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Contents

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Meeting of Senate</td>
<td>3327</td>
</tr>
<tr>
<td>2</td>
<td>Documents</td>
<td>3327</td>
</tr>
<tr>
<td>3</td>
<td>Committees—Leave to Meet During Sittings</td>
<td>3328</td>
</tr>
<tr>
<td>4</td>
<td>Defence Legislation Amendment (First Principles) Bill 2015.</td>
<td>3328</td>
</tr>
<tr>
<td>5</td>
<td>Tax Laws Amendment (Combating Multinational Tax Avoidance) Bill 2015.</td>
<td>3328</td>
</tr>
<tr>
<td>6</td>
<td>Questions</td>
<td>3329</td>
</tr>
<tr>
<td>7</td>
<td>Motions to Take Note of Answers</td>
<td>3329</td>
</tr>
<tr>
<td>8</td>
<td>Petition</td>
<td>3329</td>
</tr>
<tr>
<td>9</td>
<td>Notices</td>
<td>3329</td>
</tr>
<tr>
<td>10</td>
<td>Leave of Absence</td>
<td>3334</td>
</tr>
<tr>
<td>11</td>
<td>Postponement</td>
<td>3334</td>
</tr>
<tr>
<td>12</td>
<td>Committees—Extensions of Time to Report</td>
<td>3334</td>
</tr>
<tr>
<td>13</td>
<td>Privileges—Standing Committee—References</td>
<td>3335</td>
</tr>
<tr>
<td>14</td>
<td>Legislation Committees—Estimates Hearings</td>
<td>3335</td>
</tr>
<tr>
<td>15</td>
<td>Hours of Meeting and Routine of Business—Variation</td>
<td>3336</td>
</tr>
<tr>
<td>16</td>
<td>Automotive Transformation Scheme Amendment (Securing the Automotive Component Industry) Bill 2015.</td>
<td>3336</td>
</tr>
<tr>
<td>17</td>
<td>Women—40th Anniversary of Brisbane Women’s House</td>
<td>3337</td>
</tr>
<tr>
<td>18</td>
<td>Health—Spinal Cord Injuries</td>
<td>3337</td>
</tr>
<tr>
<td>19</td>
<td>Days of Meeting</td>
<td>3337</td>
</tr>
<tr>
<td>20</td>
<td>Environment—New South Wales—Shenhua Watermark Coal Mine</td>
<td>3338</td>
</tr>
<tr>
<td>21</td>
<td>Urgency Motion—Environment—Climate Change Targets</td>
<td>3339</td>
</tr>
<tr>
<td>22</td>
<td>Documents—Consideration</td>
<td>3339</td>
</tr>
<tr>
<td>23</td>
<td>Committee Reports and Government Responses—Tabling and Consideration Pursuant to Standing Order 62(4)</td>
<td>3340</td>
</tr>
<tr>
<td>24</td>
<td>Social Services Legislation Amendment (More Generous Means Testing for Youth Payments) Bill 2015.</td>
<td>3340</td>
</tr>
<tr>
<td>25</td>
<td>Australian Crime Commission Amendment (Criminology Research) Bill 2015.</td>
<td>3341</td>
</tr>
<tr>
<td>26</td>
<td>Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2015.</td>
<td>3341</td>
</tr>
<tr>
<td>No.</td>
<td>Committee/Report/Comment</td>
<td>Page</td>
</tr>
<tr>
<td>-----</td>
<td>-------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>27</td>
<td>Finance and Public Administration Legislation Committee—Report—Australian Government Boards (Gender Balanced Representation) Bill 2015</td>
<td>3341</td>
</tr>
<tr>
<td>28</td>
<td>Legal and Constitutional Affairs Legislation Committee—Report—Migration Amendment (Charging for a Migration Outcome) Bill 2015</td>
<td>3341</td>
</tr>
<tr>
<td>29</td>
<td>Legal and Constitutional Affairs Legislation Committee—Report—Migration and Maritime Powers Amendment Bill (No. 1) 2015</td>
<td>3342</td>
</tr>
<tr>
<td>30</td>
<td>Tax Laws Amendment (Combating Multinational Tax Avoidance) Bill 2015</td>
<td>3342</td>
</tr>
<tr>
<td>31</td>
<td>Adjournment</td>
<td>3344</td>
</tr>
<tr>
<td>32</td>
<td>Attendance</td>
<td>3344</td>
</tr>
</tbody>
</table>
1 MEETING OF SENATE
The Senate met at 12.30 pm. The President (Senator the Honourable Stephen Parry) 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):

   - Auditor-General—Audit report no. 7 of 2015-16—Performance audit—Managing compliance with the wildlife trade provisions of the Environment Protection and Biodiversity Conservation Act 1999: Department of the Environment; Department of Immigration and Border Protection.

