoral support would be available through the Oakey and Toowoomba Parishes, including a range of community programs, referral facilities and counselling services.⁵²

4.31 Father Byrne stressed, however, that while he believed there would not be racial problems and that the Singaporeans would be made welcome, he felt that tolerance was an issue that communities needed to constantly work at to maintain the required level.⁵³ Father Kerry Costigan, Parish Priest at Oakey, also indicated that while some of his congregation were apprehensive over how the Agreement will 'work out', he stressed that the issue of racism had been addressed amongst his Church community.⁵⁴

4.32 Mayor Miller also indicated that the Singaporeans would be well received in Toowoomba. He stressed that the area already had a diverse population which included a significant number of international students. He emphasised that it was his belief Australians in general have great rapport with Singaporeans.⁵⁵ Mayor Taylor echoed Mayor Miller's comments. He felt that while there were concerns in his community over minor issues such as additional noise and road traffic, there were none in relation to race or race relations. He believed the Singaporeans would integrate well into the Oakey community.⁵⁶

Immigration issues

4.33 The Oakey Agreement allows for the RSAF personnel to remain in Australia for up to three years from their date of arrival.⁵⁷ The Singaporeans and their dependents are permitted entry into Australia under the existing Status of Forces Agreement (SOFA) between the two countries.⁵⁸ They constitute a special category that only requires the issuing of movement orders by the Singaporean authorities for entry into Australia, or the carrying of personal identity cards.⁵⁹ These type of arrangements also apply to a number of other countries with which Australia has similar agreements.

52 Reverend A.G. Shepard, Submission No 2, p. 1.

53 Transcript, 19 February 1997, p. 51.

54 *ibid*, pp. 51-52.

55 *ibid*, p. 26.

56 *ibid*, p. 34.

57 The Oakey Agreement, Article 4, paragraph 4, p. 5.

58 Transcript, 19 February 1997, p. 17.

59 *ibid*, p. 17.

4.34 The issue of Singaporean dependents obtaining Australian citizenship, particularly those born in Australia or who marry Australian citizens, was raised at the public hearing. The Department of Defence, in a supplementary submission, clarified the circumstances under which citizenship could be granted. Through liaison with the Department of Immigration and Multicultural Affairs, the Department determined that:

- children born in Australia to visiting RSAF personnel do not become Australian citizens unless one parent is an Australian permanent resident or Australian citizen; and
- a RSAF member may marry an Australian citizen or permanent resident during a visit to Australia. If the member then wishes to remain in Australia on the basis of such a marriage, he/she would be required to make a combined application for a spouse (permanent) visa (subclass 801) and be assessed against the legal criteria for those classes.⁶⁰

4.35 Generally, citizenship is not granted until an applicant has resided in Australia as a permanent resident for a period of two years in the 5 years before application, including a period of 12 months in the two years before application. Citizenship may be granted sooner in the case of spouses of Australian citizens, if it can be shown that the applicant would experience significant hardship or disadvantage if not granted citizenship.⁶¹

Need for new legislation

4.36 No new legislation is required to give effect to Australia's obligation under this Agreement. The rights and obligations contained in the Agreement fall within the scope of existing Government policy. The other significant document concerning the defence relationship between Australia and Singapore is the Status of Forces Agreement (SOFA), signed in 1988. The SOFA covers such issues as legal jurisdiction, customs and quarantine and reciprocal defence obligations. It remains extant except where the Oakey Agreement specifically qualifies particular aspects of the SOFA.⁶²

60 Department of Defence, Submission No 7, p. 2.

61 *ibid*, p. 2.

