No. 24: Monday, 11 November 2019

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1 Meeting of Senate
The Senate met at 12.30 pm. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

2 Vacancy in the representation of New South Wales
The President informed the Senate of the resignation, on 11 November 2019, of Senator Sinodinos and advised that, pursuant to section 21 of the Constitution, he had notified the Governor of New South Wales that there was a vacancy in the representation of that state.

Documents: The President tabled the following documents:
- President of the Senate to the Governor of New South Wales (Her Excellency the Honourable Margaret Beazley AO QC), dated 11 November 2019 [copy].

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

Documents presented since the last sitting of the Senate, pursuant to standing order 166, were authorised for publication on the dates indicated]

Auditor-General’s reports for 2019-20
1 No. 11—Performance audit—Implementation of the Digital Continuity 2020 policy: Across entities. [Received 31 October 2019]
2 No. 12—Performance audit—Award of funding under the Regional Jobs and Investment Packages: Department of Infrastructure, Transport, Cities and Regional Development; Department of Industry, Innovation and Science. [Received 5 November 2019]

Government documents
4 Administrative Appeals Tribunal—Report for 2018-19, including report of the Immigration Assessment Authority.
5 Aged Care Quality and Safety Commission—Report for 2018-19. [Received 31 October 2019]
6 Aged Care Quality and Safety—Royal Commission—Interim report (3 volumes). [Received 31 October 2019]
7 Airservices Australia—Report for 2018-19, including report of the Aircraft Noise Ombudsman.
10 ASC Pty Ltd—Report for 2018-19. [Received 18 October 2019]
13 Australian Building and Construction Commission—
Performance of the functions and the exercise of powers of the Australian
Building and Construction Commissioner—Quarterly report for the period 1 April
to 30 June 2019.


[Received 18 October 2019]


18 Australian Federal Police (AFP)—Report for 2018-19, including reports on delayed
notification search warrants, National Witness Protection Program and unexplained
wealth investigations and proceedings. [Received 18 October 2019]

19 Australian Film, Television and Radio School (AFTRS)—Report for 2018-19.
[Received 28 October 2019]

20 Australian Financial Security Authority (AFSA)—Report for 2018-19, including
reports on the operation of the Bankruptcy Act 1966 and Personal Property
Securities Act 2009.

21 Australian Human Rights Commission—Reports—
No. 129—Mr IB and Mr IC v Commonwealth of Australia (Department of Home
Affairs).
No. 130—Use of force in immigration detention.
No. 131—Mr BP, Ms BQ and Miss BR v Commonwealth of Australia (Department
of Home Affairs).


23 Australian Institute for Teaching and School Leadership Limited (AITSL)—Report for
2018-19.


26 Australian Maritime Safety Authority—Report for 2018-19. [Received 18 October
2019]


29 Australian Pesticides and Veterinary Medicines Authority (APVMA)—Report for
2018-19. [Received 8 November 2019]


31 Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the
period 1 April to 30 June 2019. [Received 7 November 2019]

32 Australian Rail Track Corporation Limited (ARTC)—Report for 2018-19.


38 Bundanon Trust—Report for 2018-19. [Received 18 October 2019]
40 Cancer Australia—Report for 2018-19. [Received 18 October 2019]
41 Civil Aviation Safety Authority (CASA)—Report for 2018-19. [Received 18 October 2019]
44 Climate Change Authority—Report for 2018-19. [Received 18 October 2019]
51 Department of Communications and the Arts—Report for 2018-19. [Received 18 October 2019]
53 Department of Industry, Innovation and Science—Report for 2018-19, including reports of Geoscience Australia and IP Australia.
54 Department of Infrastructure, Transport, Cities and Regional Development—Report for 2018-19—Correction. [Received 18 October 2019]
55 Department of the Environment and Energy—Report for 2018-19. [Received 18 October 2019]
56 Department of the Prime Minister and Cabinet—Report for 2018-19.
57 Digital Transformation Agency—
   Addendum. [Received 7 November 2019]
58 Director of National Parks—Report for 2018-19. [Received 18 October 2019]
63 Federal Court of Australia—Report for 2018-19, including report of the National Native Title Tribunal.
64 Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2018-19.
65 Gene Technology Regulator—Report for 2018-19. [Received 29 October 2019]
76 Medical Research Future Fund Act 2015—Report on the financial assistance to support the Australian Medical Research and Innovation Priorities for 2016-18.
80 National Capital Authority—Report for 2018-19. [Received 7 November 2019]
82 National Film and Sound Archive (NFSA)—Report for 2018-19.
83 National Health and Medical Research Council (NHMRC)—Report for 2018-19.
87 National Museum of Australia—Report for 2018-19. [Received 30 October 2019]
93 North Queensland Water Infrastructure Authority—Report for 2018-19. [Received 30 October 2019]
Office of the Official Secretary to the Governor-General—Report for 2018-19. [Received 18 October 2019]
Old Parliament House (Museum of Australian Democracy)—Report for 2018-19. [Received 18 October 2019]
Public Lending Right Committee—Report for 2018-19. [Received 18 October 2019]
Regional Investment Corporation—Report for 2018-19. [Received 29 October 2019]
Reserve Bank of Australia—Reports for 2018-19—
Annual report.
Equity and diversity.
Payments System Board.
Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority)—Report for 2018-19.
Snowy Hydro Limited—Report for 2018-19. [Received 18 October 2019]
Torres Strait Protected Zone Joint Authority—Report for 2015-16. [Received 1 November 2019]
Tourism Australia—Report for 2018-19. [Received 30 October 2019]
Veterans’ Review Board—Report for 2018-19. [Received 29 October 2019]
Western Sydney Airport—Report for 2018-19.
Responses to Senate resolutions

124 Australian women in sports—Resolution of 4 July 2019—Letter to the President of the Senate from the Chief Executive Officer, Rowing Australia (Mr Robson), dated 15 October 2019.

125 Domestic trade of ivory and rhino horn—Resolution of 16 September 2019—Letter to the President of the Senate from the Victorian Minister for Energy, Environment and Climate Change (Ms D’Ambrosio), dated 17 October 2019.

126 Grandparent carers—Resolution of 18 September 2019—Letter to the President of the Senate from the Victorian Minister for Disability, Ageing and Carers (Mr Donnellan), dated 15 October 2019.

Documents pursuant to continuing orders

127 Departmental and agency appointments and vacancies—Letters of advice pursuant to the order of the Senate of 24 June 2008—Budget estimates 2019-20 (Supplementary)—
  Agriculture portfolio. [Received 21 October 2019]
  Health portfolio. [Received 23 October 2019]

128 Departmental and agency grants—Letters of advice pursuant to the order of the Senate of 24 June 2008—Budget estimates 2019-20 (Supplementary)—
  Attorney-General’s portfolio—Replacement. [Received 21 October 2019]
  Department of Health. [Received 23 October 2019]

129 Estimates hearings—Unanswered questions on notice—Statements pursuant to the order of the Senate of 25 June 2014—Budget estimates 2019-20—
  Department of the Prime Minister and Cabinet. [Received 21 October 2019]
  Foreign Affairs and Trade portfolio. [Received 25 October 2019]
  Workplace Gender Equality Agency. [Received 23 October 2019]

Government responses to committee reports

130 Economics References Committee—Report—Governance and operation of the Northern Australia Infrastructure Facility (NAIF)—Government response, dated October 2019. [Received 23 October 2019]

131 Education and Employment References Committee—Report—Vocational education and training in South Australia—Government response, dated October 2019. [Received 21 October 2019]

132 Foreign Affairs, Defence and Trade Legislation Committee—Annual reports referred to legislation committees—Nos 1 and 2 of 2019—Government response, dated October 2019. [Received 28 October 2019]

133 Regulations and Ordinances—Standing Committee—Report—Parliamentary scrutiny of delegated legislation—Government response, dated November 2019. [Received 8 November 2019]

