THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 17

TUESDAY, 17 SEPTEMBER 2019

Contents

1 Meeting of Senate ............................................................................................................. 509
2 Documents ....................................................................................................................... 509
3 Social Services Legislation Amendment (Overseas Welfare Recipients Integrity Program) Bill 2019............................................................................................................. 510
4 Combating Child Sexual Exploitation Legislation Amendment Bill 2019.......................... 511
5 Veterans’ Affairs Legislation Amendment (Partner Service Pension and Other Measures) Bill 2019............................................................................................................. 511
6 Aged Care Amendment (Movement of Provisionally Allocated Places) Bill 2019.......................................................... 511
7 Questions ......................................................................................................................... 511
8 Motions to take note of answers ...................................................................................... 511
9 Notices ............................................................................................................................. 512
10 Postponement ............................................................................................................... 518
11 Consideration of legislation ........................................................................................ 518
12 New South Wales Youth Council .................................................................................. 518
13 Job seeker compliance data—Order for production of documents............................... 519
14 Jobactive program—Order for production of documents ............................................. 519
15 Rural and Regional Affairs and Transport References Committee—
   Reference—Water quality outcomes in the Great Barrier Reef .................................. 519
16 Rural and Regional Affairs and Transport References Committee—
   Reference—Management of the Inland Rail project................................................. 521
17 Climate change—Non-violent civil disobedience.......................................................... 522
18 Drought reports—Order for production of documents ................................................. 523
19 Explanation by Minister representing the Prime Minister—Member for Chisholm.................................................................................................................... 524
20 Discussion of matter of public importance—Infrastructure spending.......................... 524
21 First speeches ............................................................................................................... 524
22 Discussion of matter of public importance—Infrastructure spending.......................... 524
23 Documents—Consideration.......................................................................................... 524
24 Committee reports and government responses—Tabling and consideration.... 524
25  Paladin contract relating to Manus Island—Independent Health Advice
Panel reports—Order for production of documents—Documents ........................ 525
26  Member for Chisholm—Former Senator Dastyari—Answers to questions—
Documents ............................................................................................................. 525
27  Committee membership ................................................................................. 525
28  Aged Care Amendment (Movement of Provisionally Allocated Places)
Bill 2019 ................................................................................................................ 525
29  Family Assistance Legislation Amendment (Extend Family Assistance to
ABSTUDY Secondary School Boarding Students Aged 16 and Over)
Bill 2019 ................................................................................................................ 526
30  Adjournment ................................................................................................... 526
31  Attendance ...................................................................................................... 526
1 Meeting of Senate
The Senate met at midday. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

2 Documents
The following documents were tabled pursuant to standing order 61(1)(b):

Document presented by the President
1. Access to unpublished committee documents—Report by the President to the Senate, pursuant to the resolution of the Senate of 6 September 1984—Joint Parliamentary Standing Committee on Public Works relating to inquiries into the proposals to erect migrant hostels in Randwick, New South Wales, and Springvale, Victoria.

Government documents

Response to Senate resolution
4. Sexual assault and harassment—Resolution of 1 August 2019—Letter to the President of the Senate from the Minister for Education (Mr Tehan), dated 10 September 2019.

The Clerk tabled the following documents pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislation (FRL) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

Commissioner of Taxation—Public Rulings—
Class Rulings—
Addendum—CR 2019/16.

Corporations Act 2001—
ASIC Corporations (Repeal) Instrument 2019/885 [F2019L01187].
Defence Act 1903—
Salaries — Officer Aviation Pay Structure — Rotary Wing Aviation Officers — Amendment—Defence Force Remuneration Tribunal Determination No. 3 of 2019.

Financial Framework (Supplementary Powers) Act 1997—


Health Insurance Act 1973—Health Insurance (Section 3C Diagnostic Imaging – Nuclear Medicine Services) Determination 2019 [F2019L01195].

