2013-15

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 79

MONDAY, 2 MARCH 2015

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MEETING OF SENATE

The Senate met at 10 am. The President (Senator the Honourable Stephen Parry) took the chair, read prayers and made an acknowledgement of country.

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—Audit reports for 2014-15—
No. 22—Performance audit—Administration of the Indigenous Legal Assistance Programme: Attorney-General’s Department. [Received 17 February 2015]
No. 23—Performance audit—Administration of the Early Years Quality Fund: Department of Education and Training; Department of Finance; Department of the Prime Minister and Cabinet. [Received 17 February 2015]
No. 24—Performance audit—Managing assets and contracts at Parliament House: Department of Parliamentary Services.

Australian Broadcasting Corporation (ABC)—Equity and diversity—Report for the period 1 September 2013 to 31 August 2014. [Received 13 February 2015]


Department of Finance—Campaign advertising by Australian Government departments and agencies—Report for 2013-14. [Received 19 February 2015]

Department of the Prime Minister and Cabinet—Official witnesses before parliamentary committees and related matters—Government guidelines, dated February 2015. [Received 18 February 2015]

Departmental and agency appointments and vacancies—Additional estimates—Letters of advice pursuant to the order of the Senate of 24 June 2008—

Agriculture portfolio. [Received 18 February 2015]

Attorney-General’s portfolio. [Received 13 February 2015]

Communications portfolio. [Received 16 February 2015]

Defence portfolio. [Received 13 February 2015]

Department of the Prime Minister and Cabinet—Indigenous affairs group. [Received 18 February 2015]

Department of Veterans’ Affairs. [Received 18 February 2015]

Education and Training portfolio. [Received 13 February 2015]

Finance portfolio. [Received 18 February 2015]
Foreign Affairs and Trade portfolio. [Received 16 February 2015]
Health portfolio. [Received 13 February 2015]
Immigration and Border Protection portfolio. [Received 19 February 2015]
Infrastructure and Regional Development portfolio. [Received 13 February 2015]
Prime Minister and Cabinet portfolio. [Received 13 February 2015]
Social Services portfolio. [Received 23 February 2015]
Treasury portfolio. [Received 17 February 2015]

Departmental and agency contracts for 2014—Letters of advice, pursuant to the continuing order of the Senate of 20 June 2001, as amended—
Agriculture portfolio. [Received 25 February 2015]
Attorney-General’s portfolio. [Received 27 February 2015]
Communications portfolio. [Received 16 February 2015]
Defence portfolio. [Received 27 February 2015]
Department of Human Services. [Received 27 February 2015]
Employment portfolio. [Received 27 February 2015]
Environment portfolio. [Received 13 February 2015]
Finance portfolio. [Received 20 February 2015]
Foreign Affairs and Trade portfolio. [Received 25 February 2015]
Immigration and Border Protection portfolio. [Received 19 February 2015]
Infrastructure and Regional Development portfolio. [Received 26 February 2015]
Treasury portfolio. [Received 27 February 2015]

Departmental and agency grants—Additional estimates—Letters of advice pursuant to the order of the Senate of 24 June 2008—
Agriculture portfolio. [Received 19 February 2015]
Attorney-General’s portfolio. [Received 13 February 2015]
Cancer Australia. [Received 18 February 2015]
Communications portfolio. [Received 16 February 2015]
Defence portfolio. [Received 13 February 2015]
Department of Education and Training. [Received 13 February 2015]
Department of Health. [Received 19 February 2015]
Department of the Prime Minister and Cabinet. [Received 13 February 2015]
Department of the Prime Minister and Cabinet—Indigenous affairs group. [Received 20 February 2015]
Department of Veterans’ Affairs. [Received 18 February 2015]
Environment portfolio. [Received 13 February 2015]
Finance portfolio. [Received 18 February 2015]
Foreign Affairs and Trade portfolio. [Received 13 February 2015]
Immigration and Border Protection portfolio. [Received 19 February 2015]
National Health and Medical Research Council. [Received 13 February 2015]
Organ and Tissue Authority. [Received 13 February 2015]
Social Services portfolio. [Received 23 February 2015]
Treasury portfolio. [Received 17 February 2015]

Environment—Western Australia—Shark catch and kill policy—Letter to the President of the Senate from the Minister for the Environment (Mr Hunt), dated 25 February 2015, responding to the resolution of the Senate of 11 February 2015.
Estimates hearings—Unanswered questions on notice—Budget (Supplementary) estimates 2014-15—Statements pursuant to the order of the Senate of 25 June 2014—

   Australian Trade Commission. [Received 13 February 2015]
   Communications portfolio. [Received 16 February 2015]
   Department of Human Services. [Received 13 February 2015]
   Department of Social Services. [Received 13 February 2015]
   Department of Veterans’ Affairs. [Received 18 February 2015]
   Education and Training portfolio. [Received 13 February 2015]
   Foreign Affairs and Trade portfolio. [Received 13 February 2015]
   Health portfolio. [Received 25 February 2015]
   Immigration and Border Protection portfolio. [Received 19 February 2015]
   Industry and Science portfolio. [Received 13 February 2015]
   Infrastructure and Regional Development portfolio. [Received 23 February 2015]
   Prime Minister and Cabinet portfolio. [Received 19 February 2015]
   Special Minister of State. [Received 18 February 2015]
   Tourism Australia. [Received 17 February 2015]
   Treasury portfolio. [Received 23 February 2015]