The following documents were tabled by the Clerk pursuant to statute:

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

   - Australian Research Council Act 2001—Approval of Linkage Infrastructure, Equipment and Facilities Proposals for funding commencing in 2016—Determination No. 139.
   - Private Health Insurance Act 2007—Private Health Insurance (Prostheses) Amendment Rules 2015 (No. 3) [F2015L01764].
   - Public Governance, Performance and Accountability Act 2013—Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2012-2013 (No. 2) [F2015L01760].
   - Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2013-2014 (No. 3) [F2015L01761].
Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2014-2015 (No. 3) [F2015L01758].
Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2015-2016 (No. 1) [F2015L01759].

3 COMMITTEES—LEAVE TO MEET DURING SITTINGS
Committees were authorised to meet during the sittings of the Senate, as follows:

Law Enforcement—Joint Statutory Committee—public meetings on Wednesday, 11 November and Wednesday, 25 November 2015, from 5.30 pm, to take evidence for the committee’s inquiry into crystal methamphetamine.

Legal and Constitutional Affairs References Committee—public meeting on Monday, 23 November 2015, from 10 am, to take evidence for the committee’s inquiry into arts programs and funding.

Migration—Joint Standing Committee—public meeting on Wednesday, 11 November 2015, from 9.45 am, to take evidence for the committee’s inquiry into the Seasonal Worker Programme.

Treaties—Joint Standing Committee—private meeting otherwise than in accordance with standing order 33(1) on Thursday, 12 November 2015, from 4.30 pm.

4 DEFENCE LEGISLATION AMENDMENT (FIRST PRINCIPLES) BILL 2015
Order of the day read for the adjourned debate on the motion of the Minister for Communications (Senator Fifield)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill, taken as a whole by leave, debated and agreed to.

Bill to be reported without amendment.

The Acting Deputy President (Senator Sterle) resumed the chair and the Temporary Chair of Committees reported accordingly.

On the motion of the Minister for Defence (Senator Payne) the report from the committee was adopted and the bill read a third time.

5 TAX LAWS AMENDMENT (COMBATING MULTINATIONAL TAX AVOIDANCE) BILL 2015
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Agriculture and Water Resources (Senator Ruston)—That this bill be now read a second time.
Debate resumed.

At 2 pm: Debate was interrupted.

6 QUESTIONS

Questions without notice were answered.

7 MOTIONS TO TAKE NOTE OF ANSWERS

Senator McAllister moved—That the Senate take note of the answers given by ministers to questions without notice asked by Opposition senators today.

Debate ensued.

Question put and passed.

Senator Waters moved—That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Waters today relating to international agreements to reduce public subsidies for coal mines.

Question put and passed.

8 PETITION

The following petition, lodged with the Clerk by Senator Back, was received:

From 9 petitioners, requesting that the Senate oppose any redefinition of marriage to admit relationships to which it does not naturally or historically apply.

9 NOTICES

Senator Wang: To move on the next day of sitting—That the Senate notes that:

(a) free-to-air television (FTA TV) provides a vital service to regional communities;

(b) the broadcasting by FTA TV of national sporting events is essential to their profitability, and therefore the continuation of this regional service;

(c) FTA TV provides local news content and community announcements essential to the fabric of regional communities; and

(d) the reach rules and ownership rules have been made redundant by disruptive technologies. (general business notice of motion no. 919)

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

(a) notes that:

(i) in July 2015, the Government withdrew from a longstanding commitment to supply 100 per cent recycled paper to government departments, as outlined in the Australian Government ICT Sustainability Plan 2010-15,

(ii) industry and environment groups, including the Victorian Association of Forest Industries, the Australian Forest Products Association, the Construction, Forestry, Mining and Energy Union and the Wilderness Society, support the commitment of government purchase of 100 per cent recycled paper,

(iii) Australian Paper opened a new $90 million recycling plant in Maryvale in May 2015, which was supported with a $9.5 million grant from the Federal Government, and which was positioned to supply recycled paper to federal government departments, and
(iv) using Australian recycled paper will boost the Australian manufacturing sector, reduce expensive and unnecessary imports, and reduce the Government’s ecological footprint, carbon emissions and resource waste; and

(b) calls on the Government to immediately reinstate an ongoing commitment to procuring 100 per cent recycled paper.  