134 Rural and Regional Affairs and Transport References Committee—Report—Provision of rescue, firefighting and emergency response at Australian airports—Government response, dated November 2019. [Received 7 November 2019]
Committee reports presented out of sitting

The following reports and documents were presented and authorised for publication on the dates indicated pursuant to standing order 38(7)(a):

References initiated by the Selection of Bills Committee

135 Community Affairs Legislation Committee—Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019 [Provisions]—Report, dated November 2019, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 7 November 2019]

136 Economics Legislation Committee—Reports, dated November 2019—
    Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2019 [Provisions], Hansard record of proceedings, additional information and submissions. [Received 7 November 2019]
    Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019 [Provisions], Hansard record of proceedings, additional information and submissions. [Received 7 November 2019]

137 Education and Employment Legislation Committee—Reports, dated October 2019—
    Fair Work Laws Amendment (Proper Use of Worker Benefits) Bill 2019 [Provisions], Hansard record of proceedings, additional information and submissions. [Received 25 October 2019]
    Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019 [Provisions], Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 25 October 2019]

138 Legal and Constitutional Affairs Legislation Committee—
    Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019 [Provisions]—Report, dated November 2019, Hansard record of proceedings, additional information and submissions. [Received 7 November 2019]
    Migration Amendment (Repairing Medical Transfers) Bill 2019 [Provisions]—Report, dated October 2019, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 18 October 2019]

139 Rural and Regional Affairs and Transport Legislation Committee—Farm Household Support Amendment (Relief Measures) Bill (No. 1) 2019 [Provisions]—Report, dated November 2019 and submissions. [Received 7 November 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.]

**Acts Interpretation Act 1901**—

Subsection 34C(6)—Statements relating to extension of time for presentation of periodic reports—

- Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)—Report for 2018-19.
- Torres Strait Protected Zone Joint Authority—Report for 2018-19.
- Western Australian Fisheries Joint Authority—Report for 2018-19.

Subsection 34C(7)—Statements relating to the delay in presentation of periodic reports—


**Air Services Act 1995**—Air Services Amendment Regulations 2019 [F2019L01424].


**AusCheck Act 2007** and **Crimes Act 1914**—AusCheck Legislation Amendment (Major National Events) Regulations 2019 [F2019L01410].


**Australian Education Act 2013**—

- Australian Education Amendment (2019 Measures No. 4) Regulations 2019 [F2019L01421].
- Australian Education Amendment (2019 Measures No. 5) Regulations 2019 [F2019L01422].

**Australian Radiation Protection and Nuclear Safety Act 1998**—Australian Radiation Protection and Nuclear Safety Amendment Regulations 2019 [F2019L01426].

**Australian Research Council Act 2001**—

- Approval of ARC 2018 Industrial Transformation Training Centres for funding commencing in 2019—Determination No. 197.
Approval of ARC 2019 Linkage Projects for funding commencing in 2019—Determination No. 198.

Approval of ARC Centres of Excellence for funding commencing in 2020—Determination No. 199.

Grant Guidelines for the Discovery Program (2019 edition) [F2019L01372].


Civil Aviation Act 1988—

Civil Aviation Regulations 1988—CASA 490/05 Amendment Instrument 2019 (No. 1)—CASA 88/19 [F2019L01425].

Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—

Number of Cabin Attendants (Alliance Airlines Pty Limited) Direction 2019—CASA 86/19 [F2019L01379].

Number of Cabin Attendants (Network Aviation Pty Ltd) Direction 2019—CASA 89/19 [F2019L01391].

Civil Aviation Safety Amendment (Remotely Piloted Aircraft and Model Aircraft—Registration and Accreditation) Regulations (No. 2) 2019 [F2019L01364].

Civil Aviation Safety Regulations 1998—


Part 66 Manual of Standards Amendment Instrument 2019 (No. 1) [F2019L01413].

Tail Boom and Fin—Fretting and Cracking—AD/UH-1/20 Amdt 2 [F2019L01376].

Wing Spar Splice Plate (Chieftain)—AD/PA-31/124 Amdt 1 [F2019L01357].

Wing Spar Splice Plate (Navajo)—AD/PA-31/123 Amdt 1 [F2019L01356].


Commissioner of Taxation—Public Rulings—


Fuel Tax Determinations—Addenda—FTD 2006/2 and FTD 2010/1.

Corporations Act 2001—
ASIC Corporations (Amendment) Instrument 2019/1037 [F2019L01365].

Crimes Act 1914—Crimes Amendment (National Disability Insurance Scheme—Worker Screening) Regulations 2019 [F2019L01397].

Criminal Code Act 1995—


Defence Act 1903—
Defence Determination, Conditions of service Amendment (Additional Recreation Leave) Determination 2019 (No. 32) [F2019L01407].
Defence Determination, Conditions of service Amendment (Regional rent bands) Determination 2019 (No. 31) [F2019L01337].


Financial Framework (Supplementary Powers) Act 1997—
Financial Framework (Supplementary Powers) Amendment (Agriculture Measures No. 1) Regulations 2019 [F2019L01340].
Financial Framework (Supplementary Powers) Amendment (Communications and the Arts Measures No. 4) Regulations 2019 [F2019L01341].
Financial Framework (Supplementary Powers) Amendment (Education Measures No. 3) Regulations 2019 [F2019L01342].
Financial Framework (Supplementary Powers) Amendment (Employment, Skills, Small and Family Business Measures No. 4) Regulations 2019 [F2019L01343].
Financial Framework (Supplementary Powers) Amendment (Social Services Measures No. 4) Regulations 2019 [F2019L01345].
Financial Framework (Supplementary Powers) Amendment (Veterans’ Affairs Measures No. 2) Regulations 2019 [F2019L01346].
Health Insurance Act 1973—
Health Insurance (Section 3C Co-Dependent Pathology Services) Amendment Determination (No. 3) 2019 [F2019L01385].
Health Insurance (Section 3C – Other Medical Practitioner and Telehealth) Amendment (Australian Statistical Geography Standard) Determination 2019 [F2019L01367].


Migration Act 1958—
Migration Amendment (Visa Application Charges) Regulations 2019 [F2019L00932]—Replacement explanatory statement.

Migration Regulations 1994—
Migration (LIN 19/216: Exemptions from Skill, Age and English Language Requirements for Subclass 186, 187 and 494 Visas) Instrument 2019 [F2019L01404].


National Greenhouse and Energy Reporting Act 2007—

National Health Act 1953—
National Health (Claims and under co-payment data) Amendment (Electronic Prescriptions) Rules 2019 [F2019L01383].
National Health Determination under paragraph 98C(1)(b) Amendment 2019 (No. 8)—PB 85 of 2019 [F2019L01388].
National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2019 (No. 10)—PB 88 of 2019 [F2019L01390].
National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2019 (No. 10)—PB 87 of 2019 [F2019L01395].
National Health (Immunisation Program – Designated Vaccines) Amendment Determination (No. 2) 2019 [F2019L01427].
National Health (Listed drugs on F1 or F2) Amendment Determination 2019 (No. 10)—PB 89 of 2019 [F2019L01392].
National Health (Originator Brand) Amendment Determination 2019 (No. 8)—PB 90 of 2019 [F2019L01396].
National Health (Price and Special Patient Contribution) Amendment Determination 2019 (No. 10)—PB 91 of 2019 [F2019L01398].


Private Health Insurance Act 2007—
Private Health Insurance Legislation Amendment Rules (No. 4) 2019 [F2019L01384].
Private Health Insurance (Prostheses) Amendment Rules (No. 7) 2019 [F2019L01380].
Private Health Insurance (Prostheses) Rules (No. 3) 2019 [F2019L01373].

Public Governance, Performance and Accountability Act 2013—Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2018-2019 (No. 9) [F2019L01334].


Seas and Submerged Lands Act 1973—Seas and Submerged Lands Amendment Proclamation (No. 2) 2019 [F2019L01350].