Safety, Rehabilitation and Compensation Act 1988—
Approved form for application for initial approval of a person as a rehabilitation program provider [F2019L01192].
Approved form for application for renewal of a person as a rehabilitation program provider [F2019L01193].


Veterans’ Entitlements Act 1986—
Veterans’ Entitlements Amendment (Non-warlike Service) Determination 2019 (No. 1) [F2019L01189].
Veterans’ Entitlements (Warlike Service) Determination 2019 [F2019L01191].

Social Services Legislation Amendment (Overseas Welfare Recipients Integrity Program) Bill 2019
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Minister for Families and Social Services (Senator Ruston) the bill was read a third time.
4 **Combatting Child Sexual Exploitation Legislation Amendment Bill 2019**
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume)—
That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
Senator McKim indicated that he did not intend to move the amendments circulated in his name and no other senator required that the bill be considered in committee.
On the motion of the Minister for Employment, Skills, Small and Family Business (Senator Cash) the bill was read a third time.

5 **Veterans’ Affairs Legislation Amendment (Partner Service Pension and Other Measures) Bill 2019**
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume)—
That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Minister for Defence (Senator Reynolds) the bill was read a third time.

6 **Aged Care Amendment (Movement of Provisionally Allocated Places) Bill 2019**
Order of the day read for the adjourned debate on the motion of the Minister for Resources and Northern Australia (Senator Canavan)—
That this bill be now read a second time.
Debate resumed.
At 2 pm: Debate was interrupted while Senator Sterle was speaking.

7 **Questions**
Questions without notice were answered.

8 **Motions to take note of answers**
Senator Pratt moved—That the Senate take note of the answers given by the Minister for Families and Social Services (Senator Ruston) and the Minister for Aged Care and Senior Australians (Senator Colbeck) to questions without notice asked by Opposition senators today relating to the administration of the Social Services portfolio.
Debate ensued.
Question put and passed.
Senator Whish-Wilson moved—That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Patrick today relating to foreign investment in Australia.
Question put and passed.
9 Notices

Senators Lambie, Duniam and Urquhart: To move on the next day of sitting—That the Senate—

(a) notes:
(i) the contribution to the school community made by Mr Adrian Drane, formerly principal of Marist Regional College in Burnie, and
(ii) the contribution made by Mr Drane to the broader community, including his efforts to help homelessness, those impacted by Tasmanian bushfires, and more recently, to work with survivors of child sexual abuse;

(b) further notes that, on the first day of school each year, Mr Drane took it upon himself to memorise not only the name of every starting student, but also how to spell it;

(c) notes with sadness that Mr Drane passed away on 16 September 2019 from pancreatic cancer, far too young; and

(d) expresses its condolences to Mr Drane’s family, friends and school at this difficult time, and recognises he lived a life informed by his faith, devoted fully to nurturing, defending and celebrating the fundamental goodness in others.

(general business notice of motion no. 141)

Senator O’Sullivan: To move on the next day of sitting—

(1) That a joint select committee, to be known as the Joint Select Committee on Australia’s Family Law System, be established to inquire into and report on the following matters:

(a) ongoing issues and further improvements relating to the interaction and information sharing between the family law system and state and territory child protection systems, and family and domestic violence jurisdictions, including:
(i) the process, and evidential and legal standards and onuses of proof, in relation to the granting of domestic violence orders and apprehended violence orders, and
(ii) the visibility of, and consideration given to, domestic violence orders and apprehended violence orders in family law proceedings;

(b) the appropriateness of family court powers to ensure parties in family law proceedings provide truthful and complete evidence, and the ability of the court to make orders for non-compliance and the efficacy of the enforcement of such orders;

(c) beyond the proposed merger of the Family Court and the Federal Circuit Court any other reform that may be needed to the family law and the current structure of the Family Court and the Federal Circuit Court;