Foreign Affairs, Defence and Trade References Committee—Report—Korea-Australia Free Trade Agreement—Government response. [Received 23 February 2015]

Indexed lists of departmental and agency files for the period 1 July to 31 December 2014—Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—

   Agriculture portfolio. [Received 24 February 2015]
   Australian Public Service Commission. [Received 24 February 2015]
   Finance portfolio. [Received 18 February 2015]
   Safe Work Australia. [Received 24 February 2015]

Migration Act 1958—Section 486O—Assessment of detention arrangements—
   Personal identifiers 1001356, 1001484, 1001486, 1001487, 1001488, 1001525, 1001534, 1001537, 1001538, 1001550, 1001561, 1001569, 1001570, 1001577, 1001583, 1001613, 1001625, 1001628, 1001632, 1001634, 1001645, 1001646, 1001648, 1001661, 1001662, 1001663, 1001679, 1001698, 1001721, 1001759, 1001781, 1001787, 1001788, 1001819, 1001820, 1001821, 1001832, 1001852, 1001853, 1001876, 1001884 and 1001910—
   Commonwealth Ombudsman’s reports, dated 25 February 2015.
   Government response to Ombudsman’s reports, dated 16 February 2015.


Privileges—Standing Committee—160th report—The use of CCTV material in Parliament House—Response by the President of the Senate, dated 2 March 2015.

Productivity Commission—Report No. 73—Childcare and early childhood learning (2 volumes), dated 31 October 2014. [Received 20 February 2015]
Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 October to 31 December 2014.

Taxation—Corporate tax avoidance—Letters to the President of the Senate from the Treasurer (Mr Hockey), dated 19 February 2015, responding to the resolutions of the Senate of 2 October 2014 and 9 February 2015 [2].


3 COMMITTEE REPORTS PRESENTED SINCE LAST SITTING OF SENATE

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

- Economics Legislation Committee—Competition and Consumer Amendment (Misuse of Market Power) Bill 2014—Report, dated February 2015, Hansard record of proceedings, document presented to the committee, additional information and submissions. [Received 26 February 2015]

- Intelligence and Security—Joint Statutory Committee—Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014—Advisory report, dated February 2015. [Received 27 February 2015]

4 RULES OF DEBATE—UNPARLIAMENTARY LANGUAGE—STATEMENT BY PRESIDENT

The President made a statement relating to unparliamentary language and tabled the following document:


5 ATTORNEY-GENERAL—CENSURE

The Leader of the Opposition in the Senate (Senator Wong), by leave, moved—that the Senate censures the Attorney-General (Senator Brandis) for:

(a) failing to defend the President of the Australian Human Rights Commission, Professor Gillian Triggs, from malicious attacks;

(b) seeking to obtain the resignation of Professor Triggs by facilitating the offer of an alternative role that would have required her to relinquish her position as President;

(c) refusing to fully account for his conduct when appearing before a committee of the Senate;

(d) undermining Australia’s commitment to upholding human rights; and

(e) being unfit to hold the office of Attorney-General.

Debate ensued.

Question put.
The Senate divided—

AYES, 35

Senators—

Bilyk  Hanson-Young  McLucas  Singh
Bullock  Ketter  Milne  Sterle
Cameron  Lambie  Moore  Urquhart (Teller)
Carr  Lazarus  O’Neill  Wang
Collins  Lines  Perly  Waters
Conroy  Ludlam  Polley  Whish-Wilson
Dastyari  Landy  Rhiannon  Wong
Di Natale  Marshall  Rice  Wright
Gallacher  McEwen  Siewert

NOES, 32

Senators—

Abetz  Colbeck  Macdonald  Ruston
Back  Day  Mason  Ryan
Bernardi  Edwards  McGrath  Scullion
Birmingham  Fawcett (Teller)  McKenzie  Seselja
Brandis  Fierravanti-Wells  O’Sullivan  Sinodinos
Bushby  Fifield  Parry  Smith
Canavan  Heffernan  Reynolds  Williams
Cash  Johnston  Ronaldson  Xenophon

Question agreed to.

6 DOCUMENTS

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

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

Australian Communications and Media Authority Act 2005—Radiocommunications (Interpretation) Determination 2015 [F2015L00178].
Carbon Credits (Carbon Farming Initiative) Rule 2015 [F2015L00156].

