# Journals of the Senate

**No. 97**

**Wednesday, 17 June 2015**

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1 MEETING OF SENATE
The Senate met at 9.30 am. 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):

Migration Act 1958—Section 486O—Assessment of detention arrangements—
Personal identifiers 1001469, 1001637, 1001640, 1001683, 1001685, 1001686, 1001786, 1001809, 1001815, 1001816, 1001818, 1001834, 1001835, 1001842, 1001849, 1001858, 1001859, 1001875, 1001883, 1001922, 1001923, 1001938, 1001943, 1001955, 1001956, 1001958, 1001959, 1001970, 1001993, 1002009, 1002013, 1002015, 1002027, 1002029, 1002032, 1002080, 1002131, 1002132, 1002175, 1002205, 1002216, 1002218, 1002225, 1002243, 1002248, 1002256, 1002258, 1002259, 1002264, 1002293, 1002295 and 1002342—

Commonwealth Ombudsman’s reports, dated 17 June 2015.
Government response to Ombudsman’s reports, dated 16 June 2015.

National Health and Medical Research Council (NHMRC)—NHMRC Licensing Committee—Report on the operation of the Research Involving Human Embryos Act 2002 for the period 1 September 2014 to 28 February 2015.


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.]


Social Security (Administration) Act 1999—
Social Security (Administration) (Penalty Amount) Determination 2015 (No. 1) [F2015L00801].
Social Security (Administration) (Persistent Non-compliance) (Employment) Determination 2015 (No. 1) [F2015L00800].
3 COMMITTEES—LEAVE TO MEET DURING SITTINGS

Committees were authorised to meet during the sittings of the Senate, as follows:

Foreign Affairs, Defence and Trade—Joint Standing Committee—public meeting on Thursday, 18 June 2015, from 9.20 am, to take evidence for the committee’s inquiry into the rights of women and girls in the Indo-Pacific.

Legal and Constitutional Affairs Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 3.05 pm, for the committee’s inquiries into the provisions of the Law Enforcement Legislation Amendment (Powers) Bill 2015, and into the Regulator of Medicinal Cannabis Bill 2014.

The Clerk informed the Senate that, pursuant to the temporary order relating to authorisations for committees to meet during the sitting of the Senate, a notice had been received proposing that the Legal and Constitutional Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 3.10 pm, for the committee’s inquiry into the circumstances surrounding a letter sent to the Attorney-General.

Senator Bushby requested that the question be put to the Senate for determination.

Question—That the committee be authorised to meet during the sitting of the Senate—put.

The Senate divided—

AYES, 34

Senators—

Brown
Bullock
Cameron
Carr
Collins
Conroy
Dastyari
Di Natale
Gallacher
Gallagher
Hanson-Young
Ketter
Lambie
Lines
Ludlam
Ludwig
Marshall
McAllister
McEwen (Teller)
McLucas
Milne
Moore
Muir
O’Neill
Peris
Rhiannon

Rice
Siewert
Singh
Urquhart
Waters
Whish-Wilson
Wright

NOES, 30

Senators—

Back
Bernardi
Birmingham
Bushby (Teller)
Canavan
Cash
Cormann
Edwards
Fawcett
Fieravanti-Wells
Fifield
Heffernan
Johnston
Lindgren
Macdonald
McGrath
McKenzie
Nash
O’Sullivan
Parry
Payne
Reynolds
Ronaldson
Ruston
Ryan
Seselja
Sinodinos
Smith
Wang
Williams

Question agreed to.

4 LABOR 2013-14 BUDGET SAVINGS (MEASURES NO. 1) BILL 2014

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time.

Debate resumed.

Question put and passed.
Bill read a second time.  
No amendments to the bill were circulated and no senator required that it be considered in committee.  
On the motion of the Minister for Finance (Senator Cormann) the bill was read a third time. All Australian Greens senators, by leave, recorded their votes for the noes.

5 **TAX AND SUPERANNUATION LAWS AMENDMENT (2015 MEASURES NO. 1) BILL 2015**

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

Message no. 388, dated 17 June 2015—A Bill for an Act to amend the law relating to first home saver accounts, taxation, superannuation and charities, and to amend the *Product Stewardship (Oil) Act 2000*, and for related purposes.

The Minister for Finance (Senator Cormann) 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 Cormann moved—That this bill be now read a second time.

Explanatory memorandum: Senator Cormann tabled a revised explanatory memorandum relating to the bill.

Debate ensued.

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.

Question—That the bill stand as printed—divided, at the request of Senator Ludlam, in respect of Schedule 1.

Schedule 1 debated and agreed to.

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of Senator Cormann the report from the committee was adopted and the bill read a third time.
6 **RENEWABLE ENERGY (ELECTRICITY) AMENDMENT BILL 2015**
Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Attorney-General (Senator Fierravanti-Wells)—That this bill be now read a second time.
Debate resumed.
At 12.45 pm: Debate was interrupted while Senator Muir was speaking.