(d) the financial costs to families of family law proceedings, and options to reduce the financial impact, with particular focus on those instances where legal fees incurred by parties are disproportionate to the total property pool in dispute or are disproportionate to the objective level of complexity of parenting issues, and with consideration being given amongst other things to banning ‘disappointment fees’, and:
(i) capping total fees by reference to the total pool of assets in dispute, or any other regulatory option to prevent disproportionate legal fees being charged in family law matters, and
(ii) any mechanisms to improve the timely, efficient and effective resolution of property disputes in family law proceedings;

(e) the effectiveness of the delivery of family law support services and family dispute resolution processes;

(f) the impacts of family law proceedings on the health, safety and wellbeing of children and families involved in those proceedings;

(g) any issues arising for grandparent carers in family law matters and family law court proceedings;

(h) any further avenues to improve the performance and monitoring of professionals involved in family law proceedings and the resolution of disputes, including agencies, family law practitioners, family law experts and report writers, the staff and judicial officers of the courts, and family dispute resolution practitioners;

(i) any improvements to the interaction between the family law system and the child support system;

(j) the potential usage of pre-nuptial agreements and their enforceability to minimise future property disputes; and

(k) any related matters.

(2) That the committee consist of 10 members:

(a) 3 members of the House of Representatives to be nominated by the Government Whip or Whips;

(b) 2 members of the House of Representatives to be nominated by the Opposition Whip or Whips;

(c) 1 member of the House of Representatives to be nominated by any minority party or independent member;

(d) 2 senators to be nominated by the Leader of the Government in the Senate;

(e) 1 senator to be nominated by the Leader of the Opposition in the Senate; and

(f) 1 senator to be nominated by Pauline Hanson’s One Nation.

(3) That participating members may be appointed to the committee, may participate in hearings of evidence and deliberations of the committee, and have all the rights of a member of the committee, but may not vote on any questions before the committee.

(4) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(5) That the members of the committee hold office as a joint select committee until the House of Representatives is dissolved or expires by effluxion of time.

(6) That the committee elect as its chair a member nominated by the Government Whip or Whips.

(7) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
(8) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, has a casting vote.

(9) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(10) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any subcommittee any matter which the committee is empowered to examine.

(11) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(12) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(15) That the committee or any subcommittee may conduct proceedings at any place it sees fit and sit in public or private.

(16) That the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(17) That the committee may report from time to time, but that it present its final report by no later than 7 October 2020.

(18) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(19) That a message be sent to the House of Representatives seeking its concurrence in this resolution. (general business notice of motion no. 142)

Senators Watt, Green, Chisholm, Bilyk, Brown, Urquhart, Sterle, Pratt, Dodson, Polley and Lines: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) the Minister for Energy and Emissions Reduction has publicly threatened to use his so-called ‘big stick’ legislation to force state governments to privatise publicly-owned power assets,

(ii) the Member for Hinkler and other National Party MPs have stated that divestment powers are ‘urgently needed to deal with the state power monopoly in Queensland’, and

(iii) privatisation of publicly-owned power assets has led to higher power prices for consumers; and
calls on the Federal Government to rule out privatisation of publicly-owned power assets in Queensland, Western Australia and Tasmania. *(general business notice of motion no. 143)*

The Leader of the Australian Greens (Senator Di Natale): To move on the next day of sitting—That the Senate declares that anyone who sacks their workers for going to the climate strikes is a bum. *(general business notice of motion no. 144)*

Senator Faruqi: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) Meat Free Week, organised by Bowel Cancer Australia, runs from 23 to 29 September 2019, and challenges participants to give up meat for seven days,

(ii) intensive animal agriculture is not only cruel to animals, but is a key contributor to the climate crisis, and

(iii) reducing the amount of meat we consume is better for our health, better for animal welfare and better for the environment; and

(b) congratulates the organisers of Meat Free Week, and encourages people to reduce their meat consumption to improve their health and for the good of animals and the planet. *(general business notice of motion no. 145)*