Social Security Act 1991—

Sydney Airport Curfew Act 1995—Dispensation Reports—
07/19.
08/19.

Taxation Administration Act 1953—Taxation Administration Amendment (Updating the List of Exchange of Information Countries) Regulations 2019 [F2019L01416].


Therapeutic Goods Act 1989—
Veterans’ Entitlements Act 1986—
Amendment Statement of Principles concerning cervical spondylosis—No. 102 of 2019 [F2019L01359].
Amendment Statement of Principles concerning Ross River virus infection (Reasonable Hypothesis)—No. 103 of 2019 [F2019L01370].
Statement of Principles concerning acoustic neuroma (Balance of Probabilities)—No. 97 of 2019 [F2019L01362].
Statement of Principles concerning acoustic neuroma (Reasonable Hypothesis)—No. 96 of 2019 [F2019L01363].
Statement of Principles concerning malignant neoplasm of the renal pelvis and ureter (Balance of Probabilities)—No. 93 of 2019 [F2019L01339].
Statement of Principles concerning malignant neoplasm of the renal pelvis and ureter (Reasonable Hypothesis)—No. 92 of 2019 [F2019L01338].
Statement of Principles concerning microscopic polyangiitis (Balance of Probabilities)—No. 91 of 2019 [F2019L01358].
Statement of Principles concerning microscopic polyangiitis (Reasonable Hypothesis)—No. 90 of 2019 [F2019L01353].
Statement of Principles concerning Ross River virus infection (Balance of Probabilities)—No. 95 of 2019 [F2019L01354].
Statement of Principles concerning Ross River virus infection (Reasonable Hypothesis)—No. 94 of 2019 [F2019L01355].
Statement of Principles concerning sensorineural hearing loss (Balance of Probabilities)—No. 99 of 2019 [F2019L01361].
Statement of Principles concerning sensorineural hearing loss (Reasonable Hypothesis)—No. 98 of 2019 [F2019L01360].
Statement of Principles concerning subdural haematoma (Balance of Probabilities)—No. 101 of 2019 [F2019L01348].
Statement of Principles concerning subdural haematoma (Reasonable Hypothesis)—No. 100 of 2019 [F2019L01347].

Veterans’ Entitlements Act 1986 and Military Rehabilitation and Compensation Act 2004—
 Committees—Leave to meet during sittings
Committees were authorised to hold public meetings during the sittings of the Senate, as follows:

Community Affairs Legislation Committee—today, from 6.30 pm, for the committee’s consideration of the 2019-20 supplementary Budget estimates.

Environment and Communications Legislation Committee—on Tuesday, 12 November 2019, from midday, for the committee’s consideration of the 2019-20 supplementary Budget estimates.

Rural and Regional Affairs and Transport Legislation Committee—today, from 4 pm, to take evidence for the committee’s inquiry into the performance of the Australian Maritime Safety Authority.

Rural and Regional Affairs and Transport References Committee—today, from 5.30 pm, to take evidence for the committee’s inquiry into a National Horse Traceability Register for all horses.

Private senators’ bills—Consideration
The Minister for Families and Social Services (Senator Ruston) moved—That general business order of the day no. 33 (Protecting Australian Dairy Bill 2019) be considered today at the time for private senators’ bills.

Question put and passed.

Protecting Australian Dairy Bill 2019
Order of the day read for the adjourned debate on the motion of the Leader of Pauline Hanson’s One Nation (Senator Hanson)—That this bill be now read a second time.

Debate resumed.

Question put.

The Senate divided—

AYES, 30

Senators—
Ayres
Bilyk
Chisholm
Ciccone*
Dodson
Farrell
Faruqi
Gallacher
Gallagher
Green
Hanson
Hanson-Young
Keneally
Lambie
Lines
McAllister
McCarthy
McKim
O’Neill
Polley
Rice
Roberts
Siewert
Smith, Marielle
Steele-John
Sterle
Waters
Watt
Whish-Wilson
Wong
NOES, 31

Senators—

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* Tellers

Bill negatived at second reading.

7 Appropriation Bill (No. 1) 2019-2020
Appropriation Bill (No. 2) 2019-2020
Appropriation (Parliamentary Departments) Bill (No. 1) 2019-2020
Order of the day read for the adjourned debate on the motion of the Minister for Trade, Tourism and Investment (Senator Birmingham)—That these bills be now read a second time.
Debate resumed.
At 2 pm: Debate was interrupted while Senator Bilyk was speaking.

8 Ministry and ministerial arrangements—Document
The Minister for Finance (Senator Cormann) tabled a document showing all members of the Morrison Ministry and ministerial representation, dated 29 May 2019.

9 Bushfires in New South Wales and Queensland—Ministerial statement
The Leader of the Government in the Senate (Senator Cormann), by leave, made a statement relating to the bushfires in New South Wales and Queensland.

Statements by leave: The Leader of the Opposition in the Senate (Senator Wong), the Co-Deputy Leader of the Australian Greens (Senator Waters) and the Leader of The Nationals in the Senate (Senator McKenzie), by leave, made statements relating to the matter.

10 Questions
Questions without notice were answered.

11 Death of former senator Mehmet Tillem
The President informed the Senate of the death, on 9 November 2019, of Mehmet Tillem, a senator for the state of Victoria from 2013 to 2014.
The President advised the Senate that a condolence motion would be moved later this week.
12 Motions to take note of answers
Senator Urquhart moved—That the Senate take note of the answers given by the Minister for Agriculture (Senator McKenzie) to questions without notice asked by Senators Urquhart and Green today relating to the administration of regional grants programs. Debate ensued.
Question put and passed.
Senator Waters moved—That the Senate take note of the answer given by the Minister for Agriculture (Senator McKenzie) to a question without notice asked by Senator Waters today relating to climate change.
Question put and passed.

13 Notices
Senator Watt: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, by no later than 5.30 pm on 13 November 2019, the following documents referred to in Auditor-General’s report no. 12 of 2019-20, Award of funding under the Regional Jobs and Investment Packages (RJIP):
(a) the Memorandum of Understanding signed in July 2017, under which the Business Grants Hub was engaged to administer aspects of the program;
(b) documents that show how the cost of $8.078 million was determined;
(c) all other documents relating to the Business Grants Hub being selected to administer the RJIP, including emails/briefs between the Minister, the Minister’s office, the Department of Industry, Innovation and Science (the Department) and the Business Grants Hub, as well as all correspondence between the Department and the Department of Infrastructure, Transport, Cities and Regional Development; and
(d) the request for quote and the final agreed contract between the Department and the contractor who undertook the assessment process at a cost of $3.15 million. (general business notice of motion no. 215)

Senator Watt: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, by no later than 5.30 pm 13 November 2019, the following documents referred to in Auditor-General’s report no. 12 2019-20, Award of funding under the Regional Jobs and Investment Packages (RJIP):
(a) all written briefings provided to Ministerial Panels to inform the award of grant funding in each of the 10 regions;
(b) all written responses from Ministerial Panels to the Department of Infrastructure, Transport, Cities and Regional Development (the Department) following consideration of advice provided in relating to paragraph (a) above, including:
(i) all records of requests by Panels to award funding to applications that had not been recommended by the Department, and all reasons for Panels awarding funding to applications that had not been recommended by the Department,
(ii) all records of requests by Panels to not award funding to applications that had been recommended by the Department, and all records of reasons for Panels not awarding funding to applications that had been recommended by the Department,

(iii) any documents identifying projects identified as ineligible, including any that received funding under the RJIP,

(iv) any documents identifying late applications, including any projects that received funding under the RJIP, and

(v) any documents identifying projects where there was a request for a co-funding exemption, including all records related to the decisions on whether to grant an exemption;

(c) a copy of the assurance review contracted by the Department of Infrastructure, Transport, Cities and Regional Development; and