Civil Aviation Act 1988—
Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—Authorisations, approval, permission, directions and exemption—helicopter operations (Aeropower)—CASA 16/15 [F2015L00203].
Exemption and permission — Avalon Airshow 2015 — aircraft to be flown without radiocommunication systems—CASA EX33/15 [F2015L00168].
Civil Aviation Safety Regulations 1998—Exemption — aeronautical experience requirements for grant of commercial pilot licences — aeroplane category—CASA EX22/15 [F2015L00130].
Exemption — low-level operations at air displays—CASA EX26/15 [F2015L00159].
Exemption — navigation and anti-collision lights (Aerorescue)—CASA EX40/15 [F2015L00204].
Exemption — operations by sport and recreational aircraft in restricted area R979A (Avalon Air Show 2015)—CASA EX29/15 [F2015L00149].
Exemption — power-assisted glider at the Australian International Air Show, Avalon—CASA EX30/15 [F2015L00148].
Exemption — solo flight training using ultralight aeroplanes registered with the RAA at Bankstown Aerodrome—CASA EX28/15 [F2015L00154].
Exemption — turns after take-off at Australian International Air Show—CASA EX31/15 [F2015L00150].
Main Rotor Blades—AD/R44/25 [F2015L00202].

Commissioner of Taxation—Public Rulings—
Class Rulings—
Addendum—CR 2002/83.
CR 2015/7—CR 2015/12.
Taxation Determinations—
Erratum—TD 92/130.

Corporations Act 2001—
Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)—AASB 2014-7 [F2015L00135].
Amendments to Australian Accounting Standards arising from the Withdrawal of AASB 1031 Materiality — January 2015—AASB 2015-3 [F2015L00134].
Amendments to Australian Accounting Standards – Sale or Contribution of Assets between an Investor and its Associate or Joint Venture – December 2014—AASB 2014-10 [F2015L00138].
ASIC Derivative Transaction Rules (Reporting) Amendment 2015 (No. 1) [F2015L00132].
Corporations Amendment (Register of Relevant Providers) Regulation 2015—Select Legislative Instrument 2015 No. 3 [F2015L00152].
Corporations (Fees) Act 2001—Corporations (Fees) Amendment (Register of Relevant Providers) Regulation 2015—Select Legislative Instrument 2015 No. 4 [F2015L00153].
Currency Act 1965—
Currency (Perth Mint) Determination 2015 (No. 1) [F2015L00158].
Currency (Royal Australian Mint) Determination 2015 (No. 2) [F2015L00169].
Currency (Royal Australian Mint) Determination 2015 (No. 3) [F2015L00170].
Defence Act 1903—Woomera Prohibited Area Rule 2014—Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2014-2015 Amendment No. 2 [F2015L00155].
Environment Protection and Biodiversity Conservation Act 1999—
Amendment of List of Exempt Native Specimens – Queensland East Coast Inshore Fin Fish Fishery (23 February 2015) (deletion)—EPBC303DC/SFS/2015/07 [F2015L00213].
Amendment of List of Exempt Native Specimens – Queensland East Coast Inshore Fin Fish Fishery (23 February 2015) (inclusion)—EPBC303DC/SFS/2015/08 [F2015L00214].
Amendment of List of Exempt Native Specimens – Queensland Mud Crab Fishery (12 February 2015)—EPBC303DC/SFS/2015/03 [F2015L00165].
Amendment to the lists of threatened species, threatened ecological communities and key threatening processes under sections 178, 181 and 183 (171) (4 February 2015) [F2015L00146].
Inclusion of ecological communities in the list of threatened ecological communities under section 181 – Natural Damp Grassland of the Victorian Coastal Plains (EC 133) (4 February 2015) [F2015L00174].
Fisheries Management Act 1991—Fisheries Management (Southern and Eastern Scalefish and Shark Fishery, Pink Ling) Temporary Order 2015 No. 1 [F2015L00144].
Food Standards Australia New Zealand Act 1991—
Australia New Zealand Food Standards Code – Standard 1.4.2 – Maximum Residue Limits Amendment Instrument No. APVMA 2, 2015 [F2015L00175].
Food Standards (Application A1096 – Xylanase from Bacillus licheniformis as a Processing Aid (Enzyme)) Variation [F2015L00197].
Food Standards (Proposal P1022 – Primary Production and Processing Requirements for Raw Milk Products) Variation [F2015L00198].


Legislative Instruments Act 2003—
Legislative Instruments (Deferral of Sunsetting—Legislative Instruments Regulations) Certificate 2015 [F2015L00151].
Legislative Instruments (Deferral of Sunsetting—Quarantine Instruments) Certificate 2015 [F2015L00157].

Migration Act 1958—Direction under section 499—Priority for considering and disposing of applications for specified visas made by persons who reside, or have resided, in an Ebola Virus Disease affected country—No. 64.

National Consumer Credit Protection Act 2009—ASIC Class Order—CO 15/130 [F2015L00195].

National Health Act 1953—
National Health Determination under paragraph 98C(1)(b) Amendment 2015 (No. 2)—PB 12 of 2015 [F2015L00207].
National Health (Listing of Pharmaceutical Benefits) Amendment Instrument 2015 (No. 2)—PB 10 of 2015 [F2015L00205].
National Health (Prescriber bag supplies) Amendment Determination 2015 (No. 2)—PB 14 of 2015 [F2015L00209].
National Health (Price and Special Patient Contribution) Amendment Determination 2015 (No. 1)—PB 11 of 2015 [F2015L00208].