$\text{(general business notice of motion no. 920)}$

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

(a) notes:

(i) the importance of a robust and clear legal system that allows for timely judicial review and certainty for investors and the community alike,

(ii) that the latest legal challenge brought by the Melbourne-based Australian Conservation Foundation to the development of the Galilee Basin is another cynical attempt to abuse due process,

(iii) that ongoing green law-fare is holding Queensland families to ransom, and jeopardising Australia’s reputation as a place to do business, and

(iv) that rather than protecting the environment, the replacement of the Galilee Basin’s lower-emission coal by higher-emission coal from other countries could instead cause an increase in global emissions; and

(b) calls on the Australian Labor Party to support legislative amendments to close legal loopholes being exploited by green groups.  

$\text{(general business notice of motion no. 921)}$

Senator Hanson-Young: To move on 23 November 2015—That the Child Care Benefit (Children in respect of whom no-one is eligible) Determination 2015, made under the A New Tax System (Family Assistance) Act 1999, be disallowed $\text{[F2015L01404]}$.

The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That the Senate—

(a) notes that Wednesday, 11 November 2015, marks 40 years since the dismissal of the Whitlam Government by the Governor-General, Sir John Kerr;

(b) recognises the significant contribution made by the Whitlam Government to the creation of modern Australia, inspiring and transforming the nation, including through:

(i) ending conscription,

(ii) establishing universal healthcare through Medibank, the precursor to Medicare,

(iii) implementing education reforms like needs-based funding for schools and free vocational and university education, and introducing the Tertiary Education Assistance Scheme,

(iv) ending the last legal vestiges of White Australia,

(v) slashing tariff barriers by 25 per cent,

(vi) establishing diplomatic and trade relations with the People’s Republic of China,

(vii) replacing Australia’s adversarial divorce laws with a new, no-fault system,

(viii) introducing Australia’s first federal legislation on human rights, the environment and heritage,
(ix) introducing sweeping electoral reforms – the vote for 18-year-olds, Senate representation for the territories, and ‘one vote, one value’,

(x) establishing the Australian National Parks and Wildlife Service, the Law Reform Commission, the Australian Film Commission, the Australian Heritage Commission, and the Technical and Further Education Commission, a national employment and training program,

(xi) launching construction of the National Gallery of Australia, making the Australia Council a statutory authority, and vigorously promoting the arts,

(xii) improving the position of women and our Indigenous population through reforms such as laws banning discrimination on the grounds of race and sex, equal pay for women in the Public Service and the creation of a separate ministry responsible for Aboriginal affairs and instituting Indigenous land rights,

(xiii) creating a single Department of Defence rather than separate departments for Army, Navy and Air Force,

(xiv) establishing the Royal Commission on Human Relationships,

(xv) changing the national anthem to Advance Australia Fair,

(xvi) replacing the British Honours system with the Order of Australia,

(xvii) abolishing appeals to the Privy Council,

(xviii) replacing the Postmaster-General’s Department with Telecom and Australia Post, and

(xix) establishing the Legal Aid Office, the National Film and Television School, the Australian Development Assistance Agency, the Prices Justification Tribunal and the Trade Practices Commission;

(c) affirms the principle that the Senate should not withhold supply;

(d) supports the view of the Prime Minister that letters between Sir John Kerr and Her Majesty The Queen concerning the dismissal are official records written by the Governor-General in discharge of his duty and should be released under the existing 30-year disclosure rule applying to such records; and

(e) calls on the Government to act to facilitate the release of the correspondence.

(General business notice of motion no. 922)

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

(a) notes that:

(i) Crows Nest TAFE is to be closed down and the Cammeraygal High School is to be expanded onto the site,

(ii) the New South Wales Government is planning to sell or partially sell 27 campuses in addition to Crows Nest TAFE,

(iii) increasing privatisation of technical and further education (TAFE) funding and the consequent increase in fees has been linked to a substantial drop in enrolments,

(iv) the closure of Crows Nest TAFE is a direct consequence of the 2012 National Agreement for Skills and Workforce Development which has significantly damaged the public TAFE system, by accelerating public funding of private sector involvement in vocational education and training, and
(v) while the development of new high school capacity in North Sydney is urgently needed and the creation of a new school campus welcome, it is not in the interests of the North Sydney community to trade off education sectors against each other; and