7 **SENATORS’ STATEMENTS**
Senators made statements.

At 2 pm—

8 **QUESTIONS**
Questions without notice were answered.

9 **IMMIGRATION—ASYLUM SEEKERS—PAYMENTS FROM COMMONWEALTH OFFICERS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**
The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled the following documents:
    - Immigration—Asylum seekers—Payments from Commonwealth officers—Letters to the Clerk of the Senate (Dr Laing), dated 17 June 2015, responding to the order of the Senate of 16 June 2015 from—
      - Assistant Minister for Immigration and Border Protection (Senator Cash).
    - Minister for Immigration and Border Protection (Mr Dutton), and raising public interest immunity claims.

10 **MOTIONS TO TAKE NOTE OF ANSWERS**
Senator O’Neill moved—That the Senate take note of the answers given by the Attorney-General (Senator Brandis) to questions without notice asked by the Leader of the Opposition in the Senate (Senator Wong) and Senators Collins and O’Neill today relating to proposed amendments to citizenship laws and to recent media reports concerning people smugglers.
Debate ensued.
Question put and passed.
The Leader of the Australian Greens (Senator Di Natale) moved—That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Di Natale today relating to recent media reports concerning people smugglers.
Question put and passed.

11 **NOTICES**
The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That the Community Affairs Legislation Committee report on the provisions of the provisions of the Social Services Legislation Amendment (Fair and Sustainable Pensions) Bill 2015 by 22 June 2015.
The Deputy Chair of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity (Senator Bilyk): To move on the next day of sitting—That the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate from 10 am, as follows:

(a) Thursday, 13 August 2015;
(b) Thursday, 10 September 2015;
(c) Thursday, 15 October 2015;
(d) Thursday, 12 November 2015; and
(e) Thursday, 26 November 2015. (general business notice of motion no. 734)

The Deputy Chair of the Parliamentary Joint Committee on Law Enforcement (Senator Singh): To move on the next day of sitting—That the Parliamentary Joint Committee on Law Enforcement be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate from 5.30 pm, as follows:

(a) Wednesday, 12 August 2015;
(b) Wednesday, 9 September 2015;
(c) Wednesday, 14 October 2015;
(d) Wednesday, 11 November 2015; and
(e) Wednesday, 25 November 2015. (general business notice of motion no. 735)

Senator Smith: To move on the next day of sitting—That the Joint Committee of Public Accounts and Audit be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, followed by public meetings, from 10.30 am, as follows:

(a) Thursday, 13 August 2015;
(b) Thursday, 20 August 2015;
(c) Thursday, 10 September 2015;
(d) Thursday, 17 September 2015;
(e) Thursday, 15 October 2015;
(f) Thursday, 12 November 2015;
(g) Thursday, 26 November 2015; and
(h) Thursday, 3 December 2015. (general business notice of motion no. 736)

Senators Sterle and Rice: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by the first sitting day of 2016:

The increasing use of so-called Flag of Convenience shipping in Australia, with particular reference to:

(a) the effect on Australia’s national security, fuel security, minimum employment law standards and our marine environment;
(b) the general standard of Flag of Convenience vessels trading to, from and around Australian ports, and methods of inspection of these vessels to ensure that they are seaworthy and meet required standards;
(c) the employment and possible exposure to exploitation and corruption of international seafarers on Flag of Convenience ships;
(d) discrepancies between legal remedies available to international seafarers in state and territory jurisdictions, opportunities for harmonisation, and the quality of shore-based welfare for seafarers working in Australian waters;

(e) progress made in this area since the 1992 House of Representatives Standing Committee on Transport, Communications and Infrastructure report Ships of shame: inquiry into ship safety; and

(f) any related matters.

Senators Williams, O’Sullivan and Canavan: To move on the next day of sitting—That the Senate—

(a) notes that:
   (i) 408 million dozen eggs are produced by Australian growers annually,
   (ii) at current growth rates it is forecast that 971 million dozen eggs, an increase of 138 per cent, will have to be produced by Australian growers by the year 2055,
   (iii) the average Australian consumes 220 eggs annually,
   (iv) Australians have a choice of cage, barn or free-range eggs,
   (v) there is no national farming standard for free range eggs, and
   (vi) the Australian Competition and Consumer Commission (ACCC) has launched legal action against a number of free-range egg producers for allegedly misleading consumers; and

(b) further notes that at the Legislative and Governance Forum on Consumer Affairs (CAF) meeting on Friday, 12 June 2015:
   (i) ministers agreed to direct officials to prepare a draft national standard on egg labelling, for consideration by ministers later in 2015, to enhance consumer confidence and certainty around egg labelling,
   (ii) CAF officials will consult with affected stakeholders and industry in preparing a cost benefit analysis, with the draft standard to include a statement of when the free-range label may be used, having regard to recent ACCC case law, and
   (iii) CAF officials were asked by the ministers to include in the draft standard other potential category labels. (general business notice of motion no. 737)