Privacy Act 1988—
Privacy (International Money Transfers) Generalising Determination 2015 [F2015L00201].
Privacy (International Money Transfers) Public Interest Determination 2015 (No. 1) [F2015L00199].
Privacy (International Money Transfers) Public Interest Determination 2015 (No. 2) [F2015L00200].


Telecommunications Act 1997—
Telecommunications Disability Standard (Requirements for Customer Equipment for use with the Standard Telephone Service — Features for special needs of persons with disabilities — AS/ACIF S040) 2015 [F2015L00191].
Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015 [F2015L00190].
Telecommunications (Revocation of Technical Standards) Instrument 2015 (No. 1) [F2015L00194].

Telecommunications Technical Standard (Requirements for Connection to an Air Interface of a Telecommunications Network – AS/CA S042) 2015 [F2015L00188].
Telecommunications Technical Standard (Requirements for customer cabling products – AS/CA S008) 2015 [F2015L00182].
Telecommunications Technical Standard (Requirements for DSL Customer Equipment for connection to the Public Switched Telephone Network – AS/ACIF S041) 2015 [F2015L00187].
Telecommunications Technical Standard (Requirements for ISDN Primary Rate Access Interface – AS/ACIF S038) 2015 [F2015L00185].

Telecommunications (Carrier Licence Charges) Act 1997—Determination under paragraph 15(1)(b)—No. 1 of 2015 [F2015L00167].

The following document was tabled by the Clerk pursuant to the order of the Senate of 25 June 2015:

Estimates hearings—Unanswered questions on notice—Budget (Supplementary) estimates 2014-15—Statement—Attorney-General’s portfolio.

7 COMMITTEES—LEAVE TO MEET DURING SITTINGS

Committees were authorised to hold public meetings during the sittings of the Senate, as follows:

Economics References Committee—Wednesday, 4 March 2015, from 9.30 am, to take evidence for the committee’s inquiry into digital currency.

Finance and Public Administration Legislation Committee—today and on Monday, 16 March 2015, from 5 pm, to take evidence for the committee’s inquiry into the Department of Parliamentary Services.

8 FAIR WORK (REGISTERED ORGANISATIONS) AMENDMENT BILL 2014

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Agriculture (Senator Colbeck)—That this bill be now read a second time.

Debate resumed.

At 2 pm: Debate was interrupted while Senator Urquhart was speaking.

9 QUESTIONS

Questions without notice were answered.

Distinguished visitors: The President welcomed members of a parliamentary delegation from Fiji led by the Speaker, the Honourable Dr Jiko Luveni MP, and, with the concurrence of honourable senators, invited the Speaker to take a seat on the floor of the chamber.

Further questions without notice were answered.

10 MOTIONS TO TAKE NOTE OF ANSWERS

Senator Cameron moved—That the Senate take note of the answers given by the Attorney-General (Senator Brandis) to questions without notice asked by Opposition senators today.

Debate ensued.

Question put and passed.
The Leader of the Australian Greens (Senator Milne) moved—That the Senate take note of the answer given by the Minister for Employment (Senator Abetz) to a question without notice asked by Senator Milne today relating to the deployment of Australian troops to Iraq.

Question put and passed.

11 NOTICES

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

(a) recognises and commends the Rural Industries Research and Development Corporation for working closely with kangaroo meat and hide industry officials to develop an export feasibility study; and

(b) notes that:

(i) this will help industry provide the grassroots information that will assist in further negotiations and understanding of this unique industry with our trading partners,

(ii) this work is being undertaken in conjunction with ongoing efforts by the Department of Agriculture to commence and expand our kangaroo exports to a number of countries, such as Singapore, Thailand, India, Peru and Canada, and

(iii) these efforts will build economic opportunities for communities across rural Australia. (general business notice of motion no. 617)

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

(a) there be laid on the table by the Minister representing the Minister for Health, no later than 9.30 am on Wednesday, 4 March 2015, copies of the following National Mental Health Commission documents in relation to its Mental Health review:

(i) the preliminary report which was completed during February 2014,

(ii) the interim report of the Mental Health Review which was completed in June 2014, and

(iii) the final report which was completed by the end of November 2014; and

(b) the Senate not accept a public interest immunity claim by the Minister that tabling these documents would impact the Government’s ability to properly respond to the Mental Health Review because:

(i) organisations in the mental health sector are losing staff and being forced to cut services because of the lack of certainty the Government is causing by not releasing the reports,

(ii) the production of these documents is necessary to allow people living with mental illness, their representative organisations and service providers to have an open and honest conversation about the future of the mental health system in Australia,

(iii) the Mental Health Review must be transparent for the community to have faith in the review outcomes,

(iv) there has been significant demand from the mental health sector for the reports to be made available to allow for an informed debate in the lead-up to Government decision-making around the 2015-16 Budget, and
(v) the more than 1800 organisations and individuals that made submissions to the review have the right to see these reports. (general business notice of motion no. 618)

Senators Collins and Hanson-Young, the Leader of the Palmer United Party in the Senate (Senator Lazarus) and Senators Wang and Lambie: To move on the next day of sitting—That the Senate—