(b) calls on:
   (i) the Federal and New South Wales governments to restore secure funding for TAFEs in New South Wales,
   (ii) the New South Wales Government to reopen a TAFE institution in the Crows Nest area, and
   (iii) the Turnbull Government and the Labor Opposition to revisit the 2012 National Agreement for Skills and Workforce Development to ensure that public institutions remain the core of education in Australia.  
   (general business notice of motion no. 923)

Senator Simms: To move on the next day of sitting—That the Senate—
   (a) notes that the Legal and Constitutional Affairs References Committee has found that:
      (i) the Parliament has the authority to amend the Marriage Act 1961 without recourse to a plebiscite or referendum,
      (ii) a plebiscite has the potential to facilitate and justify homophobic and transphobic hate speech, and
      (iii) a plebiscite would cost an estimated $158.4 million if held outside of a general election; and

   (b) calls on the Prime Minister (Mr Turnbull) to allow a free vote on marriage equality before the end of 2015. (general business notice of motion no. 924)

Senator Lambie: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Veterans’ Entitlements Act 1986 to provide medical and other treatment for all Defence Force members who have served in war or war-like operations, and for related purposes. Veterans’ Entitlements Amendment (Expanded Gold Card Access) Bill 2015. (general business notice of motion no. 925)

Senator Fawcett: To move on the next day of sitting—That the Joint Standing Committee on Treaties be authorised to hold public meetings during the sittings of the Senate from 11 am to 1 pm, as follows:
   (a) Monday, 22 February 2016; and
   (b) Monday, 29 February 2016. (general business notice of motion no. 926)

Senator O’Neill: To move on 25 November 2015—That the Senate—
   (a) notes:
      (i) the importance of jobs on the Central Coast, and the vital role that governments can play in delivering those opportunities, stimulating the local economy, and stimulating quality infrastructure that benefits business, workers, and the broader community,
      (ii) the broad community opposition to the Federal Government’s announced intention to build a Commonwealth government building on prime waterfront land already earmarked for other projects, including a Regional Performing Arts Centre,
(iii) the Federal Government’s decision to do a deal with the New South Wales Government wherein the New South Wales Department of Education will sell-off at least one-third of the site of the now demolished Gosford Public School, thus breaking with community expectations,

(iv) the lack of clarity around the cost of the land, and how developers and/or the owners of the site will recoup lost income from only constructing a four-storey building on a site zoned for up to 16 storeys,

(v) the serious concerns around the tender process wherein some applicants appeared to be given additional information about the proposal, creating unfair advantages, and

(vi) the lack of transparency with which this site was chosen, with no community consultation, local tenderers overlooked, and other potential sites ignored; and

(b) calls on the Federal Government to:

(i) abandon its decision to locate its new building on the Gosford Waterfront, and for a new location to be determined,

(ii) immediately halt all proceedings in regard to the proposed Gosford Australian Taxation Office development on the Old Gosford Public School site,

(iii) broadly consult with the community in their planning for any infrastructure investment on the Central Coast,

(iv) apply procurement principles that advantage local developers and builders for the project to ensure better local job opportunities, and

(v) honour its commitment to provide $10 million to match equal funds from the local council and the New South Wales State Government to advance a centre for performing arts on the Gosford Waterfront as an integrated iconic element of the revitalisation of the Old Gosford Public School site.

(a) welcomes the release of *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia*, jointly produced by VicHealth, Our Watch and Anrows;

(b) notes the commitment by governments and communities to a shared response to the horror of family violence, and the need for a deep and lasting cultural change;

(c) acknowledges that ‘Change the Story’ details a national approach to preventing violence against women and children through:

(i) identifying what drives and contributes to violence against women,

(ii) providing evidence-based guidance to government and communities on how to strategically and effectively lead, coordinate, resource and support prevention efforts across Australia, and

(iii) informing and supporting the development of policy and legislation, prevention strategies, programming and advocacy that targets and seeks to reduce the drivers of violence against women;

(d) recognises the need for effective independent evaluation to achieve the best possible results in the reduction of violence and harm of violence against women and children; and
(e) acknowledges the need for a cross-party approach to enforcing a long-term strategy for ending the scourge of family and domestic violence. *(general business notice of motion no. 928)*

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

(a) notes:

(i) the vital nature of the Custody Notification Service that operates in New South Wales and the Australian Capital Territory,

(ii) that the service will be unable to continue to provide the essential life line to the Aboriginal community to the extent necessary after 31 December 2015, and