The Leader of the Australian Greens (Senator Di Natale): To move on the next day of sitting—That the Senate—

(a) notes that:

(i) 31 August 2019 marked International Overdose Awareness Day, commemorating all those who have died or been seriously injured due to drug overdose,

(ii) every year, more and more young Australians tragically, and avoidably, die at music festivals after taking pills that had not been tested, and

(iii) pill testing saves lives, by providing information to young people about the drugs they are considering taking; and

(b) calls on the Federal Government to urgently address the rising rates of harm associated with drug use by implementing and appropriately resourcing evidence-based harm reduction policies, including:

(i) provide funding for pill testing trials during this year’s summer festival season and in the community,

(ii) working with state and territory governments to cease the use of drug sniffer dogs at festivals,

(iii) greater access to needle and syringe programs across the country, including urgent roll-out of trials inside prisons,

(iv) expanded access to medically supervised injecting facilities across Australia, and

(v) promoting awareness of the life-saving opioid reversal drug, Naloxone, highlighting its availability over the counter in pharmacies. *(general business notice of motion no. 146)*
The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja): To move on the next day of sitting—that, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed works be referred to the Parliamentary Standing Committee on Public Works for consideration and report as soon as reasonably possible:

No. 1—Australian High Commission Property Replacement Project in Tarawa, Kiribati.

No. 2—Shoalwater Bay Training Area Remediation Project.

Senator Whish-Wilson: To move on the next day of sitting—that the Senate—

(a) notes that:

(i) the speartooth shark (*Glyphis glyphis*) is listed as critically endangered; and three species of sawfish (*Pristis pristis*, *Pristis zijsron*, and *Pristis clavata*) are listed as vulnerable on the Environment Protection and Biodiversity Conservation Act 1999 List of Threatened Fauna, and these species are also listed as globally endangered on the International Union for Conservation of Nature Red List of Threatened Species,

(ii) the Commonwealth Government’s Sawfish and River Sharks Multispecies Recovery Plan identifies fishing activities, including by-catch, as a threat to sawfish and the speartooth shark,

(iii) all habitat where these species have been recorded in the Gulf of Carpentaria is considered critical to the survival of these species, and habitat critical to the survival of these species overlaps with commercial net fishing activity,

(iv) the Gulf of Carpentaria Inshore Fin Fish Fishery (GoCIFFF) is a Queensland managed commercial fishery,

(v) the Queensland Government’s Sustainable Fisheries Strategy 2017-27 outlines its commitment to the reform of fisheries management, and

(vi) the Minister for the Environment is currently considering the ecological sustainability of the GoCIFFF for export approval; and

(b) calls on the Minister for the Environment to ensure that, should the fishery be re-accredited for export approval, time-bound conditions are attached to protect these species, including:

(i) a requirement to ensure an independent observer and monitoring program is implemented by January 2020, and

(ii) the introduction of fishery management measures to reduce capture of sawfish and speartooth sharks in areas of critical habitat. (general business notice of motion no. 147)

Senator Whish-Wilson: To move on the next day of sitting—that the Senate—

(a) notes that:

(i) the Environment and Communications References Committee tabled a report of its inquiry into the Great Barrier Reef 2050 Partnership Program on 14 February 2019, making seven recommendations, and

(ii) the President’s report to the Senate on the status of government responses to parliamentary committee reports as at 30 June 2019, indicates that a government response to the Great Barrier Reef 2050 Partnership Program report has not been tabled; and
(b) orders that there be laid on the table by the Minister representing the Minister for the Environment, by 5 pm on 14 October 2019, the government response to the recommendations of the report. (general business notice of motion no. 148)

Senators Siewert and Steele-John: To move on the next day of sitting—That the Senate notes:

(a) that new research from the National Centre for Social and Economic Modelling at the University of Canberra found that:

(i) the income gap between households with disability and households without is $107 a week for a household with an adult member with disability,

(ii) two in every five First Nations households relying on the Disability Support Pension as their source of income ran out of money for basic living expenses in the last 12 months, and

(iii) to close the gap in household income to provide the same standard of living, families already receiving the Disability Support Pension would need $183 more per week on average, and $343 for 200,000 disabled people receiving Newstart;

(b) recognises that the financial cost of living with disability and the declining access to the Disability Support Pension is causing significant economic, social and psychological stress and unnecessary hardship for disabled people;

(c) acknowledges that there are a significant number of disabled people and their families who are living at or below the poverty line; and

(d) calls on the Federal Government to ensure the eligibility process for the Disability Support Pension is fair, reasonable, accessible, equitable and does not generate financial hardship and economic insecurity for disabled people and their support networks. (general business notice of motion no. 149)

Senator Roberts: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) the winter crop is failing along the Murray River irrigation area owing to poor winter rains,

(ii) if this crop fails, farmers who have invested in plantings will be in serious financial difficulty and the regional communities they support will be devastated,

(iii) the potential loss of wheat and fodder will take food off the tables of consumers nationally, and necessitate food imports, eventually leading to higher prices for everyday Australians, and

(iv) currently there are 3600 gigalitres of water in storage in the Hume and Dartmouth dams – the spring snow thaw and rains have started and the inflow into those dams has begun; and

(b) calls on the Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management, (Mr Littleproud) to immediately release 200 gigalitres of water from storage, for irrigation by general security licence holders to save the winter crop and to save rural communities. (general business notice of motion no. 150)
Senator Siewert and Dean Smith: To move on the next day of sitting—That the Senate—

(a) notes that:
   (i) there are thousands of grandparents across Australia taking on the primary responsibility for raising their grandchildren,
   (ii) as at June 2018, 50% of children in relative/kinship placements were living with their grandparents, and
   (iii) recent research out of Western Australia found that grandparent carers are predominantly single older women, living on low incomes, raising an average of three grandchildren;

(b) recognises that many grandparent carers are experiencing significant financial stress;

(c) acknowledges that grandparent carers who have primary responsibility for raising their grandchildren generally do not receive the same level of financial assistance as foster carers; and

(d) calls on all levels of Government to work together with the goal that grandparent carers receive adequate and appropriate support payments to support the children they are caring for. (general business notice of motion no. 151)

Intention to withdraw: Senator Patrick, pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 1 standing in his name for two sitting days after today for the disallowance of the Civil Aviation (Community Service Flights - Conditions on Flight Crew Licences) Amendment Instrument 2019 [F2019L00554].

10 Postponement

General business notice of motion no. 133 standing in the name of Senator Waters for today, proposing an order for production of documents, postponed till 18 September 2019.

11 Consideration of legislation

The Assistant Minister for Forestry and Fisheries (Senator Duniam), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the ANL Legislation Repeal Bill 2019, allowing it to be considered during this period of sittings. Question put and passed.

12 New South Wales Youth Council

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 137—That the Senate—

(a) notes that:
   (i) the New South Wales (NSW) Youth Council held their ‘Unleash the Future’ Conference from 13 to 15 September 2019 in Rooty Hill, and
(ii) young people from across NSW came together to workshop issues, including the need for emergency action on the climate crisis, the role of advocacy, gender and cultural diversity, mental health, youth and family violence, and the importance of having young voices at all levels of Australian government;

(b) congratulates the Blacktown Youth Advisory Committee on organising a successful conference; and

(c) recognises the role of youth councils in providing forums for young people to discuss issues, advise local councils and hold events organised for and by young people.

Question put and passed.

13 **Job seeker compliance data—Order for production of documents**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 138—That there be laid on the table by the Minister for Employment, Skills, Small and Family Business, by 10 am on 18 September 2019, the latest job seeker compliance data including all payment suspensions, cancellations, demerits and penalties for the jobactive program for the financial year 2018-19 and year to date 2019-20.