(a) commends the Australian Human Rights Commission (AHRC) and its President on delivering The forgotten children: national inquiry into Children in Immigration Detention 2014 report;

(b) acknowledges that the Department of Immigration and Border Protection has referred all allegations of abuse involving children in detention, including those evidenced in the report, on an individual basis to police for investigation and action;

(c) respects the independence and integrity of the AHRC and its mandate to promote and protect human rights in Australia; and

(d) expresses its support for, and confidence in, the AHRC and its President. (general business notice of motion no. 619)

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

(a) notes the intention of the Western Australian State Government to review its Genetically Modified Crops Free Areas Act 2003;

(b) calls on the Western Australian State Government to retain the legislative framework that creates genetically-modified organism (GMO) free areas within Western Australia;

(c) notes the enormous financial costs, including court fees and loss of income, that Mr Steve Marsh has incurred after having his organic farm contaminated by genetically-modified (GM) canola from a neighbouring farm; and

(d) calls on the Federal Government to facilitate the creation of a national contamination insurance scheme that ensures that the clean-up and loss of income costs associated with cleaning up a GMO contamination is funded by levies on GM crops. (general business notice of motion no. 620)

The Minister Assisting the Prime Minister for Women (Senator Cash): To move on the next day of sitting—That the Senate—

(a) notes that:

(i) 8 March is International Women’s Day (IWD) and that the theme for IWD 2015 is ‘Empowering Women, Empowering Humanity: Picture it!’, and

(ii) 2015 marks 20 years since the Beijing Declaration and Platform for Action (BPFA), the international plan for achieving gender equality which was agreed by 189 governments, including Australia, at the United Nations Fourth World Conference for Women, held in Beijing, China, in September 1995;

(b) acknowledges:

(i) the work that UN Women, the United Nations organisation dedicated to gender equality and the empowerment of women, undertakes to improve the conditions of women, both domestically and internationally,
(ii) the efforts made by successive Australian Governments in progressing
the BPFA aims, specifically in removing obstacles for women’s active
participation in all areas of public and private life and establishing
shared responsibility between women and men at home, in the
workplace and in the community to build a sustainable, just and
developed society, and

(iii) that, despite the many rights and privileges Australian women enjoy and
the years of passage of the BPFA, there remain challenges that we must
strive to overcome on a domestic and international basis; and

c) recognises:

(i) that in Australia, violence against women is still far too common, with
Australian Bureau of Statistics data continuing to show that one in
3 women have experienced physical violence since the age of 15,

(ii) the collective efforts from Commonwealth, state and territory
governments to ensure a significant and sustained reduction in violence
against women and their children, pursuant to the National Plan to
Reduce Violence Against Women and their Children 2010-2022, and

(iii) that all Australians have an obligation to speak out and protect the
human rights of women, both in Australia and overseas. (general
business notice of motion no. 621)

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

(a) notes that:

(i) the Liverpool Plains is one of the most important agricultural regions in
Australia with rare and highly productive black soils, excellent water
resources and a favourable local climate,

(ii) farming has occurred on the Liverpool Plains for generations and the
agricultural productivity of the area is up to 40 per cent above the
national average for all farming regions of Australia,

(iii) highly productive agricultural land, like that of the Liverpool
Plains, is a
finite resource,

(iv) the New South Wales Planning Assessment Commission has recently
approved the development of Chinese state-owned company Shenhua’s
Watermark open-cut coal mine on the Liverpool Plains, which will
extract 268 million tonnes of coal over 30 years, 3 kilometres from the
town of Breeza,

(v) farmers in the region are angry and extremely concerned that if this coal
mine goes ahead their soils and the highly interconnected groundwater
aquifers they rely on will be irreversibly damaged,

(vi) the Northern Daily Leader reported on 4 July 2014 that the Minister for
Agriculture (Mr Joyce) said, ‘I think the idea of a coalmine on the
Breeza Plains is an absurdity’ and ‘I think it’s most likely that it’s going
to have a deleterious effect on the aquifers’, and

(vii) the Australian Broadcasting Corporation reported on 9 September 2014
that the Minister for Agriculture said of the Liverpool Plains, ‘I’ve
always said from the start that I don’t believe that it is the appropriate
place for a coal mine’; and

(b) believes that the Liverpool Plains should be permanently off limits to coal
mining and coal seam gas extraction. (general business notice of motion
no. 622)
Senator Wright: To move on the next day of sitting—That the Senate—
(a) notes the study by Melbourne’s Monash University which shows fewer people in rural, remote and disadvantaged areas accessing mental health services;
(b) acknowledges that rates of severe mental illness are higher in the most disadvantaged areas;
(c) recognises that people in wealthier areas access psychologists and psychiatrists up to three times as often as those in the most disadvantaged areas; and
(d) calls on the Government to address these inequalities by providing incentives for mental health professionals to practise outside major cities. (general business notice of motion no. 623)

The Leader of the Palmer United Party in the Senate (Senator Lazarus) and Senator Wang: To move on 5 March 2015—That the Senate—
(a) acknowledges that the possible impact on human health and our water resources from coal seam gas (CSG) mining is not well understood; and
(b) calls on the Government to:
   (i) act with caution and stop approving CSG projects until such time as CSG mining is considered completely safe by scientists and qualified professionals, and
   (ii) establish a royal commission into the human impact of CSG mining. (general business notice of motion no. 624)

Notice of motion withdrawn: Senator Siewert, at the request of Senator Hanson-Young, withdrew general business notice of motion no. 615 standing in the name of Senator Hanson-Young for today, proposing an order for the production of a document by the Productivity Commission.