62 Transcript, 19 February 1997, p. 9.

Interested individuals

4.37 A number of interested individuals appeared before the Committee and, in some cases, also provided written submissions and exhibits. Mr Bart Marney, a local resident of Toowoomba, stated that he did not object to the stationing of the Singaporeans at Oakey; realising the benefits and added income their presence would bring to the region and Oakey in particular.⁶³

4.38 Mr Dennis Stanbridge, however, objected to the stationing the RSAF personnel on Australian soil on the basis of their religious allegiance.⁶⁴ Should Australia face a military threat and possible invasion, Mr Stanbridge questioned where the allegiance of the Singaporeans would lie. He felt that they posed a threat to Australia's security because they would likely assist a non-Christian invading nation ahead of a Christian Australia, concluding '... if their allegiance is not with us, it may be very detrimental in fact'.⁶⁵

4.39 Mr Dan McSweeney from Sandy Creek, Kilcoy, argued that he believed all major Australian political parties now supported disarmament.⁶⁶ Consequently, he argued against the Oakey Agreement by stating:

I find it incredible to hear fairly senior members of the Defence Force...going along with a program to train foreign services in Australia when that proposal is put forward by political parties which stand for the complete and general disarmament of Australia under effective international control.⁶⁷

4.40 Mr Hugh Downey, from Clayfield, Brisbane, based his objections to the Agreement on his belief that the defence of Australia, 'had nothing to do with the defence forces of other countries'.⁶⁸ He argued that no foreign troops, irrespective of their nationality, should be stationed in Australia. Mr Downey concluded:

It is my belief that Australia must become an independent nation, capable of self sufficiency in defence without ties of any kind to any foreign government or organisation.⁶⁹

63 *ibid*, p. 66.

64 *ibid*, p. 59.

65 *ibid*, p. 61. and p. 65.

66 *ibid*, p. 78.

67 *ibid*, p. 78.

68 *ibid*, p. 72.

69 Mr H.R.H. Downey, Submission No 4, p. 1.

The Committee's views

4.41 There can be no doubt from the evidence presented to this Inquiry that there will be significant economic benefits to the local region flowing from the Agreement. Many opportunities will be presented to local firms and businesses in the areas of capital development and ongoing service provision. We view the Queensland Chamber of Commerce and Industry as an ideal mechanism to facilitate the development of further knowledge and expertise in local business and industry.

4.42 The Committee noted, however, the apparent limited knowledge amongst local industry of the Government's tendering processes. We believe that an understanding of these processes will be essential if local industry is to maximise its participation in the awarding of contracts and economic benefits flowing from the Agreement.

4.43 **The Joint Standing Committee on Treaties recommends that:**

The Queensland Chamber of Commerce (South West Region) be provided with full details of the Government's tendering processes to enable them to facilitate local industry participation in the economic benefits flowing from the Agreement.

4.44 The consultation process between the Department of Defence and local government authorities was conducted in a timely and efficient manner. Mr Taylor, the Mayor of Jondaryan Shire, acknowledged this when he stressed that his Council had had an opportunity to raise issues over the Agreement at an early stage in the development process. We also noted, however, Mayor Taylor's comments regarding the issue of the lack of Commonwealth Government contributions to local government infrastructure development. While this issue may continue to cause some concern in the local region, we believe that in this instance, the economic benefits of the Agreement will offset any lack of contribution by the Commonwealth Government. However, like Mayor Taylor and a number of other witnesses, we believe issues regarding the coordination of housing and the provision of essential services require further discussion. The Coordinating Group established by the Queensland Department of Premier and Cabinet is the ideal forum to conduct this coordination.

4.45 The Joint Standing Committee on Treaties recommends that:

The Coordinating Group established by the Queensland Department of Premier and Cabinet facilitate the provision of a single Singaporean housing coordination agency and that a plan be developed outlining the provision of essential services such as education and health care.

4.46 At the working level, we believe significant time and effort has been spent by the Department of Defence in ensuring that the proposed operations by the RSAF at Oakey will be done so in a safe and effective manner. Evidence presented by Brigadier Mellor and Colonel Edwards confirmed that procedures will be followed by the RSAF to ensure that their flying operations have only a minor impact on local landowners and residents. We also support the arrangements being made by the Department regarding how an incident or accident involving a Singaporean helicopter will be dealt with by local crash rescue and emergency services.