Question put and passed.

14 **Jobactive program—Order for production of documents**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 139—That there be laid on the table by the Minister for Employment, Skills, Small and Family Business, by 10 am on 18 September 2019, the briefing note provided to news outlets recently, including Newscorp, the West and 9News, that outlined the current number of payment suspensions and demerit points issued under the jobactive program.

Question put and passed.

15 **Rural and Regional Affairs and Transport References Committee—Reference—Water quality outcomes in the Great Barrier Reef**

Senator McDonald, also on behalf of Senator McGrath, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 1 October 2020:

The identification of leading practices in ensuring evidence-based regulation of farm practices that impact water quality outcomes in the Great Barrier Reef, with particular reference to:

(a) the existing evidence-base on the impact of farm water runoff on the health of the Great Barrier Reef and catchment areas;

(b) the connectivity of farm practices throughout the Great Barrier Reef catchment areas to water quality outcomes in the Great Barrier Reef Marine Park;

(c) relevant legislation and regulation, including in relation to impacts of water quality, farm management and soil runoff;

(d) proposed changes to regulations that would impact on farm productivity and the potential benefits and costs of such proposed regulation;
(e) the wider economic and social impact of proposed regulations to restrict farm practices; and

(f) any related matters.

Senator Gallagher, by leave, moved the following amendments together by leave:

No. 1—Omit “1 October 2020”, substitute “the second sitting day in May 2020”.

No. 2—After paragraph (e), insert:

(ea) the impact of current Federal Government initiatives to protect the reef, including the $444 million grant to the Great Barrier Reef Foundation; and

The question was divided at the request of the Minister for Families and Social Services (Senator Ruston).

Question—That amendment no. 1 be agreed to—put.

The Senate divided—

AYES, 30

Senators—


NOES, 34

Senators—

Antic  Askew  Bernardi  Birmingham  Bragg  Brockman  Cash  Chandler  Colbeck  Davey  Duniam  Fawcett  Hanson  Henderson  Hughes  Hume  McDonald  McGrath  McKenzie  McMahon  O’Sullivan  Paterson  Patrick  Reynolds  Roberts  Rennick  Smith, Dean*  Stoker  Van

* Tellers

Question negatived.

Question—That amendment no. 2 be agreed to—put.

The Senate divided—

AYES, 31

Senators—

The ayes and noes were equal and so the question was negatived.

**Statements by leave**: Senators Waters, Gallagher and Roberts, by leave, made statements relating to the motion.

Main question put.

The Senate divided—

**AYES, 33**

<table>
<thead>
<tr>
<th>Senators—</th>
<th>Colbeck</th>
<th>McGrath</th>
<th>Roberts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antic</td>
<td>Davey</td>
<td>McKenzie</td>
<td>Ryan</td>
</tr>
<tr>
<td>Askew</td>
<td>Duniam</td>
<td>McMahon</td>
<td>Scarr</td>
</tr>
<tr>
<td>Bernardi</td>
<td>Fawcett</td>
<td>O’Sullivan</td>
<td>Seselja</td>
</tr>
<tr>
<td>Birmingham</td>
<td>Hanson</td>
<td>Paterson</td>
<td>Sinodinos</td>
</tr>
<tr>
<td>Bragg</td>
<td>Henderson</td>
<td>Rennick</td>
<td>Stoker</td>
</tr>
<tr>
<td>Brockman</td>
<td>Hughes</td>
<td>Reynolds</td>
<td>Van</td>
</tr>
<tr>
<td>Cash</td>
<td>McDonald</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chandler</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOES, 30**