12 PRIVATE SENATORS’ BILLS—CONSIDERATION
The Assistant Minister for Social Services (Senator Fifield) moved—That general business order of the day no. 29 (Environment Protection and Biodiversity Conservation Amendment Bill 2014) be considered on Thursday, 5 March 2015 under the temporary order relating to the consideration of private senators’ bills.
Question put and passed.

13 POSTPONEMENT
Business was postponed as follows:
Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for 3 March 2015, proposing the disallowance of the Part 145 Manual of Standards Amendment Instrument 2014 (No. 1), postponed till 18 March 2015.

14 COMMITTEES—EXTENSIONS OF TIME TO REPORT
The following committees were granted extensions of time to report:
Community Affairs Legislation Committee—Aboriginal and Torres Strait Islander Amendment (A Stronger Land Account) Bill 2014, extended to 25 March 2015.
Community Affairs References Committee—Commonwealth community service tendering processes by the Department of Social Services, extended to 12 May 2015.
Economics References Committee—
Affordable housing, extended to 14 April 2015.
Digital currency, extended to 10 August 2015.
Implications of financial advice reforms, extended to 1 February 2016.
Environment and Communications References Committee—Electricity network companies, extended to 20 April 2015.
Finance and Public Administration Legislation Committee—Department of Parliamentary Services, extended to 25 June 2015.
Finance and Public Administration References Committee—Violence against women, extended to 18 June 2015.

15 LEAVE OF ABSENCE
Senator McEwen, by leave, moved—that leave of absence be granted to the following senators for personal reasons:
(a) Senator Brown from 2 to 5 March 2015; and
(b) Senator Ludwig for today.
Question put and passed.

16 ROUTINE OF BUSINESS—VARIATION—FIRST SPEECH
The Assistant Minister for Social Services (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—that consideration of the business before the Senate on Thursday, 5 March 2015 be interrupted at approximately 4 pm, but not so as to interrupt a senator speaking, to enable Senator Muir to make his first speech without any question before the chair.
Question put and passed.

17 ENVIRONMENT—QUEENSLAND—ABBOT POINT
Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 616—that the Senate—
(a) notes recent media reporting which shows that Adani’s ownership arrangements in relation to the Abbot Point coal terminal and proposed Carmichael coal mine lack transparency; and
(b) calls on the Federal Government to urgently establish which individuals or corporate entities control the Abbot Point coal terminal and the Carmichael mine, whether all relevant disclosures have been made to the Minister for the Environment, and whether the environmental history of all persons or corporate entities involved has been appropriately considered.

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, 15

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<th>Rice</th>
<th>Whish-Wilson</th>
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Waters
No. 79—2 March 2015

NOES, 33

Senators—

Back
Bernardi
Bullock
Bushby
Canavan
Cash
Colbeck
Collins
Edwards

Fawcett
Fifield
Gallacher
Ketter
Leyonhjelm
Lines
Marshall
Mason

McEwen (Teller)
McGrath
McKenzie
Moore
O'Neill
O'Sullivan
Peris
Polley

Reynolds
Ruston
Ryan
Seselja
Smith
Sterle
Urquhart
Williams

Question negatived.

18 ECONOMICS REFERENCES COMMITTEE—REFERENCE

Senator Xenophon, also on behalf of Senator McKenzie, 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 Economics References Committee for inquiry and report by 14 May 2015:

(a) the role, importance and overall performance of cooperative, mutual and member-owned firms in the Australian economy;

(b) the operations of cooperatives and mutuals in the Australian economy, with particular reference to:

(i) economic contribution,

(ii) current barriers to innovation, growth, and free competition,

(iii) the impact of current regulations, and

(iv) comparisons between mutual ownership and private sale of publicly held assets and services; and

(c) any related matters.

Question put and passed.

19 MINING—NATURAL RESOURCE SECTOR

Senator O'Sullivan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 614—That the Senate acknowledges the significant importance of continued development within the natural resource sector to both the national and regional economies, and the positive impact of this sector on employment opportunities and the wellbeing of entire rural and regional communities.

Question put and passed.

20 URGENCY MOTION—HEALTH—FOOD LABELLING STANDARDS

The Deputy President (Senator Marshall) informed the Senate that, at 8.30 am today, two senators each submitted letters in accordance with standing order 75, Senator Siewert proposing a matter of urgency for debate and Senator Moore proposing a matter of public importance for discussion. The question of which proposal would be submitted to the Senate was determined by lot.

As a result, the Deputy President (Senator Marshall) informed the Senate that Senator Siewert had proposed that today she intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

The need for the Abbott Government to immediately implement country of origin food labelling legislation to protect public health and Australian farmers.
The proposal was supported by four senators. The Leader of the Australian Greens (Senator Milne), at the request of Senator Siewert, moved the motion. Debate ensued. Question put and passed.

21 DOCUMENTS—CONSIDERATION

The following documents tabled earlier today (see entry no. 2) were considered:

- Taxation—Corporate tax avoidance—Letters to the President of the Senate from the Treasurer (Mr Hockey) responding to the resolutions of the Senate of 2 October 2014 and 9 February 2015 [2]. Motion to take note of documents moved by the Leader of the Australian Greens (Senator Milne) and agreed to.

- Environment—Western Australia—Shark catch and kill policy—Letter to the President of the Senate from the Minister for the Environment (Mr Hunt) responding to the resolution of the Senate of 11 February 2015. Motion to take note of document moved by Senator Siewert and agreed to.

- Australian Broadcasting Corporation (ABC)—Equity and diversity—Report for the period 1 September 2013 to 31 August 2014. Motion to take note of document moved by Senator O’Sullivan. Debate adjourned till Thursday at general business, Senator O’Sullivan in continuation.

22 DEFENCE—CAPABILITY THROUGH DIVERSITY—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Human Services (Senator Payne) tabled the following document:

- Defence—Capability through diversity—Ministerial statement by the Assistant Minister for Defence (Mr Robert), dated 2 March 2015.

23 COMMITTEE MEMBERSHIP

The Acting Deputy President (Senator Dastyari) informed the Senate that the President had received letters requesting changes in the membership of committees.

The Minister for Human Services (Senator Payne), by leave, moved—that senators be discharged from and appointed to committees as follows:

- Environment and Communications Legislation Committee—Appointed—
  Substitute members:
  - Senator McEwen to replace Senator Urquhart on 6 March 2015
  - Senator Conroy to replace Senator Urquhart on 10 March 2015
  Participating member: Senator Urquhart

- Public Works—Joint Statutory Committee—Discharged—Senator Canavan
  Appointed—Senator Smith.

Question put and passed.
24 **ENHANCING ONLINE SAFETY FOR CHILDREN BILL 2014**  
**ENHANCING ONLINE SAFETY FOR CHILDREN (CONSEQUENTIAL AMENDMENTS) BILL 2014**

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

Message no. 304, dated 24 February 2015—A Bill for an Act to enhance online safety for children, and for other purposes.

Message no. 303, dated 24 February 2015—A Bill for an Act to deal with consequential matters arising from the enactment of the *Enhancing Online Safety for Children Act 2014*, and for other purposes.

The Minister for Human Services (Senator Payne) 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 Payne moved—that these bills be now read a second time.

*Consideration of legislation:* Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the day fixed for the Environment and Communications Legislation Committee to report on the bills, 3 March 2015.

25 **HIGHER EDUCATION AND RESEARCH REFORM BILL 2014**

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

Message no. 307, dated 25 February 2015—A Bill for an Act to amend legislation relating to higher education and research, and for other purposes.

The Minister for Human Services (Senator Payne) 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 Payne moved—that this bill be now read a second time.

*Consideration of legislation:* Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the day fixed for the Education and Employment Legislation Committee to report on the bill, 17 March 2015.

26 **TAX AND SUPERANNUATION LAWS AMENDMENT (2014 MEASURES NO. 7) BILL 2014**  
**EXCESS EXPLORATION CREDIT TAX BILL 2014**

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

Message no. 305, dated 25 February 2015—A Bill for an Act to amend the law relating to taxation and superannuation, and for related purposes.


The Minister for Human Services (Senator Payne) 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 Payne moved—That these bills be now read a second time.
On the motion of Senator Payne the debate was adjourned till the next day of sitting.

27 **ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES RECOGNITION (SUNSET EXTENSION) BILL 2015**

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

Message no. 308, dated 26 February 2015—A Bill for an Act to amend the *Aboriginal and Torres Strait Islander Peoples Recognition Act 2013*, and for related purposes.

The Minister for Human Services (Senator Payne) 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 Payne moved—That this bill be now read a second time.

*Consideration of legislation*: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings, 11 May 2015.

28 **BROADCASTING AND OTHER LEGISLATION AMENDMENT (Deregulation) BILL 2015**

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


The Minister for Human Services (Senator Payne) 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 Payne moved—That this bill be now read a second time.

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

On the motion of Senator Payne the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

29 **ACTS AND INSTRUMENTS (FRAMEWORK REFORM) BILL 2014**

**CRIMES LEGISLATION AMENDMENT (PSYCHOACTIVE SUBSTITUTES AND OTHER MEASURES) BILL 2014**

**ENVIRONMENT LEGISLATION AMENDMENT BILL 2013**

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


30 COMMITTEE MEMBERSHIP
A message from the House of Representatives was reported informing the Senate of changes in the membership of joint committees, as follows:
Message no. 299, dated 23 February 2015—
Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, Mr Irons in place of Mr Porter
Joint Committee of Public Accounts and Audit, Mr Albanese in place of Mr Watts.