(iii) that the scheme is effective, cost-efficient, and beneficial for all involved, including police;

(b) acknowledges that, since its inception in 2000 as a result of the Royal Commission into Aboriginal Deaths in Custody, there have been no Aboriginal deaths in police cell custody in New South Wales or the Australian Capital Territory; and

(c) urges:

(i) the Federal Government to provide the full funding plus consumer price index increases on a triennial basis to ensure this essential service can continue to save lives, and

(ii) state and territory governments to follow the lead of New South Wales and the Australian Capital Territory and implement similar programs and services in each state and territory. *(general business notice of motion no. 929)*

**10 LEAVE OF ABSENCE**

Senator Bushby, by leave, moved—That leave of absence be granted to Senator Nash for 11 and 12 November 2015, for personal reasons.

Question put and passed.

**11 POSTPONEMENT**

Business was postponed as follows:

General business notice of motion no. 914 standing in the name of Senator Muir for today, relating to rail and road infrastructure in Victoria, postponed till 25 November 2015.

**12 COMMITTEES—EXTENSIONS OF TIME TO REPORT**

The following committees were granted extensions of time to report:

Economics References Committee—Forestry managed investment schemes, extended to 26 November 2015.

Education and Employment References Committee—Students with disability and the schools system, extended to 15 January 2016.

Legal and Constitutional Affairs References Committee—Arts programs and funding, extended to 2 December 2015.
13 **PRIVILEGES—STANDING COMMITTEE—REFERENCES**

The Leader of the Australian Greens (Senator Di Natale), pursuant to notice of motion not objected to as a formal motion, moved matter of privilege notice of motion no. 1—

That the following matters be referred to the Committee of Privileges for inquiry and report:

(a) whether any false or misleading evidence was given to the former Select Committee on the Recent Allegations relating to Conditions and Circumstances at the Regional Processing Centre in Nauru in relation to the apparent surveillance of a senator while on a visit to Nauru in December 2013; and

(b) if so, whether any contempt was committed in that regard.

Question put and passed.

Senator Urquhart, at the request of Senator Gallacher and pursuant to notice of motion not objected to as a formal motion, moved matter of privilege notice of motion no. 2—

That the following matters be referred to the Committee of Privileges for inquiry and report:

(a) whether any false or misleading evidence was given to the former Select Committee on the Recent Allegations relating to Conditions and Circumstances at the Regional Processing Centre in Nauru in relation to a disturbance at the centre on 19 July 2013; and

(b) if so, whether any contempt was committed in that regard.

Question put and passed.

14 **LEGISLATION COMMITTEES—ESTIMATES HEARINGS**

The Minister for Communications (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—

(1) That estimates hearings by legislation committees for 2016 be scheduled as follows:

**2015-16 additional estimates:**

- Monday, 8 February and Tuesday, 9 February (*Group A*)
- Wednesday, 10 February and Thursday, 11 February (*Group B*).

**2016-17 Budget estimates:**

- Monday, 23 May to Thursday, 26 May, and, if required, Friday, 27 May (*Group A*)
- Monday, 30 May to Thursday, 2 June, and, if required, Friday, 3 June (*Group B*)
- Monday, 17 October and Tuesday, 18 October (*supplementary hearings—Group A*)
- Wednesday, 19 October and Thursday, 20 October (*supplementary hearings—Group B*).

(2) That pursuant to the orders of the Senate of 26 August 2008 and 23 June 2015, cross portfolio estimates hearings on Indigenous matters be scheduled for Friday, 12 February, Friday, 27 May and Friday, 21 October, but not restricted to these days.

(3) That the committees consider the proposed expenditure in accordance with the allocation of departments and agencies to committees agreed to by the Senate.

(4) That committees meet in the following groups:

**Group A:**
- Environment and Communications
- Finance and Public Administration
Legal and Constitutional Affairs
Rural and Regional Affairs and Transport

Group B:
Community Affairs
Economics
Education and Employment
Foreign Affairs, Defence and Trade.

(5) That the committees report to the Senate on the following dates:
(a) Tuesday, 1 March 2016 in respect of the 2015-16 additional estimates; and
(b) Tuesday, 28 June 2016 in respect of the 2016-17 Budget estimates.

Question put and passed.

15 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION
The Minister for Communications (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 3—That on Wednesday, 11 November 2015:
(a) the sitting of the Senate shall be suspended at 10.15 am till 11.45 am to enable senators to attend Remembrance Day services; and
(b) any proposal pursuant to standing order 75 shall not be proceeded with.