<table>
<thead>
<tr>
<th>Senators—</th>
<th>Faruqi</th>
<th>McCarthy</th>
<th>Smith, Marielle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ayres</td>
<td>Gallacher</td>
<td>McKim</td>
<td>Steele-John</td>
</tr>
<tr>
<td>Bilyk</td>
<td>Gallagher</td>
<td>O’Neill</td>
<td>Sterle</td>
</tr>
<tr>
<td>Brown</td>
<td>Green</td>
<td>Polley</td>
<td>Urquhart*</td>
</tr>
<tr>
<td>Carr</td>
<td>Kitching</td>
<td>Pratt</td>
<td>Waters</td>
</tr>
<tr>
<td>Chisholm</td>
<td>Lambie</td>
<td>Sheldon</td>
<td>Watt</td>
</tr>
<tr>
<td>Ciccone</td>
<td>Lines</td>
<td>Siewert</td>
<td>Whish-Wilson</td>
</tr>
<tr>
<td>Di Natale</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dodson</td>
<td>McAllister</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Tellers

Question agreed to.

**16 Rural and Regional Affairs and Transport References Committee—Reference—Management of the Inland Rail project**

Senator Watt, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 30 September 2020:

The management of the Inland Rail project by the Australian Rail Track Corporation and the Commonwealth Government, with particular reference to:

(a) financial arrangements of the project;
(b) route planning and selection processes;
(c) connections with other freight infrastructure, including ports and intermodal hubs;
(d) engagement on route alignment, procurement and employment;
(e) urban and regional economic development opportunities;
(f) collaboration between governments;
(g) interaction with National Freight and Supply Chain Strategy; and
(h) any other related matters.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.
The Senate divided—

AYES, 32

Senators—

Ayres  Bilyk  Brown  Carr  Chisholm  Ciccone  Di Natale  Dodson  Faruqi  Gallacher  Gallagher  Green  Hanson  Kitching  Lambie  Lines

McCarthy  McKim  O’Neill  Patrick  Polley  Pratt  Roberts  Sheldon

Siewert  Smith, Marielle  Steele-John  Stele  Urquhart*  Waters

Question agreed to.

17 Climate change—Non-violent civil disobedience

The Leader of the Australian Greens (Senator Di Natale), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 134—that the Senate supports the right of people to engage in non-violent civil disobedience to demand action on the unfolding climate and environment crisis.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senators Gallagher and Roberts, by leave, made statements relating to the motion.

Question put.
The Senate divided—

AYES, 7

Senators—

Di Natale  Faruqi  McKim  Siewert*  Steele-John  Waters  Whish-Wilson

* Tellers

Question agreed to.
Drought reports—Order for production of documents

Senator Urquhart, at the request of Senator Sterle and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 135—that there be laid on the table by the Minister representing the Prime Minister, by no later than 3 pm on 18 September 2019, copies of the final reports by the Coordinator-General for Drought, Major General Stephen Day, the Drought Interagency Taskforce and Special Envoy for Drought Assistance and Recovery.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 32

Senators—

Ayers
Bilyk
Brown
Carr
Chisholm
Ciccone
Di Natale
Dodson
Faruqi
Gallacher
McKim
O’Neill
Hanson
Kitching
Lambie
Lines
McCarthy
McKee
McMahon
O’Neill
Patrick
Polley
Pratt
Sheldon
Siewert
Smith, Marielle
Steele-John
Sterle
Urquhart*
Waters
Whish-Wilson

NOES, 28

Senators—

Abetz
Antic
Askew
Bernardi
Birmingham
Bragg
Brockman
Cash
Chandler
Colbeck
Davey
Duniam
Fawcett
Henderson
Hughes
McDonald
McKenzie
McMahon
Paterson
Rennick
Reynolds
Ryan
Scarr
Seselja
Sinodinos
Smith, Dean
Stoker
Van

* Tellers

Question agreed to.
19 **Explanation by Minister representing the Prime Minister—Member for Chisholm**

Senator Urquhart, at the request of the Leader of the Opposition in the Senate (Senator Wong) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 136—That the Senate—