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

(a) notes that:
   (i) the planning for the Perth Freight Link is in absolute chaos,
   (ii) the project is counter to current state planning priorities set out in ‘Perth @ 3.5 million & beyond’ which aims for renewal and infill of existing urban areas,
   (iii) over 18 groups and three local councils are now part of a formal alliance against this project, and
   (iv) no matter how the freight arrives at Fremantle Port it will be at capacity within a decade; and

(b) calls on the Government to commit to suspending federal environmental assessment and all federal funding for the project until such time as the Western Australian Barnett Government:
   (i) publicly releases the business case for the project,
(ii) releases a detailed plan for stage 2 and 3 of the Perth Freight Link, showing how it proposes to build the road through Fremantle all the way to the port,

(iii) undertakes formal assessment and community engagement on those plans, and

(iv) formally investigates all alternative options, including the Outer Harbour. (general business notice of motion no. 738)

Senators Milne, Back and Xenophon and the Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That the Senate—

(a) notes with deep concern:

(i) that the Australian journalist, Mr Peter Greste, remains subject to an ongoing re-trial in Egypt,

(ii) that, having been deported from Egypt under Presidential Decree, Mr Greste continues to be subject to ongoing proceedings,

(iii) the nature of the charges and allegations made against Mr Greste, and

(iv) the nature and the lack of evidence presented before the Court by the prosecution in respect of those charges;

(b) acknowledges:

(i) the important role journalists perform internationally in their work, and

(ii) the extensive efforts of parliamentarians across the political spectrum and the ongoing efforts made by the Australian Government, including the Prime Minister (Mr Abbott), the Minister for Foreign Affairs (Ms Bishop) and others, to make representations to the Egyptian Government to ensure that Mr Greste’s case is dealt with justly, and in accordance with due process; and

(c) supports Mr Greste’s bid to clear himself of the charges, and the Government’s continuing efforts to make representations on his behalf. (general business notice of motion no. 739)

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

(a) condemns the decision of the Government to reject the application for funding made by the Tasmanian Aboriginal Legal Service; and

(b) calls on the Government to restore annual funding to the Tasmanian Aboriginal Legal Service so that local Indigenous people can be provided with locally-based assistance. (general business notice of motion no. 740)

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

(a) welcomes the commencement of gas exports from QCLNG’s Curtis Island Queensland Liquefied Natural Gas (LNG) plant, the first in the world to produce LNG from coal seam gas; and

(b) notes that these plants will eventually produce roughly 8 per cent of global LNG production, transforming Australia into the world’s largest gas exporter by 2017 and potentially generating $53 billion in export earnings between 2013 and 2017. (general business notice of motion no. 741)

Senator Siewert: To move on the next day of sitting—That the Senate affirms that people should be able to marry the person they love, in accordance with the principles of equality and personal freedom, to end discrimination, and to support the mental health and wellbeing of lesbian, gay, bisexual, transgender and intersex Australians and their families. (general business notice of motion no. 742)
Senators Leyonhjelm, Wang and Day: To move on the next day of sitting—That the Senate—

(a) recognises that:
   (i) the growing popularity of motorcycling is helping to ease congestion in our cities, both on the roads and with parking,
   (ii) motorbikes use less fuel, produce fewer emissions and cause less road wear than other vehicles, while up to five motorbikes can occupy the same parking space as a single car, and
   (iii) state and territory governments could do much more to promote motorcycling by reducing direct costs and addressing factors that discourage motorcycle adoption; and

(b) calls on the Government to develop a motorcycle strategy through the Motorcycle Safety Consultative Committee to address:
   (i) the social and economic benefits of greater use of motorcycles,
   (ii) the social and economic cost of road-related motorcycle injury and death, and
   (iii) the need for a satisfactory national standard for motorcycle helmet certification. (general business notice of motion no. 743)

Senator Wright: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Health, no later than 3.30 pm on Thursday, 25 June 2015, the report on the governance arrangements of Headspace, conducted by an independent reviewer and received by the Department of Health, as outlined by the Primary and Mental Health Care Division First Assistant Secretary, Mr Mark Booth, in the Community Affairs Legislation Committee estimates hearing on Monday, 1 June 2015. (general business notice of motion no. 744)

Senators Wang, Day and Leyonhjelm: To move on the next day of sitting—That the Senate notes that:

(a) public universities currently do not sufficiently compete with one another to lower fees for domestic undergraduate students, instead, they routinely charge the maximum amount allowed by the current government, thus rewarding inefficiency and keeping tuition artificially high for students;

(b) competition brings down tuition fees for students, for example, government funding would allow private not-for-profit colleges, such as Sheridan College in Perth, to deliver current and future courses without a charge to students, and many other private colleges and universities would also reduce fees;