4.47 Religious institutions provided the Committee with a timely reminder that racial tolerance is an issue that communities must constantly work at to achieve harmonious relationships. Mr Stanbridge, in evidence to the Committee, suggested that the stationing of Singaporeans on Australian soil would undermine national security because their possible non-Christian religious allegiances. The Committee rejects completely any suggestion that the Singaporeans would not be welcome in Australia on the basis of race or religious affiliation.

4.48 The Committee also notes that the three individual witnesses who provided evidence against the Oakey Agreement were not from the Oakey-Toowoomba area. The evidence provided to the Committee from local witnesses, such as that from the two local government Councils, the Real Estate Institute of Queensland and Queensland Chamber of Commerce, suggests that there is wide spread local support for the Agreement. We are therefore of the opinion that the Australian Government should ratify the Oakey Agreement with Singapore at the earliest opportunity.

4.49 The Joint Standing Committee on Treaties recommends that:

The Australian Government ratify the Oakey Agreement with the Government of the Republic of Singapore at the earliest opportunity.

W.L. Taylor, MP

Chairman

APPENDIX 1

WITNESSES AT THE PUBLIC HEARING

Wednesday, 19 February 1997, at Toowoomba

Department of Foreign Affairs and Trade

Mr I.D.G. Biggs, Executive Director, Treaties Secretariat, Department of Foreign Affairs and Trade

Mr J.D. Fisher, Executive Officer, Philippines/Malaysia/Singapore/Brunei Section, Department of Foreign Affairs and Trade

Department of Defence

Brigadier W.J.A. Mellor, DSC, AM, Commander, Aviation Support Group

Colonel M.J. Edwards, Director of Coordination and Corporate Support - Army

Wing Commander J.M. Tooth, Project Director, Department of Defence

Mr S.P.K. Brown, Assistant Secretary, Legal Services Branch, Department of Defence

Toowoomba City Council

Mr R.C. Miller, Mayor

Jondaryan Shire Council

Mr P.M. Taylor, Mayor

Real Estate Institute of Queensland

Mr S. Davis, President, Darling Downs Branch

Queensland Chamber of Commerce and Industry

Mr D.S. Christmas, Regional Manager, South West Queensland

Educational Institutions

Mr J.S. Klan, Principal, Fairholme College, representing the Association of Heads of Independent Schools of Australia

Dr R.G. Barrett, Queensland Vice-Chairman, Australian College of Education

Queensland Department of Education

Mr M. Campling, Senior Review Officer, Darling Downs Regional Office

Ms C.J. Rogers, Principal Policy Officer, Darling Downs Regional Office

Queensland Department of Health

Dr D. Lennox, Medical Superintendent, Toowoomba Hospital

Mr G. Chapman, District Manager, Toowoomba District Health Service

Religious Organisations

Father J.L. Byrne, Catholic Chaplain, Army Chaplains Department

Father K.J. Costigan, Parish Priest Oakey

Father P.J. Murphy, Parish Priest and Dean of Dalby Deanery

Interested Individuals

Mr H.R.H. Downey

Mr B. Marney

Mr D. McSweeney

Mr D. Stanbridge

APPENDIX 2

SUBMISSIONS

Number

1. Mr G. Healy, MLA - Member for Toowoomba North
2. Reverend A.G. Shephard - Anglican Area Dean of Toowoomba
3. Mr J.W. Scherger - Haden, Qld
4. Mr H.R.H. Downey - Clayfield, Qld
5. Mr B. Marney - Toowoomba, Qld
6. Queensland Department of Premier and Cabinet
7. Department of Defence
8. Shell Coal Australia

APPENDIX 3

EXHIBITS

Number

1. Mr D. McSweeney, *Racism: a blunt instrument*, Kilcoy Sentinel, 9 January 1997.
2. Mr D. Mackenzie, *Welcome to the Singaporeans*, Toowoomba Chronicle, 5 March 1997
3. Defence Community Organisation, *Information Package*.