(a) notes widespread reports in the media about the Member for Chisholm over the last week, which raise questions concerning her fitness to be a member of the Australian Parliament; and

(b) at 9.30 am on 18 September 2019, before government business is called on:

(i) requires the Minister representing the Prime Minister (Senator Cormann) to provide, for no more than 20 minutes:

(A) an explanation of the Government’s response to the allegations raised against the Member for Chisholm, and

(B) an assurance to the Senate that the Member for Chisholm is a fit and proper person to remain a member of the Australian Parliament, and

(ii) a senator may, at the conclusion of the Minister’s explanation, move without notice—that the Senate take note of the explanation.

Question put and passed.

20 **Discussion of matter of public importance—Infrastructure spending**

The Acting Deputy President (Senator Brown) informed the Senate that Senator Gallagher had proposed that the following matter of public importance be submitted to the Senate for discussion:

The failure of the Morrison Government to get the economy moving by bringing forward infrastructure spending as called for by the Reserve Bank, economists and state governments.

The proposal was supported by four senators and the matter was discussed.

At 5 pm: The discussion was interrupted.

21 **First speeches**

Pursuant to order, Senators Antic and Davey made their first speeches.

22 **Discussion of matter of public importance—Infrastructure spending**

Discussion of the matter of public importance proposed by Senator Gallagher (see entry no. 20) concluded.

23 **Documents—Consideration**

Documents tabled earlier today (see entry no. 2) were considered as follows:

Motion to take note of documents nos 1 and 3 moved by Senator Urquhart. Consideration to resume on Thursday at general business.

24 **Committee reports and government responses—Tabling and consideration**

Senator McGrath, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following report:

25 **Paladin contract relating to Manus Island—Independent Health Advice Panel reports—Order for production of documents—Documents**

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following documents:

Paladin contract relating to Manus Island—Independent Health Advice Panel reports—Order of 12 September 2019—Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash), dated 17 September 2019, responding to the order, and attachments.

26 **Member for Chisholm—Former Senator Dastyari—Answers to questions—Documents**

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following documents:

Letters to the President of the Senate from the Minister for Finance (Senator Cormann), dated 17 September 2019, providing answers to questions on notice asked by the Leader of the Opposition in the Senate (Senator Wong), as follows:

Member for Chisholm—Question without notice asked on 12 September 2019.

Former Senator Dastyari—Question without notice asked on 16 September 2019.

27 **Committee membership**

The Deputy President (Senator Lines) informed the Senate that the President had received a letter requesting changes in the membership of a committee.

The Minister for Aged Care and Senior Australians (Senator Colbeck), by leave, moved—That Senator Waters replace Senator Rice on the Rural and Regional Affairs and Transport References Committee for the committee’s inquiry into water quality outcomes in the Great Barrier Reef, and Senator Rice be appointed as a participating member.

Question put and passed.

28 **Aged Care Amendment (Movement of Provisionally Allocated Places) Bill 2019**

Order of the day read for the adjourned debate on the motion of the Minister for Resources and Northern Australia (Senator Canavan)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Minister for Aged Care and Senior Australians (Senator Colbeck) the bill was read a third time.
29 Family Assistance Legislation Amendment (Extend Family Assistance to ABSTUDY Secondary School Boarding Students Aged 16 and Over) Bill 2019
Order of the day read for the adjourned debate on the motion of the Minister for Resources and Northern Australia (Senator Canavan)—That this bill be now read a second time.
Debate resumed.
At 7.20 pm: Debate was interrupted while Senator Siewert was speaking.

30 Adjournment
The Acting Deputy President (Senator Brockman) proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 9.01 pm till Wednesday, 18 September 2019 at 9.30 am.

31 Attendance
Present, all senators except Senators Fierravanti-Wells, Griff* and Rice* (*on leave).

RICHARD PYE
Clerk of the Senate

Published by authority of the Senate