(c) students would have the choice to earn an undergraduate degree without incurring a crushing debt burden;

(d) the Government would be under no obligation to provide capital grants, such as land, building, equipment etc. to such colleges;

(e) extending funding to private colleges and private universities would both benefit students and save government money; and

(f) a proposal to extend the Commonwealth Grants Scheme (CGS) to not-for-profit private colleges and universities should be considered irrespective of the rest of the Government’s higher education deregulation agenda, as funding private not-for-profit colleges, such as Sheridan College, levels the playing field leading to the possibility of free education for Australian students. (general business notice of motion no. 745)

Senators Ludlam and Rhiannon: To move on the next day of sitting—That the Senate—

(a) notes:

(i) the perilous state of the Greek economy and the misery being endured by many in the Greek community as a result of economic conditions,

(ii) that in May 2010 the Eurozone countries, the European Central Bank and the International Monetary Fund (IMF) launched a €110 billion bailout that was conditional on implementation of austerity measures, and

(iii) tripartite lenders to Greece are currently demanding further austerity measures, without future debt relief, in order to release the remaining funds from the current lending program agreement; and

(b) calls on the Australian Treasurer (Mr Hockey), a member of the International Monetary and Financial Committee of the IMF, and Governor of the IMF and the World Bank Group to:

(i) express concern at the continued support by IMF officials for the austerity program for Greece,

(ii) seek the support of other IMF member states for alternative measures that will better address social and humanitarian challenges in Greece, and

(iii) insist the IMF refrain from imposing policy conditions upon Greece which will potentially lead to a default of more than AUD$40 billion debt to the IMF. (general business notice of motion no. 747)

Senators Xenophon, Madigan and Lambie: To move on the next day of sitting—That the following matters be referred to the Economics References Committee for inquiry and report by 17 September 2015:

(a) the extent of building product non-conformance across the Australian building and construction industry;

(b) the impact of building product non-conformance on Australia’s product supply chain, including the effect on consumers, building costs and compliance;

(c) the current regulatory framework, including any gaps in regulatory coverage and failures of the regulatory and policing framework to enforce existing regulations;

(d) the overall conformance of imported building products to the required regulations and standards, and how this can be improved;

(e) the regulatory framework of building product conformance, with particular reference to the relevant Australian Standards, and how this can be improved;

(f) potential options to enhance surveillance screening on imported building products;

(g) the enforcement of existing building products regulations and standards, and how this can be improved;

(h) the economic contribution of the building industry, and how non-compliant products impact on this contribution; and
any related matters.

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

(a) does not accept the claim of public interest immunity made by the Assistant Minister for Immigration and Border Protection in failing to provide the documents that were ordered by the Senate on 16 June 2015, namely, all documents relating to the payment of money to turn back or take back vessels bound for Australia or New Zealand; and

(b) resolves that further consideration of the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015 be made an order of the day for the next sitting day after the Assistant Minister for Immigration and Border Protection has tabled the documents. (general business notice of motion no. 748)

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

(a) notes that:

(i) the 24-hour phone hotline staffed by lawyers provided by the New South Wales Aboriginal Legal Service has had its funding cut by the Federal Government, and

(ii) New South Wales legislation requires police to call an Aboriginal legal hotline when arresting an Indigenous person, and that this service was a recommendation of the Royal Commission into Aboriginal Deaths in Custody; and

(b) calls on the Government to restore the funding to this critical service. (general business notice of motion no. 749)

12 COMMITTEE—EXTENSION OF TIME TO REPORT

The following committee was granted an extension of time to report:

Community Affairs References Committee—Availability of cancer drugs in Australia, extended to 4 August 2015.

13 EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—REFERENCE

Senator McEwen, at the request of Senators Carr and Lazarus and pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the following matters be referred to the Education and Employment References Committee for inquiry and report by 3 November 2015:

(a) current levels of access and attainment for students with disability in the school system, and the impact on students and families associated with inadequate levels of support;

(b) the social, economic and personal benefits of improving outcomes for students with disability at school and in further education and employment;

(c) the impact on policies and the education practice of individual education sectors as a result of the More Support for Students with Disabilities program, and the impact of the cessation of this program in 2014 on schools and students;

(d) the future impact on students with disability as a result of the Government’s decision to index funding for schools at the consumer price index after 2017;

(e) the progress of the implementation of the needs-based funding system as stated in the Australian Education Act;
(f) the progress of the Nationally Consistent Collection of Data on School Students with Disability and the findings, recommendations and outcomes from this process, and how this data will, or should, be used to develop a needs-based funding system for students with disability;

(g) how possible changes as a result of the Nationally Consistent Collection of Data on School Students with Disability will be informed by evidence-based best practice of inclusion of students with disability;

(h) what should be done to better support students with disability in our schools;

(i) the early education of children with disability; and

(j) any other related matters.

Question put and passed.