31 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:
25 February 2015—Messages Nos—
1—
2—
Customs Amendment Act 2015 (Act No. 4, 2015)
Statute Law Revision Act (No. 1) 2015 (Act No. 5, 2015)
3—
Australian Citizenship Amendment (Intercountry Adoption) Act 2015 (Act No. 7, 2015)

32 EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—INTERIM REPORT—PRIVATE VOCATIONAL EDUCATION AND TRAINING PROVIDERS
Pursuant to order, Senator Urquhart, at the request of the Chair of the Education and Employment References Committee (Senator Lines), tabled the following report:
Education and Employment References Committee—Operation, regulation and funding of private vocational education and training (VET) providers in Australia—Interim report.
Report ordered to be printed on the motion of Senator Urquhart.
Pursuant to order, Senator O’Sullivan, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Bernardi), tabled the following report and documents:


Report ordered to be printed on the motion of Senator O’Sullivan.

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Agriculture (Senator Colbeck)—That this bill be now read a second time.

Debate resumed.

Question put.

The Senate divided—

AYES, 30

Senators—
Abetz
Back
Birmingham
Bushby
Canavan
Cash
Day
Edwards

Fawcett (Teller)
Fierravanti-Wells
Fifiield
Heffernan
Johnston
Leyonhjelm
Macdonald
Mason

McGrath
McKenzie
Nash
O’Sullivan
Parry
Payne
Reynolds

Ronaldson
Ryan
Seselja
Sinodinos
Smith
Williams
Xenophon

NOES, 33

Senators—
Bilyk (Teller)
Bullock
Cameron
Conroy
Dastyari
Di Natale
Gallacher
Hanson-Young
Ketter

Lambie
Lazarus
Lines
Ludlam
Lundy
Marshall
McEwen
McLucas

Milne
Moore
Muir
O’Neill
Peris
Polley
Rhiannon
Rice

Siewert
Singh
Sterle
Urquhart
Wang
Waters
Whish-Wilson
Wright

Question negatived.

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

Debate resumed.

Question put.
The Senate divided—

AYES, 33

Senators—

Back
Bushby
Cameron
Canavan
Colbeck
Conroy
Day
Gallacher
Ketter

Leyonhjelm
Lines
Lundy
Macdonald
Madian
Mason
McGrath
McKenzie

McLucas
Moore
Muir
Nash
O’Neill
O’Sullivan
Peris
Reynolds

Ruston (Teller)
Seselja
Singh
Sinodinos
Smith
Sterle
Urquhart
Williams

NOES, 12

Senators—

Di Natale
Hanson-Young
Lambie

Ludlam
Milne
Rhiannon

Rice
Siewert (Teller)
Waters

Whish-Wilson
Wright
Xenophon

Question agreed to.

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 Assistant Minister for Health (Senator Nash) the bill was read a third time.

36 ORDER OF BUSINESS—REARRANGEMENT

The Assistant Minister for Social Services (Senator Fifield) moved—that government business order of the day no. 3 (National Water Commission (Abolition) Bill 2014) be postponed till the next day of sitting.

Question put and passed.

37 TAX AND SUPERANNUATION LAWS AMENDMENT (2014 MEASURES NO. 5) 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.

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 Rice, in respect of Schedule 1.

Schedule 1 debated and agreed to.

Question—that the bill stand as printed—divided, at the request of Senator Singh, in respect of Schedule 2.

Schedule 2 debated.
Question—That Schedule 2 stand as printed—put and negatived.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator Singh, in respect of Schedule 3.

Schedule 3 debated.

Question—That Schedule 3 stand as printed—put and negatived.

On the motion of Senator Singh the following amendments, taken together by leave, were agreed to:

Clause 2, page 2 (table item 2, column 1), omit “Schedules 1 and 2”, substitute “Schedule 1”.

Clause 2, page 2 (table item 3, column 1), omit “Schedules 3 and 4”, substitute “Schedule 4”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

38 Broadcasting and Other Legislation Amendment (Deregulation) Bill 2015

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

Debate resumed.

Senator Ludlam moved the following amendment:

At the end of the motion, add “but the Senate calls on the Australian Government to guarantee continuity of broadcast spectrum to the community television sector so that community television stations can continue in their role of training Australian talent and providing much-needed diversity to the Australian media market”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 15

Senators—

Di Natale
Hanson-Young
Lazarus
Ludlam
Madigan
Milne
Muir
Rhiannon
Rice
Siewert (Teller)
Wang
Waters
Whish-Wilson
Wright
Xenophon
Question negatived.
Main question put and passed.
Bill read a second time.

_____

After 9.50 pm—

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

_____

Document: Senator Whish-Wilson, by leave, tabled the following document:

_____

Debate continued.
The Senate adjourned at 10.25 pm till Tuesday, 3 March 2015 at 12.30 pm.

40 ATTENDANCE
Present, all senators except Senators Brown* and Ludwig* (*on leave).

ROSEMARY LAING
Clerk of the Senate