Question put and passed.

16 AUTOMOTIVE TRANSFORMATION SCHEME AMENDMENT (SECURING THE AUTOMOTIVE COMPONENT INDUSTRY) BILL 2015
Senator Rice, also on behalf of Senator Simms, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 674—That the following bill be introduced:
A Bill for an Act to amend the Automotive Transformation Scheme Act 2009 and the Automotive Transformation Scheme Regulations 2010, and for related purposes.

Question put and passed.
Senator Rice presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.
Bill read a first time.
Senator Rice moved—That this bill be now read a second time.

Explanatory memorandum: Senator Rice, by leave, tabled an explanatory memorandum relating to the bill.

Debate adjourned till the next day of sitting, Senator Rice in continuation.
17 WOMEN—40TH ANNIVERSARY OF BRISBANE WOMEN’S HOUSE
Senator Waters, also on behalf of Senator Moore, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 916—That the Senate—
(a) notes that:
(i) 2015 marks 40 years since the foundation of Women’s House in Brisbane by members of the community, and
(ii) Women’s House is Queensland’s oldest women’s shelter, and is now Australia’s oldest independent women’s shelter; and
(b) commends the work of Women’s House over the past 40 years, and the work of women’s shelters across Australia who help thousands of women escaping domestic violence every year.
Question put and passed.

18 HEALTH—SPINAL CORD INJURIES
Senator Lazarus, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 917—That the Senate—
(a) notes that:
(i) Spinal Cord Injury Awareness Week is being held in Australia from 8 to 15 November 2015,
(ii) the week is an initiative of the Australian Spinal Injury Alliance, which represents eight of the country’s largest spinal cord injury organisations, and is a national campaign to raise awareness about spinal cord injuries, to encourage injury prevention, and to create a more inclusive and accessible community for everyone,
(iii) approximately 350 to 400 people sustain a spinal cord injury each year in Australia, and that almost 12,000 Australians are living with a spinal cord injury, and
(iv) the campaign also raises awareness that people who have a spinal cord injury are involved in all aspects of life and are contributing to the community in many different ways, and asks all Australians to consider how they can make their community more inclusive; and
(b) calls on the Federal Government to work with organisations and stakeholders in the spinal injury sector to develop and deliver a National Spinal Cord Injury Strategy that will provide a foundation for better outcomes, both social and economic, for all Australians affected by a spinal cord injury.
Question put and passed.

19 DAYS OF MEETING
The Minister for Communications (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the days of meeting of the Senate for 2016 be as follows:

Autumn sittings:
Tuesday, 2 February to Thursday, 4 February
Monday, 22 February to Thursday, 25 February
Monday, 29 February to Thursday, 3 March
Tuesday, 15 March to Thursday, 17 March

Budget sittings:
Tuesday, 10 May to Thursday, 12 May
Winter sittings:
- Monday, 20 June to Thursday, 23 June
- Monday, 27 June to Thursday, 30 June

Spring sittings:
- Tuesday, 23 August to Thursday, 25 August
- Monday, 29 August to Thursday, 1 September
- Monday, 19 September to Thursday, 22 September
- Monday, 10 October to Thursday, 13 October

Spring sittings (2):
- Monday, 7 November to Thursday, 10 November
- Monday, 21 November to Thursday, 24 November
- Monday, 28 November to Thursday, 1 December.

Senator Siewert, by leave, moved the following amendment:

Omit all words from and including “Monday, 27 June” to and including “Spring sittings (2):”, substitute:

Spring sittings:
- Monday, 8 August to Thursday, 11 August
- Monday, 15 August to Thursday, 18 August
- Monday, 5 September to Thursday, 8 September
- Monday, 12 September to Thursday, 15 September

Spring sittings (2):
- Monday, 24 October to Thursday, 27 October.

Statements by leave: Senators Siewert, Moore, Fifield and Hanson-Young, by leave, made statements relating to the motion.

Question—That the amendment be agreed to—put and negatived.

Main question put and passed.