(d) all documents provided to Ministers/Ministerial Panels containing the scoring/assessment of all grant applications under the RJIP, and all responses by Ministers/Ministerial Panels to this advice. (general business notice of motion no. 216)

Senator Brown: To move on 3 December 2019—That the Senate notes:

(a) that 3 December 2019 is the International Day of People with Disability;

(b) that the theme for 2019 is ‘Empowering persons with disabilities and ensuring inclusiveness and equality’;

(c) that 3 December is recognised each year as the day for the celebration of the achievements of people living with disability;

(d) that it is also the day when we promote awareness of the challenges faced by people with disability, and the role that communities and society can play in accelerating the eradication of barriers to social inclusion, equality, participation and citizenship;

(e) that approximately 1 billion people worldwide, and 3.96 million people in Australia, live with disability – this represents 15% of the global population and 20% of the population of Australia; and

(f) the remarkable contributions people with disability make to Australia, and congratulates all of the organisations and communities throughout Australia that are celebrating this important day. (general business notice of motion no. 217)

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

(a) notes:

(i) the Victorian Government’s announcement last week that they intend to end native forest logging in Victoria by 2030,

(ii) that clear-fell logging of public native forests continues in Western Australia, New South Wales, Victoria and Tasmania, and continues to receive significant public subsidy, and

(iii) that plantation-sourced wood and fibre makes up 88% of Australia’s timber output; and
(b) calls on the Federal Government to:
   (i) take national leadership to halt destructive logging and protect native forests for their values as complex ecosystems, including wildlife habitat, water supply, carbon storage and regional tourism, and
   (ii) establish a national aim of phasing out native forest logging, and for plantations and farm forestry to provide 100% Australian-grown wood and fibre. (*general business notice of motion no. 218*)

Senator Rice: To move on the next day of sitting—That there be laid on the table by the Minister representing the Assistant Treasurer, by 28 November 2019:
   (a) a copy of the unused census test form, including new questions on gender and sexuality;
   (b) any analysis undertaken by the Australian Bureau of Statistics as to whether these questions contribute to an understanding of the health needs, outcomes and wellbeing of the LGBTIQ+ community; and
   (c) any communications between Ministers or their offices and the Australian Bureau of Statistics in relation to these questions. (*general business notice of motion no. 219*)

Senator Keneally: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Home Affairs, by no later than 12.45 pm on 13 November 2019, a copy of the full report prepared by the Independent Health Advice Panel for the third quarter of 2019, and the Minister’s summary and response, in accordance with section 199E of the *Migration Act 1958*. (*general business notice of motion no. 220*)

Senators Green and Farrell: To move on the next day of sitting—That the Senate—
   (a) recognises that, 40 years after the Matildas first took to the field to play in the World Women’s Invitational Tournament in 1978, Football Federation Australia and Professional Footballers Australia (PFA) have delivered a new four-year collective bargaining agreement, which will see the Matildas and Socceroos receive an equal share of revenue, closing the pay gap between Australia’s national football teams;
   (b) notes that:
       (i) this agreement has been reached after the extensive collective bargaining efforts of female footballers through the PFA, and
       (ii) this is an important step in closing the gender pay gap in professional sport;
   (c) notes the current gender pay gap for Australian women is 14% – a statistic which has only decreased by 5% over the past two decades; and
   (d) calls on the Federal Government to do more to ensure Australian women are not worse off in any workplace. (*general business notice of motion no. 221*)
The Minister for Families and Social Services (Senator Ruston): To move on the next day of sitting—

(1) That on Tuesday, 12 November 2019—

(a) the notice of motion proposing the disallowance of the ASIC Corporations (Banking Code of Practice — Revocation of 2018 Approval) Instrument 2019/662 and the ASIC Corporations (Approval of Banking Code of Practice) Instrument 2019/663, standing in the name of Senator Roberts, be called on for debate by no later than 6 pm; and

(b) if consideration of the motion listed in paragraph (a) is not concluded at 6.30 pm, or at the expiration of 30 minutes after the moving of the motion, whichever is the earlier, the questions on the unresolved motion shall then be put.

(2) That on Wednesday, 13 November 2019—

(a) the notice of motion proposing the disallowance of the Gene Technology Amendment (2019 Measures No. 1) Regulations 2019, standing in the name of Senator Rice, be called on for debate at 3.30 pm;

(b) if consideration of the motion listed in paragraph (a) is not concluded at 4 pm, the questions on the unresolved motion shall then be put;

(c) immediately after consideration of the motion listed in paragraph (a) has concluded, the notice of motion proposing the disallowance of the Immigration (Guardianship of Children) Regulations 2018, standing in the name of the Chair of the Standing Committee on Regulations and Ordinances (Senator Fierravanti-Wells), be called on for debate; and

(d) if consideration of the motion listed in paragraph (c) is not concluded at 4.30 pm, the questions on the unresolved motion shall then be put.

(3) That—

(a) if the notice of motion proposing the disallowance of the Quality of Care Amendment (Minimising the Use of Restraints) Principles 2019, standing in the name of Senators Siewert and McKim for 12 November 2019, has not been resolved by 14 November 2019, that notice of motion be called on by no later than 3.30 pm on 14 November 2019; and

(b) if consideration of the motion listed in paragraph (a) is not concluded by 4 pm, the questions on the unresolved motion shall then be put.

Senator Patrick: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Public Governance, Performance and Accountability Act 2013, and for related purposes. Public Governance, Performance and Accountability Amendment (Tax Transparency in Procurement and Grants) Bill 2019. (general business notice of motion no. 222)
Senator Steele-John: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) there are an estimated 100 living survivors from the thalidomide disaster in Australia who are experiencing rapid deterioration of their health and quality of life,

(ii) the Community Affairs References Committee conducted an inquiry into the support for Australia’s thalidomide survivors and a report, presented on 22 March 2019, found that the current supports available to thalidomide survivors are inadequate – the committee made 11 recommendations, including that the Government should issue a formal apology, as well as provide compensation to enable survivors to live with their disability, and the findings received unanimous support from the committee,

(iii) the Federal Government has not yet responded to the report, and has not indicated a clear timeline for its response to survivors, and

(iv) survivors have clearly articulated the need for urgency in enacting all recommendations of the report, especially those which call for the provision of compensation to all survivors; and

(b) calls on the Federal Government to:

(i) urgently respond to the committee report and provide a clear timeline for that response to survivors, and

(ii) enact all recommendations of the committee report without delay.

(general business notice of motion no. 223)

Senator Hanson-Young: To move on the next day of sitting—That the Senate notes that:

(a) Norwegian company Equinor has an application before the National Offshore Petroleum Safety Environmental Management Authority (NOPSEMA) to drill for oil in the Great Australian Bight;

(b) NOPSEMA has rejected Equinor’s environment plan stating that Equinor must provide it with further information about matters relating to consultation, source control, oil spill risk, and matters protected under Part 3 of the Environment Protection and Biodiversity Conservation Act 1999;

(c) modelling commissioned by The Australia Institute shows Equinor will pay the Norwegian Government more than it will pay in Australian Government taxes, and up to 27 times more than it will pay to the South Australian Government;

(d) if Equinor’s application is ultimately approved by NOPSEMA, a foreign-owned company will therefore take the vast majority of financial gains while exploiting and putting at risk our precious marine and coastal environment, and tens of thousands of tourism and fishing industry jobs; and

(e) the ecological and environmental significance of the Great Australian Bight is, in fact, priceless. (general business notice of motion no. 224)
Senator Hanson-Young: To move on the next day of sitting—That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 30 March 2020:

The deal struck between the Federal Government and the South Australian Government for 100GL of Murray-Darling River water to be cut from South Australia’s allocation, and the Commonwealth to fund the increased use of the State’s desalination plant to instead provide the same amount of water to the State, with particular reference to:

(a) the consequences for the river system of taking 100GL plus conveyance water from downstream flows;
(b) the mechanisms for ensuring that the water that South Australia is forgoing is actually delivered as intended, such as to small farmers to grow fodder;
(c) the checks and transparency measures to ensure the program is not rorted or exploited;
(d) whether the 100GL could have been delivered to New South Wales and Victorian farmers by a means other than reducing South Australia’s allocation, and whether that would have been more cost-effective;
(e) the South Australian-commissioned desalination feasibility report; and
(f) any other related matters.