14 Environment—Marine Reserves—Order for Production of Documents

Senator McEwen, at the request of Senator Lazarus and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 729—That there be laid on the table by the Minister representing the Minister for the Environment, no later than 3.30 pm on 24 June 2015, all documents relating to the issuing, from August 2013 to date, of exploration licences and special prospecting authorities in the 40 new marine reserves declared in 2012, including:

(a) how many were issued;

(b) to whom;

(c) in which marine reserves;

(d) for what purposes;

(e) for what duration; and

(f) the geographical parameters for each of the licences and authorities.

Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.

Question put and passed.

15 Death of Mr Phillip Toyne

Senator Milne, also on behalf of Senator Siewert, the Assistant Minister for Education and Training (Senator Birmingham) and Senator Singh, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 733—That the Senate—

(a) expresses its deep gratitude for the great contribution to the protection of Australia’s environment and the advancement of Aboriginal and Torres Strait Islander land rights made by the late Phillip Toyne; in particular his contribution to the establishment of Landcare, his enduring commitment to the Australian Conservation Foundation and the Australian Bush Heritage Foundation, as well as his contribution in helping convince the Hawke Government to hand back Uluru to its traditional owners; and

(b) conveys its sympathy and condolences to his wife Molly and sons Jamie, Atticus and Aaron.

Question put and passed.
16 COMMUNICATIONS—NBN—CORPORATE PLANS AND STRATEGIC REVIEW—ORDER FOR PRODUCTION OF DOCUMENTS

Senator McAllister, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 728—that there be laid on the table by the Minister for Finance (Senator Cormann) and the Minister representing the Minister for Communications (Senator Fifield), by 3.30 pm on Thursday, 18 June 2015:

(a) a complete and unredacted copy of the NBN Corporate Plan 2015-18, prepared by NBN under the Public Governance, Performance and Accountability Act 2013 and applicable rules and guidelines, and containing each and every financial and deployment forecast identified by NBN and the Department of Communications during the 2015-16 Budget estimates hearings as being contained in the NBN 2015-18 Corporate Plan;

(b) a complete and unredacted copy of the NBN Co Corporate Plan 2014-17, prepared by NBN Co under the Commonwealth Authorities and Companies Act 1997 and applicable regulations and guidelines; and

(c) a complete and unredacted copy of the NBN Co Strategic Review.

Question put.

The Senate divided—

**AYES, 37**

- Bilyk
- Brown
- Bullock
- Cameron
- Collins
- Conroy
- Dastyari
- Di Natale
- Gallagher
- Gallagher
- Hanson-Young
- Ketter
- Lambie
- Lazarus
- Leyonhjelm
- Lines
- Ladlam
- Ludwieg
- Madigan
- Peris
- Rhiannon
- McAllister
- McEwen (Teller)
- McLucas
- Milne
- Moore
- Muir
- O’Neill
- Peris
- Rice
- Siewert
- Singh
- Urquhart
- Waters
- Whish-Wilson
- Wright
- Xenophon

**NOES, 29**

- Back
- Bernardi
- Birmingham
- Bushby (Teller)
- Canavan
- Cash
- Colbeck
- Edwards
- Fawcett
- Fierravanti-Wells
- Fifield
- Heffernan
- Johnston
- Lindgren
- Macdonald
- McGrath
- McKenzie
- Nash
- O’Sullivan
- Parry
- Payne
- Reynolds
- Ronaldson
- Ruston
- Ryan
- Seselja
- Sinodinos
- Smith
- Williams

Question agreed to.

17 ENVIRONMENT—QUEENSLAND—GREAT BARRIER REEF

Senator O’Sullivan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 730—that the Senate welcomes:

(a) the recognition by the UNESCO World Heritage Centre of the important work undertaken by this Government which recommended against the Great Barrier Reef being listed as ‘in danger’;
(b) the announcement by the Minister for the Environment (Mr Hunt) of the Reef 2050 Long-Term Sustainability Plan, a testament to the close working relationship enjoyed by successive Commonwealth and Queensland governments in protecting the reef;

(c) the additional $200 million of funding from the Australian and Queensland governments for water quality; and

(d) the Minister for the Environment’s historic permanent ban on the disposal of capital dredge material in the Great Barrier Reef Marine Park,

as a sign of this Government’s commitment to protecting this natural asset.

Question put.

The Senate divided—

AYES, 34

Senators—

Back
Bernardi
Birmingham
Bushby (Teller)
Canavan
Cash
Colbeck
Edwards
Fawcett
Fierravanti-Wells
Field
Heffernan
Johnston
Leyonhjelm
Lindgren
Macdonald
Madigan
McGrath
McKenzie
Muir
Nash
O’Sullivan
Parry
Payne
Reynolds
Ronaldson
Ruston
Ryan
Seselja
Sinodinos
Smith
Wang
Williams
Xenophon

NOES, 33

Senators—

Bilyk
Brown
Bullock
Cameron
Collins
Conroy
Dastyari
Di Natale
Gallacher
Gallagher
Gallacher
Hanson-Young
Ketter
Lambie
Lazarus
Lines
Ludlam
Ludwig
Marshall
McAllister
McEwen (Teller)
McLucas
Milne
Moore
O’Neill
Peris
Rhiannon
Rice
Siewert
Singh
Urquhart
Waters
Whish-Wilson

Question agreed to.

18 **ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—PROPOSED REFERENCE**

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 22 February 2016:

The influence of the Australian fossil fuel industry on the Federal Government, with particular reference to:

(a) the role and lobbying activities of the fossil fuel industry, whether directly via peak industry bodies or via other lobby groups such as the Institute for Public Affairs, including but not limited to:

(i) weakening or limiting environmental protections, including the proposed transfer of federal approval powers to the states and territories,

(ii) opposing the minerals resources rent tax,
(iii) opposing the carbon price, the Renewable Energy Target and other climate change mitigation policies,
(iv) funding campaigns to promote the views of climate science deniers,
(v) limiting tax reform,
(vi) securing project approvals, and
(vii) initiating parliamentary inquiries;
(b) government subsidies to the fossil fuel industry;
(c) political donations by the fossil fuel industry to political parties;
(d) foregone revenue from fossil fuel companies’ tax deductible contributions to peak industry bodies and other lobby groups, whose purpose is advocacy;
(e) the revolving door between government and the fossil fuel industry in relation to public servants, political staff and politicians; and
(f) any related matters.

Question put.
The Senate divided—

AYES, 10

Senators—
Di Natale
Hanson-Young
Ludlam

Milne
Rhiannon
Rice

Siewert (Teller)
Waters
Whish-Wilson

NOES, 54

Senators—
Back
Bernardi
Bilyk
Birmingham
Brown
Bullock
Bushby
Cameron
Canavan
Cash
Colbeck
Collins
Conroy
Dastyari

Edwards
Fawcett
Fifield
Gallacher
Gallagher
Heffernan
Ketter
Lambie
Lazarus
Leyonhjelm
Lindgren
Lines
Ludwig
Macdonald

Madigan
Marshall
McAllister
McEwen (Teller)
McGrath
McKenzie
McLucas
Moore
Muir
Nash
O’Neill
O’Sullivan
Party
Wright

Payne
Peris
Reynolds
Ronaldson
Ruston
Ryan
Seselja
Singh
Sinodinos
Smith
Urquhart
Wang
Williams

Question negatived.

19 FAMILY AND COMMUNITY SERVICES—HOUSING AFFORDABILITY

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 731—That the Senate—

(a) notes that:

(i) the median Sydney house price has increased from $73,000 in 1985 to over $914,000 in 2015,

(ii) the ratio of housing price to income in Sydney has increased from 3.4 to 11.4 over that same period,

(iii) currently 41 per cent of all housing finance is for the purposes of investment, compared to 16 per cent in 1992, and
(iv) a poll published in the week beginning 14 June 2015 found that 80 per cent of Sydneysiders said housing was not affordable, compared to a national average of 69 per cent; and

(b) calls on the Government to immediately review the existing beneficial tax arrangements for property investment with a view to improving housing affordability for first home buyers, and providing housing for those on social housing waiting lists and those experiencing homelessness.

Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 12

Di Natale
Hanson-Young
Ludlam

Madigan
Milne
Muir

Rhiannon
Rice
Siewert (Teller)

Waters
Whish-Wilson
Weight

NOES, 51

Back
Bernardi
Bilyk
Birmingham
Brown
Bullock
Bushby (Teller)
Cameron
Canavan
Cash
Colbeck
Collins
Conroy

Dastyari
Edwards
Fifield
Gallacher
Gallagher
Heffernan
Ketter
Lambie
Lazarus
Leyonhjelm
Landgren
Lines
Ludwig

Macdonald
Marshall
McAllister
McEwen
McGrath
McKenzie
McLucas
Moore
Nash
O’Neill
O’Sullivan
Parry
Payne

Peris
Reynolds
Ronaldson
Ruston
Ryan
Seselja
Singh
Smidinos
Smith
Urquhart
Wang
Williams

Question negatived.

20 PRIMARY INDUSTRIES—RURAL INDUSTRIES DEVELOPMENT CORPORATION—KANGAROO MANAGEMENT—ORDER FOR PRODUCTION OF DOCUMENT

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 727—That there be laid on the table by the Minister representing the Minister for Agriculture, by 18 June 2015, the Rural Industries Development Corporation’s market research report Characterising the Australian public and communicating about kangaroo management, Project ID: PRJ-008967.

Question put and passed.

21 TAXATION—LOWERING OF TAXES

Senator Leyonhjelm, also on behalf of Senators Day and Wang, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 732—That the Senate accepts the desirability and merit as a general budgetary principle of lowering taxes irrespective of whether the budget is or is not in surplus.

Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.
Question put.
The Senate divided—

AYES, 2

Senators—

Leyonhjelm (Teller)  Wang

NOES, 53

Senators—

Back  Gallacher  McAllister  Rhiannon
Bilyk  Gallagher  McEwen (Teller)  Rice
Brown  Hanson-Young  McKenzie  Ruston
Bullock  Heffernan  McLucas  Seselja
Bushby  Ketter  Milne  Siewert
Cameron  Lambie  Moore  Singh
Canavan  Lazarus  Muir  Sinodinos
Cash  Lindgren  Nash  Smith
Colbeck  Lines  O’Neill  Urquhart
Collins  Ladlam  Parry  Waters
Dastyari  Ludwig  Payne  Whish-Wilson
Di Natale  Macdonald  Peris  Williams
Fawcett  Marshall  Reynolds  Wright
Fifield

Question negatived.

22 LEAVE OF ABSENCE

Senator McEwen, by leave, moved—That leave of absence be granted to Senator Conroy on 18 June 2015, for personal reasons.

Question put and passed.

23 DOCUMENTS—CONSIDERATION

The documents tabled earlier today (see entry no. 2) were called on but no motion was moved.

24 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLED AND CONSIDERATION PURSUANT TO STANDING ORDER 62(4)

Senator McEwen, at the request of the Chair of the Standing Committee for the Scrutiny of Bills (Senator Polley), tabled the following report and document:

Scrutiny of Bills—Standing Committee—
Alert Digest No. 6 of 2015, dated 17 June 2015.

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

Senator O’Sullivan, at the request of the Chair of the Standing Committee on Regulations and Ordinances (Senator Williams), tabled the following document:

Regulations and Ordinances—Standing Committee—Delegated legislation monitor no. 6 of 2015, dated 17 June 2015.

Document ordered to be printed on the motion of Senator O’Sullivan.
Senator O’Sullivan, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Ruston), tabled the following document:

Environment and Communications Legislation Committee—Report—Australian Broadcasting Corporation Amendment (Local Content) Bill 2014—Additional information.

Senator O’Sullivan, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Ruston), tabled the following document:


Senator O’Sullivan, on behalf of the Joint Standing Committee on Treaties, tabled the following reports:

Treaties—Joint Standing Committee—

Senator O’Sullivan moved—That the Senate take note of the reports.

Debate adjourned till the next day of sitting, Senator O’Sullivan in continuation.

The Assistant Minister for Social Services (Senator Fifield) tabled the following document:

Community Affairs References Committee—Reports—Involuntary or coerced sterilisation of people with disabilities in Australia; and Involuntary or coerced sterilisation of intersex people in Australia—Government response, dated May 2015.

Senator Moore moved—That the Senate take note of the document.

Debate ensued.

Question put and passed.

25 TRADE—CHINA-AUSTRALIA FREE TRADE AGREEMENT—MINISTERIAL STATEMENT—DOCUMENTS

The Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) tabled the following documents:

Trade—China-Australia Free Trade Agreement—
   Ministerial statement by the Minister for Trade and Investment (Mr Robb), dated 17 June 2015.
26 **AIRPORTS AMENDMENT BILL 2015**
**CUSTOMS AMENDMENT (AUSTRALIAN TRUSTED TRADER PROGRAMME) BILL 2015**

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

Message no. 386, dated 16 June 2015—A Bill for an Act to amend the *Airports Act 1996*, and for other purposes.

Message no. 387, dated 16 June 2015—A Bill for an Act to amend the *Customs Act 1901*, and for related purposes.

The Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) 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 Ryan moved—that these bills be now read a second time.

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

**Consideration of legislation:** Senator Ryan moved—that the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

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27 **FIRST SPEECH**

Pursuant to order (see entry no. 13, 13 May 2015), Senator Gallagher made her first speech.

28 **EXCISE TARIFF AMENDMENT (ETHANOL AND BIODIESEL) BILL 2015**
**ENERGY GRANTS AND OTHER LEGISLATION AMENDMENT (ETHANOL AND BIODIESEL) BILL 2015**

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


Message no. 385, dated 16 June 2015—A Bill for an Act to amend the law relating to energy grants, customs and excise, and for other purposes.

The Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) 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 Ryan moved—that these bills be now read a second time.

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Explanatory memorandum: Senator Ryan tabled a revised explanatory memorandum relating to the bills.

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

29 Export Charges (Imposition—General) Bill 2015
Export Charges (Imposition—Customs) Bill 2015
Export Charges (Imposition—Excise) Bill 2015
Export Charges (Collection) Bill 2015

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

- Message no. 394, dated 17 June 2015—A Bill for an Act to impose, as taxes, charges relating to the export of goods, so far as those charges are neither duties of customs nor duties of excise, and for related purposes.
- Message no. 392, dated 17 June 2015—A Bill for an Act to impose, as taxes, charges relating to the export of goods, so far as those charges are duties of customs, and for related purposes.
- Message no. 393, dated 17 June 2015—A Bill for an Act to impose, as taxes, charges relating to the export of goods, so far as those charges are duties of excise, and for related purposes.
- Message no. 391, dated 17 June 2015—A Bill for an Act to provide for the collection of export charges, and for related purposes.

The Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) 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 Ryan moved—That these bills be now read a second time.

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

30 Australian Small Business and Family Enterprise Ombudsman Bill 2015

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


The Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) 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 Ryan moved—That these bills be now read a second time.

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

31 BUSINESS SERVICES WAGE ASSESSMENT TOOL PAYMENT SCHEME BILL 2014
GOVERNANCE OF AUSTRALIAN GOVERNMENT SUPERANNUATION SCHEMES
LEGISLATION AMENDMENT BILL 2015

Messages from the House of Representatives were reported agreeing to the amendments made by the Senate to the following bills:


32 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—REPORT—
INDEPENDENT NATIONAL SECURITY LEGISLATION MONITOR (IMPROVED
OVERSIGHT AND RESOURCING) BILL 2014

Pursuant to order, Senator Ruston, 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 Ruston.

33 ECONOMICS LEGISLATION COMMITTEE—REPORT—PRIVATE HEALTH INSURANCE
(PRUDENTIAL SUPERVISION) BILL 2015 AND RELATED BILLS

Pursuant to order, Senator Ruston, at the request of the Chair of the Economics Legislation Committee (Senator Edwards), tabled the following report and documents:


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

34 RENEWABLE ENERGY (ELECTRICITY) AMENDMENT BILL 2015

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Attorney-General (Senator Fierravanti-Wells)—That this bill be now read a second time.

Debate resumed.

Document: Senator Muir, by leave, tabled the following document:

Renewable Energy (Electricity) Amendment Bill 2015—Copy of photograph of a timber worker holding a discarded timber offcut from a manufacturing process.
Debate continued.
Question put.
The Senate divided—

AYES, 40

Senators—
Bernardi  Fawcett  Marshall  Peris
Bilyk  Fifield  McAllister  Polley
Birmingham  Gallacher  McEwen  Reynolds
Bullock  Ketter  McGrath  Ruston (Teller)
Bushby  Lambie  McKenzie  Seselja
Cameron  Leyonhjelm  McLucas  Singh
Canavan  Lindgren  Moore  Smith
Colbeck  Lines  Muir  Sterle
Day  Ludwig  O’Neill  Urquhart
Edwards  Madigan  O’Sullivan  Xenophon

NOES, 11

Senators—
Di Natale  Ludlam  Rice  Whish-Wilson
Hanson-Young  Milne  Siewert (Teller)  Wright
Lazarus  Rhiannon  Waters

Question agreed to.
Bill read a second time.

Proposed reference to committee: Senator Waters, pursuant to standing order 115, moved—That the Renewable Energy (Electricity) Amendment Bill 2015, together with the circulated amendments to the bill, be referred to the Environment and Communications Legislation Committee for inquiry and report by 22 June 2015.

Question put.
The Senate divided—

AYES, 16

Senators—
Day  Lazarus  Milne  Waters
Di Natale  Leyonhjelm  Rhiannon  Whish-Wilson
Hanson-Young  Ludlam  Rice  Wright
Lambie  Madigan  Siewert (Teller)  Xenophon

NOES, 38

Senators—
Back  Fawcett  McEwen (Teller)  Peris
Bernardi  Fifield  McGrath  Polley
Birmingham  Gallacher  McKenzie  Reynolds
Brown  Ketter  McLucas  Ruston
Bullock  Lindgren  Moore  Seselja
Bushby  Lines  Muir  Singh
Cameron  Ludwig  O’Neill  Simodinos
Canavan  Macdonald  O’Sullivan  Smith
Colbeck  Marshall  Parry  Sterle
Edwards  McAllister

Question negatived.
The Senate resolved itself into committee for the consideration of the bill.
Bill taken as a whole by leave.

Senator Singh moved the following amendments together by leave:

Schedule 1, Part 4, page 13 (line 1) to page 15 (line 2), omit the Part, substitute:

**Part 4—Wood waste**

*Renewable Energy (Electricity) Act 2000*

47 At the end of section 17

Add:

Wood waste

(6) Despite anything in regulations made under subsection (3), wood waste does not include waste, or a product or by-product, that is, or is derived from, biomass from a native forest.

Title, page 1 (lines 2 and 3), omit “and the Renewable Energy (Electricity) Regulations 2001”.

Clause 3, page 2 (line 11), omit “(1)”.

Clause 3, page 2 (lines 15 to 17), omit subclause (2).

Debate ensued.

35 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.54 pm till Thursday, 18 June 2015 at 9.30 am.

36 **ATTENDANCE**

Present, all senators except Senators Abetz* and Scullion (*on leave).