20 Environment—New South Wales—Shenhua Watermark Coal Mine

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 918—That the Senate—

(a) notes that:
   (i) Shenhua Australia Holdings is seeking to develop a 35 square kilometre coal mine on the Liverpool Plains in north west New South Wales,
   (ii) the Liverpool Plains is one of the most productive agricultural regions in the nation, with productivity 40 per cent above the national average,
   (iii) the proposed mine threatens the most significant underground water resources in the Murray-Darling Basin, and farmers are dependent on access to these water resources for their survival,
   (iv) if the mine proceeds it would:
      (A) comprise three open-cut pits, plus associated infrastructure, to mine up to 10 million tonnes of coal per year for 30 years, and rail infrastructure to take the coal to the Port of Newcastle for export, and
      (B) destroy significant areas of local Indigenous heritage, including grinding grooves that were used by Gomeroi warriors to sharpen spears,
   (v) the proposal to relocate Indigenous artefacts does not acknowledge connections to land and country,
(vi) as the price of coal is in structural decline it is irresponsible to risk valuable farming land for a coal mine when renewable energy is commercially viable, and

(vii) more than 750 people attended the Harvest Festival to support the call for no mining on the Liverpool Plains; and

(b) calls on:

(i) the Prime Minister, Mr Turnbull, to reverse the Federal Government’s approval of the Shenhua Watermark coal mine, and

(ii) the New South Wales Government not to grant a mining licence for the Shenhua Watermark coal mine.

Question put.
The Senate divided—

AYES, 12

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NOES, 31

21 URGENCY MOTION—ENVIRONMENT—CLIMATE CHANGE TARGETS

The President informed the Senate that he had received a letter from Senator Siewert advising that today she intended to move—that, in the opinion of the Senate, the following is a matter of urgency:

The Turnbull Government’s commitment to Mr Abbott’s United Nations climate targets that deny scientific realities and will contribute to catastrophic global warming.

The proposal was supported by four senators.

Senator Waters, at the request of Senator Siewert, moved the motion.

Debate ensued.

Question put and passed.

22 DOCUMENTS—CONSIDERATION

The documents tabled earlier today (see entry no. 2) were called on but no motion was moved.
23 **COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLED AND CONSIDERATION PURSUANT TO STANDING ORDER 62(4)**

The Acting Deputy President (Senator Gallacher) tabled the following report:


Report ordered to be printed on the motion of Senator Williams.

The Chair of the Procedure Committee (Senator Marshall) tabled the following report:


Report ordered to be printed on the motion of Senator Marshall.

Senator Marshall, by leave, moved—that consideration of the report be made a business of the Senate order of the day for the next day of sitting.

Question put and passed.

Senator Marshall moved—that the Senate take note of the report.

Debate adjourned till the next day of sitting, Senator Marshall in continuation.

Senator Canavan, on behalf of the Joint Standing Committee on Treaties, tabled the following reports:

Treaties—Joint Standing Committee—
155th report—Treaties tabled on 11 August and 12 August 2015, dated October 2015.

The Assistant Cabinet Secretary (Senator Ryan) tabled the following document:


Order of the day no. 1 relating to committee reports and government responses was called on but no motion was moved.

24 **SOCIAL SERVICES LEGISLATION AMENDMENT (MORE GENEROUS MEANS TESTING FOR YOUTH PAYMENTS) BILL 2015**

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 486, dated 9 November 2015—A Bill for an Act to amend the law relating to social security, and for related purposes.

The Minister for Indigenous Affairs (Senator Scullion) moved—that this bill may proceed without formalities and be now read a first time.
No. 124—10 November 2015

Question put and passed.
Bill read a first time.
Senator Scullion moved—That this bill be now read a second time.
On the motion of Senator Scullion the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

25 AUSTRALIAN CRIME COMMISSION AMENDMENT (CRIMINOLOGY RESEARCH) BILL 2015
A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:
The Minister for Indigenous Affairs (Senator Scullion) moved—That this bill may proceed without formalities and be now read a first time.
Question put and passed.
Bill read a first time.
Senator Scullion moved—That this bill be now read a second time.
On the motion of Senator Scullion the debate was adjourned till the next day of sitting.

26 CRIMES LEGISLATION AMENDMENT (POWERS, OFFENCES AND OTHER MEASURES) BILL 2015
A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

27 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—REPORT— AUSTRALIAN GOVERNMENT BOARDS (GENDER BALANCED REPRESENTATION) BILL 2015
Pursuant to order, Senator Canavan, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Bernardi), tabled the following report and documents:
Report ordered to be printed on the motion of Senator Canavan.

28 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—REPORT— MIGRATION AMENDMENT (CHARGING FOR A MIGRATION OUTCOME) BILL 2015
Pursuant to order, Senator Canavan, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Macdonald), tabled the following report and documents:
Report ordered to be printed on the motion of Senator Canavan.
29 Legal and Constitutional Affairs Legislation Committee—Report—Migration and Maritime Powers Amendment Bill (No. 1) 2015

Pursuant to order, Senator Canavan, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Macdonald), tabled the following report and documents:


Report ordered to be printed on the motion of Senator Canavan.