Senators Faruqi and Waters: To move on the next day of sitting—That the Senate—

(a) notes that:
   (i) states of emergency have been declared in New South Wales and Queensland due to catastrophic bushfire risk,
   (ii) lives have been lost, more than 150 homes have been destroyed, and almost 1,000,000 hectares of land in New South Wales have been razed since the start of this year’s unprecedented bushfire season,
   (iii) in New South Wales, the Greater Sydney and Hunter areas are set to experience catastrophic fire conditions for the first time on record,
   (iv) in Queensland, a state of emergency has been declared in 42 local government areas across the south east and central Queensland, with at least 11,000 hectares and more than a dozen homes lost,
   (v) the climate crisis is making bushfires like these more frequent and more intense, and making fire seasons longer and more dangerous each year, and
   (vi) burning coal, oil and gas is dangerously heating our planet, and Australia is the third largest exporter of carbon pollution in the world;
(b) expresses its whole-hearted support for communities across New South Wales and Queensland devastated by these raging bushfires;
(c) thanks the courageous firefighters and emergency services for their service to communities in need; and
(d) calls on the Federal Government to:
   (i) act decisively to build resilience in communities, and
   (ii) declare a climate emergency. (general business notice of motion no. 225)
Senator Waters: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) the overall national toll for women killed by violence, since the start of
       2019, now stands at 47, as reported by Counting Dead Women Australia
       from Destroy The Joint,
   (ii) there is no national government reporting program to record the ongoing
toll of women killed by violence in real-time,
   (iii) on average, one woman is murdered every week by her current or former
       partner,
   (iv) according to the Australian Bureau of Statistics Personal Safety Survey
       2016:
       (A) more than 370,000 Australian women are subjected to violence
           from men each year,
       (B) 1 in 3 Australian women has experienced physical violence,
       (C) 1 in 5 Australian women has experienced sexual violence,
       (D) 1 in 6 Australian women has experienced physical or sexual
           violence by a current or former partner,
       (E) 1 in 4 Australian women has experienced emotional abuse by a
           current or former partner,
       (F) Australian women are nearly three times more likely than men to
           experience violence from an intimate partner, and
       (G) Australian women are 2.5 times more likely to be hospitalised for
           assault injuries arising from family and domestic violence than
           men, with hospitalisation rates rising by 23% since 2014-15,
   (v) in 2017, young women aged between 15 and 34 accounted for more than
       half of reported sexual assaults,
   (vi) there is growing evidence that women with disabilities are more likely to
       experience violence,
   (vii) Aboriginal and Torres Strait Islander women report experiencing violence
       at 3.1 times the rate of non-Indigenous women,
   (viii) in 2016-17, Indigenous women were 32 times as likely to be hospitalised
due to family violence as non-Indigenous women,
   (ix) the Fourth Action Plan of the National Plan to Reduce Violence against
       Women and their Children 2010–2022, states that the overall prevalence
       of violence against women will only start to decrease in the very long term
       as gender roles change, and
   (x) the Fourth Action Plan recognises that demand for domestic and family
       violence services has increased, and will continue to increase; and
(b) calls on the Federal Government to:
   (i) recognise domestic violence against women as a national security crisis,
   (ii) adequately fund frontline domestic, family and sexual violence and crisis
       housing services to ensure that all women seeking safety can access these
       services when and where they need them,
(iii) legislate for 10 days paid domestic and family violence leave so that women do not have to choose between paying the bills and seeking safety,

(iv) ensure that all government-funded counselling services for domestic and family violence are delivered by expert family violence service providers, in accordance with the National Outcome Standards for Perpetrator Interventions,

(v) implement all 25 recommendations contained in the report of the Finance and Public Administration References Committee on domestic violence in Australia, tabled on 20 August 2015, and

(vi) maintain and publish an official real-time national toll of women killed by violence in Australia. (general business notice of motion no. 226)

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

(a) notes that on 17 October 2019, 7.30 revealed that:

(i) horses bred for racing, and subject to interstate trade, are being sent to knackeries and abattoirs to be slaughtered,

(ii) the horse racing industry produced more than 14,000 foals in the last financial year,

(iii) footage of horses matched to the national industry’s official record of thoroughbreds – the Australian Stud Book – showed around 300 racehorses, representing almost $5 million in prize money, were detected at Meramist Abattoir in Queensland in just 22 days alone,

(iv) horses like Tahitian Black, who won $400,000 in prize money, were trialled and raced dozens of times for people to wager on for sport, and have been discarded at knackeries and used for pet food, and

(v) thoroughbred race horses as young as two years old, fillies and colts, and the brood mares that produced them, are ending up at slaughter houses and knackeries; and

(b) calls on the Federal Government to request His Excellency the Governor-General of the Commonwealth of Australia to issue Letters Patent to establish a royal commission to inquire into cruelty to race horses. (general business notice of motion no. 227)

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

(a) notes that:

(i) in December 2018, the Department of Social Services (the Department) figures recorded that 199,907 Newstart recipients had a ‘partial capacity to work’ meaning that they are disabled or have an illness that prevents them from working 30 hours per week,

(ii) when the Department released figures to June 2019, it was revealed that the Department had been under-reporting the number of people with a ‘partial capacity to work’ and there were in fact 284,900 on Newstart with ‘partial capacity to work’ in December 2018,
figures to June 2019, show there are now 289,489, of a total of 686,000 people on Newstart, who are categorised as having a ‘partial capacity to work’ meaning 42% of Newstart recipients now have an illness or disability,

(iv) only 14.5% of people with a ‘partial capacity to work’ are reporting earnings,

(v) the inquiry into the jobactive program, undertaken by the Education and Employment References Committee, found that the employment services framework is not fit for purpose, and

(vi) the jobactive system is making people sick and depressed and exacerbating existing conditions;

(b) expresses its deep concern that:

(i) 42% of Newstart recipients who are sick and disabled people are struggling to pay bills often forced to choose between a meal or medicine, while looking for work, and

(ii) jobactive and disability employment services (DES) are not adequately supporting sick and disabled people; and

(c) calls on the Federal Government to make it a priority to help alleviate poverty by immediately increasing Newstart. (general business notice of motion no. 228)

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

(a) notes that:

(i) the Stop the Debt Trap Alliance has today released its report entitled, The Debt Trap, and

(ii) the report contains new data showing the scale of financial harm that payday lending is causing in Australia;

(b) recognises that:

(i) payday loans trap people in a cycle of debt and leave them in a significantly worse position than they were in prior to taking out the loan,

(ii) payday lenders target people who are economically disadvantaged and excluded from accessing mainstream finance,

(iii) over a five-year period, around 15% of payday loan borrowers fall into a debt spiral,

(iv) the number of women using payday loans has risen from 177,000 in 2016 to 287,000 in 2019 – this represents a rise to 23.13% of all borrowers,

(v) digital platforms have contributed to a rapid growth in payday lending, with payday loans that originate online expected to hit 85.8% by the end of 2019, and

(vi) in the 2015 report of the Australian Securities and Investments Commission entitled, The cost of consumer leases for household goods, it found in one case a dryer cost a Centrelink recipient the equivalent of an interest rate of 884%;
(c) further notes that:

(i) in 2015, the Federal Government initiated a review into small amount credit contracts and accepted the vast majority of recommendations made in the final report of the review delivered in 2016, and

(ii) in October 2017, the Federal Government released exposure draft legislation on small amount credit contract and consumer lease reforms but since then has taken no action to introduce or attempt to pass the bill; and

(d) calls on the Federal Government to urgently introduce and pass legislation to provide critical protections and stop the harm caused by payday loans and consumer leases. (general business notice of motion no. 229)

Senators Birmingham, Fawcett, Ruston, Bernardi, Antic, Gallacher, Hanson-Young, Wong, Patrick, Marielle Smith, Farrell and Griff: To move on the next day of sitting—That the Senate—

(a) notes that today, 12 November 2019, marks the 100th anniversary of the commencement of the first ever flight from England to Australia;

(b) records its enduring respect for the feat achieved by the four-person crew, comprising pilot Ross Smith, navigator Keith Smith and mechanic Wally Shiers, all from South Australia, and mechanic Jim Bennett from Victoria;

(c) recalls that they:

(i) competed alongside five other Australian crews who responded to the invitation by then Prime Minister Billy Hughes to race from London to Darwin in a British built plane in pursuit of prize money of £10,000, provided they completed the journey within 30 days,

(ii) departed Hounslow, England, on 12 November 1919, stopping at Lyons, Pisa, Venturina, Rome, Taranto, Canea, Cairo, Damascus, Ramadi, Basra, Bundar Abbas, Karachi, Delhi, Muttra, Allahabad, Calcutta, Akyab, Rangoon, Bangkok, Singora, Singapore, Batavia, Surabaya, Bima and Atamboea before landing in Darwin 27 days and 20 hours later at 3.50 pm on 10 December 1919, with an actual flying time of 135 hours,

(iii) overcame great adversity to become the only crew to reach Darwin within the 30 days, with two crews perishing in accidents, two others abandoning the race due to crashes and the other crew taking 206 days to reach Darwin,

(iv) flew a Vickers Vimy, registration number G-EAOU, made largely of wood and fabric, with an open cockpit that variously exposed them to snow, sleet, hail and extreme heat, which is one of only two such aircraft still in existence, housed at Adelaide Airport, and is scheduled to be relocated into a modern, purpose built facility within the airport terminal by 2021, and

(v) were widely praised around the world for this accomplishment, with the New York Times editorialising that Captain Ross Smith “must be hailed as the foremost living aviator”; and
(vi) extends its thanks to those who have helped to coordinate celebrations to mark the centenary of this epic flight and, in doing so, to raise awareness of the courage, ingenuity and perseverance of these skilled aviators.  
*(general business notice of motion no. 230)*

14 Leave of absence

Senator Dean Smith, by leave, moved—That leave of absence be granted to senators as follows:

(a) Senator Canavan for today, for personal reasons; and
(b) Senator Hume for 11 and 12 November 2019, on account of ministerial business.

Question put and passed.

Senator Urquhart, by leave, moved—That leave of absence be granted to Senators Brown and Hume for today, for personal reasons.

Question put and passed.

Senator Siewert, by leave, moved—That leave of absence be granted to Senator Di Natale for 11 and 12 November 2019, for personal reasons.

Question put and passed.

15 Postponements

Business was postponed as follows:

Business of the Senate notice of motion no. 2 standing in the name of Senators Siewert and Mckim for 12 November 2019, proposing the disallowance of the Quality of Care Amendment (Minimising the Use of Restraints) Principles 2019, postponed till 13 November 2019.

Business of the Senate notice of motion no. 3 standing in the name of Senators Farrell, Sheldon and O’Neill for today, proposing a reference to the Economics References Committee, postponed till 12 November 2019.

16 Committees—Extensions of time to report

The following committees were granted extensions of time to report:


Foreign Affairs, Defence and Trade References Committee—Australia’s declarations made under certain international laws, extended to 27 February 2020.
17 **Freshwater sawfish**

Senator Siewert, also on behalf of Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 205—That the Senate—

(a) notes that:

(i) the Fitzroy and Margaret Rivers in Western Australia are home to the critically-endangered Freshwater Sawfish (*Pristis pristis*) that can grow up to seven metres long,

(ii) in December 2018, 46 Freshwater Sawfish died in pools connected to Snake Creek, a tributary of the Fitzroy River,

(iii) the Western Australian Government is investigating whether there is a connection between these deaths and the extraction of billions of litres of water out of Snake Creek on Ms Gina Rinehart’s Liveringa pastoral lease,

(iv) Ms Rinehart and others have proposed an irrigation scheme that would take a further 325 billion litres of water per annum out of the Fitzroy River, and

(v) 16 October 2019, is World Sawfish Day; and

(b) calls on the Western Australian Government to ensure the protection of the Fitzroy River and its population of critically-endangered Sawfish.

Question put and passed.

18 **Jobseekers**

Senator Siewert, also on behalf of Senators McCarthy and Marielle Smith, amended general business notice of motion no. 207 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) acknowledges that 14 to 17 October was Anti-Poverty Week 2019;

(b) notes that the Anglicare Jobs Availability Snapshot 2019 found that:

(i) one in seven jobseekers have barriers to work, such as age, disability and education level,

(ii) it is taking people an average of five years to find work,

(iii) there are at least five jobseekers who do not have qualifications or work experience competing for each job at their skill level, and

(iv) there are 1.16 million people who are underemployed in Australia;

(c) notes that there are over 200,000 people living on Newstart who are sick or disabled;

(d) acknowledges that poverty is a barrier to employment, and there are many unemployed and underemployed people in Australia struggling to get by on the current rate of Newstart; and

(e) calls on the Federal Government to adequately support people to find employment by immediately increasing Newstart and Youth Allowance.

Question put and passed.
19 Poverty rates for First Nations peoples

Senator Siewert, also on behalf of Senator Dodson, amended general business notice of motion no. 208 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) acknowledges that 14 to 17 October was Anti-Poverty Week 2019;
(b) notes that:
   (i) more than one-in-ten Newstart recipients are First Nations peoples, and one-in-five Youth Allowance recipients are First Nations peoples,
   (ii) First Nations peoples living in remote areas of Australia face significantly higher costs of living, and
   (iii) research by the Australian National University Centre for Aboriginal Economic Policy Research estimates the poverty rate for First Nations peoples is around 31%, with poverty rates stagnating in regional areas and rising in remote areas;
(c) acknowledges that First Nations peoples are disengaging with the social security system because of the onerous and punitive reporting requirements attached to income support payments; and
(d) calls on the Federal Government to act to reduce poverty rates for First Nations peoples by immediately increasing Newstart and Youth Allowance.

Question put and passed.

20 Family Matters Report 2019

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 212—That the Senate—

(a) notes that the Family Matters Report 2019 found that:
   (i) First Nations children are now 10.2 times more likely to be in out-of-home care than non-Indigenous children, which is an all-time high,
   (ii) the number of First Nations children in out-of-home care will more than double in size in the next 10 years without urgent action, and
   (iii) almost one-in-three First Nations peoples are living in poverty, and this contributes to the over-representation of First Nations children in out-of-home care; and
(b) calls on the Federal Government to implement the key recommendations of this report, including to:
   (i) develop a national comprehensive First Nations children’s strategy that includes generational targets to eliminate over-representation, and addresses the causes of Aboriginal and Torres Strait Islander child removal,
   (ii) invest in quality First Nations community-controlled integrated early years services through a specific program with targets to increase coverage in areas of high First Nations peoples population and high levels of disadvantage,
   (iii) establish state-based and national First Nations children’s commissioners to enable improved government accountability and oversight, and
(iv) end legal orders for permanent care and adoption for First Nations children, replaced by a focus on supporting their connections to kin, culture and community.

Question put and passed.

21 Poverty in Australia

Senator Walsh, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 213—That the Senate—

(a) recognises that, according to the Poverty in Australia Report 2018:
   (i) in Australia, 968,000 people from wage earning households are living in poverty,
   (ii) as a proportion of all Australians living in poverty, this group has increased from 32% in 2013-14 to 38%, and
   (iii) more than half of these households are families with children;

(b) notes that:
   (i) 1.9 million Australians are looking for work or for more work,
   (ii) this Government has presided over the worst wages growth on record, and
   (iii) Australia’s economic growth is the lowest in a decade; and

(c) calls on the Federal Government to combat working poverty by getting wages moving, raising the rate of Newstart, ceasing their attacks on Australian workers and their unions, and by reversing the cuts to penalty rates to ensure that Australian families have a better quality standard of living.

Question put and passed.

22 Environmental approvals

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 211—That the Senate—

(a) notes that:
   (i) the Wallarah 2 Coal Project is a proposed longwall underground mining operation northwest of central Wyong on the New South Wales Central Coast,
   (ii) the proposed mine would produce 4 to 5 million tonnes per annum of thermal coal each year for 28 years, leading to more than 264 million tonnes of carbon dioxide being released into the atmosphere, and
   (iii) the Wallarah 2 Coal Project poses a serious risk to the Central Coast’s drinking water supply; and

(b) calls on the Federal Government to protect the water of Central Coast communities, and cancel all environmental approvals granted under Federal law.

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

Question put.
The Senate divided—

AYES, 8

Senators—

Faruqi  McKim  Siewert*  Waters  
Hanson-Young  Rice  Steele-John  Whish-Wilson

NOES, 36

Senators—

Antic  Davey  Lines  Pratt  
Askew  Duniam  McAllister  Rennick  
Ayres  Gallagher  McDonald  Roberts  
Bilyk  Gallagher  McKenzie  Scarr  
Bragg  Green  McMahon  Sheldon  
Brockman  Griff  O’Sullivan  Smith, Dean  
Carr  Henderson  Paterson  Urquhart  
Chandler  Hughes  Patrick  Van  
Colbeck  Lambie  Polley  Walsh  

* Tellers

Question negatived.

23 Mining and fracking activities

Senator Waters, also on behalf of Senator Steele-John, amended general business notice of motion no. 214 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

(i) Origin Energy has commenced drilling as part of its Beetaloo Exploration Program in the Beetaloo Basin,

(ii) the final report of the Independent Scientific Inquiry into Hydraulic Fracturing of Onshore Unconventional Reservoirs in the Northern Territory concluded that gas extraction projects in the McArthur region, including the Beetaloo Basin, could contribute more than 6% of Australia’s emissions,

(iii) the Intergovernmental Panel on Climate Change has stated that reductions in gas production in the near term will be required to meet international reduction targets committed to in the Paris Agreement,

(iv) approximately 90% of regional water demand in the Northern Territory is supplied by groundwater – communities and traditional owners throughout the Northern Territory continue to express concern regarding the impact of hydraulic fracturing on these critical groundwater resources,

(v) the majority of submissions to the Northern Territory inquiry opposed fracking, and the final report noted the ‘strong antipathy surrounding hydraulic fracturing for onshore shale gas’,

(vi) traditional owners have called on Origin Energy to immediately halt fracking operations in the Beetaloo Basin,

(vii) the impact of the Beetaloo Basin project on water resources has not been assessed under the Environment Protection and Biodiversity Conservation Act 1999, and
(viii) the Environment and Communications Legislation Committee inquiry into the Landholders’ Right to Refuse (Gas and Coal) Bill 2015 received more than 370 submissions, the vast majority of which supported landholders and traditional owners being given the right to refuse to allow mining and fracking on their land; and

(b) calls on the Federal Government to:

(i) support calls by traditional owners for Origin Energy to immediately halt operations within the Beetaloo Basin,

(ii) support the Landholders’ Right to Refuse (Gas and Coal) Bill 2015 to ban fracking and ensure that traditional owners and landholders are empowered to refuse damaging mining and fracking activities occurring on their land, and

(iii) expand the application of the water trigger provisions of the Environment Protection and Biodiversity Conservation Act 1999 to the impacts of shale gas projects on water resources.

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

24 Documents—Consideration

Documents tabled earlier today (see entry no. 3) were considered as follows:

Motion to take note of documents nos 2 and 5 moved by Senator Urquhart. Consideration to resume on Thursday at general business.

Motion to take note of documents nos 6, 82, 87, 112 and 126 moved by Senator Siewert. Consideration to resume on Thursday at general business.

Motion to take note of document no. 77 moved by Senator McKim. Consideration to resume on Thursday at general business.

25 Committee membership

The Acting Deputy President (Senator Gallacher) informed the Senate that the President had received letters nominating senators to be members of committees.

The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, moved—That senators be appointed to committees as follows:

Australia’s Family Law System—Joint Select Committee—

Appointed—Participating members: Senators McKim, Siewert and Waters

Implementation of the National Redress Scheme—Joint Select Committee—

Appointed—

Senator Dean Smith

Participating members: Senators Abetz, Antic, Askew, Bragg, Brockman, Chandler, Davey, Fawcett, Fierravanti-Wells, Hughes, McDonald, McGrath, McMahon, O’Sullivan, Paterson, Rennick, Scarr, Stoker and Van
Legal and Constitutional Affairs Legislation Committee—
Appointed—
Substitute member: Senator Siewert to replace Senator McKim for the 
committee’s inquiry into the provisions of the Native Title Legislation 
Amendment Bill 2019
Participating member: Senator McKim

Road Safety—Joint Select Committee—
Appointed—
Senator McMahon
Participating members: Senators Abetz, Antic, Askew, Bragg, Brockman, 
Chandler, Davey, Fawcett, Fierravanti-Wells, Henderson, Hughes, 
McDonald, McGrath, O’Sullivan, Paterson, Rennick, Scarr, Dean Smith, 
Stoker and Van.

Question put and passed.

26 Farm Household Support Amendment (Relief Measures) Bill 
(No. 1) 2019
Treasury Laws Amendment (Prohibiting Energy Market Misconduct) 
Bill 2019
Messages from the House of Representatives were reported transmitting for 
the concurrence of the Senate the following bills:
Message no. 112, dated 24 October 2019—A Bill for an Act to amend the Farm 
Household Support Act 2014, and for related purposes.
Message no. 113, dated 24 October 2019—A Bill for an Act to amend the Competition 
and Consumer Act 2010, and for related purposes.

The Assistant Minister for Forestry and Fisheries (Senator Duniam) moved—that these 
bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.
Bills read a first time.
Senator Duniam moved—that these bills be now read a second time.

Explanatory memorandum: Senator Duniam tabled a revised explanatory 
memorandum relating to the Treasury Laws Amendment (Prohibiting Energy Market 
Misconduct) Bill 2019.

On the motion of Senator Duniam the debate was adjourned, the resumption of the debate 
made an order of the day for a later hour and the bills listed as separate orders of the day.
27 **Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019**

**Customs Tariff Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019**

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

- Message no. 97, dated 22 October 2019—A Bill for an Act to amend the *Customs Act 1901*, and for related purposes.

The Assistant Minister for Forestry and Fisheries (Senator Duniam) moved—that these bills may proceed without formalities, may be taken together and be now read a first time. Question put and passed.

Bills read a first time.

Senator Duniam moved—that these bills be now read a second time.

On the motion of Senator Duniam the debate was adjourned till the next day of sitting.

28 **Education Legislation Amendment (2019 Measures No. 1) Bill 2019**

**Treasury Laws Amendment (International Tax Agreements) Bill 2019**

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

- Message no. 102, dated 24 October 2019—A Bill for an Act to amend the law relating to higher education, and for related purposes.
- Message no. 105, dated 24 October 2019—A Bill for an Act to amend the law relating to taxation, and for related purposes.

The Assistant Minister for Forestry and Fisheries (Senator Duniam) moved—that these bills may proceed without formalities, may be taken together and be now read a first time. Question put and passed.

Bills read a first time.

Senator Duniam moved—that these bills be now read a second time.

On the motion of Senator Duniam the debate was adjourned till the next day of sitting and the bills listed as separate orders of the day.

29 **Customs Amendment (Product Specific Rule Modernisation) Bill 2019**

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

- Message no. 104, dated 24 October 2019—A Bill for an Act to amend the *Customs Act 1901*, and for related purposes.

The Assistant Minister for Forestry and Fisheries (Senator Duniam) 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 Duniam moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned till the day fixed for the Legal and Constitutional Affairs Legislation Committee to report on the bill, 20 November 2019.

30 Education Legislation Amendment (Tuition Protection and Other Measures) Bill 2019
VET Student Loans (VSL Tuition Protection Levy) Bill 2019
Higher Education Support (HELP Tuition Protection Levy) Bill 2019

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

- Message no. 109, dated 24 October 2019—A Bill for an Act to amend the law relating to tuition protection, and for other purposes.
- Message no. 107, dated 24 October 2019—A Bill for an Act to impose HELP tuition protection levy, and for related purposes.

The Assistant Minister for Forestry and Fisheries (Senator Duniam) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Duniam moved—That these bills be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned till the day fixed for the Education and Employment Legislation Committee to report on the bills, 22 November 2019.

31 Currency (Restrictions on the Use of Cash) Bill 2019

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

- Message no. 106, dated 24 October 2019—A Bill for an Act to restrict the use of cash in transactions, and for related purposes.

The Assistant Minister for Forestry and Fisheries (Senator Duniam) 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 Duniam moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned till the day fixed for the Economics Legislation Committee to report on the bill, 7 February 2020.
32 **Australian Veterans’ Recognition (Putting Veterans and Their Families First) Bill 2019**

**Civil Aviation Amendment Bill 2019**

**Tertiary Education Quality and Standards Agency Amendment Bill 2019**

Messages from the House of Representatives were reported returning the following bills without amendment:

- Message no. 103, dated 24 October 2019—Civil Aviation Amendment Bill 2019.

33 **Treasury Laws Amendment (2019 Tax Integrity and Other Measures No. 1) Bill 2019**

A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:


34 **Committee membership**

Messages from the House of Representatives were reported informing the Senate of the appointment of members of the House of Representatives to joint committees as follows:

- Message no. 100, dated 23 October 2019—Joint Select Committee on Australia’s Family Law System—Mr Perrett and Dr Aly.
- Message no. 110, dated 24 October 2019—Joint Select Committee on Implementation of the National Redress Scheme—Ms Claydon and Mr Dick.
- Message no. 101, dated 25 October 2019—Joint Select Committee on Road Safety—Mr LS O’Brien, Mr Conaghan, Mr Broadbent and Mr RJ Wilson.

35 **Governor-General’s messages—Assent to laws**

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:


28 October 2019—Messages nos—

34—

- **Paid Parental Leave Amendment (Work Test) Act 2019** (Act no. 84, 2019)
- **Higher Education Support (Charges) Act 2019** (Act no. 85, 2019)
- **Higher Education Support Amendment (Cost Recovery) Act 2019** (Act no. 86, 2019)
- **Treasury Laws Amendment (Ending Grandfathered Conflicted Remuneration) Act 2019** (Act no. 87, 2019).

36—

Treasury Laws Amendment (2019 Tax Integrity and Other Measures No. 1) Act 2019 (Act no. 95, 2019).

30 October 2019—Message no. 37—

Australian Veterans’ Recognition (Putting Veterans and Their Families First) Act 2019 (Act no. 96, 2019)
National Rental Affordability Scheme Amendment Act 2019 (Act no. 97, 2019)


36 **Migration (Fast Track Applicant Class – Temporary Protection and Safe Haven Enterprise Visas) Instrument 2019—Proposed disallowance**

Senator McKim, pursuant to notice, moved business of the Senate notice of motion no. 1—That the Migration (Fast Track Applicant Class – Temporary Protection and Safe Haven Enterprise Visas) Instrument 2019, made under the *Migration Act 1958*, be disallowed [F2019L00506].

Debate ensued.

Question put.

The Senate divided—

**AYES, 31**

Senators—

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Question negatived.

37 **Foreign Affairs, Defence and Trade References Committee—Proposed reference—Australia’s relations with China**

Senator Patrick amended business of the Senate notice of motion no. 2 by leave and, pursuant to notice, moved—

(1) That the Senate notes recent statements concerning Australia’s relations with the People’s Republic of China, including:

(a) the speech of the Minister for Foreign Affairs, Senator Payne, on 19 September 2019 in which she stated that in pursuing Australian diplomacy she will advance ‘Australian values’ and that ‘at times that will mean speaking our mind or taking actions that seem disagreeable to others’;

(b) the comments of Minister for Home Affairs, Mr Dutton, on 11 October 2019 that it is necessary to have a ‘frank conversation’ about China’s global influence: its Belt and Road Initiative, expansionism in the South China Sea and growing military and aid presence in the Indo-Pacific;

(c) Mr Dutton’s further observations that the values, policies and actions of the Chinese Communist Party are ‘inconsistent’ with Australian democratic values and that ‘We’re not going to allow theft of intellectual property and we’re not going to allow our government bodies or non-government bodies to be hacked into’;

(d) the remarks of Prime Minister Scott Morrison, on 12 October 2019, that Mr Dutton’s comments ‘just simply reflect the fact we’re two different countries’ and that ‘China will do what they do in their country, and we respect that too’;

(e) the comments of the Minister for Resources and Northern Australia, Senator Canavan, on 13 October 2019 that Mr Dutton was ‘just stating the facts of the matter’ and that it is a ‘longstanding fact’ that Australia and China have different systems of government and political values;
the statement of the Shadow Minister for Foreign Affairs, Senator Wong, on 14 October 2019 that she has made ‘repeated requests’ to the Minister for Foreign Affairs that relevant agencies, such as the Department of Foreign Affairs and Trade, and the Office of National Intelligence, provide a detailed and comprehensive briefing for parliamentarians on Australia’s relationship with China; and

Senator Wong’s statement on 24 October 2019 that the Minister for Foreign Affairs has written to the Opposition declining to provide the requested briefings.

(2) That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by the final sitting day of June 2020:

Australia’s relations with the People’s Republic of China, with particular reference to:

(a) the management of a mutually respectful and beneficial bilateral relationship between Australia and China;

(b) Australian and Chinese perspectives on, and interests in, regional and global security issues;

(c) trade, investment and infrastructure issues, including Australia’s engagement with China’s Belt and Road Initiative;

(d) educational and research cooperation;

(e) tourism, cultural exchanges and people-to-people ties;

(f) management of diplomatic and consular arrangements;

(g) dialogue on human rights issues;

(h) the roles of Australian institutions in Australia’s relations with China, including, state and local governments, universities and other academic bodies, business and non-government organisations; and

(i) any related matters.

Debate ensued.

Question put.

The Senate divided—

AYES, 13

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38 **Finance and Public Administration Legislation Committee—Report—Ministers of State (Checks for Security Purposes) Bill 2019**

Pursuant to order, Senator Brockman, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Paterson), tabled the following report and documents:


39 **Appropriation Bill (No. 1) 2019-2020**

**Appropriation Bill (No. 2) 2019-2020**

**Appropriation (Parliamentary Departments) Bill (No. 1) 2019-2020**

Order of the day read for the adjourned debate on the motion of the Minister for Trade, Tourism and Investment (Senator Birmingham)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

No amendments to the bills were circulated and the bills were not considered in committee.

On the motion of the Minister for Defence (Senator Reynolds) the bills were read a third time.

40 **Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2019**

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam)—That this bill be now read a second time.

Debate resumed.

At 9.50 pm: Debate was interrupted while Senator Ayres was speaking.
41 **Adjournment**

The Acting Deputy President (Senator Brockman) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.26 pm till Tuesday, 12 November 2019 at midday.

42 **Attendance**


**Richard Pye**

Clerk of the Senate