30 Tax Laws Amendment (Combating Multinational Tax Avoidance) Bill 2015

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Agriculture and Water Resources (Senator Ruston)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill, taken as a whole by leave, debated.

Senator Xenophon moved the following amendment:

Schedule 1, page 7 (before line 10), before item 5, insert:

4A After section 3C

Insert:

3D Reporting of information about significant global entities

(1) This section applies to a corporate tax entity for an income year if the entity is a significant global entity (within the meaning of the Income Tax Assessment Act 1997) for the income year.

(2) The entity must, as soon as practicable after the end of the income year, give the Commissioner a general purpose financial report for the income year.

(3) For the purposes of this section, a general purpose financial report must be prepared and audited in relation to the entity in accordance with:

(a) accounting principles and auditing principles; or

(b) if such principles do not apply—commercially accepted principles, relating to accounting and auditing, that ensure the statements give a true and fair view of the financial position and performance of that entity (or that entity and the other entities on a consolidated basis).

An expression used in this subsection that is also used in the Income Tax Assessment Act 1997 has the same meaning as in that Act.
(4) The Commissioner must give a copy of the report to the Australian Securities and Investments Commission.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 34

Senators—

Brown  Hanson-Young  McKim  Siewert
Bullock  Ketter  Moore  Simms
Cameron  Lambie  Muir  Singh
Carr  Lazarus  O'Neill  Sterle
Conroy  Lines  Peris  Urquhart (Teller)
Dastyari  Ludwig  Polley  Waters
Di Natale  Madigan  Rhiannon  Whish-Wilson
Gallacher  Marshall  Rice  Xenophon
Gallagher  McAllister

NOES, 27

Senators—

Abetz  Cormann  Leyonhjelm  Ruston
Back  Day  Lindgren  Ryan
Bernardi  Edwards  McGrath  Scullion
Birmingham  Fawcett (Teller)  McKenzie  Seselja
Bushby  Fieravanti-Wells  Parry  Wang
Canavan  Fifield  Reynolds  Williams
Cash  Johnston  Ronaldson

Question agreed to.

Senator Whish-Wilson moved the following amendment:

Schedule 1, page 7 (before line 10), before item 5, insert:

4A After section 3C

Insert:

3D Consolidation of accounts for entities with total global revenue of $500 million or more

(1) This section applies to an entity for an income year if the entity has total global revenue equal to or exceeding $500 million:

(a) if the entity is a member of a group of entities that are consolidated for accounting purposes as a single group—as shown in financial statements prepared and audited in relation to all members of the group; or

(b) otherwise—as shown in financial statements prepared and audited in relation to that entity.

(2) The entity must, as soon as practicable after the end of the income year give the Commissioner general purpose financial statements for the income year for:

(a) if paragraph (1)(a) applies—the group of entities consolidated as a single group; or

(b) if paragraph (1)(b) applies—the entity.
(3) For the purposes of this section, financial statements and general purpose financial statements must be prepared and audited in relation to the entity in accordance with:
   (a) accounting principles and auditing principles; or
   (b) if such principles do not apply—commercially accepted principles, relating to accounting and auditing, that ensure the statements give a true and fair view of the financial position and performance of that entity (or that entity and the other entities on a consolidated basis).

(4) The Commissioner must give a copy of the general purpose financial statements to the Australian Securities and Investments Commission.

(5) In this section:
   - accounting principles has the same meaning as in the Income Tax Assessment Act 1997.
   - auditing principles has the same meaning as in the Income Tax Assessment Act 1997.

Debate ensued.
Question—That the amendment be agreed to—put and negatived.
Bill, as amended, debated.

At 7.20 pm: The Acting Deputy President (Senator Back) resumed the chair and the Chair of Committees (Senator Marshall) reported progress.

31 ADJOURNMENT
The Acting Deputy President (Senator Back) proposed the question—That the Senate do now adjourn.
Debate ensued.

Document: Senator O’Neill, by leave, tabled the following document:
   Health—Funding—‘Health cuts equal to closing two hospitals’, article by Julia Medew, The Age, 5 November 2015.

The Senate adjourned at 10.27 pm till Wednesday, 11 November 2015 at 9.30 am.

32 ATTENDANCE

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate